



**CITY OF DELAND
REGULAR MEETING OF THE PLANNING BOARD
NOVEMBER 13, 2024 AT 5:00 PM
CITY HALL, COMMISSION CHAMBERS
120 SOUTH FLORIDA AVENUE**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

VERBAL REPORT ON CITY COMMISSION MEETINGS

MINUTES

1. Approval of the October 16, 2024 meeting minutes.

VARIANCE OLD BUSINESS

VARIANCE NEW BUSINESS

1. Applicant Name: Ida Wright - AM Wright Construction, Inc.
Project Number: V24-219 - Variance
Project Location: 337 W Walts Ave
Project Description: Variance request to reduce the required number of parking spaces for a single-family residence from four (4) to three (3).
Project Planner: Sam Nelson

PUBLIC PARTICIPATION PROCEEDINGS

PLANNING - OLD BUSINESS

PLANNING - NEW BUSINESS

1. Applicant Name: Michael Woods - Cobb Cole
Project Number: Z24-192 - PD Amendment
Project Location: Northwest corner of E. Beresford Ave & S. Kepler Rd.
Project Description: PD Amendment to make 2 text changes relating to timing of model home and amenity construction.
Project Planner: Kendall Story
2. Applicant Name: City of DeLand
Project Number: LDR24-222 - LDR Text Amendments
Project Location: City-wide
Project Description: Text Amendment to Modify Section 33-91.03(l) Bicycle Parking – To Lower the Bicycle Parking Reduction Amount, Set Performance Standards for Bicycle Parking Reduction Requests, Clarify the Intent Statement, and Associated Minor Revisions
Project Planner: Carol Kuhn, AICP, Planning Director

OTHER BUSINESS

ADJOURNMENT



**CITY OF DELAND
PLANNING BOARD REGULAR MEETING
MINUTES**

WEDNESDAY, OCTOBER 16, 2024 - 5:00 P.M.

CITY HALL

CALL TO ORDER

The meeting began at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance – Mr. Owens, Chairperson

ROLL CALL

Henry Thiry	Absent
Nora Lewis	Absent
Albert Neumann	Absent
Don Liska	Present
Troy Baumgartner	Present
Harper Hill, <i>Vice Chairperson</i>	Present
Jeremy Owens, <i>Chairperson</i>	Present

Quorum: Yes

Present – Carol Kuhn, Planning Director; Darren Elkind, City Attorney; Deborah Glick, Development Services Manager; Belinda Williams-Collins, Senior Planner; Samuel Nelson, Planner I; Vivian Ford, Administrative Coordinator; applicants; and members of the public.

MINUTES

1. Mr. Liska moved to approve the September 11, 2024 Meeting Minutes. Mr. Hill seconded the motion. The board unanimously voted to approve the minutes.
2. Mr. Liska moved to approve the August 14, 2024 Meeting Minutes. Mr. Hill seconded the motion. The board unanimously voted to approve the minutes.

VARIANCE OLD BUSINESS

None.

VARIANCE NEW BUSINESS

None.

PUBLIC PARTICIPATION PROCEEDINGS

Mr. Owens read the Public Participation procedures.

PLANNING – OLD BUSINESS

None.

PLANNING – NEW BUSINESS

1. Applicant Name: Bill Merckel - Merckel Development LLC
Project Number: CSB24-175
Project Location: 355 N. McDonald Ave.
Project Description: Combined Preliminary and Final Plat for 5 Single-Family Homes Project
Planner: Belinda Williams-Collins, AICP

Public Participation: Staff presented, Applicant was not present.

Mr. Hill moved to approve the request, with the conditions that the location of all utilities be verified and all necessary utility and drainage easements be shown on the plat.

OTHER BUSINESS

None

ADJOURNMENT

The meeting ended at 5:15 p.m.



**PLANNING STAFF
REPORT TO
CITY OF DELAND PLANNING
BOARD**

November 13, 2024

A. APPLICATION NO: V24-219

APPLICANT: Ida Wright - AM Wright Construction, Inc.

REQUEST: To reduce the required number of parking spaces for a three-bedroom single-family residence from four (4) to three (3).

APPLICABLE ORDINANCES: *Sec. 33-17.05 R-1 Single-Family Dwelling Sec. 33-91.03 Number and type of parking spaces required. Sec. 33-102.05 Development of established vacant nonconforming single-family residential lots.*

B. SITE FACTORS:

LOCATION: 337 W Walts Ave

PARCEL SIZE: +/- 5,448 Square Feet

EXISTING ZONING/USE: R-1 Single-Family Dwelling

Required Minimum Setbacks in Feet & Required Parking				
Front	Rear Setback	Side Setback	Corner lot: Street side Setback	Off-Street Parking Spaces (3-Bedroom)
30'	25'	7.5'	15'	4

Proposed Setbacks in Feet & Proposed Parking				
Front (Administratively Reduced 33- 87.01)	Rear Setback	Side Setback	Corner lot: Street side Setback	Off-Street Parking Spaces (3-Bedroom)
25.3'	25'	19.6'	16.8'	3

C. LAND USE PLAN DESIGNATION: Medium Density Residential

SURROUNDING USE:

SURROUNDING ZONING:

NORTH:	Single-Family Dwelling	R-1
SOUTH:	Single-Family Dwelling	R-1
EAST:	Single-Family Dwelling	R-1
WEST:	Single-Family Dwelling	R-1

D. CHRONOLOGY:

The vacant corner lot located at 337 W Walts Ave was purchased by the applicant in July of 2023. The property is located in the R-1 Single-Family Dwelling zoning district and has a land use designation of medium density residential. The property is 70 feet wide by 78 feet long, with a size of 5,448 square feet. (Exhibit 1) Surrounding lots and homes are varied in size, with the majority of homes in the neighborhood being constructed in the 1940's. (Exhibit 3) The applicant applied for a building permit to construct a new a two-story single-family residence (SFR) in August of 2024. Staff reviewed the application and found that the proposal was deficient of the four (4) off-street parking spaces required by the Land Development Regulations (LDRs) by one (1).

Prior to 2019 the Land Development Regulations required a minimum of two (2) off-street parking spaces for single-family residences. To improve the quality of life for all residents of DeLand, the City Commission increased the minimum off-street parking requirement from two (2) spaces to four (4) spaces for three-bedroom single-family residences through Ordinance 2019-10. The same ordinance also increased the required size for residential parking lots from 8⁵ feet in width by 18 feet in length to nine (9) feet in width by 20 feet in length. The applicant is now requesting a variance to reduce the required number of parking spaces for a three-bedroom single-family residence from four (4) to three (3).

E. ANALYSIS:

The applicant's request to provide three (3) off-street parking spaces for a three-bedroom home is deficient one (1) of the four (4) required by the LDRs. There is no physical limitation preventing the applicant from providing the required parking on this property. While the area of the subject property is approximately 2,027 square feet smaller than the district's requirement, ample area exists on the property to provide the required parking and not exceed the maximum impervious coverage. Vehicle use area for single-family dwellings may be as close as one (1) foot from a property line. Due to the predominant front setback of the area being 17 feet, administrative approval was granted to reduce the required building front-yard setback from 30 feet to 25.3 feet per Sec. 33-87.0. of the LDRs as part of the building permit process. Additionally, LDR section 33-102.05 allows vacant nonconforming lots to be developed for single-family residences subject to certain criteria. One of the listed criteria states, "The development of the property will provide adequate off-street parking for the use of the property." The code does not distinguish between "adequate" parking and the standard parking requirement, so the standard requirement is applied. There is no specific provision for staff to administratively approve a reduction of parking as exists for setbacks.

The applicant is proposing a driveway which will accommodate three (3) off-street parking spaces which comply with the LDR dimensional requirements. Additionally, a garage which is 13 feet and eight (8) inches in width by approximately 18 feet in length will be provided. This provides the required width for an off-street parking space, but is shorter than the required length by two (2) feet. If the garage space was expanded to meet this dimensional requirement, the total parking requirement would also be met.

The proposed residence is unlikely to be detrimental to the surrounding properties as no existing property in the area provides the required parking.

F. VARIANCE CRITERIA:

Per Section 33-103.03, as amended, the Planning Board will consider the following criteria in making-a-determination concerning the granting or denial of the requested variance:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.

The subject property is undersized per current zoning standards. Per the Land Development Code, staff may approve an administrative variance for the setback, based on the predominant front setback of the block. which would be consistent with the neighborhood average of 20 feet. This does not necessarily impact the applicant's ability to provide the required parking as the applicant has area to provide the required off-street parking elsewhere, especially in light of the reduced setback.

2. Granting of the variance request will not confer on the applicant any special privilege that is denied by these Land Development Regulations to other lands, building, or structures in the same zoning district.

Granting of the variance may confer special privileges when compared with other R-1 district properties as all new Single-Family Residences (SFRs) must meet the code's parking requirement. However, when the surrounding properties were developed, they were constructed under the previous regulations which required only 2 parking spaces. Other surrounding properties were constructed prior to any zoning regulations.

3. Literal interpretation and enforcement of these Land Development Regulations will deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these Land Development Regulations, and work unnecessary and undue hardship on the applicant such as natural site conditions, size or shape of lot, or existing structures(s).

The literal interpretation and enforcement of the code will not deprive the applicant of rights commonly enjoyed by other properties within the same zoning district or work undue hardship on the applicant. The LDRs require all new SFRs to provide a minimum of four (4) off-street parking spaces, and the applicant has adequate area to construct the required off-street parking. Another option would be to build the garage to meet the parking stall length (20 feet).

4. The granting of the variance will be in harmony with the general intent and purpose of these Land Development Regulations and the Comprehensive Plan, as amended,

and will not be injurious to the surrounding properties or detrimental to the public welfare.

The granting of this variance is unlikely to be injurious to surrounding properties as most surrounding properties are not conforming to current parking standards. The granting of this variance may be considered to be in harmony with the general intent and purpose of these Land Development Regulations as there are existing provisions for staff to administratively approve development on vacant, nonconforming lots, with one of the requirements being "adequate" off-street parking is provided.

5. The Variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure.

The applicant could construct all four (4) parking spaces within the existing lot. This could be achieved by revising the proposed garage length, or bringing the driveway up along the side of the house to meet the required four (4) spaces. However, the applicant does not desire to revise the proposed house design to meet the required four (4) parking spaces and is thereby requesting a variance to provide only three (3) parking spaces.

6. The special conditions or circumstances are not the result of actions of the applicant or owner.

The nonconforming parking will be the result of actions of the applicant. The undersized lot was existing in the current configuration prior to the applicants purchase, however, this does not affect the applicant's ability to provide the required parking.

G. STAFF SUMMARY:

The applicant is requesting a variance to reduce the required number of parking spaces for a three-bedroom single-family residence from the required four (4) to three (3). While the property is undersized to R-1 standards, a hardship is not necessarily created for providing the required parking as a result. The applicant could construct a residence on this property that complies with the LDRs, either by providing an expanded driveway or expanding the garage. The applicant is proposing a garage which is short two (2) feet of the required parking space length and thus does not count towards the parking total. The code allows some relief for development of vacant nonconforming lots; however, a parking reduction is not specifically permitted. The proposal is unlikely to be injurious to surrounding properties as no other surrounding property contains the currently required parking due to the time of their construction (pre-2019 code change). The Planning Board may choose to grant this variance, grant this variance with conditions, or deny this variance.

