

BOARD OF ADJUSTMENT
MINUTES OF
REGULAR MEETING
August 15, 2019

A regular meeting of the City of Daytona Beach Board of Adjustment was held on Thursday, August 15, 2019 at 1:00 p.m. in the City Commission Chambers, 301 S. Ridgewood Ave., Daytona Beach, Florida.

Board members present were as follows:

Mr. Trey Harshaw, Chair
Mr. Roger Stine, Vice Chair
Ms. Sharlene Barhoo
Ms. Maja Sander Bowler
Mr. Eddie Gentle
Mr. Larry Riley

Board members absent:

Mr. Gary Libby

Staff members present were as follows:

Ms. Lauren Taylor, Planner
Mr. Ben Gross, Deputy City Attorney
Ms. Becky Groom, Board Secretary

1. Call to Order

Mr. Harshaw called the August 15, 2019 Board of Adjustment Meeting to order at 1:00 p.m.

2. Roll Call

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

3. Introduction of City Staff

Mr. Harshaw introduced staff members in attendance, as listed above.

4. **Approval of Minutes**

- a. June 20, 2019 minutes

Board Action:

A motion was made by Mr. Riley, seconded by Ms. Barhoo, to approve the minutes of the June 20, 2019 minutes as presented. The motion carried (6-0).

- b. July 18, 2019 minutes

Board Action:

A motion was made by Ms. Barhoo, seconded by Ms. Bowler, to approve the minutes of the July 18, 2019 meeting as presented. The motion carried (6-0).

5. **Case A – BOA2019-008 - Variances from the Seabreeze Historic District Design Guidelines**

A request by Ronald Raml (property owner) for variances from the Seabreeze Historic District Design Guidelines to reduce the minimum required interior side yard setback for an accessory structure from 5' to 2.5', increase the maximum width for a garage from 25' to 35', and increase the maximum percentage of principal building floor area that may be occupied by an accessory structure from 25% to 44.3% to allow for the development of a 685 sq. ft. detached garage. The property is located at 220 Riverview Blvd. The zoning on the property is Single-Family Residential-5 (SFR-5), and the Future Land Use (FLU) on the property is Level 1 Residential. The property is also located in the Seabreeze Local Historic District and the Seabreeze National Historic District.

Mr. Gross stated the minutes of the Historic Preservation Board meeting of July 31, 2019, where this case was presented have been provided to the Board of Adjustment for their reference.

Mr. Harshaw stated a schematic of the proposed structure has been provided as well.

Applicant Presentation:

Ronald Raml, 220 Riverview Board, Daytona Beach stated he and his wife have purchased the home at 220 Riverview and are committed to restoring the home and building a new garage. Mr. Raml stated the plans proposed were reviewed and approved by the Historic Preservation

Board, pending the approval of the requested variances. Mr. Raml stated he is requesting to build a garage structure that would be relevant to today's living. Mr. Raml stated his plans are to build a structure that will house two cars and safely and securely store bicycles, landscaping equipment, tools, and a workbench. Mr. Raml stated the current structure is a foot from the property line and he proposes to move the proposed structure an additional 1.5 feet away from the property line and plans to increase the depth of the structure. Mr. Raml stated he is trying to maintain an appropriate spatial relationship between the house and the garage and that is why the garage is "L" shaped. Mr. Raml stated the wing of the structure is considerably narrower. Mr. Raml stated the main garage will be the only part of the structure that will be visible from Riverview Blvd. Mr. Raml stated the garage will be 20 feet wide which is the same as the current structure. Mr. Raml stated the storage wing will be obscured by the house and landscaping and will not be visible from the right of way.

Mr. Gentle asked the about the distance between the existing garage and the house and stated it appears there is only about 36" between the building and the garage.

Mr. Raml stated it is about 10 feet.

Mr. Gross stated there is a site plan included as part of the packet.

Ms. Bowler stated when looking at the second page of the plan, it appears to be about 8 feet.

Mr. Harshaw stated it appears to be about 10 feet to him.

Mr. Stine stated this is a historic district and a structure could be built without requesting variances.

Mr. Raml stated a structure could be built on the current space to house the vehicles but there would not be enough space for storage. Mr. Raml stated throughout the city, there are homes where people have to make the choice of parking their vehicles in the garage or using the space for storage but can't do both. Mr. Raml stated the existing garage is dilapidated and is unsafe and needs to be removed. Mr. Raml stated it does not make sense to build a garage that is not suitable for today's modern living. Mr. Raml stated using the FAR, the proposed structure would only be about 385 feet and he might as well build a shed. Mr. Raml stated he and his wife have moved from St. Petersburg where they previously renovated several historic homes.

Ms. Bowler stated it appears Mr. Raml has put a lot of thought into the proposed structure. Ms. Bowler stated with today's lifestyle, it is outdated to not have a garage; and if a smaller garage is built, junk will accumulate outside the structure. Ms. Bowler stated Mr. Raml has put a lot of thought into what has been proposed and feels it is reasonable.

