



CITY OF DELAND
REGULAR MEETING OF THE PLANNING BOARD
DECEMBER 11, 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 November 13, 2024 meeting minutes.

VARIANCE OLD BUSINESS

VARIANCE NEW BUSINESS

PUBLIC PARTICIPATION PROCEEDINGS

PLANNING - OLD BUSINESS

PLANNING - NEW BUSINESS

1. Applicant Name: Scott Banta
Project Number: AN24-092 – Annexation
Project Location: Northwest corner of S. Blue Lake Ave. & E. Beresford Ave.
Project Description: Annexation of ±15.50 acres of property into the City of DeLand
Project Planner: Kendall Story
2. Applicant Name: Scott Banta
Project Number: SMLU24-093 - Comprehensive Land Use Amendment
Project Location: Northwest corner of S. Blue Lake Ave. & E. Beresford Ave.
Project Description: Land Use change of ±15.50 acres of property from Volusia County Urban Low Intensity (ULI) to City of DeLand Low Density Residential (LDR)
Project Planner: Kendall Story

OTHER BUSINESS

ADJOURNMENT



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

WEDNESDAY, NOVEMBER 13, 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	Present
Nora Lewis	Present
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 – Rick Werbiskis, Community Development Director; Darren Elkind, City Attorney; Deborah Glick, Development Services Manager; Belinda Williams-Collins, Senior Planner; Kendall Story, Senior Planner; Samuel Nelson, Planner I; Vivian Ford, Administrative Coordinator; applicants; and members of the public.

MINUTES

1. The board unanimously voted to approve the October 16, 2024 Meeting Minutes.

VARIANCE OLD BUSINESS

None.

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: Arthur Wright, on behalf of the Applicant, was present and answered questions from the board.

Annie Brit Bailey stated she lives in a neighboring property and is present to obtain more information on the project.

After the board discussed the requested variance, they determined that allowing for the reduction of the parking space required length achieved the desired result of the applicant while ensuring the variance granted was the minimum necessary to make reasonable use of the property required by Section 33-103.03 of the Land Development Regulations.

Ms. Lewis moved to approve a reduction of the required parking space from 20' to 18' in order to utilize the garage as the required 4th parking space. Mr. Liska seconded the motion. The motion to approve passed unanimously.

PUBLIC PARTICIPATION PROCEEDINGS

Mr. Owens read the Public Participation procedures.

PLANNING – OLD BUSINESS

None.

PLANNING – NEW BUSINESS

1. Applicant Name: Michael Woods, Esq. - 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

Public Participation: Michael Woods, Esq. of Cobb Cole, as Applicant, was present and answered questions from the board.

Sandra Villanueva spoke against the project due to concerns of area flooding and overcrowding at local schools.

Mr. Hill moved to approve the request. Ms. Lewis seconded the motion. The motion to approve passed unanimously.

The board acknowledged the flooding concerns, but stated that the application before them only addressed the timing of the construction of the model homes and amenities. The stormwater design was addressed under a separate approval for the preliminary plat.

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

Public Participation: Deborah Glick presented and answered questions from the board.

Mr. Thiry moved to approve the request. Ms. Lewis seconded the motion. The motion to approve passed unanimously.

OTHER BUSINESS

None

ADJOURNMENT

The meeting ended at 5:40 p.m.

**PLANNING DEPARTMENT STAFF REPORT
TO
PLANNING BOARD**

December 11, 2024

APPLICATION: AN24-092

1. **Requested Action:** Annexation of 16.40 acres of property into the City limits of DeLand
2. **Location:** Northwest corner of E. Beresford Ave. and S. Blue Lake Ave.
3. **Petitioner:** Mr. Scott Banta
4. **Staff:** Kendall Story
5. **Owner:** Clark Van Hooten
6. **Size of parcel(s):** ± 15.50 acres
7. **Parcel ID:** 701500000720
8. **Land Use Designation & Zoning of Subject Property:**

Future Land Use: Volusia County: Urban Low Intensity (ULI)

Existing Zoning: Volusia County: R-3

Existing Use: Wooded/Undeveloped
9. **Surrounding Land Use & Zoning:**

	LAND USE	ZONING
North:	VC: URBAN LOW INTENSITY	VC: R-3
South:	VC: RURAL	VC: RR
East:	URBAN LOW INTENSITY	TRINITY GARDENS PLANNED DEVELOPMENT
West:	VC: URBAN LOW INTENSITY	VC: R-3

10. Physical Characteristics: The subject property is ± 15.50 acres in size and is wooded and undeveloped. It does not appear to contain any wetlands and does not lie within the 100-year flood zone.

The subject property is located in unincorporated Volusia County and is currently zoned VC: R-3 (Volusia County Urban Single Family), with a future land use designation of VC: ULI (Volusia County Urban Low Intensity). It is owned by Clark Van Hooten, and the property is currently vacant, with a 100' wide FPL easement that runs down the center of the property, then east. This application is accompanied by a request for a future land use amendment (SMLU24-093) to LDR (Low Density Residential). If the requests are approved, any future site improvements will first require a rezone of the subject property to a City zoning district, followed by review and approval of a separate development application.

11. Public Services & Utilities: The City's Utilities Department determined the closest City water main is a 8" & 12" main along the south and east of the property, and the closest city sewer main is also located on the south side of the property, with an 8" force main.

12. Growth Management Plan Consistency:

North, south, and west of the property is mostly rural, with residential homes, located in unincorporated Volusia County. The Trinity Gardens Planned Development, once constructed, will be located east of the subject property.

