

**AGENDA**  
**CITY OF HOLLY HILL**  
**BOARD OF PLANNING & APPEALS MEETING**  
**February 6, 2012**  
**\*\* 6:30 P.M. \*\***

CITY HALL COMMISSION CHAMBERS

1065 RIDGEWOOD AVENUE

- I. CALL TO ORDER/ROLL CALL 6:30 P.M.
- II. INVOCATION & PLEDGE OF ALLEGIANCE
- III. APPROVAL OF MINUTES – December 5, 2011 Meeting
- IV. NEW BUSINESS
  - a. A-2012-01 - This is an application for annexation into the City of Holly Hill submitted by Action Automotive located at 1850 N. Nova Road.
  - b. CPA-2012-01 - This is an application for a small scale comprehensive plan amendment to add the Action Automotive parcel to the future land use map and designate the parcel as General Retail Commercial.
  - c. Z-2012-01 - This is an application to amend the official zoning map to add the Action Automotive parcel and to designate the parcel as CC-1 Commercial Corridor.
- V. OLD BUSINESS

None
- VI. OTHER - Staff Comments
- VII. ADJOURNMENT

NOTE: If any person decides to appeal any decision made by said body with respect to any matter considered at such meeting, he will need a record made of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made. NOTE: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the City of Holly Hill, 1065 Ridgewood Avenue, Holly Hill, Florida 32117 (386) 248-9460 at least 5 working days prior to the meeting date.

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

**December 5, 2011**

**1. CALL TO ORDER**

**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 Phillip Wiggins, and John Sterling.

Absent: Board members Chris Kiley and J.D. Mellette.

Also attending were the following staff members: Attorney Adam Dunn, City Planner Thomas Harowski, and Sandy Fenwick (sitting in for City Clerk Valerie Manning).

**A. Invocation**

Mr. Myer delivered the Invocation.

**B. Pledge of Allegiance to the Flag**

Mr. Wiggins led the Pledge of Allegiance.

**2. MINUTES**

Minutes from the Board of Planning and Appeals Meeting – December 5, 2011

*Mr. Wiggins moved **APPROVAL** for the **Minutes**, seconded by Mr. Sterling.*

The motion **CARRIED** 3-0 by roll call vote: Wiggins – Yes, Sterling – Yes, and Myer – Yes

**3. NEW BUSINESS**

Agreed by the board to combine A-C as one item for County Tire; Attorney Dunn read each item for the record and will be voted on individually.

**A. A-2011-01 – This is an application for annexation into the City of Holly Hill submitted by County Tire located at 1130 S. Nova Road.**

**B. CPA-2011-02 – This is an application for a small scale comprehensive plan amendment to add the County Tire parcel to the future land use map and designate the parcel as General Retail Commercial.**

**C. Z-2011-12 – This is an application to amend the official zoning map to add the County Tire parcel and to designate the parcel as CC-1 Commercial Corridor.**

City Planner Thomas Harowski gave an overview of each application submitted by County Tire located at 1130 S. Nova Road for annexation, small scale comprehensive plan amendment and to amend the official zoning map to add the County Tire parcel and to designate the parcel as CC-1 Commercial Corridor from the provided Staff Report. Mr. Harowski showed a PowerPoint presentation to the board to discuss the applications from County Tire.

**Mr. Myer opened public participation.**

The following individuals came forward to speak:

- James Hefner, from County Tire, 1130 S. Nova Road, Holly Hill – Addressed the Board by stating they want to come into the city because they get a better response from the Holly Hill Police Department if they need it; Holly Hill is closer and the Sheriff Department can only do what they can do because they are scattered all over the place.
- Linda Hefner, from County Tire, 1130 S. Nova Road, Holly Hill – Addressed the Board by stating that anytime they need something done, the County office is in DeLand and they don't have the time to go all the way to DeLand so if they need something, Holly Hill is right around the corner. Its going to be much easier on them to accomplish things and get things done.
- David Harowitz, 1716 & 1714 Maryland Avenue – Addressed the Board by stating that he doesn't want Holly Hill to take over their services. Everyone on the west side wants to stay in the County; they are afraid of what the City may do with the properties on the south side of County Tire that are zoned residential and commercial. He doesn't want Holly Hill services; if he wanted Holly Hill services he would have moved out there. He moved from Holly Hill to live in Ormond.

