

HILLIARD PLANNING AND ZONING BOARD MEETING

Hilliard Town Hall / Council Chambers
15859 West County Road 108
Post Office Box 249
Hilliard, FL 32046

BOARD MEMBERS

Wendy Prather, Chair
Charles A. Reed, Vice Chair
Josetta Lawson
Harold "Skip" Frey
Dallis Hunter

LAND USE ADMINISTRATOR

Janis Fleet, AICP

TOWN ATTORNEY

Christian Waugh

Minutes

Tuesday, October 6, 2020 at 7:00 PM

Call to Order

Prayer and Pledge of Allegiance

Roll Call

PRESENT

Board Chair Wendy Prather
Board Vice Chair Charles Reed
Board Member Harold "Skip" Frey
Board Member Dallis Hunter
Board Member Josetta Lawson

PUBLIC HEARING

ITEM-1

Open Public Hearing:

Special Exception No. 20200811 – To Allow Cell Tower on the Property

A SPECIAL EXCEPTION TO ALLOW A CELL TOWER. THE PARCEL TAX ID IS #08-3N-24-2380-0009-0021 AND IS LOCATED AT 37511 WEST FIRST STREET.

Board Chair Prather reads Special Exception No. 20200811 and asks for Disclosure of Ex Parte Communication.

Board Member Frey stated that he visited the property and discussed the location of the cell tower with the property owner, Mr. Bobby Franklin.

No other Board Members disclosed any Ex Parte communication.

Board Chair Prather opens the Public Hearing on Special Exception No. 20200811 for public comment.

Public:

Mr. Bobby Franklin, 551856 U. S Highway 1, Suite 111, Hilliard, Florida 32046, owner of the property stated that they have been working on this project and that he felt that the location of the property would not have a negative effect of adjoining property owners. Mr. Franklin further stated that the cell tower would expand cellular services to business and residents in Hilliard.

My Jay Shirah - 202 Marina Drive, St. Simons Island, GA, stated that he has been working with Mr. Franklin on the project and appreciated the Board consideration of the application.

Motion to Close Public Hearing on Special Exception No. No. 20200811.

Motion made by Board Member Frey, Seconded by Board Member Lawson.

Voting Yea: Board Vice-Chair Reed, Board Member Lawson, Board Member Frey, Board Member Hunter and Board Chair Prather.

ITEM-2 Special Exception No. 20200819 - To Allow Dwelling Unit in Business Located in C-1 Zoning District

A SPECIAL EXCEPTION TO ALLOW THEIR RESIDENCE IN THE SAME BUILDING AS BUSINESS. THE PARCEL TAX ID IS #24-2380-0007-0013 AND THE PROPERTY IS LOCATED AT 551625 US HIGHWAY 1.

Board Chair Prather reads Special Exception No. 20200819 and asks for Disclosure of Ex Parte Communication.

Board Member Frey stated that he visited the property and discussed with the Popes what they were looking for.

No other Board Members disclosed any Ex Parte communication.

Board Chair Prather opens the Public Hearing on Special Exception No. 20200819 for public comment.

Public:

Mr. Bobby Franklin, 551856 U. S Highway 1, Suite 111, Hilliard Florida 32046, stated his support for this Special Exception and the need for affordable housing in Hilliard. Mr. Franklin further states allowing a dwelling unit for occupancy by the business owner should be allowed by right and not need a Special Exception.

Ms. Jamie Pope, 551625 US Highway 1, Hilliard, Florida 32046, stated that she has been living at the property for 4 years and that the previous Land Use Administrator had told her that she didn't need to do anything to make her business her residence.

Mr. Michael Franklin, P.O. Box 1107, Hilliard, Florida 32046, stated the Pope's request is a good example of mixed-use development.

Motion to Close Public Hearing on Special Exception No. No. 20200819.

Motion made by Board Member Frey, Seconded by Board Member Lawson.

Voting Yea: Board Vice-Chair Reed, Board Member Lawson, Board Member Frey, Board Member Hunter and Board Chair Prather.

REGULAR MEETING

ITEM-3 Additions/Deletions to the Agenda

Motion to delete Item 7 and move Item 8 to Item 7.

Motion made by Board Member Frey, Seconded by Board Member Hunter.

Voting Yea: Board Vice-Chair Reed, Board Member Lawson, Board Member Frey, Board Member Hunter and Board Chair Prather.

MINUTES

ITEM-4 09/15/2020 – Special Meeting

Motion made by Board Member Frey, Seconded by Board Member Hunter.

Voting Yea: Board Vice-Chair Reed, Board Member Lawson, Board Member Frey, Board Member Hunter and Board Chair Prather.

PLANNING & ZONING BOARD

ITEM-5 Special Exception No. 20200811 – To Allow Cell Tower on the Property **A SPECIAL EXCEPTION TO ALLOW A CELL TOWER. THE PARCEL TAX ID IS #08-3N-24-2380-0009-0021 AND IS LOCATED AT 37511 WEST FIRST STREET.**

Board Chair Prather reads Special Exception No. 20200811, by title.

