



**CITY OF DELAND  
REGULAR MEETING OF THE PLANNING BOARD  
OCTOBER 9, 2025 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 September 10, 2025 Meeting Minutes.

**VARIANCE OLD BUSINESS**

1. Applicant Name: David Seilkop - West Volusia Habitat for Humanity  
Project Number: V25-140  
Project Location: 703 & 707 E. Walts Ave.  
Project Description: Variance request to reduce the required number of parking spaces from 4 to 2 within the Core Gateway District.  
Staff Planner: Sam Nelson
2. Applicant Name: David Seilkop - West Volusia Habitat for Humanity  
Project Number: V25-142  
Project Location: 721 & 725 E. Walts Ave.  
Project Description: Variance request to reduce the required number of parking spaces from 4 to 2 within the Core Gateway District.  
Staff Planner: Sam Nelson

**VARIANCE NEW BUSINESS**

1. Applicant Name: Michael Arth  
Project Number: V25-161 – Variance  
Project Location: 320 S. Hayden Avenue.  
Project Description: Request for a property associated with a Bed And Breakfast Homestay, located at 320 S. Hayden Avenue, to reduce the required Class B Buffer along the north property line from 15' to 4' and to eliminate the required Class A Buffers From 15' To 0'.  
Project Planner: Sam Nelson

**PUBLIC PARTICIPATION PROCEEDINGS**

**PLANNING - OLD BUSINESS**

**PLANNING - NEW BUSINESS**

**OTHER BUSINESS**

**ADJOURNMENT**



**CITY OF DELAND  
PLANNING BOARD REGULAR MEETING  
MINUTES  
WEDNESDAY, SEPTEMBER 10, 2025 - 5:00 P.M.  
CITY HALL**

**CALL TO ORDER**

The meeting began at 5:03 p.m.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance – Mr. Owens, Chairperson

**ROLL CALL**

Henry Thiry	Present
Nora Lewis	Absent
Aaron Preston	Present
Don Liska	Absent
Troy Baumgartner	Present – Late, Arrived at 5:10pm
Harper Hill, <i>Vice Chairperson</i>	Present
Jeremy Owens, <i>Chairperson</i>	Present

**Quorum: Yes**

Present – Darren Elkind, City Attorney; Rick Werbiskis, Community Development Director; Carol Kuhn, Planning Director; Deborah Glick, Development Services Manager; Belinda Williams-Collins, Senior Planner; Kendall Story, Senior Planner; Emily Kunkel, Senior Planner; Chris Carson, Senior Planner; Vivian Ford, Administrative Coordinator; applicants; and members of the public.

**VERBAL REPORT ON CITY COMMISSION MEETINGS**

Ms. Kuhn provided a verbal report.

**MINUTES**

1. Approval of the August 13, 2025 Meeting Minutes.

The board otherwise unanimously voted to approve the August 13, 2025 Meeting Minutes.

**PUBLIC PARTICIPATION PROCEEDINGS**

Mr. Owens read the Public Participation procedures.

**PLANNING – NEW BUSINESS**

6. Applicant Name: City of DeLand

Project Number: LDR25-136

Project Location: City-wide

Project Description: City-Initiated Land Development Regulations Text Amendment to Modify Section 33-17 – Zoning Districts, to clarify where Tiny Home Communities are permitted by conditional use; add a new Section, 33-19.15 titled Tiny Home Community Performance Standards and Conditions to allow Tiny Home Communities in some of the single-family residential and commercial zoning districts, add specific performance standards for the tiny home communities; and amend Section 33-12, Definitions, to include several new definitions pertaining to Tiny Home Communities.

Staff Planner: Chris Carson

Mr. Carson presented on behalf of the city and answered questions from the board.

*Public Participation:* Mr. Sidney Johnston, Ms. Kim Hiltbrand, Ginger Johnston, and Mark Watts spoke in favor of tiny homes as an affordable housing option and praising the inclusion of code standards.

Mr. Thiry moved to recommend approval for this item. Mr. Preston seconded the motion. The motion to recommend approval passed unanimously.

#### **VARIANCE OLD BUSINESS**

None.

#### **VARIANCE NEW BUSINESS**

1. Applicant Name: David Seilkop - West Volusia Habitat for Humanity  
Project Number: V25-140  
Project Location: 703 & 707 E. Walts Ave.  
Project Description: Variance request to reduce the required number of parking spaces from 4 to 2 within the Core Gateway District.  
Staff Planner: Sam Nelson

Mr. Seilkop, Executive Director of West Volusia Habitat for Humanity, as applicant, was present and available to answer questions from the board.