**Mr. Myer closed public participation.**

*Mr. Sterling moved APPROVAL for A-2011-01 – This is an application for annexation into the City of Holly Hill submitted by County Tire located at 1130 S. Nova Road, seconded by Mr. Wiggins.*

The motion **CARRIED** 3-0 by roll call vote: Sterling – Yes, Wiggins – Yes, and Myer – Yes

*Mr. Wiggins moved APPROVAL for CPA-2011-02 – This is an application for a small scale comprehensive plan amendment to add the County Tire parcel to the future land use map and designate the parcel as General Retail Commercial, seconded by Mr. Sterling.*

The motion **CARRIED** 3-0 by roll call vote: Wiggins – Yes, Sterling – Yes, and Myer – Yes

*Mr. Wiggins moved APPROVAL for Z-2011-12 – This is an application to amend the official zoning map to add the County Tire parcel and to designate the parcel as CC-1 Commercial Corridor, seconded by Mr. Sterling.*

The motion **CARRIED** 3-0 by roll call vote: Wiggins – Yes, Sterling – Yes, and Myer – Yes

Mr. Harowski informed the board that all three of these items are scheduled to appear before the City Commission at their regularly scheduled meeting December 13<sup>th</sup> at 7:00 pm. In the Chambers; second reading for the annexation is scheduled for second reading on January 10, 2012; second reading for the comp plan amendment and the rezoning has not been scheduled at this time because staff has to submit the comp plan amendment to the Volusia Growth Management Commission and the State for their review before the City Commission takes final action on them.

**D. CPA-2011-01 – This is an amendment to the Capital Improvements Element of the Comprehensive Plan to update the five-year schedule of capital improvements to maintain a current five-year program.**

City Planner Thomas Harowski gave an overview to the Capital Improvements Element of the Comprehensive Plan to update the five-year schedule of capital improvements to maintain a current five-year program as provided by Staff Report.

**Mr. Myer opened public participation. No one spoke.**

*Mr. Wiggins moved APPROVAL for CPA-2011-01 – This is an amendment to the Capital Improvements Element of the Comprehensive Plan to update the five-year schedule of capital improvements to maintain a current five-year program, seconded by Mr. Sterling.*

The motion **CARRIED** 3-0 by roll call vote: Wiggins – Yes, Sterling – Yes, and Myer – Yes

**4. OLD BUSINESS**

None

**5. OTHER – Staff Comments**

City Planner Thomas Harowski stated at this time he doesn't have anything for January 2, 2012 agenda; if the need arises, they can move the date.

**6. ADJOURNMENT**

The meeting officially adjourned at approximately 7:25 p.m.

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Valerie Manning  
City Clerk/Administrative Assistant

DRAFT



# STAFF REPORT

City of Holly Hill  
Community Development Department

## Board of Planning and Appeals *Agenda Item*

**DATE:** February 6, 2012  
**SUBJECT:** Annexation of 1850 N. Nova Rd (Action Automotive)  
**APPLICANT:** Debrik and Company LLC  
**NUMBER:** A-2012-01  
**PLANNER:** Thomas A. Harowski, AICP

**INTRODUCTION:** The City has received an application for voluntary annexation of a commercial property located at 1850 N. Nova Road. The annexation will require an amendment to the city's comprehensive plan to add the property to the future land use map, and an amendment to the zoning map to assign a city zoning to the parcel. The companion cases are CPA-2012-01 for the comprehensive plan amendment and Z-2012-01 for the zoning amendment.

**BACKGROUND:** The property in question consists of approximately 0.48 acres located on the west side of Nova Road south of Flomich Street. The site is occupied by the Action Automotive business. The site abuts the current city limits along its east property line for a distance of approximately 33 feet being opposite the city limits on the east side of Nova Road. The attached map shows the property to be annexed and the current city limits.

**DISCUSSION:** The requirements for voluntary annexation are set forth in Florida Statutes 171.044. The requirements are listed below with the staff findings.

1. The property must be adjacent to the city limits. It is adjacent on the east.
2. The property must be reasonably compact. The proposed annexation helps fill in a gap between the city limits on the west side of Nova Road.
3. The annexation cannot result in the formation of an enclave. No enclave is created through the addition of this parcel.
4. The application must be made by all owners of the property seeking annexation. The applicant has certified in the application that they are all of the owners of the subject property.

