

TAB 14



City of Palmetto Agenda Item

Meeting Date

8/6/12

Presenter: Lorraine Lyn **Department:** Planning

Title:

**Conditional Use Permits (CU2012-02 & CU2012-03)
Farm Worker Housing
CU2012-02 - 413 12th Street W
CU2012-03 - 501 11th Street W**

Palmetto Land Company, LLC is the applicant of two Conditional Use (CU) permits; one at 413 12th Street W for 3 units and the other at 501 11th Street W for 6 units of farm worker housing. The purpose of these CU requests is to bring these farm worker housing facilities into compliance with the City's zoning requirements. Both sites are zoned RM-6 as required by the City's Zoning ordinance which permits farm labor camps as a Conditional Use only within the RM-6 zoning district.

At its public hearing on July 19, 2012, the Planning and Zoning Board recommended APPROVAL of the proposed conditional use permits with the following CONDITIONS:

For CU2012-02: 413 12th Street W and CU2012-03: 501 11th Street W

1. The property owner shall maintain doors and windows in good working order with locking hardware, locks and pry guards.
2. Front and rear doors shall be equipped with wide-angle peep hole viewers.
3. Install and maintain wall mounted flood lights on the front of the units, facing the parking lot to illuminate the front doors and the parking area.
4. Provide motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.
5. Installation of video surveillance is strongly encouraged for all entrances, parking areas, and the rear of the buildings, for the protection of the residents and to aid the protective efforts of the Police Department.
6. The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
7. The Owner shall have 60 days from the date of approval of the Conditional Use permit to complete required site improvements.

For CU2012-02: 413 12th Street W only

1. Install large limestone rocks to create border definition for the perimeter of the property especially along the western and southern property lines.
2. If access through the adjacent lot to the west is ever cut off, the property owner shall provide a shell drive off 12th Street W.

Budgeted Amount: \$0.00 **Budget Page No(s):** **Available Amount:** \$0.00 **Expenditure Amount:** \$0.00

Additional Budgetary Information:

Funding Source(s): **Sufficient Funds Available:** Yes No **Budget Amendment Required:** Yes No **Source:**

City Attorney Reviewed: Yes No N/A **Advisory Board Recommendation:** For Against N/A **Consistent With:** Yes No N/A

Potential Motion/Direction Requested:

Staff Contact: Lorraine Lyn City Planner 723-4580 Ext. 2135

Attachments:

Staff Report
Conditional Use Permits for Farm Worker Housing
CU-2012-02: 413 12th Street W
CU-2012-03: 501 11th Street W

BACKGROUND

Palmetto Land Company, LLC is the applicant of two Conditional Use (CU) permits for farm worker housing located at 413 12th Street W and 501 11th Street W. The purpose of these CU requests is to bring these farm worker housing facilities into compliance with the City's zoning requirements. The code currently requires a conditional use in the Residential Multi-Family (RM-6) zoning district for farm worker housing. Both locations are permitted by the Department of Health and both sites are within the RM-6 zoning district and located in the central part of the City west of US 41 and north of 10th Street W.

The City is currently considering an amendment to the Zoning Ordinance (Ordinance 2012-07) to establish standards for conditional use approval for farm worker housing and rooming/boarded houses in the RM-5 and RM-6 zoning districts. It will also change the term "farm labor camp" to "farm worker housing." The Police Department conducted CPTED reviews for both of the subject properties on June 16, 2012. Refer to Appendix A for CPTED recommendations.

PROPERTY OWNER

Palmetto Land Company, LLC

ADDRESS/ EXISTING LAND USE/PARCEL ID

1. a) 413 12th Street West/single-family house (1 unit farm worker housing)/2631100001;
b) 415 12th Street W & 415A 12th Street W/duplex (2 units farm worker housing)/2631100001;
2. a) 501 11th Street W & 501A 11th Street W/duplex (2 units farm worker housing)/2649600000;
b) 501 B & C 11th Street W/duplex (2 units farm worker housing)/2649600000;
c) 503 B & C 11th Street W Units /duplex (2 units farm worker housing)/2649600000.

PLAN CATEGORY/ZONING DISTRICT

1. 413 12th Street West: RES-10/RM-6
2. 501 11th Street W: GCOM /RM-6

NUMBER OF UNITS/SIZE OF PROPERTIES/DENSITIES

1. 413 12th Street West: 3/0.175 acres/17.1 du/ac.
2. 501 11th Street W: 6/0.32 acres/18.8 du/ac.

