



City of Daytona Beach Shores

"Life is Better Here"

"A Premier, Friendly Place to Be"

AGENDA PLANNING & ZONING BOARD MEETING APRIL 20, 2026

**10:00 AM, Shores Community Center, 3000 Bellemead Drive
Daytona Beach Shores, FL 32118**

Notice is hereby given to all interested parties that if any person should decide to appeal any decision made at the aforementioned meeting of the P&Z Board, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the City Clerk, City of Daytona Beach Shores, at least five working days prior to the meeting.

1. OPENING REMARKS

2. MINUTES

A. Planning & Zoning Minutes February 9, 2026

3. QUASI-JUDICIAL HEARING

A. Zoning Variance - ZV-A25-0013: 1901 S. Atlantic Avenue - 1901-1903 S. Atlantic LP

4. ACTION ITEMS

5. OTHER

A. 2025 Concurrency Management Report

B. Training with Online Agenda system

6. BOARD COMMENTS

7. ADJOURNMENT

MINUTES
PLANNING & ZONING BOARD MEETING
February 9, 2026
3000 Bellemead Drive Daytona Beach Shores, FL 32118

1. OPENING REMARKS

Present: Member Rick Delange, Member Chuck Horion, Member James Lilly, Member Guy Desai, Board member Chris Pollard, Member Joe Monaco

Staff: City Clerk Cheri Schwab, City Attorney Taylor Simonds, City Planner Gwyn Herstein.

2. OATHS

Board Attorney Taylor Simonds read the oaths for both Chris Pollard and Guy Desai.

3. MINUTES

A. Planning & Zoning Minutes October 13, 2025

MEMBER CHUCK HORION moved, seconded by MEMBER JAMES LILLY to Approve the Planning & Zoning Minutes of October 13, 2025.

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

Yes: Member Rick Delange, Member Chuck Horion, Member James Lilly, Member Guy Desai, Board member Chris Pollard

4. QUASI-JUDICIAL HEARING

5. ACTION ITEMS

A. Ordinance 2026-01: Land Development Code Amendment to Create a Definition for Wine Bistro and Add Wine Bistro as a Permitted Principal Use in the GC-2 Retail/Service Commercial Development District

The City Attorney read the ordinance by title only. City Planner Gwyn Herstein explained that the proposed ordinance would add a definition for "wine bistro" and establish wine bistro as a permitted principal use for the GC-2 commercial district. It is consistent with the city's Land Development Code, comprehensive plan and current economic goals. Ms. Herstein handed out an amended version of the proposed ordinance. This version included an additional area, the GC-RD, for the permitted principal use of a "wine bistro". It was noted that city staff had reviewed and supported the proposed ordinance.

The board inquired if this additional use would increase traffic and cause issues with parking. It was explained that parking is always considered and has been evaluated. The question was also asked what the difference was between a bar and a wine bistro. It was explained that a bar has no limits on food and beverage offerings but a bistro does. A bistro provides curated food pairings with wine and education on the product from formally trained staff.

MEMBER CHUCK HORION moved, seconded by MEMBER JAMES LILLY to recommend approval of Ordinance 2026-01 with the additional recommendations as presented 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 Guy Desai,

Board member Chris Pollard

B. Ordinance 2026-02: Land Development Code Amendment to Streamline the Application, Approval, and Renewal Process for Certain Outdoor Dining Conditional Uses

The City Attorney read the ordinance by title only. Ms. Herstein provided a brief overview of the proposed ordinance. The five main elements of the amendment are: allowing wine bistros to qualify for outdoor dining, providing an automatic annual renewal process and waiving the renewal, simplifying the application process, increasing the number of chairs allowed for outdoor dining and increasing the parking requirement threshold. Ms. Herstein handed out an amended version of the proposed ordinance that included utilizing a checklist for conditional use outdoor dining applicants. Staff recommend approval with the highlighted changes. The board discussed whether a definition was needed to describe commercial grade furniture. Mr. Lilly questioned the authority of the city manager in regard to the review and approval process. His concern was that favoritism could occur, and he recommended having two additional staff members sign off on the process. It was explained that the process already existed in the current code.

MEMBER GUY DESAI moved, seconded by MEMBER CHUCK HORION to recommend approval of Ordinance 2026-02 with the additional recommendations by staff 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 Guy Desai, Board member Chris Pollard

6. OTHER

A. 2025 Concurrency Management Report

This item was moved to the March agenda.

B. Annual Election: Chair and Vice-Chair

Mr. Lilly nominated Rick DeLange for Chair, seconded by Mr. Horion. There were no other nominations for Chairman. The nomination passed unanimously by a voice vote.

Mr. Lilly nominated Chuck Horion for Vice Chair, seconded by Mr. DeLange. There were no other nominations for Vice Chair. The nomination passed unanimously by a voice vote.

C. Discussion on change to meeting day and time

Ms. Herstein presented four alternative days and times to change the current scheduling of the meeting. After a brief discussion, it was decided to change the meeting to the third Monday of the month at 10:00 am. This change will begin with the April meeting.

7. BOARD COMMENTS

City Clerk Cheri Schwab advised the board that they would all be assigned a city email in the near future. This will be required when the board begins to utilize Meeting Management in the near future.

Ms. Herstein explained that any legislative changes affecting the board will come forward at a future meeting. The board requested project updates on items that were brought before them in the past.

8. ADJOURNMENT

The meeting ended at 9:57 am.

Cheri Schwab, Recording Secretary

Rick DeLange, Chairman



PLANNING & ZONING BOARD AGENDA MEMORANDUM APRIL 20, 2026 AGENDA

TO: The Members of the Planning & Zoning Board

FROM: Gwyn Herstein, City Planner

PREPARED BY: Gwyn Herstein, City Planner

SUBJECT: Zoning Variance - ZV-A25-0013: 1901 S. Atlantic Avenue - 1901-1903 S. Atlantic LP

SYNOPSIS:

The subject property currently operates as a hotel under the name Max Daytona. The applicant recently submitted a Variance Application and accompanying letter (**Attachment A**) to allow ten (10) 1-bedroom units with floor area of eight hundred ninety (890) sq ft and one (1) 1-bedroom unit with floor area of eight hundred thirty (830) sq ft in lieu of the minimum one thousand (1,000) sq ft required by the City's *Land Development Code*, Section 14-18.4. This code section lists the dimensional requirements for the RMF-1 Multi-Family Residential District (High Density) zoning district. This variance request, if approved, will support the property owners' intent to transition the site from a hotel use to a multi-family residential use with a condominium form of ownership.

FISCAL IMPACT STATEMENT:

BACKGROUND:

A. BACKGROUND

This property is located in a dual zoning district allowing use under the T *Hotel/Motel District* zoning requirements or the RMF-1 *Multi-Family Residential District (High Density)* zoning requirements, providing the development satisfies each district's development standards. A site plan for an 11-story 72-unit multi-family residential building was approved in early 2018 through regular site plan RSP12017028. During the building plan review process, owners of the property decided to market and use their building as a luxury hotel. In June 2022, the development received a Certificate of Occupancy for a 72 guest-room (plus one commercial space) hotel. Currently, the building is operating as a hotel.

In late 2025, representatives of the property approached City-staff to discuss changing the building's use from the hotel use to a multi-family residential use under RMF-1 Multi-Family Residential (High Density) zoning district requirements, with a condominium form of ownership. While 1-bedroom hotel units with cooking facilities may be a minimum of 400 sq ft according to *LDC*, Sec. 14-21.6.(2)., for multi-family residential use, a minimum floor area of 1,000 sq ft is required. The applicant has argued that changing the unit sizes of 11 units to meet the *Land Development Code* is infeasible, hence an

approved variance is required to allow 1-bedroom residential units smaller than 1,000 sq ft according to *LDC*, Sec. 14-18.4.

Section 14-63.8.a. of the City's *Land Development Code* outlines the criteria for the Planning and Zoning Board to consider when evaluating variance requests.

B. ANALYSIS

Staff's analysis of the application (**Attachment B**) is provided.

C. PUBLIC NOTICE:

Evidence of due public notice (**Attachment E**) has been submitted to the record and is provided.

LEGAL REVIEW:

RECOMMENDATION:

Based on the provided Planning Analysis (Attachment B), staff recommends approval of Zoning Variance ZV-A25-0013 as presented.

SUGGESTED MOTION:

A Board Member may motion one of the following:

- 1) "I move to approve Zoning Variance ZV-A25-0013 as presented."
- OR
- 2) "I move to approve Zoning Variance ZV-A25-0013, with the following conditions..."
- OR
- 3) "I move to deny Zoning Variance ZV-A25-0013, on the basis of..."

- ATTACHMENT:**
- 1. Attachment A
 - 2. Attachment A - Application Letter and Authorization Support (14 Pages), ZV-A25-0013
 - 3. Attachment B
 - 4. Attachment B - Planning Analysis & Exhibits A-E (8 pages) ZV-A26-0013
 - 5. Attachment C
 - 6. Attachment C - Building Official Correspondence (2 Pages), ZV-A25-0013
 - 7. Attachment D
 - 8. Attachment D - Survey (3 pages), ZV-A25-0013
 - 9. Attachment E
 - 10. Attachment E - Public Notice Requirements Met (14 Pages), ZV-A25-0013

Attachment A

Application Letter

and

Authorization Support Docs

14 Pages



STORCH
LAW FIRM

GLENN D. STORCH, ESQUIRE
glenn@storchlawfirm.com

COREY D. BROWN, ESQUIRE
corey@storchlawfirm.com

A. JOSEPH POSEY, ESQUIRE
joey@storchlawfirm.com

April 14, 2026

Via Electronic Mail: GHerstein@cityofdfs.org

Gwyn Herstein, City Planner
City of Daytona Beach Shores
2990 S. Atlantic Avenue
Daytona Beach Shores, FL 32118

Re: Amended Variance Application Letter for Max Beach Resort

Dear Gwyn:

I am writing to clarify our variance request for the Max Beach Resort, as there has been some confusion as to exactly what the unit dimensions are for the variance. We are requesting a variance to permit ten (10) 1-bedroom condominium units to have a square footage of 890 sq. ft. each, and to permit one (1) 1-bedroom condominium unit to have a square footage of 830 sq. ft., in lieu of the minimum 1,000 sq. ft. required by the Land Development Code. The Max Beach Resort is located at 1901 South Atlantic Ave. in Daytona Beach Shores, Parcel ID Number 5316-00-02-0010. I am also restating and revising the below variance petition and justifications to be consistent with the numbers and square footages listed above. In lieu of filling in the lines on the variance application form, the following is our variance petition, which lists all of the requirements for variances in the City of Daytona Beach Shores and explains how our request meets those requirements:

To justify any variance, the applicant must demonstrate all of the following:

1. Special conditions or circumstances exist which are peculiar to the land, structure or building involved and which are not applicable generally to other lands, structures or buildings in the same zoning classification.

This is a unique and particular situation with special conditions and circumstances that are peculiar to this structure and building. The Max Beach Resort was designed and built to provide a luxury residential experience, with each unit designed as separate one, two and three bedroom residential units with full kitchens and living areas. The 72 units were designed to be spacious residential units that were rented as hotel rooms.

