

## REGULAR MEETING – HISTORIC PRESERVATION BOARD

Tuesday, March 16, 2021

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Minutes for the Regular Historic Preservation Board meeting for the City of Daytona Beach, Florida, held on Tuesday, March 16, 2021, at 6:00 p.m. in Commission Chambers of City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida

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Board Members present were as follows:

Mr. Dallas Peacock, Chair  
Ms. Delia Krimmel  
Ms. Tracey Remark  
Dr. Daniel Stotland  
Mr. Warren Trager  
Mr. Roman Yurkiewicz

Board Members absent:

Mr. James Daniels

Staff members present:

Mr. Steven Bapp, Planner  
Ms. Kira Honse, Assistant City Attorney  
Ms. Becky Groom, Board Secretary

1. **Call to Order**

Mr. Peacock, Chair, called the meeting to order at 6:00 p.m.

2. **Roll Call**

Roll was called with members present as listed above.

3. **Approval of Minutes:** November 17, 2020

**Board Action:**

A motion was made by Ms. Remark, seconded by Dr. Stotland, to approve the minutes of the November 17, 2020 Historic Preservation Board meeting, as presented. The motion carried (6-0).

4. **Action Item:**

**DEV2021-019:** A Certificate of Appropriateness for 402 University Blvd., a vacant parcel in the Seabreeze Local Historic District, to allow new construction of a residential unit.

Mr. Bapp stated the applicant is not in attendance, but the architect is in attendance to represent the applicant.

A copy of a Conflict of Interest form from Mr. Yurkiewicz who is the architect for this item was provided to the Board.

Ms. Remark stated she does not feel this case should be heard this evening and hopes the applicant requests a continuance until the next meeting. Ms. Remark stated an incomplete packet was provided to the Board, noting the site plan, floor plan, roof plan, building elevation, color rendering and landscape plan are not included. Ms. Remark stated the architect provided the site plan, floor plan, and elevation to the city but were not included in the packet. Ms. Remark stated she would like ownership verified; and the mortgage that was provided to the city does not include the promissory note. Ms. Remark stated Three Country Homes has a promissory note to the other three gentlemen who are on the deed; and the promissory note has not been paid. Ms. Remark stated the final payment is not due until later this year; but the promissory note allows foreclosure on the property if the promissory note is not paid.

Ms. Remark stated as of 5:15 p.m. today, the Board packet for today's meeting is not posted online at the City's website. Ms. Remark stated citizens would be unaware of the item to be presented this evening; however, the notice is posted on the bulletin board at City Hall. Ms. Remark stated with the packet not being online, she does not feel the requirements of Florida Statutes have been met for public notice.

Mr. Peacock asked about the posting online.

Ms. Honse stated she looked at the website and it is not online.

Ms. Remark stated notice was provided to property owners within 150 feet of this property and some of those residents called Ms. Remark to ask about the case. Ms. Remark stated she told the residents the Board packet would be at the city's website, but it is not.

Mr. Peacock asked about the ownership of the lot.

Ms. Remark stated she went to the Clerk of the Court website and looked at the deed; and the promissory note is scheduled to be paid in June. Ms. Remark stated Three Country Homes has only been an LLC for 16 months. Ms. Remark stated the city did the demolition on the property and the property was listed for sale by the bank that had foreclosed on the property. Ms. Remark stated she is concerned about the lack of public notice for this meeting.

Ms. Honse stated technically there is not a requirement to publish an agenda but the meeting is published on the city's calendar at the city's website; but since it is the city's standard practice to publish an agenda and this agenda was not posted on the website, it would be a good reason to continue this item.

Mr. Bapp stated the packet does include the elevations and the colors in the staff report.

Ms. Remark stated she did not realize that what was outlined in the staff report indicates the placement of the colors but stated the packet does not include a site plan, roof plan, or floor plan.

Mr. Bapp stated the packet includes the elevations and color schematics; and the applicant provided the floor plans but are not included in the packet.

Ms. Remark stated she does not have a site plan that shows the required setbacks and she would like to know that.

Mr. Bapp stated the project meets all of the requirements of the Land Development Code and that is stated in the staff report.

Ms. Krimmel stated she would like to continue this item until the next meeting and not wait until June when the financials are completed.

Mr. Yurkiewicz asked what financial records are required.

Mr. Bapp stated the records must reflect the proper owner, but the financials are not something he would look at.

Ms. Remark stated she just wants to make sure they are not in default; and normally a mortgage is not attached to a deed.

Ms. Honse stated as with any mortgage, there is always the possibility of foreclosure.

Ms. Honse asked that Mr. Yurkiewicz disclose his relationship to this project.

Mr. Yurkiewicz stated he is the architect of record for the applicant; and the applicant does not reside in this area. Mr. Yurkiewicz stated it would be cumbersome for the applicant to attend the meeting and a translator would be required.

Mr. Peacock stated a member of the public, Brian Case, has completed a form and asked to speak on this item.

Mr. Case stated he would like to make his comments at the next meeting when the case is heard.

**Board Action:**

A motion was made by Ms. Remark, seconded by Dr. Stotland, to continue DEV2021-019: A Certificate of Appropriateness for 402 University Blvd., a vacant parcel in the Seabreeze Local Historic District, to allow new construction of a residential unit to the April 20, 2021 Historic Preservation Board meeting. The motion carried (5-0, with Mr. Yurkiewicz abstaining).

5. **Discussion Item:**

6. **Other Business:**

Ms. Honse stated at the next meeting, a Vice Chair will need to be appointed.

7. **Staff Update:**

There were no staff updates.

8. **Public Comments:**

There were no public comments.

9. **Board Comments:**

Ms. Remark asked that the location of the colors to be used be clarified at the next meeting.

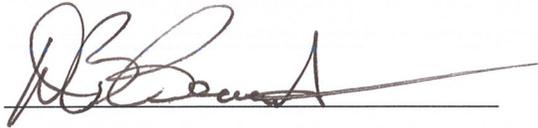
Mr. Yurkiewicz stated the colors are noted as to the areas where they will be used.

Ms. Honse stated the Board has agreed to continue this item so there should be no further discussion on this case until the next meeting.

10. **Adjournment**

**Board Action:**

A motion was made by Mr. Trager, seconded by Ms. Remark, to adjourn the meeting at 6:32 p.m. The motion carried (6-0).



Dallas Peacock, Chair



Becky Groom, Board Secretary



**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, ROMAN YURKIEWICZ, hereby disclose that on 3-16, 20 21:

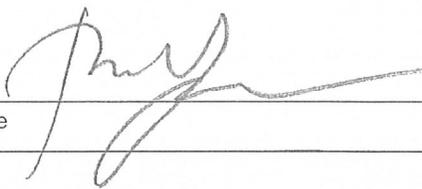
(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I'M AN ARCHITECT OF THE PROJECT.

3-16-21  
Date Filed

  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.