



# City of Oak Hill

234 South U.S. Hwy. #1  
Oak Hill, Florida 32759

Phone **386-345-3522**

Fax **386-345-1834**

## CITY OF OAK HILL Planning and Land Development Regulation Commission

Thursday February 12, 2015  
5:30 P.M.

1. Roll Call
2. Selection of Chair and Vice Chair
3. Discussion of Variance for 217 Willow Avenue
4. Discussion of Special Exception for 430 West Halifax Avenue
5. Discussion of a Comprehensive Plan Text Change and Rezoning (Please see Map)
6. Recommendations to the Commission
7. Public Participation.
8. Board Comments/ Concerns from board members
9. Adjournment

Note: In accordance with Resolution 2006-17, a three (3) minute time limitation per speaker will be imposed. A speaker may address the Committee for a maximum of three (3) minutes during the Public Participation portion of the meeting, and for a maximum of three (3) minutes during any specific Agenda topic. Pursuant to Florida Statute 166.041 (3) (A), if an individual decides to appeal any decision made with respect to any matter considered at a meeting or hearing, that individual will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made.



## City of Oak Hill

234 South U.S. Hwy. #1  
Oak Hill, Florida 32759

Phone 386-345-3522

Fax 386-345-1834

To: Planning and Land Development Regulation Commission Members

From: Helen LaValley, Planning Consultant  
Planning Solutions Corp.

Date: February 9, 2015

Subject: **Heiney Mobile Home Special Exception - Case# SE15-002**

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### **I. Request:**

The applicant is requesting **special exception** for placement of a mobile home on property located at 430 West Halifax Avenue.

### **II. Site Summary:**

1. Property Owner: Ricky J. Heiney
2. Applicant: James H. Hammond
3. Project Name: Heiney/Hammond  
Mobile Home Special Exception
4. Property Parcel ID: 9506-00-00-1120
5. Acres: +/- 26.33 acres
6. General Location: 430 W. Halifax Avenue—west of the intersection  
of US Highway 1 and Halifax Avenue
7. Future Land Use: Agriculture
8. Zoning: Agriculture (A-1)
9. Adjacent Land Use and Zoning:

	North	East	South	West
FLU	Ag	Ag	LDR	Ag
Zoning	A-1	A-1	R-1	A-1
Existing Use	Undeveloped	Undeveloped	Undeveloped	Undeveloped

### **III. Background:**

The subject property is located at 430 West Halifax Avenue. The property has been partially developed and currently supports a barn structure. The barn was constructed in 2010 as an accessory use to agricultural zoned property.

### **IV. Review Criteria:**

The special exception request is reviewed for compliance for the following criteria:

- (1) It is consistent with the purpose or intent of these regulations.

A mobile home to be used as a residence and/or accessory to an agricultural use would meet the purpose and intent of the A-1 regulations. The purpose of the A-1 zoning classification is to promote and encourage agricultural uses. Low-density residential development is also appropriate and consistent with the character of proposed and existing A-1 zoned areas.

- (2) It is consistent with any element of the comprehensive plan.

The use of one mobile home residential dwelling unit on 26+ acres would be consistent with the comprehensive plan. The comprehensive plan density for the Agricultural future land use designation allows 1 unit/5 acres. The A-1 zoning classification permits the use of a mobile home subject to special exception approval.

- (3) It will not adversely affect the public interest.

The mobile home will be used as a residential dwelling unit. It is not an invasive or adverse use. Utilizing the mobile home as a residence is in keeping with the surrounding area. The mobile home is listed as a permitted use subject to special exception approval in the A-1 zoning classification.

- (4) It meets the requirements of the applicable special exception.

The use of a mobile home in the A-1 zoning classification is a permitted special exception use. The development of the property with a mobile home use will be subject to the requirements of the A-1 zoning classification and all applicable property development regulations.

- (5) The applicant will be able to meet all requirements imposed by federal, state or local governments, or by the planning and land development regulation commission.

The applicant/property owner will be required to obtain all applicable permits prior to or in conjunction with the building permit for the mobile home. The property is large enough to accommodate the necessary improvements and comply with the applicable requirements/regulations that may be imposed to develop the property with a mobile home unit.

- (6) It will not generate undue traffic congestion.

The development of the mobile home on the subject property will not generate traffic congestion. The mobile home residential unit generates minimal traffic trips and is equivalent to a standard single family residential unit.

- (7) It will not create a hazard, a public nuisance, or be dangerous to individuals or to the public.