Mr. Hill moved approve this item, as to 703 E. Walts Ave. Mr. Thiry seconded the motion. The motion to approve passed unanimously.

Mr. Hill moved approve this item, as to 707 E. Walts Ave. Mr. Thiry seconded the motion. The motion to approve passed unanimously.

2. Applicant Name: David Seilkop - West Volusia Habitat for Humanity  
Project Number: V25-142  
Project Location: 721 & 725 E. Walts Ave.  
Project Description: Variance request to reduce the required number of parking spaces from 4 to 2 within the Core Gateway District.  
Staff Planner: Sam Nelson

Mr. Seilkop, Executive Director of West Volusia Habitat for Humanity, as applicant, was present and available to answer questions from the board.

Mr. Hill moved approve this item, as to 721 E. Walts Ave. Mr. Thiry seconded the motion. The motion to approve passed unanimously.

Mr. Hill moved approve this item, as to 725 E. Walts Ave. Mr. Thiry seconded the motion. The motion to approve passed unanimously.

### **OLD BUSINESS**

1. Applicant Name: Corey D. Brown, Esq., Storch Law Firm  
Project Number: AN25-082 - DeLand Reserve  
Project Location: 210 North Ridgewood Avenue  
Project Description: Annexation of +/-20.13 acres into the City of DeLand  
Project Planner: Emily Kunkel

Glenn Storch, of Storch Law Firm, as applicant, was present and available to answer questions from the board.

Mr. Thiry moved to recommend approval for this item. Mr. Preston seconded the motion. The motion to recommend approval passed unanimously.

2. Applicant Name: Corey D. Brown, Esq., Storch Law Firm  
Project Number: SMLU25-083 - DeLand Reserve  
Project Location: 210 North Ridgewood Avenue  
Project Description: To amend the land use designation from Volusia County Rural to City of DeLand Medium-Density Residential (MDR)  
Project Planner: Emily Kunkel

Glenn Storch, of Storch Law Firm, as applicant, made a presentation and was available to answer questions from the board.

Mr. Preston moved to recommend approval for this item. Mr. Thiry seconded the motion. The motion to recommend approval passed unanimously.

3. Applicant Name: Corey D. Brown, Esq., Storch Law Firm  
Project Number: Z25-084 - Rezoning for DeLand Reserve  
Project Location: 210 North Ridgewood Avenue  
Project Description: Rezone ±20.13 acres from Volusia County A-3C (Transitional Agricultural) to DeLand Reserve Planned Development, a Residential Townhome Development  
Project Planner: Emily Kunkel

Glenn Storch, of Storch Law Firm, as applicant, made a presentation and was available to answer questions from the board.

Mr. Robert Kuehn submitted a speaker card, but his questions were answered during the applicant's presentation.

Rafael Moya spoke of concerns. Has no problem with single-family but is concerned with potential townhouses, his view changing from trees to rooftops. Also, of the increased traffic and impact on surrounding natural areas.

Mr. Storch responded by saying there is a 40 ft. buffer planned between the project and neighboring property.

Mr. Thiry moved to recommend approval for this item. Mr. Preston seconded the motion. The motion to recommend approval passed 4 to 1, with Mr. Owens dissenting.

**PLANNING – NEW BUSINESS**

1. Applicant Name: Michael Arth  
Project Number: SE25-107 – Special Exception  
Project Location: ±.35 acres located at 302 S. Hayden Ave.  
Project Description: Special exception request to Permit a Bed and Breakfast Homestay and to Eliminate the Landscape Buffer Requirement  
Project Planner: Sam Nelson

Michael Arth, as applicant, was present and available to answer questions from the board.

There was a discussion by Mr. Elkind regarding a variance being required.

*Public Participation:* Kandy Armstrong, Jack Hill and Shasta Solis spoke in favor of the request.

Mr. Preston moved to recommend approval for this item, with the condition that the required variance application be submitted by September 17<sup>th</sup> in order to make the October 8<sup>th</sup> meeting, otherwise the variance would be heard at the next available meeting. Mr. Hill seconded the motion. The motion to recommend approval passed unanimously.

2. Applicant Name: Nicole Martin - Madden Moorhead & Stokes LLC  
Project Number: SP24-134 – Site Plan for New York Ave Apartments  
Project Location: ±1.63 acres located at 225 W New York Ave.  
Project Description:  
Project Planner: Carol Kuhn

Mark Watts, Esq. of Cobb Cole, on behalf of the applicant, made a presentation and answered questions from the board. He is requesting staff conditions numbered #4 and 5 not be enforced.

Greg Giakoumis, of Blue Sky Communities, assisted in addressing the board’s question about rental rates.

