



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • AUGUST 26, 2025

City Commission Chamber

Regular City Commission Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

a. Roll Call

Attendee Name	Title	Status	Arrived
John Penny	Mayor	Present	
Debra Snow	City Commissioner	Present	
Penny Currie	City Commissioner	Present	
Jeffrey DeLanoy	City Commissioner	Present	
Roy Johnson	City Commissioner	Present	

b. Invocation by City Commissioner Jeff DeLanoy Commissioner DeLanoy let the invocation.

c. Pledge of Allegiance Mayor Penny led the Pledge of Allegiance to the flag.

2. PUBLIC COMMENTS

The following individuals spoke to the Mayor and City Commissioners:

Traci Anderson, Holly Hill; Daniel Edwards, Holly Hill; Danielle Latona, Holly Hill; John Loesche, Holly Hill; Phil Wahby, Holly Hill; Charlotte Baumgart, Holly Hill.

3. APPROVAL OF MINUTES - NONE

None.

4. CONSENT AGENDA - ITEMS (1 - 2)

Mayor Penny asked if there was any member from the audience who wished to speak on any item on the Consent Agenda or if any member from the Commission wished to pull an item for further discussion. There was no one.

1. -2025-R-64 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Piggyback of the Volusia County Contract # ITB 23-B-151HO with CFB Outdoors, Inc., and Authorizing the City Manager to Execute Any Agreements with CFB Outdoors, Inc., Providing for Severability and Providing for an Effective Date.

(Requested by Michele Moore, Finance)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roy Johnson, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION**2025-R-64**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACK OF THE VOLUSIA COUNTY CONTRACT # ITB 23-B-151HO WITH CFB OUTDOORS, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AGREEMENTS WITH CFB OUTDOORS, INC., PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACK OF THE VOLUSIA COUNTY AGREEMENT ITB 23-B-151HO WITH CFB OUTDOORS, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AGREEMENTS WITH CFB OUTDOORS, INC., PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly hill, Florida, has ongoing needs for professional tree maintenance services including pruning, tree removal, stump grinding, hanging limb removal, and associated landscaping services; and

WHEREAS, such services are necessary to ensure public safety and preserve the community aesthetic of City owned properties, parks, and rights-of-way; and

WHEREAS, the city has been obtaining quotes from vendors on an as-needed basis, but staff has found these quotes are consistently higher than the rates available through Volusia County's competitively awarded contract; and

WHEREAS, the city has determined that in this circumstance, piggybacking onto an agreement entered into by Volusia County, is the most economically advantageous way to procure these services; and

WHEREAS, Volusia County, Florida, awarded Contract ITB # 23-B-151HO to CFB Outdoors, Inc., through a formal, competitive procurement process for a wide range of tree services, effective from December 1, 2023 through November 30, 2026; and

WHEREAS, the City has received written consent from CFB Outdoors, Inc., to piggyback the Volusia County agreement, which allows the city to benefit from pre-negotiated rates and reduce administrative and procurement costs; and

WHEREAS, Chapter 287, Florida Statutes, and the City's Purchasing Manual, Policy 2.39, permit the City to piggyback competitively awarded contracts from other governmental entities as a means of intergovernmental cooperative purchasing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The City Commission does hereby approve the piggybacking of the Volusia County Master Agreement ITB #23-B-151HO with CFB Outdoors, Inc., for professional tree maintenance services.

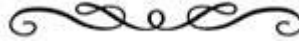
SECTION 2. The City Manager, or designee, is hereby authorized to execute any and all necessary documents, agreements, or purchase orders with CFB Outdoors, Inc., to effectuate the purpose of this Resolution.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 26th day of AUGUST, 2025.

Enacted and approved this 26th day of August, 2025, in Holly Hill



2. **-2025-R-65 Resolution**

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute the Memorandum of Agreement Between the City of Holly Hill and the Florida Department of Transportation for the Maintenance of State Highway Rights-Of-Way by the City; Providing for Severability; and Providing for an Effective Date.