PLAN CATEGORY/ZONING DISTRICT/EXISTING LAND USES OF SURROUNDING PROPERTIES

1. 413 12th Street West
 - A. North: RES-10/RS-4/single-family residential
 - B. South: RES-10/RM-6/multi-family residential
 - C. East: RES-10/RM-6/single-family residential
 - D. West: RES-10/CG/vacant commercial

2. 501 11th Street W
 - A. North: GCOM/RM-6/single-family & vacant residential
 - B. South: GCOM/CG/vacant commercial
 - C. East: GCOM/RM-6/railroad
 - D. West: GCOM/RM-6/single-family residential

SITE REVIEW

1. 413 12th Street W

History

The site currently contains 3 units within a single family house in the front and a duplex in the rear of the property. According to the Property Appraiser's information, both buildings were constructed in 1972 but the City's Building Department records for this property start in 2000 with an electric change out in September, 2000; replacement of meter re-locater inline of 1" PVC for water service in 2007 and a re-roof in March, 2010. There are no building permits available for structures on this site.

Access

Access to this property is through the adjacent, vacant parcel to the west, 425 12th Street W, owned by Atlantic Land & Improvement Company, Jacksonville, FL. There is no physical access from 12th Street W directly onto the subject parcel.

2. 501 11th Street W

History

The site currently contains 3 duplexes with 6 units. According to the Property Appraiser's information, all 3 buildings were constructed in 1972 but the City's Building Department records on this property start in 2008 with a reroof in May, 2008. There are no building permits available for structures on this site.

3. Historical Zoning for 413 12th Street W & 501 11th Street W

According to the historic zoning maps in the Planning Department, the subject properties were zoned R-6 during zoning conformance in 1990 when the City was rezoned to the new Zoning Code consistent with the Future Land Use Plan. According to the October 19, 1981 Zoning Code, R-6 permitted single or dual residences for families; multi-family residences for families; private garage; accessory building together with commercial farms and chicken farms.

The 1981 Code defined One-family dwelling as:

A detached building designed or occupied exclusively by one family.

It also defined Family as:

One or more persons occupying premises and living as a single housekeeping unit, as distinguished from a group occupying a boardinghouse, lodging house or hotel as herein defined.

PLAN COMPLIANCE

The City's Zoning Code defines *Farm Labor Camp* as:

One (1) or more buildings or structures, or any portion thereof, together with the land appertaining

Palmetto Land Company, LLC.

CU2012-02: 413 12th Street W

CU2012-03: 501 11th Street W

August 6, 2012

thereto, established, operated, furnished as an incident of employment or used as a living quarters for seasonal, temporary or migrant farm workers or their families, whether or not rent is paid or reserved in connection with the use or occupancy of such premises.

The City's Comprehensive Plan permits farm worker housing in appropriate locations of the City and encourages the provision of affordable housing including farm worker housing within the City limits as demonstrated by the following Plan objective and policies:

Objective 3.9: Continue to recognize the need for safe and sanitary farm worker housing within the City.

Policy 3.9.2: The City will permit farm worker housing in appropriate locations in accordance with the City's land development regulations.

Policy 3.5.1: The City shall provide information, technical assistance and efficient permitting processes to assist the private sector to maintain a rate of housing production especially for affordable housing sufficient to meet the needs of the population.

REQUESTED APPROVAL

The following standards shall apply to all applications for Conditional Use permits pursuant to Sec. 15.4 (C) of the Zoning Ordinance.

1. Purpose and Intent: The Comprehensive Plan

The proposed use shall be consistent with the stated purpose and intent of the applicable zoning district regulations and this ordinance, and consistent with the Comprehensive Plan.

These Conditional Use proposals for farm worker housing are permitted in the RM-6 zoning district as outlined in Sec. 4.2, the use table of the City's zoning ordinance. The Conditional Use permit provides for review of the subject sites to determine whether or not they are appropriate for farm worker housing while recognizing the need for these uses, consistent with the Housing Element of the Comprehensive Plan. The subject farm worker housing sites currently exist and are seeking conditional use permits to conform to Code.

2. Applicable district regulations

The proposal shall comply, where applicable, with the regulations of the zoning district in which the proposed use is most commonly permitted.