The application appears to meet all of the criteria set forth in the statute to allow for annexation. The addition of this property to the city will create the need for amendments to the future land use map and zoning map to assign land use and

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## City of Holly Hill Community Development Department

zoning under the city regulations. The recommended future land use is General Retail Commercial and the recommended zoning is CC-1 Corridor Commercial. There are companion applications to the annexation application that will address these items.

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**RECOMMENDATION:** Recommend the City Commission annex the subject parcel into the City of Holly Hill.

**Legend**

-  Holly Hill City Limits
-  Volusia County
-  City of Holly Hill

**1850 N. Nova Road  
Holly Hill, FL 32117**

Property Location



1 inch = 200 feet





# STAFF REPORT

City of Holly Hill  
Community Development Department

## Board of Planning and Appeals *Agenda Item*

**DATE:** February 6, 2012  
**SUBJECT:** 1850 Nova Comprehensive Plan Amendment  
**APPLICANT:** Debrik and Company LLC  
**NUMBER:** CPA-2012-01  
**PLANNER:** Thomas A. Harowski, AICP

**INTRODUCTION:** The City has received an application for voluntary annexation of a commercial property located at 1850 N. Nova Road. The annexation will require an amendment to the city's comprehensive plan to add the property to the future land use map, and an amendment to the zoning map to assign a city zoning to the parcel. The companion cases are A-2012-01 for the annexation and Z-2012-01 for the zoning amendment

**BACKGROUND:** The subject property is a developed commercial site located on the west side of Nova Road approximately 700 feet south of the intersection with Flomich Street. The site is approximately 0.48 acres and is occupied by the Action Automotive business. The attached Map shows the property location and the current City limits.

**DISCUSSION:** Nova Road is a six-lane arterial with commercial development lining both sides of the road in this area. The adjacent area in the City on the east side of Nova Road is designated as General Retail Commercial on the future land use map. For General Retail Commercial, Policy 1.1.2 establishes development intensity limitations as follows as follows:

General commercial development - the ratio of building floor area to total site area shall not exceed 1.95 except for properties fronting on Ridgewood Avenue where a ratio of 4.55 may be permitted.

Map B shows the section of the Holly Hill Future Land Use Map with the subject property added to the City and designated as General Retail Commercial. This land use designation is consistent with the adjacent properties and the general character of the development along Nova Road. The comprehensive plan also includes a policy for the treatment of lands that may be annexed into the City. This Policy 1.2.17 reads as follows:

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**Policy 1.2.17** – Properties that are annexed into the City of Holly Hill shall be assigned a similar land use that existed in Volusia County. Property owners may apply for more intensive land uses, but shall be required to provide the data and analysis to justify the increase in density and/or intensity

The subject parcel is designated as MXZ Mixed Use Zone on the Volusia County Future Land Use Map. Map C shows the current land use classifications as set by Volusia County. The Mixed Use Zone has standards for existing areas and new development areas. The subject property falls under the existing mixed use classification which provides for a mixture of primarily commercial and industrial development in areas with many different property owners.

The assignment of the City's General Retail Commercial land use is consistent with the MXD classification description. The adjacent sites fronting along Nova Road are commercially developed in large part with similar automotive uses. The assignment of general commercial land use to the property is consistent with the current usage of the adjacent properties.

As the site is currently developed and the proposed future land use classification is consistent with the current land use classifications, there are no immediate issues related to concurrency in the provision of public services. The City already provides police and fire service to the vicinity. Water service is provided by the City of Daytona Beach and sewer service is by septic system. Traffic generated by the site is already incorporated into the traffic volumes for Nova Road and other impacted roadways.

**RECOMMENDATION:** Recommend the City Commission approve General Retail Commercial as the designation for the subject property on the future land use map and provide the required notice to the State of Florida and the Volusia Growth Management Commission.