Mr. Raml stated he has shared his proposed plans with the neighbors and all feel it is compatible with the site. Mr. Raml stated with his extensive experience in restoring homes, there has to be a balance between saving historical character and what items need to be upgraded. Mr. Raml stated building an obsolete garage does not make sense.

Mr. Harshaw asked if this will be Mr. Raml's permanent residence.

Mr. Raml stated he and his wife intend to live on the site.

Mr. Harshaw asked if the garage will overpower the house. Mr. Harshaw stated he likes the way the proposed structure is staggered and will not be visible from the street.

Ms. Taylor stated she did not know the height of the house but the height of the proposed garage is 14' 8".

Mr. Raml stated the gabled sides of the house are 20 feet high and the garage will not overpower the house.

Mr. Gentle asked if the driveway will be widened.

Mr. Raml stated the driveway cannot be widened since there is a hill on the front of the property with a retaining wall on the east side of the driveway so it cannot be widened.

Mr. Harshaw asked the height of the garage doors and if the intent is to park a motor home in the garage.

Mr. Raml stated standard garage doors are proposed and the garage will not house a motor home.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. Riley, seconded by Ms. Barhoo, to approve BOA2019-008 - Variances from the Seabreeze Historic District Design

Guidelines, in accordance with the staff report as presented. The motion failed 2-4 with Mr. Gentle, Mr. Stine, Mr. Riley, and Mr. Harshaw voting no.

The discussion continued on the case and Mr. Raml asked what he could do in order to construct a garage.

Mr. Gross stated the applicant can appeal the BOA decision to the City Commission.

Mr. Stine stated he does not remember this Board approving variances in a historic district, let alone approving three.

Mr. Raml stated there is a property at 319 Riverview which is near his property; and there is a bungalow on site which is similar in size to his. Mr. Raml stated in 2017, the owner built a 675 s.f. garage, which was constructed by the same builder who would be building Mr. Raml's garage.

Ms. Bowler noted the Historic Preservation Board was okay with the proposed structure.

Mr. Gross stated the Historic Preservation Board approved the application, subject to the BOA approving the variances. Mr. Gross stated if the BOA approves the variances, the case is done and the Historic Preservation Board will not review the case again. Mr. Gross stated the Historic Preservation Board focuses on architectural and aesthetic appearance in order to approve a Certificate of Appropriateness and not the variances requested.

Mr. Raml stated the Historic Preservation Board discussed the size of the garage and the Historic Preservation Board felt the size of the garage was appropriate.

Mr. Stine stated historic designations are hard to obtain and they should be protected.

Ms. Bowler stated she agrees but she views this as a dilapidated structure.

Ms. Taylor stated the property owner could build within the same setbacks.

Mr. Harshaw stated variances would not be required if a garage was built with the same dimensions.

Ms. Taylor stated it is a non-conforming structure so the property owner has the right to build within that footprint.

Mr. Raml stated he is prepared to request different dimensions for the proposed structure right now.

Mr. Gross stated Mr. Raml could request to continue this case in order to discuss revised variances with staff.

Mr. Raml stated the main portion of the garage is 20 feet wide and 23 feet deep. Mr. Raml stated he would propose reducing the depth of the garage to 22 feet. Mr. Raml stated the proposed storage wing is 15 feet by 15 feet and he would be willing to reduce the storage wing to 12 feet by 12 feet. Mr. Raml stated that would reduce the area by 100 s.f. and he would have new architectural drawings done to reflect the revisions. Mr. Raml stated he would hate to incur the expense for the architectural drawings for the new dimensions if the Board is not in favor of it.

Mr. Gross stated the Board could grant the variance as requested and continue the case in order to allow Mr. Raml time to submit new documents.

Ms. Barhoo stated she is willing to accept the revisions as presented.

Board Action:

A motion was made by Ms. Barhoo, seconded by Ms. Bowler, to continue BOA2019-008 - Variances from the Seabreeze Historic District Design Guidelines, with the change in dimensions to reduce the depth of the proposed garage to 22 feet and the reduction in the storage area to 12 feet by 12 feet, as represented by the applicant.

Ms. Barhoo withdrew the motion to continue, and Ms. Bowler withdrew the second.

A motion was made by Ms. Barhoo, seconded by Ms. Bowler, to approve BOA2019-008 - Variances from the Seabreeze Historic District Design Guidelines, with the change in dimensions to reduce the depth of the proposed garage to 22 feet deep and the reduction in the storage area to 12 feet by 12 feet, as represented by the applicant, and that the final design be architecturally consistent. The motion failed 3-3, with Mr. Gentle, Mr. Stine, and Mr. Riley voting no.

Mr. Gross stated the Board's decision could be appealed to the City Commission.

6. **Review of Cases**

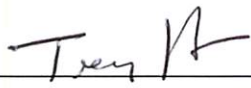
BOA2019-008 - Variances from the Seabreeze Historic District Design Guidelines was denied.

7. **New Business**

Ms. Taylor stated she will not be in attendance at the September Board of Adjustment meeting and Ms. Rose Askew will be filling in for her.

8. **Adjournment**

There being no further business, the meeting was adjourned.

 , CHAIR.

Trey Harshaw, Chair



Becky Groom, Board Secretary