These Conditional Use proposals for farm worker housing comply with the RM-6 zoning district in terms of the use but may not comply with the type of structure or most current dimensional requirements as the RM-6 district which does not permit duplexes. At densities of 17.1 in RES-10 and 18.8 du/ac in GCOM, these densities exceeds the maximum 10 du/ac density of both Plan categories as well as the RM-6 zoning district. Based on the aforementioned Historical Zoning, the structures appear to be legal non-conforming.

Pursuant to Sec. 7.9 of the Zoning ordinance, a structure which is nonconforming, due to noncompliance with the dimensional requirements of the official schedule of district regulations of the Code may remain provided that any structural changes not increase the degree of nonconformity and if destroyed to the extent of more than 50% of its current assessed valuation, may only be reconstructed in accordance with the regulations of the district in which it is located.

Routine repairs and maintenance of a nonconforming structure or replacement of nonload bearing walls shall be permitted. No structural changes are proposed to the subject properties. The subject properties meet the required parking spaces. See Appendix B.

3. Compatibility

The proposal shall be compatible with surrounding land uses and the general character of the area, considering, without limitation, such factors as traffic, noise, drainage, dust, lighting, appearance, and effect on property values.

The subject properties are located on local residential streets (12th St. W & 11th St. W) and both are in close proximity to the railroad tracks adjacent to 5th Ave. W. The existing residential uses have been operating as farm worker housing on these site for several years; they are not likely to have an adverse effect on traffic, lighting, appearance, or surrounding property values.

4. Environment

The site shall be environmentally suitable for the proposed use and such use shall not have a substantial adverse impact on the natural environment. Soils, drainage, flood hazards, wildlife, and air and water quality shall be among the factors considered in this regard.

The existing developments were built in 1972. These conditional use applications to recognize the existing farm worker housing use are not expected to have a substantial adverse impact on the natural environment.

5. Orderly development

The proposal shall be consistent with providing for efficient and orderly development, considering, without limitation, such factors as provision of public facilities and services, growth patterns and energy conservation.

These CU applications are for existing farm worker housing which have operated at this location for a number of years. There are other residential uses in the immediate area along 12th Street W and 11th Street W including single-family and duplex structures.

6. Public facilities and services

Necessary public facilities and services, such as sanitation, water, drainage, emergency services, education, recreation and similar facilities and services shall be adequate to serve the proposed use.

These properties are served with City water and sewer. A 6" PVC water line runs along 12th St. W and a 4" PVC water line runs along 11th St. W. A 12" PVC sewer line runs along 12th St. W and an 8" sewer line runs along the alley behind 11th St. W. An 8" transmission line for reclaimed water runs along 11th St. W.

7. Traffic

The proposal shall not create hazardous vehicular or pedestrian traffic conditions nor result in traffic exceeding the capacity of streets and intersections serving the use.

These existing residential uses have been operating as farm worker housing on these site for several years; they are not likely to create hazardous vehicular or pedestrian traffic conditions

8. Screening and buffering

The proposal shall include screening and buffering as necessary to minimize adverse impacts on surrounding land uses.

The subject properties were reviewed by the Police Department for CPTED. Refer to Appendix A.

9. Signs; lighting

Signs and outdoor lighting which may be involved in the proposal shall be designed to ensure that the use harmoniously fits into its surrounding.

The subject properties were reviewed for CPTED by the Police Department. Refer to Appendix A. Signs are not proposed for the subject property.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed conditional use permits subject to the following conditions:

1. The site plans shall indicate one parking space per unit;
2. Compliance with CPTED recommendations;
3. If access through the adjacent lot to the west is ever cut off, the property owner of 413 12th Street W shall provide a shell drive off 12th Street W;

PLANNING AND ZONING BOARD RECOMMENDATION:

At its public hearing on July 19, 2012, the Planning and Zoning Board recommended **APPROVAL** of the proposed conditional use permits with the following **CONDITIONS**:

CU2012-02: 413 12th Street W

1. The property owner shall maintain doors and windows in good working order with locking hardware, locks and pry guards.
2. Front and rear doors shall be equipped with wide-angle peep hole viewers.
3. Install large limestone rocks to create border definition for the perimeter of the property especially along the western and southern property lines.
4. Install and maintain wall mounted flood lights on the front of the units, facing the parking lot to illuminate the front doors and the parking area.
5. Provide motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.
6. Installation of video surveillance is strongly encouraged for all entrances, parking areas, and the rear of the buildings, for the protection of the residents and to aid the protective efforts of the Police Department.
7. If access through the adjacent lot to the west is ever cut off, the property owner shall provide a shell drive off 12th Street W.
8. The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
9. The Owner shall have 60 days from the date of approval of the Conditional Use permit to complete required site improvements.

