

BOARD OF ADJUSTMENT
MINUTES OF
REGULAR MEETING
August 15, 2024

The regular meeting of the City of Daytona Beach Board of Adjustment was held on Thursday, August 15, 2024, in the City Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida.

Board members present were as follows:

David Betz, Chair
John George, Vice Chair
Sharlene Barhoo
Patrick Connors

Board members absent were as follows:

Maja Sander Bowler

Staff members present were:

Melissa Phillips, Development Review Technician
David Russell, Assistant City Attorney
Becky Groom, Board Secretary

1. **Call to Order**

Mr. Betz called the meeting to order at 2:30 p.m.

2. **Roll Call**

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

3. **Introduction of City Staff**

Chair Betz introduced staff members in attendance as listed above.

4. **Approval of Minutes**

A motion was made by Mr. George, seconded by Mr. Connors, to approve the minutes of the July 18, 2024, meeting as presented. The motion carried (4-0).

5. New Cases

Case A - BOA2024-016 Variance from Article 4, Section 4.2.B & Article G, Section 6.3.G of the CODB Land Development Code

A request by Edward and Gloria Robledo (Property Owners) for a variance from **Article 4 (Zoning Districts), Section 4.2.B (Single-Family Residential-5/SFR-5)** of the CODB Land Development Code (LDC) for a single-family residential structure, to reduce the rear setback from 25ft to 19ft, and for an accessory structure over 200sf to reduce the interior side setback from 10ft to 6ft, to reduce the rear setback from 25ft to 6ft, to increase the maximum floor area percentage of an accessory structure to primary structure from 50% to 100%, and increase the accessory structure height from 20ft to up to 28ft.

The applicant is also requesting a variance from CODB LDC Article 6 (Development Standards), Section 6.3.G.6.b.ii.(c) (Vehicular Access and Connectivity, Driveway Location and Dimensions) for the maximum driveway width of residential use at point of entry, to increase maximum width from 20ft to 27ft.

This variance will allow a 120sf addition to the rear of the existing primary structure to extend the master bedroom, a 910sf addition to the existing detached garage, as well as a 483sf addition above the detached garage to be used as an accessory dwelling unit.

The property is located at **8 Sunny Pines Circle, Parcel ID 5316-14-00-0060.**

Applicant's Presentation:

Edward Robledo, 8 Sunny Pines Circle, Daytona Beach, Florida, the applicant, stated the request is to add a master bathroom and walk-in closet to the home and would also like to add to the existing detached garage in order to build an additional dwelling unit on top of the garage. Mr. Robledo stated the existing home would not support a second floor so that is why the addition is proposed to the garage. Mr. Robledo provided a rendering of the proposed construction for the record.

Public Comments:

John Kinsey, 2116 S Peninsula, Daytona Beach, Florida spoke in support of the applicant's request.

Chair Betz stated an email had been provided from a neighbor in support of this request.

Board Action:

A motion was made by Mr. George, seconded by Ms. Barhoo, to approve BOA2024-016, Variance from Article 4, Section 4.2.B & Article G, Section 6.3.G of the CODB Land Development Code, in accordance with the staff report as presented. The motion carried (4-0).

Case B - BOA2024-017 Variance from Article 4, Section 4.2.B & Article 6, Section 6.8.C of the CODB Land Development Code

A request by David and Randall Camp, Camp Family Trust (Property Owners) for a variance from **Article 4 (Zoning Districts), Section 4.2.B (Single-Family Residential-5/SFR-5)** of the CODB Land Development Code (LDC) for a single-family detached garage structure, to reduce the interior side setback from 10ft to 5ft, and for an accessory structure over 200sf, to reduce the rear setback from 25ft to 20ft.

The applicant is also requesting a variance from **CODB LDC Article 6 (Development Standards), Section 6.8.C.4.a (Fences, Walls, and Hedges, Height)** to increase the maximum fence height between the front parcel boundary and the front wall of the structure, from 4ft to 8ft.

This variance will allow an approximately 2,288sf detached garage, an approximately 1,349sf pool house, and an 8ft high perimeter fence to be constructed with modified design standards.

