

**MINUTES OF THE OCTOBER 5, 2017
REGULAR MEETING
GREEN COVE SPRINGS PLANNING AND ZONING BOARD**



CALL TO ORDER

The regularly scheduled meeting of the Green Cove Springs Planning and Zoning Board was held on Thursday, October 5, 2017 in the City Council Chambers, 321 Walnut Street, Green Cove Springs, Florida.

Chairman Haddock called the meeting of the Planning and Zoning Board to order at 5:00 p.m.

ROLL CALL

Board Members Present: Robert Lewis
Sara Spurrier
Henrietta Francis, Chairman

Staff Members Present: Danielle Judd, City Manager
Janis Fleet, Development Services Director
Kimberley Farnsworth, Building Assistant
Micah O'Shields, Development Services Rep.

Board Members Absent: Marilyn Haddock
Ed Gaw, Vice Chairman

Staff Members Absent: L.J. Arnold, III, City Attorney

PUBLIC HEARING

201700658 - SPECIAL EXCEPTION TO ALLOW AN ACCESSORY STRUCTURE OVER 12 FEET IN HEIGHT AT 659 NORTH MAGNOLIA AVENUE.

Ms. Fleet introduced the item. The principal structure was constructed in 2015 along with an accessory structure which received a special exception in 2015. The lot is very large, almost an acre. The applicant, Mr. & Mrs. Torrible, are aware that the proposed accessory structure will have to comply with accessory building requirements as well as special exception requirements and have architecturally compatible finishes with the principal structure. The applicant has asked to be permitted to build the proposed accessory structure at a height of 17' with the principal structure being at a height of 19'. The packet includes the existing principal structure and the existing accessory structure which he uses as a garage with renderings of what the proposed accessory structure will look like.

Chairman Francis opened the Public Hearing.

Ms. Francis asked the applicant to the podium.

Mr. James Torrible, 659 N. Magnolia, came to the podium to speak about his application. He stated that he has vintage cars and has run out of room, he will probably end up with two more. Mr. Torrible indicated that he sent an email to Ms. Fleet requesting 18', he didn't receive a response and assumed it was okay.

Ms. Fleet responded that she had not received that email but it's less than the house and consistent with what was advertised for over 12', so the 18' could be in the motion. Mr. Torrible responded by saying he may back it down to 17' but he'd like to ask for 18' just in case. Mr. Torrible added that it will be like the current garage as far as color and landscaped nicely. The picture shows two bays but this one will have three bays with storage inside.

Ms. Spurrier asked the applicant how many cars he has. Mr. Torrible responded that he has four vintage cars right now and will probably end up with six. When he moved from Panama City he sold some cars and is trying to replace what he had.

Ms. Francis invited the public to address this issue before the board starts.

Mr. Whiteman, 723 N Magnolia Ave, stated that he lives on the next block north of the applicant. He added that Mr. Torrible has done a wonderful job building his house and landscaping his yard, he and his wife fully support his application and think it will be a nice addition to the neighborhood.

Ms. Francis thanked Mr. Whiteman for his comments and invited others to address the board concerning this issue.

Chairman Francis closed the Public Hearing.

Ms. Francis inquired about Mr. Torrible will be having the same contractor do the work. Mr. Torrible responded that he changed the contractor of record to himself because he was not pleased with the some of the work. He will probably end up subcontracting the work out. All the cosmetic work he will do himself. Ms. Francis expressed that the location is beautiful and the home is beautiful and this addition will be an asset to the community.

Ms. Fleet asked that it be on the record that Mr. Torrible requested 18'.

A MOTION WAS MADE BY BOARD MEMBER LEWIS APPROVE 201700658 SPECIAL EXCEPTION TO ALLOW AN ACCESSORY STRUCTURE OVER 12 FEET IN HEIGHT AT 659 NORTH MAGNOLIA AVENUE. THE REQUESTS MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION CRITERIA SECTION IN 90-281 OF THE MUNICIPAL CODE. THE MOTION WAS SECONDED BY BOARD MEMBER SPURRIER. THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL: AYES – BOARD MEMBERS LEWIS AND SPURRIER, CHAIRMAN FRANCIS. MOTION PASSES 3-0

