



**CITY OF HOLLY HILL
BOARD OF PLANNING
AND APPEALS**

**October 4, 2010 Meeting
6:30 pm at City Hall
City Commission Chambers**



AGENDA
CITY OF HOLLY HILL, FLORIDA
BOARD OF PLANNING AND APPEALS MEETING
Monday, October 4, 2010
6:30 PM

CITY COMMISSION CHAMBERS
1065 Ridgewood Avenue, Holly Hill, Florida 32117-2898
City Clerk's Office: (386) 248-9441 Fax: (386) 248-9448

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance to the Flag

2. APPROVAL OF MINUTES

- A. Minutes from the meeting on June 7, 2010

3. NEW BUSINESS

- A. **Z-10-08-01:** Rezoning for 738 Carswell, 351/345 8th Street (Bruce Greenbaum)

4. OLD BUSINESS

- A. None

5. OTHER – Staff Comments

6. ADJOURNMENT

Website Address – www.hollyhillfl.org (City Clerk)

NOTICE – If any person decides to appeal any decision made by said body with respect to any matter considered at such meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.

**MINUTES
FROM THE CITY CLERK'S OFFICE**

AGENDA

ITEM: 2

DATE: October 4, 2010

MINUTES

**MINUTES
BOARD OF PLANNING AND APPEALS MEETING
CITY OF HOLLY HILL, FLORIDA**

JUNE 7, 2010

1. CALL TO ORDER

A. Roll Call

Michael Myer called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 6:30 p.m. Attending with Michael Myer were Board members Chris Kiley, J.D. Mellette, Phillip Wiggins, and John Sterling.

Also attending were the following staff members: Assistant City Attorney Scott Simpson, City Planner Doug Gutierrez, and City Clerk Joshua Fruecht.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Michael Myer delivered the invocation and the pledge of allegiance.

3. APPROVAL OF MINUTES

- ✓ Minutes from the Planning and Appeals meeting – May 3, 2010

*Mr. Kiley moved **APPROVAL** for the **MINUTES**, seconded by Mr. Wiggins.*

The motion **CARRIED** 5-0 by roll call vote: Kiley – Yes, Wiggins – Yes, Mellette – Yes, Sterling – Yes, Myer – Yes

4. NEW BUSINESS

- A. LDR-10-05-02: Amendment to the Code of Ordinances - Chapter 78 General provisions, Section 78-14 Definitions.**

Mr. Myer opened public participation.

No one spoke.

Mr. Myer closed public participation.

*Mr. Wiggins moved **APPROVAL** for **LDR-10-05-02**, seconded by Mr. Mellette.*

The motion **CARRIED** 5-0 by roll call vote: Mellette – Yes, Sterling – Yes, Kiley – Yes, Wiggins – Yes, Myer – Yes

MINUTES

B. Z-10-06-01: Rezoning for 1713 N. nova Road from 8-4 to CC-1

Mr. Myer opened public participation.

The following individuals came forward to speak to the Planning and Appeals Board: Jane Higgs and Jim Higgs.

Mr. Myer closed public participation.

Mr. Wiggins moved APPROVAL for Z-10-06-01, seconded by Mr. Mellette.

The motion **CARRIED** 5-0 by roll call vote: Wiggins – Yes, Mellette – Yes, Kiley – Yes, Sterling – Yes, Myer – Yes

C. A-10-06-02: Re-establish a non-conforming use - 400 Ridgewood Avenue

Mr. Myer opened public participation.

The following individuals came forward to speak to the Planning and Appeals Board: Teresa Birnie.

Mr. Myer closed public participation.

No action was taken on A-10-06-02.

5. OLD BUSINESS – NONE

6. OTHER – STAFF COMMENTS

City Planner

City Planner Doug Gutierrez stated that there would not be a Planning and Appeals Board meeting on Monday July 5, 2010 due to it being a Holiday.

After some discussion between the Planning and Appeals Board and City Planner Doug Gutierrez, there was a majority **CONSENSUS** of the board to have the next Planning and Appeals Board meeting on Monday August 2, 2010.

7. ADJOURNMENT

The meeting officially adjourned at approximately 7:08 p.m.