CU2012-03: 501 11th Street W

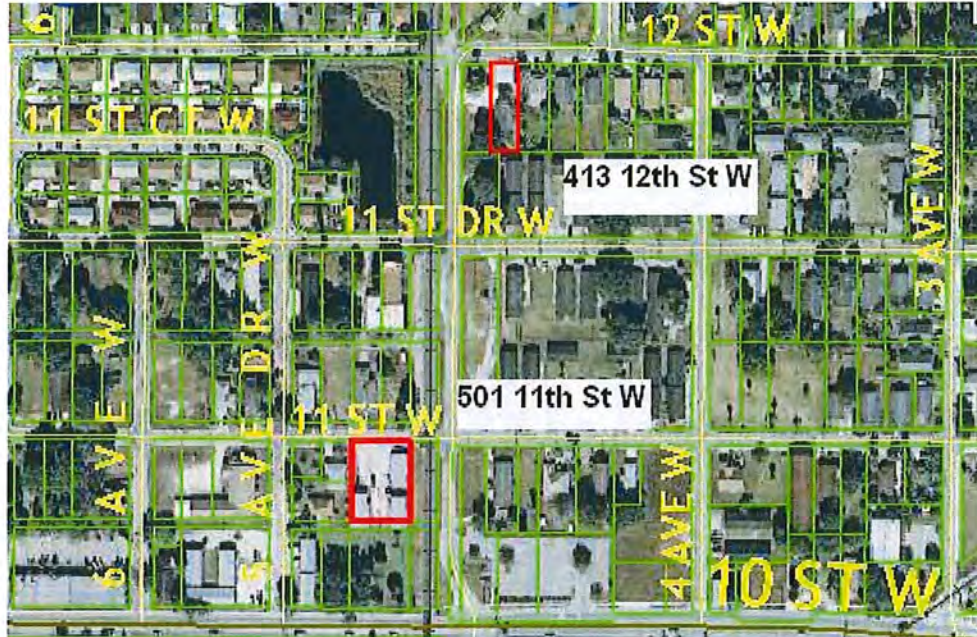
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2. Front and rear doors shall be equipped with wide-angle peep hole viewers.

3. Install and maintain wall mounted flood lights on the front of the units, facing the parking lot to illuminate the front doors and the parking area.
4. Provide motion activated security lights for the rear corners of the buildings to illuminate these areas when there is movement.
5. Installation of video surveillance is strongly encouraged for all entrances, parking areas, and the rear of the buildings, for the protection of the residents and to aid the protective efforts of the Police Department.
6. The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
7. The Owner shall have 60 days from the date of approval of the Conditional Use permit to complete required site improvements.