201700659 - AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP FOR .408 ACRES OF PROPERTY LOCATED OFF NORTH MAGNOLIA AVENUE AT LAMONT STREET, IDENTIFIED AS TAX ID # 017563-000-00 AND TAX ID # 017563-004-00, MORE PARTICULARLY DESCRIBED AS PART OF LOTS 10, 12, & 14, BLOCK 5, N.S. GCS, FROM RLD, RESIDENTIAL LOW DENSITY, TO RPO, RESIDENTIAL, PROFESSIONAL, OFFICES; PROVIDING FOR REPEALER; SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

Ms. Fleet introduced the item. She explained that this was one of two requests for these parcels. The parcels are located at Lamont and Magnolia, visible from U.S. 17 and are in the residential area. RPO, Residential Professional Offices, is a transitional zoning category where as you can use the property as residential but can also be used as very limited offices that fit in with the neighborhood. The two lots that Mr. Sechrest owns are a good transition from the high intensive commercial located on 17 to the lower intensity residential. Ms. Fleet stated that this change meets the comprehensive plan.

Chairman Francis opened the Public Hearing.

Ms. Francis asked the applicant to the podium.

Mr. Larry Sechrest, 771 N. Magnolia, expressed that he would like to put an office there not sure just yet but he would like it to be RPO, it's located right behind his office now. He reiterated that he is not sure what he will build but RPO will allow him to build a professional office if he decides to do so.

Ms. Francis invited anyone in the audience up that would like to address this issue.

Diane Whiteman, 723 N. Magnolia Avenue, she recalled a time years ago where they discussed zoning on Magnolia and they decided no professional offices in the homes. Ms. Whiteman expressed that there is already enough traffic on Magnolia. She is concerned that if this goes residential professional then nothing will prevent the lot behind the CVS that was recently sold from going RPO as well. She stated that she has been here eight or nine years and has invested a lot of money in her home and doesn't want any more traffic. She asked what would stop this RPO from change from going up to Houston Street.

Ms. Judd asked Ms. Fleet to explain what permitted in the Residential Professional Offices zoning category. Ms. Whiteman indicated she is fully aware of what can go because Mr. Whiteman has explained it to her. Ms. Fleet advised that when the notices were mailed out she included what uses were allowed in the RPO land use so that residents could understand it.

John Whiteman, 723 N. Magnolia, husband of Diane discussed his understanding of RPO being that you could either have a residence on the property or an office; not a home occupation where you would have a house with an office in it. He understands that RPO allows up to eight dwelling units per acre with these two combined parcels being 4/10th of an acre would allow for a small strip center with up to three offices, which he is opposed to and also in agreement with his wife that it is close to their house and this type of commercial development could bring this even closer to his home. He wanted to point out that he feels a nice dividing line exists between what commercial and residential is by allowing this you would be placing a boundary into the middle of the block. He understands that these offices could be a surveyor's office, real estate office, title insurance closing office, lawyers or doctor's office and those type of businesses and he feels this is an encroachment into residential. He believes that Mr. Sechrest was aware of the zoning when he acquired the property not very long ago. He expressed how unfortunate it was that Mr. Sechrest has been unable to sell the property to someone who wishes to build a home there but the answer is not selling it to someone who wants to build commercial offices there.

Ms. Fleet read the three permitted uses in RPO, residential single family attached or detached units, home occupations or professional offices. Additional limitations exist there shall be no retail sales, display or storage, no vehicles other than passenger trucks and no manufacturer repair work of any kind. There are special exceptions that are allowed clubs, medical or dental clinic or labs, adult day care, churches, school or university, some commercial but very limited and they would require a special exception. Ms. Fleet acknowledge the other neighbors' concerns. She indicated the problem with Magnolia is that it curves, when doing land use and zoning boundaries they first look for a river or some type of water way, those don't change, the next is a street, lastly the property boundaries. The problem with these lots is that they can be seen from U.S. 17, which with traffic makes it very difficult to develop as residential. The RPO designation would allow for a small office on this property because you would need a parking space for every 250 square foot of office space. Ms. Fleet discussed the high intensity commercial zoning on the other side of Lamont and Magnolia.

Ms. Judd asked who owns the lot directly behind these lots and is there be a higher residential use that would accommodate his request. Ms. Fleet responded by saying unfortunately not, unless he did a PUD where he could do mixed uses. There are four residential categories that only allow for residential development, either attached or detached based on density, then RPO and then the higher intensity commercial categories. Ms. Fleet responded about the ownership of the property behind these parcels which is owned by Patrick Trahan found to be a single family dwelling valued at \$159,000 according to the property appraisers office the property is homesteaded.

