



# The CITY OF DAYTONA BEACH

## Board of Adjustment Agenda

### March 16, 2023

City Hall  
Regular Meeting  
Commission Chambers

301 South Ridgewood Avenue  
Thursday, March 16, 2023  
2:30 P.M.

**NOTICE** – Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

	<p><b>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023</b></p>		<p><b>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</b></p>
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In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the Board meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Ph: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-8771.

1. Call to Order
2. Roll Call
3. Introduction of City Staff
4. Approval of the Minutes: February 16, 2023
5. New Cases

<u>BOA Board Agenda</u>		
<u>Approval</u>	<u>Initials</u>	<u>Date</u>
P & L Director		3-6-2023
Deputy City Manager		3-7-2023
Legal		3-7-2023
City Manager		3-7-23

**Case A – BOA2023-006 Variances from Article 4 Section 4.2.C.3**

A request by Aras Grinius, on behalf of Vickers Beach Bryan (property owner), for variances from **Article 4 (Zoning Districts), Section 4.2.C.3 (Residential Base Zoning Districts, Multifamily Residential-12)** of the CODB Land Development Code (LDC) to decrease the required setbacks and standards for a detached accessory structure. This request will decrease the required rear yard setback of 7.5 feet to 1.2 feet; decrease the required side yard setback of 7.5 feet to 3 feet; and increase the maximum floor area in the rear yard from 200sf to 520sf. This will allow an existing 350sf detached garage to be rebuilt and expanded to 520sf. Location of structure as shown in proposed site plan.

The property is located at **546 Rio Vista Avenue, Parcel ID 5338-18-01-0050.**

**Case B - BOA2023-003 Variances from Article 4 Section 4.2.B.3**

A request by Anthony Guerra (property owner), for a variance from **Article 4 (Zoning Districts), Section 4.2.B.3 (Residential Base Zoning Districts, Single-Family Residential-5)** of the CODB Land Development Code (LDC) to decrease required 5,000sf minimum lot area to 4,072sf; to decrease the required 50ft minimum lot width to 45ft; to decrease the required 100ft minimum lot depth to 90ft; to decrease the minimum 50ft lot frontage on an improved street to 45ft; and to decrease the required 10ft minimum interior side yard setback on a lot greater than 60ft wide to 3.4ft. This will allow for this existing single parcel to be split into two separate parcels.

The property is located at 318 Flushing Avenue, Parcel ID 4236-03-07-0050.

**Case C - BOA2023-007 Variances from Article 4 Section 4.7.U.3 & Article 6 Section 6.3.G.6**

A request by Wilfredo Guzman of As Built Florida, on behalf of Erinogert Zhutaj (property owner), for variances from **Article 4 (Zoning Districts), Section 4.7.U.3 (Redevelopment Base Zoning Districts, Midtown Center Mixed Use – RDM-1)** of the CODB Land Development Code (LDC) requirements for a single-family structure, to decrease the required 5,000sf minimum lot area to 2,400sf; to decrease the required 10ft minimum front yard setback to 6.6ft; to decrease the required 5ft minimum interior side yard setback to 0ft; and to increase the maximum 35% accessory structure coverage in relation to the primary structure to 68%.

The applicant also seeks variances from **CODB LDC Article 6 (Development Standards) Section 6.3.G.6 (Mobility & Access, Driveway Locations & Dimensions)** requirements for a single-family structure/use, to decrease the required 12ft minimum driveway width at point of entry to 9.8ft; and to decrease the required 5ft minimum driveway setback from the interior side property line to 0ft.

This approval will allow for the following structures, installed/constructed on property without building permit submission or approval, to remain as built: a 120sf addition to the existing, nonconforming home, a 445sf detached carport, and an approximately 990sf concrete slab and driveway.

The property is located at 542 Foote Court, Parcel ID 5339-21-01-0081. The current zoning on the property is Midtown Center Mixed Use (RDM-1).

**Case D - BOA2023-008 Variances from Article 4 Section 4.2.B.3**

A request by George Symington (property owner) for variances from **Article 4 (Zoning Districts), Section 4.2.B.3 (Residential Base Zoning District SFR-5)** of the Land Development Code (LDC) to reduce the minimum required rear property line setback for an accessory structure over 200sf from 25ft to 10ft; to reduce the required minimum street side setback from 15ft to 10ft; and to reduce the required minimum distance between a primary and accessory structure from 5ft to 2.5ft. This will allow for the construction of a 560sf detached garage.

The property is located at 928 Benecia Avenue, Parcel ID 5239-09-00-0240.

**Case E - BOA2023-009 Variances from Article 4 Section 4.2.C.3**

A request by Alan Lootens (property owner) for variances from **Article 4 (Zoning Districts), Section 4.2.C.3 (Residential Base Zoning District, Multifamily Residential-12, MFR-12)** of the Land Development Code (LDC) for a single family structure, **to reduce the required minimum lot area from 6,000sf to 5,800sf; to reduce the required minimum lot frontage on an improved street from 50ft to 0ft; to increase the maximum lot coverage from 35% to 37%; to reduce the required minimum front yard setback from 20ft to 11ft; and to reduce the required minimum interior side yard setback from 7.5ft to 2ft.** This will allow the existing 100x114/110 parcel containing two dwelling units to be split into two separate, single dwelling unit parcels.

The property is located at **255 Lexington Drive, Parcel ID 5338-06-00-0360.**

**Case F - BOA2023-010 Variances from Article 4 Section 4.2.B.3**

A request by Sheron and Vernon Weatherholtz (property owners) for variances from **Article 4 (Zoning Districts), Section 4.2.B.3 (Residential Base Zoning District SFR-5)** of the Land Development Code (LDC) for a single-family structure, **to reduce the minimum required rear property line setback from 25ft to 20ft; and to reduce the required minimum interior side setback from 10ft to 7.5ft.** This will allow for a 550sf addition to the left rear of the existing home.

The property is located at **3 Granville Circle, Parcel ID 5322-14-00-0110.**

6. **Review Cases**
7. **New Business** - Discuss future meeting time/day.
8. **Adjournment**

**The next meeting of the Board of Adjustment of The City of Daytona Beach will be held on Thursday, April 20, 2023, at 2:30pm in the City Commission Chambers.**