This is particularly unusual in that the Max parcel is located in an area with dual residential and hotel zoning. In many ways, the Max was uniquely designed to emulate this residential and hotel duality. Every luxury unit in the Max was designed to function as a luxury residential unit. However, the concept was to

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420 South Nova Road • Daytona Beach, Florida 32114
(386) 238-8383 • (386) 238-0988 (fax)
Website: www.storchlawfirm.com

market and rent those residential units as a hotel. After operating as a hotel for 3 ½ years it has become apparent that the market seasonality and rate competition is such that the net income of the property does not support its valuation. In fact, since the building and structure were designed to provide upscale residential units within the structure, there is a demand for Max to be an upscale residential multifamily condominium.

The Max is located on the beachfront and has a T-RMF-1 zoning designation. T-RMF-1 is a dual zoning district allowing either hotels or multifamily condominiums, so there is no rezoning required to the building to change its use from hotel to a multifamily condominium. Partially because of the occupancy rates, this proposed change in use from hotel to luxury residential condominium is estimated to double or even triple the valuation of the structure for tax purposes.

Fortunately, the site plan, and all required setbacks, were reviewed and approved on January 10, 2018 under the RMF-1 requirements, so no additional variances or changes in the site plan are required to allow the permitted use. All parking required for the residential use, including the 1-bedroom units that are the subject of the variance request, have been provided within the approved and constructed site plan.

The current zoning code for this site permits one, two and three bedroom residential multifamily condominiums. Unfortunately, the code requires that any 1-bedroom units are required to be a minimum of 1,000 square feet. Ten of the luxury 1-bedroom units in the Max Beach Resort are built as 890 square foot units, which is 11% smaller than typically required, while one unit on the lobby level has an area of 830 square feet.

The tangible impact on the petitioner in any attempt to comply with the minimum size requirement for 1-bedroom units is immense, potentially impossible, but certainly not financially feasible. It is, of course, impossible to amend the building and structure to add a total of 1,270 square feet to the structure to allow the additional square footage to be added to the eleven 1-bedroom units. The petitioner also investigated the possibility of removing areas from adjacent units and reconstructing those units and the 1-bedroom units to comply with the requirement for an additional 110 square feet per unit (and 170 sq. ft. for the lobby floor unit). The petitioner would anticipate that the only potential way to add space to the 1-bedroom units would be to remove a bedroom from the 3-bedroom units; however, this turned out to be impossible due to the locations of electrical conduits, which run through the concrete slabs of the condominium structure. Those lines cannot be rerouted through the concrete slab ceilings and floors, unlike a structure with framed floor joists between levels. The same problem exists for HVAC services, for which there is no option to re-route ducts through the existing, structural slabs. You would essentially have to walk into someone else's unit to turn the lights on or adjust the A/C for the moved floor area. As such, moving the walls between the 3-bedroom

and 1-bedroom units is not an option purely from a technical, non-monetary standpoint.

Even if it were possible to redesign the building, the costs of such reconstruction would be astronomical, requiring the rebuilding of at least 22 residential units. In addition, the 3-bedroom units would be significantly devalued to create 2-bedroom units in order to provide oversized 1-bedroom units that would not increase in valuation. All of this would prevent the conversion to a luxury residential condominium project. Therefore, the applicant requests a variance to allow 11, 1-bedroom units to be 890 square feet, and 1, 1-bedroom unit to be 830 square feet, in lieu of 1,000 square feet.

Only 15.3% of the 72 luxury residential units are 1-bedroom units. All of the other units meet or exceed the size requirements for the number of bedrooms. The fact that the structure is already built, and that the 1-bedroom units cannot be changed without tremendous expense and impact to adjoining units, creates a unique hardship. The facts provided show why the special conditions exist that are not applicable to other lands, structures or buildings in the same zoning classification and provide a basis for the requested variance.

2. The special conditions or circumstances do not result from the actions of the applicant and are not primarily economic or financial in nature.

The special conditions or circumstances, which are the existing sizes of the 1-bedroom units, did not result from the actions of the applicant. The building was developed as a hotel. It was designed to have huge, residential, one, two and three bedroom units, and the units were all oversized for a hotel because they were designed to be large enough to be considered as residential units for its guests. The hotel met or drastically exceeded all Daytona Beach Shores size requirements. Unfortunately, an 830-890 square-foot 1-bedroom residential unit, with additional balcony square footage and amenities, was a spacious and luxurious beachfront residential hotel unit, but is slightly smaller than required if built as a residential condominium.

3. Literal interpretation or enforcement of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Land Development Code.

The applicant built the Max to meet or exceed one section of the dual zoning classification on this site. This dual zoning classification would typically allow the conversion from one use to the other permitted use to maintain the value and tax revenue to the City. Again, the proposed change of use from an underused hotel to luxury residential condominiums would potentially double to triple the valuation and tax revenues. The subject property, the Max, meets or exceeds all provisions that would allow the use to change within this dual zoning classification, except the slightly smaller 1-bedroom units. I believe it is important to discuss the potential

impact to the City for reducing the required size of a 1-bedroom unit from 1,000 square feet to 890 square feet (and one 830 square foot unit).

The most important basis for a municipal ordinance would be that it is based on health, safety or welfare of its citizens. Health would encompass the physical, mental and social well-being of individuals. Safety involves the protection of individuals from risk and hazards that could cause injury or harm. Welfare pertains to the quality of life and support systems available to individuals, ensuring they have necessary resources and services.

I believe that the ten 890 square foot units and one 830 square foot unit, in lieu of 1,000 square foot units in this particular situation, have no impact on the protection of a residents' health, safety or welfare.

The difference of 110 square feet of living area on most of these units would have no tangible impact on the lifestyle or health of residents of a 1-bedroom unit. It is still a 1-bedroom unit in a luxury condominium that provides physical, mental and social well-being to the owner of that unit. Remember, even if these units were 1,000 square feet of living area, it is still a 1-bedroom unit. The addition of 110 square feet to the existing design does not impact the health of the resident.

The same can be said for safety and welfare. There is no negative impact on the safety of the resident by permitting the variance, nor is there an impact to the welfare of the resident or the City. Their quality of life, support systems and access to amenities are the same with the variance, and there is no less protection from risks or hazards that could cause injury or harm. The residents of the 890 sq. ft. and 830 sq. ft. 1-bedroom units would have the same access to the amenities of the Max as a resident would have if the 1-bedroom units were 1,000 square feet.

There could be an argument that the typical requirement of a minimum of 1,000 square feet for 1-bedroom condominiums was contemplated to be a means to insure the value of those condominiums for tax purposes or to prevent an entire condominium of small 1-bedroom units which could potentially negatively impact the City's tax revenue. However, that argument is not applicable in this case. The Max is already built. The total square feet of the project will be unchanged. The tax revenue from the project would be extremely reduced by requiring the Max to remain a hotel, and would be significantly reduced by requiring the internal reconstruction of the units to add 110 feet to the 1-bedroom units by removing 110 feet from the 3-bedroom units. It would be worse than robbing Peter to pay Paul.

The change of use without the requested variance, if it is even financially feasible, would result in the shrinking of 11 of the 3-bedroom units to 2-bedroom units. This would result in a potentially lower tax base for the City, as well as creating immense costs and hardship for the property owner. It would also likely prevent the change in use permitted by the Land Development Code from hotel to luxury residential condominium.

Therefore, the literal interpretation of the zoning ordinance would not allow all or part of the Max to be used as a luxury multifamily condominium as in other projects in the T-RMF-1 district.

4. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation at issue.

The variance to allow the use of the 11 1-bedroom units to maintain their size is the minimum that is required to allow the reasonable use of this property for a residential multifamily condominium.

5. The variance sought will not authorize or extend any nonconforming use or other nonconformity with respect to the land or structures in question.

There is no present non-conformity of the land or structures. The variance would not require any reduction in setbacks or increase in height. In the event the requested variance is granted, the Max could convert to a luxury multifamily residential condominium without creating any non-conforming uses.

6. The granting of the variance will be in harmony with the general intent and purpose of the Land Development Code, will not be injurious to the area involved or surrounding properties and will not authorize a use of the property not permitted by its zoning classification.

The general intent and purpose of the Land Development Code is to allow either hotel use or residential multifamily condominium use on the subject parcel. The granting of the variance will be in harmony with that purpose and intent. It will allow a luxury residential multifamily condominium, which is a use permitted by its zoning classification. It will not be injurious to the area involved or the surrounding properties. In fact, it will be advantageous to the area and the City. It increases the valuation for the building and land and will cause no change to the existing structure. It will only allow a permitted use.

7. The variance sought will be consistent with the City's Comprehensive Plan, its enabling legislation and regulations adopted pursuant thereto.

The proposed use is consistent with the City's Comprehensive Plan, ordinances, etc.

8. In granting any variance, the Planning and Zoning Board may prescribe appropriate conditions and safeguards in conformity with of the Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of the Land Development Code.

The petitioner is amenable to any appropriate conditions or safeguards; however, the site will remain exactly the same. The approval to provide for 890 square-foot

1-bedroom units (and one 830 sq. ft. unit) in lieu of 1,000 square foot units does not seem to require any appropriate conditions or safeguards, other than perhaps a condition that there would be no further reduction in the size of such units.

9. The Planning and Zoning Board may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed, or both.

The 1-bedroom units are already built, permitted and in use. The applicant can meet any reasonable time limit.

10. No nonconforming use of neighboring lands, structures or buildings in the same zoning classification and no permitted use of lands, structures or buildings in other zoning classifications shall be considered grounds for the authorization of a variance.

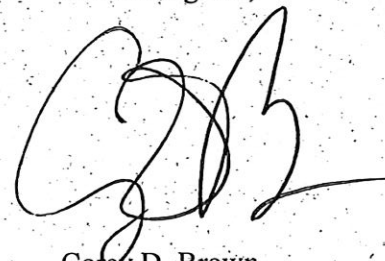
The facts and circumstances that are the basis for this variance request are unique, and this request is not based on the nonconforming use of neighboring lands, structures or buildings in the same zoning classification. Similarly, this request is not based upon any permitted use of lands, structures or buildings in other zoning classifications.

11. Concerning ex-parte communications, the applicant shall not speak to the Planning and Zoning Board members upon their visiting the site and prior to the Public Hearing relating to said variance request in order that said board member shall not prejudice themselves prior to said variance request coming before the Planning and Zoning Board in an open proceeding where the Board's decision-making process and determination will be in full view of the public, thereby providing due process involving a fair opportunity for the presentation of both sides of the case in an open proceeding where a record of the proceedings may be kept.

Acknowledged and agreed.

Please let me know if you have any questions or need anything else for this variance application.

Kindest regards,



Corey D. Brown
For Glenn D. Storch

City of Daytona Beach Shores
Community Services Department
2990 S. Atlantic Avenue, Daytona Beach Shores, FL 32118
Telephone (386) 763-5377
Fax (386) 763-5370



VARIANCE APPLICATION BEFORE THE PLANNING AND ZONING BOARD

The Undersigned Applicant requests the Planning and Zoning Board to hear and decide upon this application in accordance with Sec. 14-63 of the Daytona Beach Shores Land Development Code entitled "Planning and Zoning Board Functions, Powers and Duties."