(Requested by Josef Grusauskas, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roy Johnson, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION

2025-R-65

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF STATE HIGHWAY RIGHTS-OF-WAY BY THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE

CITY MANAGER TO EXECUTE THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF STATE HIGHWAY RIGHTS-OF-WAY BY THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill has an agreement with the Florida Department of Transportation whereby the city is reimbursed for maintenance of highway roadsides and median strips located along US1 and Nova Road. Under this contract the FDOT compensates the City for routine maintenance; and

WHEREAS, the current contract expires on October 4, 2025; and

WHEREAS, staff recommend that Contract AST42 with the Florida Department of Transportation be renewed at the same terms and conditions effective; and

WHEREAS, Contract AST42 with the Florida Department of Transportation will have a term of three years from the effective date.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

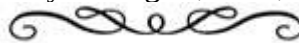
SECTION 1. That the City Manager of the City of Holly Hill is hereby authorized to execute that “Memorandum of Agreement - Highway Maintenance, Contract #AST42,” between the City of Holly Hill and Florida Department of Transportation, a copy of which is attached hereto and incorporated herein by reference.

SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 26th day of AUGUST, 2025.

Enacted and approved this 26th day of August, 2025, in Holly Hill



5. REGULAR AGENDA - NONE

None.

6. PUBLIC HEARINGS

1.

537 Dorothy Avenue - Request for Special Accommodation to Utilize a Porch that Extends Approximately 8 Feet into the Front Yard Setback at 537 Dorothy Avenue

(Requested by Brian Walker, Board of Planning and Appeals)

Joshua Steele, Senior Planner went through the staff report within the agenda packet for

the Mayor and City Commissioners. This is a request for special accommodation to utilize a porch that extends approximately 8 feet into the front yard setback at 537 Dorothy Avenue. Mr. Steele mentioned in January of 2019, James Nolan, received a diagnosis of cancer that would require chemotherapy; he was 75 years old at the time. As a result of his age and cancer treatments, he has severe mobility issues and has been deemed handicapped by his medical doctor. Documentation is available upon request. The home is not handicapped accessible, therefore, the Nolans constructed a covered front porch with a ramp for easier access to the domicile. This was done without a permit. Background history: The property is zoned R-3 (Medium Density Single-Family Residential) which requires a front yard setback of 25 feet. The main house sits at an angle to the road and is ~24 ft from the property line at its closest point. This means that the house itself encroaches ~ 1 foot into the front yard setback. The porch and ramp sit ~ 17 ft from the front property line at its closest point, which means it encroaches the setback by ~8 feet. Because the porch extends into the required front yard setback, the applicants will need official approval from the City in order to keep it in its current location. For this reason, they are requesting accommodation in accordance with Sec. 82-322 of the Land Development Regulations, pursuant to the Fair Housing Act. It may be helpful to know that the distance from the front property line to the edge of road is ~ 17 feet. Therefore, the porch is ~ 34 feet from the edge of the road and poses no issues in terms of visibility.

REQUIRED INFORMATION TO MAKE A REASONABLE ACCOMMODATION REQUEST:

Section 82-322 (a) outlines information required in making a request for accommodation. The information and how it has been provided are as follows:

- (a) A request may be made by the property owner or authorized representative for a request for an accommodation from the city's rules, policy, practices or service to allow a handicapped person or persons to have equal opportunity to use and enjoy a dwelling. The request shall be on an approved form issued by the city and must contain the following:

- (1) Proof of ownership of the property which the request is being made or authorization from the property owner.

The Property Appraiser lists the property owner of 537 Dorothy Avenue as Helen Nolan. James is her husband.

- (2) Specifically identify the rules, policies, practices or services from which relief is being requested.

The applicant is requesting relief from the requirement of Sec. 114-765 - Schedule of dimensional requirements, requiring that principal structures in the R-3 (Single-Family) zoning district be a minimum of twenty-five (25') from the front property line.

- (3) Identify the nature of the disability of the occupants of the dwelling.

Lifelong injuries resulting from cancer and chemotherapy treatments. Multiple broken ankles and consistent falls. The patient requires lifelong assistance and has been deemed handicapped by a medical doctor.

- (4) Outline the minimum relief that is necessary to allow a handicapped person to use and enjoy the dwelling.