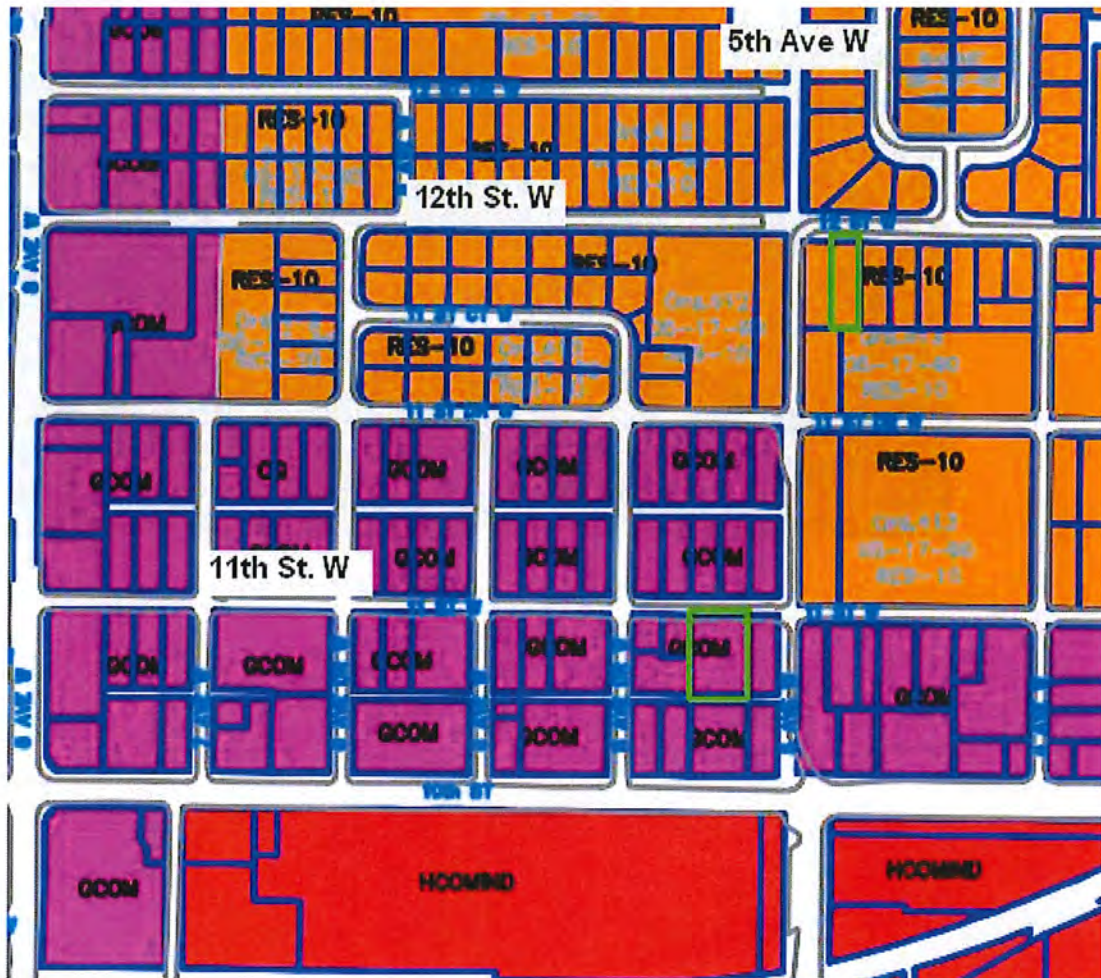
CITY COMMISSION

The City Commission shall **APPROVE**, **APPROVE WITH CONDITION(S)** or **DENY** the proposed conditional use permits.

AERIAL PHOTO
Conditional Use Permits for Farm Worker Housing
CU-2012-02: 413 12th Street W
CU-2012-02: 501 11th Street W



FUTURE LAND USE PLAN MAP
Conditional Use Permits for Farm Worker Housing
CU-2012-02: 413 12th Street W
CU-2012-02: 501 11th Street W



413 12th Street W = Residential 10
501 11th Street W = General Commercial

ZONING MAP
Conditional Use Permits for Farm Worker Housing
CU-2012-02: 413 12th Street W
CU-2012-02: 501 11th Street W



413 12th Street W & 501 11th Street W = RM-6

APPENDIX A

Security Survey for the 413 12th Street West



June 16th, 2012
Prepared by Lt. Scott Tyler
Palmetto Police Department
1115 10th Street West
Palmetto, Florida 34221
941-723-4587 x6360
styler@palmettopolice.com

The purpose of this survey is to provide basic CPTED and security recommendations for the apartments at 413 12th Street West. This security survey is not intended to identify all security weaknesses or to warrant the adequacy of all past or present security measures, whether or not recommended. This security survey contains sensitive information about the security systems and practices at 413 12th Street West and is considered confidential and exempt from public records disclosure under Florida State Statute 281.301.

This survey was conducted with an eye not only to traditional security practices but also CPTED, or Crime Prevention Through Environmental Design. This is a concept that recognizes that the proper design and the effective use of the built environment can lead to a reduction in the fear and incidence of crime and a corresponding improvement in the quality of life. In simple terms, it calls for grounds and structures to be built, improved, and maintained in such a way that they discourage crime. Criminals will tend to congregate and commit crimes in environments that encourage criminal activity and will avoid areas that don't.

CPTED has a few basic concepts. The first, natural surveillance refers to features that allow and encourage people to see in and out of an area, so they can keep an eye on the space. The second concept involves natural access control. This simply means controlling access to an area, defining boundaries, and defining places where users or visitors are allowed to be. The third concept involves territorial behavior, or what is expected in a space. It includes the perception that a neat, well-cared for property conveys a sense of ownership and discourages abnormal, or criminal, behavior. Neglected properties convey a sense of abandonment or that no one cares (encouraging criminal activity). I will refer to these CPTED principals throughout this survey.