Date Submitted: ___/___/___ Applicable Section of Code: _____

Fees must be paid at the time the application is submitted

Applicant's Name: 1901 - 1903 S. Atlantic, LP Email: jott@bayshorecapital.com
199 Bay St. Suite 2900 Box 459
Address: Toronto, ON M5L 1G4 Canada Phone #: _____

Property Address: 1901 S. Atlantic Ave.

Representing Attorney (if any): Glenn Storch Email: glenn@storchlawfirm.com
420 South Nova Road
Address: Daytona Beach, FL 32114 Phone #: 386-238-8383

NOTE: Notarized letter of authorization from owner MUST be submitted if application is filed by anyone other than the owner. In addition, all new exhibits introduced at a scheduled hearing must be submitted to the City Clerk to be included as part of the record.

Legal description of the property: Please see attached deed for legal description.

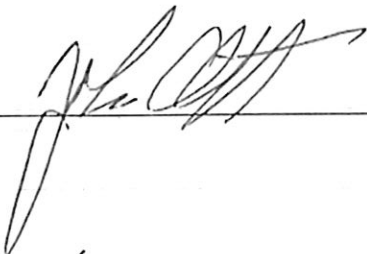
Description of your request:

We are requesting a variance to permit ten (10) 1-bedroom condominium units, each with a square footage of 890 sq. ft., and one (1) 1-bedroom condominium unit with a square footage of 830 sq. ft., in lieu of the minimum 1,000 sq. ft. required by the Land Development Code.

AFFIDAVIT OF RESPONSIBILITY & AUTHORIZATION

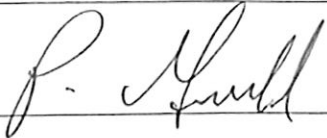
Property Owner's Affirmation: By signing below, I hereby grant authority to make specific application as described below for the property located at 1901 S Atlantic Ave., Daytona Beach Shores, FL 32118 and having Volusia County Parcel ID number 531600020010. I understand the requirements relating to the specific development approval(s) being applied for, as described below, and I understand the process for the application being submitted as outlined in the City's Code of Ordinances and the Planning/Zoning Development Application Instructions. I acknowledge that neither approval nor denial of this application relieves me or my assigns from the requirements of the Florida Building Code, the National Fire Prevention Act, or any other regulation related to the proposed development contained in the described application(s).

I, John Ott, as authorized signatory for the owner of the property described above, namely 1901 1903 S Atlantic LP, a Delaware limited partnership, hereby authorize Glenn D. Storch, Esq. and Storch Law Firm to make application to the City of Daytona Beach Shores for a variance to permit eleven (11), 1-bedroom condominium units, 10 with a square footage of 890 sq. ft., and one with a square footage of 830 sq. ft., in lieu of the minimum 1,000 sq. ft. required by the Land Development Code.

Property Owner's Signature:  Date: 4/15/26

STATE OF FLORIDA
COUNTY OF VOLUSIA

Sworn to and subscribed before me in person or by on-line notarization this _____ day of April 15th 2026, by John Ott, as authorized signatory for 1901 1903 S Atlantic LP, a Delaware limited partnership, who [personally known to me or [has produced _____.

Notary Public:  My Commission Expires: 10/18/2028





**City of Daytona Beach Shores
PLANNING DIVISION
COMMUNITY SERVICES DEPARTMENT
2990 S. Atlantic Avenue
Daytona Beach Shores, FL 32118**

Phone: (386) 763-5376 Email: gherstein@cityofdbbs.org

AFFIDAVIT OF ACCURACY & COMPLETENESS

Applicant's Affirmation: By signing below, I hereby state that all information contained in the application described below and all documentation submitted herewith for the property located at 1901 S Atlantic Ave., Daytona Beach Shores, FL 32118 and having Volusia County Parcel ID number 5316-00-02-0010 is true and accurate to the best of my knowledge and belief. I understand the requirements relating to the specific development approval(s), that I am applying for and I understand the process for the application that I am submitting as outlined in the City's *Code of Ordinances* and the *Planning/Zoning Development Application Instructions*. I acknowledge that neither approval nor denial of this application relieves me, my assigns, or the property owner from the requirements of the *Florida Building Code*, the *National Fire Prevention Act*, or any other regulation related to the proposed development contained in the described application(s).

I, Corey D. Brown, Esq. of Storch Law Firm, for the property described above in the capacity of:

owner,

or

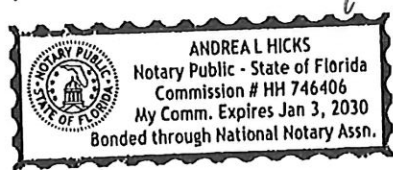
non-owner applicant, (provide current phone & email): 386-238-8383 / corey@storchlawfirm.com

make application to the City of Daytona Beach Shores for the following development type and description: a variance to permit eleven (11), 1-bedroom condominium units, 10 with a square footage of 890 sq. ft., and one with a square footage of 830 sq. ft., in lieu of the minimum 1,000 sq. ft. required by the Land Development Code.

APPLICANT'S SIGNATURE: [Signature] Date: 4/15/26

STATE OF FLORIDA

COUNTY OF VOLUSIA



Sworn to and subscribed before me in person or by on-line notarization this 15th day of April 2026, by Corey D Brown who is personally known to me or has produced _____.

Notary Public: Andrea L. Hicks My Commission Expires: _____



Volusia County Property Appraiser
123 W. Indiana Ave., Rm. 102
DeLand, FL. 32720
Phone: (386) 736-5901 Web: vcpa.vcgov.org

AltKey: 3409884

Parcel ID: 531600020010

1901 1903 S ATLANTIC LP

1901 S ATLANTIC AVE, DAYTONA BEACH SHORES, FL

Parcel Summary

Alternate Key:	3409884
Parcel ID:	531600020010
Township-Range-Section:	15 - 33 - 16
Subdivision-Block-Lot:	00 - 02 - 0010
Owner(s):	1901 1903 S ATLANTIC LP - FS - Fee Simple - 100%
Mailing Address On File:	199 BAY ST STE 2900 BOX 459 TORONTO ON M5L 1G4 CANADA
Physical Address:	1901 S ATLANTIC AVE, DAYTONA BEACH SHORES 32118
Property Use:	3900 - HOTELS/MOTELS
Tax District:	403-DAYTONA BEACH SHORES
2024 Final Millage Rate:	16.5683
Neighborhood:	7020
Subdivision Name:	
Homestead Property:	No



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Foreign Limited Partnership
1901-1903 S. ATLANTIC LP

Filing Information

Document Number B18000000216
FEI/EIN Number 30-1431599
Date Filed 07/31/2018
State DE
Status ACTIVE
Last Event LP AMENDMENT
Event Date Filed 05/14/2021
Event Effective Date NONE

Principal Address

Bayshore Capital Inc.
199 Bay Street, Suite 2900
P.O. Box 459
Toronto, Ontario M5L 1G4 CA

Changed: 03/13/2025

Mailing Address

Bayshore Capital Inc.
199 Bay Street, Suite 2900
P.O. Box 459
Toronto, Ontario M5L 1G4 CA

Changed: 03/13/2025

Registered Agent Name & Address

C T CORPORATION SYSTEM
1200 SOUTH PINE ISLAND ROAD
PLANTATION, FL 33324

Name Changed: 03/13/2024

Address Changed: 03/13/2024

General Partner Detail

Name & Address

Document Number F13000003451

FENIX FUND WAREHOUSING LLC

Bayshore Capital Inc.

199 Bay Street, Suite 2900

P.O. Box 459

Toronto, Ontario M5L 1G4 CA

Annual Reports

Report Year	Filed Date
2023	07/13/2023
2024	04/03/2024
2025	03/13/2025

Document Images

03/13/2025 -- ANNUAL REPORT	View image in PDF format
04/03/2024 -- ANNUAL REPORT	View image in PDF format
03/13/2024 -- Reg. Agent Change	View image in PDF format
07/13/2023 -- ANNUAL REPORT	View image in PDF format
03/10/2022 -- ANNUAL REPORT	View image in PDF format
05/14/2021 -- LP Amendment	View image in PDF format
01/13/2021 -- ANNUAL REPORT	View image in PDF format
03/25/2020 -- ANNUAL REPORT	View image in PDF format
04/01/2019 -- ANNUAL REPORT	View image in PDF format
07/31/2018 -- Foreign LP	View image in PDF format

09/23/2014 10:59 AM
Doc stamps 14700.00
(Transfer Amt \$ 2100000)
Instrument# 2014-171975 # 1
Book : 7035
Page : 1516

Prepared by and return to:
Glenn D. Storch, Esq.

Glenn D. Storch, PA
420 South Nova Road
Daytona Beach, FL 32114-4514
386-238-8383
File Number: 2342-16

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 11 day of September, 2014 between Fairway, LC, a Kansas limited company, also known as Fairway, L.C., a Kansas limited liability company whose post office address is 5200 West 15th Street, Suite 303, Lawrence, KS 66049, grantor, and 1901-1903 S. Atlantic, LP, a Delaware limited partnership whose post office address is 199 Bay Street, Suite 2900, Box 459, Toronto, ON M5L 1G4, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Volusia County, Florida to-wit:

PARCEL 1: Land situated in Volusia County, State of Florida, described as follows: All that portion of the Northerly 126 feet of Government Lot 2, Section 16, Township 15 South, Range 33 East, situated and being Easterly of the East line of Ocean Shore Boulevard a/k/a Atlantic Avenue a/k/a State Road A1A, as now laid out and platted (said North 126 feet being measured along Atlantic Avenue).

PARCEL 2: Land situated in Volusia County, State of Florida, described as follows: That part of the Southerly 100 feet of the Northerly 226 feet of Government Lot 2 of Section 16, Township 15 South, Range 33 East, lying Easterly of Ocean Shore Boulevard a/k/a Atlantic Avenue a/k/a State Road A1A, as now laid out.

ALSO: The Northerly 5 feet of a 10 foot strip of land designated as "Ocean Avenue" on J. H. L. BOTEFUHR'S PLAN OF THE TOWN OF LAND OF THE SEA, according to the Map thereof, as recorded in Map Book 1, Page 65, of the Public Records of Volusia County, Florida, lying Easterly of Ocean Shore Boulevard a/k/a Atlantic Avenue a/k/a State Road A1A, as now laid out.

Parcel Identification Number: 5316-00-02-0010;5316-00-02-0020

Subject to taxes for the year 2014 and all subsequent years.

Subject to easements, restrictions, conditions, and reservations of record, if any, the mention of which shall not serve to reimpose the same.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

DoubleTime

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2013.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Beth Easter
[Signature]
Witness Name: Doug Gaumer

Fairway, LC

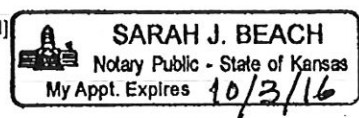
By: [Signature]
Michael D. Stultz, Manager

Instrument# 2014-171975 # 2
Book : 7035
Page : 1517
Diane M. Matousek
Wolusia County, Clerk of Court

State of Kansas
County of Douglas

The foregoing instrument was acknowledged before me this 11th day of September, 2014 by Michael D. Stultz of Fairway, LC, on behalf of said firm. He is personally known or has produced a driver's license as identification.

