

MINUTES
PLANNING & ZONING BOARD MEETING
January 13, 2025
3000 Bellemead Drive Daytona Beach Shores, FL 32118

1. OPENING REMARKS

Present: Member Rick Delange, Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, and Member Guy Desai

Staff: City Attorney Paul Waters, Community Services Director Stewart Cruz and City Planner Gwyn Herstein.

2. MINUTES

A. Planning & Zoning Minutes December 9, 2024

MEMBER ROSE ANN TORNATORE moved, seconded by MEMBER JAMES LILLY to Approve the Planning & Zoning Minutes of December 9, 2024.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Member Rick Delange, Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai

3. QUASI-JUDICIAL HEARING

A. Conditional Use Permit CUP12024028: To Allow Outdoor Dining at Established Miniature Golf Course Mulligan's Lagoon

Attorney Waters swore in all witnesses for the hearing. City Planner Gwyn Herstein reviewed the staff report and the submitted documents for the conditional use permit. The business is a miniature golf course that offers food and beverages. They would like to provide outdoor dining that would consist of 6 tables and 38 chairs. All applicable criteria were met. If the board recommends approval, this will go to the City Commission for final approval. Staff recommended approval of the permit. There were questions regarding the hours of operation and when the music would be played. Ms. Herstein stated that the business closes at 11:00 pm, and outdoor dining would end at 10:00 pm. Live music is not allowed, and the speakers are used for announcement to the golfers. Chairman DeLange inquired about the approved site plan. He felt it included outdoor dining. It was explained that the site plan did have the elements for outdoor dining, but did not show any specifics.

MEMBER CHUCK HORION moved, seconded by MEMBER GUY DESAI to Approve the Conditional Use Permit CUP12024028.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Member Rick Delange, Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai

4. ACTION ITEMS

A. Ordinance 2025-01: Evaluation and Appraisal Report Comprehensive Plan Amendments

Community Services Director Stewart Cruz explained that at least once every seven years, the city is required to evaluate and appraise their land use comprehensive plan to determine if any amendments are necessary. The city notified the state last year that it intends to transmit

amendments. Once recommendation is approved, it will go before the City Commission. The proposed changes would extend the current plan until 2045. Most of the proposed changes were minor housekeeping issues. Some of the major changes included: Chapter 5, promote the introduction of an engineered beach, update the sanitary sewer, solid waste, and potable water level service standards consistent with the City of Port Orange; Chapter 9, update 5-year capital improvement plan, update the Volusia County School district 5-year work program, update the sanitary sewer, solid waste and potable water to be consistent with the City of Port Orange. Staff recommended approval.

MEMBER CHUCK HORION moved, seconded by MEMBER ROSE ANN TORNATORE to recommend approval of Ordinance 2025-01 to the City Commission.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Member Rick Delange, Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai

5. OTHER

6. BOARD COMMENTS

Rose Ann Tornatore asked about lighting color standards as orange lights have been installed next to the Palma Bella. Ms. Herstein responded that colors of lighting are not regulated, it has to do with the glare. You cannot cause glare to other residential properties. Rick Delange inquired what happened to the water tower. Director Cruz responded that it was a Daytona Beach property, and they removed it. It had not been functional for quite a few years.

The next scheduled meeting is February 10th with tentative annual training on March 10th.

7. ADJOURNMENT

The meeting ended at 9:19 am.

Cheri Schwab, Recording Secretary

Rick DeLange, Chairman