



CITY OF HOLLY HILL BOARD OF PLANNING AND APPEALS

AGENDA PACKET

TITLE: Board of Planning and Appeals Meeting

DATE: Monday, June 6, 2011

TIME: 6:30 PM

LOCATION: City Commission Chambers
1065 Ridgewood Avenue
Holly Hill, FL 32117

**MINUTES
FROM THE OFFICE OF THE CITY CLERK**

AGENDA

ITEM: 2

DATE: June 6, 2011

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

May 2, 2011

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, and J.D. Mellette.

Excused Absences:

- Phillip Wiggins
- John Sterling

Also attending were the following staff members: City Attorney Scott Simpson, City Planner Thomas Harowski, and City Clerk Joshua Fruecht.

B. Invocation

Mr. Myer delivered the Invocation.

C. Pledge of Allegiance to the Flag

Mr. Myer led the Pledge of Allegiance.

2. MINUTES

A. Minutes from the Board of Planning and Appeals Meeting – April 4, 2011

*Mr. Kiley moved **APPROVAL** for the **Minutes**, seconded by Mr. Mellette.*

The motion **CARRIED** 3-0 unanimously: Kiley – Yes , Mellette – Yes, Myer – Yes.

3. NEW BUSINESS

A. V-2011-01 536 Center Avenue

Applicant – Richard Nation

This is a request for a variance to allow temporary storage units beyond the 30 day limit allowed by the City Code.

City Planner Thomas Harowski gave an overview of the case from the provided Staff Report.

Mr. Myer opened public participation. The following individuals came forward to speak:

- Roger Kosky (608 Center Lane, Holly Hill, FL 32117)
- Richard Nation (536 Center Avenue, Holly Hill, FL 32117)

Mr. Mellette moved to TABLE for V-2011-01: 536 CENTER AVENUE (RICHARD NATION), a request for a variance to allow temporary storage units beyond the 30 day limit allowed by the City Code, seconded by Mr. Kiley.

The motion **CARRIED** 3-0 unanimously: Mellette – Yes , Kiley – Yes , Myer – Yes.

B. Z-2011-03 Definition of Bar

Applicant – City of Holly Hill

This is a staff request to amend the definition of bar to include the term bottle club.

City Planner Thomas Harowski gave an overview of the case from the provided Staff Report.

Mr. Myer opened public participation. No one spoke.

Mr. Myer closed Public Participation.

Mr. Kiley moved APPROVAL for Z-2011-03 DEFINITION OF BAR (CITY OF HOLLY HILL), a staff request to amend the definition of bar to include the term bottle club, seconded by Mr. Mellette.

The motion **CARRIED** 3-0 unanimously: Kiley – Yes , Mellette – Yes, Myer – Yes.

C. Moratorium on Specific Uses

Applicant – City of Holly Hill

This is a staff request to establish a moratorium on certain uses including pill mills, and internet cafes to determine if additional regulation is needed.

City Planner Thomas Harowski gave an overview of the case from the provided Staff Report.

Mr. Myer opened public participation. No one spoke.

Mr. Myer closed Public Participation.

Mr. Mellette moved APPROVAL for MORATORIUM ON SPECIFIC USES (CITY OF HOLLY HILL), a staff request to establish a moratorium on certain uses including pill mills, and internet cafes to determine if additional regulation is needed, seconded by Mr. Kiley.

The motion **CARRIED** 3-0 unanimously: Mellette – Yes, Kiley – Yes , Myer – Yes.

D. Rental Inspection Requirements

Applicant – City of Holly Hill

This is a staff request to modify the requirements for rental inspections to exclude the inspection requirements for projects with four or fewer units.

City Planner Thomas Harowski gave an overview of the case from the provided Staff Report.

Mr. Myer opened public participation. No one spoke.

Mr. Myer closed Public Participation.

*Mr. Kiley moved **APPROVAL** excluding item 4D (Local Business Tax Receipt Fee) for **MODIFYING RENTAL INSPECTION REQUIREMENTS (CITY OF HOLLY HILL)** a staff request to modify the requirements for rental inspections to exclude the inspection requirements for projects with four or fewer units, *seconded by Mr. Mellette.**

The motion **CARRIED** 3-0 unanimously: Kiley – Yes, Mellette – Yes, Myer – Yes.

