



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**City Commission
Ordinance**

MEETING DATE: July 26, 2016
FROM: Thomas Harowski
SUBJECT: An Ordinance of the City of Holly Hill, Florida Amending, the Land Development Regulations, by Amending Section 114-765 Schedule of Dimensional Requirements to Amend the Front Yard Setback of the R-1 Single-Family Zoning District ; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

NUMBER: (ID # 1377)
APPLICANT: Thomas Harowski
PLANNER:

INTRODUCTION: This proposal is to amend the front yard setbacks in the R-1 Single-Family Zoning District to reduce the minimum front yard setback to 30 feet and to provide regulations for corner lots fronting Riverside Drive.

BACKGROUND: The Board of Planning and Appeals conducted a study of front yard setbacks in the R-1 Single-Family Residential Zoning District following a series of variance applications for relief from the 35 foot front yard requirement. As a result of the study, the BOPA made a recommendation to the City Commission for modifications to the zoning requirements. The proposal was discussed by the City Commission and the BOPA at a workshop on June 28, 2016 and direction was given to prepare an ordinance for consideration.

DISCUSSION: After extensive discussion at the joint workshop, the City Commission asked the staff to prepare an ordinance proposal to reduce the front yard setback in the R-1 Zoning District from 35 feet to 30 feet. The City Commission was concerned about making this change on corner lots fronting Riverside Drive as it was believed the lesser setback on the side street would impact views to the river which had long been established. Therefore, the proposal contains a specific requirement in the form of a note to the Table of Dimensional Requirements that for properties fronting on Riverside Drive, the front yard setback on the secondary street will remain at 35 feet.

A draft ordinance has been prepared for the City Commissions consideration including a modified Section 114-765 Schedule of Dimensional Requirements. A copy of the ordinance with the modified table is attached.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Consider adoption of the proposed amendment.

ATTACHMENTS:

- Exhibit A - Front Yard Setbacks - Ord. 2976 (PDF)

Ordinance No. (ID # 1377)

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING, THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 114-765 SCHEDULE OF DIMENSIONAL REQUIREMENTS TO AMEND THE FRONT YARD SETBACK OF THE R-1 SINGLE-FAMILY ZONING DISTRICT ; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 2976

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 114-765 SCHEDULE OF DIMENSIONAL REQUIREMENTS TO AMEND THE FRONT YARD SETBACK OF THE R-1 SINGLE-FAMILY ZONING DISTRICT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the Holly Hill Board of Planning and Appeals has recommended that the requested amendments be adopted; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement and is consistent with its adopted comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FL:

Section 1. Section 114-765 Schedule of Dimensional Requirements shall be amended to reduce the R-1 Front Yard Setback from 35 feet to 30 feet as shown in Attachment "A", and to include a note requiring front yards on secondary streets for lots fronting on Riverside Drive to be 35 feet as shown in Attachment "A".

Section 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 3. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 4. That this Ordinance shall be posted at City Hall as required by law.

Section 5. That this Ordinance shall become effective upon adoption.

APPROVED AND AUTHENTICATED on this 26th day of JULY, 2016 for first reading.

Sec. 114-765. Schedule of dimensional requirements.

Dimensional requirements for tracts and lots are as follows:

Zoning District	Use	Min. Project Area	Min. Frontage (feet)	Max Density (dupa)	Min Lot Area (square feet)	Min. Lot Width (feet)	Min Lot Depth (feet)	Required Yards			Project Perimeter Setback (feet)	Min. Building Separation (feet)	Max Building Height (feet)	Max Building Length (feet)	Min. Floor Area (square feet)	Max. Lot Coverage (percent)
								Front	Rear	Side						
C-F	All permitted uses	20,000 sq. ft.	100	NA	20,000	100	None	50	30	20	None	NA	30	None	None	None
R-1	Single-family	10,500 sq. ft.	90	NA	10,500	90	115	30 ⁸	30	10	None	NA	30	None	1,350	30
R-2	Single-family	7,500 sq. ft.	75	NA	7,500	75	100	30	20	8	None	NA	30	None	1,000	35
R-3	Single-family	6,000 sq. ft.	60	NA	6,000	60	100	25	20	7.5	None	NA	30	None	800	35
R-4	Single-family	40,000 sq. ft.	150	See article II, division 3, subdivision V, of this chapter for applicable requirements												
R-4A	Single-family	7,500 sq. ft.	75	7	NA	NA	NA	NA	NA	NA	30	20/0 3	30	None	1,000	30
	Duplex	10,000 sq. ft.	100	7	NA	NA	NA	NA	NA	NA	30	20/0 3	30	None	900	30
	Tirplex	15,000 sq. ft.	150	7	NA	NA	NA	NA	NA	NA	30	20/0 3	30	None	900	30
	Quadraplex	20,000 sq. ft.	150	7	NA	NA	NA	NA	NA	NA	30	20/0 3	30	None	900	30
	Townhouse	40,000 sq. ft.	170	7	NA	NA	NA	NA	NA	NA	30	20/0 3	35	200	900	35
R-5	Single-family	7,500 sq. ft.	75	NA	7,500	75	100	25	30	10	None	NA	30	None	1,000	30
	Two-family	10,000 sq. ft.	100	NA	5,000	100	100	25	30	10	None	NA	30	None	900	30
R-6	Single-family	7,500 sq. ft.	75	NA	7,500	75	100	25	20	7.5	35	NA	30	None	900	30
	Two-family	10,000 sq. ft.	100	NA	5,000	100	100	25	30	10	35	NA	30	None	900	30
	Townhouse	40,000 sq. ft.	170	12	1,080	18	60	25	30	0	35	25	35	200	900	35
	Multifamily	40,000 sq. ft.	150	12	40,000	150	150	25	25	15	35	None	35	200	900 ⁺	35
R-7	Single-family	7,500 sq. ft.	75	NA	7,500	75	100	25	20	7.5	None	NA	30	None	1,000	30
	Two-family	10,000 sq. ft.	100	NA	5,000	100	100	25	30	10	None	None	30	None	900	30
	Multifamily	40,000 sq. ft.	150	16	11,000	100	100	25	25	20	25	25	30	200	750 ⁺	35
R-8	Single-family	7,500 sq. ft.	75	NA	7,500	75	100	25	30	10	None	None	30	None	1,000	30
	Two-family	10,000 sq. ft.	100	NA	10,000	100	100	25	30	10	None	None	30	None	900	30
	Multifamily	40,000 sq. ft.	150	20	NA	150	150	25	25	15	25	None	30	200	750 ⁺	35
R-9	Mobile home	10 acres	None	6	5,000	50	100	12	12	8	25	None	16	None	600	35
B-1	All permitted uses	7,500 sq. ft.	None	NA	7,500	100	100	25	15	10	None	None	30	None	500	65
B-2	All permitted uses	3 acres	None	NA	None	150	150	50	30	30	75	None	30	None	500	65
B-3	All permitted uses	7,500 sq. ft.	100	NA	7,500	100	100	25	5	10	None	None	30	None	500	65
B-4	All permitted uses	7,500 sq. ft.	100	NA	7,500	100	None	25	5	10	None	None	30	None	500	65
B-5	All permitted uses	7,500 sq. ft.	100	NA	7,500	100	None	25	20	10/30 ¹	None	None	30	None	500	65
B-6	All permitted uses	7,500 sq. ft.	100	NA	See article II, division 9, of this chapter for applicable requirements											
I-1	All permitted uses	10,000 sq. ft.	100	NA	10,000	100	100	15	15/0 ²	15/0 ²	None	None	30	None	500	65
I-2	All permitted uses	10,000 sq. ft.	100	NA	10,000	100	100	15	15/0 ²	15/0 ²	None	None	None	None	500	65
CC-1	All permitted uses	10,000 sq. ft.	100	NA	10,000	100	100	15/25 ⁵	15/0 ⁶	10	None	None	30 ⁷	None	500	75

dupa = Dwelling units per acre.

1 Thirty-foot rear yard setback abutting a residentially zoned or residentially developed property.

2 Zero-foot setback abutting a railroad spur.

3 Zero-foot building separation when buildings share a common wall.

4 A minimum average floor area of 1,000 square feet is required.

5 Abutting Ridgewood Ave. and LPGA: 25 feet; all other streets 15 feet.

6 Plus three (3) feet for each story over three (3).

7 Max building height can increase by 10 feet for every 10,000 square feet of lot area over 20,000 square feet not to exceed 70 feet.

8 For lots fronting Riverside Drive front yards on secondary streets shall be 35 feet