

BOARD OF ADJUSTMENT
MINUTES OF
REGULAR MEETING
September 21, 2023

The regular meeting of the City of Daytona Beach Board of Adjustment was held on Thursday, September 21, 2023, at 2:30 p.m. in the City Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida.

Board members present were as follows:

Ms. Maja Sander Bowler, Chair
Ms. Sharlene Barhoo (arrived at 2:40 p.m.)
Mr. David Betz
Mr. Patrick Connors
Mr. John George
Mr. Trey Harshaw

Staff members present were as follows:

Ms. Melissa Phillips, Development Review Technician
Ms. Mary Wisenbaker, Development Review Technician
Mr. David Russell, Assistant City Attorney

1. Call to Order

Ms. Bowler called the September 21, 2023, Board of Adjustment Meeting to order at 2:30 p.m.

2. Roll Call

Ms. Phillips called the roll and noted members present as indicated above.

3. Introduction of City Staff

Ms. Bowler introduced staff members in attendance, as listed above.

4. Approval of Minutes: August 17, 2023

Board Action:

A motion was made by Mr. Betz, seconded by Ms. Barhoo, to approve the minutes of the August 17, 2023, meeting as presented. The motion carried (6-0).

5. **New Cases**

Case A – BOA2023-018- Variances from Article 4, Section 4.82C.3 of the CODB LDC

A request by Cobb Cole, Attorneys at Law, on behalf of Habitat for Humanity of Greater Volusia County (property owner), for a variance from Article 4 (Zoning Districts), Section 4.2.C.3 (Residential Base Zoning Districts, Multifamily Residential -12) of the CODB Land Development Code (LDC) for a single-family structure, to decrease the minimum interior side setback from 7.5ft to 5ft.

This setback reduction will allow a 40ft wide single-family home to be constructed on this parcel by the Habitat for Humanity of Greater Volusia County Affordable Housing program.

The property is located at 715 Alabama Street, Parcel ID 5238-38-00-3430.

Chair Bowler stated since Case A and B are both for Habitat for Humanity and are very similar, the cases will be considered as one item at this time.

Applicant Presentation:

Jessica Gow, Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant, Habitat for Humanity. Ms. Gow stated Habitat for Humanity is focused on the Alabama Street area to create affordable homes for private ownership in this area. Ms. Gow stated a permit was mistakenly issued for the foundation for this project and this is an attempt to correct that error.

Ms. Gow stated she is working with the city to develop an amendment to the Land Development Code in order to unify the setbacks for affordable housing projects.

Public Comments:

A gentleman spoke regarding the review process of this item and noted an error had been made during the review by staff. Chair Bowler stated this is an after-the-fact process since the error was just determined.

Lori Gillooly, Chief Executive Officer of the Habitat for Humanity in Daytona Beach, Florida, stated she is grateful for the partnership with the City of Daytona Beach and appreciates the Board's consideration of this request.

Chair Bowler asked about the expenses incurred by Habitat for Humanity for this request.

Ms. Gow stated the variance application fees were waived by the City.

Board Action:

A motion was made by Mr. Betz, seconded by Mr. Connors, to approve Case A - BOA2023-018 - Variances from Article 4, Section 4.82C.3 of the CODB LDC, in accordance with the staff report as presented. The motion carried (6-0).

Case B - BOA2023-019 Variance from Article 4, Section 4.2.C.3 of the CODB LDC

A request by Cobb Cole, Attorneys at Law, on behalf of Habitat for Humanity of Greater Volusia County (property owner), for a variance from Article 4 (Zoning Districts), Section 4.2.C.3 (Residential Base Zoning Districts, Multifamily Residential -12) of the CODB Land Development Code (LDC) for a single-family structure, to decrease the minimum interior side setback from 7.5ft to 5ft.

This setback reduction will allow a 40ft wide single-family home to be constructed on this parcel by the Habitat for Humanity of Greater Volusia County Affordable Housing program.

The property is located at 753 Alabama Street, Parcel ID 5238-38-00-3350.

Discussion on this case was included as part of Case A.

Board Action:

A motion was made by Mr. Betz, seconded by Mr. Connors, to approve Case B - BOA2023-019 - Variance from Article 4, Section 4.2.C.3 of the CODB LDC, in accordance with the staff report as presented. The motion carried (6-0).

Case C - BOA2023-020 Variances from Article 6, Section 6.3.G of the CODB LDC

A request by Stephanie Jones (property owner), for variances from Article 6 (Development Standards), Section 6.3.G. (Vehicular Access and Connectivity) of the CODB Land Development Code (LDC) for a single-family structure, to decrease the required interior lot frontage for single family residence with two access points from 75ft to 54.96ft (Section 6.3.G.4.a.ii -Number of Access Points), to decrease the minimum interior side property line setback from 5ft to 4ft (Section 6.3.G.6.a.i.- Driveway Locations and Dimensions) and to decrease the required minimum distance between the closest edges of two access points from 28ft to 0ft (Section 6.3.G.6.ii(a)).

These variances will allow approval of an after-the-fact building permit for a driveway at a newly constructed single-family home with an attached accessory dwelling unit.

The property is located at 519 Cedar Street, Parcel ID 5339-49-00-0050.

Applicant Presentation:

Stephanie Jones, 625 Russell Drive, Daytona Beach, Florida stated she was unaware of the requirements for the driveway and was advised of those requirements by Ms. Phillips.

Public Comments:

A citizen expressed concern about the damage to the water meter if the concrete is removed.

Ms. Jones stated when the meter was put in, it was placed where the concrete was to stop; so, if the concrete is cut, the water meter will be unstable so that is why the request is to cut the concrete at 11 feet.

Ms. Phillips stated the apron is in the public right of way which is a concern to the City's Public Works Department.

Ms. Jones stated she made a decision on the location and the driveway was installed by a concrete contractor per her plans.

Board Action:

A motion was made by Mr. Betz, seconded by Mr. George, to approve BOA2023-020 Variances from Article 6, Section 6.3.G of the CODB LDC, in accordance with the staff report as presented. The motion carried (6-0).

6. **Review Cases**

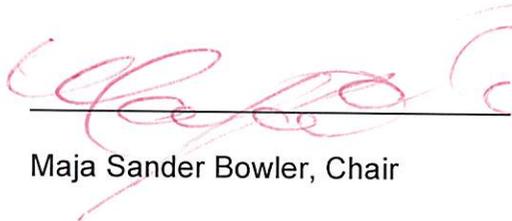
Case A	-	approved (6-0)
Case B	-	approved (6-0)
Case C	-	approved (6-0)

7. **New Business**

The Board discussed the City's Advisory Boards and vacancies. Chair Bowler, stated 4 Board members' terms expire in December of this year. Chair Bowler stated Mr. Harshaw has drafted a letter to present to the City Commission to request their assistance in filling Board vacancies.

8. **Adjournment**

There being no further business, the meeting was adjourned.



Maja Sander Bowler, Chair



Becky Groom, Board Secretary