The proposed mobile home will be used as a residence and will not create hazards, or a public nuisance, or be dangerous to the public. In the event that it would create a hazard, nuisance, or a danger it would be subject to code enforcement action(s).

- (8) It will not materially alter the character of surrounding neighborhoods, or adversely affect the value of surrounding land, structures, or buildings.

The use of a mobile home as a residential unit will not alter the character of the surrounding area nor adversely affect the value of the surrounding area. Currently, the surrounding area is a mixture of mobile homes, standard single family homes, agricultural uses and undeveloped properties.

- (9) It will not adversely affect the natural environment, natural resources, or scenic beauty, or cause excessive pollution.

The development of the property with a home will not adversely affect the natural environment or resources, nor the scenic beauty, and will not provide excessive pollution to the surrounding area. The property currently supports a barn structure and the majority of the property has not been developed. The mobile home will be in keeping with the development pattern of the area. The applicant is not proposing to clear more land than what is required for placement of the mobile home.

#### **V. Recommendation:**

Staff finds the special exception request in compliance with the applicable requirements of the comprehensive plan and land development regulations for the A-1 zoning classification.

PLDRC recommendation options to the City Commission:

1. Recommendation of approval; or
2. Recommendation of approval with conditions; or
3. Find the special exception request not in compliance with the criteria and recommend denial.

City of Oak Hill  
Heiney Mobile Home Special Exception



Location Map

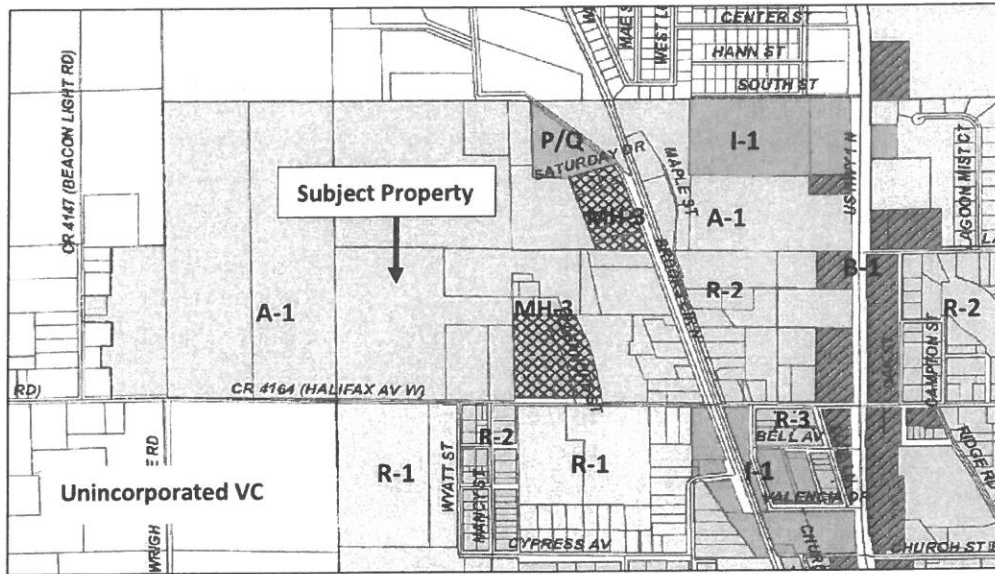
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Aerial Map

(not to scale)

City of Oak Hill  
Heiney Mobile Home Special Exception



Zoning Map – A-1 Agricultural Rural Residential

**Photos of the subject and adjacent properties**



West property



South property



City of Oak Hill  
Heiney Mobile Home Special Exception



East property line along Halifax Avenue



Subject Property – 430 W. Halifax Avenue



## City of Oak Hill

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Oak Hill, Florida 32759

Phone 386-345-3522

Fax 386-345-1834

To: Planning and Land Development Regulation Commission Members

From: Helen LaValley, Planning Consultant  
Planning Solutions Corp.

Date: February 6, 2015

Subject: **Caygill Variance - Case# V15-003**

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### **I. Request:**

The applicant is requesting **Variance** relief from the required zoning district property setbacks. The request is:

Side setback: 10 feet to 5 ft	variance of 5 feet
Front setback: 30 feet to 21.8	variance of 8.2 feet

### **II. Site Summary:**

- |                                  |  |
|----------------------------------|--|
| 1. Applicant/Owner:              | Lloyd T. Caygill   |
| 2. Project Name:                 | 217 Willow Avenue  |
| 3. Property Parcel ID:           | 9507-02-00-0200  |
| 4. Acres:                        | +/- .17 acre   |
| 5. General Location:             | 217 Willow Avenue – west of the intersection<br>of US Highway 1 and Halifax Avenue |
| 6. Future Land Use:              | Low Density Residential (LDR)  |
| 7. Zoning:                       | Low Medium Density SFR (R-2)   |
| 8. Adjacent Land Use and Zoning: |  |

