

BEACHSIDE REDEVELOPMENT BOARD  
MINUTES  
Wednesday, August 9, 2023

The regular meeting of the Beachside Redevelopment Board was held Wednesday, August 9, 2023, at 6:00 p.m. in the Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following board members were present:

**Board Members Present**

Mr. Gary Libby, Vice Chairman  
Mr. Robert Ellis, Chairman  
Ms. Amy Pyle  
Ms. Helen Humphreys  
Mr. Raymond Masone  
Mr. William Bittorf  
Mr. Tony Servance (Zoom)

Ms. Honse advised the board that Mr. Servance has requested to attend the meeting remotely and there is a need for the board to make a motion to allow his attendance remotely after he provides a reason for his inability to attend in person.

Mr. Servance advised the board that he is unable to attend due to medical reasons and once he receives clearance then he will be present at the meetings.

A motion was made to allow Mr. Servance to attend the meeting remotely, by Mr. Libby, seconded by Mr. Ellis. Motion carried 6-0.

**Board Members Absent**

None

**Staff Members Present**

Mr. Ken Thomas, Redevelopment Director  
Ms. Kira Honse, Assistant City Attorney  
Ms. Michele Toliver, Redevelopment Project Manager  
Ms. Angela Armstrong, Redevelopment Project Manager  
Mrs. Mandana Carry, Board Secretary

1. **Call to order**

Mr. Ellis called the meeting to order at 6:00 p.m.

2. **Roll Call**

Mrs. Carry called roll and noted members present as stated above.

3. **Pledge of Allegiance to the Flag**

The Pledge of Allegiance was stated by the board.

4. **Approval of Minutes**

A motion was made to approve the minutes from July 12, 202, by Mr. Libby, seconded by Ms. Humphreys. Motion carried 6-0.

5. **Presentations**

5a. City Manager Presentation and Q and A

Mr. Ellis stated that Mr. Feacher was going to make a presentation to the Board but unfortunately there was a scheduling conflict, he is at a city workshop.

6. **Staff Report**

6a. Daytona Beach Police Department

Lt. Gernert gave the report in Capt. Nikolow's place, stating the new stats for the Beachside area were not ready, the force had been working with the new system and at this time was unable to generate analysis. Lt. Gernert stated that the Beachside area was doing well.

Ms. Pyle asked the difference between the call that triggers the nuisance properties within the city versus what the State nuisance abatement law requires.

Lt. Gernert stated that was a good code enforcement question and that officers know that code enforcement run certain properties if it comes to their attention. Law enforcement get calls many times to a property for an issue or such, but that report they generate is what they base the determination of what property is considered a nuisance based on how many calls law enforcement receives.

Mr. Libby asked if the reports would be similar to what the Board received in the past.

Lt. Gernert stated the FBI changed their reporting of crimes, and that it will have a different layout but same information, which will now include all the triggers for the other criminal acts that occur at same time in the same call.

Mr. Libby brought up the events at Seabreeze and how things were being handled for the extended hours and after 2 am.

Lt. Gernert stated that the Chief had issued more officers to handle specific areas, especially Seabreeze, and that it seems to be working because incidents were low. The Chief would like to see this work and keep a new Crime Suppression Team in place.

#### 6b. Code Enforcement

Mark Jones of Code Enforcement reported that they had switched over to the new IMS tracking system. There have been some challenges, where in phase two there were still bugs in the system, at which there would be no report yet generated. Mr. Jones stated that there are some new features with the new system, one is a kiosk in the lobby where you can look up violations, make payments and such without waiting. The department will be having an open house to the Public for questions on August 23, the following day they will be closed to the public.

Mr. Jones described how the new IMS system works for the public and that all new complaints must have your name attached to them again, the laws changed back, so no more anonymous complaints.

The Board discussed some of the questions they had about events, parking, festivities, and keeping property owners responsible after every event in the City.

Mr. Bittorf stated he knew renters complaining about code violations with infestation and rats in some of these apartments along Grandview, he gave them Code and Health department numbers, but only because of not knowing where else to send them.

Mr. Jones stated that in rental units 4 or more it is regulated by the state and can be reported, plus notifying the Health Dept. is a good recommendation.

Mr. Masone asked about illegal parking especially during festivals or events, how do we go about filling a complaint if we do not know who the property owner is.

Mr. Jones stated that Code Enforcement department knows who the property owner is, and it is the owner responsibility no matter who is out there selling those parking spaces. If Code is notified, we will write up property owners. Mr. Jones explained that during the major events Code Enforcement works through every night up to 2:00am in the morning. He reported that they have seen a decrease on individuals using their front yard for parking, but they still working on the big vacant lots. We cannot always get in touch with the property owner, but we have their mailing address and per statute we need to send certified letter, but we also can post the property the same day.

Mr. Jones stated also, we have an enforcement officer just for Vacant lots. He gives them 10 days to correct it, if not they come before a special magistrate. Once in front of them, they have 30 days, if they do not comply then it goes to \$250.00 a day fines with a cap of \$15,000 lien on their property.

Ms. Humphreys asked that how an empty property managed to use their vacant lot for parking during special event and how they pay for a year-round parking permit. Mr. Jones stated that Special Use permit is handle by Building Department.

Ms. Pyle stated that there are requirements to have a paid parking lot for signage they must be four feet off ground with their BTR listed on top of signage. When you see someone not doing this and in violation, you are allowed to call Code Enforcement. I have found only one that was correct, but if not then they can be called into Code.

Ms. Pyle asked about procedure issues, if a Code office see people parking on their front lawns would the officer cited or wait until it moved?

