

MINUTES
PLANNING & ZONING BOARD MEETING
December 9, 2024
3000 Bellemead Drive Daytona Beach Shores, FL 32118

1. OPENING REMARKS

The meeting was called to order at 8:37 am.

Present: Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai, Alternate Members Chris Pollard and Joe Monaco. Member Excused: Rick Delange.

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

A. Board Oath for Joseph Monaco

Alternate member Joseph Monaco was sworn in by Attorney Waters.

2. MINUTES

A. Planning & Zoning Minutes October 14, 2024

MEMBER CHUCK HORION MOVED, SECONDED BY BOARD MEMBER CHRIS POLLARD TO APPROVE THE PLANNING & ZONING MINUTES OF OCTOBER 14, 2024.

VOTE: MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE (SUMMARY: YES = 5 NO = 0).

YES: MEMBER CHUCK HORION, MEMBER JAMES LILLY, MEMBER ROSE ANN TORNATORE, MEMBER GUY DESAI, BOARD MEMBER CHRIS POLLARD

3. QUASI-JUDICIAL HEARING

A. Zoning Variance ZV12024029: 2830 Gladys Terrace - Ramey, Front Yard Setback Variance to Install Patio Canopy

Attorney Waters swore in all the witnesses for the hearings. The board members stated there was no ex-parte communication. City Planner Gwyn Herstein provided the details for the variance. The property owner would like to install a patio canopy in the front yard setback. The project met all seven criteria for a variance and staff recommended approval. No one in the audience wished to speak for or against the project. There were no additional questions from the board.

BOARD MEMBER CHRIS POLLARD moved, seconded by MEMBER CHUCK HORION to Approve Zoning Variance ZV12024029.

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

Yes: Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai, Board member Chris Pollard

B. Zoning Variance ZV12024030: 2902 River Point Drive - Mayberry, Front Yard Setback Variance to Extend Garage

City Planner Gwyn Herstein provided the details for the variance request. The applicant would like to construct a garage extension from the existing garage into the front yard setback. It was noted that only four of the required criteria were met for a variance to be granted per the city's code. The applicant stated in the application that no special conditions existed on the property and therefore, two criteria were automatically not met. Staff recommended denial of the project due to not meeting

all seven criteria. Mr. Lilly inquired about the large truck in the picture of the driveway. The construction manager stated that was why the property owners wanted the extension. The truck does not fit in the garage and the owners would like it enclosed. The garage has an 8-foot laundry room that takes up space in the front. The owner was not present to provide any other details on the project. There were no other audience members who wished to speak for or against the project.

MEMBER CHRIS POLLARD moved, seconded by MEMBER JAMES LILLY to Deny the Zoning Variance ZV12024030 due to the project not meeting the seven required criteria and the owner not being present to provide details.

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

Yes: Member Chuck Horion, Member James Lilly, Member Rose Ann Tornatore, Member Guy Desai, Board member Chris Pollard

4. ACTION ITEMS

- A. Ordinance 2024-22: Allowing Non-Conforming Land Use for Jet Set of Daytona at 2560 S. Atlantic Avenue

City Planner Gwyn Herstein reviewed the details of the proposed ordinance. The original location of the business was severely damaged during Hurricane Ian in 2022. It was temporarily moved to the existing location while renovations took place. The business owner would like to be able to remain at the existing location as it is not financially feasible to return to his original location. It was explained that due to a timing issue with the holiday meeting schedule, the City Commission had already heard the ordinance on first reading prior to it coming before the board. Staff recommended approval. There were no questions or comments from the board.

MEMBER CHUCK HORION moved, seconded by MEMBER GUY DESAI to recommend approval of Ordinance 2024-22 to the City Commission.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 1).

Yes: Member Chuck Horion, Member Rose Ann Tornatore, Member Guy Desai, Board member Chris Pollard

No: Member James Lilly

5. OTHER

6. BOARD COMMENTS

7. ADJOURNMENT

The meeting ended at 9:10 am.

Cheri Schwab, Recording Secretary

Rick DeLange, Chairman