	North	East	South	West
FLU	LDR	LDR	LDR	LDR
Zoning	R-2	R-2	R-2	R-2
Existing Use	SFR	Unfinished Bldg Shell	Vacant Undeveloped	Undeveloped Lot and SFR



### **III. Background:**

The subject property is located at 217 Willow Avenue in the HG Putnam Subdivision. The property has been developed and currently supports a single family residence. The subdivision and lot were created in 1926. The existing home was built in 1995 as evidenced by property appraiser records. A garage was not provided or included at the time the home was constructed. The current property owner purchased the existing single family home in 2013.

### **IV. Review Criteria:**

Section 24-955 of the zoning code contains five (5) criteria by which a variance application may be granted. The following staff evaluation is based on these criteria:

- 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning classifications.**

Yes. The subject lot does not conform to the required minimum width of a lot in the R-2 zoning classification. The minimum width requirement is 70 feet. The subject lot is located within the HG Putnam subdivision. This subdivision was created in 1926. The lot has existed in its configuration since 1926. Subsequently the zoning codes were adopted and implemented. If the lot complied with the minimum lot width today a variance would not be necessary for the side setback. Additionally, the current property owner was not aware of the actual front setback line. The owner considered the edge of pavement his front setback line, however, the ultimate right of way for the road extends 18.5 feet into the property. Therefore, the front setback variance would be necessary to construct the proposed garage.

- 2. The special conditions and circumstances do not result from the actions of the applicant.**

No. The special conditions and circumstances are not the result of actions by the applicant. The existing home was built in 1995. The applicant purchased the property with the existing home in 2013. The septic system was installed in the rear yard, while potable well is located in the front yard. The location of the well and septic systems is because of Health Department regulations which require a 75 foot separation distance. The location of the existing home combined with the location of the well and septic systems limits the buildable area for the proposed garage.

- 3. The literal interpretation of the provisions of these regulations would deprive the applicant of rights enjoyed by other properties in the same zoning classification, under the terms of the zoning regulations, and would work an unnecessary and undue hardship on the applicant.**

Yes. A literal interpretation of the zoning regulations would result in not permitting the property owner to construct a garage. The applicant is proposing a 20X20 detached garage. This is a minimum square footage for a two (2) car garage. The homes constructed today typically feature a garage. The newer homes in this subdivision have garages. Therefore, a literal interpretation of the zoning regulations would deprive the applicant of rights enjoyed by the other properties in this zoning classification.

- 4. The variance granted is the minimum variance that will make possible the reasonable use of land, building, or structure.**

Yes. The variances requested are the minimum that would allow the applicant to construct a detached garage. The garage cannot be located in the rear yard as a result of the location of the existing home and the septic system being located in the rear yard. The location of the home on the property does not allow sufficient clearance to allow a vehicle to access the rear yard and a structure cannot be constructed over the septic system. The garage can be located in the front yard, which is typical of a front loading garage, however the proposed location is necessary, in order, to not interfere with the potable water well, as well as, the existing access to the home.

- 5. The grant of the variance will be in harmony with the general intent and purpose of these regulations and will not be injurious to the area involved.**

Yes. The granting of variance relief for the side and front setbacks will meet the general intent and purpose of the zoning regulations. The intent of setbacks is to provide separation distance between structures for safety, protection and privacy. The separation between structures can also allow for the safe placement of utilities if applicable.

The side setback requested is 5 feet from the side yard is the minimum to allow the construction of the garage and not interfere with the existing well system. The property to the east supports a vacant building shell.

The variance request for the front setback is 8.2 feet which would result in the garage being located 21.8 feet from the front property line. The variance to 21.8 feet combined with the 18.5 ultimate right of way line would result in a front setback of 40 feet from edge of pavement. The right of way for Willow Avenue is sixty (60) feet. The existing edge of pavement to the ultimate right of way line extends 18.5 feet into the applicant's property. The proposed detached garage

would not visually impact the street view because of the placement would essentially be forty (40) feet from the edge of Willow Avenue.

**V. Recommendation:**

Staff finds that the variance requests meet the five (5) criteria for granting the variances from the minimum front and side yard setback requirements for the accessory structure (garage) on R-2 zoned property.