**Legend**

-  Holly Hill City Limits
-  Volusia County
-  City of Holly Hill

**1850 N. Nova Road**  
**Holly Hill, FL 32117**

Property Location



1 inch = 200 feet

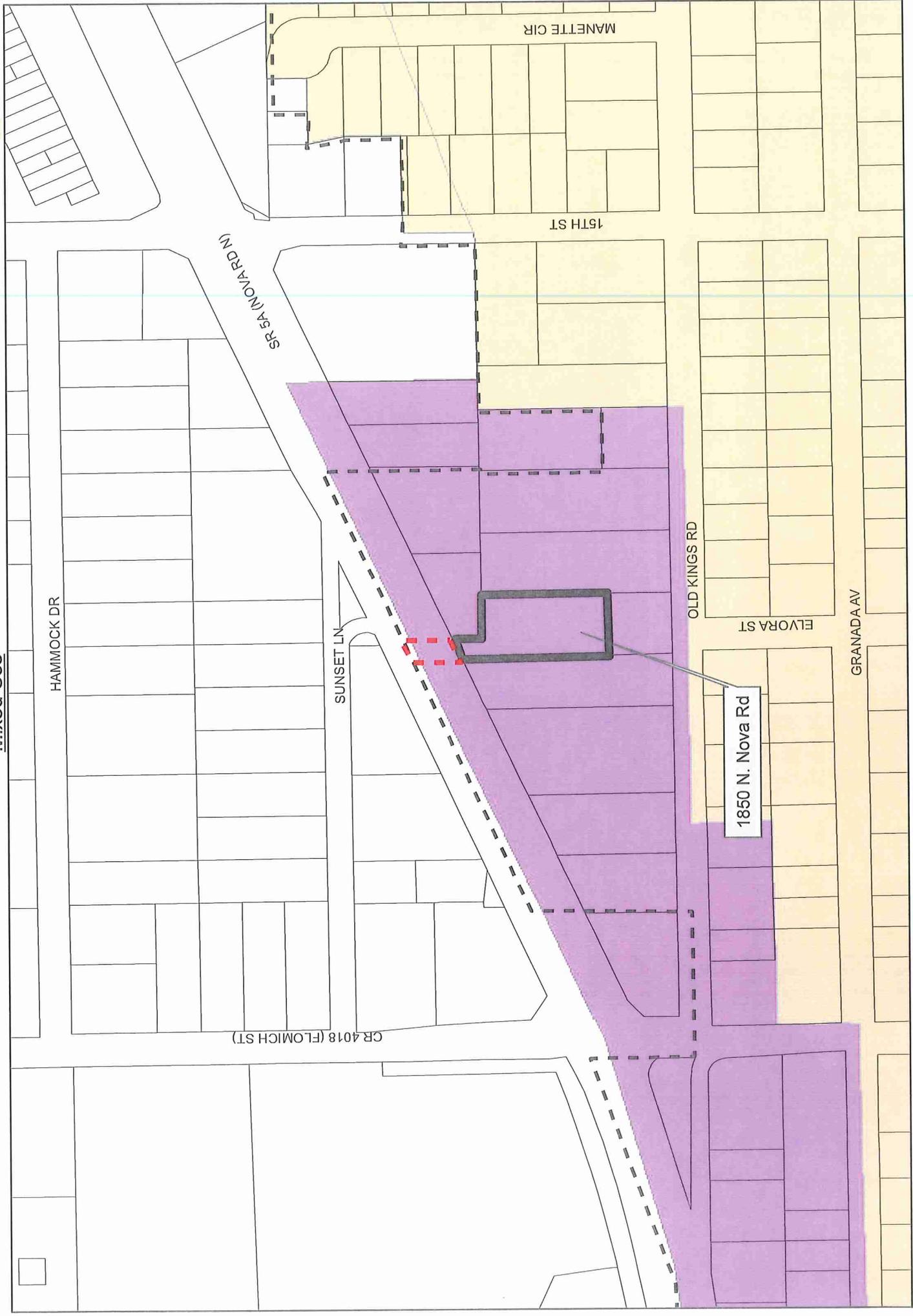




1 inch = 200 feet

1850 N. Nova Road  
Holly Hill, FL 32117  
Current County Future Land Use  
Mixed Use

- Legend**
- Holly Hill City Limits
  - Future Land Use
  - INCORPORATED
  - MIXED USE
  - URBAN LOW INTENSITY
  - URBAN MEDIUM INTENSITY