Joshua Fruecht
City Clerk

NEW BUSINESS

AGENDA

ITEM: 3

DATE: October 4, 2010

Z-10-08-01

Rezoning for 738 Carswell, 351/345 8th Street
(Bruce Greenbaum, Property Owner)

AGENDA

ITEM: 3A

DATE: October 4, 2010



STAFF REPORT

City of Holly Hill
Community Development Department

Board of Planning and Appeals Agenda Item

DATE: August 2, 2010

SUBJECT: Request for Rezoning from CC-1 (Commercial Corridor) to I-2 (Heavy Industrial)

APPLICANT: Bruce Greenbaum, property owner

NUMBER: Z-10-08-01 Rezoning for 738 Carswell & 351/345 8th Street.

PLANNER: Doug Gutierrez, AICP, City Planner

INTRODUCTION:

Bruce Greenbaum, property owner, is requesting an amendment to the Official Zoning Map. The request is to approve an amendment for approximately 0.91 acres, from CC-1 (Commercial Corridor) to I-2 (Heavy Industrial).

SITE INFORMATION 1 (PARCEL A)

1. **Tax Parcel Id:** 5337-01-00-0240
2. **Property Address:** 351 8th Street
3. **Acreage:** Approximately 0.32 Acres
4. **Property Location:** On the SW corner of 8th Street and Carswell Avenue. (Please see attached map).
5. **Legal Description:** LOTS 24 & 25 PINE CREST HOLLY HILL PER OR 4747 PG 2995
6. **Development Trends:** The area is industrial and heavy commercial. The proposed rezoning is to provide for additional uses currently not permitted in the CC-1 zoning district.
7. **Existing Land Use:** The property is vacant
8. **Letters/Phone Calls in Favor or Opposition:** The City has received no phone calls or letters for or against this item.
9. **Due public notice properly served:** Notice Mailed to Owners 300 feet perimeter: July 21, 2010.

SITE INFORMATION 2 (PARCEL B)

1. **Tax Parcel Id:** 5337-01-00-0220
2. **Property Address:** 738 Carswell Avenue
3. **Acreage:** Approximately 0.27 Acres
4. **Property Location:** On Carswell Avenue, approximately 110 feet south of 8th Street. (Please see attached map).
5. **Legal Description:** LOTS 22 & 23 INC PINE CREST HOLLY HILL OR 3935 PG 0557

6. **Development Trends:** The area is industrial and heavy commercial. The proposed rezoning is to provide for additional uses currently not permitted in the CC-1 zoning district.
7. **Existing Land Use:** The property has two one story commercial & warehouse structures.
8. **Letters/Phone Calls in Favor or Opposition:** The City has received no phone calls or letters for or against this item.
9. **Due public notice properly served:** Notice Mailed to Owners 300 feet perimeter: July 21, 2010.

SITE INFORMATION 3 (PARCEL C)

1. **Tax Parcel Id:** 5337-01-00-0240
2. **Property Address:** 345 8th Street
3. **Acreage:** Approximately 0.32 Acres
4. **Property Location:** On the SE corner of 8th Street and Carswell Avenue. (Please see attached map).
5. **Legal Description:** LOTS 49 & 50 PINE CREST HOLLY HILL MB 6 PG 56 PER OR 3699 PG 1348 DIV CASE 86-307803 PER OR 3699 PG 1342 PER OR 6308 PG 2024
6. **Development Trends:** The area is industrial and heavy commercial. The proposed rezoning is to provide for additional uses currently not permitted in the CC-1 zoning district.
7. **Existing Land Use:** The property has a one story commercial & warehouse structure.
8. **Letters/Phone Calls in Favor or Opposition:** The City has received no phone calls or letters for or against this item.
9. **Due public notice properly served:** Notice Mailed to Owners 300 feet perimeter: August 21, 2010.

BACKGROUND:

This property is currently zoned CC-1 (Commercial Corridor District). The lots are approximately 0.91 acres in size and has an existing commercial structure. The property owner has two tenants on this property. One of the current tenants has a use that is not permitted in the CC-1 zoning district and is considered to be code violation. The property owner was cited by code enforcement and considering the current economy, wishes to rezone the property to I-2 (Heavy Industrial) which permits this use, rather than evict the tenants and lose the revenue generated. The tenant is Extreme Towing, which is only permitted in the I-2 zoning district. I-2 is present throughout the Carswell and State Street corridor and is in close proximity to the subject property.