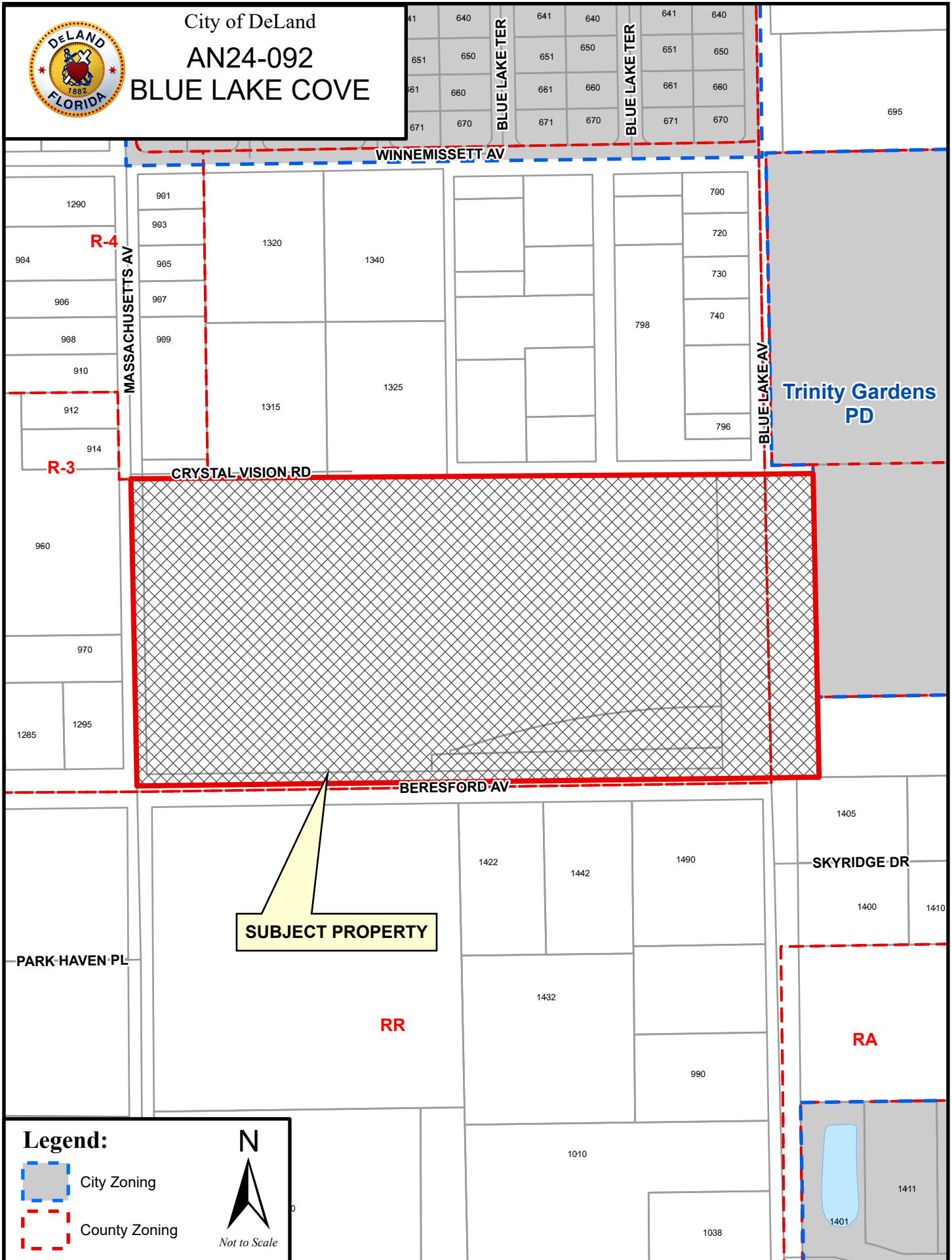
13. Analysis: The City's guidelines for annexation require a property be sufficiently contiguous to property already within the city limits and to be accessible to public services provided. In addition, the State requires the property be reasonably compact, not circuitous, and does not create an enclave. The subject property does not create an enclave, is contiguous to the City of DeLand, is reasonably compact and is not circuitous. The parcel is contiguous to the city to the east, by ± 495 ft.

Recommendation: Staff recommends that the Planning Board forward this annexation petition to the City Commission, with a recommendation for approval.

Based upon the concurrency requirements of the State of Florida and the City's concurrency management plan, as adopted in Article 5, Sec. 33-41 of the Land Development Regulations, approval of the proposed annexation does not automatically provide vested development rights. At the time the developer applies for a development permit, adequate infrastructure must exist to support the proposed development. If such infrastructure does not exist, the developer may be required to incur additional expense to ensure that the necessary infrastructure is provided.

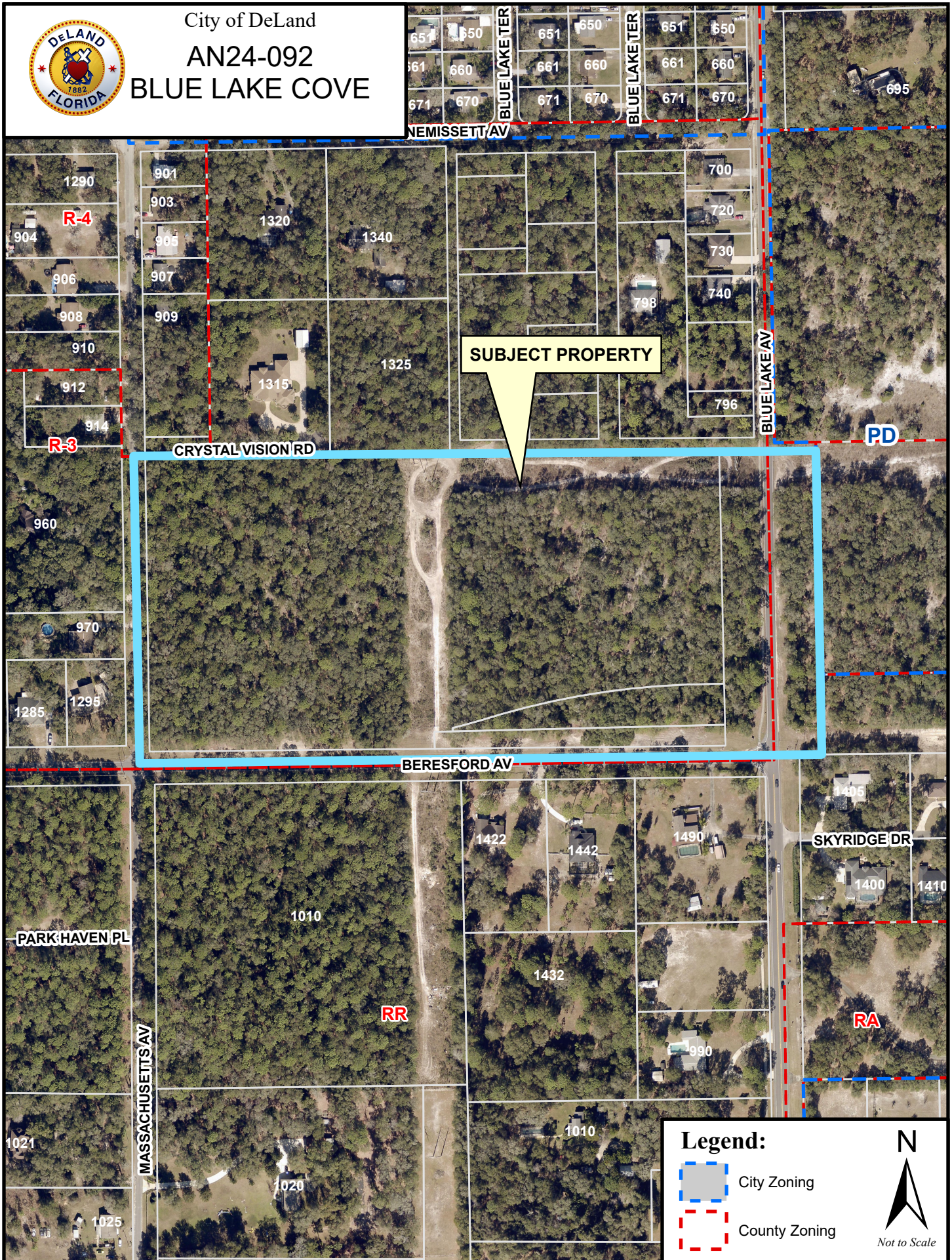


City of DeLand
AN24-092
BLUE LAKE COVE





City of DeLand
AN24-092
BLUE LAKE COVE



Legend:

- City Zoning
- County Zoning



DESCRIPTION: METES AND BOUNDS DESCRIPTION FOR PARENT PARCEL

FOR ANNEXING (CREATED BY SURVEYOR)

THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, SUBJECT TO THE RIGHT OF WAY OF PUBLIC ROADS AND OF EASEMENTS TO HOUSTON TEXAS GAS AND OIL CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668 AND TO FLORIDA POWER CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 899, PAGE 470, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT A 5/8" IRON BAR AND CAP #3019 MARKING THE NORTHEAST CORNER OF THOSE LANDS RECORDED IN OFFICIAL RECORDS BOOK 7109, PAGE 363, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN S01°03'59"E, ALONG THE WEST RIGHT OF WAY LINE OF SOUTH BLUE LAKE AVENUE, (A 200.00 FOOT RIGHT OF WAY) A DISTANCE OF 495.84 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE FOR VOLKUSIA COUNTY RIGHT OF WAY AQUISITION PROJECT NUMBER 5779; THENCE RUN S88°50'48"W, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 57.24 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1590.00 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE AND ALONG SAID CURVE PASSING TRHROUGH A CENTRAL ANGLE OF 15°37'47", AND HASVING AN ARC LENGTH OF 433.74 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S81°01'54"W, 432.39 FEET, TO A POINT OF REVERSE CURVE; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1520.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 02°57'45" AND HAVING AN ARC LENGTH OF 78.59 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S74°51'53"W, 78.59 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OOF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN S01°14'18"E, ALONG THE EAST LINE OF

THE SOUTHWEST 1/4 F THE SOUTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 7.21 FEET TO THE INTERSECTION WITH THE NORTH LINE OF A 30.00 FOOT EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN S88°57'54"W, ALONG THE NORTH LINE OF SAID EASEMENT, A DISTANCE OF 38.39 FEET; THENCE RUN S01°09'46"E, A DISTANCE OF 25.68 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE; THENCE RUN S89°08'15"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 598.30 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE SOUTH MASSACHUSETTE AVENUE; THENCE RUN N00°56'02"W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 602.08 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN N88°46'23"E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 1196.93 FEET TO THE POINT OF BEGINNIING.

SAID PARCEL CONTAINS 15.50 ACRES.

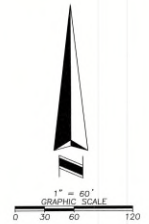
DESCRIPTION: EAST BERESFORD AVENUE, S. BLUE LAKE
AVENUE AND S. MASSACHUSETTS AVENUE
FOR ANNEXING (CREATED BY SURVEYOR)

A PORTION OF RIGHT OF WAYS FOR ANNEXATION, LYING IN
AND BEING A PORTION OF SECTIONS 14 AND 15, TOWNSHIP 17
SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA AND
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT A 5/8" IRON BAR AND CAP #3019 MARKING THE
NORTHEAST CORNER OF THOSE LANDS RECORDED IN OFFICIAL
RECORDS BOOK 7109, PAGE 363, OF THE PUBLIC RECORDS OF
VOLUSIA COUNTY, FLORIDA; THENCE RUN N88°50'19"E, ALONG
AN EASTERLY PROJECTION OF THE NORTH LINE OF THOSE
LANDS RECORDED MIN SAID OFFICIAL; RECORDS BOOK 7109,
PAGE 363, A DISTANCE OF 200.05 FEET, TO A 5/8" IRON BAR AND
CAP #LB 1, MARKING THE EAST RIGHT OF WAY LINE OF SOUTH
BLUE LAKE AVENUE; THENCE RUN S01°03'45"E, ALONG THE
EAST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE,
A DISTANCE OF 646.03 FEET TO THE INTERSECTION WITH THE
EASTERLY PROJECTION OF THE CENTERLINE OF EAST
BERESFORD AVENUE; THENCE RUN S88°51'11"W, ALONG THE
CENTERLINE OF SAID EAST BERESFORD AVENUE, A DISTANCE
OF 1423.27 FEET TO THE INTERSECTION WITH THE CENTERLINE
OF SOUTH MASSACHUSETTS AVENUE; THENCE RUN
N00°56'02"W, ALONG THE CENTERLINE OF SAID SOUTH
MASSACHUSETTS AVENUE, A DISTANCE OF 644.27 FEET;
THENCE RUN N88°46'23"E, ALONG AN EASTERLY EXTENSION OF
THE NORTH LINE OF THOSE LANDS RECORDED IN SAID
OFFICIAL RECORDS BOOK 7109, PAGE 363, A DISTANCE OF 24.80
FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY
LINE OF SAID SOUTH MASSACHUSETTS AVENUE; THENCE RUN
S00°56'02"E, ALONG THE EAST RIGHT OF WAY LINE OF SAID
SOUTH MASSACHUSETTS AVENUE, A DISTANCE OF 602.08 FEET
TO A 5/8" IRON BAR AND CAP #3019 MARKING THE
INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF EAST
BERESFORD AVENUE; THENCE RUN N89°08'15"E, ALONG THE
NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD
AVENUE, A DISTANCE OF 598.30 FEET, TO A 5/8" IRON BAR AND
CAP 3019; THENCE CONTINUE ALONG THE NORTH RIGHT OF

WAY LINE OF SAID EAST BERESFORD AVENUE N01°09'46"W, A DISTANCE OF 25.68 FEET TO A 5/8" IRON BAR AND CAP #3019; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE, A DISTANCE OF 38.39 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE OF EAST BERESFORD AVENUE, N01°14'18"W, A DISTANCE OF 7.22 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1520.00 FEET; THENCE CONTINUE ALONG THE NORTH RIGHT OF WAY LINE OF SAID EAST BERESFORD AVENUE AND ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 02°57'45" AND HAVING AN ARC LENGTH OF 78.59 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N74°41'53"E, 78.58 FEET TO A POINT OF REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1590.00 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 15°37'47" AND HAVING AN ARC LENGTH OF 433.74 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N81°01'54", 432.39 FEET TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID NORTH RIGHT OF WAY LINE N88°50'48"E, 57.24 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE; THENCE RUN N01°03'59"W, ALONG THE WEST RIGHT OF WAY LINE OF SAID SOUTH BLUE LAKE AVENUE, A DISTANCE OF 495.84 FEET TO THE POINT OF BEGINNING.

SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST
DeLAND
VOLUSIA COUNTY, FLORIDA



- ABBREVIATIONS**
- | | |
|------|---------------------|
| A/C | AIR CONDITIONER |
| ALC | ALCANTARA |
| AL | ALUMINUM |
| CL | CHAIN LINK FENCE |
| CLC | CLIMATIC |
| CLB | CONCRETE SLAB |
| CLD | CLIMATE |
| CLF | CLIMATE CONTROL |
| CLH | CLIMATE HEATING |
| CLP | CLIMATE PUMP |
| CLT | CLIMATE THERMOSTAT |
| CLV | CLIMATE VENTILATION |
| CLW | CLIMATE WIND |
| CLX | CLIMATE X-RAY |
| CLY | CLIMATE Y-RAY |
| CLZ | CLIMATE Z-RAY |
| CLAA | CLIMATE AREA |
| CLAB | CLIMATE AREA B |
| CLAC | CLIMATE AREA C |
| CLAD | CLIMATE AREA D |
| CLAE | CLIMATE AREA E |
| CLAF | CLIMATE AREA F |
| CLAG | CLIMATE AREA G |
| CLAH | CLIMATE AREA H |
| CLAI | CLIMATE AREA I |
| CLAJ | CLIMATE AREA J |
| CLAK | CLIMATE AREA K |
| CLAL | CLIMATE AREA L |
| CLAM | CLIMATE AREA M |
| CLAN | CLIMATE AREA N |
| CLAO | CLIMATE AREA O |
| CLAP | CLIMATE AREA P |
| CLAQ | CLIMATE AREA Q |
| CLAR | CLIMATE AREA R |
| CLAS | CLIMATE AREA S |
| CLAT | CLIMATE AREA T |
| CLAU | CLIMATE AREA U |
| CLAV | CLIMATE AREA V |
| CLAW | CLIMATE AREA W |
| CLAX | CLIMATE AREA X |
| CLAY | CLIMATE AREA Y |
| CLAZ | CLIMATE AREA Z |
| CLAA | CLIMATE AREA A |
| CLAB | CLIMATE AREA B |
| CLAC | CLIMATE AREA C |
| CLAD | CLIMATE AREA D |
| CLAE | CLIMATE AREA E |
| CLAF | CLIMATE AREA F |
| CLAG | CLIMATE AREA G |
| CLAH | CLIMATE AREA H |
| CLAI | CLIMATE AREA I |
| CLAJ | CLIMATE AREA J |
| CLAK | CLIMATE AREA K |
| CLAL | CLIMATE AREA L |
| CLAM | CLIMATE AREA M |
| CLAN | CLIMATE AREA N |
| CLAO | CLIMATE AREA O |
| CLAP | CLIMATE AREA P |
| CLAQ | CLIMATE AREA Q |
| CLAR | CLIMATE AREA R |
| CLAS | CLIMATE AREA S |
| CLAT | CLIMATE AREA T |
| CLAU | CLIMATE AREA U |
| CLAV | CLIMATE AREA V |
| CLAW | CLIMATE AREA W |
| CLAX | CLIMATE AREA X |
| CLAY | CLIMATE AREA Y |
| CLAZ | CLIMATE AREA Z |
- CL** = FIRE HYDRANT
- CL** = SEWER VALVE
- CL** = WATER VALVE
- CL** = POWER POLE

NOTES:

1. NO INSTRUMENTS OF RECORD REFLECTING EXISTING RIGHTS OF WAY AND/OR OWNERSHIP
WERE FURNISHED TO THE SUPERVISING AGENT AS SHOWN.
2. NO RECORDS OF THE DEEDS, EASEMENTS, ETC. OF A FLORIDA LICENSED SURVEYOR AND MAPPER,
OR ANY OTHER PERSON, SHOWING ANY CHANGES TO THE PROPERTY AS SHOWN.
3. NO UNDERGROUND IMPROVEMENTS OR INSTALLATIONS OF OTHER INTERIOR
IMPROVEMENTS HAVE BEEN LOCATED, EXPOSED, OR EXPOSED, AS PER THE REQUEST OF THE
CLIENT, FOR RECORD, LEGAL, OR ENGINEERING PURPOSES.
4. FEATURES SHOWN BY SYMBOL AS INDICATED IN THE LEGEND ARE NOT TO SCALE.
THEY ARE APPROXIMATELY LOCATED BY VISUAL SEARCH OR SEARCH MAY REVEAL
ADDITIONAL INFORMATION IDENTIFYING THE PARCELS AS SHOWN.
5. NO RECORDS OF THE DEEDS, EASEMENTS, ETC. OF ANY OR LAND RECORDS MAY BE AVAILABLE
NEAR RESPECTIVE SYMBOL ARE, UNLESS SHOWN IN LEGEND.
6. BEARING OF THE BOUNDARY LINES OF THE PARCELS, THE PARCELS, THE STATE PLANE COORDINATE
SYSTEM, AND THE FLORIDA STATE ZONE (1903, NORTH AMERICAN DATE 1983, 2011 ADJUSTMENT).
7. UNLESS SHOWN, ONLY THOSE VISIBLE FEATURES IN THE IMMEDIATE VICINITY OF THE AREAS DESCRIBED
ON THE FLORIDA STATE ZONE (1903, NORTH AMERICAN DATE 1983, 2011 ADJUSTMENT).
8. SUBJECT PROPERTY LIES WITHIN ZONE "1", AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD
PROTECTION AREAS, AND ARE NOT SUBJECT TO FLOODING, AS SHOWN ON THE FLORIDA
VULNERABILITY COMMISSION (2015), PANEL 127270470 AND 10, DATED FEBRUARY 19, 2014.
9. THE LOSS INSURANCE POLICY IS NOT A SURVEY AND NO RESPONSIBILITY IS TAKEN
FOR THE ACCURACY OF SAME.

NOTE:

THIS SURVEY IS CONDUCTED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS SHOWN HEREON, ON THE MOST CURRENT DATE SHOWN, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL. MISREPRESENTATIONS, OMISSIONS, AND/OR INACCURACIES MAY OCCUR. THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, THAT THE INFORMATION SHOWN HEREON OR THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY. THIS SURVEY IS PREPARED WITHOUT BENEFIT OF ABSTRACT OR TITLE SEARCH UNLESS SPECIFICALLY NOTED OTHERWISE. THE SURVEYOR'S OPINION IS LIMITED TO THE SPOONING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SPOONING PARTY OR PARTIES. THIS SURVEY DRAWS THE PROFESSIONAL OPINION OF THIS SURVEYOR AND IS BASED ON THE FORM OF RECORDS, RECORDS OF AVAILABLE INFORMATION, AND SUCH DATA DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. FURTHERMORE, THIS SURVEYOR AND FIRM DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE HELD RESPONSIBLE FOR CLAIMS OF NEGLIGENCE OR OTHER CAUSES OF ACTION AGAINST THE SURVEYOR, WHICH WAS USED AS A BASIS IN THE PREPARATION OF THIS SURVEY DRAWING.

