



**City Commission
Minutes • April 14, 2026**

City Commission Chamber	Regular City Commission	6:00 PM
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**City Hall
1065 Ridgewood Avenue
Holly Hill, FL 32117**

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

1. Call to Order

The meeting was called to order at approximately 6:00 PM.

Present:

Mayor John Penny

City Commissioner Debra Snow

City Commissioner/Vice-Mayor Penny Currie

City Commissioner Jeffrey DeLanoy

B. Invocation led by Mayor John Penny

C. Pledge of Allegiance led by Mayor John Penny

2. Presentations

1. Proclamation - Honoring the Life and Service of Roy Johnson, Vice-Mayor / City Commissioner

(Requested by Valerie Manning, City Clerk)

2. Proclamation - Sexual Assault Awareness Month 2026

(Requested by Valerie Manning, City Clerk)

3. Proclamation - Child Abuse Prevention Month 2026

(Requested by Valerie Manning, City Clerk)

4. Proclamation - Water Conservation Month 2026

(Requested by Valerie Manning, City Clerk)

5. Holly Hill Police Department - Swearing-In Ceremony - Officer Daniel Arraial

(Requested by Byron Williams, Police Chief)

3. Public Comments

None

4. Approval of Minutes

1. Minutes - March 24, 2026 Regular City Commission meeting

(Requested by Valerie Manning, City Clerk)

Motion to Approve.

Result: Passed [UNANIMOUS]

Mover: City Commissioner Jeffrey DeLanoy

Second: City Commissioner Debra Snow

Ayes: John Penny, Debra Snow, Penny Currie, Jeffrey DeLanoy

Nays: None

5. Consent Agenda - None

6. Regular Agenda

1. FIRST READING - Ordinance 3098 - Recovery Residence

(Requested by Brian Walker, City Planner)

ORDINANCE 3098

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS; CHAPTER 82 REPLACING IN ITS ENTIRETY SECTION 82-322; ESTABLISHING A PROCESS FOR THE REVIEW AND APPROVAL OF REQUEST FOR ACCOMMODATION FROM THE CITY'S RULES, POLICY, AND PRACTICES TO ALLOW A HANDICAPPED PERSON OR PERSONS TO HAVE EQUAL OPPORTUNITY TO USE AND ENJOY A DWELLING AND FOR THE APPROVAL OF CERTIFIED RECOVERY RESIDENCES PURSUANT TO FLORIDA STATUTES SECTION 397.487; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Federal Fair Housing Act requires a local governmental entity to make reasonable accommodations in rules, policies, practices or services when such accommodations may be necessary to afford a handicapped person equal opportunity to use and enjoy a dwelling; and

WHEREAS, court cases have held that before a local government can be sued for violating the above provision of the Fair Housing Act, a request must be made to the local governmental entity for a reasonable accommodation through the local governments established procedures used to adjust the rules, policy, practices or service in question; and

WHEREAS, the City's current variance process requires a variance request to be reviewed based on certain criteria, which may not be applicable to a request for a reasonable accommodation under the Fair Housing Act; and

WHEREAS, Section 397.487(15)(a), Florida Statutes, mandates that each municipality and county in the State of Florida must adopt an ordinance establishing procedures for the review and approval of certified recovery residences; and

WHEREAS, Section 397.487(15)(a), Florida Statutes, further mandates the inclusion within such ordinance of a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence; and

WHEREAS, Section 397.487(15)(b), Florida Statutes, provides that the regulation of

the establishment of certified recovery residences must be consistent with the Fair Housing Amendments Act of 1988 (42 U.S.C. §§ 3601 et seq.) and Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131 et seq.); and

WHEREAS, the City of Holly Hill Board of Planning and Appeals held a public hearing on April 6, 2026, with all required public notice, to provide recommendations to the City Commission on this Ordinance to amend the Land Development Code and recommend that the City Commission adopt the Ordinance; and

WHEREAS, adoption of this Ordinance ensures that the City of Holly Hill complies with Section 397.487(15), Florida Statutes, and that the best interest of the public health, safety, and welfare is served.

