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

June 10, 2013

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 7:00 p.m. Attending with Michael Myer were Board members Nick Mostert, Art Cappuccio and David Heald.

Absent: Board member J.D. Mellette.

Also attending were the following staff members: City Attorney Scott Simpson, and City Planner Thomas Harowski, and Human Resources Manager Sandy Fenwick (also serving as the recording secretary).

A. Invocation

Mr. Myer delivered the Invocation.

B. Pledge of Allegiance to the Flag

Mr. Mostert led the Pledge of Allegiance.

2. MINUTES

Minutes from the Board of Planning and Appeals Meeting – May 6, 2013 *(City Clerk)*

*Mr. Heald moved **APPROVAL** for the* **Minutes**, *seconded by Mr. Cappuccio.*

The motion **CARRIED** 4-0 by roll call vote: Heald – Yes, Cappuccio – Yes, Mostert – Yes, and Myer – Yes

3. NEW BUSINESS

A. Z-2013-06 - Repeal Internet Café Regulations

City Planner Thomas Harowski gave a brief staff report as it pertains to the repealing of the Internet Café Regulations.

Mr. Myer opened public participation. No one spoke.

*Mr. Heald moved **APPROVAL** for **Z-2013-06 - Repeal Internet Café Regulations,** seconded by Mr. Mostert.*

The motion **CARRIED** 4-0 by roll call vote: Heald – Yes, Mostert – Yes, Cappuccio – Yes, and Myer – Yes

B. Z-2013-07 - Amendments to regulations on the display of flags

City Planner Thomas Harowski gave a brief staff report to amendments regulations on the display of flags. There was discussion amongst the board members, City Attorney, and staff explaining the display of flags, method of calculating the amount of permitted non-commercial signage; how many flags are allowed on a parcel of property; staff recommends the Board support the ordinance adopted on first reading by the City Commission.

Mr. Myer opened public participation.

The following individuals came forward to speak to the Board of Planning and Appeals members:

- Eddie Colosimo, Bikers for First Amendment Rights (B.F.F.A.R.), 745 Ridgewood Avenue, Holly Hill – Addressed the Board of Planning and Appeals by sharing his concerns about the city's image because of this and it has spread nationwide; discussed the number of flags that he feels he should be allowed to fly at his place of business, which are eight branches of service; the price of the permit for each extra flag per day to fly those flags have already been paid over and over again; he offered to fill out the permit if the City would waive the fees and the City did not want to do that. Mr. Colosimo stated he would be content if he could fly the eight branches of service flags on his property. He is passionate about his flags as well as the nation is.

  Attorney Simpson clarified for Mr. Colosimo the difference between non-commercial and commercial flags.

- Roger Costi, Holly Hill – Addressed the Board of Planning and Appeals by stating that he understands and gets the non-commercial and commercial flags; is it possible to exempt Veteran organizations from the military flags? What about noncommercial?

  Attorney Simpson stated that's where it may come back as "content" because they are considered a not-for-profit business and that's considered content. They may be able to exempt them as non-commercial.

Mr. Myer closed public participation.

Mr. Myer disagrees with Mr. Colosimo. Mr. Myer stated he thinks that eight flags at one time, flying on any piece of property is not in the public interest. He supports Mr. Colosimo's cause but he disagrees with him. There was some further discussion amongst the Board members, Attorney Simpson and Mr. Harowski.

*Mr. Heald moved **APPROVAL** for **the Ordinance 2938 with the change that all parcels shall be a minimum of 3 non-commercial flags**, seconded by Mr. Cappuccio.*

The motion **CARRIED** 3-1 by roll call vote: Heald – Yes, Cappuccio – Yes, Mostert – No, and Myer – Yes

C. Z-2013-08 - Revisions to buffer requirements in Redevelopment District Overlay

City Planner Thomas Harowski gave a brief staff report pertaining to the revisions to buffer requirements in the Redevelopment District Overlay. Addressing the buffer concerns, Mr. Harowski discussed a few options to the Board as stated in the staff report.

Mr. Myer opened public participation. No one spoke.

No vote was taken; there was consensus from the Board to get more information on Option Three so that they can look at it before it goes back to the City Commission for approval.

4. OLD BUSINESS - NONE

5. COMMUNICATIONS FROM BOARD MEMBERS & STAFF

None.

6. ADJOURNMENT

The meeting officially adjourned at approximately 8:30 p.m.

Valerie Manning

Valerie Manning, City Clerk