Exhibits

Exhibit 1 – Plot Plan

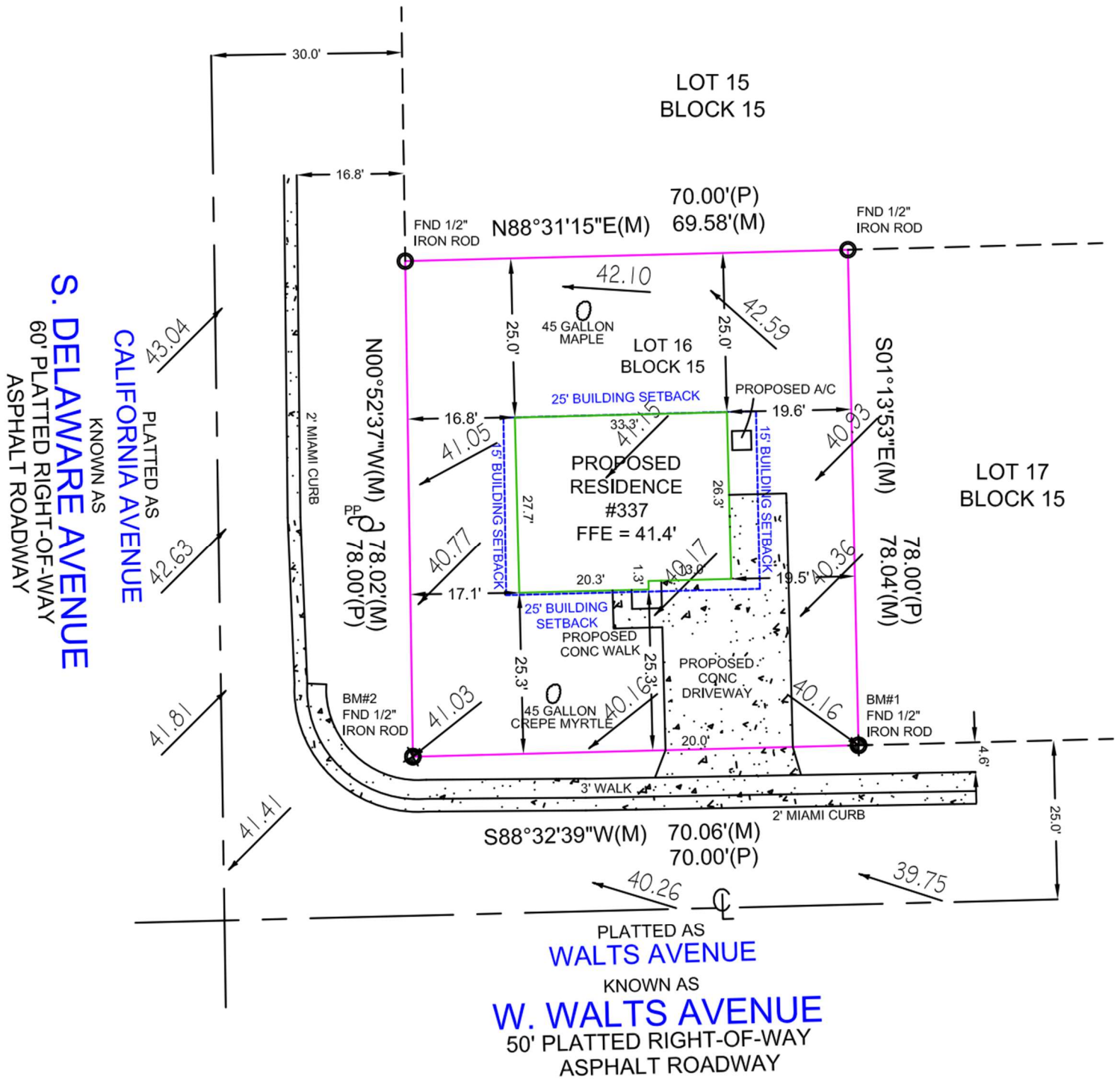


Exhibit 2 – Aerial



Exhibit 3 – Neighboring Properties

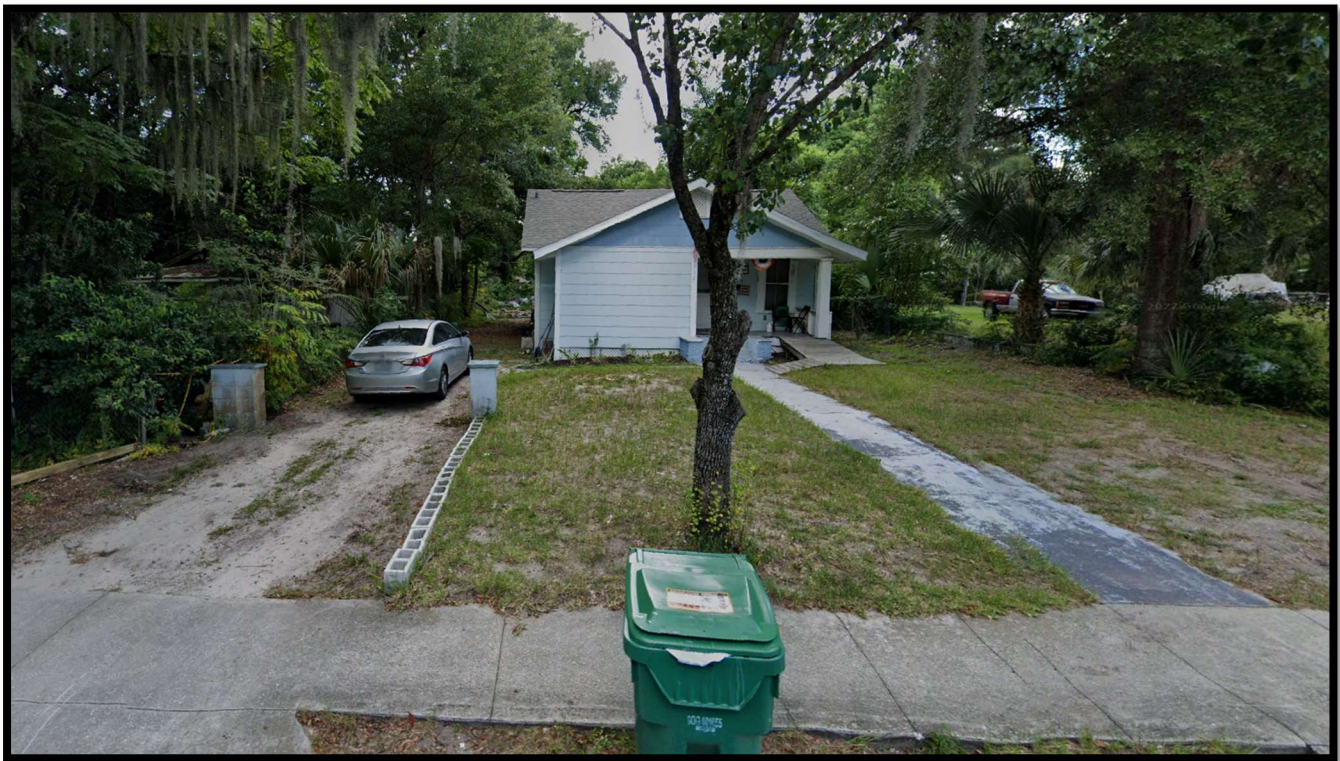




Exhibit 4 – Proposed Elevation



Exhibit 5 – Proposed Floor Plan

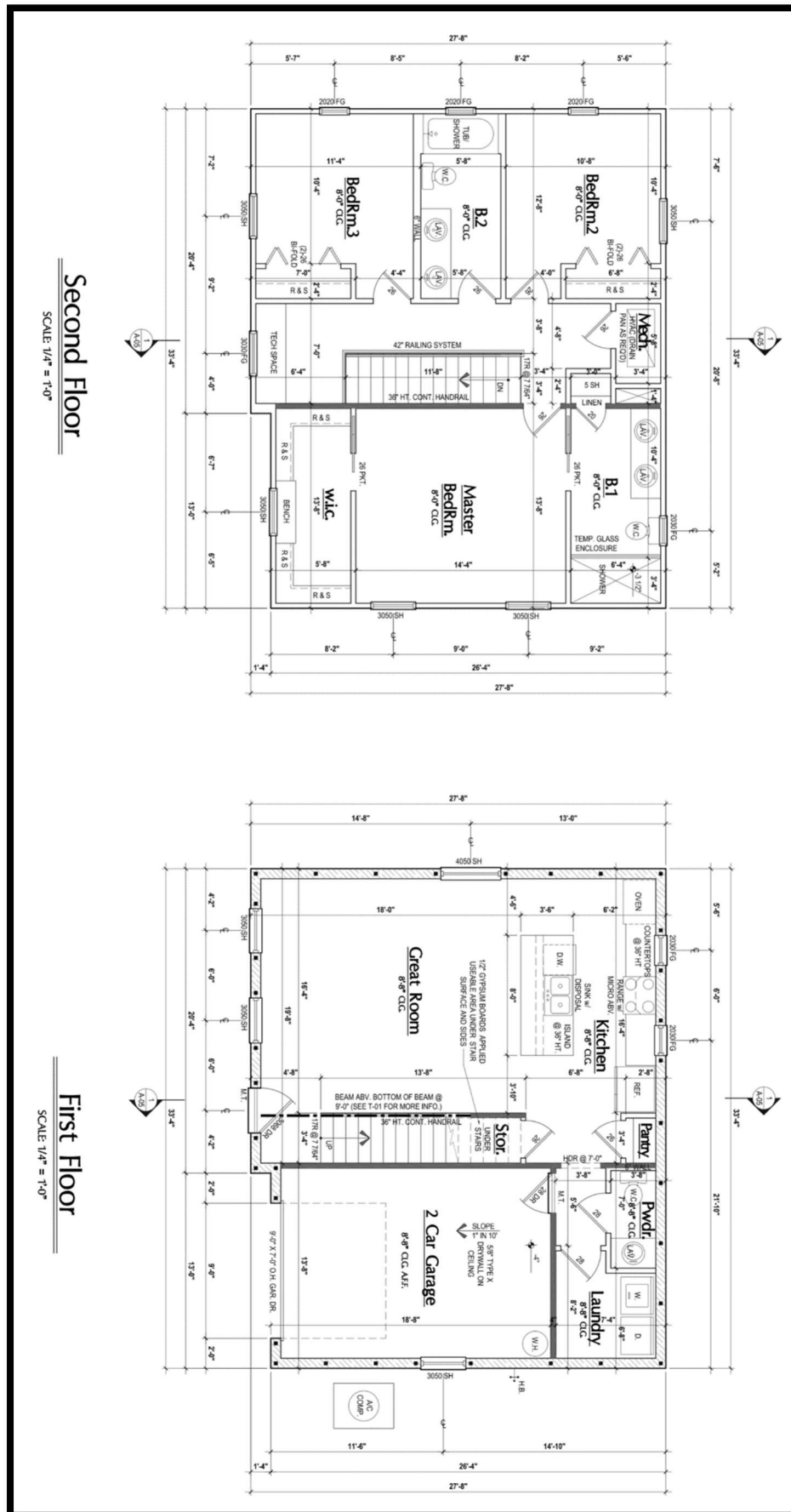


Exhibit 6 – Average Front Setback



Average Front Setback = $29+20+5+21+20+21+2+15+9 = 119$, $119/7 = 17$ Feet



City of DeLand
V24-219
337 W WALT

DELAWARE AV

R-1

SUBJECT PROPERTY

WALT AV

Legend:



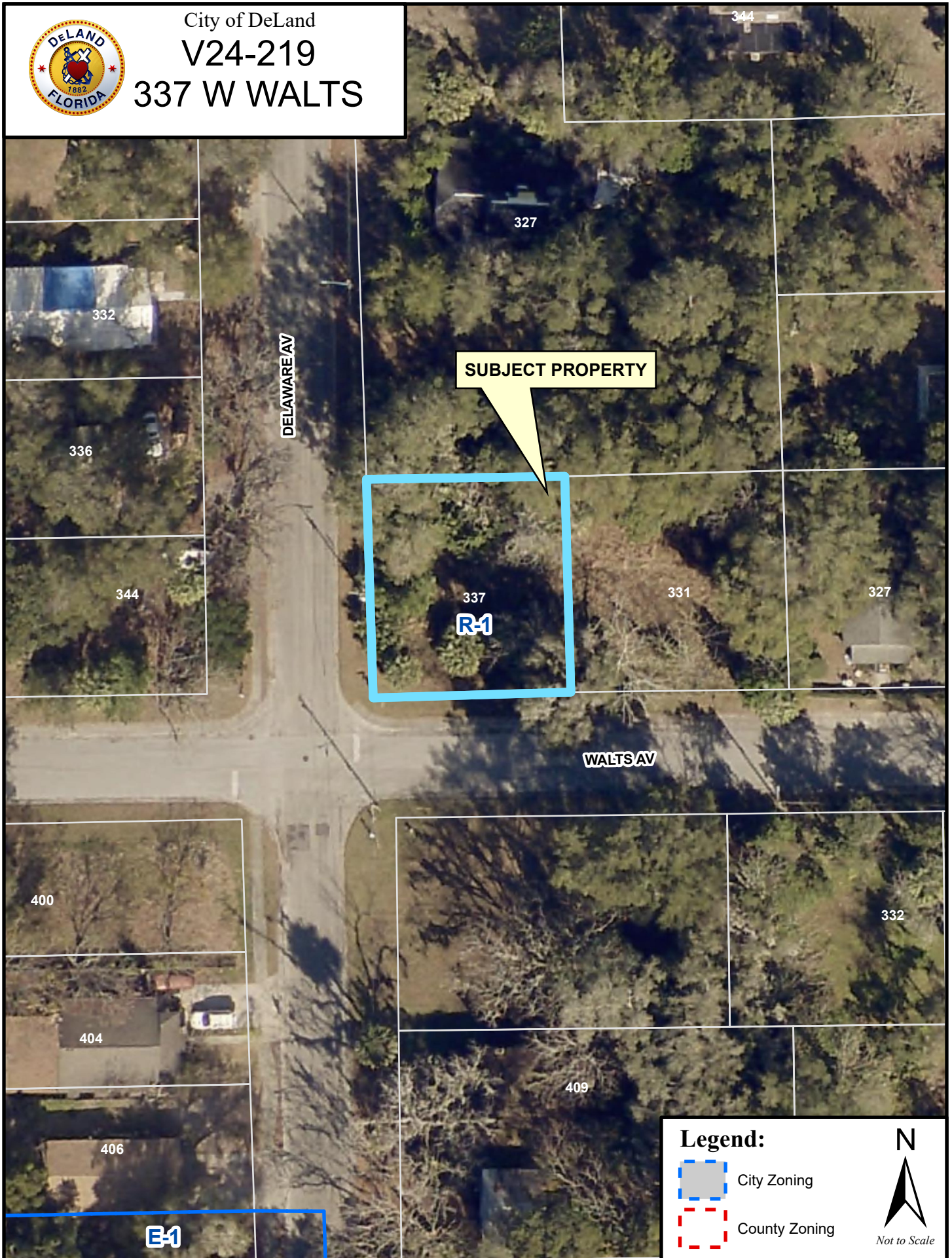
City Zoning

County Zoning





City of DeLand
V24-219
337 W WALT



Legend:

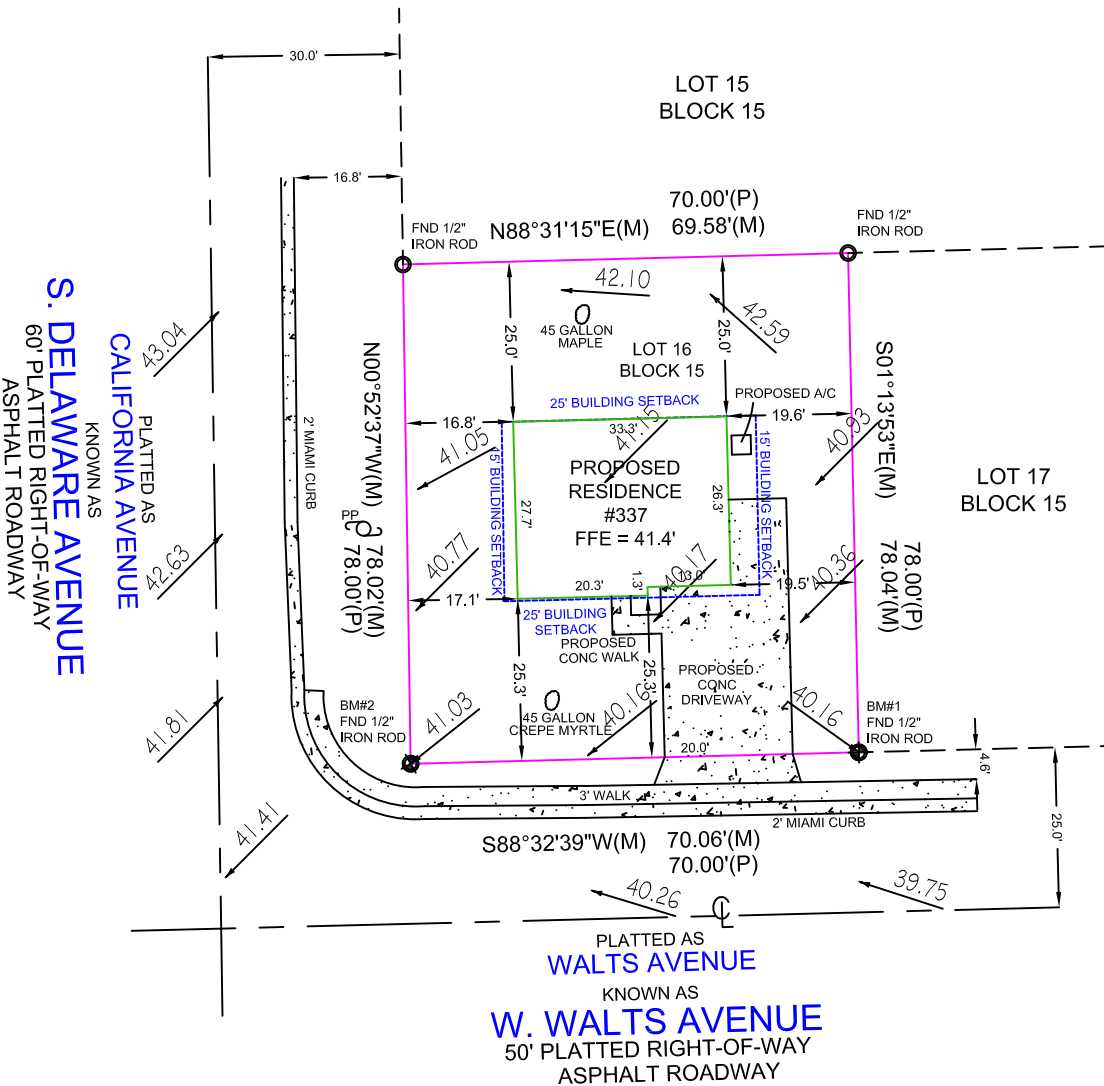
-  City Zoning
-  County Zoning



Plot Plan

ELEVATIONS SHOWN ARE BASED ON NAVD 88 DATUM (FDOT/RTK GPS)