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

SECTION 1. The findings set forth in the recitals above are adopted and fully incorporated herein by reference.

SECTION 2. Chapter 82, Article V, Division 3 of the Land Development Regulations, is hereby amended to replace the current text consisting of Section 82-322 in its entirety with the following text:

Section 82-322: Evaluation of request for accommodation pursuant to the Fair Housing Act.Definitions. Pursuant to § 397.311, Florida Statutes the following definitions are incorporated fully into this section. **"Certificate of compliance"** means a certificate that is issued by a credentialing entity to a recovery residence or a recovery residence administrator.

"Certified recovery residence" means a recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator. A certified recovery residence is not an Assisted Living Facility governed by FS Chapter 429 nor a Community Residential Home governed by FS Chapter 419 and is not considered transient living.

Level I certified recovery residence houses individuals in recovery who have completed treatment, with a minimum of 9 months of sobriety. A Level I certified recovery residence is democratically run by the members who reside in the home.

Level II certified recovery residence encompasses the traditional perspectives of sober living homes. There is oversight from a house manager who has experience with living in recovery. Residents are expected to follow rules outlined in a resident handbook provided by the certified recovery residence administrator. Residents must pay dues, if applicable, and work toward achieving realistic and defined milestones within a chosen recovery path.

Level III certified recovery residence offers higher supervision by staff with formal training to ensure resident accountability. Such residences are staffed 24 hours a day, 7 days a week, and offer residents peer-support services, which may include, but are not limited to, life skill mentoring, recovery planning, and meal preparation. Clinical services may not be performed at the residence. Such residences are most appropriate for persons who require a more structured environment during early recovery from addiction.

Level IV certified recovery residence is a residence offered, referred to, or provided by, a licensed service provider to its patients who are required to reside at the residence while receiving intensive outpatient and higher levels of outpatient care. Such residences are staffed 24 hours a day and combine outpatient licensable services with recovery residential living. Residents are required to follow a treatment plan and attend group and individual sessions, in addition to developing a recovery plan within the social model of living in a sober lifestyle. No clinical services are provided at the residence and all licensable services are provided offsite.

"Certified recovery residence administrator" means a recovery residence administrator who holds a valid certificate of compliance.

"Request for accommodation" means a request for relief from the city's rules, policy, and practices, to allow a handicapped person or persons to have equal opportunity to use and enjoy a dwelling and includes request related to a certified recovery residence.

Application and processing for request for accommodation. Purpose:

The purpose of this section is to establish procedures to request an accommodation from the city's rules, policy, or practices to allow a handicapped person or persons to have equal opportunity to use and enjoy a dwelling including the review and approval of certified recovery residences as required by Chapter 397, Florida Statutes.

b. Application process for all request:

A request by an Applicant for a reasonable accommodation under this section shall be made in writing to the Planning Division. The reasonable accommodation request shall at a minimum provide the following information:

The name and contact information of the property owner, applicant, or the applicant's authorized representative;

The property address and parcel identification number;

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

Identify the nature of the disability of the occupants of the dwelling.

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

Described 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.

A certification stating the following: I CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS REQUEST IS TRUE AND CORRECT. I UNDERSTAND THAT IF I KNOWINGLY PROVIDE FALSE INFORMATION WITH THIS REQUEST, MY REQUEST SHALL BECOME NULL AND VOID.

The signature of the Applicant and date.

Any additional information or documentation the Requestor feels is necessary to support the request for reasonable accommodation.

c. Requirements for recovery residences:

1. A certified recovery residence must be a minimum of 1,000 feet apart from another recovery residence or community residential home. Distance is measured from the nearest lot line of the entire parcel of the proposed Recovery Residence to the nearest lot line of the entire parcel of the closest existing recovery residence or community residential home.

2. The maximum number of occupants in a recovery residence shall not exceed the greater of two people per bedroom or one person per 200 gross feet of livable space in the principal dwelling, but in no event shall total occupancy exceed either criterion.

3. The **parking need for a recovery home** cannot exceed what a typical household would generate.

4. If permitted by Florida law, a recovery home must obtain a Business Tax Receipt.

d. Processing for recovery residences:

1. The Planning Division will date stamp each application upon receipt. If additional information is required, the local government must notify the applicant in writing within the first 30 days after receipt of the application and allow the applicant at least 30 days to respond.

