



The City of Daytona Beach
AGENDA
Board of Adjustment
2:30pm - July 17, 2025
Commission Chambers, City Hall
www.DaytonaBeach.gov

Page

1. ROLL CALL

2. CALL TO ORDER

3. INTRODUCTION OF CITY STAFF

4. APPROVAL OF MINUTES

4.A. Approval of the Minutes of the May 15, 2025, Board of Adjustment Meeting held at 301 S. Ridgewood Avenue, Daytona Beach, FL 32114.

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[BOA Minutes May 15, 2025](#)

5. NEW CASES

5.A. **Case A- BOA 2025-009-Variance from Article 4, Section 4.5 D of the Land Development Code (LDC) 613 Hillside Ave.**

A request by HR Steve Yturriaga (property owner) for a variance from Article 4 (Zoning Districts), Section 4.5.D (Tourist/Office/Retail, T-4) of the CODB Land Development Code (LDC) for a three-unit multifamily home, to reduce the required front yard setback from 10ft to 3ft, and to reduce the required interior side yard setback for a parcel with less than 100ft of frontage from 10ft to 3ft.

This variance approval will allow the reconstruction of the easternmost side of a nonconforming multifamily dwelling unit, which will encroach into required front and side setbacks.

The property is located at **613 Hillside Avenue, Parcel ID 5309-40-00-0040.**

5.B. **Case B-BOA2025-010-Variance from Article 4, Section 4.2.C of the Land Development Code (LDC) 243 Lexington Drive.**

A request by H. Steve Rollins (Property Owner), for a variance from **Article 4 (Zoning Districts), Section 4.2.C (Multifamily Residential-12/MFR-12)** of the CODB Land Development Code (LDC) for a single-family home, to

reduce the required interior side yard setback from 7.5ft to not more than 4ft.

The applicant also requests a variance from **Article 6 (Mobility and Access), Section 6.3 (Driveway Design and Dimensions)** of the CODB LDC for a **single-family residential unit, to reduce the minimum required driveway interior side setback from 5ft to 2ft. and to increase the maximum driveway width at point of entry from 20ft to 23ft.**

This variance approval will allow an approximately 200sf (15.5 x13) hard roof screened room, attached to the rear of the home, to encroach into the side setbacks. This approval will also allow the existing driveway to be expanded while not meeting required design standards.

The property is located at **243 Lexington Drive, Parcel ID 5338-06-00-0340.**

5.C. Case C - BOA2025-011- Variance from Section 3.D of the Bayberry Cove PD, First Amendment 239 Fuchsia Street

A request by Brandon Kirby of Bob Herrold's Pools (Contractor), on behalf of John Lynam (Property Owner), for an after-the-fact variance from the **First Amendment to the Bayberry Cove Planned District Agreement, Section 3.D (Lot Development Criteria, Specialty Setbacks)** for a **swimming pool enclosure on a single-family home, to reduce the required interior side yard setback from 5ft to 4.3ft.**

This variance approval will allow a newly constructed, approximately 1,143sf (49.9 x 22.9) screened pool enclosure, attached to the rear of the home, which encroaches into the side setbacks. This variance approval will also properly finalize an expired building permit on this property.

The property is located at **239 Fuchsia Street, Parcel ID 5219-01-00-2430**

5.D. Case D-BOA2025-012-Variance from Article 4, Section 4.2.B Of the CODB Land Development Code 1328 Moore Street

A request by Donovan Davis (Contractor), on behalf of Kylan Smith (Property Owner), for an after-the-fact variance from **Article 4 (Zoning Districts), Section 4.2.B (Single-family Residential-5, SFR-5)** for a **single-family home, to reduce the required interior side yard setback from 10ft to 7.3ft.**

This variance approval will allow an approximately 455sf addition added to the rear of the home which encroaches into the side setback. This variance approval will also properly finalize an expired building permit on this property.

The property is located at **1328 Moore Street, Parcel ID 5238-46-00-1110.**

5.E. Case E-BOA2025-013-Variance from Article 4, Section 4.2.C Of the CODB Land Development Code 1621 Illinois Street

A request by Tanesha Swanson of Swanson Consulting, on behalf of Harris

Global Management, LLC. (Property Owner), for a variance from **Article 4 (Zoning Districts), Section 4.2.C (Multifamily Residential-12/MFR-12)** for a single-family home, to reduce the required street side yard setback from 15ft to 7.5ft.

This variance approval will allow a 1,748sf home to be constructed on this vacant parcel while not meeting the required street side setback.

The property is located at **1621 Illinois Street, Parcel ID 5238-38-00-1120**

5.F. Case F-BOA2025-014-Variance from Article 4, Section 4.2.F-Of the CODB Land Development Code-540 N. Charles Street

A request by Tanesha Swanson of Swanson Consulting, on behalf of Legacy Investment Team, LLC. (Property Owner), for a variance from **Article 4 (Zoning Districts), Section 4.2.F (Residential/Professional, R/P)** for a single-family home, to reduce the required front yard setback from 25ft to 20ft and to reduce the required rear yard setback from 25ft to 20ft.