Land Use Administrator Fleet reads the staff report dated October 1, 2020, which includes the review criteria the Planning and Zoning Board must consider when granting a special exception request for a cell tower.

Staff feels that the Special Exception request to allow a cell tower on the property located at 37511 West First Street meets the requirements of Ordinance 2020-04 and the requirements of Section 62-157 with the following conditions:

1. The existing treed area can be used as a credit to the landscaping requirements where trees exist.
2. A hedge must be planted in front of the trees proposed on the site plan in front of the cell tower fenced area.
3. Landscaping will be required to meet Ordinance 2020-04, if existing trees on the site are removed.

Board Member Frey asks Mr. Shirah about the height of the cell tower and what would happen if the cell tower was no longer in use.

Mr. Shirah responded that the cell tower was going to be 195 feet and he would follow the requirements of the Town for cell tower abandonment.

Land Use Administrator Fleet stated that the recently passed cell tower ordinance has procedures for abandonment.

Motion to approve the Special Exception with compliance with the conditions in the staff report and based on the findings of the criteria in the staff report.

Motion made by Board Member Hunter, Seconded by Board Vice Chair Reed.
Voting Yea: Board Vice-Chair Reed, Board Member Lawson, Board Member Frey, Board Member Hunter and Board Chair Prather

ITEM-6 Special Exception No. 20200819 - To Allow Dwelling Unit in Business Located in C-1 Zoning District
A SPECIAL EXCEPTION TO ALLOW THEIR RESIDENCE IN THE SAME BUILDING AS BUSINESS. THE PARCEL TAX ID IS #24-2380-0007-0013 AND THE PROPERTY IS LOCATED AT 551625 US HIGHWAY 1.

Board Chair Prather reads Special Exception No. 20200819, by title.

Land Use Administrator Fleet reads the staff report dated September 22, 2020, which includes the review criteria the Planning and Zoning Board must consider when granting a special exception request.

Staff feels that the Pope's Special Exception request to allow a dwelling unit to be in the same building as the business for the business owner for the property located at 551625 US Highway 1, meets criteria #2 through #9 of Section 62-157 and that criteria #1 can be met with the following conditions being met:

1. Apply for "Change of Use" permit from the Town for the dwelling unit in the existing structure. (A "Change of Use" permit is approved by the Town's Land Use Administrator, Building Official, and Fire Marshall.)
2. Apply for any permits generated by the "Change of Use" permit.
3. Obtain a final inspection for all permits generated by the "Change of Use" permit.
4. The "Change of Use" permit must be applied for within 30 days and the final inspection for all permits performed within 90 days.

Board Member Hunter stated that he doesn't want to pay the fees for the change of use application. Town Attorney Waugh stated that the Board can recommend the reduction of fees.

Motion to approve the Special Exception with compliance with the conditions in the staff report and based on the findings of the criteria in the staff report with the recommendation for the Council to waive the fees for the "Change of Use" permit .

Motion made by Board Member Frey, Seconded by Board Member Hunter.
Voting Yea: Board Vice-Chair Reed, Board Member Lawson, Board Member Frey, Board Member Hunter and Board Chair Prather.

ITEM-7 Discussion of Land Development Regulations

Land Use Administrator Fleet explains the process to amend the Land Development Regulations to be in compliance with the Comprehensive Plan, that is currently being reviewed by the State and the need to look at the Land Development Regulations in entirety. Land Use Administrator Fleet goes over the staff report and the current residential districts.

After discussion by the Board, Land Use Administrator Fleet will prepare a chart with uses and categories for the Board to review at their next meeting..

PUBLIC COMMENTS:

None.

BOARD MEMBERS CLOSING COMMENTS:

Chair Wendy Prather – None.

Vice Chair Charles A. Reed – None.

Board Member Harold “Skip” Frey – None.

Board Member Josetta Lawson – None.

Board Member Dallis Hunter – None.

LAND USE ADMINSTRATOR:

Land Use Administrator Janis Fleet – Land use Administrator stated that the wetlands have been identified by an environmentalist and are being surveyed.

LEGAL COMMENTS:

Town Attorney Christian Waugh – None.

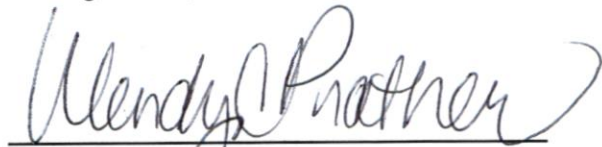
ADJOURNMENT

There being no additional business, the meeting adjourns at 8:21 p.m.

Motion made by Board Member Lawson, Seconded by Board Member Frey.

Voting Yea: Board Member Frey, Board Member Lawson, Board Member Hunter, Vice Chair Reed and Board Chair Prather.

Approved this 30th day of November, 2020, by the Hilliard Planning & Zoning Board, Hilliard, Florida.



Wendy Prather
Planning & Zoning Board Chair