2. Upon receiving a complete application, a request that meets all code requirements including a reasonable request for accommodation, will be approved at staff level. For purposes of this section, a request will be considered reasonable if it meets the following criteria:

a. The request is clearly linked to the disability.

b. The permitted uses, conditional uses and special exceptions allowed for the zoning designation of the property in question.

c. Is **limited in scope** (not a blanket waiver of all regulations)

d. Does **not impose undue financial/administrative burden** on the city.

e. Does **not fundamentally alter** the nature of the zoning scheme.

f. Does not create a safety risk.

g. Is not excessive or disruptive.

h. 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 final determination on approval of a recovery residence shall be made by staff and

be issued no later than within sixty (60) days after receipt of the completed application. If a final determination is not issued within sixty (60) days after receipt of the completed application, the request is deemed approved, unless the applicant and the City agree, in writing, to a reasonable extension of time. The final determination must:

- a. Approve the request in whole or in part, with or without conditions; or
- b. Deny the request, stating with specificity the objective, evidence-based reasons for denial and identifying any deficiencies or actions necessary for reconsideration.
- c. Request that are denied can be appealed to the City Commission.

100. **Request for reasonable accommodation not involving a recovery residence.**

The Board of Planning and Appeals will consider a request for special accommodation and issue a recommendation to the city commission to approve, approve with conditions or deny the request. The city commission will render the final decision. In considering the request, the Board of Planning and Appeals and the city commission shall consider the following:

- (1) The policies and objectives of the city's comprehensive plan including the future land use designation of the property in question.
- (2) The permitted uses, conditional uses and special exceptions allowed for the zoning designation of the property in question.
- (3) The surrounding neighborhood, including zoning and future land use designations of the surrounding area.
- (4) The capacity of existing city utilities and infrastructures to accommodate the requested use.
- (5) Existing traffic patterns and traffic problems in the area that currently exists or may become a problem if the requested relief were granted.
- (6) Potential for noise, dust or other impacts to the neighborhood.
- (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.
- (8) The existence of any current code violations.

The board of planning and appeals shall review the application and all relevant facts and laws and make a recommendation to the city commission to approve, deny or approve with conditions. The city commission shall make the final determination.

D. Approval:

In the event that an accommodation is granted, the applicant shall comply with any and all applicable building and/or engineering permitting processes required by the Code of Ordinances and/or the Land Development Code of the City.

- 2. A reasonable accommodation is specific to the individual and does not run with the land.
- 3. A reasonable accommodation does not alter an individual's obligation to comply with other applicable federal, state, county, or City requirements, rules, regulations, or laws.

E. Revocation of reasonable accommodations approval: Any reasonable accommodation approved by the City Commission shall be deemed revoked if the applicant or the property upon which the reasonable accommodation is granted is found, by a court of law or by the special magistrate, to have violated a condition of approval or if the certification or licensure required under Chapter 397, Florida Statutes, for the certified recovery residence lapses, is revoked, or otherwise fails to be maintained, and the certification or licensure is not reinstated within 180 days of

the date of lapse, revocation, or other means of expiration.

SECTION 3. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 4. CONFLICTS. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed consistent, however, with the provisions of this Ordinance relative to the transitional application of the land development regulations.

SECTION 5. EFFECTIVE DATE. That this Ordinance shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of APRIL 2026.

Mayor Penny opened public participation. No one spoke.

Motion to Approve.

Result: Passed [UNANIMOUS]

Mover: City Commissioner Penny Currie

Second: City Commissioner Debra Snow

Ayes: John Penny, Debra Snow, Penny Currie, Jeffrey DeLanoy

Nays: None

2. Request for Lien Reduction - 291 Tracy Avenue

(Requested by Joseph Forte, City Manager)

Brian Walker, City Planner/Assistant City Manager, went through the staff report that is included in the agenda packet. The city received a request for a Reduction of a Code Enforcement Lien that has been placed on the property located at 291 Tracy Avenue, Holly Hill, FL 32117. The original owners were Ralph and Victoria Bean. The property had gone to the Special Master on June 15, 2023, for a number of code violations. The Special Master determined the property to be in violation of the following codes, which are all now in compliance. On November 4, 2025, through the Circuit Court of the 7th Judicial Circuit, the mortgage company, Newrez, LLC, sold the property to Pamela Hunt and Roger Doukas as joint tenants.