PLDRC recommendation options:

1. Find the side and front variance requests meet the five (5) criteria required for granting of the variances and forward to City Commission with a recommendation of approval; or
2. Find the side and front variance requests do not meet the five (5) criteria required for granting of the variances and forward to City Commission with a recommendation of denial.

City of Oak Hill  
Caygill Variance



Location Map

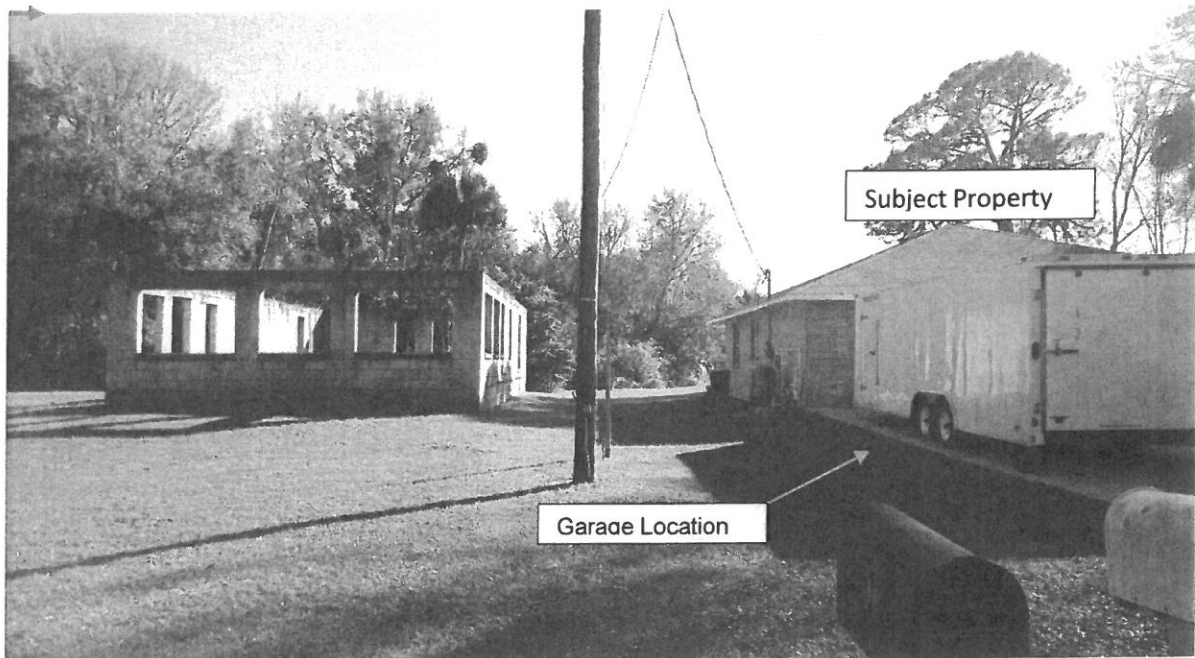
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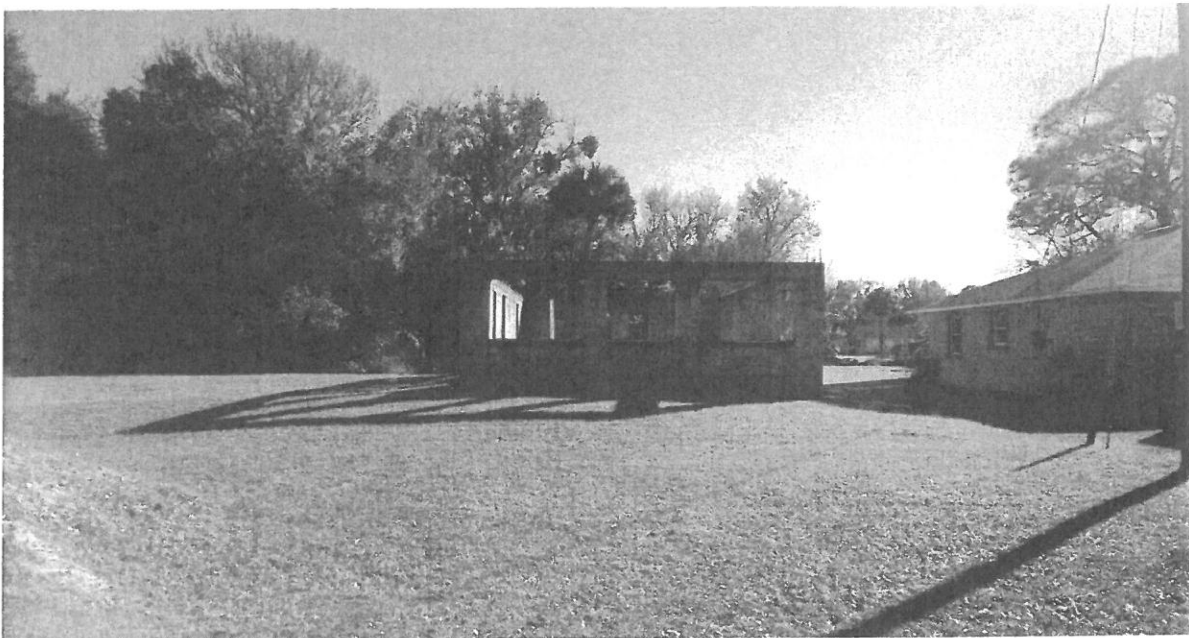
Aerial Map