Mr. Preston moved to recommend approval for this item, with staff’s conditions numbered 1- 3, listed below. Mr. Baumgartner seconded the motion. The motion to recommend approval passed 4 to 1, with Mr. Hill dissenting.

Approval conditions:

- a) The site plan must be revised to include a reference to the 20 off-site parking spaces prior to scheduling this item for City Commission;
- b) A cross-access easement agreement must be recorded for the site access on the adjacent Volusia County site and the recordation information shall be added to the site plan, prior to the issuance of a development order; and
- c) The off-site parking agreement must be approved by Volusia County and the recordation information shall be included on the site plan, prior to the issuance of a development order.

3. Applicant Name: Mr. Mark Watts, Esq. - Cobb & Cole, P.A.  
Project Number: AN25-026  
Project Location: North of SR 472 and east of S. Blue Lake Ave.

Project Description: Voluntary Annexation of ± 41.41 acres of property into the City limits of DeLand  
Staff Planner: Chris Carson

Mr. Watts, as applicant, was present answered questions from the board.

Mr. Hill moved to recommend approval for this item. Mr. Baumgartner seconded the motion. The motion to recommend approval passed unanimously.

4. Applicant Name: Mark Watts, Esq. - Cobb & Cole, P.A.  
Project Number: SMLU25-025  
Project Location: North of SR 472 and east of S. Blue Lake Ave.  
Project Description: To amend the future land use designation from Volusia County Southwest Activity Center Community (SWAC Community) and Volusia County Southwest Activity Center Commerce (SWAC Commerce) to City of DeLand Low Density Residential (LDR)

Mr. Watts, as applicant, was present answered questions from the board.

Mr. Preston moved to recommend approval for this item. Mr. Baumgartner seconded the motion. The motion to recommend approval passed unanimously.

5. Applicant Name: Mark Watts, Esq. - Cobb & Cole, P.A.  
Project Number: Z25-024  
Project Location: North of SR 472 and east of S. Blue Lake Ave.  
Project Description: Change of zoning for ±39.24 acres from Volusia County Southwest Activity Center Community (SWR) and Volusia County Southwest Activity Center Commerce (SWC) to Canopy Preserve PD (Planned Development)  
Staff Planner: Chris Carson

Mr. Watts, as applicant, was present answered questions from the board.

Mr. Preston moved to recommend approval for this item. Mr. Baumgartner seconded the motion. The motion to recommend approval passed unanimously.

## **OTHER BUSINESS**

1. Ms. Kuhn presented the Land Development Code Discussion update.
2. A Planning Board Workshop was discussed and scheduled for Wednesday, October 22<sup>nd</sup> at 4pm, with our consultant, Inspire Placemaking Collective, to discuss our Land Development Regulations update.

## **ADJOURNMENT**

The meeting ended at 8:49 p.m.



# Planning Division Memorandum

**TO:** PLANNING BOARD

**DATE:** OCTOBER 9, 2025

**FROM:** SAM NELSON, PLANNER I

**SUBJECT:** VARIANCE APPLICATION REHEARING

**FILE:** V25-140 & V25-142

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## Summary

Variance applications V25-140 and V25-142 to reduce the parking requirement for four single-family residences were originally heard at the September 10, 2025 Planning Board meeting. At this meeting all variance requests were approved. In preparation for the October Planning Board meeting, it was discovered that the newspaper which is used for variance public noticing had changed their publication date from Wednesday to Thursday. This change was made in September without notifying City staff. Due to this change, the notices for the September Planning Board meeting did not meet the required seven-day notice period by one day. For this reason, the September variances must be re-advertised and reheard. The October Planning Board meeting date is scheduled to comply with the new public noticing date.

## Requested Planning Board Action

As there are no changes to the variance requests being made, staff recommends the Planning Board approve variance request V25-140 for 703 E Walts Ave and 707 E Walts Ave and staff recommends the Planning Board approve V25-142 for 721 E Walts Ave and 725 E Walts Ave.



**BACKGROUND:** The vacant properties located on E. Walts Ave. are part of Bleck’s Subdivision, which was platted in 1909 with 40 and 50-foot wide lots. The subdivision is generally in the same configuration (Exhibit B) as the original 1909 subdivision. The surrounding area consists primarily of single-family residences (SFRs) constructed between 1920 and 1970. There are no known records of previous development on the subject parcels. The applicant, West Volusia Habitat for Humanity, has obtained these properties for the purpose of constructing affordable housing.