Mr. Jones stated, the office responsibility is to cite that, because you are not allowed to park on front yard, now, what they may do is stop in front of the property owner and ask to remove the vehicle. For Vacant lot we do not have to wait for somebody to report, we will cite it immediately.

Ms. Pyle asked, about the difference between call for services that make it a nuisance property versus what makes it go to nuisance abatement board.

We do not handle these things, we in code write up the violations, take them to code court or special magistrate and that is our only method, stated Mr. Jones.

Mr. Libby asked why Code enforcement was not upholding the design standards and color schemes for the Historic Districts, there are folks painting their homes with electric paint colors or fire engine red, do we not uphold these any longer.

Mr. Jones stated we would have to look at other departments because we do not set the design standards in the Code Dept. I will get back to you as to what are abilities are for residents and commercial buildings can be painted.

## **7. Old Business**

None.

Mr. Libby asked if they could discuss old business even though it is not on agenda, specifically recommendation from this Board to city commission, about the height vs. setbacks requirements in the city.

Ms. Honse stated the City Commission and Planning Board have already expressed concern about the planned development and the broad scope of what these agreements are allowing. So those concerns have already been heard. I would say that setbacks in all of that are being looked into, and making folks aware that it needs to be a little bit more "planned".

Mr. Libby stated that if we are going to redevelop our city, we owe it to contractors and attorneys and the next developer to have rules everyone can abide by, because one of the most serious things is the artificial valuing up of property, because we are waiving all the safeguards that were in place when PD where develop 28 years ago.

Mr. Masone asked if this board is not required to review a revised proposal, then what is the point of this committee?

Ms. Honse stated that the purpose of this board is laid out in the LDC and there is a table of who is responsible for what review of a project. This table was included in your packet. The point being with regards to the silver Beach project is this board has already looked at it and the Planning board never took a voted on it, so if there are no significant changes they will go ahead and take a vote but if there are significant changes they are required to come back to this board. Ms. Honse stated again that they were reviewing the Rezoning not a site plan.

Ms. Pyle stated that with the continuance to the October meeting, the planning board requested that, as a condition, that Mr. Merrill hold another Neighborhood meeting with all the proper requirements according to the LDC.

## **8. Other Business**

### **8a. Public Comment**

John Nicholson, 413 N. Grandview Avenue, Daytona Beach, discussed the nuisance abatement, which is a police officer assigned when you get three calls or violations against you or your establishment for either drugs, alcohol, or noise and then it's brought before Abatement Board. Secondly, Biketoberfest is coming. Do we know when they close? Also do we have a color application for CRA, right down from the water park we have, not fluorescent, but very bright yellow house. Also, would like to know if we are getting Senior Frogs, it would be good. Theresa's property do we know what specific lot were sold? Main street Plan for 2012; The budget, you should know what you have and what you would like to recommend, what's left over after the specific groups you should look into how much you have and what you could do for projects. Thank you.

Jenny Nazak, 501 Harvey Avenue, Daytona Beach, discussed how much everything is so attractive, colors are beautiful, so all these homes don't have to be beige, we are a beach town we can be a little quirky. We also are in the hottest scorcher this summer; I am always trying to add some shade and a cool spot for this heat. This hot summer I am on a shade crusade. Trees, benches to sit under a cool tree, these help with the experience of getting off the blistering sidewalks. We need to see the value of a tree's shade and cooling things off.

Ms. Humphreys stated that on the beachside we used to have peanut trees you could sit under.

Ms. Nazak stated that Harvey Street's peanut trees would be the concrete ending and short wall thing instead of sitting on sand. Also, water fountains should be in all the parks. I am a very urban girl, and I thought we could have a walkable town, or at least that is what I thought. We should move more towards less car dependence so we can walk our city. We need to have a trolley as well. The concept is catching on, maybe more canals and boats. Thank you.

#### 8b. Board Comments

Mr. Masone stated that there is a lot of material here and I have a question on the site-specific zoning district map amendments; Is this something that we get involved in?

Mrs. Armstrong answered that everything highlighted in green on the table provided on the packets, are the power and duties that this board is responsible for.

Mr. Masone asked can we get involved in a piece of land for a specific project or is that the owner?

Ms. Honse stated that would be for the owner to decide.

Mr. Libby expressed concern about power and duties of the board missing on the table provided.

Ms. Honse stated that Ms. Angela simply copied this from LDC, that it is what this chart shows, and if the city manager was here, you could then let him know that you want to contribute more.

Ms. Honse suggested to the Board that they direct what they wanted to be included into Agenda for the next meeting.

Ms. Pyle motioned for a recommendation for an amendment to the LDC on the average setbacks and to have a discussion on our next Agenda. Seconded by Mr. Libby. Motion carried 6-0.

Mr. Ellis asked if there were any bids on the Corbin Building.

Ms. Honse stated that at this time there is only one proposal and has not been made public yet by a brewery from west Columbia, South Carolina. The bids are now closed.

Mr. Libby stated that the Board still have not received the Performa on that Corbin building, we used to be at forefront of knowing these matters. The commitments out of the trust fund were always plans expressed mainly by the Main Street plan. We should at least know the budget as a team for next year, we should at least have a review capacity, I have not seen this in at least 2 years on this Board. So, these items did not come from staff it came from Advisory Boards. I think we should go to the City Commission and ask the how


much they would like us to weigh in on advice from our Board. I think we are in a position to know about it instead of reading it in paper.

Ms. Humphreys asked about the Kiosk at the end of Main Street, whatever happened to that, we did not make a motion.

Ms. Armstrong stated that the staff was still waiting on prices. We have a meeting this upcoming Friday, once we get all the details it will be part of your agenda packets for review.


9. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 7:35 p.m.



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Mr. Robert Ellis, Chair



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Mrs. Mandana Carry, Board Secretary