TREES SHOWN ARE PROPOSED



SITE DATA

LOT	5448 S.F.
UNDER ROOF	904 S.F.
DRIVEWAY	284 S.F.
LEAD WALK	32 S.F.
A/C PAD	18 S.F.
SOD ON LOT	4210 S.F.
IMPERVIOUS RATIO =	23%

ADDRESS

337 WALTS AVENUE
DELAND, FLORIDA 32720

LEGAL DESCRIPTION: (AS FURNISHED)

LOT 16, BLOCK 15, BOND LUMBER CO'S SUBDIVISION OF BLOCK 7,8,15 AND 16 OF
HOWRY'S MAP OF DELAND, FLORIDA, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN MAP BOOK 4, PAGE(S) 68 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

BASIS OF BEARINGS: BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHERLY LINE OF LOTS 16, BLOCK 15, BEING S 88°32'39" W, ASSUMED

LIST OF POSSIBLE ENCROACHMENTS: NONE

DLS #: 24-08-0051
CLIENT #:
FIELD DATE: 08/29/24
DRAFTER: JRH
APPROVED: BHH

CERTIFIED TO: (AS FURNISHED)
AM WRIGHT CONSTRUCTION

NOTES

1. Abutting properties have not been researched for gaps, overlaps, and/or hiatus
2. In compliance with F.A.C. 61G17-6.0031-4-E, If location of easements or rights-of-way of record, other than those on recorded plats, is required, this information must be furnished to the surveyor and mapper
3. Fence ownership is not determined
4. No underground Improvements or structures were located by this survey, unless otherwise noted
5. This survey should not be used for construction purposes
6. Any septic tank or drainfield locations (if found) are approximate
7. Property lines and/or Improvements shown were physically located by field survey
8. Monuments found or set are shown
9. Calculated lines and information are noted by (C)
10. Computations of lines and/or data not found are shown as (C)
11. Accuracies obtained in this survey are greater than (rural) 1" in 5000', (suburban) 1" in 7500', (commercial) 1" in 10,000'
12. Prior to survey, information obtained was legal description provided by client or from publicly published county tax collector site, recorded plats and/or section corner records, if applicable
13. If only a digital survey copy is required, a survey report will be placed in file. The digital survey is not full and complete without the survey report file.

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE
USE AND BENEFIT OF THE PARTIES LISTED HEREON.
LIABILITY TO THIRD PARTIES MAY NOT BE
TRANSFERRED OR ASSIGNED.

LEGEND

A/C	- Air Conditioner	P	- Plat
C	- Calculated	PB	- Plat Book
CL	- Centerline	PC	- Point of Curvature
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	POB	- Point of Beginning
CONC	- Concrete	POC	- Point of Commencement
COV	- Covered	PP	- Power Pole
D	- Description	PRC	- Point of Reverse Curvature
DE	- Drainage Easement	PRM	- Permanent Reference Monument
DUE	- Drainage & Utility Esmt	R	- Radius
D/W	- Driveway	RAD	- Radial
ESMT	- Easement	R&C	- Rebar & Cap
FFE	- Finished Floor Elevation	RFC	- Roofed
FND	- Found	UE	- Utility Easement
IP	- Iron Pipe	WM	- Water Meter
L	- Length (Arc)	Δ	- Delta (Central Angle)
M	- Measured	-	- Wood/PVC Fence
N&D	- Nail & Disk	-	- Chain Link Fence
NR	- Non-Radial	EPE	- Electric Power Easement
OHU	- Overhead Utility Line	PUE	- Public & Utility Esmt
ORB	- Official Records Book	E/P	- Edge of Pavement

FLOOD ZONE INFORMATION
(FOR INFORMATIONAL PURPOSES ONLY)

SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN
FLOOD ZONE X, AREA OUTSIDE OF THE 100 YEAR FLOODPLAIN,
PER F.I.R.M. PANEL NUMBER 12127C 0470H
LAST REVISION DATE 02/19/14

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS SKETCH OF SURVEY WAS MADE UNDER MY
RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF. SAID
SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD
OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 472.027 FLORIDA ADMINISTRATIVE
CODE. FURTHER, THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED
PURSUANT TO THE FLORIDA STATUTES SECTION FJ-17.062.2 AND FJ-17.062.3 OF THE
FLORIDA ADMINISTRATIVE CODE.

DATE SIGNED: 09/04/2024

THE SEAL APPEARING ON THIS DOCUMENT
WAS AUTHORIZED BY BILL H. HYATT, LS 4636,
ON THIS DATE 09/04/2024
SURVEYOR'S NAME: BILL H. HYATT LS 4636

DEAL LAND SURVEYING, LLC LB 8121

NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE
AND AUTHENTICATED ELECTRONIC SEAL

DATE	REVISION	DATE	REVISION
9/8/24	ADD PLOT PLAN		

GENERAL INFORMATION	
APPLICABLE CODES	
FLORIDA BUILDING CODE: BUILDING 8TH EDITION (2023)	
FLORIDA BUILDING CODE: RESIDENTIAL 8TH EDITION (2023)	
FLORIDA BUILDING CODE: ACCESSIBILITY 8TH EDITION (2023)	
FLORIDA BUILDING CODE: PLUMBING 7TH EDITION (2020)	
FLORIDA BUILDING CODE: MECHANICAL 7TH EDITION (2020)	
FLORIDA ENERGY CONSERVATION CODE: 7TH EDITION (2020)	
FLORIDA FIRE PREVENTION CODE: 8TH EDITION (2023)	
BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE - (ACI 318-19)	
NFPA 70, NATIONAL ELECTRICAL CODE (2020) EDITION	
SPECIFICATIONS FOR STRUCTURAL CONCRETE - (TMS 402 / 602-16)	
NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION - 2018 EDITION	
WOOD FRAMED CONSTRUCTION MANUAL 2018 EDITION	
APA PLYWOOD DESIGN SPECIFICATION E30-16	
AMERICAN SOCIETY OF CIVIL ENGINEERS: ASCE / SEI 7-22	
ENGINEERING STANDARDS MANUAL 5th EDITION	
NOTE: CODE REFERENCES ARE SUMMARIES OF CODE SECTIONS - SEE FBCR (CURRENT VERSION) FOR COMPLETE INFORMATION	
BUILDING OCCUPANCY	
RESIDENTIAL- R-3	IBC 310.5
BUILDING CONSTRUCTION TYPE	
TYPE III, PROTECTED	IBC 602.5
BUILDING INFORMATION	
BUILDING SQUARE FOOTAGE:	1171 SQ. FT.

FLORIDA BUILDING CODE: BUILDING 8TH EDITION (2023)	
FLORIDA BUILDING CODE: RESIDENTIAL 8TH EDITION (2023)	
FLORIDA BUILDING CODE: ACCESSIBILITY 8TH EDITION (2023)	
FLORIDA BUILDING CODE: PLUMBING 7TH EDITION (2020)	
FLORIDA BUILDING CODE: MECHANICAL 7TH EDITION (2020)	
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AREA	10 sf	50 sf	100 sf	500 sf
NEGATIVE ZONE 1	-25.7	-18.8	-15.9	-15.9
NEGATIVE ZONE 2	-38.4	-24.0	-24.0	-24.0
NEGATIVE ZONE 3	-38.4	-24.0	-25.7	-25.7
POSITIVE ALL ZONES	-14.3	-10.0	-10.0	-10.0
OVERHANG ZONE 3 @ ZONE 4	-50.3	-37.0	-37.7	-35.7
OVERHANG ZONE 3 @ ZONE 5	-55.2	-39.8	-39.7	-35.7

AREA	10 sf	100 sf	200 sf	500 sf
NEGATIVE ZONE 4	-20.8	-17.9	-17.1	-15.9
NEGATIVE ZONE 5	-25.7	-19.9	-18.2	-15.9
POSITIVE ZONE 4 & 5 AT H	-18.2	-16.3	-15.4	-14.3

NOTES:

1. TABLE PRESSURES ARE FOR THE SQUARE FOOT (SF) TRIBUTARY AREA SHOWN. FOR OTHER TRIBUTARY AREAS, LINEARLY INTERPOLATE BETWEEN VALUES SHOWN ABOVE.
2. POSITIVE PRESSURES ACT TOWARD THE BUILDING. NEGATIVE PRESSURES ACT AWAY FROM THE BUILDING.
3. SEE DIAGRAMS FOR LOCATION OF ZONES.
4. PRESSURES SHOWN ARE NOMINAL PRESSURES, DIVIDE BY 0.6 FOR ULTIMATE PRESSURES

$s = 4.0 \text{ ft.}$

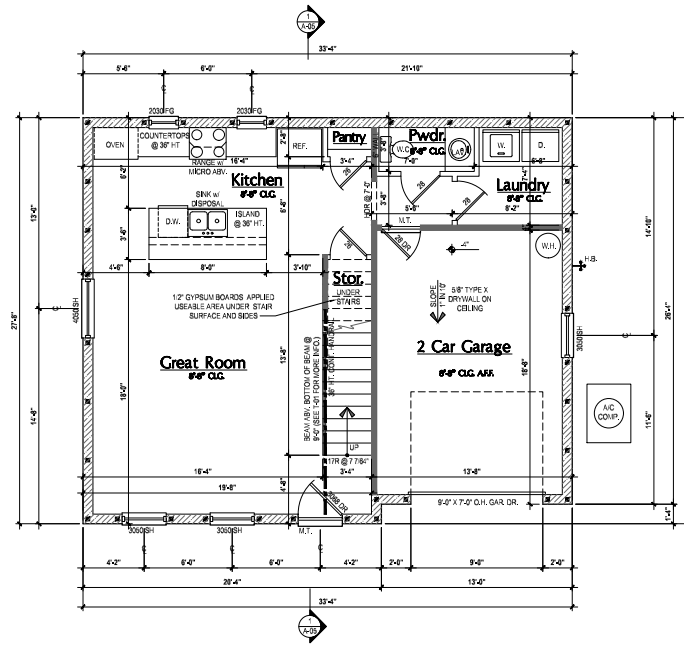
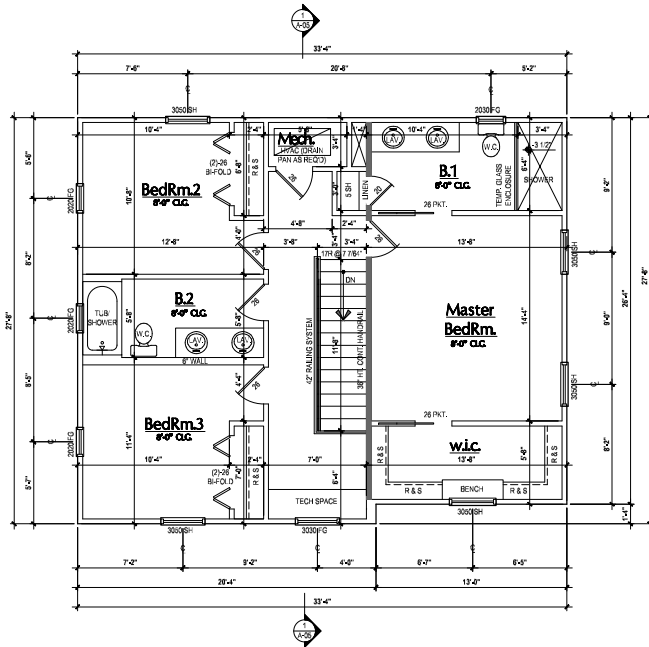
[illegible]

DESIGN REQUIREMENTS	
A. ROOF LIVE LOAD IS 20 PSF B. FLOOR LIVE LOAD IS 40 PSF, BALCONIES, DECKS, STAIRS, LIVE LOAD IS 40 PSF	
NOTE: THIS STRUCTURE HAS BEEN SUBMITTED TO MEET OR EXCEED THE REQUIREMENTS OF THE 2007 IBC, ASHRAE BUILDING CODE (7TH EDITION)	
1. WIND CATEGORY: CATEGORY B 2. ULTIMATE WIND SPEED - 130MPH 3. NOMINAL WIND SPEED - 109MPH 4. WIND IMPORTANCE FACTOR - 1.0 5. INTERPOL. PRESSURE COEFFICIENT $H < 15$ 6. SINGLE HALL READING TO BE REPER CATEGORY II 7. WHOLEHOUSE DECKS AREA = 0.0	
DESIGN STATEMENT	
NOTE: THIS STRUCTURE HAS BEEN SUBMITTED TO MEET OR EXCEED THE REQUIREMENTS OF THE 2007 IBC, ASHRAE BUILDING CODE (7TH EDITION)	
WIND PRESSURE AND SUCTION DIAGRAM	
GENERAL PRESSURE NOTES	
1. WIND ZONE IS ONLY WITHIN 45° OF ALL EXTERIOR BUILDING CORNERS 2. INDICATED PRESSURES CAN BE INTERPOLATED FOR OTHER DOOR SIZES. OTHERWISE USE LOAD ASSOCIATED WITH THE LOWEST EFFECTIVE AREA.	