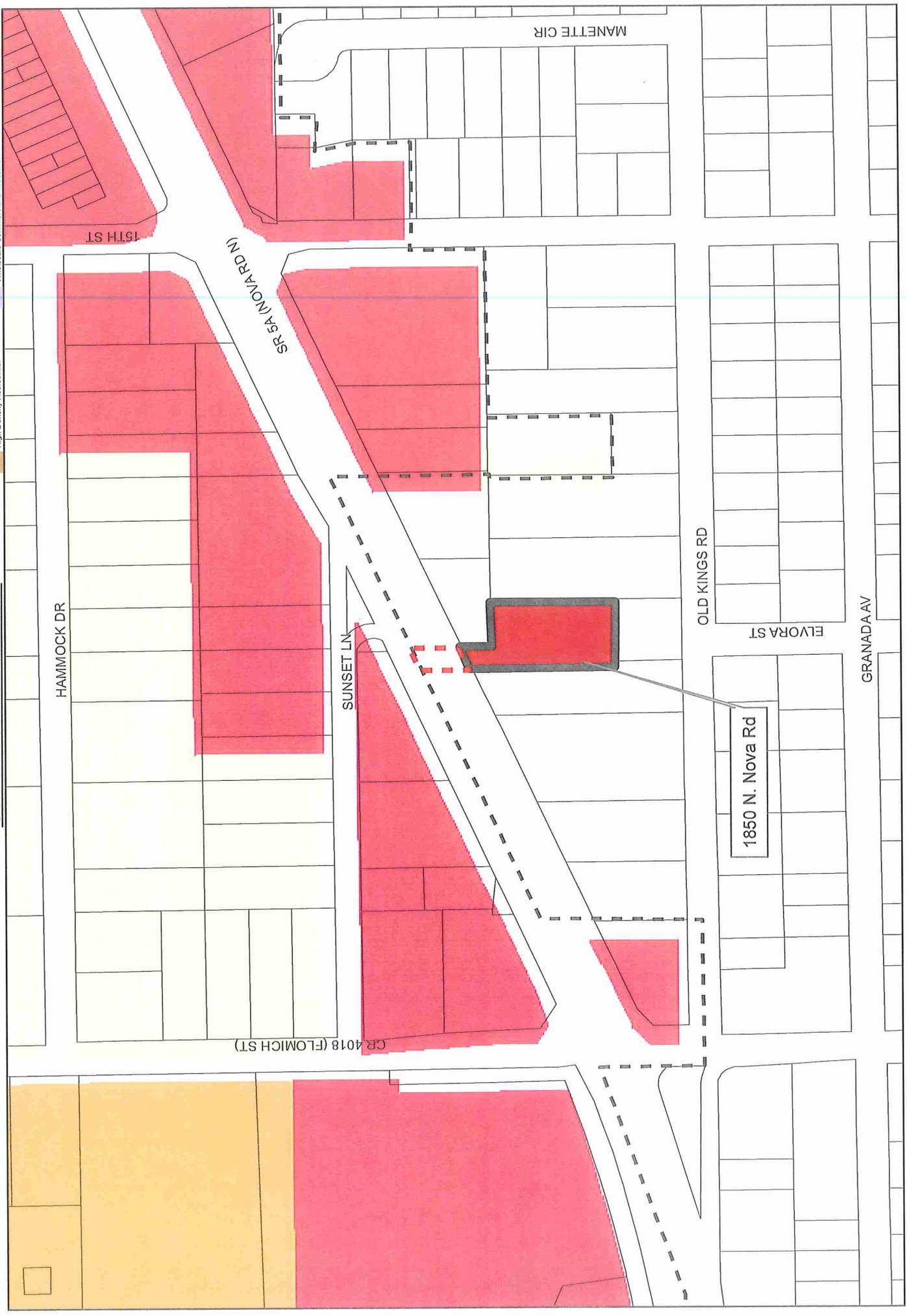
Drawing Date: 1/17/2012

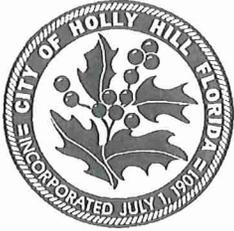


1 inch = 200 feet

# 1850 N. Nova Road Holly Hill, FL 32117 Proposed Future Land Use General Retail Commercial

- Legend**
- Holly Hill City Limits
  - Future Land Use Categories
    - Low Density Single Family Residential
    - Low-Medium Density Residential
    - Medium Density Residential
    - High Density Residential
  - Mobile Home Residential
  - Mixed Use II
  - Mixed Use III
  - Residential-Based Mixed Use
  - General Retail Commercial
  - Wholesale Commercial & Industrial
  - Churches Schools & Institutions
  - Parks and Open Space
  - Conservation
  - No City Future Land Use