DESCRIPTION: (PER ORB 7109 PG. 363)

THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, SUBJECT TO THE RIGHT OF WAY OF PUBLIC ROADS AND OF EASEMENTS TO HOUSTON TEXAS GAS AND OIL CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 421, PAGE 668 AND TO FLORIDA POWER CORPORATION, RECORDED IN OFFICIAL RECORDS BOOK 899, PAGE 470, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS SHOWN HEREON, ON THE MOST CURRENT DATE SHOWN, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL, WHOMSOEVER.

EFIRD SURVEYING GROUP, INC.

475 S. BLUE LAKE AVENUE
DELAND, FLORIDA 32724

WEBSITE: www.efirdsurveying.com

e-mail: larry@efirdsurveying.com
Certificate Of Authorization Licensed Business Number 7230

Boundary Survey

Survey Date: 1/10/2024

Drawing Number:	23-0412
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Scale: $1''=60'$	M. SE
Drawn by: RF / M / H	

DREAMQUEST TINY NEIGHBORHOODS, INC.

XXXX S. BLUE LAKE AVE., DULAND

I HEREBY CERTIFY, THIS SOURCE DRAWING TO BE
CORRECT, TO THE BEST OF MY KNOWLEDGE AND
BELIEF, AND COMPLY WITH ALL THE
STANDARDS OF PRACTICE AS SET FORTH BY THE
FLORIDA BOARD OF PROFESSIONAL ENGINEERS AND
SURVEYORS IN CHAPTER 476, F.A.C., PURSUANT TO
SECTION 472.002, FLORIDA STATUTES.

NO. 6883

11167202

LARRY R. EFFORD JR.

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

June 12, 2024

A. APPLICATION NO.: SMLU24-093

APPLICANT: Scott Banta, Telesis Services, LLC

STAFF PLANNER: Kendall Story

REQUEST: To amend the land use designation from Volusia County Urban Low-Intensity to City of DeLand Low-Density Residential

B. SITE FACTORS:

Location: Northwest corner of S. Blue Lake Ave. & E. Beresford Ave.
Parcel ID #: 701500000720
Parcel Size: ± 15.50 acres
Land Use: Volusia County Urban Low-Intensity
Existing Use: Vacant, undeveloped

	SURROUNDING USE:
North:	VC: Urban Low-Intensity
South:	VC: Rural
East:	Low-Density Residential
West:	VC: Urban Low-Intensity

C. REQUESTED ACTION & HISTORY:

1. REQUEST: The applicant is requesting the future land use designation be amended for a ±15.50-acre parcel located on the northwest corner of S. Blue Lake Ave. & E. Beresford Ave. from Volusia County's Urban Low-Intensity (VC: ULI) land use designation to the City of DeLand's Low-Density Residential (LDR) land use designation. *The Applicant has petitioned for annexation (#AN24-092),*

2. CHRONOLOGY OF PAST EVENTS: The southeast portion of the subject property includes a portion of property owned by Volusia County. A current survey of the property includes a 100' wide Florida Power & Light easement that runs north to south, and then east to S. Blue Lake Ave.

D. ALTERNATIVES & ANALYSIS:

The purpose of this section is to analyze the reasonableness of the applicant's request for an amendment of the land use designation for the subject property. This analysis will include a description of the current and future land uses of the site and the surrounding area, potential impacts on the transportation system, and any significant adverse environmental impacts. Florida Statute 163.3187 allows for a Future Land Use Map amendment for area of use under 50 acres, and are not an area of critical state concern.

1. Availability of Public Facilities (water, sewer, solid waste, drainage, traffic, recreation, and schools if residential):

The City's Utilities Department states that the closest city water main is found on the south and east sides of the property. The closest sewer main is an 8" force main that runs along the south side of the property.

Due to the proposed use and size, a Traffic Impact Analysis was not required, as the proposed density would not trigger more than 1,000 average daily trips.

Future residential development of the site will have a demand for new recreation that will be addressed with the rezoning application, once a final development is submitted.

Volusia County already provides a sanitary landfill for the disposal of solid waste. The landfill has adequate capacity at this time.

2. Compatibility with Land Use and Other Elements: The Future Land Use element requires that the subject property be consistent with surrounding development. The Comprehensive Plan describes the Low-Density Residential land use designation as being typified by detached single-family dwelling units and both agricultural and conservation land uses, with a maximum density of 5.8 units per acre. It should be located in areas where more intense uses would not be compatible with the surrounding area.

To the north and west of the subject property is Volusia County Urban Low-Intensity which allows as many as 4 dwelling units per acre. To the south is property with a land use designation of Volusia County Rural, which is restricted to no more than 1 unit per acre. And, to the east is Low-Density Residential and the location of Trinity Gardens, which allows up to 4.59 dwelling units per acre.

3. Future Land Use Map: The proposed change in the land use designation to Low-Density Residential (LDR) will be shown on the revised Future Land Use Map.

4. Location of Lakes, Floodplains, and Wetlands: The property does not contain bodies of water, nor is it located within a floodplain.

5. Analysis of Natural Resources:

a. Soil types:

Tavares Fine Sand, 0-5% slope

b. Presence of Endangered Species: None known of at this time. A full report will be required with the submittal of an application for development of the property.

6. Existing and Future Impact upon Infrastructure Capacity:

a. Water – The City's Utility Department indicates sufficient water supply is available for the proposed land use designation.

b. Sewer – The City's Utility Department has indicated sufficient existing capacity.

- c. *Drainage* – The City adheres to the County’s 100-year frequency, 24-hour storm event standard for landlocked basins. Stormwater capture for future development will be addressed on-site and will be further evaluated at the time of preliminary plat.
- d. *Solid Waste* – Solid waste services are available for the property.
- e. *Transportation* – The proposed use of the property is for residential use.

In order to estimate traffic generation by development on the subject property, Staff must make projections for the most intense type of development allowed under the existing and proposed land use designations. Development under the most intensive of the uses allowed under the current land use designation of Volusia County Rural must be compared with the most intensive use proposed under the City’s Low-Density Residential designation.

The Volusia County Urban Low-Intensity land use designation allows a maximum density of 4 dwelling unit per acre; and with the most-intense allowable residential use, the property would currently be permitted to yield up to 62 units and would generate **441** calculated trips per day according to Trip Generation by the Institute of Transportation Engineers. (11th ed.)

DeLand’s Low-Density Residential land use designation allows for a maximum residential density up to 5.8 dwelling units per acre. If the land use amendment is approved, the 15.50 acres of property could yield as many as 90 units. Therefore, the traffic generation will be calculated based on the DeLand Comprehensive Plan. Assuming the maximum density, the 15.50 acres of property would generate **641** calculated trips per day at build-out, according to Trip Generation.