00	COVER SHEET
S1	STRUCTURE LOCATION PLAN
01	FIRST FLOOR PLAN / SECOND FLOOR PLAN
02	FOUNDATION PLAN
03	ELEVATIONS
04	BUILDING SECTION / STAIR SECTION / ROOF LAYOUT
T-01	FLOOR TRUSS / ROOF TRUSSES
L-01	LINTEL PLAN
D-01	DETAILS
D-02	DETAILS
D-03	DETAILS
D-04	DETAILS
E-01	ELECTRICAL LAYOUT
SN-01	STRUCTURAL NOTES

[illegible]

AM Wright Construction 616 Cassin Ave. Daytona Beach, FL 32114	Caroline Custom Home 337 West Walts Ave. DeLand, FL 32720
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- ABBREVIATIONS:**
 2- INDICATES NUMBER OF DOORS.
 3- INDICATES NUMBER OF WINDOWS.
 MT- METAL THRESHOLD
 FR- FRENCH DOORS
 SL- SLIDE LIGHT
 FG- FIXED GLASS
 TR- TRANSOM
 GB- GLASS BLOCK
 PNT- POCKET DOOR
 OBB- OBSCURED GLASS
 TGP- TINTED GLASS
 SH- SHIELD HANG
 DH- DOUBLE HANG
 HR- HORIZONTAL ROLLER
 BP- BYPASS
 BP- BYPASS
 TYP- TYPICAL
 * SPECIALTY WINDOWS/DOORS, FIXED GLASS
 WINDOWS AND TRANSOMS ARE NOTED ON PLANS.

- NOTES:**
 1. GARAGE DOOR TO BE CERTIFIED BY MFR.
 2. ALL TUB & SHOWER UNITS WILL HAVE ANTI-SCALDING DEVICES INSTALLED.
 3. ALL DOORS TO BE 8'-0" TALL UNLESS NOTED OTHERWISE.
 4. ALL BATHROOM VANITIES SHALL BE 34" HEIGHT UNLESS NOTED OTHERWISE.
 5. SAG RESISTANT DRYWALL ON ALL CEILINGS.
 6. CULL WALL SYSTEM BEAMS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12'-0" OR MORE SHALL BE CONSIDERED BEAR WALL BEAMS - BEAR WALL BEAMS.
 7. FRAME WALL BEAMS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12'-0" OR MORE SHALL BE CONSIDERED BEAR WALL BEAMS - BEAR WALL BEAMS.

DWELLING / GARAGE SEPARATION: R302.6

- OPENING BETWEEN GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH A 20 MIN. FIRE RATED SOLID WOOD OR FIBERGLASS CORE STEEL DOOR NOT LESS THAN 1" 3/8" THICKNESS AS PER IBC-2003.5.1.
- 12" GYPSUM BOARD APPLIED TO THE GARAGE SIDE OF WALL TO UNDERSIDE OF CEILING.
- 58" TYPE X DRYWALL ON CEILING BELOW ANY HABITABLE SPACE.
- 12" GYPSUM BOARD APPLIED TO ACCESSIBLE AREA UNDER STAIR SURFACE AND DECK.

BRG. HT. LEGEND

- INDICATES A CONCRETE FILLED CELL WITH AN 8" CULL WALL CONTINUING TO VENT, AS REQUIRED BY CODE, FROM FOUNDATION SLAB TO ROOF BEAM, PROVIDE A MIN. OF 2" LAP ON ALL STEEL REINFORCING BARS.
- 6"-8" BRG. HT.
- INDICATES INTERIOR BEARING WALL (SEE DETAIL R302.1 OR R302.4 FOR MORE INFORMATION)

Area Tabulations	
Living +/-	
First Floor	656 sf
Second Floor	866
Total Living +/-	1,522 sf
Garage	249 sf
Total Area +/-	1,771 sf



ELITE ENGINEERING
 ELITE ENGINEERING OF FLORIDA, LLC
 105 E. ANDERSON AVE., SUITE 100
 FLORIDA 32204-1000
 PHONE: 407.255.1000
 FAX: 407.255.1001
 EMAIL: INFO@ELITEENGINEERING.COM
 WEBSITE: WWW.ELITEENGINEERING.COM

RLB HOME DESIGN
 MEMBER
 AIA
 ADDITIONS • RENOVATIONS

Caroline Custom Home
 337 West Walts Ave.
 DeLand, FL 32720

AM Wright Construction
 616 Cassin Ave.
 Daytona Beach, FL 32114

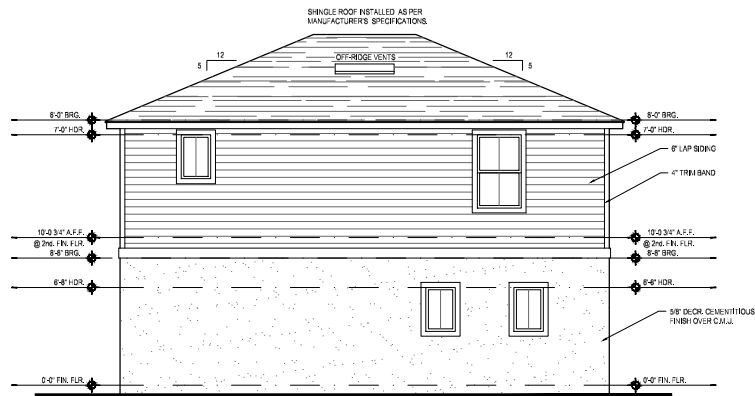
ISSUE DATE: 02/22/24

REVISIONS	
1	ISSUED FOR PERMIT
2	ISSUED FOR PERMIT
3	ISSUED FOR PERMIT
4	ISSUED FOR PERMIT
5	ISSUED FOR PERMIT
6	ISSUED FOR PERMIT
7	ISSUED FOR PERMIT
8	ISSUED FOR PERMIT
9	ISSUED FOR PERMIT
10	ISSUED FOR PERMIT

PROJECT: 04-0000
 SCALE: AS NOTED
 DRAWN BY: RLB
 DESIGNED BY: RLB

FLOOR PLAN

01

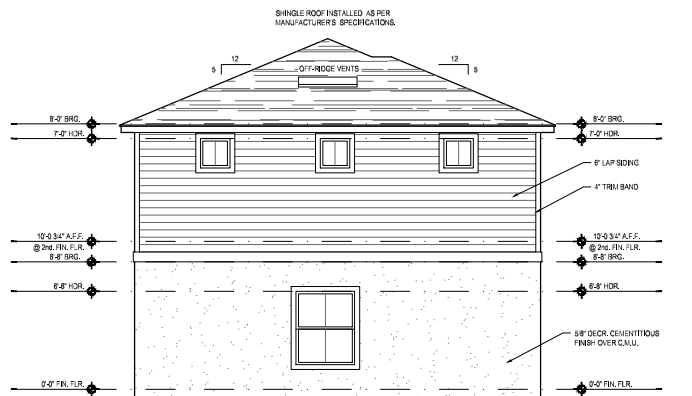


Rear Elevation
SCALE 1/4" = 1'-0"

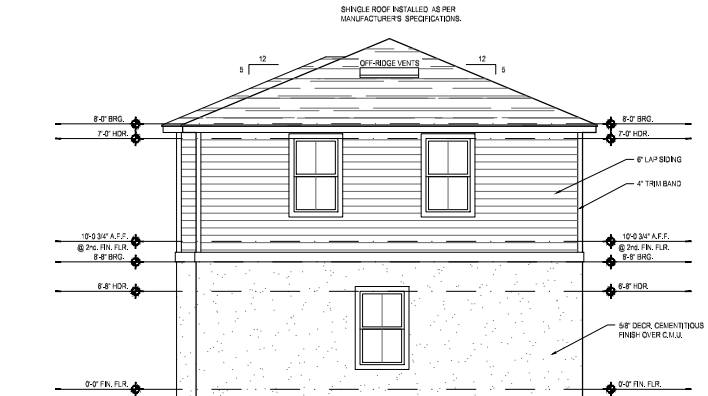


Front Elevation
SCALE 1/4" = 1'-0"

NOTE:
ALL SIDING PRODUCTS TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS



Left Elevation
SCALE 1/4" = 1'-0"



Right Elevation
SCALE 1/4" = 1'-0"



ELITE ENGINEERING
ELITE ENGINEERING OF FLORIDA, LLC
135 E. ANDERSON AVE., SUITE 200
FLORIDA 32204-1718, MOBILE 904.661.1111

RLB
HOME DESIGN
MEMBER
A I B D
AMERICAN INSTITUTE OF BUILDING DESIGN

Caroline Custom Home
337 West Walts Ave.
DeLand, FL 32720

AM Wright Construction
616 Cassin Ave.
Daytona Beach, FL 32114

ISSUE DATE	02/22/24
REVISIONS	
PROJECT	04-000
SCALE	AS NOTED
DRAWN BY	RLB
DESIGNED BY	RLB

ELEVATIONS
03

**PLANNING DEPARTMENT STAFF REPORT
TO
PLANNING BOARD**

November 13, 2024

APPLICATION NO.: Z24-192

APPLICANT: Michael Woods, Esq., Cobb Cole

REQUEST: First Amendment to the Trinity Gardens Planned Development

APPLICABLE REGULATIONS:

Article IV	OVERLAY AND FLOATING ZONES
	Sec. 33-32 – Planned Development District.
Article XII	ADMINISTRATION AND ENFORCEMENT
	Sec. 33-135 – Procedure for text amendments & rezoning.

A. SITE FACTORS:

Location:	791 S. Blue Lake Ave.
Parcel Size:	± 183.93 acres
Land Use:	ULI Urban Low Intensity
Existing Zoning:	Trinity Gardens PD

	SURROUNDING USE:	SURROUNDING ZONING:
North:	VC: Urban Low Intensity, New Community Development	VC: A-3,
South:	Low Density Residential	PD (Victoria Park)
East:	VC: Urban Low Intensity; Low Density Residential	VC: A-3
West:	VC: Urban Low Intensity; Low Density Residential	VC: R-1B; PD (The Oaks)

B. ANALYSIS:

The applicant is requesting to amend the Planned Development Agreement for Trinity Gardens, which was originally approved by the City Commission on May 16, 2022 and it consists of 183.93 acres. The purpose of the amendment is to change text in the agreement regarding the timing of model home and amenity construction.

The original PD did not allow construction of the amenities to begin until after the final plat. This amendment will allow the construction of model homes and the amenities to begin within each phase to which it is located, once the construction plans are approved. Additional restrictions are being put in place requiring installation and activation of fire hydrants, and paved roads from the nearest open public road to the point of the model homes within said phase. Under no circumstance may the homes be occupied or otherwise utilized until such a time as they are connected to potable

water and sanitary sewer. Also specified in the amendment is that the construction of amenities must be completed prior to issuance of the 125th Certificate of Occupancy and no later than 18 months from the recording of the Phase 2 plat.

None of the development standards or uses from the original Trinity Gardens Planned Development agreement are being changed and the developer will need to follow the requirements that were previously outlined in the original Planned Development Agreement.

Section 33-135 of the Land Development Regulations provides the following criteria, which the City Commission shall utilize in reviewing a rezoning request:

1. Is the proposed rezoning consistent with the Comprehensive Land Use Plan, the land use, zoning pattern and character of the surrounding area?

The proposed zoning classification of Planned Development is consistent with the Comprehensive Land Use Plan and the Urban Low Intensity Future Land Use Designation.

2. Will the proposed rezoning have an impact upon the environment or natural resources?

The amendment will not have any additional impact upon the environment or natural resources, as the development standards will remain, and only the timing is being updated. This agreement protects the city by specifying that under no circumstances may the homes be occupied or otherwise utilized until such time that they are connected to potable water and sanitary sewer.

3. Will the proposed rezoning have an impact upon the economy of the affected area?

The rezoning will not have any additional impact upon the economy of the affected area, as the development standards will remain, and only the timing of construction is being updated.

4. Will the proposed rezoning have an impact upon governmental services?

Governmental services such as potable water, sewer, code enforcement, police, and fire are available for the subject property.

5. Are there changes in the circumstances or conditions affecting the area since the original assignment of zoning that will support the proposed zoning?

There have not been any changes in the area surrounding Trinity Gardens PD since its original approval in 2022.

6. Was there a mistake in the original classification?

There was no mistake in the original classification, however, clarification of timing and requirements for permitting have been added to ensure that all applicable infrastructure is built and connected, prior to utilization and issuance of a Certificate of Occupancy.

7. Will the proposed rezoning have any effect upon the use or value of the affected area?

The proposed amendment will not have an effect on the use or negatively affect the value of the area, as the proposed amendment will maintain the same development standards as the original Agreement.

8. Will the proposed rezoning have an impact upon public health, safety and welfare?

The approval of the amendment will not have any additional effect upon the public health, safety and welfare, as the requirements being added into the Agreement are to protect the city, ensuring all facilities are in place prior to occupation.