# STAFF REPORT

City of Holly Hill  
Community Development Department

## Board of Planning and Appeals *Agenda Item*

**DATE:** February 6, 2012  
**SUBJECT:** 1850 N. Nova Road Zoning Application  
**APPLICANT:** Debrik and Company LLC  
**NUMBER:** Z-2012-01  
**PLANNER:** Thomas A. Harowski, AICP

**INTRODUCTION:** The City has received an application for voluntary annexation of a commercial property located at 1850 N. Nova Road. The annexation will require an amendment to the city's comprehensive plan to add the property to the future land use map, and an amendment to the zoning map to assign a city zoning to the parcel. The companion cases are CPA-2012-01 for the comprehensive plan amendment and A-2012-01 for the annexation request.

**BACKGROUND:** The property in question consists of approximately 0.48 acres located on the west side of Nova Road south of Flomich Street. The subject property is a developed commercial site located on the west side of Nova Road approximately 700 feet south of the intersection with Flomich Street. The site abuts the current city limits along its east property line for a distance of approximately 33 feet and is opposite the city limits on the east side of Nova Road. The attached Map A shows the property location and the current City limits.

**DISCUSSION:** The proposed zoning should be compatible with the general character of the area; consistent with the comprehensive plan; and consistent with the Volusia County zoning to the maximum extent possible.

The proposed comprehensive plan designation is General Retail Commercial. Policy 1.1.3 of the City's comprehensive plan presents a matrix identifying those zoning classifications that are consistent with each future land use category. For the General Retail Commercial, the compatible zoning classifications include B-1 through B-6 and CC-1. The classifications applied along Nova Road include B-2 Shopping Center Zone, B-4 Highway Commercial and CC-1 Commercial Corridor. The B-2 zoning is inappropriate for this site as the existing use is not a shopping center. Of the remaining zoning classifications, the CC-1 Commercial Corridor is preferred as it best accommodates the current automotive based uses.

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The CC-1 zoning also has an industrial component among the permitted uses that makes the zoning very similar to the MXZ Mixed Use Zone land use currently applied to the site in the Volusia County comprehensive plan. The subject property is currently zoned I-1 Industrial, except for the stem adjacent to Nova Road that is zoned B-5 Commercial.

The property opposite Nova Road in the City is zoned B-4 Highway Business District. The next property to the north that is in the City is at the corner of Flomich Street and is designated as CC-1. The next property to the south that is in the City is two parcels removed from the subject property and is zoned B-4. The adjacent property in unincorporated Volusia County is zoned I-1 Industrial and B-5 Commercial. The proposed zoning for the subject site is generally consistent with the zoning in the area and with the actual development pattern.

Map B shows the current zoning under the County code, and Map C shows the proposed zoning as it would appear on an amended City zoning map.

**RECOMMENDATION:** Recommend the City Commission adopt CC-1 Commercial Corridor zoning for the subject property.

Legend

-  Holly Hill City Limits
-  Volusia County
-  City of Holly Hill

1850 N. Nova Road  
 Holly Hill, FL 32117

Property Location



1 inch = 200 feet



Drawing Date: 1/17/2012



1 inch = 200 feet

# 1850 N. Nova Road Holly Hill, FL 32117 Proposed Zoning Commercial Corridor District (CC-1)

## Legend

- IPUD
- R-5
- R-6
- RPUD
- B-4
- BPUD
- CC-1
- I-1
- Holly Hill City Limits





1 inch = 200 feet

1850 N. Nova Road  
Holly Hill, FL 32117  
Current County Zoning

Light Industrial (I-1(3)) & Heavy Commercial (B-5(3))

Legend

- Holly Hill City Limits
- County Zoning
- B-5(3)
- I-1(3)
- R-2
- R-4
- R-5
- R-6

