

## MINUTES

### REGULAR MEETING – BOARD OF ADJUSTMENT

Thursday, December 15, 2016

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A regular meeting of the City of Daytona Beach Board of Adjustment was held on Thursday, December 15, 2016 at 1:00 p.m. in City Hall Commission Chambers, 301 S. Ridgewood Ave., Daytona Beach, FL

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Board members present were as follows:

Mr. Roger Stine, Chair  
Mr. Trey Harshaw, Vice Chair  
Ms. Sharlene Barhoo (arrived at 1:04 p.m.)  
Ms. Maja Sander Bowler  
Mr. Thomas Leek (arrived at 1:04 p.m.)  
Mr. Gary Libby  
Mr. Larry Riley

Staff members present were as follows:

Ms. Carrie Avallone, Assistant City Attorney  
Ms. Rose Askew, Planner  
Ms. Becky Groom, Board Secretary

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1. **Call to Order**

Mr. Stine called the December 15, 2016 Board of Adjustment Meeting to order at 1:00 p.m.

2. **Roll Call**

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

3. **Approval of Minutes** – November 17, 2016

**Board Action:**

A motion was made by Mr. Libby, seconded by Mr. Riley, to approve the minutes of the Regular Meeting of November 17, 2016. The motion carried unanimously.

**New Cases:**

4. **Case A – BOA2016-028 – Variance Rear Yard Setbacks**

A request by Eric and Jacqueline Salvesen for a variance from the Pelican Bay Residential Planned Unit Development (RPUD) Agreement, to reduce the minimum required rear yard setback from 20 feet to 8 feet 9 inches, to enclose an existing concrete patio. The property is located at 181 North Gull Circle. Zoning on the property is Planned Development-General (PD-G) and the future land use is Level 1 Residential.

**Applicant’s Presentation:**

Peter Salvesen, 112 North Gull Circle, spoke representing his niece and nephew who are the applicants. Mr. Salvesen stated the request was to enclose the existing concrete patio at the home and will result in a reduction in the rear yard setback.

Mr. Stine noted that the Pelican Bay Homeowners Association had approved the request.

Ms. Askew stated she was contacted by the neighbor who lives at 185 Gull Circle North who said she was not opposed to the variance request.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Libby, seconded by Mr. Riley, to approve Case A-BOA-2016-028, – Variance Rear Yard Setbacks, in accordance with the staff report as presented.

**Board Action:**

Mr. Trey Harshaw	-	Yes
Ms. Sharlene Barhoo	-	Yes
Ms. Maja Sander Bowler	-	Yes
Mr. Thomas Leek	-	Yes
Mr. Gary Libby	-	Yes
Mr. Larry Riley	-	Yes
Mr. Roger Stine	-	Yes

The motion carried unanimously (7-0).

5. **Case B – BOA2016-029 – Variance from Article 6, Section 6.2.H.3.a.111 of the Land Development Code**

A request by Parker Mynchenberg, P.E., with Parker Mynchenberg and Associates, on behalf of Michael Politis with 700 B LLC, for a variance from Article 6 (Design Standards), Section 6.2.H.3.a.iii (Parking Areas) of the Land Development Code, to allow backing into a public right-of-way. The property location is 700 Ballough Road. Zoning on the property is Local Industry (M-1), the Future Land Use is Medium Intensity Mixed Use, and it is located in the Ballough Road Redevelopment Area.

**Applicant’s Presentation:**

Steve Buswell, of Parker Mynchenberg & Associates, presented the variance request. Mr. Buswell stated the property has been dormant for more than six months and was required to go thru the TRT process. He stated there is only 26 feet from the building to the right of way and the parking could not be reconfigured. Mr. Buswell stated during the review process, it was determined that an ADA accessible ramp and additional landscaping needed to be provided.

Mr. Harshaw asked the proposed use for the building.

Mr. Buswell stated the uses would be storage and warehouse space.

**Public Comments:**

There were no public comments.

**Board Motion:**

A motion was made by Mr. Leek, seconded by Mr. Riley, to approve Case B – BOA2016-029 – Variance from Article 6, Section 6.2.H.3.a.111 of the Land Development Code, in accordance with the staff report as presented.

**Board Action:**

- Mr. Trey Harshaw - Yes
- Ms. Sharlene Barhoo - Yes
- Ms. Maja Sander Bowler - Yes
- Mr. Thomas Leek - Yes
- Mr. Gary Libby - Yes
- Mr. Larry Riley - Yes
- Mr. Roger Stine - Yes

The motion carried unanimously (7-0).

6. Review of Cases

- Case A - Approved 5-0
- Case B - Approved 7-0

Mr. Stine stated he did not feel the votes of Ms. Barhoo and Mr. Leek should be included in the approval for Case A since they were not in attendance at the time the discussion started on that item.

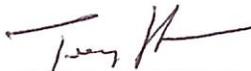
7. New Business

Ms. Askew stated the terms of three Board members would expire on December 31<sup>st</sup> and stated if Board members were interested in continuing to serve on the Board, they would need to notify Betty Goodman, Assistant City Manager of their desire to be reappointed. She stated Mr. Riley would be required to complete a new application since his last application was older than one year.

Mr. Stine stated he will not be in attendance for the January 19, 2017 meeting.

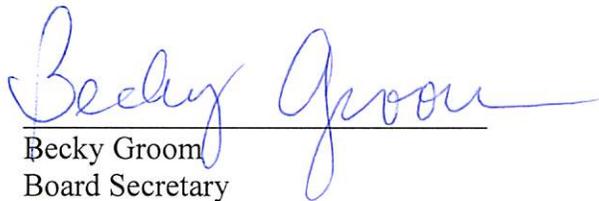
8. Adjournment

There being no further business to come before the Board, the meeting was adjourned.


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~~Roger Stine~~     TROY HARRISAW  
Vice-Chair


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Becky Groom  
Board Secretary