COMPREHENSIVE PLAN AND ZONING ANALYSIS:

Adjacent land uses and zoning for Parcel A are as follows:

	Current Land Uses	Future Land Use Designation	Zoning
North	Commercial Paint and body Shop	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)
South	Commercial Automotive repair	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)
East	Commercial/Industrial	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)
West	FEC Rail Road	N/A	N/A

COMPREHENSIVE PLAN AND ZONING ANALYSIS:

Adjacent land uses and zoning for Parcel B are as follows:

	Current Land Uses	Future Land Use Designation	Zoning
North	Commercial Paint and body Shop	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)
South	Commercial Automotive repair	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)
East	Commercial/Industrial	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)
West	FEC Rail Road	N/A	N/A

COMPREHENSIVE PLAN AND ZONING ANALYSIS:

Adjacent land uses and zoning for Parcel C are as follows:

	Current Land Uses	Future Land Use Designation	Zoning
North	Commercial	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)
South	Commercial	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)
East	Single Family Structure	Low Density Residential	R-3 _Medium Density Residential)
West	Vacant	Wholesale Commercial and Industrial (WCI)	CC-1 (Commercial Corridor)

Staff finds that the rezoning to I-2 (Heavy Industrial) zoning designation is consistent with the City’s Comprehensive Plan based on the following information:

Justification for Rezoning: The requested zoning change to I-2 is consistent with the surrounding properties and their zoning classification the proposed I-2 rezoning is a compatible zoning district for Wholesale Commercial and Industrial as depicted in Policy 1.1.3 Future Land Use category and zoning matrix.

Policy 1.1.3 – The following matrix shall serve as the basis for determining consistency between the future land use categories shown on the Future Land Use Map and zoning districts:

Future Land Use Categories																							
	CF	R-1	R2	R-3	R-4	R-5	R-6	R-7	R-8	R-9	R-10	MXD 2	MXD-3	B-1	B-2	B-3	B-4	B-5	B-6	CC-1	I-1	I-2	PUD
Low Density Residential	M	C	C	C	C	C	N	N	N	M	N	N	N	N	N	M	N	N	N	N	N	N	M
Low-Medium Density Residential	M	C	C	C	C	C	N	N	N	M	N	N	N	N	N	M	N	N	N	N	N	N	M
Medium Density Residential	M	N	N	N	N	N	C	C	C	N	N	N	N	N	N	M	N	N	N	N	N	N	M
High Density Residential	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	C
Mobile Homes	M	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N	N	M
General Commercial	M	N	N	N	N	N	N	N	N	N	N	M	N	C	C	C	C	C	C	C	N	N	M
Wholesale Commercial and Industrial	M	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	M
Churches, Schools & Institutions	M	M	M	M	M	N	M	M	M	N	N	N	N	M	M	M	M	M	M	M	N	N	M
Recreation and Open Space	C	M	M	M	M	M	M	M	M	M	N	N	N	M	M	M	M	M	M	M	M	M	M
Conservation	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	M
Residential-Based Mixed Use	N	N	N	N	N	N	N	N	N	N	M	M	M	N	N	N	N	N	N	N	N	N	C
Mixed Use II	N	N	N	N	N	N	N	N	N	N	M	C	M	N	N	N	N	N	N	N	N	N	C
Mixed Use III	N	N	N	N	N	N	N	N	N	N	M	M	C	N	N	N	N	N	N	N	N	N	C

Key: “C” indicates the zoning classification is **compatible** with the future land use category; “M” indicates the zoning classification **may be compatible** under certain circumstances; “N” indicates the zoning classification is **not compatible** with the future land use category.

Rezoning Criteria:

1. Will the rezoning be consistent with all adopted elements of the Comprehensive Plan?
The proposed is consistent with the City’s Comprehensive Plan.

2. Will the rezoning have any impact on the environment and natural resources?
The property is developed, no additional structures are proposed. Any new development will have to meet the current State, County and City codes addressing environmental and natural resource impacts.

3. Will the rezoning have any impact on the economy of any affected area?
The proposed rezoning would have a positive impact to the local economy. Benefits would be gained though retaining current uses and employees.

4. What impact will the rezoning have on necessary government services such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste and transportation?
The existing government services can meet the service requirements, no increase of impacts to service are proposed.

5. Are there any changes in the circumstances or conditions that affect the area?

The currently non-conforming use would benefit from the proposed rezoning and bring the property into compliance.

6. Were there any mistakes in the original zoning classification for the subject property on the official zoning map?

The City could find no mistakes in the original classification.