4. OLD BUSINESS

A. None

5. COMMUNICATIONS

City Clerk Joshua Fruecht presented the “Request to Appear Before the Board of Planning and Appeals Form”, which was requested by the board.

6. ADJOURNMENT

The meeting officially adjourned at approximately 6:37 p.m.

Joshua Fruecht
City Clerk

OLD BUSINESS

AGENDA

ITEM: 4

DATE: June 6, 2011

V-2011-01

AGENDA

ITEM: 4A

DATE: June 6, 2011



STAFF REPORT

City of Holly Hill
Community Development Department

Board of Planning and Appeals *Agenda Item*

DATE: APRIL 8, 2011
SUBJECT: PORTABLE STORAGE UNIT TIME PERIOD
APPLICANT: RICHARD NATION
NUMBER: V-2011-01
PLANNER: THOMAS HAROWSKI, AICP

INTRODUCTION: The applicant has two large storage containers located on site at 536 Center Avenue and is asking for a variance to allow the container units to be on site beyond the 30 day limit allowed by Section 114-745 of the land development code. No expiration time period is proposed.

BACKGROUND: The applicant has been cited by code enforcement for the placement of two storage units on residential property at 536 Center Avenue. The storage units are in excess of 40 feet long and about nine feet high. The applicant is applying for a variance to allow the storage units to remain on site beyond the 30 day period allowed for temporary storage units in an effort to address the outstanding code violation.

The applicant has explained that the units hold personal belongings and work tools for a construction business that he can no longer afford to maintain off-site. The applicant has submitted a completed application for the variance and has indicated a willingness to provide screening by a fence and/or landscaping.

DISCUSSION: Section 114-745 of the land development code allows for the placement of temporary storage facilities at a residential property for a period not to exceed 30 days. The section reads as follows:

Sec. 114-745. Portable storage units.

- (a) *Definition:* A portable storage unit is any enclosed structure that does not require a building permit, is not required to be anchored according to the city's adopted building codes and is transported by truck or trailer for placement upon residential property for the purpose of short-term storage as defined herein
- (b) Vendors of portable storage units, to include lessors, are required to notify the city in writing, by letter, fax or e-mail, of the placement of a portable storage unit within the city limits. Such notice shall contain the residential address of the placement, the name of the occupant at such residential address and the anticipated duration of the placement.

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City of Holly Hill Community Development Department

- (c) *Time limitation:* A portable storage unit shall be permitted at one residential location for a period not to exceed 30 days in any six consecutive months. Code administrator can extend it for 30 days and anything beyond that has to come before the city commission to grant a 30-day extension upon proof of hardship.
- (d) *Placement:* Portable storage units may be placed in any driveway area, but must be a minimum of 20 feet from the edge of any roadway and five from any side lot line.

While the storage units regulated by this section of the code anticipate a smaller unit like a PODS type unit than the units placed at 536 Center Avenue, there is no maximum unit size. The units are located on the site so that they are more than 20 feet from the road and more than five feet from the side property line. The units have been in place for more than 30-days, and the applicant desires a longer term placement than can be obtained with a 30-day extension.

The applicant states that the lot is larger than typical lots in the area and therefore better able to accommodate the storage units. The applicant has indicated a willingness to screen the units with a fence and/or landscaping.

RECOMMENDATION: The granting of a variance to extend the time for placement of storage units will grant to this property owner a privilege that is not generally available to other properties in the same zoning district. The code as interpreted will not deprive the applicant of rights commonly enjoyed by other properties in the district. While the circumstances that have led to the placement of the storage units on site are largely driven by current economic circumstances, the hardship is self imposed. The staff does not believe the circumstances meet the test for a variance and therefore cannot recommend approval.

Should the Board of Planning and Appeals determine the variance should be granted, the staff recommends that a time limit on the placement of the storage units be established and that specific screening be required.

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VIEW OF CONTAINERS FROM CENTER AVENUE.

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VIEW OF SITE LOOKING FROM SOUTH TO NORTH SHOWING
CONTAINERS, RESIDENCE AND OTHER STRUCTURES ON SITE.

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VIEW OF NORTH END OF SITE SHOWING OTHER ACCESSORY STRUCTURES AND VEHICLES.

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VIEW OF SITE FROM NORTH END LOOKNIG SOUTH. CONTAINERS ARE LOCATED TO THE LEFT OF THE RESIDENCE.