[Notary Seal]




[Signature]
Notary Public
Printed Name: Sarah J. Beach
My Commission Expires: 10/3/16

Attachment B

Planning Analysis

8 Pages

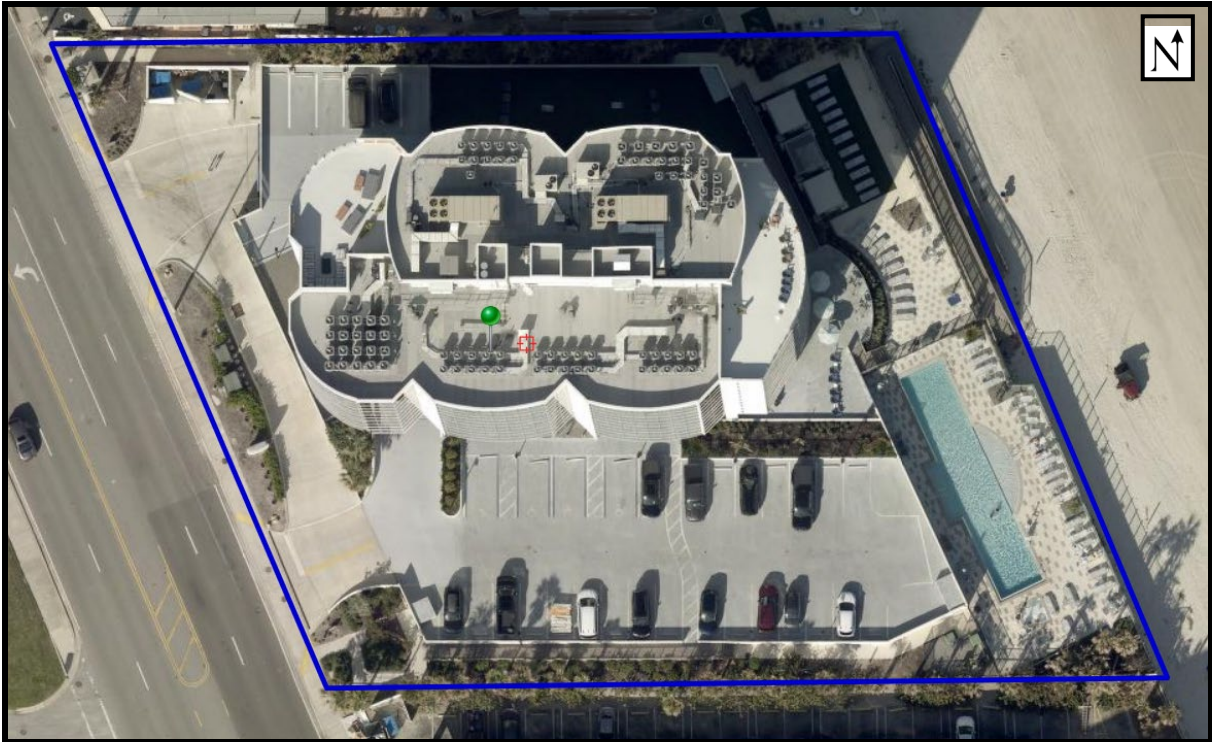
	PLANNING ANALYSIS
SUBJECT:	Zoning Variance ZV-A25-0013: To allow eleven (11) 1-bedroom residential units with total floor area below the minimum square footage required by the City’s Land Development Code
PROPERTY LOCATION:	1901 S. Atlantic Avenue in Daytona Beach Shores
PROPERTY PARCEL ID #:	5316 00 02 0010
CURRENT BUILDING USE:	Hotel
PROPOSED BUILDING USE:	Multi-Family Residential
PROPERTY OWNER:	1901-1903 S. Atlantic LP
APPLICANT:	Storch Law Firm

I. INTRODUCTION

The above parcel is located in a dual zoning district allowing either hotel/motel uses or multi-family residential uses. After constructing an eleven-story building under permits obtained in 2019, the property owner, 1901-1903 S. Atlantic LP, received a Certificate of Occupancy for a 73-room hotel in June 2022. The owner has recently expressed intent to change the building’s current single-owner Hotel use to a Multi-Family Residential occupancy with a condominium form of ownership.

Due to zoning requirement differences between hotel room minimum floor area requirements and multi-family residential unit minimum floor area requirements, the applicant submitted Variance Application ZV-A25-0013 requesting to allow ten (10) 1-bedroom units with floor area of eight hundred ninety (890) sq ft and one (1) 1-bedroom unit with floor area of eight hundred thirty (830) sq ft in lieu of the minimum one thousand (1,000) sq ft required by the City’s *Land Development Code*, Section 14-18.4. for multi-family residential units.

Exhibit A: Aerial View of 1901 S. Atlantic Avenue in Daytona Beach Shores



Source: 2024-2025 Eagleview, CONNECTExplorer

II. BACKGROUND

The property is designated for "High Intensity Use" according to the City's Future Land Use Map (FLUM) and is located in a dual zoning district allowing hotel/motel or multi-family residential uses under the T *Hotel/Motel District* requirements or the RMF-1 *Multi-Family Residential District (High Density)* requirements. A site plan for an 11-story 72-residential unit building was approved in early 2018 through RSP12017028. During the building permitting process, owners of the property decided they wanted to market and use their building as a luxury hotel, hence unit size was not a concern and met Florida Building Code and Land Development Code area requirements for hotel use. 1901-1903 S. Atlantic LP, received a Certificate of Occupancy for a 72 guest-room (plus one commercial restaurant space) hotel in June 2022. Currently, the building is being operated as a hotel, consistent with the FLUM designation and zoning district requirements.

In late 2025, representatives for the property approached City staff to discuss changing the use of the building from the transient T *Hotel/Motel District* to the residential RMF-1 *Multi-Family Residential District (High Density)*. While 1-bedroom hotel units with cooking facilities may be a minimum of 400 sq ft (LDC, Sec. 14-21.6.(2)), 1-bedroom residential units are required to be a minimum of 1,000 sq ft. (LDC, Sec. 14-18.4.)

Section 14-63.8.a. of the City's *Land Development Code* outlines the criteria for the Planning and Zoning Board to consider when evaluating variance requests. These criteria are detailed in Section V. of this analysis.

ZV-A25-0013: Max Daytona Hotel, 1901-1903 S. Atlantic LP, Minimum Floor Area, 1901 S. Atlantic Ave.

III. EXISTING ZONING AND LAND USE

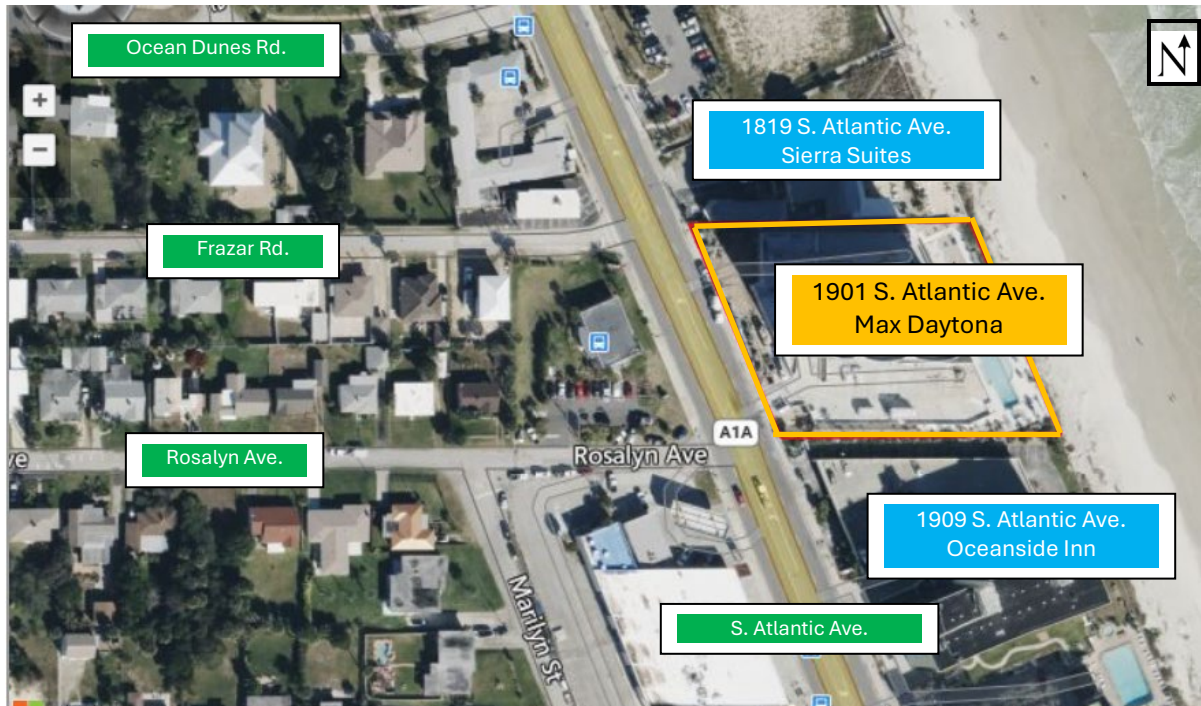
Table 1 below provides a description of the zoning district designation and current land use (i.e., existing development) for the subject and abutting properties.

Table 1: Zoning and Land Use Area Description

Location	Zoning	Current Land Use
Subject Property	T/RMF-1	Max Daytona Hotel
North	Daytona Beach Property	Sierra Suites Resort
South	T/RMF-1	Oceanside Inn
East	N/A	Atlantic Ocean
West	GC-RD	Vacant Land, Partially Paved

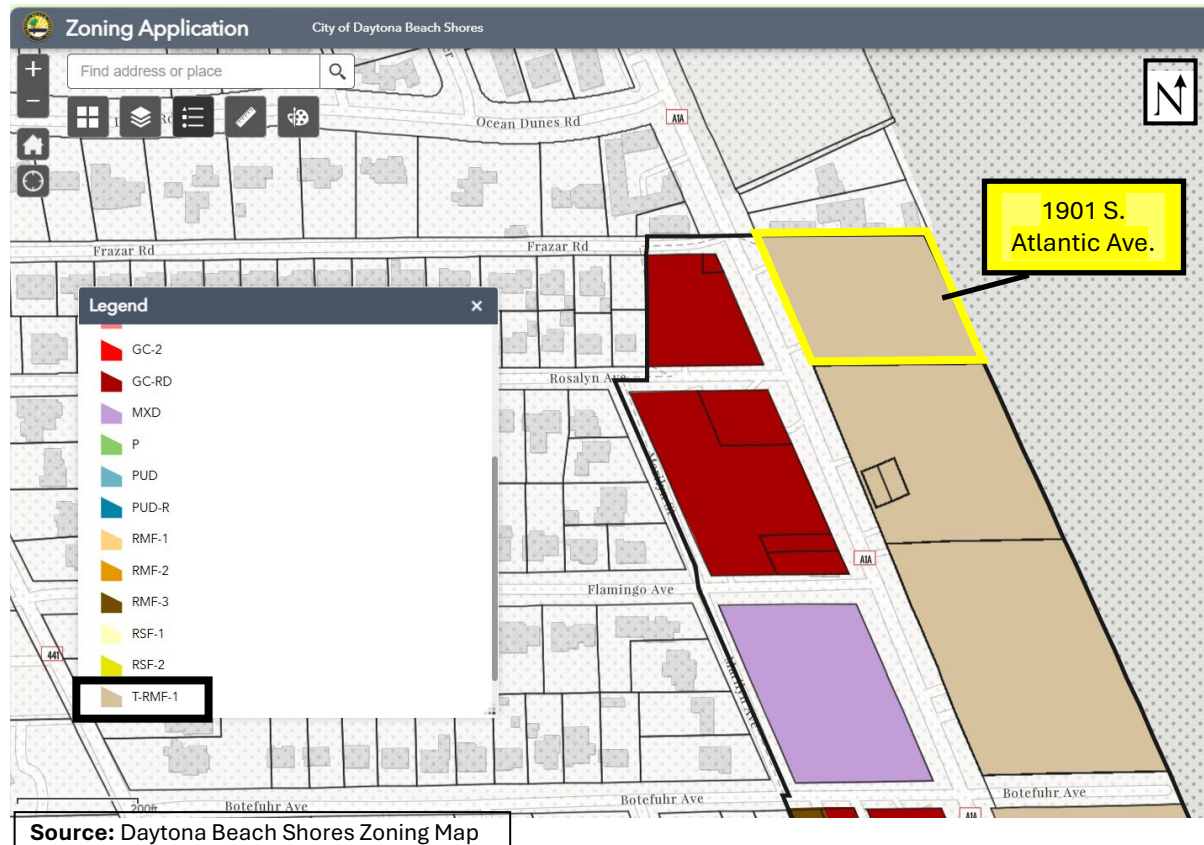
Notes: T: Hotel/Motel; RMF-1: Multi-Family Residential District (High Density); GC-RD: General Commercial-Redevelopment District