C. CONCLUSION:

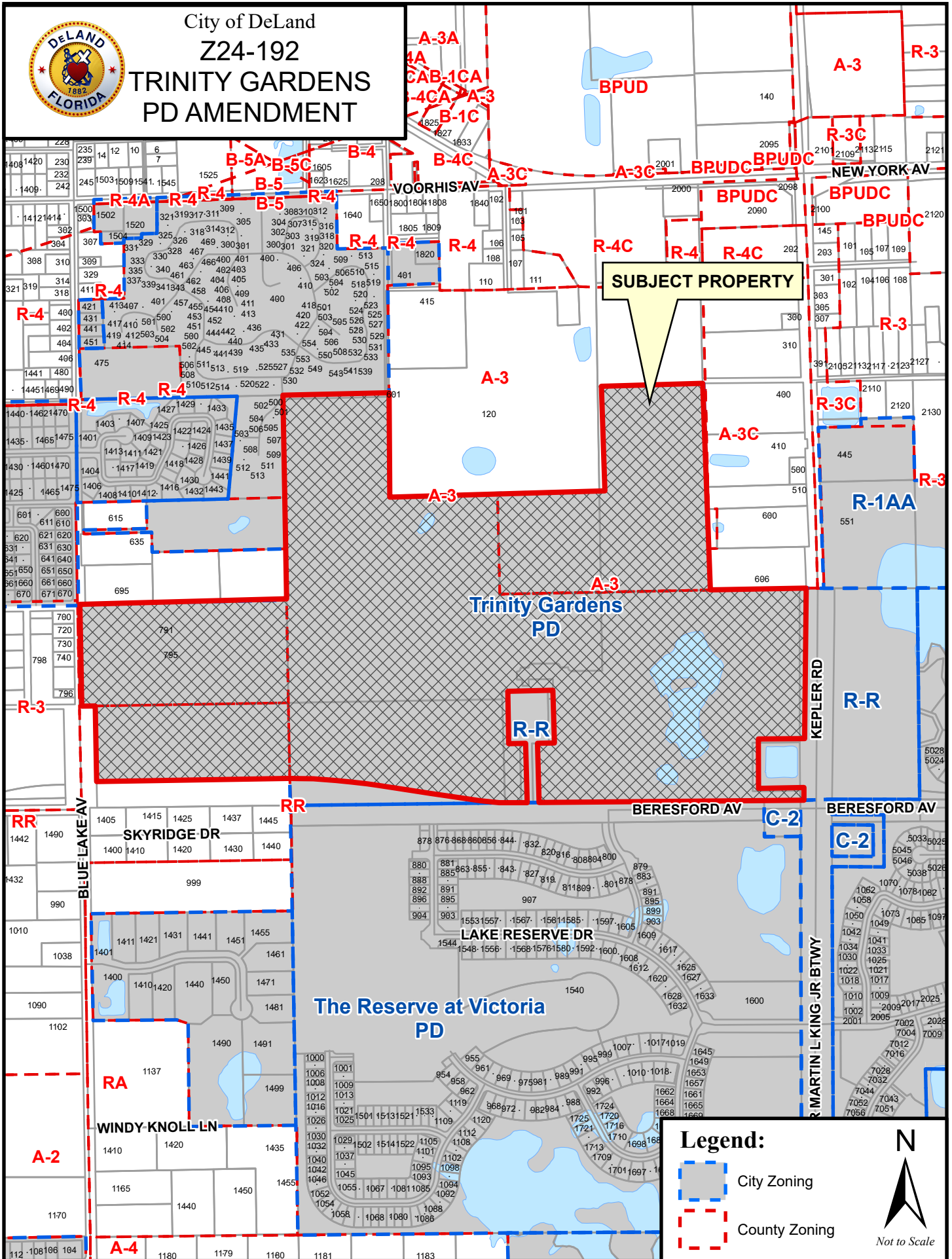
With this application, the applicant is proposing an amendment to the Trinity Gardens PD to clarify the timing of the model home construction for each phase, relative to infrastructure, which was revised in consultation with the Building Department and the Utilities Department, to ensure that the required infrastructure was not only available, but connected, prior to issuing a Certificate of Occupancy. Additionally, the amendment stipulates that the amenities must be completed prior to issuance of the 125th Certificate of Occupancy, and no later than 18 months from the recording of the Phase 2 Plat.

D. STAFF RECOMMENDATION:

Staff recommends that the Planning Board forward the requested amendment to City Commission recommending approval for the request.



City of DeLand
Z24-192
TRINITY GARDENS
PD AMENDMENT



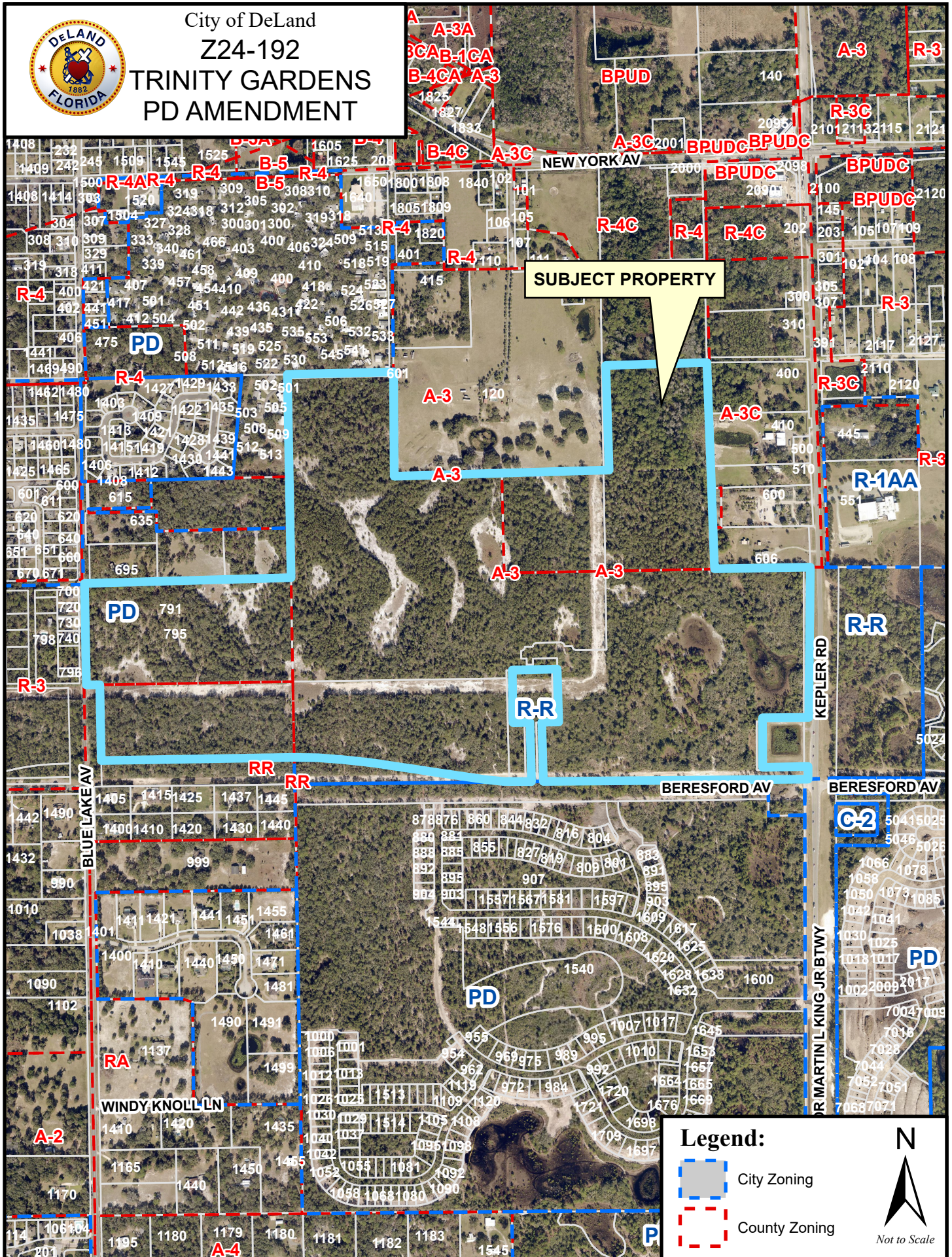
Legend:

- City Zoning
- County Zoning





City of DeLand
Z24-192
TRINITY GARDENS
PD AMENDMENT



Legend:

- City Zoning
- County Zoning



FIRST AMENDMENT TO TRINITY GARDENS
PLANNED DEVELOPMENT AGREEMENT

This First Amendment to the Trinity Gardens Planned Development Agreement (the "First Amendment") is made this ____ day of _____, 2024 between the **CITY OF DELAND**, a Florida municipal corporation (hereafter, the "City"), whose mailing address is 120 S. Florida Avenue, DeLand, FL 32720, **TLC TRINITY GARDENS, LLC**, a Florida limited liability company with a mailing address of 605 Commonwealth Ave., Orlando, FL 32803 (hereafter, "Trinity") and **LANDSEA HOMES OF FLORIDA, LLC**, a Delaware limited liability company with a mailing address of 1717 McKinney, Suite 1000, Dallas, TX 75202 (hereafter, "LandSea" and collectively with Trinity as "Owners")

WHEREAS, the City and Trinity previously entered into that certain Planned Development Agreement (the "PD Agreement") dated on or about May 16, 2022 and recorded in Official Records Book 8309, Page 3859 of the Public Records of Volusia County, Florida in connection with the rezoning of +183.92 acres known as the "Trinity Gardens PD"; and

WHEREAS, Owners desire to modify the language regarding the timing of model home construction for each phase and clarify the timing of the construction on the Phase II Amenity Tract; and

WHEREAS, the application of Owners to amend the Trinity Gardens PD was duly and properly filed with the City on September __, 2024 and the application was reviewed by the City's Community Development Department and determined to be consistent with the City's Comprehensive Plan; and

WHEREAS, Public Hearings on this First Amendment to the Trinity Gardens PD Agreement were held by the Planning Board on _____ and the City Commission on _____

_____ and _____ after due public notice was provided in accordance with the City's Land Development Regulations Ordinance No. 2013-11, as amended.

NOW THEREFORE, the City and Owners acknowledge and agree that the Trinity Gardens PD is hereby amended to reflect the following changes, revisions and amendments to the Trinity Gardens PD Agreement and amended Planned Development Plan:

1. Paragraph H (8) of the Development Agreement for the Trinity Gardens PD is amended and restated in its entirety as follows (changes shown in ~~striketrough~~/underline format):

~~8. Model Homes and Temporary Sales Offices. Construction of a Model Home and/or Temporary Sales Office for a particular phase may commence after final plat approval, **and** all the infrastructure improvements for said phase have been approved and accepted by the City of DeLand. The City Engineer shall make the final determination on the acceptance and approval.~~

8. Model Homes and Temporary Sales Offices. Up to six (6) model homes and two (2) homes for use as a temporary sales office may be constructed within each phase of the project following approval of the preliminary plat and construction plans for the corresponding phase, installation and activation of fire hydrants, and paved roads from the nearest open public road up to the point of the model home(s) (first lift of asphalt is acceptable if multiple lifts being installed) within the said phase. Under no circumstances may the homes be occupied or otherwise utilized until such time as they are connected to potable water and sanitary sewer pursuant to a permit issued by the City of DeLand. The applicant and its successors and assigns shall be and remain jointly and severally liable for any violation of this provision. Furthermore, the applicant and its successors and assigns hereby acknowledge and agree that any violation of this provision shall

constitute a serious threat to the public health, safety and welfare for purposes of Section 162.06(4), Florida Statutes, hereby waive any argument in reference thereto, and waive any and all statutory notice requirements as may otherwise be required for entry of a code enforcement lien.

2. Paragraphs O (1)(c)(i-iii) of the Development Agreement for the Trinity Gardens PD is amended as follows (changes shown in ~~strikethrough~~/underline format):

- c. Amenity Tracts: Amenity Tracts are identified on Exhibit “B” ~~and shall be constructed concurrent with the development of the Phase within which it is located~~ and shall be recorded within the plat for the Phase within which it is located. Construction of the amenity improvements identified herein shall begin concurrent with the development of the Phase within which it is located. Amenity Tracts shall be owned and maintained by the homeowner’s association and shall be reserved for the use of the residents of the community.
 - i. Phase 1 Amenity Tract. A passive, open space park shall be provided in the southeast corner of Phase 1.
 - ii. Phase 2 Amenity Tract. Phase 2 shall consist of the primary amenity center, which shall include a pool facility (with zero degree entry, a lap segment and child splash area), fire pit, gazebo and bathroom facilities. Construction of said amenities must be completed prior to the issuance of the 125th Certificate of Occupancy (either Single Family or Townhome) and no later than 18 months from the recording of the Phase 2 Plat.
 - iii. Phase 3 Amenity Tracts. Phase 3 shall consist of three amenity tracts. Outdoor exercise stations shall be provided in the northwest portion of the Property. A dog park, with segregated fencing for small and large dogs,

shall be provided near the southern boundary of Phase 3. A playground facility shall be provided near the Property entrance at Blue Lake.

IN WITNESS WHEREOF, the City and Owners have caused this First Amendment to the Trinity Gardens Planned Development Agreement to be duly executed by their authorized representatives as of the last date entered below.

(Signatures on Following Pages)

ATTEST:

City Commission of DeLand Florida

Michael Pleus
City Manager

Christopher M. Cloudman
Mayor

STATE OF FLORIDA

CITY OF DELAND

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____ (mo/yr), 2024 by Michael Pleus and Christopher M. Cloudman, as City Manager and Mayor, City of DeLand, respectively, on behalf of the City of DeLand, and who are personally known to me.

NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name:

Commission No.: _____

My Commission Expires: _____

WITNESSES

TLC TRINITY GARDENS, LLC,
a Florida limited liability company

Print Name

Sign Name

Print Name

Sign Name

By: _____

Print: _____

Title: _____

Date: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence
or ☐ online notarization this ____ day of _____, 2024, by _____, as
_____ for and on behalf of **TLC TRINITY GARDENS, LLC**. He/She is personally
known to me or has produced _____ as identification.

Seal

Notary Public

Type or Print Name: _____

Commission No. _____

My Commission Expires: _____

WITNESSES

LANDSEA HOMES OF FLORIDA, LLC,
a Delaware limited liability company

Print Name

Sign Name

Print Name

Sign Name

By: _____

Print: _____

Title: _____

Date: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence
or ☐ online notarization this ____ day of _____, 2024, by _____, as
_____ for and on behalf of **LANDSEA HOMES OF FLORIDA, LLC**. He/She is
personally known to me or has produced _____ as identification.

