

March 30, 2025

Commission to discuss allowable golf course property uses at April 1st hearing

The following item is listed on the [Agenda](#) for the upcoming Commission Hearing on Tuesday, April 1, 2025:

RESOLUTION NO. 2025-78: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, APPROVING A STATEMENT OF ALLOWABLE USES PURSUANT TO CHAPTER 70.001, FLORIDA STATUTES, FOR PROPERTY GENERALLY LOCATED AT 20 TOMOKA OAKS BOULEVARD, ORMOND BEACH, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE

City of Ormond Beach
Commission Meeting
April 1, 2025 (Tuesday)
7:00 PM
Commission Chambers located in City Hall
22 South Beach Street

As I understand it, the Commission will discuss a written resolution identifying how the Sam Snead Golf & Country Club property can be used and what the zoning is. This resolution is the City's response to the pre-suit notice which I explained in the [January](#) newsletter. The City had 3 options regarding the pre-suit notice, and it appears they chose option #2:

1. Prepare a written settlement offer
2. Issue a written statement of allowable uses
3. Or agree to arbitration or mediation

Anyone can testify at the hearing. You just need to complete the form made available before the meeting starts.

Other Lawsuit Updates

Case #1

Circuit Court Case: 2024 13483 CICI

Both the Developer's attorney, and the City's outside counsel, Abe McKinnon, submitted their Memorandums on jurisdiction to justify whether the developer filed their Petition for Writ of Certiorari within the 30 day statutory appeal window. The court has not scheduled any court events related to these Memorandums.

Case #2

US (Federal) Court Case: 6:24-cv-02343-RMN

- 2/25/25 - The City's outside counsel, Abe McKinnon, filed their amended Motion to Dismiss for Failure to State a Claim
- 3/4/25 - Developer's attorney filed their Response
- NOTICE of hearing on the Amended MOTION to Dismiss for Failure to State a Claim has been for 5/21/2025 at 10:00 AM in Orlando Courtroom 4 C before Magistrate Judge Robert M. Norway.

So at this point, it looks like there will be a court hearing on 5/21/25 in Orlando. I believe these hearings are open to the public but will confirm that for those of you who may be interested in attending. Keep in mind, court dates get moved. So you can always check the latest case update at:

https://www.pacermonitor.com/public/case/56297658/Triumph_Oaks_of_Ormond_Beach_I,_LLC_v_City_of_Ormond_Beach

Responsible Greenspace Preservation

On April 1, 2025, the Volusia County Council will decide whether or not to spend our ECHO and Volusia Forever funds for a motocross facility in the Florida Wildlife Corridor. Does anyone else see this as a bit of a contradiction?

ECHO and Volusia Forever are funded by taxpayers. Should the golf course property owner ever be a willing seller, perhaps ECHO and Volusia Forever grants would become available to fund a purchase? There are actually precedents on Ormond Beach residents voting to approve funding for greenspace preservation purchases:

- 1987 Ormond Beach voters approved the sale of bonds to help the County purchase 550 acres to preserve **John's Island** from development. (*News-Journal* [article](#))
- 1997 Ormond Beach voters emphasized their environmental interest with a 3-1 vote to buy and protect **The Rivers Property** from development. This

property was the only remaining parcel within the 1,538-acre Tomoka State Park corridor not already in public hands. (*News-Journal* [article #1](#), [#2](#))

These older news articles bring home just how critical it is today that we "not undo" what our community worked so hard to achieve 30+ years ago. We are relying on County and City leadership to continue the greenspace preservation legacy of prior elected officials.

All Newsletters are available at
TomokaOaksHistory.com



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The Tomoka Oaks Times is an independent newsletter whose goal is to prevent residential development of the Tomoka Oaks Golf Course property. This newsletter is separate from the voluntary Tomoka Oaks HOA Golf Course Committee whose efforts are directed at mitigating development. It is our belief our development opposition is necessary to accurately and fairly represent Tomoka Oaks residents who desire no residential development.

Tomoka Oaks Times

Ormond Beach, FL 32174

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