Exhibit B: Location Map of 1901 S. Atlantic Avenue in Daytona Beach Shores



Source: Volusia County Property Appraiser, 2024

Exhibit C: Zoning Map 1901 S. Atlantic Avenue and Surrounding Area



IV. VARIANCE REQUEST

The requested variance, if approved, will allow eleven (11) of the seventy-two (72) residential units currently on the site to exist as ten (10) 1-bedroom units with floor area of eight hundred ninety (890) sq ft and one (1) 1-bedroom unit with floor area of eight hundred thirty (830) sq ft in lieu of the minimum floor area of one thousand (1,000) sq ft required by the City's *Land Development Code*, Section 14-18.4., for multi-family residential units. This variance, if approved, will allow the site to transition to multi-family residential use with relief from the stated code requirement. **Exhibits D & E** show the current layout of the eleven (11) residential units under consideration by this variance request.

Exhibit D: Variance Request Subject – Ten (10) Units with 890 sq ft of floor space

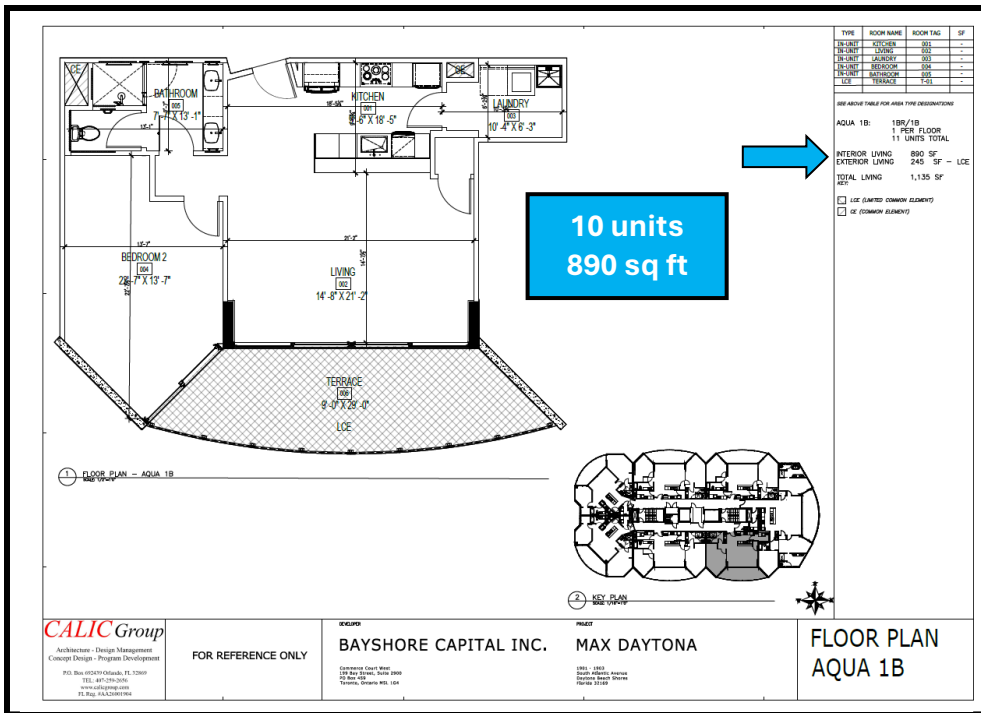
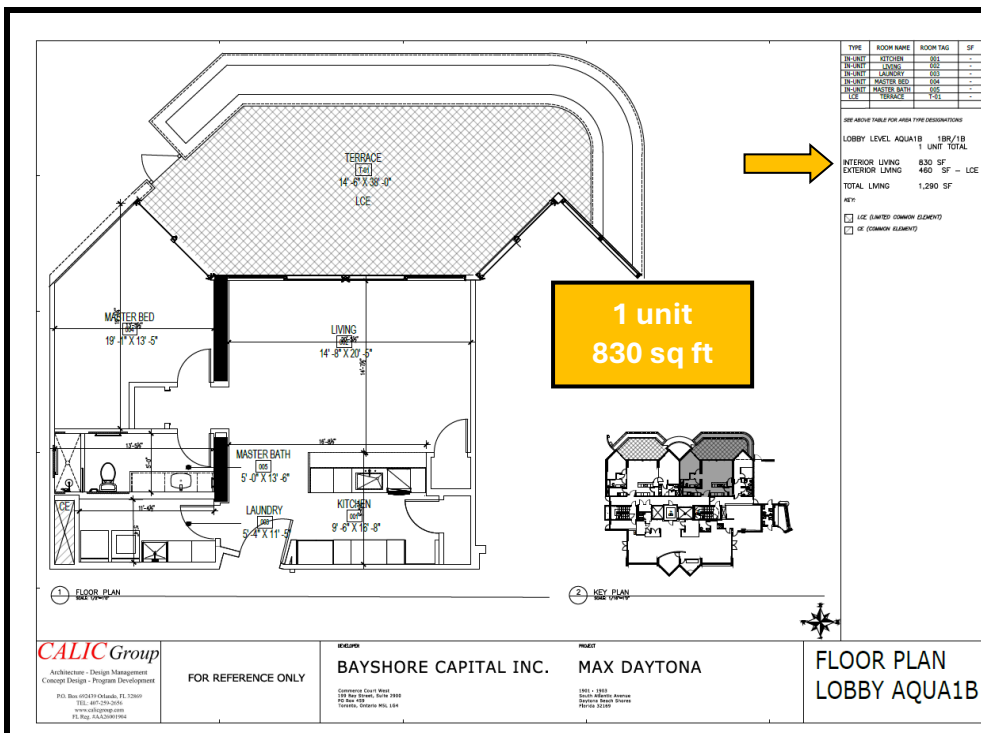


Exhibit E: Variance Request Subject – One (1) Unit with 830 sq ft of floor space



V. EVALUATION CRITERIA

Section 14-63.8.a. of the City's *Land Development Code* outlines the criteria for the Planning and Zoning Board to consider when evaluating variance requests. To justify a variance request, the applicant must demonstrate the following [NOTE: Required criteria is indicated in italics; for applicant's response and justification, see variance application (**Attachment A** in Agenda Item Packet)]:

Criterion i. Special conditions or circumstances exist which are peculiar to the land, structure or building involved and which are not applicable generally to other lands, structures or buildings in the same zoning classification.

Applicant's Response: "This is a unique and particular situation with special conditions... ", See **Attachment A:** Amended Variance Application Letter for Max Daytona, **Pages 1-3, #1**

Staff Comment: This property's site plan was reviewed and approved under current multi-family residential code requirements. All exterior building characteristics including height, lot coverage, setbacks, parking, green area, and landscaping are consistent with such.

This building was constructed in an atypical manner. To span the drive path in the garage, a transfer beam was utilized in the area below the two subject room types, instead of constructing typical foundation-to-roof columns. The City's Building Official, Steve Edmunds, states in a recent email (**Attachment C**), that this construction method, which he has not inspected or observed in any other Daytona Beach Shores buildings, prevents the safe relocation of walls in the units above the transfer beam area, such as what an expansion of the 830 sq ft and 890 sq ft units would require to meet the minimum 1,000 sq ft floor area required without variance approval. Therefore, special conditions exist which are peculiar to the building involved and which are not applicable generally to buildings in the same zoning classification.

Criterion ii: The special conditions or circumstances do not result from the actions of the applicant and are not primarily economic or financial in nature.

Applicant's response: "The special conditions or circumstances, which are the existing ..." See **Attachment A:** Amended Variance Application Letter for Max Daytona, **Page 3, #2**

Staff Comment: The special condition of an atypical construction type, described briefly in the Staff Comment for Criterion i., was designed by an architect and constructed with a different product in mind (a hotel) and is not economic or financial in nature due to the infeasibility of safely relocating the walls, per the Building Official.

Criterion iii: Literal interpretation or enforcement of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of this Ordinance.

Applicant's response: "The applicant built the Max to meet or exceed one section of the ..."
See **Attachment A:** Amended Variance Application Letter for Max Daytona, **Pages 3-5, #3**

Staff Comment: The special conditions relative to this building restrict the property owner from safely adjusting floor areas for the units in question. These smaller units were originally designed to provide not only residential amenities within a hotel operation but also to create a residential experience with full kitchen, dining and other residential living spaces. Multi-family residential condos in the same zoning district are not restricted from utilizing space designed for residential use within their buildings. Therefore, literal interpretation or enforcement of the provisions of the *Land Development Code* would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the *Land Development Code*.

Criterion iv: The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation at issue.

Applicant's response: "The variance to allow the use of the 11 1-bedroom units to maintain ..."
See **Attachment A:** Amended Variance Application Letter for Max Daytona, **Page 5, #4**

Staff Comment: This variance, if authorized, will represent the minimum variance affording the requested relief and will represent the least modification possible of the regulation at issue.

Criterion v: The variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in question.

Applicant's response: "There is no present non-conformity of the land or structures. The ..."
See **Attachment A:** Amended Variance Application Letter for Max Daytona, **Page 5, #5**

Staff Comment: The variance, if approved, will not authorize or extend any non-conforming use or other non-conformity.

Criterion vi: The granting of this variance, if authorized, would be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will not authorize a use of the property not permitted by its zoning classification.

Applicant's response: "There is no present non-conformity of the land or structures. The ..."
See **Attachment A:** Amended Variance Application Letter for Max Beach Resort, **Page 5, #6**

Staff Comment: If granted, the variance will be in harmony with the general intent and purpose of this Ordinance and will not be injurious to the area involved or surrounding properties. The variance, itself, will not authorize a use of the property which is not permitted in the T or RMF-1 zoning districts.

Criterion vii: The variance sought will be consistent with the City's Comprehensive Plan, its enabling legislation and regulations adopted pursuant thereto.