7. **Impact upon Recreation and Open Space:** Future residential development of the site will have a demand for new recreation that will be addressed with the rezoning application, once a final development is submitted.
8. **New Public Facilities Needed to Serve Land Use:** No need for new public facilities is anticipated.
9. **Impact Upon Existing Deficiencies:** As identified in the City's Comprehensive Plan, drainage is the only existing deficiency within the City. Any future development on this site will be required to manage its own stormwater, based on the 100 year/24-hour storm event, and it will be further reviewed as part of the development plan submittal.
10. **Impact upon Ability of the City to Fund Capital Improvements:** The development should not create an additional impact upon the City's ability to fund the projects listed in the adopted Five-Year Capital Improvement Program.
11. **Impact upon Adopted Five-Year Schedule in Capital Improvements Element:** The proposed land use amendment will not require revision to the City's adopted Five-Year Capital Improvement Program.

12. **Compatibility with Existing Zoning Classification:** The existing zoning classification will be amended upon approval of the land use amendment to a classification permitted by the new land use designation.
13. **Will the proposed land use change impact schools?** The applicant will need to provide a current Finding of Adequate Capacity letter from the Volusia County School Board as part of the approval of this request.
14. **How does this proposal fit with the guidelines developed for DeLand 2050 and the City's Strategic Plan?**
- a. Located in the Urban Core (Category 2) – i.e. “where the majority of the new, higher intensity growth will take place.” Based on these criteria, a significant increase in density is not appropriate but changes in keeping with the surrounding development pattern would be acceptable. – *Consistent; the increase in density is appropriate based on the surrounding properties and location.*
 - b. DeLand 2050 Land Use Guidelines: “Concentrate development at the core of the city or at transit-oriented sites and corridors. The urban core is the key area to focus development, maintaining a strong job base and taking advantage of existing infrastructure. Locating higher intensity along select corridors or major centers will encourage transit and lessen traffic congestion.” – *Consistent; subject property is located at the intersection of E. Beresford Ave. and S. Blue Lake Ave., and provides easy access to both Interstate 4 and the Downtown.*

E. **CONCLUSION:** The facility analysis presented in the above sections suggests the proposed land use should not cause any of the City's facilities to degrade below the adopted or current operational LOS. The proposed land use designation, Low-Density Residential, is consistent with the surrounding area, and is not expected to create any land use incompatibilities.

F. **STAFF RECOMMENDATION:** Staff recommends approval of the proposed amendment of the subject property's future land use designation to the City's Low-Density Residential.

G. **VGMC INFRASTRUCTURE IMPACT ASSESSMENT:**

In accordance with standard practice from the Florida Department of Economic Opportunity (DEO) and other review agencies, an impact comparison analysis of the proposed amendment has been completed based upon the theoretical maximum development potential under the currently adopted future land use designation versus the proposed designation.

The following seven public facilities and services were examined: (Table 4)

- | | |
|-------------------|------------------------|
| 1. Transportation | 5. Stormwater Drainage |
| 2. Sanitary Sewer | 6. Recreation |
| 3. Potable Water | 7. Schools |
| 4. Solid Waste | |

Table 4. Impact Analysis (Theoretical Max.)

Development Variable	EXISTING Future Land Use	PROPOSED Future Land Use	Net Change
	<i>Theoretical Maximums</i>		
Permitted Density/Intensity	4 du/acre	5.8 du/acre	+1.8 du/acre
Dwelling Units	62	90	+28
Non-residential Sq. Ft.	N/A	N/A	N/A
1. Population	151	220	+49
2. PM Peak Hr. Trips/Daily Trips	35 peak/441 ADT	51 peak/641 ADT	+16/+100
3. Sanitary Sewer (gallons/day)	12,400	18,000	+5,600
4. Potable Water (gallons/day)	18,600	27,000	+8,400
5. Solid Waste (pounds/day)	485	706	+221
6. Stormwater Drainage	N/A	N/A	N/A
7. Recreation/Open Space	1.06	1.54	+.48

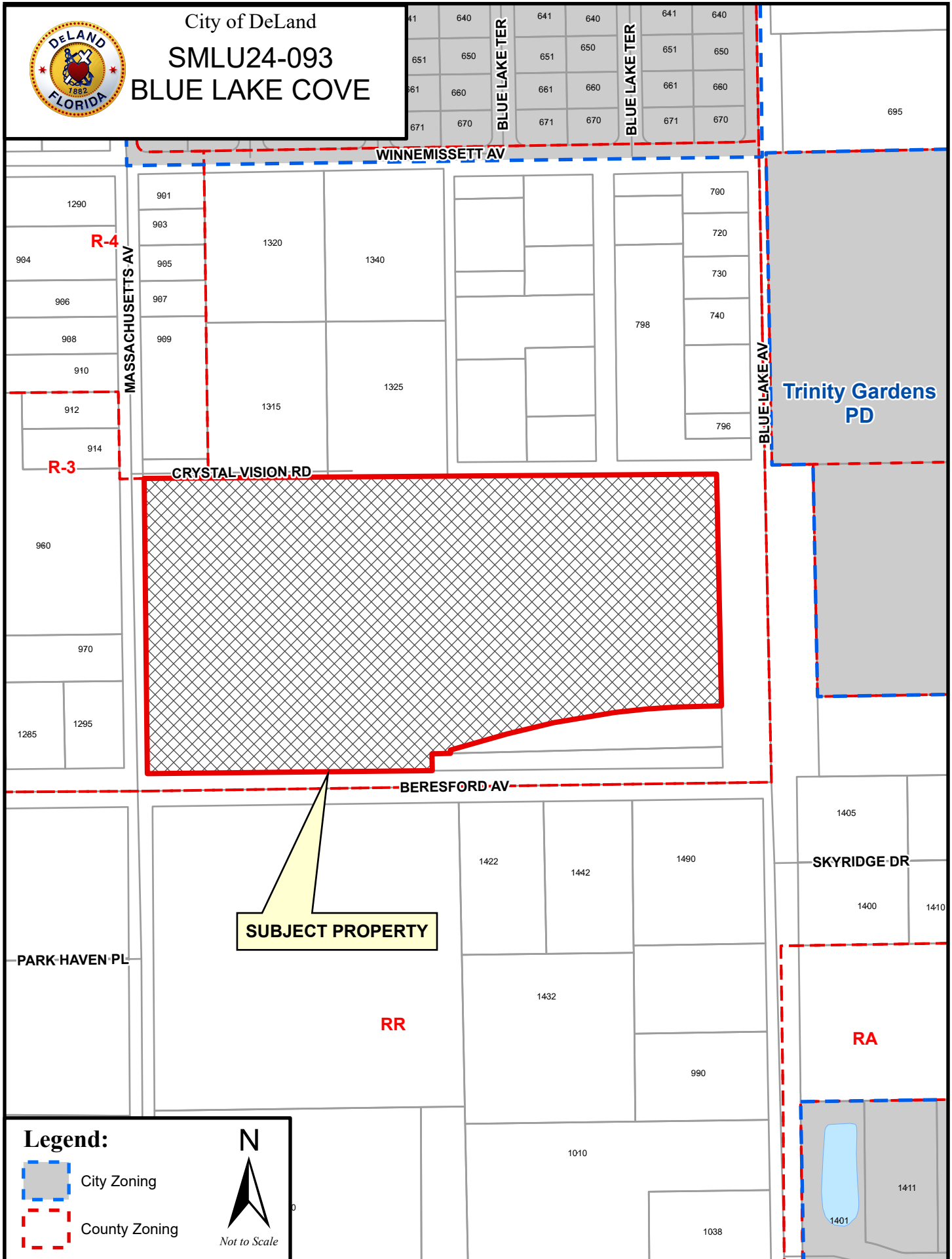
Notes:

1. Population: 2.44 persons per household (per 2020 Census)
2. Transportation: ITE Trip Generation Manual, 11th Edition: PM PEAK HR rate *RM (240)*: 0.57 trips per unit; ADT rate *RM (240)*: 7.12 trips per day per unit
3. Sanitary Sewer: 200 GPD per Equivalent Residential Unit; 0.10 GPD per sq. ft. commercial use
4. Potable Water: 300 GPD per Equivalent Residential Unit; 0.10 GPD per sq. ft. commercial use
5. Solid Waste: 3.21 pounds per person per day; 10 lbs. per 1,000 sq. ft. non-residential development per day
6. Stormwater Drainage: LOS Standard 25-yr, 24-hr event. Drainage system to be designed to meet the req. of the LDC during subdivision or site plan review.
7. Rec. & Open Space: 7 acres/1,000 persons (0.007 acres/person)

The proposed amendment results in increased impacts to all public infrastructure and services based on the theoretical maximum impact analysis.



City of DeLand
SMLU24-093
BLUE LAKE COVE



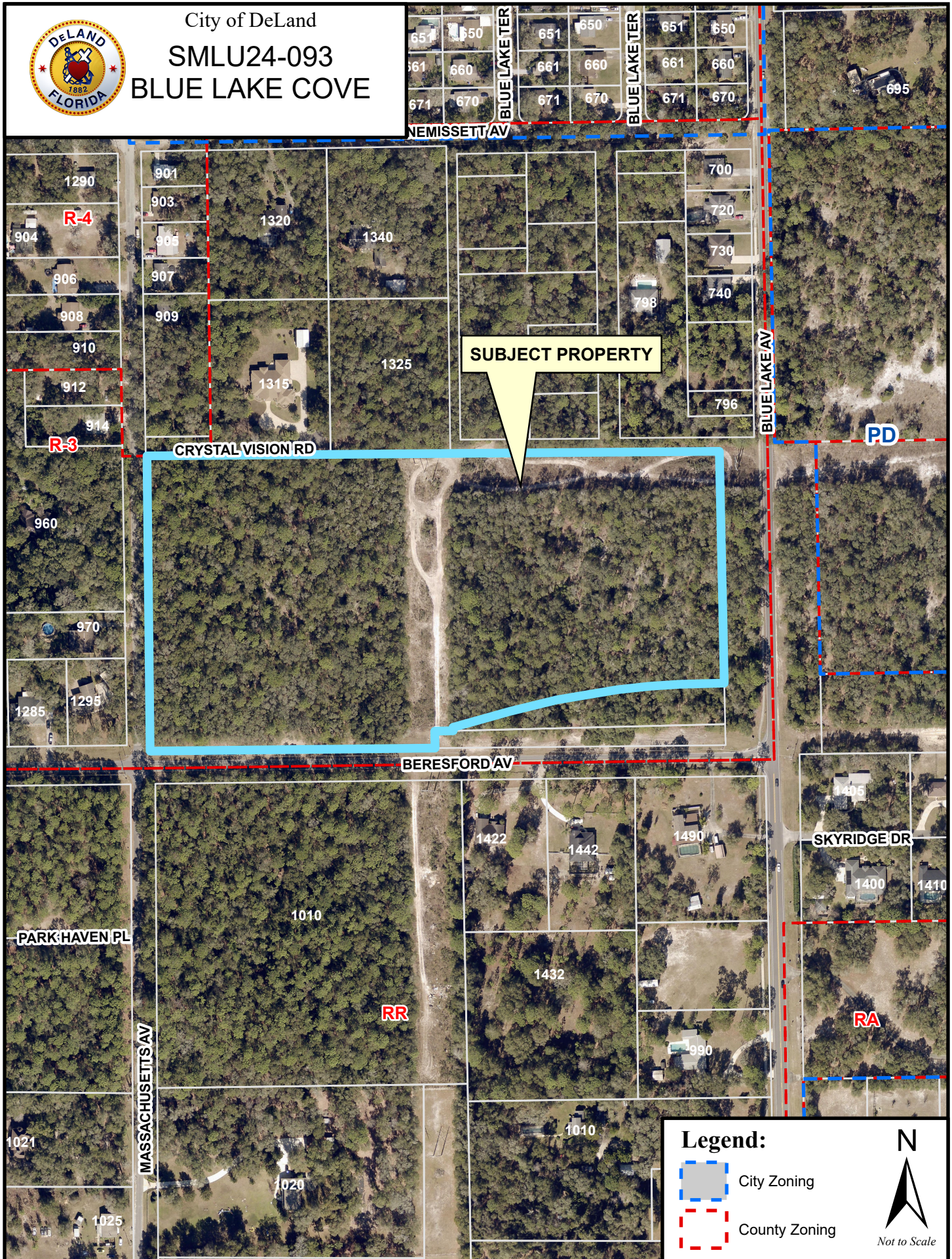
Legend:

- City Zoning
- County Zoning





City of DeLand
SMLU24-093
BLUE LAKE COVE



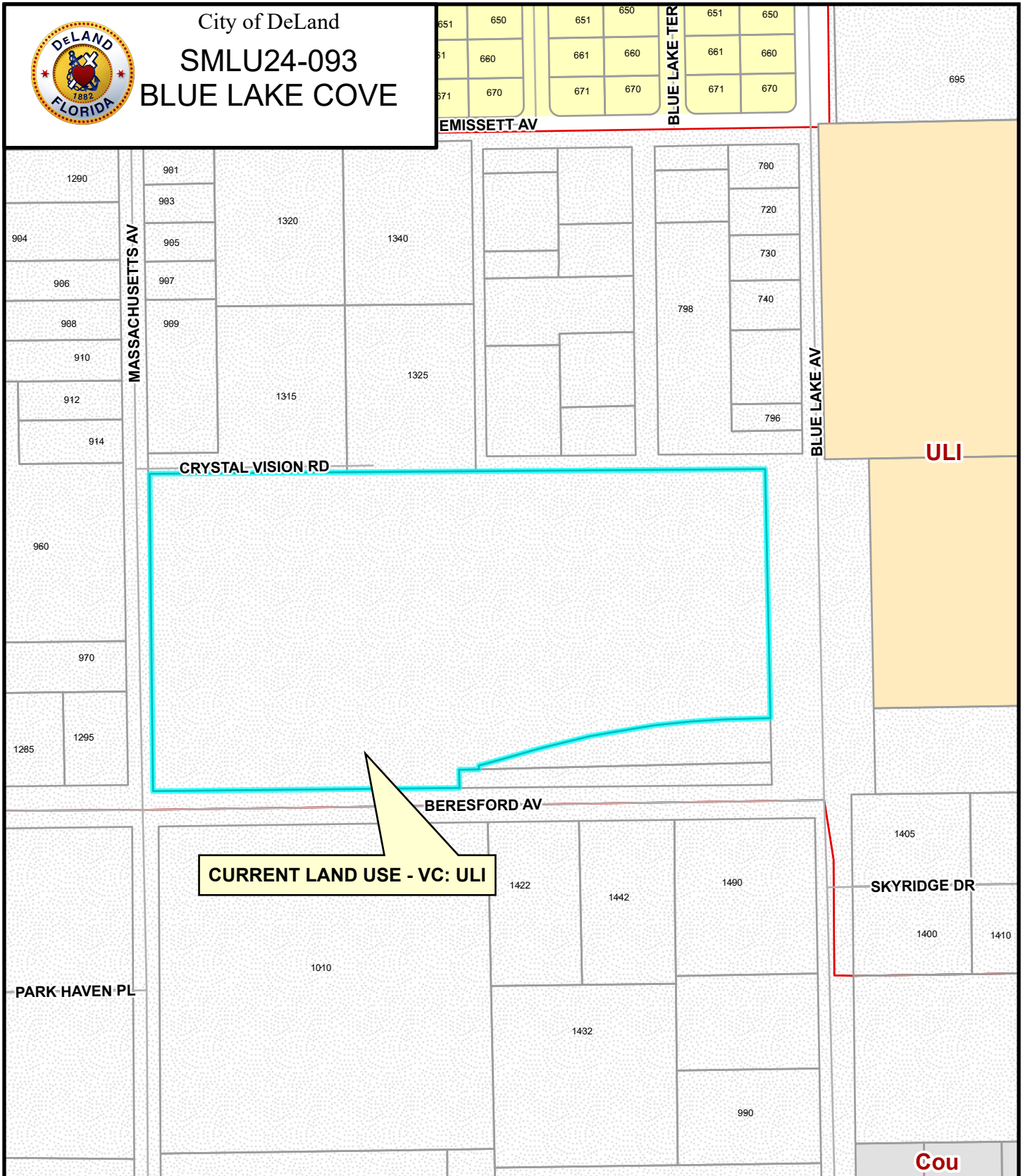
Legend:

- City Zoning
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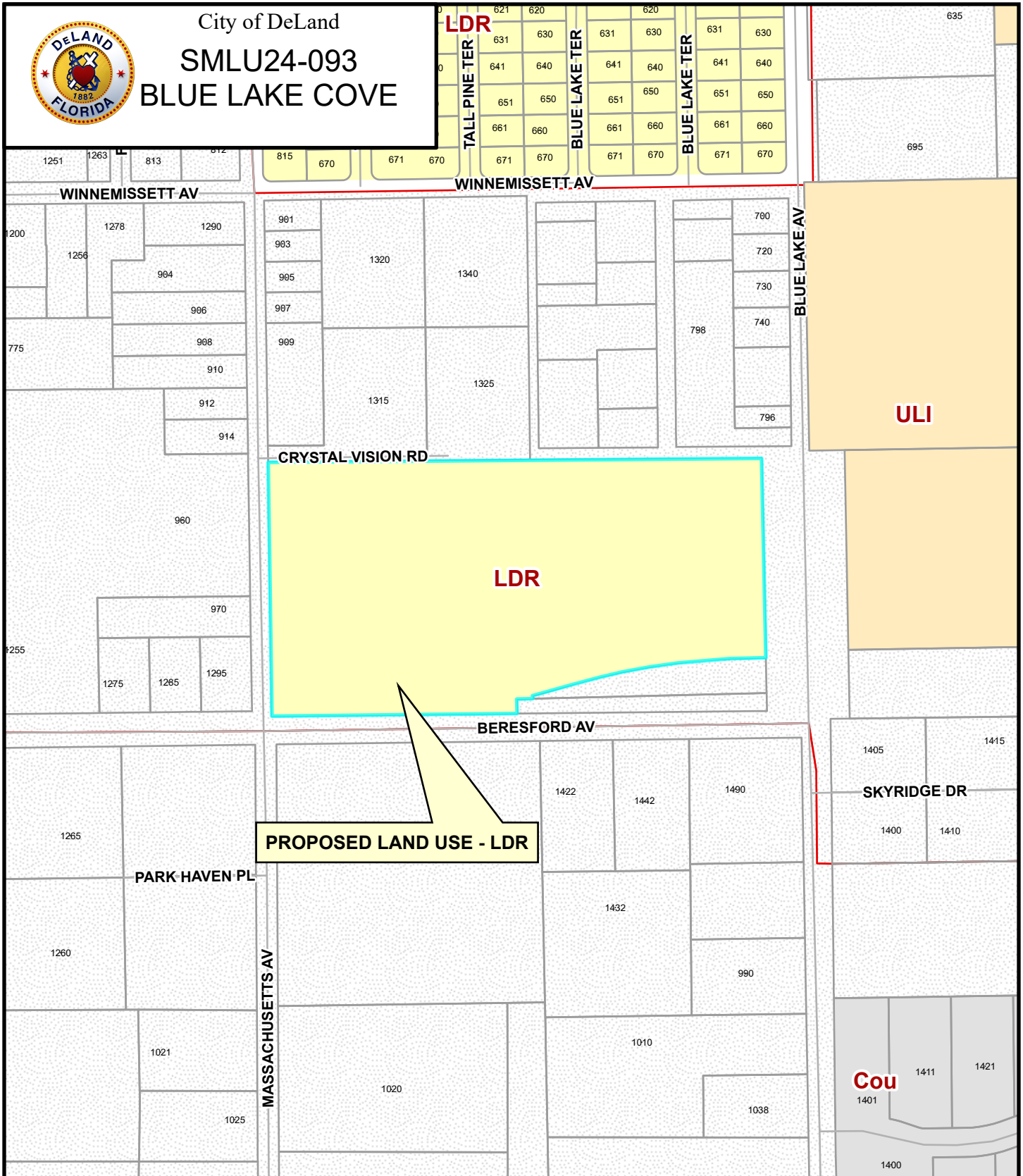
DeLand Future Land Use:

Agricultural Conservation	Educational	Downtown Commercial	New Community Development
Urban Low Intensity	Mixed Office - Residential	Redevelopment	Community
Low Density Residential	Mixed Commercial	Gateway	Commerce
Medium Density Residential	Business Retail	Rail Spur	West Central District
High Density Residential	Highway Commercial	Industrial	County





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