Overview

This site consists of two side by side concrete block duplexes with a dirt parking area in the middle. The duplexes are surrounded by a wide open area with little landscaping. Each individual unit has a front and back door. The windows in the units seem to be in good shape. I recommend that the property owner make sure that all doors and windows have good security hardware so that they can be securely locked. I also recommend adding pry guards to the doors where the throw goes into the doorframe and wide-angle peepholes for each front and back door.

I recommend creating border definition for the perimeter of the property, especially along the curve where 12th Street West meets 5th Avenue West. This will discourage pedestrians from cutting across the property and it gives an impression that the property is looked after and defended, supporting the CPTED concept of access control. The border material can be as simple as decorative posts or rocks placed on the lawn, around the curve. I also recommend installing a fence along the south property line, to separate the properties from the ones to the south. This will also discourage pedestrians from cutting across the property.

Lighting

Lighting is one of the most important crime prevention techniques. Good lighting

discourages criminal activity and makes legitimate users at a site feel safe. There is currently no working lighting at this site. There is a pole mounted street light at the center of the site, but it does not work. I suggest that the property fix the street light, as well as install wall mounted floods on the front of the units, facing the parking lot, to illuminate the front doors and the parking area. I also suggest motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.

Video Surveillance

I encourage the owner to consider installing video surveillance on the property. Coverage should include the entrance to the property and parking areas, as well as the entrances to the apartments and the rear areas. I suggest a web-based security system. This will allow remote monitoring of the site, as well as eliminating security and data storage concerns for the video surveillance footage. All camera installations should also be hardened to prevent tampering and vandalism. Depending on the cameras used, there are some excellent, low-cost solutions available to protect video cameras.

An important point to remember is that video surveillance is, for the most part, reactive rather than preventative. More often than not, the video does not prevent a crime but is a witness to it. Video does greatly assist law enforcement in solving crime, however. Care should also be taken before advertising any video system on the site. Advertising that a site has video surveillance may create an increased and false sense of security for the users, as they may think that their activities are being actively monitored in real time.

**Security Survey for the
501 11th Street West**



June 16th, 2012
Prepared by Lt. Scott Tyler
Palmetto Police Department
1115 10th Street West
Palmetto, Florida 34221
941-723-4587 x6360
styler@palmettopolice.com

The purpose of this survey is to provide basic CPTED and security recommendations for the apartments at 501 11th Street West. This security survey is not intended to identify all security weaknesses or to warrant the adequacy of all past or present security measures, whether or not recommended. This security survey contains sensitive information about the security systems and practices at 501 11th Street West and is considered confidential and exempt from public records disclosure under Florida State Statute 281.301.

This survey was conducted with an eye not only to traditional security practices but also CPTED, or Crime Prevention Through Environmental Design. This is a concept that recognizes that the proper design and the effective use of the built environment can lead to a reduction in the fear and incidence of crime and a corresponding improvement in the quality of life. In simple terms, it calls for grounds and structures to be built, improved, and maintained in such a way that they discourage crime. Criminals will tend to congregate and commit crimes in environments that encourage criminal activity and will avoid areas that don't.

CPTED has a few basic concepts. The first, natural surveillance refers to features that allow and encourage people to see in and out of an area, so they can keep an eye on the space. The second concept involves natural access control. This simply means controlling access to an area, defining boundaries, and defining places where users or visitors are allowed to be. The third concept involves territorial behavior, or what is expected in a space. It includes the perception that a neat, well-cared for property conveys a sense of ownership and discourages abnormal, or criminal, behavior. Neglected properties convey a sense of abandonment or that no one cares (encouraging criminal activity). I will refer to these CPTED principals throughout this survey.

Overview

This site consists of three side by side concrete block duplexes with a dirt parking area in the middle. The duplexes are surrounded by a wide open area with little landscaping. Each individual unit has a front and back door. The windows in the units seem to be in good shape. I recommend that the property owner make sure that all doors and windows have good security hardware so that they can be securely locked. I also recommend adding pry guards to the doors where the throw goes into the doorframe and wide-angle peepholes for each front and back door.

Lighting

Lighting is one of the most important crime prevention techniques. Good lighting discourages criminal activity and makes legitimate users at a site feel safe. There is currently no working lighting at this site. There is a pole mounted street light at the center of the site, but it does not work. I suggest that the property fix the street light, as well as install wall mounted floods on the front of the units, facing the parking lot, to illuminate the front doors and the parking area. I also suggest motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.