ZV-A25-0013: Max Daytona Hotel, 1901-1903 S. Atlantic LP, Minimum Floor Area, 1901 S. Atlantic Ave.

Applicant’s response: “The proposed use is consistent with the City’s Comprehensive Plan ...”
 See **Attachment A: Amended Variance Application Letter for Max Beach Resort, Page 5, #7**

Staff Comment: The variance sought, if approved, will be consistent with the City’s Comprehensive Plan, its enabling legislation, and the regulations adopted pursuant thereto.

Based on staff’s interpretation of the facts and evidence provided, **Table 2** below is provided to assist the Board in its decision-making process:

Table 2: Variance Request Criteria Summary (per *LDC*, Section 14-63.8.a.)*

Criteria	i	ii	iii	iv	v	vi	vii	Total
Criteria Met	X	X	X	X	X	X	X	7
Criteria Not Met								
Criteria Partially Met								

* **NOTE:** Pursuant to prior and current legal counsel, a successful variance application can only be achieved if all evaluation criteria are met.

VI. STAFF RECOMMENDATION

Based on the analysis herein, staff recommends approval of Zoning Variance ZV-A25-0013 as presented.

Attachment C

Building Official Correspondence –
Statement of Atypical Circumstances
2 Pages

RE: Max Daytona at 1901 S. Atlantic Ave. - Questions about the Land and Building

From Edmunds, Steve <SEdmunds@cityofdb.org>

Date Thu 4/16/2026 10:30 AM

To Herstein, Gwyn <GHerstein@cityofdb.org>

The garage level of this building was constructed with a transfer beam, which relocated the column-loading of the upper floors to multiple adjoining columns in the garage. This affected the positioning of the walls of the units built above the area of the Aqua 1B and Lobby Aqua 1B units.

Typical buildings have columns vertically stacked from foundation to roof which taper down in size as they approach the top of the building. For the units named, it is not structurally feasible to change the wall layout due to the existing column layout and transfer beam. Additionally, both units' stacks have 2-hour mechanical, electrical, and plumbing chases penetrating floors and unit-separation walls which also prevent wall relocation.

I am not aware of, nor have I inspected, a building in Daytona Beach Shores with this configuration in the 22-years I have worked here.

Please let me know if you have questions.

Sincerely,

Steven Edmunds

Building Official

City of Daytona Beach Shores

2990 S Atlantic Ave.

Daytona Beach Shores, FL 32118

386-763-5377

From: Herstein, Gwyn <GHerstein@cityofdb.org>

Sent: Wednesday, April 15, 2026 3:01 PM

To: Edmunds, Steve <SEdmunds@cityofdb.org>

Subject: Max Daytona at 1901 S. Atlantic Ave. - Questions about the Land and Building

Steve,

As you are aware, Max Daytona has submitted a variance request to utilize eleven 1-bedroom residential units with floor area below the minimum 1,000 sq ft. required by *LDC*, Sec. 14-18.4. Ten units are currently 890 sq ft (named AQUA 1B on the attached plan page) and one lobby unit is 830 sq ft (named LOBBY AQUA 1B on the attached plan page). The locations of these units are depicted on each page.

Based on plans you approved and your recollection of the construction of this building, are you aware of any special conditions or circumstances which are peculiar to the land or building which are not applicable generally to other land , structures or buildings in the same zoning classification (which is T/RMF-1)?

If you are, would you please describe such conditions and circumstances?

Most sincerely,

Gwyn Herstein, City Planner
CITY of DAYTONA BEACH SHORES
2990 S. Atlantic Avenue
Daytona Beach Shores, FL 32118
Phone: (386)763-5376

PLEASE NOTE: Florida has very broad public records laws. Most written communication to or from City of Daytona Beach Shores officials and employees regarding public business are available to the public and media upon request. Your email address is a public record. If you do not want your email released in response to a public records request, do not send electronic mail to this entity. Instead, please contact this office by phone or in writing. The views expressed in this message may not reflect those of the City of Daytona Beach Shores. If you have received this message in error, please accept our apologies and please let us know. Thank you.

Attachment D

Survey

1901 S. Atlantic Ave.

3 Pages

Attachment E

Proof - Public Notice Requirements Met

14 Pages

**AFFIDAVIT OF COMPLIANCE WITH THE PUBLIC NOTICE
REQUIREMENTS OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA**

I, the undersigned, hereby certify that I have mailed or caused to be mailed by First Class, Certified Mail, to the named property owners listed below whose property is abutting the property which is the subject of an application and public hearing pursuant to the City of Daytona Beach Shores Code of Ordinances, a notice containing the time, date and purpose of the public hearing and address of the subject property. The notices were sent at least thirty (30) days prior to the meeting date. A copy of the notice and signed certified mail return cards are attached. The subject property was also posted with a placard on 02-27-2026. A legal advertisement of the type and size required by the Daytona Beach Shores Code of Ordinances was placed in the Daytona News-Journal on N/A. A proof of publication affidavit is attached.

The names and addresses of the following property owners were obtained from the Volusia County Property Appraiser's Office and mailed to said property owners on 02-06-2026.

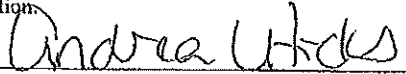
Name	Address
Attachments	
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Hearing Date: 03-09-2026
 Printed Name: Corey D. Brown
 Address: 420 S. Nova Rd.
Daytona Beach, FL

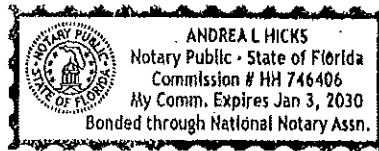
Signature: 

STATE OF FLORIDA
 COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this February 27, 2026 by Corey D. Brown, who is personally known to me or who has produced _____ as identification.


 Signature

Printed or Typed Name _____
 Commission # _____
 My Commission Expires _____



NOTICE TO ABUTTING PROPERTY OWNERS

February 6, 2026

The owners of the property located at 1901 S. Atlantic Ave, Daytona Beach, Florida 32118, which abuts your property, have submitted an application to the City of Daytona Beach Shores for the following request:

Zoning Variance for Parcel No. 531600020010 to permit ten (10) 1-bedroom condominium units, each with a square footage of 950 sq. ft., in lieu of the minimum 1,000 sq. ft. required by the Land Development Code.

The City of Daytona Beach Shores will hold a Public Hearing on this application as follows:

**Daytona Beach Shores Planning & Zoning Board
Monday, March 9, 2026, at 8:30 a.m.**

This meeting will be held in the City Commission Chambers in the Community Center located at 3000 Bellemead Drive, Daytona Beach, Shores. All interested parties may appear at the public hearing and will be given an opportunity to be heard.

If this Notice is to a homeowner's association, condominium association or the management company for same, please post a copy of this Notice in a place where occupants of the association or condominium will be likely to see it.

The application is available for public inspection at the City of Daytona Beach Shores, Community Services Department, 2990 S. Atlantic Avenue, Daytona Beach Shores, Florida. For more information, please contact the Planning Division at (386) 763-5376. All interested parties are invited to appear at the public hearing and submit oral or written objections or comments.

Anyone who wishes to appeal any decision by the City with respect to any matter considered at said Public Hearing will need a record of Public Hearing proceedings, including all testimony and evidence, and should arrange in advance for the making of a verbatim transcript of the Public Hearings. The Public Hearing may be continued to one or more dates. The dates, times and places of any continuation of the Public Hearing will be announced at the Public Hearing and no further notice regarding said continuation is required to be published.

In accordance with the Americans with Disabilities Act (ADA), persons needing special accommodations to participate in the proceedings should contact the City Clerk's Office no later than seven working days prior to the hearing.

RECEIVED
FEB 09 2026
BUILDING AND CODES DIVISION
CITY OF DAYTONA BEACH SHORES



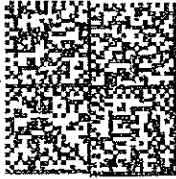
STORCH
LAW FIRM

420 South Nova Road
Daytona Beach, Florida 32114

CERTIFIED MAIL®



9589 0710 5270 2030 0201 47



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FIRST-CLASS MAIL
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\$010.44

02/06/2026 ZIP 32114
044K33228675

US POSTAGE

PLANNING DEPARTMENT
CITY OF DAYTONA BEACH SHORES
2990 S Atlantic Ave.
Daytona Beach Shores, FL 32118

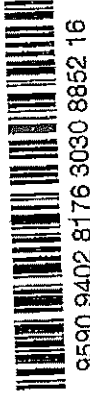
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Planning Department
 City of Daytona Beach Shores
 2990 S. Atlantic Ave.
 Daytona Beach Shores, FL 32118



2. Article Number (Transfer from service label)

9589 0710 5270 2030 0201 47

PS Form 3811, July 2020 PSN 7530-02-000-9058

COMPLETE THIS SECTION ON DELIVERY

A. Signature _____ Agent
 Addressee
 B. Received by (Printed Name) _____ C. Date of Delivery _____
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery
 - Priority Mail Express®

Domestic Return Receipt

✓ Receipt

Remove X

Tracking Number:

9589071052702030020147

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 11:02 am on February 9, 2026 in DAYTONA BEACH, FL 32118.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered

Delivered, Left with Individual

DAYTONA BEACH, FL 32118

February 9, 2026, 11:02 am

[See All Tracking History](#)

Feedback

[What Do USPS Tracking Statuses Mean?](https://faq.usps.com/s/article/Where-is-my-package) (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



USPS Tracking Plus[®]



Product Information



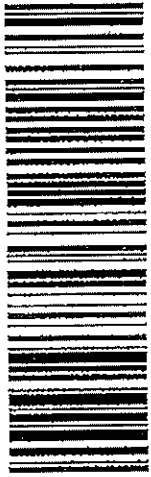
See Less ^



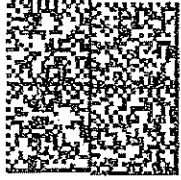
STORCH
LAW FIRM

420 South Nova Road
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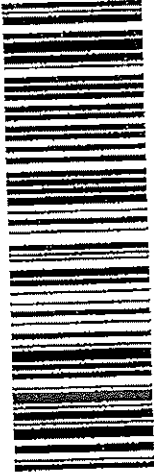
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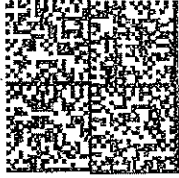
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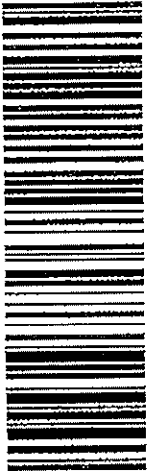




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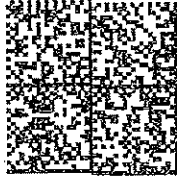
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 199 Bay ST STE 2900 Box 459
 Toronto ON, Canada M5L 1G4



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 - Registered Mail™
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NOTICE OF PUBLIC HEARINGS

The owners of the property located at 1901 S. Atlantic Ave, Daytona Beach, Florida 32118, have submitted an application to the City of Daytona Beach Shores for the following request: Variance for Parcel No. 531600020010 to permit ten (10) 1-bedroom condominium units, each with a square footage of 950 sq. ft., in lieu of the minimum 1,000 sq. ft. required by the Land Development Code.