On May 6, 2019, the City Commission approved Ordinance 2019-10 which required all one, two, and three-bedroom single-family residences to provide a minimum of four (4) parking spaces, with two (2) of these being interior. Single-family residences with four or more bedrooms are required to provide a minimum of five (5) parking spaces. On June 19, 2023, the City Commission approved Ordinance to maintain the same number of parking spaces required but the requirement to provide two (2) interior parking spaces for single-family residences was waived for properties located within the Core Gateway District only. The subject properties are located within the Core Gateway District and thus exempt from the interior parking requirement, but must provide 4 parking spaces.

On July 30, 2025, the applicant applied for building permits to construct two (2), two-bedroom two-bathroom, 900 square feet (SF) single-family residences without garages on E. Walts Ave. As part of the submittal, the applicant is proposing driveways which are approximately 10-ft wide by 40-ft long to accommodate two (2) parking spaces for each residence. which is deficient of the code-required four (4) off-street parking spaces for two-bedroom single-family residences by two (2). The construction of a two, (2) two-bedroom residence requires four (4) parking spaces, therefore the site is deficient by two (2) spaces for each unit. The applicant is now requesting variance approval to reduce the minimum number of required parking spaces for two, two-bedroom single-family residences from four (4) to two (2), for each of the lots.

**ANALYSIS:** Each of the subject properties are 50-ft wide at the street line and 140-ft deep, with areas of approximately 7,000 square feet (Exhibit A). The R-1 zone district requires a minimum lot width of 60 feet. The properties are deficient of the required 60-ft width by 10-ft. The subject properties are legal lots of record and therefore, will comply with the minimum lot size, setback, and maximum impervious coverage requirements for the R-1 district, but are exempt from meeting the minimum lot width. For parking, Sec. 33-91.03 of the Land Development Regulations requires all two-bedroom, single-family residences to provide four (4) parking spaces, with two (2) of these being interior for properties located outside of the Core Gateway District. These properties are located within the Core Gateway District, therefore, the requirement to provide interior parking spaces is waived. The requirement to provide a minimum of four (4) off-street parking spaces applies and the applicant is requesting to provide a total of two (2) off-street parking spaces on each property, which will be deficient of the requirement by two (2). Interior parking could be used to meet the total parking requirement; however, this would add significant cost to the applicant, .

Some administrative relief is offered by the Land Development Regulations (LDRs) for development on nonconforming lots. Section 33-102.05 allows vacant nonconforming lots to be developed for single-family residences provided the residence conforms with the established setbacks of the surrounding area. Additionally, 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 define “adequate” parking, so the standard requirement of 4 spaces is applied. There is no similar provision for staff to administratively approve a reduction of parking as exists for setbacks. The proposed 900 sf two-bedroom single-family residences will be largely consistent with surrounding development. Neighboring residences were constructed between 1920 and 1970 with home sizes ranging from 660 to 2,000 square feet. The proposed residences will be setback further than the neighborhoods established front-yard setback to accommodate a tandem, two-car driveway. No residences on the same portion of E. Walts Ave. are conforming to the current parking requirement (Exhibit C).

Per aerial imagery and arborist reports provided by the applicant, each property contains an abundance of trees, including historic trees, in the front-yard areas. The code promotes the protection of historic trees and requires City Commission approval for removal. To protect the root zones of these historic trees, the applicant has proposed narrow driveways. Per the applicant, providing parking as required by the code would impact the historic trees.

**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 widths of the subject properties are undersized per current R-1 standards by 10-ft. In conjunction with the placement of historic trees within the front-yards, there appears to be limited area for additional parking beyond the proposed two car tandem parking. .*

2. 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 structure(s);

*Literal interpretation and enforcement of these Land Development Regulations is unlikely to deprive the applicant of rights commonly enjoyed by other properties in the same zoning district as the applicant could construct garages to provide the required parking, as is common on other properties. The applicant’s specific affordable business-model does not include garages.*

3. 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, buildings or structures in the same zoning district;