The porch and ramp are ~12 feet wide to allow a wheel chair to be maneuvered and provide room for those assisting Mr. Nolan. Therefore, they extend into the front yard setback and the applicant is requesting the ability to encroach no more than 9 feet into the setback. This will allow the applicant to keep the porch and ramp.

- (5) Describe in detail how the requested relief is necessary to allow a person with the above identified disability to be able to reasonably use and enjoy the dwelling.

When transitioning from his vehicle to the home, which can take more effort and time than for a person without disabilities, the covered porch protects Mr. Nolan from inclement weather. Without a wheelchair ramp and porch area at the front door, Mr. Nolan would need to be physically carried into and out of the house.

- (6) Access must be granted to the necessary city employees to inspect the dwelling.
The required access has been granted.

EVALUATION OF THE REASONABLE REQUEST

Sec. 82-833 (b), outlines some of the items that must be considered in deciding as to whether or not the request for accommodation is reasonable. Staff has listed the items below and also provided some commentary on each item that the Board/Commission may find helpful.

Sec. 82-833 (b) The city shall evaluate all necessary criteria, facts, rules, laws, etc., to make a determination as to whether the requested accommodation is reasonable, including, but not limited to:

- (1) The policies and objectives of the city's comprehensive plan including the future land use designation of the property in question.

The property's future land use is Low Density Single-Family Residential. The property's zoning of R-3 is compatible with its future land use designation. The property is in compliance with the goals, objectives and policies of the City's Comprehensive Plan.

- (2) The permitted uses, conditional uses and special exceptions allowed for the zoning designation of the property in question.

Permitted principal uses and structures in the R-3 district are as follows:

- (1) Single-family dwelling units.
- (2) Public parks, playgrounds, playfields, recreation buildings and facilities owned and operated by federal, state, county or municipal governments.
- (3) Golf courses.
- (4) Approved home occupations.
- (5) Essential utility uses and structures.

Special exceptions in the R-3 district are as follows:

- (1) Houses of worship.
- (2) Public schools.
- (3) Cemeteries.
- (4) Adult congregate living facilities.

- (3) The surrounding neighborhood, including zoning and future land use designations of the surrounding area.

N: R-3/Low Density Single-Family Residential
E: R-3/Low Density Single-Family Residential
S: R-3/Low Density Single-Family Residential
W: R-3/Low Density Single-Family Residential

- (4) The capacity of existing city utilities and infrastructures to accommodate the requested use.

Not applicable to this request for a porch and ramp.

- (5) Existing traffic patterns and traffic problems in the area that currently exists or may become a problem if the requested relief were granted.

Not applicable to this request for a porch and wheelchair ramp.

- (6) Potential for noise, dust or other impacts to the neighborhood.

None.

- (7) Ability of the existing dwelling to accommodate the requested variation, including bedrooms, bathrooms, outside parking and existing compliance with current building codes to determine the existence of any life and safety issues.

The home is able to accommodate the ramp and porch.

- (8) The existence of any current code violations.

There is a code violation for an un-permitted structure. This relates to the porch and approval of this special accommodation would resolve the violation.

- (9) The over-concentration of group homes in close proximity to the applicant.

Not applicable to this request.

Should the request for special accommodation be approved, the applicant will still be required to obtain an “after-the-fact” building permit, be inspected by the Building Official and demonstrate that the existing structure meets the requirements of the Florida Building Code. Should the structure not meet the requirements of the Florida Building Code, it will need to be modified to do so or be removed.

Recommendation of the Board of Planning and Appeals

At their meeting on August 4, 2025, the Board of Planning and Appeals unanimously recommended approval of the request for special accommodation.

ACTION TO BE TAKEN BY THE BOARD/COMMISSION

1. Find that the ~ 8-foot encroachment into the front yard setback for a handicapped ramp and porch at 537 Dorothy Avenue **is a reasonable request and approve** the encroachment; or
2. Find that the ~ 8-foot encroachment into the front yard setback for a handicapped ramp and porch at 537 Dorothy Avenue **is a reasonable request and approve the encroachment with conditions**; or
3. Find that the ~ 8-foot encroachment into the front yard setback for a handicapped ramp and porch at 537 Dorothy Avenue **is a reasonable request but approve a different**

amount of encroachment.