Video Surveillance

I encourage the owner to consider installing video surveillance on the property. Coverage should include the entrance to the property and parking areas, as well as the entrances to the apartments and the rear areas. I suggest a web-based security system. This will allow remote monitoring of the site, as well as eliminating security and data storage concerns for

the video surveillance footage. All camera installations should also be hardened to prevent tampering and vandalism. Depending on the cameras used, there are some excellent, low-cost solutions available to protect video cameras.

An important point to remember is that video surveillance is, for the most part, reactive rather than preventative. More often than not, the video does not prevent a crime but is a witness to it. Video does greatly assist law enforcement in solving crime, however. Care should also be taken before advertising any video system on the site. Advertising that a site has video surveillance may create an increased and false sense of security for the users, as they may think that their activities are being actively monitored in real time.

Summary of CPTED Recommendations for Palmetto Land Co.

Conducted June 16, 2012

Conditional Use Permits for Farm Worker Housing

CU-2012-02: 413 12th Street W

CU-2012-02: 501 11th Street W

Overview

1. Ensure that all doors and windows have good security hardware so that they can be securely locked;
2. Add pry guards to the doors where the throw goes into the doorframe;
3. Add wide-angle peepholes for each front and back door;

4 & 5 apply to 413 12th Street W only

4. Create border definition for the perimeter of the property, especially along the curve where 12th Street West meets 5th Avenue West;
5. Install a fence along the south property line, to separate the properties from the ones to the south.

Lighting

1. Fix the street light;
2. Install wall mounted floods on the front of the units, facing the parking lot, to illuminate the front doors and the parking area;
3. Provide motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.


Video Surveillance

1. Encourage installation of video surveillance covering the entrance to the property and parking areas, as well as the entrances to the apartments and the rear areas. Web based security system to allow remote monitoring on site & advantages for video footage.

APPENDIX B

Survey for CU-2012-02: 413 12th Street W

PALMETTO LAND CO. CU-2012-02 FARM WORKER HOUSING 3 UNITS



Leo Mills & Associates, Inc.
INCORPORATED IN FLORIDA
100 N. PALMETTO WEST, PALMETTO, FL 34221
PHONE: (813) 923-8844 FAX: (813) 923-8844

LEO MILLS - P.E.M. 0001
LEO MILLS, JR. - P.E.M. 0002
MEMBER - FLORIDA SURVEYORS ASSOCIATION
MEMBER - FLORIDA PROFESSIONAL SURVEYORS & MAPPING SOCIETY
MEMBER - SURVEYORS OF THE GULF STATES
MEMBER - NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS

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SURVEYOR'S CERTIFICATE:

BY: *Leo Mills*

REGISTERED STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPING ENGINEER

DATE OF SURVEY: JUNE 2012

THIS MAP REFLECTS THE QUALITY AND INTEGRITY OF A LICENSED SURVEYOR'S PROFESSIONAL JUDGMENT.

NO PART OF THIS MAP IS TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

BOUNDARY SURVEY

PERFORMED BY:
 PALMETTO LAND COMPANY, LLC
 NATIONAL & LOCAL BANK
 ATTORNEYS: THE INSURANCE FUND, INC.
 CAROL WHALE AND VITO, P.A.

LEGEND

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APPENDIX C

Palmetto Land Co., LLC CU 2012-02

This is a request for a Conditional Use Permit Application (CU2012-02) by Palmetto Land Company, LLC. located at 413 12th St W & 501 11th St W to bring existing farm worker housing into conformance with the City's Zoning Ordinance.

Ms. Lyn, City Planner explained the conditional use request is for farm worker housing zoned RM-6 and located at two addresses, 413 12th Street W and 501 11th Street W. The City's Zoning Code requires a CU in the RM-6 district for farm worker housing. The applicant has already completed the CPTED reviews of the properties and provided surveys.

She explained that the City Attorney's office requested that each location be reviewed separately.

The property at 413 12th Street W (CU-2012-02) has 3 units, 412 12th Street W/single-family house (1 unit of farm worker housing) and 415 12th Street W & 415A 12th Street W/duplex (2 units of farm worker housing).

Ms. Lyn pointed out that the property located at 413 12th Street W has been accessing through the adjacent lot to the west, 425 12th Street W, owned by Atlantic Land & Improvement Company, Jacksonville, FL.

Mr. Rudacille commented that it has historically been used as access for this property but it cannot be assumed that they have any rights to the property. A stipulation is included which says, if access off 5th Avenue W is ever terminated they would have to install a 12' driveway off 12th Street W.