The property is located at **2752 South Peninsula, Parcel ID 5327-05-00-0140.**

Applicant's Presentation:

David Camp, 3703 S Atlantic, spoke representing the property owners of 2752 South Peninsula, the Camp Family Trust. Mr. Camp stated there was previously a home on the property when it was purchased in 2019 but the home has been removed. Mr. Camp stated he plans to construct a wall along the front of the property to help block noise from the school which is located across the street. Mr. Camp stated a garage will be constructed which will be connected to the home by a breezeway. Mr. Camp stated a 5 foot variance is requested for the garage in order to save trees. Mr. Camp stated a 5 foot variance is requested at the rear of the property for the pool and pool deck.

Mr. Camp thanked Ms. Phillips for her assistance through this process.

Public Comments:

Joan Hagar, 2758 S Peninsula, Daytona Beach, Florida, stated she lives on the south side of the subject property. Ms. Hagar stated she has lived there for 25 years and has never had any disturbance from light or sound from the school. Ms. Hagar stated she does not believe an 8 foot fence will deter noise or light and noted she has no fencing along Peninsula on her property. Ms. Hagar stated she feels the applicant's architect should work within the confines of the existing building codes.

Alice Williamson, 2740 S Peninsula, Daytona Beach, Florida, stated she lives on the north side of the subject property and the home was built in 1929. Ms. Williamson stated there is a wall along the front of her property and is 7 feet high at the highest point. Ms. Williamson stated she feels an 8 foot high fence is excessive. Ms. Williamson stated she has lived across from the school for 40 years and has never had a problem.

Mr. Camp stated there previously was a wall along Peninsula which has been removed and it was 6-1/2 feet high. Mr. Camp stated the setbacks will not affect the neighbor's property. Mr. Camp stated he plans to build a 14,000sf estate home and would like to have an estate wall that matches that aesthetic.

Chair Betz asked Mr. Camp if he would be willing to construct a wall that would be similar to the wall that was removed.

Mr. Camp stated he would not use brick since that is not the aesthetic style that is proposed but would agree to a similar height.

Randall Camp, 3703 S Atlantic, stated he is fine with constructing a wall that blends with the adjacent property. Mr. Camp stated if the neighbors prefer that a wall be built that matches their wall, that is what will be done. Mr. Camp stated he wants to be a good neighbor.

Ms. Phillips stated the Code states that front fencing must be 4 feet high and side fencing can be up to 8 feet high.

Mr. Camp stated there is no fencing proposed for the south side of the property since the neighbor has an existing retaining wall in place.

Mr. Connors asked if the owner will be required to build the same type of wall that is on the adjacent property or just be required to construct a wall to the same height.

Chair Betz stated just the height.

Mr. Camp stated he will meet the height limit that is imposed by the Board.

Board Action:

A motion was made by Mr. George, seconded by Mr. Connors, to approve BOA2024-017 Variance from Article 4, Section 4.2.B & Article 6, Section 6.8.C of the CODB LDC, in accordance with the staff report as presented with the stipulation that the front fence height be no more than equal to the front fence height of the property to the north. The motion carried (4-0).

6. Review of Cases

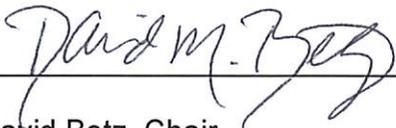
Case A	approved 4-0
Case B	approved 4-0

7. **New Business**

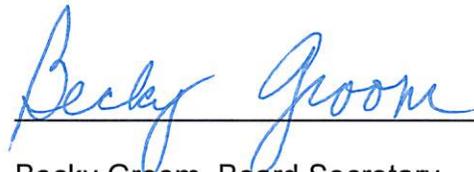
Ms. Phillips stated there are two new potential members; however, the applicants are also considering service on other Boards so the applicants will indicate on which Board they prefer to serve.

8. **Adjournment**

There being no further business, the meeting was adjourned.



David Betz, Chair



Becky Groom, Board Secretary