4. Find that the ~ 8-foot encroachment into the front yard setback for a handicapped ramp and porch at 537 Dorothy Avenue **is not a reasonable request and deny the encroachment.**

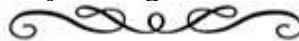
Mayor Penny opened public participation.

Ray Littleton, Holly Hill.

Mayor Penny closed public participation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Penny Currie, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

Enacted and approved this 26th day of August, 2025, in Holly Hill



7. COMMUNICATIONS

A. City Manager Comments

Mr. Forte mentioned that Karen from the Volusia League of Cities has asked the city if we would like to host the Thursday, September 24, 2026 dinner. There was **consensus** from the Mayor and Commissioners to do that. The YMCA is looking for members to serve on the local board. If there are any residents or business owners that are interested in giving back to the community and assisting the YMCA, you may reach out to them. The Farmers Market, the city has been doing significant improvements at Sunrise Park, which include sodding, irrigation, and landscaping. The playground was recently completed and the seawall. There have been hundreds of thousands of dollars that have been put into that. During the recent improvements, the Farmers Market has moved to the front lawn of City Hall and the ladies that run the Farmers Market want to move it back to Sunrise Park, which he has no problem doing. The concern that he has is the vendors want to drive on the north side of the park and drive into the grass park area, drop their stuff off and then exit the south end of the park back into the parking lot. He really doesn't want people driving on the new sod, the irrigation system that was just put in. He wants to be able to tell the vendors that the city is willing to move you back to Sunrise Park but they're going to have to hand-truck their tables and their belongings for sale from the parking lot rather than driving on the grass. He is bringing this up tonight because he knows that the ladies sent an email about this and he was not copied on that email. He thinks what they do is provide a good service to the community and people like having the market there but he doesn't want to risk damaging the park again for the sake of a Farmers Market for 4 hours on a Sunday.

There was consensus from the Mayor and Commissioners to have them move back to Sunrise Park but that they will have to hand-truck their belongings to their

location and do not drive on the grass. No one should be driving on the park area. No police officers, no fisherman, no one. Too much money has been invested to improve that park.

Mr. Forte reminded everyone about the Christmas parade route being changed and brought up the cold air balloons, which have to be carried by six (6) people. He was looking for some suggestions. Any groups or businesses can advertise their business or groups. It was mentioned by Commissioner Currie to possibly look into the schools and colleges for the students that do community service hours.

B. City Attorney Comments

None.

C. Mayor's Comments

Mayor Penny thanked Vice-Mayor/Commissioner Johnson for filing in at the last Commission meeting for him. Reminded everyone about the Mayor's Golf Tournament coming up on September 13th at the Riviera Golf Course and the starting time is at 8:30 AM. The benefits will go to the Seabreeze Kiwanis Club and the Holly Hill Police Foundation and the Dolly Parton Imagination Library.

D. District City Commission Comments

Commissioner DeLanoy mentioned that he enjoyed attending the Florida League of Cities annual conference. A lot of good information. Glad to hear that the fishing issue at the park was taken care of, appreciated it.

Commissioner Johnson mentioned there is a TPO meeting tomorrow in its new location at the Cornerstone building by the Tanger Outlets. Attended the After Hours at Pictona with Ormond Beach.

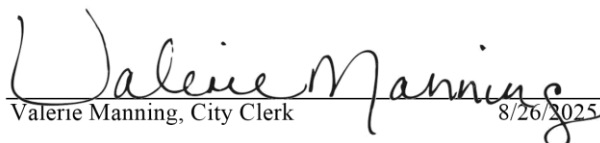
Commissioner Currie thanked everyone for participating in tonight's meeting; enjoyed the Florida League of Cities annual conference; glad to hear that the Police Department worked out the fishing on the pier issue.

E. Mayor's Conclusion Comments

None.

8. ADJOURNMENT

The meeting adjourned at approximately 7:10 PM.


Valerie Manning, City Clerk 8/26/2025

A handwritten signature in black ink, appearing to be 'JP' or 'John Penny', written over a horizontal line.

John Penny, Mayor

8/26/2025