Mr. Doukas and Ms. Hunt have completed the request for a lien reduction. As part of the lien reduction request, an applicant must meet three qualifications. In this situation, the buyers purchased the property before resolving the lien. According to the policy, *"If an owner has purchased property on which a lien was recorded, a waiver or reduction on a lien shall not be granted, in such cases, the lien should have been considered in reaching a purchase price,"* It would have been more appropriate for the buyers to contact the city to negotiate the lien reduction before the purchase. Mr. Walker stated that staff's recommendation is to reduce the lien from \$105,550.00 to the amount \$11,374.13 to be paid no later than May 29, 2026, and submit a release of lien upon satisfaction of the payment and bring the property into compliance no later than that date.

Mayor Penny opened public participation. No one spoke.

Motion to Approve.

Result: Passed [UNANIMOUS]

Mover: City Commissioner Penny Currie

Second: City Commissioner Jeffrey DeLanoy

Ayes: John Penny, Penny Currie, Jeffrey DeLanoy

Nays: Debra Snow

7. Public Hearings

1. FIRST READING - Ordinance 3092 - Proposed Large-Scale Evaluation and Appraisal Report (EAR) - Based 2050 Comprehensive Plan Amendment

(Requested by Brian Walker, City Planner)

ORDINANCE 3092

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES; ADOPTING COMPREHENSIVE PLAN 2050, INCLUDING AMENDMENTS TO THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, HOUSING ELEMENT, UTILITIES ELEMENT, COASTAL MANAGEMENT AND CONSERVATION ELEMENT, RECREATION AND OPEN SPACE ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, PUBLIC SCHOOLS FACILITIES ELEMENT, AND ALL ASSOCIATED MAPS AND FIGURES; PROVIDING FOR THE TRANSMITTAL OF AMENDMENTS TO THE STATE REVIEWING AGENCIES, THE VOLUSIA GROWTH MANAGEMENT COMMISSION, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted the *City of Holly Hill Comprehensive Plan* ("*Comprehensive Plan*") in accordance with applicable law, now known as the Growth Policy Act (Chapter 163, Part II, *Florida Statutes*), which *Comprehensive Plan* has been subsequently amended; and

WHEREAS, Section 163.3191, *Florida Statutes*, requires local governments to evaluate their Comprehensive Plans periodically to determine if plans amendments are necessary; and

WHEREAS, on August 29, 2024, the Community Development Director provided a letter to the Department of Commerce confirming that the City would perform a review of the *Comprehensive Plan* and necessary amendments as part of an Evaluation and Appraisal Report of each of the *Comprehensive Plan* elements; and

WHEREAS, the proposed amendments to the *Comprehensive Plan* have been reviewed by the Board of Planning and Appeals and the City Commission via public workshop and public meetings; and

WHEREAS, the proposed amendments to the *Comprehensive Plan* are being submitted under the state coordinated review process as provided in Section 163.3184(4), *Florida Statutes*; and

WHEREAS, on April 6, 2026, the Board of Planning and Appeals serving as the local Land Planning Agency, conducted a public meeting with due public notice on the *Comprehensive Plan* amendments, and recommended approval thereof; and

WHEREAS, on April 14, 2026, the City Commission has duly conducted a public hearing authorizing transmittal of the requested *Comprehensive Plan* amendments, as described in Section 163.3184(4) and (11), *Florida Statutes*; and

WHEREAS, the City Commission finds that approval of the *Comprehensive Plan* amendments will preserve the internal consistency of the City's *Comprehensive Plan* pursuant to Section 163.3177, *Florida Statutes*; and

WHEREAS, the *Comprehensive Plan* amendments are attached to this Ordinance as Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, for the purposes of this Ordinance, underlined type constitutes additions to the original text and ~~strikethrough~~ shall constitute deletions to the original text.