Seal

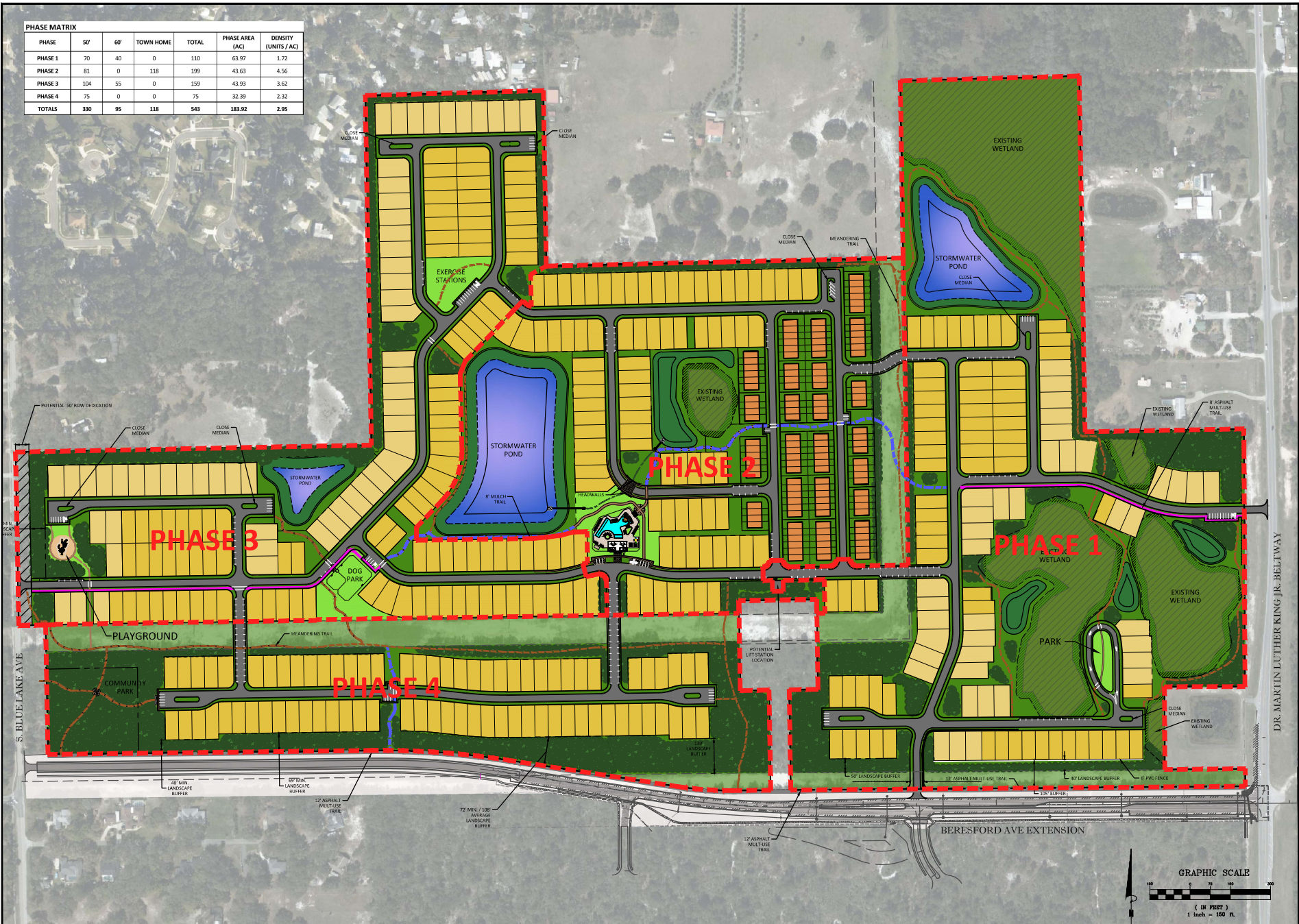
Notary Public

Type or Print Name: _____

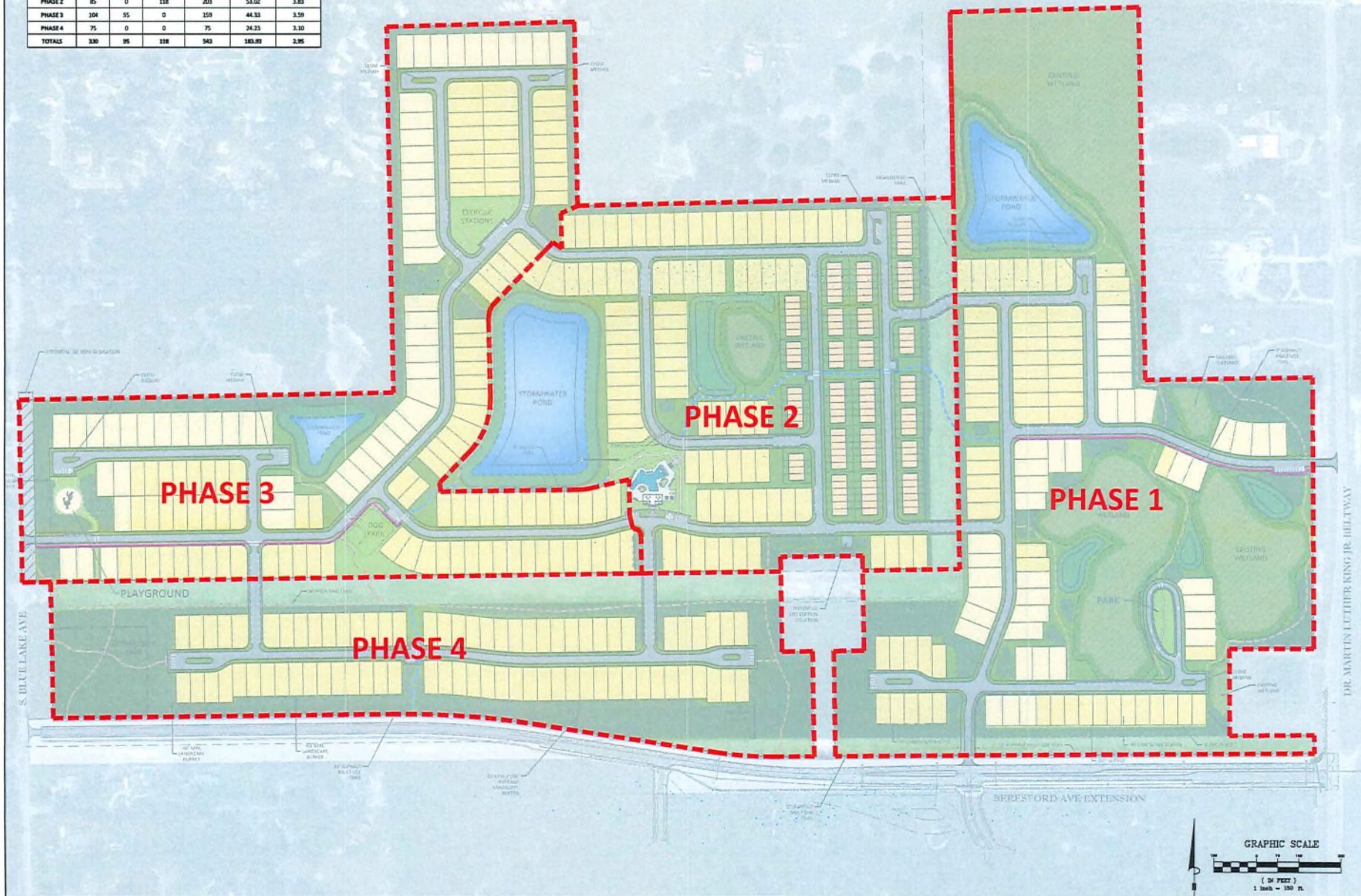
Commission No. _____

My Commission Expires: _____

PHASE MATRIX						
PHASE	50'	60'	TOWN HOME	TOTAL	PHASE AREA (AC)	DENSITY (UNITS / AC)
PHASE 1	70	40	0	110	63.97	1.72
PHASE 2	81	0	118	199	43.63	4.56
PHASE 3	104	55	0	159	43.93	3.62
PHASE 4	75	0	0	75	32.39	2.32
TOTALS	330	95	118	543	183.92	2.95



PHASE MATRIX						
PHASE	50'	60'	TOWN HOME	TOTAL	PHASE AREA (AC)	DENSITY (UNITS / AC)
PHASE 1	66	40	0	306	62.35	3.70
PHASE 2	85	0	118	203	53.02	3.83
PHASE 3	104	95	0	359	44.33	3.59
PHASE 4	75	0	0	75	24.23	3.10
TOTALS	330	95	118	543	183.89	2.95



KCG
 KELLY, COLLINS & GENTRY, INC.
 1000 N. W. 10th Ave., Suite 400
 Fort Lauderdale, FL 33304
 (954) 584-7100 FAX (954) 584-1400

DATE	REVISION

PREPARED FOR:
HANOVER LAND COMPANY

TRINITY GARDENS

PHASING PLAN

DRAWN	
CHECKED	
DATE	
SHEET	2 OF 3

**Statement regarding Request of PD Amendment
for Trinity Gardens PD**

We are submitting a PD Amendment request for two changes to the text of the DA. The first revision clarifies the timing of model home construction for each phase relative to infrastructure. This was revised in consultation with the building department and utilities. The second revision clarifies the timing of the main amenity that is being constructed in Phase II of the project.

BOUNDARY & TOPOGRAPHIC SURVEY

SECTION 14, TOWNSHIP 17 SOUTH, RANGE 30 EAST
VOLUSIA COUNTY, FLORIDA

DESCRIPTION

PARCEL 1:

The North 1/2 of the Southeast 1/4 of the Southwest 1/4, also the Northeast 1/4 of the Southwest 1/4, less and except the Northeast 1/4 thereof, also the South 1/2 of the Southeast 1/4, less 200 foot Road Right of Way for the West Volusia Beltline and less that portion of the Southeast 1/4 of the Southwest 1/4, lying East of the 200 foot West Volusia Beltline Road Right of Way, and less the Volusia County Water Retention Area and the Florida Power Company Substation Site and Access Parcel, all lying and being in Section 14, Township 17 South, Range 30 East, Volusia County, Florida.

PARCEL 2:

The South 1/2 of the Northwest 1/4 of the Southeast 1/4, and the Northeast 1/4 of the Northwest 1/4 of the Southeast 1/4, Section 14, Township 17 South, Range 30 East, Volusia County, Florida.

PARCEL 3:

The North 1/2 of the Southwest 1/4 of the Southwest 1/4, Section 14, Township 17 South, Range 30 East, Volusia County, Florida.

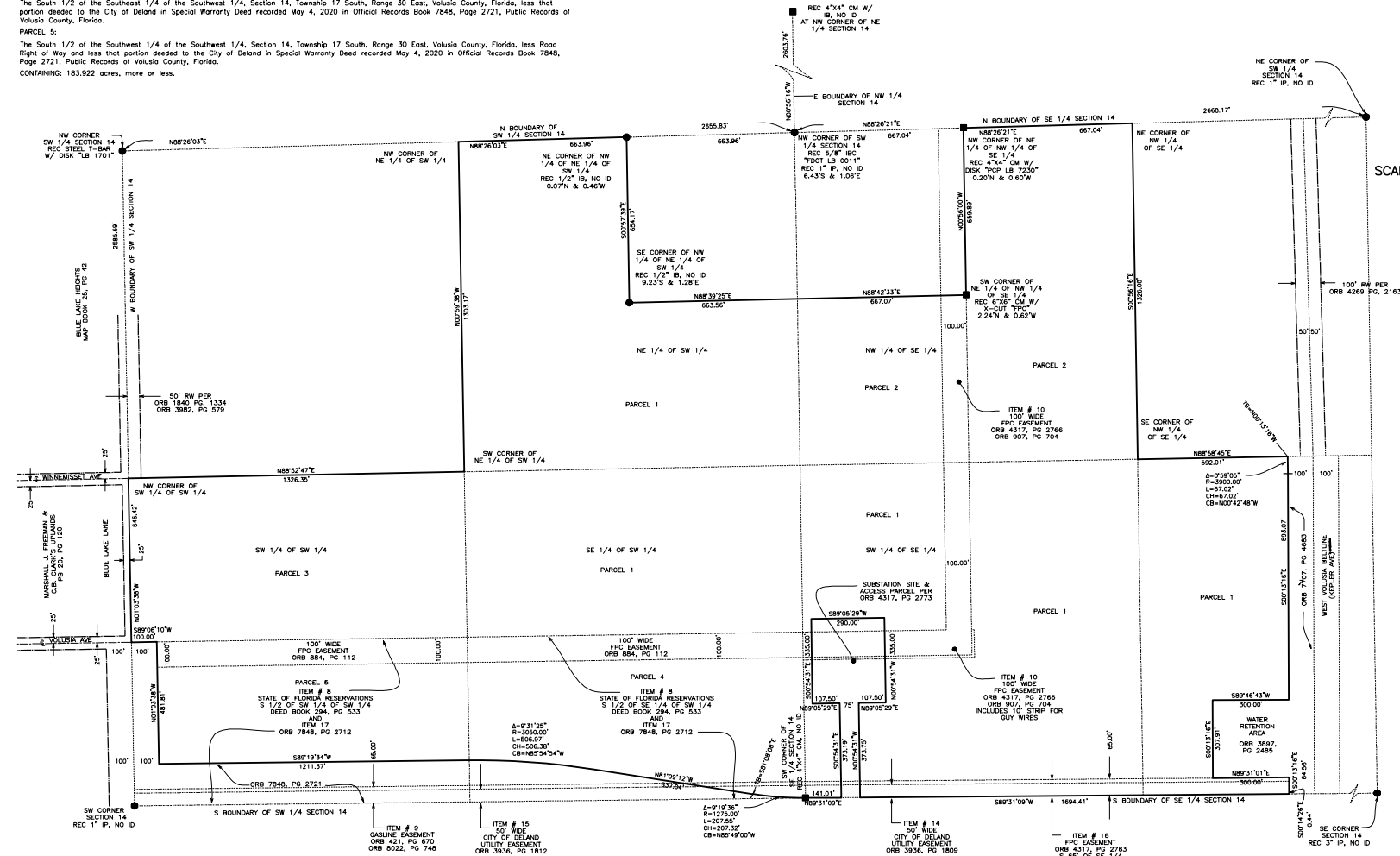
PARCEL 4:

The South 1/2 of the Southwest 1/4 of the Southwest 1/4, Section 14, Township 17 South, Range 30 East, Volusia County, Florida, less that portion deeded to the City of Deland in Special Warranty Deed recorded May 4, 2020 in Official Records Book 7848, Page 2721, Public Records of Volusia County, Florida.

PARCEL 5:

The South 1/2 of the Southwest 1/4 of the Southwest 1/4, Section 14, Township 17 South, Range 30 East, Volusia County, Florida, less Road Right of Way and less that portion deeded to the City of Deland in Special Warranty Deed recorded May 4, 2020 in Official Records Book 7848, Page 2721, Public Records of Volusia County, Florida.

CONTAINING: 183.922 acres, more or less.