Ms. Judd understands the PUD would be very specific in terms of density, if you have an ordinance that would bind that particular parcel and asked if the PUD would require another land use category. Ms. Fleet indicated land use still would need to be RPO but if he decides to go with a PUD she would recommend deferring the land use until they had the companion PUD was submitted and the items could then be approved at the same time. The PUD would then also tie it to a site plan and you could then have architectural design criteria to make the office look more like a house. Ms. Fleet stated that a strip center couldn't be done without another public hearing.

Ms. Judd inquired if this had been advertised for City Council on October 17 yet, Ms. Fleet responded that it could be deferred at that point in time, the Council can't take action unless there is a recommendation by the Planning & Zoning Board. Ms. Judd said she didn't want the applicant to incur any additional expense.

Mr. Sechrest spoke and indicated that the corner property was formerly zoned RPO until a few years ago when Jim Arnold owned it. He stated that it was put back to residential when they did the rezoning of the master plan. Ms. Judd inquired as to what he was told the zoning was when he signed the contract to buy the property, Mr. Sechrest didn't answer.

Ms. Judd added that depending on the final decision is a buffering could be required as you don't necessarily have the same uses going from RPO to R1. Ms. Fleet added that the applicant would be required to have buffering of a fence and landscaping on both sides as there are incompatible land uses behind and to the south of the property.

Mr. Whiteman pointed out that he believed all the properties on that block are residential and have homes on them. He feels that it is inappropriate to look and say he would be limited on what he could put there with parking and zoning requirements if someone hasn't done a study. He likes the idea of the PUD where that has to be set out in advance. Mr. Whiteman acknowledges that Mr. Sechrest would build something nice but insists that after it's rezoned it could be sold and he wouldn't be doing the building on the property.

Ms. Fleet referenced the square red on the map that was already intruding into the neighborhood which was the Revels property, the triangle piece next to it is part of Mr. Sechrest property, his current office. The block behind it is yellow and there has already been encroachment into that neighborhood with the way that road is aligned.

Ms. Judd commented that with regards with to the access if you did a Planned Unit Development those measures would have to considered. She also stated that the council also has a policy that you can't undo brick streets. She added that landscaping and buffering would be in the ordinance and is unsure that access would be wanted off Lamont. That intersection is a challenging area, she suggested some transportation items, in terms of turning.

Ms. Whiteman expressed traffic concerns. She indicated in the mornings, if something has happened on U.S. 17, there is a lot of traffic on Magnolia and it's a very small area to accommodate traffic from businesses. Ms. Judd discussed when working with the applicant shared parking plans can be looked at. She suggested that whatever moves forward in terms of zoning if there is some sort of Planned Unit Development you could mandate and have dialogue about shared parking.

Bruce Wildes, 612 Myrtle Avenue, expressed his understanding of the transition but questioned what prevents it from encroaching deeper into the residential. Mr. Lewis responded that it would be the Planning and Zoning Board.

Chairman Francis closed the Public Hearing

Ms. Fleet discussed the options to the Planning and Zoning Board to either approve the land use change, deny the land use change, or defer it and recommend that the applicant come back with a PUD. By not approving the land use, the zoning would be deferred automatically because it can't move forward without the appropriate land use. Ms. Judd asked why a decision could not be made on the land use, take that land use to the council during that dialogue state that the same dialogue about the zoning because there is nothing saying the zoning can't come back at another time. Ms. Judd expressed wanting to keep things moving forward. Ms. Fleet responded that each action is separate but tied together, so one could be approved and the other denied or deferred.

Mr. Lewis explained that this is only a recommendation to council on what way to go, this is not written in stone, it would open dialogue with the City Council and that is where you state your position. He expressed how nice the property was and an office would be nice there or a house could also look nice there. People with a house would be getting the noise from highway 17 and the trucks going through, when the bypass goes in we may not have that. Mr. Lewis expressed that he finds it difficult to restrict people from using their property.

Ms. Spurrier said that she believes some type of professional building will fit at the location around other professional buildings.

Ms. Francis expressed her respect for all economic growth. Ms. Francis said she would approve the land use but defer for the companion PUD.