(Not to Scale)



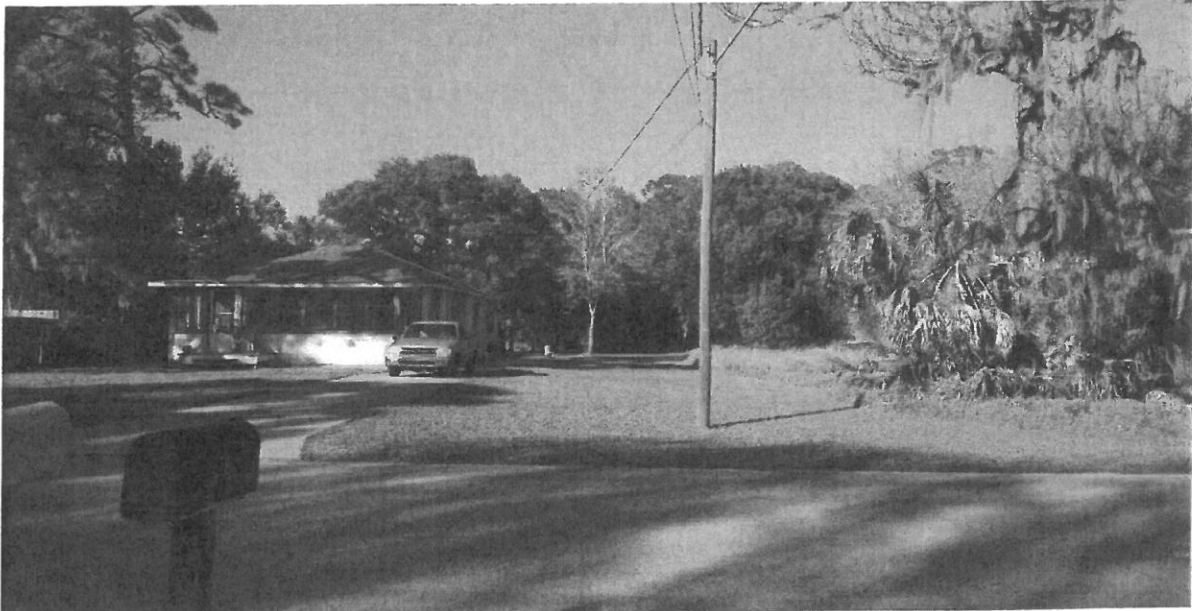


**East side of subject property**



**Property to the east of subject property**





**Property to the north across Willow Avenue.**



**Property to the west of subject property**





# LAND DEVELOPMENT REQUEST APPLICATION

(Pursuant to City of Oak Hill Unified Land  
Development Regulations)

CITY OF OAK HILL

234 South U.S. 1

Oak Hill, FL 32759 (386) 345 – 3522

## INDICATE REQUESTED ACTION:

☒ Rezoning From: \_\_\_\_\_ TO: \_\_\_\_\_

☐ Concept Development Plan

☐ Preliminary Development Plan

☐ Final Development Plan

☐ Variance (describe): \_\_\_\_\_

☐ Special Exception (indicate) \_\_\_\_\_

☒ Other: COMP PLAN LAND USE

AMENDMENT - TEXT CHANGE  
TO ACTIVITY CTR.