NOTES

- This Plat represents a Boundary Survey of the Description provided by client to Jones, Wood & Gentry, Inc. and does not indicate ownership.
- Bearings shown hereon are based on the West Boundary of the Southwest 1/4 of Section 14 as bearing N01°03'38"W, per Florida State Plane coordinates Zone East.
- A Commitment for Title Insurance was prepared by Chicago Title Insurance Company, Commitment No. RT02120856 with a commitment date of April 19, 2021 at 5:00 P.M. and was provided to Jones, Wood & Gentry, Inc. for use in preparing this survey. Research of the public records was not a part of the Scope of Surveying Services contract. Items listed in Schedule B Section 8 of the title commitment, to the extent they affect and can be shown graphically on the survey, relative to the subject property, are listed below:
 - ITEM 8. Phosphate, Minerals, Metals and Petroleum Reservations and rights in favor of the State of Florida, as set forth in the deed from the Trustees of the Internal Improvement Fund, recorded in Deed Book 284, Page 533. As to said reservation, the right of entry has been released pursuant to Florida Statute 270.11. (Blanket over Parcels 4 and 5).
 - ITEM 9. Easement Grant in favor of Houston Texas Gas and Oil Corporation recorded January 16, 1962 in Official Records Book 421, Page 670, as affected by Encroachment Agreement recorded April 1, 2021 in Official Records Book 8022, Page 748. (Parcels 1, 4 and 5) as shown hereon
 - ITEM 10. Easement in favor of Florida Power Corporation recorded June 2, 1967 in Official Records Book 907, Page 704, Supplemental Easement for Distribution Facilities in Existing right of Way recorded June 9, 19, 1998 in Official Records Book 4317, Page 2766. (Parcels 1 and 2) as shown hereon
 - ITEM 11. Covenant to Support Annexation recorded September 25, 1990 in Official Records Book 3527, Page 1921. (Parcels 1 and 4) Blanket
 - ITEM 12. Covenant to Support Annexation recorded October 15, 1990 in Official Records Book 3537, Page 793. (Parcels 1 and 4) Blanket
 - ITEM 13. Ordinance No. 90-41 recorded February 22, 1991 in Official Records Book 3592, Page 351. (Parcels 1 and 4) Blanket
 - ITEM 14. Grant of Easement in favor of the City of Deland recorded July 14, 1994 in Official Records Book 3936, Page 1809. (Parcel 1) as shown hereon
 - ITEM 15. Grant of Easement in favor of the City of Deland recorded July 14, 1994 in Official Records Book 3936, Page 1812. (Parcels 4 and 5) as shown hereon
 - ITEM 16. Easement in favor of Florida Power Corporation recorded June 19, 1998 in Official Records Book 4317, Page 2766. (Parcel 1) as shown hereon
 - ITEM 17. Declaration of Covenants and Restrictions recorded May 4, 2020 in Official Records Book 7848, Page 2712. (Parcels 4 and 5) Blanket

LEGEND

- R = RADIUS
- Δ = DELTA
- L = LENGTH
- CH = CHORD LENGTH
- CB = CHORD BEARING
- TB = TANGENT BEARING
- BNDY = BOUNDARY
- CL = CENTERLINE
- C&G = CURB & GUTTER
- CM = CONCRETE MONUMENT
- CONC = CONCRETE
- CSL = CONCRETE SLAB
- DOC = DOCUMENT
- EL = ELEVATION
- EP = EDGE OF PAVEMENT
- F = FIELD
- FPC = FLORIDA POWER CORPORATION
- IB = IRON BAR & CAP
- ID = IDENTIFICATION
- MES = MITERED END SECTION
- OHE = OVERHEAD ELECTRIC WIRES
- ORB = OFFICIAL RECORDS BOOK
- P = PLAT
- PB = PLAT BOOK
- PAGE = PAGE
- PGB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- RCP = REINFORCED CONCRETE PIPE
- REC = RECOVERED
- R/W = RIGHT OF WAY
- O- = POWER POLE-WOOD
- = 4"x4" CONCRETE MONUMENT
- = 5/8" IRON BAR & CAP, UNLESS NOTED OTHERWISE

JONES, WOOD & GENTRY, INC.
PROFESSIONAL SURVEYORS AND MAPPERS - LBI
9645 EAST COLONIAL DRIVE
SUITE 114
ORLANDO, FLORIDA 32817
407-898-7780

NOT VALID WITHOUT SIGNATURE AND SEAL OF A LICENSED SURVEYOR AND MAPPER
DANIEL E. GENTRY, SURVEYOR
FLORIDA PROFESSIONAL SURVEYOR NUMBER 5047

FOR:
HANOVER LAND COMPANY, LLC

IT IS CERTIFIED THAT THE SURVEY REPRESENTED HEREON WAS MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 61-11, F.A.C. (FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 462, F.S.). I, THE SURVEYOR, HAVE SIGNED THE SURVEY AND THE ORIGINAL, RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER HAS BEEN AFFIXED TO THE SURVEY. THIS DRAWING, SKETCH, PLAT OR MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

BY: **DG3**
DATE: **07-12-2021**
DRAWING: **29282-bdy.dwg**
JOB #: **29282**
SHEET: **1 OF 1 SHEET**

LEGAL DESCRIPTION

PARCEL 1:

The North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, also the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, less and except the Northeast $\frac{1}{4}$ thereof, also the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$, less 200 foot Road Right of Way for the West Volusia Beltline and less that portion of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, lying East of the 200 foot West Volusia Beltline Road Right of Way, and less the Volusia County Water Retention Area and the Florida Power Company Substation Site and Access Parcel, all lying and being in Section 14, Township 17 South, Range 30 East, Volusia County, Florida.

PARCEL 2:

The South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 14, Township 17 South, Range 30 East, Volusia County, Florida.

PARCEL 3:

The North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 14, Township 17 South, Range 30 East, Volusia County, Florida.

PARCEL 4:

The South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 14, Township 17 South, Range 30 East, Volusia County, Florida, less that portion deeded to the City of DeLand in Special Warranty Deed recorded May 4, 2020 in Official Records Book 7848, Page 2721, Public Records of Volusia County, Florida.

PARCEL 5:

The South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 14, Township 17 South, Range 30 East, Volusia County, Florida, less Road Right of Way and less that portion deeded to the City of DeLand in Special Warranty Deed recorded May 4, 2020 in Official Records Book 7848, Page 2721, Public Records of Volusia County, Florida.

CONTAINING: 183.92 acres, more or less.

**PLANNING STAFF REPORT
CITY OF DELAND PLANNING BOARD
November 13, 2024**

APPLICATION NO: LDR24-222 Text Amendment to Land Development Regulations

APPLICANT: City of DeLand

STAFF PLANNER: Carol Kuhn, AICP, Planning Director

REQUEST: City-Initiated Land Development Regulations Text Amendment to Modify Section 33-91.03(l) Bicycle Parking – To Lower the Bicycle Parking Reduction Amount, Set Performance Standards for Bicycle Parking Reduction Requests, Clarify the Intent Statement, and Associated Minor Revisions

APPLICABLE ORDINANCES: *Sec. 33-135. Procedure for text amendments.*

33-135.01(a) Amendments to the text of this chapter may be initiated by the city or upon application of any interested person.

33-135.12(b) The Planning Board shall review proposed changes in this chapter, which shall make a recommendation to the City Commission prior to final action adopting or not adopting the amendment. However, at the request of the Planning Board or the City Commission, or in the discretion of the City Manager, proposed amendments may be taken directly to the City Commission for action.

LOCATION: City-wide

STAFF SUMMARY:

The current Land Development Regulations (LDR) provide for off-street parking and loading requirements for specific land uses. The LDRs also include a provision to allow a 30% reduction in the amount of off-street parking if additional bicycle parking is provided. While a number of cities include a provision to allow a reduction in off-street parking if additional bicycle parking is provided, the reduction typically ranges from five (5) to 10%, if a provision for a reduction is allowed.

Planning staff conducted research on all cities within Volusia County, as well as a number of similarly sized cities throughout Florida. The City of DeLand's 30% was far greater than all other cities researched. Within Volusia County, 11 cities did not have any provisions for a bicycle parking reduction. Those that did have allow for a reduction in off-street parking for additional bicycle parking ranged from five (5) to 10%. The table below outlines the findings from the staff research.

Bicycle Parking Reduction Table

City	Bike Parking Reduction
Volusia County	
DeLand	30%
Port Orange	10%
Ormond Beach	5 to 10% based on locational criteria
Holly Hill	5 to 10% based on locational criteria
Daytona Beach	5%
Daytona Beach Shores	None
Debary	None
Deltona	None
Edgewater	None
Lake Helen	None
New Smyrna Beach	None
Oak Hill	None
Orange City	None
Pierson	None
Ponce Inlet	None
South Daytona	None
Volusia County	None
Other Florida Cities	
Mt. Dora	5%
Ocala	5%
Tarpon Springs	10%
Winter Park	10%
Dunedin	None
Lake Mary	None
Eustis	None
Sanford	None

Over the past several years, the City has seen numerous projects with the bicycle parking reduction included. Many of these developments are not close to existing or proposed bicycle trails or bike lanes. The current code language also specifies that the off-street parking shall be reduced by 30% if bicycle parking is provided, rather than “may” be reduced. The existing code language also presents some confusion regarding the need to provide for bicycle parking as part of the development, and the request to provide additional bicycle parking to reduce the required amount of off-street parking.

To clarify the code requirements, lower the maximum reduction for additional bicycle parking, and add performance standards for proximity to bike lanes or trail networks, staff is proposing the following revisions:

Sec. 33-91. Off-street parking and loading.

33-91.01. Generally.

- (l) *Bicycle parking.* ~~To facilitate the lessening of Safe and adequate bicycle parking is required to reduce car-related congestion in the city, and to promote the use of alternative modes of transportation, to provide for general health and fitness, and to promote air quality and reduce pollution, the accommodation of bicycle commuting is required through the provision of adequate and safe facilities for the storage of bicycles. Further, In addition to the required bicycle parking, a 5% reduction in off-street parking as specified by this section, a reduction in required automobile parking spaces is may be allowed requested, when bicycle parking is, provided specific performance criteria are met. provided,~~

~~creating an incentive for providing additional bicycle parking in accordance with the provisions of this chapter.~~

1. *Locations and facilities.*

- a. Bicycle parking shall be provided in a well-lighted area.
- b. Bicycle parking shall be at least as conveniently located as the most convenient automobile spaces, other than those spaces for persons with disabilities. Safe and convenient means of ingress and egress to bicycle parking facilities shall be provided. Safe and convenient access shall include, but is not limited to, stairways, elevators and escalators.
- c. Bicycle parking facilities shall not interfere with accessible paths of travel or accessible parking as required by the Americans with Disabilities Act of 1990.
- d. Protected and unprotected bicycle racks shall be located in highly visible areas to minimize theft and vandalism.
- e. In cases of structured automobile parking, protected bicycle parking spaces shall be used.
- f. In the event compliance with location requirements set forth above is not feasible because of demonstrable hardship, the technical review committee may approve an alternative storage location as guided by the following criteria:
 - (1) Such alternative facilities shall be well-lighted and secure.
 - (2) All bicycle parking spaces outside of a building shall be located within 100 feet of the primary building entrance.

2. *Layout of spaces.* Bicycle parking spaces or alternative spaces approved by the technical review committee shall be laid out according to the following:

- a. ~~A~~ Each bicycle parking space shall be four feet by six feet and shall provide for locking up to two (2) bicycles to a bicycle rack or a bicycle locker that can accommodate ~~store up to two (2) bicycles per locker unit.~~
- b. At a minimum, bicycle racks shall consist of a stationary device with a base that can wedge anchors for surface mounting, provides steel tubing one inch to four inches outside diameter, containing locking points between one ~~feet~~ foot and three feet off the ground and a gap near the bottom for pedal clearance, enabling one to lock a bicycle frame and one of the wheels with a standard U-lock. Such a rack must be able to accommodate at least two bicycles upright by rack frame. Bicycle racks within Historic Overlays shall reflect the historic nature of the area in design aesthetic and finish.
- c. At a minimum, protected bicycle parking spaces shall be secure facilities which protect the entire bicycle, its components and accessories against theft and against inclement weather, including wind-driven rain. This type of facility includes, but is not limited to, bicycle lockers, check-in facilities, monitored bicycle parking, restricted access parking, and personal storage.
- d. All bicycle parking areas shall ~~afford~~ include a four-foot-wide access aisle to ensure safe access to spaces.
- e. Bicycle parking and automobile parking shall be located so as to protect bicycles from damage.
- f. Where bicycle parking spaces are not visible from the primary street, signage shall be used to direct cyclists safely to bicycle parking areas.
- g. All bicycle racks and lockers shall be securely anchored to the ground or building structure.
- h. Bicycle parking spaces shall not interfere with pedestrian circulation and shall adhere to ADA requirements.
- i. Bicycle parking shall be an integral part of the overall site layout and designed to minimize visual clutter. In any designated Historic District, the design shall compliment the surrounding structures.

3. *Off-street parking reduction for bicycle parking.*

- a. A maximum of a 5% reduction in the number of required off-street parking spaces required (excluding parking spaces for persons with disabilities) ~~shall be permitted~~ may be requested, provided: ~~for the provision of bicycle parking provided that:~~

(1) The site is located within 1/8 of a mile of the city-wide bicycle transportation network, SunRail station, or designated bicycle lanes;

(2) The site is designed with on-site bicycle circulation;

(3) The anticipated patrons can reasonably be expected to utilize bicycle transportation;

~~(4)~~(4) No fee is required for using the bicycle parking associated with the off-street parking reduction made available;

~~(5)~~(5) When calculation of the maximum number of reduced parking spaces results in a fraction, the resulting number shall be rounded to the next highest integer. calculating the minimum number of bicycle parking spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number;

~~(6)~~(6) All bicycle parking spaces shall comply with the size and layout of spaces, as specified above in Section 33-91.01(l)2, with each bicycle space accommodating two (2) bicycles for each reduced off-street parking space. ~~Complies with the bicycle parking spaces below.~~

- b. ~~The reduction in the number of automobile parking spaces shall be reduced by no more than one space for each bicycle parking space, but by no more than 30 percent of the total required spaces.~~

- c. ~~This provision~~ reduction request cannot be applied to single-unit residential, animal care, car wash, salvage yard, service station, self-storage facilities, and vehicle/equipment repair uses.