This variance approval will allow a 2,170sf, two story home to be constructed on this vacant parcel while not meeting the required front and rear setbacks.

The property is located at **540 North Charles Street, Parcel ID 5338-44-01-0060.**

5.G. Case G-BOA2025-015-Variance from Section 3.D of the-Oak Bluff PMHD-1130 Coquina Bluff

A request by Tina Owens (Property Owner), for an after-the-fact variance from the **Oak Bluff Planned Mobile Home Development Agreement, Section 3.D (Description of Development, Mobile Home Unit Restrictions)** to reduce the required interior side yard setback from 5ft to 4.1ft.

The applicant also requests a variance from **Article 6 (Mobility and Access), Section 6.3 (Driveway Design and Dimensions)** of the CODB LDC for a single-family residential unit, to reduce the minimum required driveway interior side setback from 5ft to 4.1ft.

This variance approval will allow the carport attached to a newly installed, 1,743sf manufactured home, and 119sf shed at the rear of the home, to encroach into the side setback. This variance approval will also approve the newly poured concrete driveway to encroach into the side setback.

The property is located at **1130 Coquina Bluff, Parcel ID 4244-15-00-0090.**

- 6. REVIEW CASES
- 7. NEW BUSINESS
- 8. ADJOURNMENT

The next meeting of the Board of Adjustment of The City of Daytona Beach will be held on Thursday, August 21, 2025, at 2:30pm in the City Commission Chambers.

NOTICES - Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the City Commission 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. Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the City Commission meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Telephone: 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 7-1-1 or 1-800-955-8771.

**BOARD OF ADJUSTMENT
MINUTES OF
REGULAR MEETING**

May 15, 2025

The regular meeting of the City of Daytona Beach Board of Adjustment was held on Thursday, May 25, 2025, 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
Charles Cameron

Board members absent, were as follows:

Patrick Connors
Leon McCray

Staff members present were:

Melissa Phillips, Development Review Technician
David Russell, Assistant City Attorney
Mandana Carry, Acting Board Secretary

1. Call to Order

Mr. Betz called the meeting to order at 2:31 p.m.

2. Roll Call

Mrs. Carry called the roll and noted members present as indicated above

3. Introduction to City Staff

Mr. Betz introduced staff members in attendance as listed above.

4. Approval of Minutes

a. March 20, 2025

A motion was made by Ms. Barhoo, seconded by Mr. George, to approve the minutes of March 20, 2025, meeting as presented. The motion carried (4-0).

5. New Cases

Case A - BOA2025-003 - Variance from Section 8.A of the Grand Champion Combined Tracts 26, 28 & 29 Planned Master Development Agreement (Continued from April Agenda - Meeting cancelled):

A request by Matthew Stolz, representing DR Horton (Property Owner), for a variance from Section 8.A of the (LPGA) Grande Champion Combined Tracts 26, 28 & 29 Planned Master Development Agreement, for a 40ft wide single-family home on a 60ft wide lot, to reduce the required street side setback from 20ft to 15ft.

This variance approval will allow an approximately 40x60 home to be constructed on this 60ft wide parcel and encroach into the required street side setback.

The property is located at 1001 Ellertson Street, Parcel ID 5221-05-00-0830.

Applicant Presentation:

Mr. Clay Tracy, who works with Mathew Stultz, made the case for variance. Stating that they were looking for setback reduction on this one corner lot of 16.9 ft. instead of 20ft setback that is required. Mr. Tracy stated that it would fit the product they had originally planned to put there better. We applied so that this variance can fit the lot as originally planned with the project approval.

Mr. Betz, Chair, asked if there was any Board questions

Mr. George stated first he was sorry that he was unable to make the meeting last month, and that it had to be postponed, and apologized to anyone else who had to wait. Then asked if the shortage was going to be on the street side and not where the other homes were correct?

Mr. Tracy stated yes, that is where it would be, right around the bend.

Mr. Beta, Chair asked if this would be the only house on the lot getting a setback variance on the project, on your products?

Mr. Tracy stated yes, lot 83.

Mr. Betz stated that he knew these reviews on subdivisions got reviewed by staff or the builder and the type of product they put on the lot, and this is actually less than the 16.9 ft requested.

Mrs. Phillips stated that she did ask for a larger setback because when she configured the math, she wanted to give it more room, in case it was needed.

Mr. Betz, Chair, stated that it was fine. Thank you.

Public Comments:

There were no public comments

Board Action:

A motion was made by Ms. Barhoo, seconded by Mr. George, to approve BOA2025-003, Variance from Section 8.A of the Grande-Champion Combined Tracts 26, 28 & 29 Planned Master Development Agreement, in accordance with the staff report as presented. The motion carried (4-0).

Case B - BOA2025-004 - Variance from Section 3.D of the Royal Oaks Planned District Agreement (Continued from April Agenda - Meeting cancelled)

A request by Tejal Jamidar (Property Owner), for a variance from Section 3.D of the Royal Oaks Planned District Agreement, for a single-family home, to reduce the required rear yard setback from 20ft to 12ft and to increase the maximum building coverage from 50% to 52.6%.