## OFFICIAL USE ONLY

Case No.: \_\_\_\_\_

Pre-Application Conference Date: \_\_\_\_\_

☐ Minor Development ☐ Major Development

Date Application Received: \_\_\_\_\_

Planning Commission Meeting: \_\_\_\_\_

Advertisement Publication Meeting: \_\_\_\_\_

Notification to Contiguous Prop. Owner: \_\_\_\_\_

City Commission Meeting: \_\_\_\_\_

Advertisement Publication Meeting: \_\_\_\_\_

Accepted By: \_\_\_\_\_

Receipt No.: \_\_\_\_\_ Amount: \_\_\_\_\_

## APPLICANT INFORMATION

PLEASE FILL OUT YOUR APPLICATION COMPLETELY AND ACCURATELY AND INCLUDE  
ALL REQUESTED ATTACHMENTS.

Project Name: OAK HILL MFG.

Home Phone: \_\_\_\_\_

Applicant's Name: STEVE UNATIN Business Phone: 386-677-9246

Mailing Address: 767 S. NOVA RD, ORMOND BEACH FL.

Home Phone: \_\_\_\_\_

Land Owner's Name: STEVE UNATIN Business Phone: 386-677-9246  
Cell  
Home Phone: 386-212-7311

Engineer's Name: ZEV COHEN + ASSOC. Business Phone: 386-677-2482

Mailing Address: 300 INTERCHANGE BLVD, ORMOND BEACH FL.

Home Phone: \_\_\_\_\_

Surveyor's Name: CULLUM LAND SURV. Business Phone: 386-761-7666

Mailing Address: 5889 S. WILLIAMSON BLVD., PORT ORANGE FL.

Existing Use: ACTIVITY CTR Proposed Use: MFG

Current Zoning: A-1, D-1 Number of Proposed Dwelling Units or Lots: \_\_\_\_\_

Property Dimensions: SEE SURVEY Number of Acres or Square Feet: 423.7 AC.

Tax Parcel Number: SEE ATTACHED

Percentage of Area to Be Covered By Buildings: \_\_\_\_\_

Project Location: On the EAST side of US 1  
(direction) (street)  
approximately \_\_\_\_\_ feet SOUTH of CHURCH ST.  
(direction) (direction) (street)

**TEXT CHANGE:** (to be completed if the request involves amendment of the text of the Unified Land Development Regulations)

Section Number: \_\_\_\_\_ Section Name: \_\_\_\_\_

Paragraph Number: \_\_\_\_\_ Sentence Number: \_\_\_\_\_

Page Number: \_\_\_\_\_

Describe Your Requested Change: \_\_\_\_\_

(If appropriate, attach a copy of the affected page(s) from the Unified Land Development Regulations on which you have noted additions and deletions.)

Reason for Change: TO ALLOW MANUFACTURING USE ON PROPERTY.

INCLUDE THE FOLLOWING ATTACHMENTS, IF REQUIRED:

1. survey and legal description (required for all applications);
2. the required number of copies of a plot plan or site plan, drawn to scale, indicating existing and proposed structures and other improvements;
3. certification from land owner of record that applicant has authorization to make application for the requested action (if applicant is not the owner of record); and
4. list of contiguous properties in the same ownership (include legal descriptions and tax parcel numbers).

IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE THAT ALL REQUESTED INFORMATION IS PROVIDED AND THAT ALL REQUIRED STANDARDS AND CRITERIA HAVE BEEN MET.

INFORMATION AND DOCUMENTS SUBMITTED ARE **COMPLETE AND ACCURATE** TO THE BEST OF MY KNOWLEDGE:

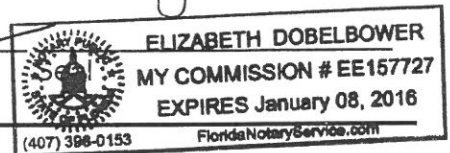
1/30/2015 (date) [Signature] (signature of applicant)

I, Steven I Unatin being duly sworn do declare that all statements and documents herein and herewith compose a complete and factual application.

Sworn to and subscribed before me this 30<sup>th</sup> day of January, 2015

My Commission Expires

Notary Public



APPLICATION FEES:

SEE ATTACHED RESOLUTION # 2003-29 FOR ALL REVIEW FEE INFORMATION.