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

SECTION 1. The foregoing recitals are incorporated herein by reference as the

legislative findings of the Holly Hill City Commission.

SECTION 2. The *City of Holly Hill Comprehensive Plan*, is hereby amended with the text, figures, and map amendments to the Future Land Use Element, Transportation Element, Utilities Element, Coastal Management and Conservation Element, Housing Element, Recreation and Open Space Element, Capital Improvements Element, Intergovernmental Coordination Element, Public School Facilities Element, as set forth in Exhibit "A."

SECTION 3. In order to make the *City of Holly Hill Comprehensive Plan 2050*, available to the public, a copy of the enacting Ordinance, and *City of Holly Hill Comprehensive Plan 2050*, shall be located in the Community Development Department of the City of Holly Hill. The Community Development Director shall also make copies available to the public for a reasonable reproduction charge.

SECTION 4. The City Manager is hereby authorized and directed to transmit the appropriate number of copies of the notice and amendment within ten (10) days after the first reading of this Ordinance to the appropriate agencies and to any other unit of local government who has filed a written request for a copy in accordance with the provisions of Section 163.3184, *Florida Statutes*, and Volusia Growth Management Commission rules per Section 202.3 of the Charter of Volusia County.

SECTION 5. Pursuant to Section 163.3184(4), *Florida Statutes*, the second reading of this *Comprehensive Plan* amendment shall not exceed 180 days after the receipt of the state land planning agency's report.

SECTION 6. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. In the event any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such declaration shall not be deemed to affect the validity of this Ordinance as a whole or any other section or provision thereof.

SECTION 8. The effective date of this plan amendment, if the amendment is not timely challenged, shall go into effect pursuant to the state land planning agency's notice of intent. If timely challenged, this amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land use dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

APPROVED AND AUTHENTICATED on this 14th day of APRIL 2026 for first reading.

Mr. Walker went through his staff report and explained what this Ordinance is about. Mr. Walker went over the background and the changes that will take place as it pertains to the Ordinance. After the State has reviewed this, it will come back for the second and final reading. However, it may be a couple of meetings out before that takes place.

Mayor Penny opened public participation. No one spoke.

Motion to Approve.

Result: Passed [UNANIMOUS]

Mover: City Commissioner Penny Currie

Second: City Commissioner Debra Snow

Ayes: John Penny, Debra Snow, Penny Currie, Jeffrey DeLanoy

Nays: None

8. Communications

- a. Assistant City Manager, Mr. Walker - nothing to report
- b. City Attorney, nothing to report
- c. Mayor Penny reminded the City Commissioners and the audience, as it pertains to the City's Charter, the District 4 seat for Commissioner will remain vacant until the August 18th election. Mayor Penny informed the Commissioners that Mr. Forte was attending the School Board meeting tonight; mentioned that himself and Mr. Forte visited the Riverview Learning Center campus in Ormond Beach today and got a tour of the campus. They are looking for a building to move to, and they are looking to possibly move over to the Holly Hill Middle School empty building, and himself and Mr. Forte let them know that may not be a good fit for the current school that is there. Mayor Penny reminded everyone about the concert Friday night at the MetroStadium at Pictona with Jeep Beach representing the "*Are Friends Electric*" band. Coming soon, there will be a grand opening for the RV Park; the proclamations that were read tonight are very important and is happy that Holly Hill recognizes them, and staff is putting together a day's event for October 10th for the city's 125th Anniversary that will take place at Sunrise Park - more information to come.
- d. Commissioner Snow thanked the Police Department for hosting the Firearms Safety Training Class that took place last Saturday. It was a great class. Commissioner Snow recommended anyone who is interested, should attend. There is a lot of good information shared.
- e. Commissioner Penny congratulated Carmen Ruiz for submitting her candidacy papers earlier today and wanted to let her know that she endorses her; congratulated Officer Daniel Arraial in being a part of the Holly Hill Police Department.

9. Adjournment

The meeting adjourned at approximately 7:15 PM.