The following public hearing has been scheduled for consideration for the above items:

Daytona Beach Shores City Commission
Monday, March 9, 2026, at 8:30 a.m.

Located in the City Council Chambers in the Community Center
3000 Bellemead Drive, Daytona Beach Shores, Florida

The applications are available for public inspection at the City of Daytona Beach Shores, Community Services Department, Planning Division, 2990 S. Atlantic Avenue, Daytona Beach Shores, Florida. For more information, please contact the Planning Division at (386) 763-5376. All interested parties are invited to appear at the public hearings and submit oral or written objections or comments.

Anyone who wishes to appeal any decision by the City with respect to any matter considered at said Public Hearings will need a record of Public Hearing proceedings, including all testimony and evidence, and should arrange in advance for the making of a verbatim transcript of the Public Hearings. The Public Hearings may be continued to one or more dates. The dates, times and places of any continuation of the Public Hearings will be announced at the Public Hearings and no further notice regarding said continuation is required to be published.

In accordance with the Americans with Disabilities Act (ADA), persons needing special accommodations to participate in the proceedings should contact the City Clerk's Office no later than seven working days prior to the hearing.

If you have any questions, please contact:
Cory D. Brown Esq.
Storch Law Firm
420 South Nova Road
Daytona Beach, FL 32114 (386) 238-8383

03/02/2026



**CITY COMMISSION AGENDA MEMORANDUM
APRIL 20, 2026 AGENDA**

TO: Honorable Mayor and Members of the City Commission
FROM: Stewart Cruz, Community Services Director
PREPARED BY: Stewart Cruz, Community Services Director
SUBJECT: 2025 Concurrency Management Report

SYNOPSIS:

Per Sec. 3-7 of the Land Development Code of the City of Daytona Beach Shores (hereafter the "Code"), every December, the concurrency manager shall prepare and present to the City Commission and the public a report on the public facilities capacities and level-of-Service inventory for concurrency management. This report shall include the degree of any facility deficiencies and a summary of the impacts the deficiency(s) will have on the approval of future development orders.

The concurrency manager shall then recommend a schedule of improvements necessary to prevent a deferral or moratorium on the issuance of development orders. Attached is the 2025 Concurrency Report, which evaluated all public facilities in the city's concurrency management system, i.e. Roads/Traffic Circulation, Sanitary Sewer, Solid Waste, Stormwater Drainage, Potable Water and Recreation and Open Space, Public Schools. The report identified minor deficiencies in public schools and recreation and open space. However, the school district has accommodated for the public school deficiencies, while the city's recreation and open space level of services, which created the deficiency, needs to be re-evaluated by the city because it includes amenities that are likely to be unattainable in the city. Therefore, the concurrency management report concludes that the system generally has adequate capacity and no new schedule of improvements to the concurrency management system is required.

FISCAL IMPACT STATEMENT:

BACKGROUND:

Per Sec. 3-1 of the Code, the purpose of the "Concurrency Management System" is to set forth a system by which the public facilities and services necessary to support a proposed development are available, or will be made available, concurrent with the impacts of the development. The provisions of this Code are designed to provide a systematic process for review and evaluation of all proposed development for its impact on public facilities and services, as required by Sec. 163.3180, Florida Statutes and the Daytona Beach Shores Comprehensive Plan.

Subsequent to the city review of a site development plan for new development or redevelopment, no

final development order shall be granted for a proposed development until there is a finding that all public facilities and services included in the Code have sufficient capacity at or above their adopted level-of-service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development, as defined by the Code.

Attached is the 2025 Concurrency Report, which identified minor deficiencies in public schools and recreation and open space. However, the school district has accommodated for the public school deficiencies, while the city's recreation and open space level of services, which created the deficiency, needs to be re-evaluated by the city because it includes amenities that are likely to be unattainable in the city. Therefore, the concurrency management report concludes that the system generally has adequate capacity and no new schedule of improvements to the concurrency management system is required.

LEGAL REVIEW:

RECOMMENDATION:

The 2025 Concurrency Management Report does not identify any significant deficiency in public facilities regulated by the Code; therefore, staff does not recommend any capacity concurrency related schedule of capital improvements nor development moratorium at this time.

SUGGESTED MOTION:

- ATTACHMENT:**
1. Daytona Beach Shores CMS Report-2025
 2. CMS Report-2025-Exhibits (2)

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This 2025 Concurrency Management Report was prepared by the Community Services Department.

I. CONCURRENCY MANAGEMENT REPORT REQUIREMENT

Per Sec. 3-7 of the Land Development Code of the City of Daytona Beach Shores (hereafter the "Code"), every December, the concurrency manager shall prepare and present to the City Commission and the public a report on the public facilities capacities and level-of-Service inventory for concurrency management within the city's concurrency management system. This report shall include the degree of any facility deficiencies and a summary of the impacts the deficiency(s) will have on the approval of future development orders.

The concurrency manager shall then recommend a schedule of improvements necessary to prevent a deferral or moratorium on the issuance of development orders. This report contains an overview, analysis, status report and summary, which demonstrates that all public facilities in the concurrency management system, i.e. Roads/Traffic Circulation, Sanitary Sewer, Solid Waste, Stormwater Drainage, Potable Water and Recreation and Open Space, Public Schools, generally have adequate capacity.

II. DEFINITIONS

Per Sec. 2-2 of the Code defines concurrency and the concurrency management system as follows:

Concurrency. A condition where specified facilities and services have or will have the necessary capacity to meet the adopted level-of-service standard at the time of impact of the development project (Sec. 2-2, Code).

Concurrency Management System (CMS): That system of review and evaluation of all proposed development for its impact on public facilities and services as required by F.S. ch. 163, Rule 9J-5.0055, Florida Administrative Code, and the city's adopted Comprehensive Plan (Sec. 2-2, Code).

III. PURPOSE OF THE CONCURRENCY MANAGEMENT SYSTEM

Per Sec. 3-1 of the Code, the purpose of the "Concurrency Management System" is to set forth a system by which the public facilities and services necessary to support a proposed development are available, or will be made available, concurrent with the impacts of the development. The provisions of this Code are designed to provide a systematic process for review and evaluation of all proposed development for its impact on public facilities and services, as required by Sec. 163.3180, Florida Statutes and other relevant law.

Subsequent to the city review of a site development plan for new development or redevelopment, no final development order shall be granted for a proposed development until there is a finding that all public facilities and services included in the Code have

sufficient capacity at or above their adopted level-of-service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development, as defined by the Code. **Exhibit A** attached provides a list of Daytona Beach Shores entitlements for approved future development.

IV. PUBLIC FACILITIES AND SERVICES SUBJECT TO CONCURRENCY REVIEW

Sec. 3-2 of the Code outlines the public facilities and services for which concurrency review are required as follows:

1. Roads/Traffic Circulation.
2. Sanitary Sewer.
3. Solid Waste.
4. Stormwater Drainage.
5. Potable Water.
6. Recreation and Open Space.
7. Public Schools.

V. CONCURRENCY REVIEW PROCEDURE

Per Sec. 3-5 of the Code, the concurrency manager shall be responsible for conducting all concurrency reviews as required by the Code, Comprehensive Plan and Florida Statute. Concurrency review is initiated upon receipt of a completed concurrency review form during the site development plan application review process. The concurrency manager may also conduct concurrency reviews for developments in the preapplication or conceptual development plan stage and issue a nonbinding letter of concurrency findings. Concurrency reviews for public school facilities shall be conducted by the school district and letters of certification from other agencies may be required.

No final development order shall be granted for a proposed development until there is a finding that all applicable public facilities and services have sufficient capacity at or above their adopted level-of-service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development, as defined by the Code.

VI. LEVEL-OF-SERVICE STANDARDS & CURRENT STATUS

Per Sec. 3-3 of the Code, the adopted level-of-service standards for the public facilities for which concurrency is required shall be as established in the city's Comprehensive Plan, and as follows:

A. Roads/Traffic Circulation.

1. Arterials (A1A)—LOS "D." Level-of-Service D consists of high-density yet stable flow. The ability to select a desired speed and to change lanes is severely restricted, and the driver or passenger experiences a fair level of comfort and convenience. Small increases in traffic flow can cause operational problems at this LOS. Average travel speeds for vehicles at LOS "D" is ≥ 17 mph. **Status:** *The current road network is at or above acceptable level-of-service.*

2. City, County and State Collectors—LOS "E." Level-of-Service E represents unstable flow and indicates that the road is at or near capacity. Speeds are generally reduced to a low (≥ 13 mph), but relatively uniform value during peak periods. Ability to change lanes is extremely difficult and is generally accomplished by forcing another vehicle to slow down to accommodate such maneuvers. Comfort and convenience is poor and driver frustration is high. Small increases in traffic volume or other minor problems such as a stalled vehicle can cause traffic to come to a complete stop for relatively long periods. **Status:** *The current road network is at or above acceptable level-of-service.*

3. The FSUTMS (Florida Standard Urban Transportation Modeling System) and the standard Florida Department of Transportation methods for evaluation of LOS and capacity shall be used, subject to modifications based on travel speed studies.

B. Sanitary Sewer.

Ninety (90) gallons per capita per day (gpcd). For local collection/transmission capacity or Port Orange's treatment capacity of two hundred fifty (250) gallons per equivalent residential unit per day (gal/ERU/day), whichever is more restrictive, shall be the established LOS standard. **Status:** *The current sanitary sewer system treatment capacity is above acceptable level-of-service.*

C. Solid Waste.

Ten (10) pounds per capita per day. **Status:** *The current solid waste facility capacity is above acceptable level-of-service.*

D. Stormwater Drainage.

Twenty-five-year, twenty-four-hour design storm event. **Status:** *Stormwater outfalls into the Halifax River. Every new development has and is required to meet the level-of-service standard. Additionally, the city and county are in the process of developing a stormwater master plan for the city and adjacent areas from Frazer Road to Marcelle Avenue.*

E. Potable Water.

The greater amount of potable water required to meet:

DAYTONA BEACH SHORES CONCURRENCY MANAGEMENT REPORT, 2025

- a. Ninety-five (95) gallons per capita per day (gpcd) average city-wide at peak occupancy; or
- b. For the Port Orange service area, one hundred ten (110) gallons per capita per day per permanent resident for residential units and one (1) gallon per square foot per day for commercial accounts. Port Orange has a reserved capacity of one million gallons (1,000,000) per day average daily flow (ADF) for the Daytona Beach Shores service area; or
- c. For the Daytona Beach service area, one hundred fifty (150) gallons per capita per day per permanent resident plus thirty-five (35) percent additional for peak flow. Daytona Beach has committed to provide all potable water required by new and existing development at a minimum of twenty (20) psi. A reserved capacity will be requested prior to January 1, 1991, for the Daytona Beach Shores service area.

Status: *The current potable water system treatment and pumping capacities for both the city of Port Orange and Daytona Beach are above acceptable level-of-service.*

F. Recreation/Open Space.

Facility	Unit of Measure
Playgrounds	1 per 10,000 people
Neighborhood Park	1 per 10,000 people
Community Park	1 per 25,000 people
Children's Play Areas	1 per 1,000 people
Baseball/Softball Field	1 per 15,000 people
Golf (9 Hole Course)	1 per 20,000 people
Tennis Courts	1 per 20,000 people
Football/Soccer Field	1 per 30,000 people
Swimming Pool	1 per 10,000 people
Community Center	1 per 20,000 people
Exercise Trail	1 per 14,000 people
Nature Study Trail	1 per 14,000 people

The City of Daytona Beach Shores shall not allow the conversion of park and recreational open space areas into other public or private uses, except where the public interest overrides the preservation of these uses.