PLEASE MAKE CHECKS PAYABLE TO THE CITY OF OAK HILL. ALL APPLICATION FEE ARE NON-REFUNDABLE

ADDITIONAL INFORMATION REQUESTED:

## Oak Hill 432 Acres

Owner: Steven I. Unatin, Oak Hill Partnership

### Volusia County Parcels (Require Annexation)

<u>Ref #</u>	<u>Parcel #</u>	<u>Current Zoning</u>
1	37-19-35-02-00-0161	A-1, A-2, A-2W, RCW
2	37-19-35-01-00-0070	A-2W, RCW
3	37-19-35-01-00-0071	A-2W, RCW
4	37-19-35-01-00-0072	A-2
5	37-19-35-02-00-0300	A-3, A-3W, RCW

### City of Oak Hill Parcels

<u>Ref #</u>	<u>Parcel #</u>	<u>Current Zoning</u>
6	08-19-35-04-03-0050	A-1
7	08-19-35-04-03-0060	A-1
8	08-19-35-00-00-0090	B-1
9	08-19-35-00-00-0040	A-1
10	08-19-35-04-01-0020	A-1
11	08-19-35-00-00-0020	A-1
12	08-19-35-00-00-0030	A-1
13	17-19-35-00-00-0020	A-1

## FLUE Excerpts

E. Industrial – The Industrial Future Land Use is to provide areas for light manufacturing, processing, storage, wholesaling, and distribution. The maximum impervious surface shall be limited to 35% of the upland area of a site. Standards for mitigating adjacent incompatible uses shall be established in the Land Development Regulations.

F. Commercial – The Commercial Future Land Use is to provide areas for a broad range of retail commercial and office establishments which meet the needs of the residents of the city. The maximum impervious surface shall be limited to 35% of the upland area of a site. Standards for mitigating adjacent incompatible uses shall be established in the Land Development Regulations.

G. Public / Semi-Public – The Public / Semi-Public Land Use is to provide areas for federal, state and local government facilities related to the public welfare. Also included are acres for uses that are public in nature such as educational, recreational or welfare oriented activities such as, but not limited to, utility services, parks and recreation areas and facilities public, private and parochial schools. The maximum impervious surface shall be limited to 35% of the upland area of a site.

H. ~~Special District #1~~ The Special District #1 Activity Center – The Activity Center Future Land Use is specific to a 415 acre area as identified on the Future Land Use Map and shall be developed as a mixed use development with a City approved Planned Development Agreement. The following standards shall apply ~~to the net developable acres:~~

(a) Allowable Uses:

Scenario #1 - Net Developable Acreage

75% Residential and  
25% Commercial.

OR

Scenario #2 - A mix of the following uses on the Gross Acreage:

Industrial

Conservation

Agricultural

(b) 4 to 8 Residential units per acre (net developable with central utilities).

(c) Maximum of .50 FAR (floor area ratio) Commercial (net developable with central utilities).

(d) Maximum of 1.0 FAR (floor area ratio) Industrial (net developable with central utilities). Further, Scenario #2, above will not exceed the impacts on services of Scenario #1, above.

**Policy 1.1.3.** Density intensity standards for the following non-residential land uses are established on a Floor Area Ratio (FAR) which is equal to the total floor area of the facility divided by the total lot area.

A. Commercial (one floor level only) 0.35 without Central Utilities

**Sec. XX-XXX. – ACPD Activity Center Planned Development classification.**

- (a) Purpose and intent. The purpose and intent of the Activity Center Planned Development (ACPD) classification is to provide for a large development area in the City for large projects, which are consistent with the comprehensive plan, so as to promote economical and orderly development consisting of a single or of a mixture of compatible land uses. Further, it is intended that a proposed development be sensitive to existing adjacent and future land uses as depicted by the future land use map of the comprehensive plan, the natural environment and the impact upon supporting public infrastructure through such mechanisms as, but not limited to, the establishment of appropriate buffer areas on the property, limitations upon the types of permissible uses and structures which are to be permitted in the development.

- (b) Permitted principal uses and structures. The permitted uses and structures within the ACPD may consist of residential, commercial, industrial, agricultural or conservation, provided that said uses are listed in the development agreement and have been approved by the City Commission.

Other uses and structures of a similar nature to those listed, after determination by the City Commission at the time of master development plan approval that such uses and structures are compatible with the ACPD development and the surrounding area.

- (c) Development Scenarios and buffers.

The following alternative development scenarios are consistent with the Comprehensive Plan Future Land Use Element Policy 1.1.2 H:

- (1) Scenario #1 – The net developable acreage may consist of 75% Residential & 25% Commercial, with the remaining areas designated as open space to provide a buffer to adjacent uses.
- (2) Scenario #2 – The net developable acreage may consist of industrial uses with the remaining areas designated as conservation and agricultural to provide a buffer to adjacent uses.

- (d) Orientation of Permitted Uses and Structures.

- (1) Industrial, commercial or residential uses shall be oriented toward the center of the site, with access from the site to an arterial roadway.