7. Will the rezoning have any effect on the use or value of the affected area?

The proposed rezoning would likely have a positive effect on the value of the area and surrounding properties.

8. Will the rezoning have any impact on the public health, welfare, safety, or morals?

No, the proposed rezoning will not likely have a negative impact on the public health, welfare, safety, or morals.

Summary:

Staff supports the rezoning of the property to I-2 to allow the continuation of the towing business and bring the property into compliance.

RECOMMENDATION:

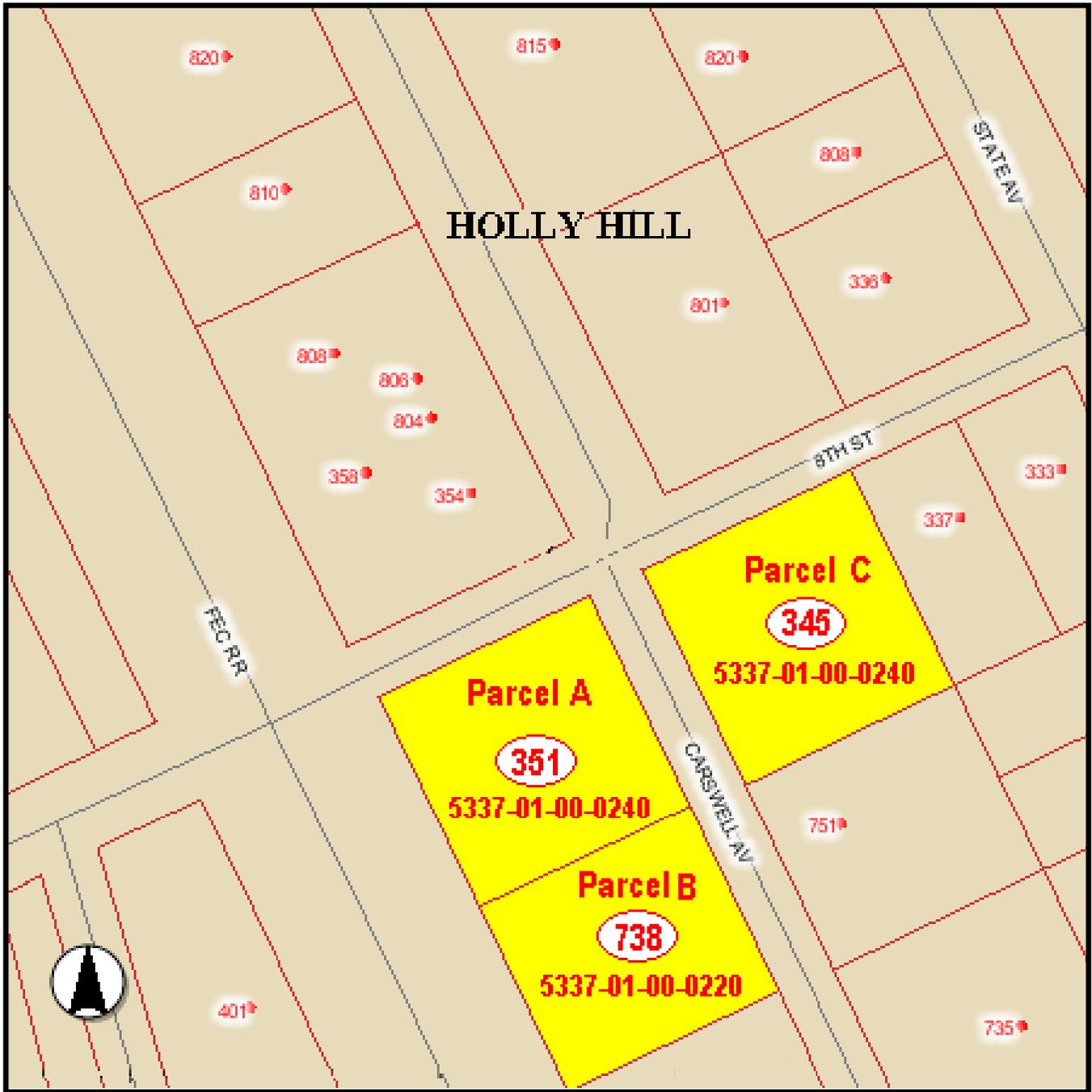
Staff recommends that the City Commission approve the proposed amendment to the Official Zoning Map for 0.91 acres of CC-1 (Commercial Corridor district) to I-2 (Heavy Industrial) based on the following reasons:

- Request is consistent with the character of the surrounding properties
- The proposed zoning is compatible with the adjoining uses

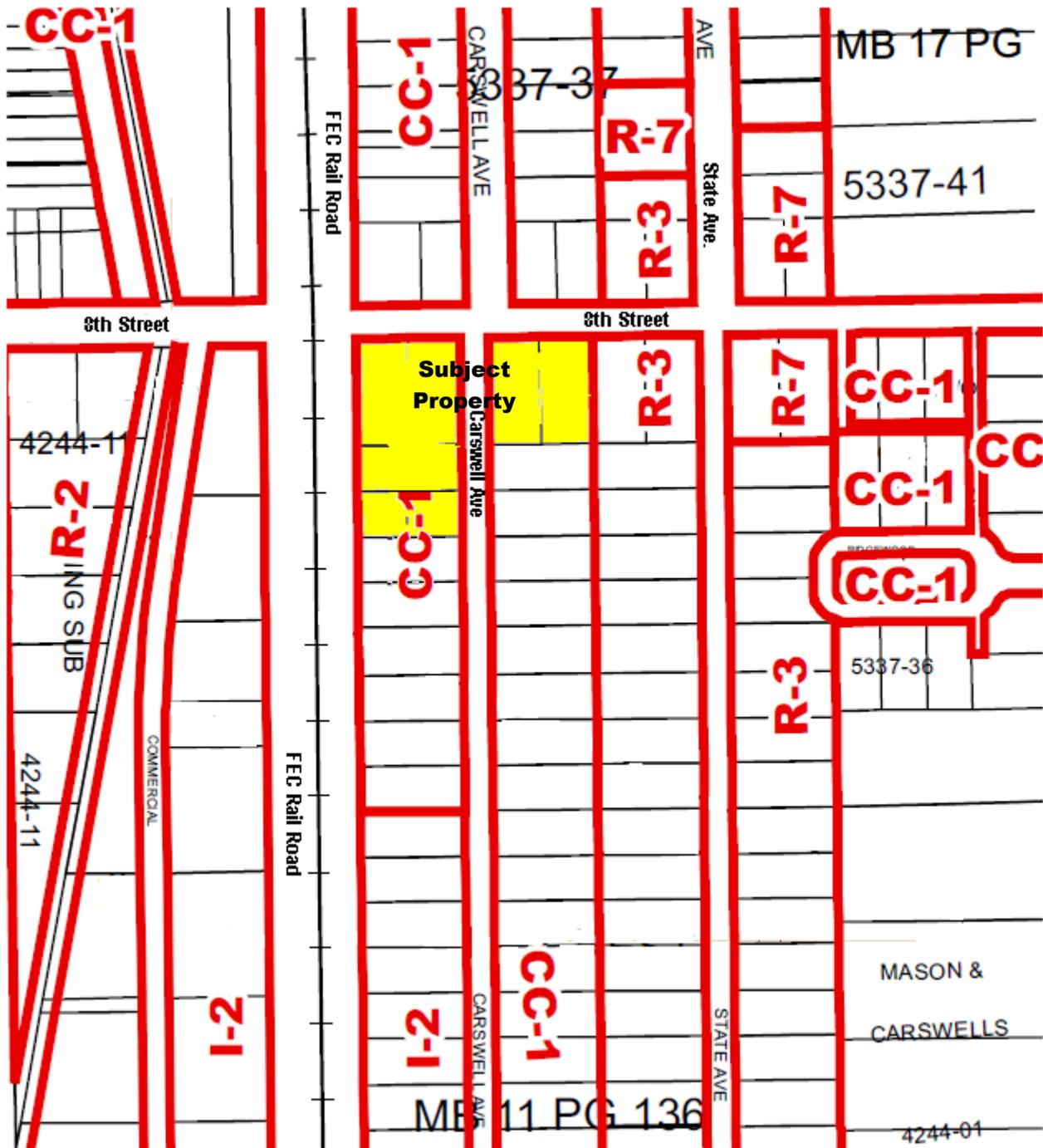
MAPS

- *Location Map*
- *Zoning Map*
- *Aerial*

LOCATION MAP



ZONING MAP



AERIAL



Future Land Use