4. *Bicycle parking standards.* ~~If b-Bicycle parking spaces are provided, they shall be provided in accordance with the following tables:~~

- a. For all non-single-family residential uses except; hotel/motel, commercial parking, parking structure, and low occupancy facilities with limited customer or non-employee contact and less than one employee per every 10,000 square feet of gross floor area:

Gross Floor Area	Required Minimum Number of Bicycle Parking Spaces
0—6,000 square feet	0
6,001—20,000 square feet	1
Over 20,000 square feet	1 per every 10,000 square feet or fraction thereof

- b. For multi-unit residential:

Number of Dwelling Units	Required Minimum Number of Bicycle Parking Spaces
Less than 12	0
12 or more	1 per every 4 dwelling units or a fraction thereof

- (1) At least 60 percent of all bicycle parking spaces provided must be protected bicycle parking spaces.

c. For commercial parking and parking structure uses:

Number of Automobile Spaces	Required Minimum Number of Bicycle Parking Spaces
0—4	0
4—20	1
21—40	2
Over 40	1 per every 20 spaces or a fraction thereof

d. For low occupancy facilities and hotel/motel uses:

Number of Employees	Required Minimum Number of Bicycle Parking Spaces
0—5	0
6—20	1
21—80	2
Over 80	1 per every 20 employees or a fraction thereof

- (1) To certify a building or use as a low occupancy facility, the building owner or applicant shall attach to any zoning permit application, an affidavit attesting to the number of employees required for the use.

e. When calculating the minimum number of protected and/or unprotected parking spaces required results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number.

STAFF ANALYSIS AND FINDINGS: Based on the review of surrounding jurisdictions and cities with similar size and character, staff finds that a 5% reduction in bicycle parking is adequate, along with clarifying language regarding the need to provide bicycle parking for all developments versus the request for a parking reduction when adding additional bicycle parking. The addition of performance standards also provides clarity when determining if a request for a parking reduction is reasonable and justified based on proximity to existing or proposed bicycle lanes or trail networks.

STAFF RECOMMENDATION: Staff recommends that the Planning Board forward this proposed text amendment, project number LDR24-222, Text Amendment to Modify Section 33-91.03(l) Bicycle Parking – To Lower the Bicycle Parking Reduction Amount, Set Performance Standards for Bicycle Parking Reduction Requests, Clarify the Intent Statement, and Associated Minor Revisions, to the City Commission for review and approval.

Sec. 33-91. Off-street parking and loading.

33-91.01. Generally.

- (l) *Bicycle parking.* ~~To facilitate the lessening of~~ Safe and adequate bicycle parking is required to reduce car-related congestion in the city, ~~and to promote the use of alternative modes of transportation, to provide for general health and fitness, and to promote air quality and reduce pollution., the accommodation of bicycle commuting is required through the provision of adequate and safe facilities for the storage of bicycles. Further, In addition to the required bicycle parking, a 5% reduction in off-street parking as specified by this section, a reduction in required automobile parking spaces is may be allowed requested, when bicycle parking is, provided specific performance criteria are met. provided,~~ creating an incentive for providing additional bicycle parking in accordance with the provisions of this chapter.

1. *Locations and facilities.*

- a. Bicycle parking shall be provided in a well-lighted area.
- b. Bicycle parking shall be at least as conveniently located as the most convenient automobile spaces, other than those spaces for persons with disabilities. Safe and convenient means of ingress and egress to bicycle parking facilities shall be provided. Safe and convenient access shall include, but is not limited to, stairways, elevators and escalators.
- c. Bicycle parking facilities shall not interfere with accessible paths of travel or accessible parking as required by the Americans with Disabilities Act of 1990.
- d. Protected and unprotected bicycle racks shall be located in highly visible areas to minimize theft and vandalism.
- e. In cases of structured automobile parking, protected bicycle parking spaces shall be used.
- f. In the event compliance with location requirements set forth above is not feasible because of demonstrable hardship, the technical review committee may approve an alternative storage location as guided by the following criteria:
 - (1) Such alternative facilities shall be well-lighted and secure.
 - (2) All bicycle parking spaces outside of a building shall be located within 100 feet of the primary building entrance.

2. *Layout of spaces.* Bicycle parking spaces or alternative spaces approved by the technical review committee shall be laid out according to the following:

- a. ~~A~~ Each bicycle parking space shall be four feet by six feet and shall provide for locking up to two (2) bicycles to a bicycle rack or a bicycle locker that can accommodate ~~store up to two (2) bicycles per locker unit.~~
- b. At a minimum, bicycle racks shall consist of a stationary device with a base that can wedge anchors for surface mounting, provides steel tubing one inch to four inches outside diameter, containing locking points between one ~~feet~~ foot and three feet off the ground and a gap near the bottom for pedal clearance, enabling one to lock a bicycle frame and one of the wheels with a standard U-lock. Such a rack must be able to accommodate at least two bicycles upright by rack frame. Bicycle racks within Historic Overlays shall reflect the historic nature of the area in design aesthetic and finish.

-
- c. At a minimum, protected bicycle parking spaces shall be secure facilities which protect the entire bicycle, its components and accessories against theft and against inclement weather, including wind-driven rain. This type of facility includes, but is not limited to, bicycle lockers, check-in facilities, monitored bicycle parking, restricted access parking, and personal storage.
 - d. All bicycle parking areas shall ~~afford~~ include a four-foot-wide access aisle to ensure safe access to spaces.
 - e. Bicycle parking and automobile parking shall be located so as to protect bicycles from damage.
 - f. Where bicycle parking spaces are not visible from the primary street, signage shall be used to direct cyclists safely to bicycle parking areas.
 - g. All bicycle racks and lockers shall be securely anchored to the ground or building structure.
 - h. Bicycle parking spaces shall not interfere with pedestrian circulation and shall adhere to ADA requirements.
 - i. Bicycle parking shall be an integral part of the overall site layout and designed to minimize visual clutter. In any designated Historic District, the design shall compliment the surrounding structures.
3. *Off-street parking reduction for bicycle parking.*
- a. A maximum of a 5% reduction in the number of required off-street parking spaces required (excluding parking spaces for persons with disabilities) shall be permitted may be requested, provided: for the provision of bicycle parking provided that:
 - (1) The site is located within 1/8 of a mile of the city-wide bicycle transportation network, SunRail station, or designated bicycle lanes;
 - (2) The site is designed with on-site bicycle circulation;
 - (3) The anticipated patrons can reasonably be expected to utilize bicycle transportation;
 - ~~(1)(4)~~ No fee is required for using the bicycle parking associated with the off-street parking reduction made available;
 - ~~(2)(5)~~ When calculation of the maximum number of reduced parking spaces results in a fraction, the resulting number shall be rounded to the next highest integer. calculating the minimum number of bicycle parking spaces results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number;
 - ~~(3)(6)~~ All bicycle parking spaces shall comply with the size and layout of spaces, as specified above in Section 33-91.01(l)2, with each bicycle space accommodating two (2) bicycles for each reduced off-street parking space. Complies with the bicycle parking spaces below.
 - b. ~~The reduction in the number of automobile parking spaces shall be reduced by no more than one space for each bicycle parking space, but by no more than 30 percent of the total required spaces.~~

- c. This ~~provision~~ reduction request cannot be applied to single-unit residential, animal care, car wash, salvage yard, service station, self-storage facilities, and vehicle/equipment repair uses.
4. *Bicycle parking standards.* ~~If bicycle parking spaces are provided, they shall be provided in accordance with the following tables:~~
- a. For all non-single-family residential uses except, hotel/motel, commercial parking, parking structure, and low occupancy facilities with limited customer or non-employee contact and less than one employee per every 10,000 square feet of gross floor area:

Gross Floor Area	Required Minimum Number of Bicycle Parking Spaces
0—6,000 square feet	0
6,001—20,000 square feet	1
Over 20,000 square feet	1 per every 10,000 square feet or fraction thereof

- b. For multi-unit residential:

Number of Dwelling Units	Required Minimum Number of Bicycle Parking Spaces
Less than 12	0
12 or more	1 per every 4 dwelling units or a fraction thereof

- (1) At least 60 percent of all bicycle parking spaces provided must be protected bicycle parking spaces.

- c. For commercial parking and parking structure uses:

Number of Automobile Spaces	Required Minimum Number of Bicycle Parking Spaces
0—4	0
4—20	1
21—40	2
Over 40	1 per every 20 spaces or a fraction thereof

- d. For low occupancy facilities and hotel/motel uses:

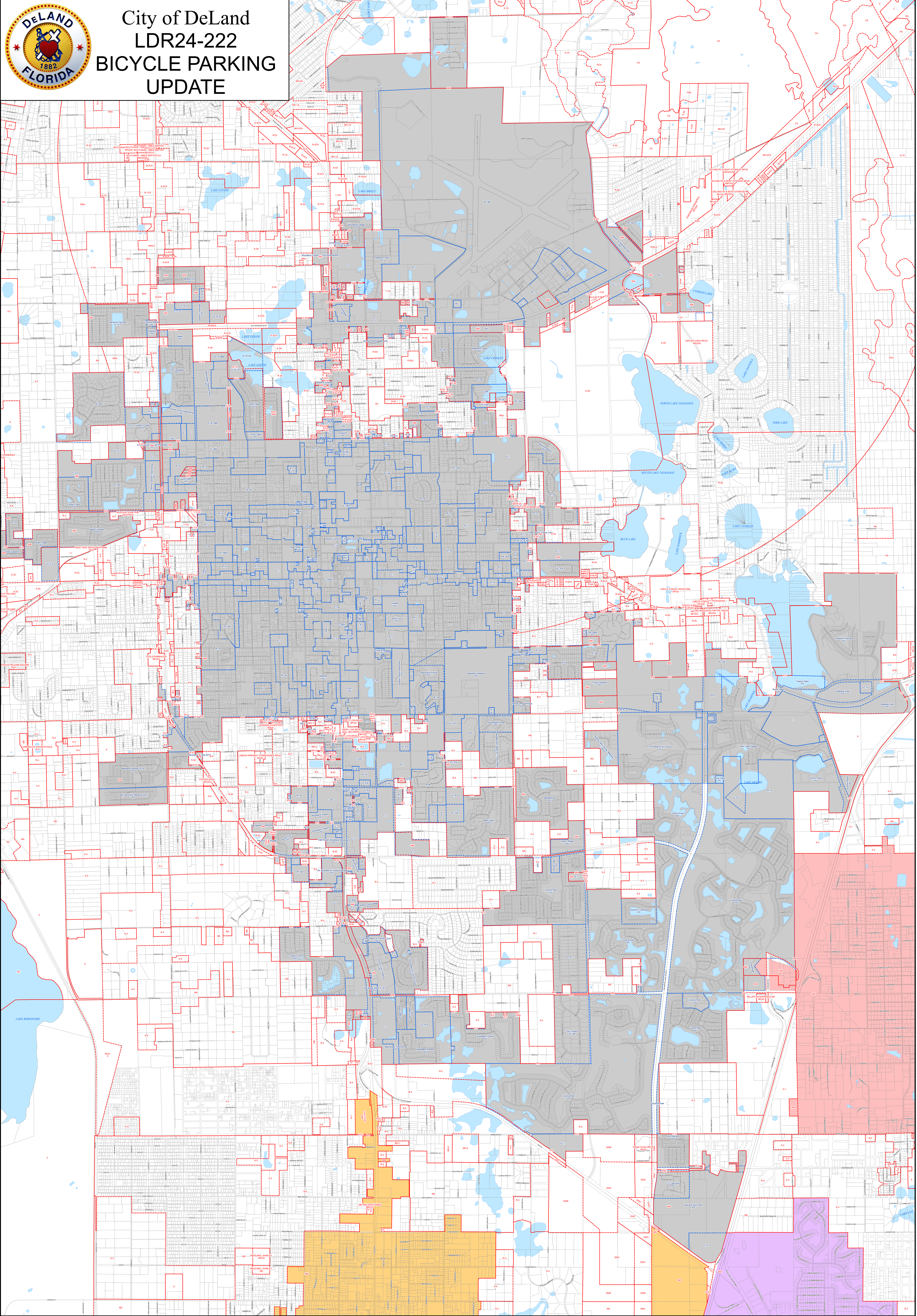
Number of Employees	Required Minimum Number of Bicycle Parking Spaces
0—5	0

6—20	1
21—80	2
Over 80	1 per every 20 employees or a fraction thereof

- (1) To certify a building or use as a low occupancy facility, the building owner or applicant shall attach to any zoning permit application, an affidavit attesting to the number of employees required for the use.
- e. When calculating the minimum number of protected and/or unprotected parking spaces required results in a fractional number, a fraction of less than one-half shall be disregarded and a fraction of one-half or more shall be rounded to the next highest whole number.
- f. Bicycle parking shall be included as part of the parking study performed for public parks and recreation facilities.



City of DeLand
LDR24-222
BICYCLE PARKING
UPDATE



Source: County of Volusia GIS
City of DeLand Planning Dept.
Prepared by the City of DeLand Planning Department. This map is a generalized representation and is not intended to be used for any engineering, surveying, or legal purposes. The City of DeLand is not liable for any decisions made on the basis of this map or on the information contained within the map. To verify the zoning of a property, please call the City of DeLand Planning Department.

Current as of September 27, 2024

Zoning Districts

- VC

VOLUSIA ZONING (Refer to County Zoning Ordinance)
- R-R

RURAL RESIDENTIAL DISTRICT
- R-R1

SUBURBAN SINGLE FAMILY RESIDENTIAL DISTRICT
- R-1A

SINGLE FAMILY DWELLING DISTRICT
- R-1A

SINGLE FAMILY DWELLING DISTRICT
- R-1B

SINGLE FAMILY DWELLING DISTRICT
- R-1C

SINGLE FAMILY DWELLING DISTRICT
- R-1

SINGLE FAMILY DWELLING DISTRICT
- R-2

TWO-FAMILY DWELLING DISTRICT
- R-8

MULTIPLE FAMILY DWELLING DISTRICT
- R-12

MULTIPLE FAMILY DWELLING DISTRICT
- R-16

MULTIPLE FAMILY DWELLING DISTRICT

R-M

RESIDENTIAL MOBILE HOME DISTRICT

P-1

PROFESSIONAL RESIDENTIAL DISTRICT

E-1

EDUCATIONAL DISTRICT

C-1

LIMITED NEIGHBORHOOD COMMERCIAL DISTRICT

C-2

GENERAL COMMERCIAL DISTRICT

C-2A

DOWNTOWN COMMERCIAL DISTRICT

C-2AC

COMMERCIAL ACTIVITY CORE ZONING CATEGORY

C-3

RAIL SPUR COMMERCIAL DISTRICT

C-4

WHOLESALE COMMERCIAL DISTRICT

M-1

INDUSTRIAL DISTRICT

BR

BUSINESS RETAIL

Legend

Streets

City Zoning

County Zoning

Parcel Lines

Map Index Grid

Cities:

DeLand

Lake Helen

Orange City

Deltona

N

1:12,000

0 1,000 2,000 4,000 Feet

Sources: Volusia County GIS
City of DeLand Planning Dept.

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