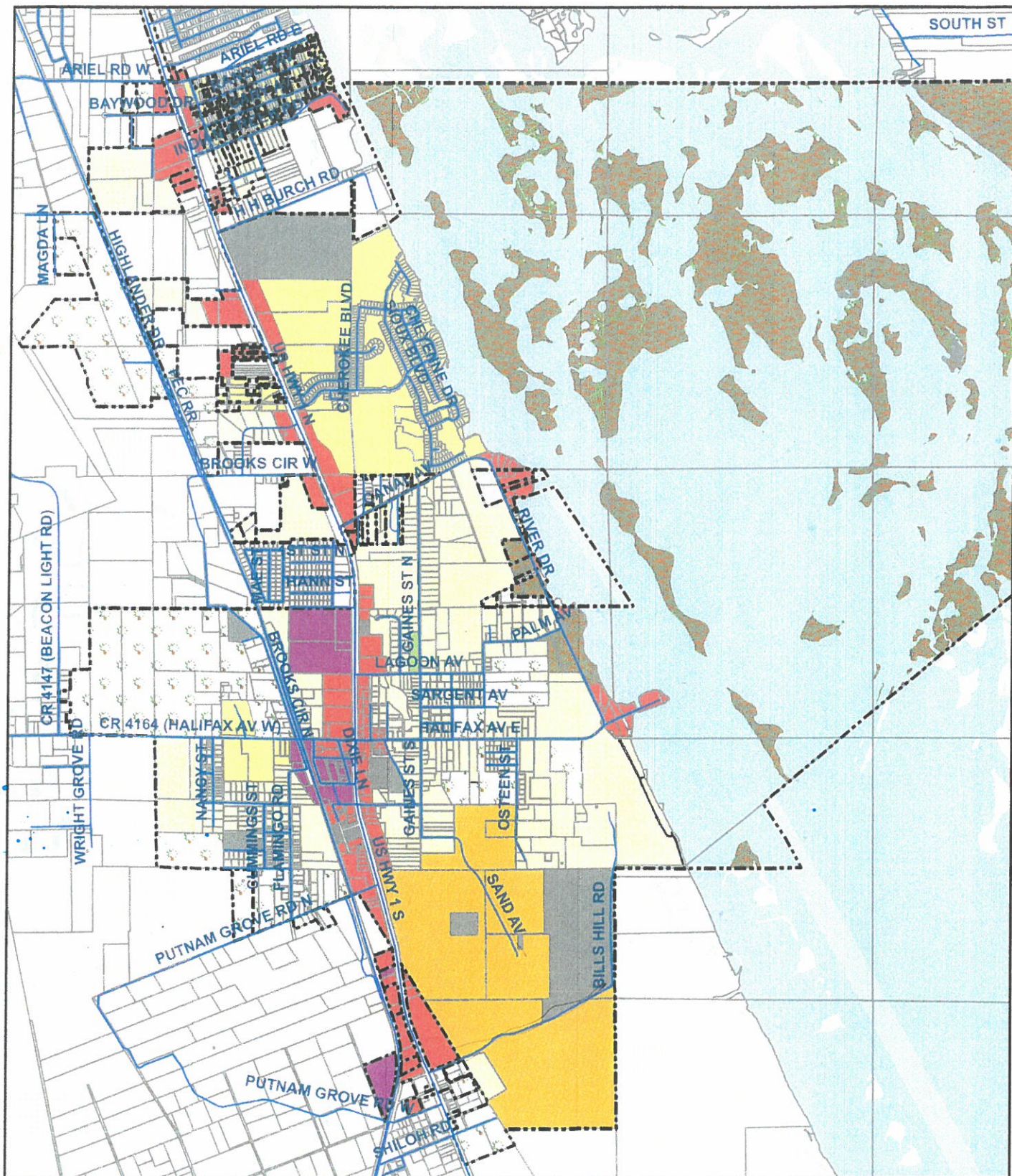
- (e) Maximum Land Coverage by all Structures.

- (1) The total land coverage by all structures shall not exceed 35% of the Activity Center.

- (f) Maximum Height of Structures.











- (1) There are no height limitations in the ACPD classification; provided, however, that with structures exceeding 35 feet that portion of the structure over 35 feet shall be set back 2 horizontal feet for each vertical foot in excess of 35 feet on all sides where the lot or parcel is adjacent to residential property that is outside of the Activity Center.





# OAK HILL FUTURE LAND USE 2025



- |  |   |
|--|---|
|  Activity Center    |  Industrial                 |
|  Agriculture        |  Low Density Residential    |
|  Commercial         |  Medium Density Residential |
|  Conservation       |  Recreation/Open Space      |
|  Conservation-Water |  Public/Semi-Public         |