Ms. Lyn discussed the proposed conditions for 413 12th Street W including one parking space per unit; compliance with CPTED recommendations and stated that the applicant may have some minor conditions to propose.

Mr. Urgarte noted that the RM-6 district does not allow duplexes. The RM-5 district can have single, duplex and multifamily and questioned how that happened.

Ms. Lyn responded that this will be addressed with the next code amendment; to allow duplexes in the RM-6 district.

Mr. Rudacille directed the board to conduct separate hearings and motions for each property address.

VICE CHAIR PASTOR OPENED PUBLIC HEARING FOR 413, 415 & 415A 12TH STREET WEST.

Ms. Petruff with Dye, Deitrich, and Petruff & St. Paul, P.L. representing Palmetto Land Co. spoke regarding the 413 12th Street W property and said that it appears to be non conforming structures, and we are here to ask for a conforming use in those non conforming structures.

She addressed the safety issues of the farm worker residents, meeting the intensions of the City's new Farm Worker ordinance and going through the CPTED review. She stated she was in agreement with the stipulations proposed by the staff, except for front and rear doors being equipped with wide angle peep holes and suggested that future recommendations be uniform for all farm worker housing conditional use applications.

Discussion continued regarding the following:

1. wide-angle peephole viewers on the back doors: Ms. Lyn indicated that Lieutenant Tyler is requiring peep holes in all doors with the exception of those with windows;
2. driveway access: whether there was enough room for access off 12th Street W;
3. shell driveway: possible easement through 425 12th Street W;
4. duplexes being allowed in the RM-6 district.

Ms. Petruff requested two additional conditions; one related to the Department of Health density/capacity allowance and the other to the time frame of 60 days being adequate to complete the CPTED recommendations to the properties.

VICE CHAIR PASTOR CLOSED PUBLIC HEARING FOR 413, 415 & 415A 12TH STREET WEST.

Motion by Mr. Ugarte to approve 413 & 415 and 415A 12th Street W for a conditional use permit (CU-2012-02) for farm worker housing with the following conditions:

1. The property owner shall maintain doors and windows in good working order with locking hardware, locks and pry guards.
2. Front and rear doors shall be equipped with wide-angle peephole viewers.
3. Install large limestone rocks to create border definition for the perimeter of the property especially along the western and southern property lines.
4. Install and maintain wall mounted flood lights on the front of the units, facing the parking lot to illuminate the front doors and the parking area;
5. Provide motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.
6. Installation of video surveillance is strongly encouraged for all entrances, parking areas, and the rear of the buildings, for the protection of the residents and to aid the protective efforts of the Police Department.
7. If access through the adjacent lot to the west is ever cut off, the property owner shall provide a shell drive off 12th Street W.
8. The required parking, one 9'x20' parking space for each housing unit shall be shown on the site plan/survey.

9. The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
10. The owner shall have sixty (60) days from the date of approval of the Conditional use permit to complete required site improvements.

Mr. Moore Seconded. **MOTION CARRIED UNANIMOUSLY.**

VICE CHAIR PASTOR OPENED PUBLIC HEARING FOR 501 11th STREET WEST.

Ms. Petruff indicated that her client agrees with the stipulations of the CPTED review and requested the addition of the two previously stated conditions.

VICE CHAIR PASTOR CLOSED PUBLIC HEARING FOR 501 11th STREET WEST.

Motion by Mr. Ugarte to approve 501, 501A, 501B, 501C, 503B and 503C 11th Street W for a conditional use permit (CU-2012-03) for farm worker housing with the following conditions:

1. The property owner shall maintain doors and windows in good working order with locking hardware, locks and pry guards.
2. Front and rear doors shall be equipped with wide-angle peephole viewers.
3. Install and maintain wall mounted flood lights on the front of the units, facing the parking lot to illuminate the front doors and the parking area.
4. Provide motion activated security lights for the rear corners of the buildings, to illuminate these areas when there is movement.
5. Installation of video surveillance is strongly encouraged for all entrances, parking areas, and the rear of the buildings, for the protection of the residents and to aid the protective efforts of the Police Department.
6. The required parking, one 9'x20' parking space for each housing unit shall be shown on the site plan/survey.
7. The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
8. The owner shall have sixty (60) days from the date of approval of the Conditional use permit to complete required site improvements.

Mr. Moore Seconded. **MOTION CARRIED UNANIMOUSLY.**