

PLANNING AND ZONING BOARD MEETING

February 2, 2026

Video and Agenda Packet of the meeting can be found [here](#)

Present: Thomas Bien, John Causey, Deb Denny, Jon Hall, David McKenna, Steven Yates, and Larry Wheatcraft. **Absent:** Jesse Thompson (non-voting member)

OLD BUSINESS

4.A ZT-11-25: Review and give a recommendation to the City Commission on a proposed zoning text amendment to the Land Development Regulations to allow Porte Cocheres in front yard setbacks and without walls.

Staff said the applicant is requesting a zoning text amendment to Section 201.00 of the City's Land Development Regulations (LDR) to provide a definition of Porte Cochere and add regulations to various residential zoning districts for construction including side and front setbacks, structure height, a 25' maximum structure width, and requiring the structure to be open.

Public Participation: None.

Board Discussion Highlights: Concerned about the "mass" appearance and its impact on the neighborhood, especially if all homes added a porte cochere; sight visibility for traffic along the road, this may add value to the home; the height shouldn't exceed that of the structure; and total impact on the neighborhood may not be positive.

MOTION: A motion to recommend approval to the City Commission was made with the conditions that the height not exceed the existing structure, a horseshoe driveway is required, and staff's request for a minimum 10 foot front setback. The motion was seconded and approved with a 6-1 vote.

NEW BUSINESS

5.A V-0012-2025: Variance application for a boat lift variance for the property located at 205 Quay Assisi.

Staff advised that the applicant is seeking approval of a variance to a side yard setback from Section 803.04.D.(2) from the required 10-foot setback to a 2-foot setback for the construction of a small boat lift on a 0.29 + acres lot that is zoned R-1, Single Family Residential. The property is located on the south side of Quay Assisi, just east of Barracuda Boulevard. The applicant requested a building permit for the existing boat lift but was denied by the Building Department because the dock did not meet the required side setbacks. Staff stated the variance meets the various criteria for approval of a variance.

Public Participation: None.

Board Discussion Highlights: The boat lift is already there, the owner has the ability to have two boat slips and the lift on this side of the property helps preserve the oyster habitat on the other side, a 10' setback is required to allow maneuverability around the dock and the applicant doesn't require that for his 17' boat, and the neighbor adjacent to the boat dock submitted a letter of support for the variance.

MOTION: A motion to approve the variance was made, seconded and approved unanimously.

5.B SP-17-24: Flagler Dunes Resubmittal; Site Plan review for approval for an 80-unit townhome development on a 10.22-acre parcel on the south side of 10th Street, across from New Smyrna Beach High School.

Staff advised that the property has a Future Land Use designation of Medium Density Residential which allows up to 8 units an acre to be developed. The property is zoned R-4, Multifamily Residential, which allows townhouse lots to be 20 feet wide. The applicant has revised the access and exit from the previous development plan that provided only a right in and right out. This was the main reason for the previous failed motion by the PZ Board. There is now an opportunity to go left or right from the light rather than a right out only. The site plan was redesigned to accommodate the traffic; however, all amenities and architectural designs are the same.

Public Participation: There is a low area that, when the site is developed, will probably flood the adjacent neighbor's property. The traffic is unbelievable now so will be much worse with 80 units and 120 cars morning and night.

Board Discussion Highlights: The access to the development has been improved to allow better access, a charter school is going to be built on the adjacent parcel. Stormwater is a concern, but the development meets the County's stormwater requirements and drainage in the area will be improved due to engineering. The stormwater will be used for irrigation on the property.

MOTION: A motion to recommend approval to the City Commission was made, seconded and approved unanimously.

5.C V-11-25: 804 Sandpiper Street, a variance to allow a screen enclosure to be located 5.0' from the rear property line.

Staff advised the Board that the applicant proposes installing a 56'-8" long screen enclosure 5.0' from the rear property line. The rear and side setback for structures in the R-2 zoning district is 7'.5. The screen enclosure at its highest point is 12'. The property owner stated the contractor gave them bad information when installing the pool that resulted in them not meeting the City's requirements for an enclosure. The neighbors support the request. Staff stated that the variance does not meet all the requirements for approval.

Public Participation: None.

Board Discussion Highlights: Suggested that staff may want to review the City's requirements for a 5' pool setback but a 7 ½' screen enclosure is unusual and caused confusion regarding the setbacks for pool when it was constructed.

MOTION: A motion was made to approve the variance request, was seconded and approved with a 6-1 vote. unanimously.

5.D Nominate and vote on 2026 Planning and Zoning Board Vice Chairperson.

The one nomination for vice chair was Steven Yates. Mr. Yates accepted the nomination and was voted in unanimously.

Additional discussion:

- The Board requested that staff review the language regarding pools, pool decking and pool enclosures.
- Kimley Horn will make a presentation at the next PZ Board meeting to discuss some minor tweaks to the Comprehensive Plan.