This variance approval will allow an approximately 450sf (30w x 15d) hard roof screened room to be constructed at the rear of this home. This structure will encroach into the required rear yard setback and exceed the maximum building coverage permitted by the location's governing planned agreement.

The property is located at 130 Pitching Wedge Drive, Parcel ID 5221-03-00-0080.

Applicant Presentation:

Tejal Jamidar (Property Owner), was not available but her mother, Mrs. Mary Jamidar, 108 Riverside Dr., Ormond Beach, was available for comments. Mrs. Jamidar stated the setback is between the property to the road, so it is not obstructing anything, and the neighbors are ok with it.

Mr. Betz, Chair, stated that it is the setback for the screened porch in the back.

Mrs. Jamidar stated yes.

Mr. George asked if it was a screened porch with a hard roof and just screened on the other three sides.

Mrs. Jamidar stated yes.

Mrs. Barhoo stated it is my understanding that your hardship is that you cannot sit out in the sun due to your tachiai.

Mrs. Jamidar stated yes, or to read or barbeque, yes.

Mr. George asked how far the roof would extend from the house then to the roadway there.

Mrs. Jamidar stated that it would be 15' ft.

Mr. George so that leaves 10'ft.

Mr. Betz looks like 12'.

Ms. Phillips noted that it is not a road behind them, and stated it was a drainage easement.

Public Comments:

There were no public comments

Board Action:

A motion was made by Ms. Barhoo, seconded by Mr. George, to approve BOA2025-004 - Variance from Section 3.D of the Royal Oaks Planned District Agreement, in accordance with the staff report as presented. The motion carried (4-0).

Case C - BOA2025-005 After-the-Fact Variance from Article 4 (Zoning Districts), Section 4.2.B (Single-Family Residential-5/SFR-5) of the CODB Land Development Code

A request by W. Lloyd Dupree (Property Owner), for an after-the-fact 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 home, to reduce the required front yard setback from 30ft to 23.2ft, and to reduce the required interior side yard setback from 10ft to 5.2ft.

This variance approval will allow an attached, 166sf (9.4'x1 7.6') carport to encroach into the required front yard and interior side yard setbacks.

The property is located at 1007 Cadillac Drive, Parcel ID 5211-03-00-0040.

Applicant Presentation:

Mr. W. Loyd Dupree (property owner), 1007 Cadilac Dr., stated he screened in half of his carport so it would be like a little porch and extended his carport over to almost 4' ft. 8". This would allow me to be able to park the car. It's not really the front it's the side; I just need permission to go over that 4' 8 "more.

Mr. Betz stated yes, we can see your application and you have made improvements to house. It looks like the overhang does not extend past the house overhang.

Mr. Dupree stated yes, it's all even.

Mr. Betz asked if Mr. Dupree would be fixing the driveway with concrete.

Mr. Dupree stated yes.

Mr. George asked if He had spoken to his neighbor on the left, are they good with it.

Mr. Dupree stated he has asked and that they are good with it.

Public Comments:

There were no comments

Board Action:

A motion was made by Ms. Barhoo, seconded by Mr. George, to approve BOA2025-005 After-the-Fact Variance from Article 4 (Zoning Districts), Section 4.2.B (Single-Family Residential-5/SFR-5) of the CODB Land Development Code, in accordance with the staff report as presented. The motion carried (4-0).

Case D - BOA2025-006 Variance from Article 4, Section 4.7.Z (Redevelopment Midtown - Residential Preservation/RDM-6) of the CODB Land Development Code {LDC}

A request by Homes Bring Hope (developer) for a variance from Article 4 (Zoning Districts), Section 4.7.Z (Redevelopment Midtown - Residential Preservation/RDM-6) of the CODB Land Development Code (LDC) for a single-family home, to reduce the required front yard setback from 15ft to 10ft, and to reduce the required rear yard setback from 25ft to 10ft.

This variance approval will allow a 1,966 sf, single-family, affordable home to be constructed on this parcel, that will encroach into the required front yard and rear yard setbacks.

The property is located at 360 Lane Street, Parcel ID 5338-66-00-0320.

Applicant Presentation:

Mrs. Phillips, Sr. Development Review Technician City of Daytona Beach, presented the case before the Board. Stating this a city owned property that will be developed by Home Brings Hope, which will then be deeded to Homes bring Hope, to then deed to their potential buyer. It is a shallow property with only 50ft deep and they are requesting allow the 10ft front and rear setbacks so they can build this 2 story Single Family Home on the property.

Mr. Betz stated this will make a nice home for somebody.

Public Comments:

There were no comments

Board Action:

A motion was made by Ms. Barhoo, seconded by Mr. George, to approve BOA2025-006 Variance from Article 4, Section 4.7.Z (Redevelopment Midtown - Residential Preservation/RDM-6) of the CODB Land Development Code (LDC), in accordance with the staff report as presented. The motion carried (4-0).

6. Review Cases

- Case A – Approved 4-0
- Case B – Approved 4-0
- Case C – Approved 4-0
- Case D – Approved 4-0

7. New Business

There was no new business

8. Adjournment

There being no further business, the meeting was adjourned.

David Betz, Chair

Mandana Carry, Board Secretary