Status: *The 2025 Daytona Beach Shores Parks & Recreation Master Plan identified several deficiencies (“need”) in the current park and recreation system when the adopted level-of-service-standard is applied (see below) to current and projected population.*

The deficiencies (“need”) identified are a function of the city’s population relative to its level-of-service standards, which will need to be evaluated for applicability to Daytona Beach Shores. For example, the need for a baseball/softball field, golf course, football/soccer field and a nature study trail in Daytona Beach Shores may not be applicable considering the current and projected demographic makeup of the city. In addition, land and land prices on beachside may be a limiting factor in achieving these standards. Further, the standard for children play areas may also be excessive for the city due to the very low children count within the city.

PARKS & RECREATION MASTER PLAN

Recreation Facility LoS - 2025 (Fig. 2.50)

Recreation Facility	LoS Standard	Facilities Required (2025)*	Facilities Provided (2025)	Need/ Surplus (2025)	Facilities Required (2030)*	Need/ Surplus (2030)
Playgrounds	1/10,000	1	1	0	1	1
Neighborhood Park	1/10,000	1	5	+4	1	+4
Community Park	1/25,000	1	1	0	1	0
Children's Play Areas	1/1,000	5	3	-2	6	-3
Baseball/Softball Field	1/15,000	1	0	-1	1	-1
Golf (9H)	1/20,000	1	0	-1	1	-1
Tennis Courts	1/20,000	1	6	+5	1	+5
Football/Soccer Field	1/30,000	1	0	-1	1	-1
Swimming Pool	1/10,000	1	0	-1	1	-1
Community Center	1/20,000	1	1	0	1	0
Exercise Trail	1/14,000	1	1	0	1	0
Nature Study Trail	1/14,000	1	0	-1	1	-1

*5,039 Residents - 2025; 5,176 Residents - 2030 Projected

G. Public Schools.

Consistent with the public school facilities element of the Comprehensive Plan and the interlocal agreement for public school facilities planning, the uniform, district-wide level-of-

service standards for public schools are set as follows using FISH capacity, based on the traditional school calendar:

1. Elementary Schools: One hundred fifteen (115) percent of permanent FISH capacity for the concurrency service area.
2. K-8 Schools: One hundred fifteen (115) percent of permanent FISH capacity for the concurrency service area.
3. Middle Schools: One hundred fifteen (115) percent of permanent FISH capacity for the concurrency service area.
4. High Schools: One hundred twenty (120) percent of permanent FISH capacity for the concurrency service area.
5. Special Purpose Schools: One hundred (100) percent of permanent FISH capacity.

3-3.8. Degraded Level-of-Service.

Notwithstanding the foregoing, the prescribed levels-of-service may be degraded during construction of new facilities, if upon completion of the new facilities the prescribed level-of-service will be met.

Status: *RJ Longstreet Elementary School currently has adequate capacity. Silver Sands Middle, Atlantic High and Spruce Creek High schools all show a deficiency in permanent school capacity. However, the Volusia County School District has temporary student stations and planned programmatic and permanent improvements in place and scheduled to address these deficiencies. See attached Daytona Beach Shores Concurrency Management Summary Report (**Exhibit B**) for more information.*

VII. CONCLUSION

Considering the findings of this report, which are summarized in **Exhibit B** attached, it is the opinion of the Concurrency Manager that the concurrency management system is currently stable and no relevant schedule of capital improvements or moratorium on development are needed at this time.

EXHIBIT A: DAYTONA BEACH SHORES DEVELOPMENT ENTITLEMENT LIST, DECEMBER 2025

ID	ADDRESS	PROJECT NAME	INTENSITY	DEVELOPMENT TYPE	DEVELOPMENT ORDER TYPE	DATE OF DEVELOPMENT ORDER ISSUANCE	DEVELOPMENT ORDER EXPIRATION DATE	
1	2025 S. Atlantic Ave	Treasure Island	200 Units	23 Stories	Multi-family Residential		RMF-2/1/2037	
			300 Units	23 Stories	Hotel	Development Agreement	2/2/2022	Hotel-2/1/2030
2	3723 Cardinal Blvd	Cardinal Villas	4 Units	3 Stories	Townhomes	Site Plan	7/6/2022	1/3/2029
3	3637 S. Atlantic Ave	Liv Condo	75 Units	16 Stories	Multi-family Residential	Site Plan	1/23/2024	1/23/2029
4	3411 S. Atlantic Ave	Aston Martin by the Shores	86 Units	18 Stories	Multi-family Residential	Development Agreement	4/24/2024	4/23/2031
5	2601 S. Atlantic Ave	Cambria Hotel	101 Units	7 Stories	Hotel	Development Agreement	6/24/2024	6/23/2029
6	2616 S. Atlantic Ave	All Aboard Storage	123 Units (36,405 sf)	3 Stories	Commercial Storage	Site Plan	9/8/2024	7/31/2029
7	3159 S. Atlantic Ave	Lux Condo	30 Units	7 Stories	Multi-family Residential	Site Plan	11/12/2024	11/11/2029

EXHIBIT B: DAYTONA BEACH SHORES CONCURRENCY MANAGEMENT SUMMARY REPORT, DECEMBER 2025

ID	PUBLIC FACILITY	CURRENT CAPACITY	EXISTING ENTITLEMENT	VESTED ENTITLEMENT	DIFFERENCE	ADEQUATE CAPACITY	COMMENT	SOURCE
1	Roads/Traffic Circulation	SR A1A (S. Atlantic Ave): Varies by Segment	Varies by Segment	Varies by segment	Varies by segment	YES	LOS and volume to capacity ratios are all passing for each segment within the roadway system in the city.	Traffic Online Website, 2024 and Volusia County AADT 2022 report.
		CR 4075 (S. Atlantic Ave): Varies by Segment	Varies by Segment	Varies by segment	Varies by segment	YES	LOS and volume to capacity ratios are all passing for each segment within the roadway system in the city.	Traffic Online Website, 2024 and Volusia County AADT 2022 report.
		SR 441 S. Peninsula Dr): Varies by Segment	Varies by Segment	Varies by segment	Varies by segment	YES	LOS and volume to capacity ratios are all passing for each segment within the roadway system in the city.	Traffic Online Website, 2024 and Volusia County AADT 2022 report.
		Cardinal Boulevard: Varies by Segment	Varies by Segment	Varies by segment	Varies by segment	YES	LOS and volume to capacity ratios are all passing for each segment within the roadway system in the city.	Traffic Online Website, 2024 and Volusia County AADT 2022 report.
2	Sanitary Sewer	Treatment Capacity: 12MGD	8.03MGD	3.97 MGD	YES	NA	Management Report	
3	Solid Waste	Class 1 (General household waste): 1,059,779 tons Class 3 (Yard waste): 905,401 tons	Class 1: 470,046 tons Class 3: 253,647 tons	NA	Class 1: 589,733 tons Class 3: 651,754 tons	YES	The 3,400-acre Volusia County Tomoka landfill area has a life expectancy to 2052. Additionally, a 217 acre addition for Class 3 waste is currently in the planning stages.	Enhancing Florida's Recycling Programs, Deliverable 1 Waste Management System Capacity Analysis, FDEP, May 2025
4	Stormwater Drainage	Varies by development	NA	NA	Varies by development	YES-See Comment	All new development are required to meet the city's stormwater management standards and contain the 24hr/25yr storm rainfall generation on site. All vested entitlements for new development meet the aforementioned LOS required by the city. However, the City/County will be developing a stormwater master plan for the city and county areas from Frazer Road to Marcelle Avenue. This master plan may recommend changes in LOS and capital improvements to improve the shared stormwater system in the study area.	Daytona Beach Shores Comprehensive Plan, 2025; Daytona Beach Shores Stormwater Master Plan Preliminary Scope, 2025
5	Potable Water	Daytona Beach: Treatment Capacity-16.03 MGD	14.96 MGD	1.06 MGD	YES	YES	Additionally, the City of Daytona Beach has two water reclamation facilities that produce reclaimed water which continues to aid in meeting adopted LOS and demand anticipated by projected population growth.	City of Daytona Beach Ten-Year Water Supply Facilities Work Plan, 2023
		Port Orange: Treatment Capacity-15 MGD	7.9 MGD	7.1 MGD	YES	YES	Additionally, the City of Port Orange has a reclaimed water program which continues to aid in meeting adopted LOS and demand anticipated by projected population growth.	Port Orange 2025 Concurrency Management Report, 2025
6	Recreation and Open Space	Varies by type	Varies by type	Varies by type	Varies by type	Varies by type	The recent Parks & Recreation Master Plan identified minor deficiencies in 6 recreations areas: children play areas, baseball/softball fields, golf, football/soccer field, swimming pool and nature study trail. However, due to the demographic, physical and natural make up of the city, the LOS standards that result in the deficiencies for the recreational facilities in question will need to be evaluated for omission or reduction.	Daytona Beach Shores Parks & Recreation Master Plan Daytona Beach, 2025; Daytona Beach Shores Comprehensive Plan, 2025
7	Public Schools	RJ Longstreet ES: 460	318	5	137	YES	NA	Volusia County School Planning & Business Services, 2025 Annual Report
		Silver Sands MS: 1043	1,271	94	-322	YES-See Comment	Currently, temporary student stations are being utilized to accommodate the permanent on site capacity deficiency. Additionally, the VC School Board has approved a 14-classroom addition scheduled for completion in 2028. The VC School District enrollment for this zone is projected to remain stable. Hence, the District has determined there is no need for additional scheduled plan capital improvements.	Volusia County School Planning & Business Services, 2025 Annual Report
		Atlantic HS: 1,256	1,508	107	-359	YES-See Comment	Currently, Atlantic HS does not have adequate permanent on site capacity; however, a significant number of its zoned students attend other area schools, for example over 300 students use choice variances to attend Spruce Creek HS. The VC School District enrollment for this zone is projected to remain stable. Hence, the District has determined there is no need for scheduled plan capital improvements.	Volusia County School Planning & Business Services, 2025 Annual Report
		Spruce Creek HS: 1,938	2,186	37	-285	YES-See Comment	Currently, Spruce Creek HS does not have adequate permanent on site capacity; however, temporary student stations are being utilized to accommodate the deficiency. VC School District staff is recommending programmatic and boundary shift to address this issue short term and considering permanent capacity improvements to address the long term deficiency. The district will continue to monitor the student distribution to resolve the school's capacity issues.	Volusia County School Planning & Business Services, 2025 Annual Report



**PLANNING & ZONING BOARD AGENDA MEMORANDUM
APRIL 20, 2026 AGENDA**

TO: The Members of the Planning & Zoning Board

FROM:

PREPARED BY: Cheri Schwab, City Clerk

SUBJECT: Training with Online Agenda system

SYNOPSIS:

Staff will train board members with Agenda Meeting Management Online system.

FISCAL IMPACT STATEMENT:

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

ATTACHMENT: None