Ms. Fleet indicated the board needed to make a motion either way on the land use because they are separate items.

A MOTION WAS MADE BY BOARD MEMBER SPURRIER TO RECOMMEND TO CITY COUNCIL THE ADOPTION OF AN ORDINANCE AMENDING THE FLUM DESIGNATION FOR THE PROPERTIES WITH TAX ID# 017563-000-00 AND TAX ID# 017563-004-00 FROM RLD, RESIDENTIAL LOW DENSITY TO RPO, RESIDENTIAL PROFESSIONAL OFFICES. THE MOTION WAS SECONDED BY BOARD MEMBER LEWIS. THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL: AYES – BOARD MEMBER LEWIS AND SPURRIER, CHAIRMAN FRANCIS. MOTION PASSES 3-0

201700660- AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA REZONING FOR .408 ACRES OF PROPERTY LOCATED OFF NORTH MAGNOLIA AVENUE AT LAMONT STREET, IDENTIFIED AS TAX ID # 017563-000-00 AND TAX ID # 017563-004-00, MORE PARTICULARLY DESCRIBED AS PART OF LOTS 10, 12, & 14, BLOCK 5, N.S. GCS FROM R-1 TO RPO, RESIDENTIAL, PROFESSIONAL, OFFICES, PROVIDING FOR SEVERABILITY; REPEALER; AND SETTING AN EFFECTIVE DATE

Ms. Fleet introduced the item as the companion zoning application, the applicant is asking to go from R-1 to RPO. She said that this provides the transition from the high intensity Gateway Corridor Commercial surrounding it and the R1 that is behind and around it. Due to the location of the property to U.S.17 it is not detrimental or an encroachment into the residential further down Magnolia Avenue and surrounding it. RPO is limited and allows for single family attached or detached, a home occupation without requiring a special exception or professional offices.

Ms. Judd inquired as to if the two lots need to be combined for development. Ms. Fleet responded yes if he was going to do a unified development, he could potentially sell them individually and develop them individually. She explained it would be difficult with the floor to area ratio along with buffer and parking requirements to develop each parcel being a ¼ of an acre, individually.

Chairman Francis opened the Public Hearing

Ms. Fleet said that each Public Hearing stands on its own even though you can refer to your comments, it's good to come to the record to state it on the rezoning.

Mr. Sechrest had no additional comments.

Mr. Whiteman stated that his same comments apply.

Chairman Francis closed the Public Hearing

A MOTION WAS MADE BY BOARD MEMBER SPURRIER TO RECOMMEND TO CITY COUNCIL THE ADOPTION OF AN ORDINANCE REZONING THE PROPERTIES WITH THE TAX ID # 017563-000-00 AND TAX ID # 017563-004-00 FROM R-1 TO RPO. THE MOTION WAS SECONDED BY BOARD MEMBER LEWIS. THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL: AYES – BOARD MEMBER LEWIS AND SPURRIER, CHAIRMAN FRANCIS.

Ms. Fleet said that this will go to the City Council on October 17, 2017 and there will be a second meeting on November 7, 2017.

Mr. Lewis stated that the December meeting would be his last meeting due to health issues. He added that Pam, who appointed him, is in the process of making a new appointment. If there is a meeting in November or December he'd do it but a new Board Member would take over in January. Ms. Francis responded and wished Mr. Lewis the best.

Ms. Francis advised that she had the opportunity to attend the APA Conference in Daytona and appreciates those who provided her with the opportunity to attend. Ms. Fleet stated she attended with Ms. Francis. Ms. Fleet stated that at the next meeting they would have training from the Florida Planning Officials Handbook that has been provided to the board.

Ms. Francis asked about a fundraiser flyer she had seen to be held at the United Methodist Church on Walnut, September 23rd to benefit the Vineyard Homeless Shelter coming soon to Green Cove Springs and wanted to know if any has information. Ms. Fleet has had someone inquire about it a few months ago. She reminded the board that nothing would be happening without the board knowing about it and an application submitted.

ADJOURNMENT

There being no further business to come before the Planning and Zoning Board, Chairman Francis adjourned the meeting at 6:10 p.m.

City of Green Cove Springs, Florida

Henrietta Francis, Chairman

Janis K. Fleet, AICP
Development Services Director