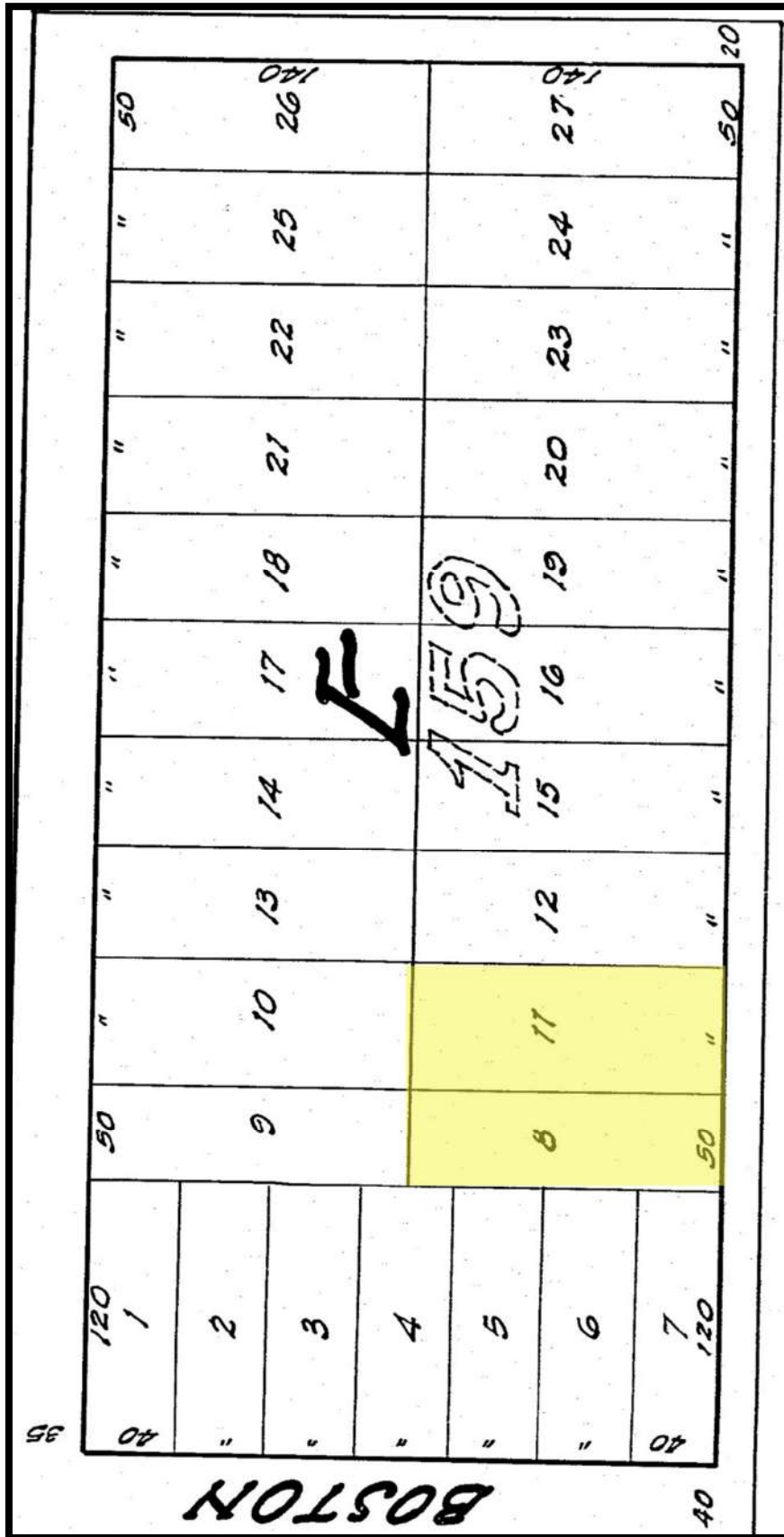
*Granting of the variance will confer special privileges when compared with other R-1 district properties, as all new Single-Family Residences (SFRs) must meet the parking requirements. However, all surrounding properties were constructed prior to 2019, when the parking requirement was increased.*

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 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. The granting of this variance is unlikely to be injurious to surrounding properties, as all properties within the same block are non-conforming to current parking standards.*
  
5. The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure; and  
*The applicant could construct a garage to provide the required parking without the need for a variance. The applicant does not intend to construct garages, as garages increase the cost for these affordable housing units.*
  
6. The special conditions or circumstances are not the result of actions of the applicant or owner.  
*Each lot was in the existing, nonconforming configuration prior to acquisition by the applicant.*

**STAFF SUMMARY:** The applicant is requesting a variance to reduce the required number of parking spaces for two (2), two-bedroom single-family residences from four (4) to two (2) within the Core Gateway District. Some hardship may exist on the properties as the widths of the properties are undersized to R-1 standards by 10-ft, and historic trees are present in the front yards. When combining these site factors, there may be some hinderance in placing the code required four (4) parking spaces. Interior parking could be provided to meet the code requirement without further impacting historic trees, however, the applicant’s available affordable home models do not include garages. The code offers some administrative relief for development of vacant nonconforming lots; however, a parking reduction is not specifically permitted. The proposal will not be injurious to surrounding properties, as no property on the same block contains the currently required parking due to the time of their construction. The Planning Board may choose to grant this variance request, grant this variance request with conditions, or deny this variance request. Please note, two separate motions are required, one for each of the properties located at 703 and 707 E. Walts Ave.



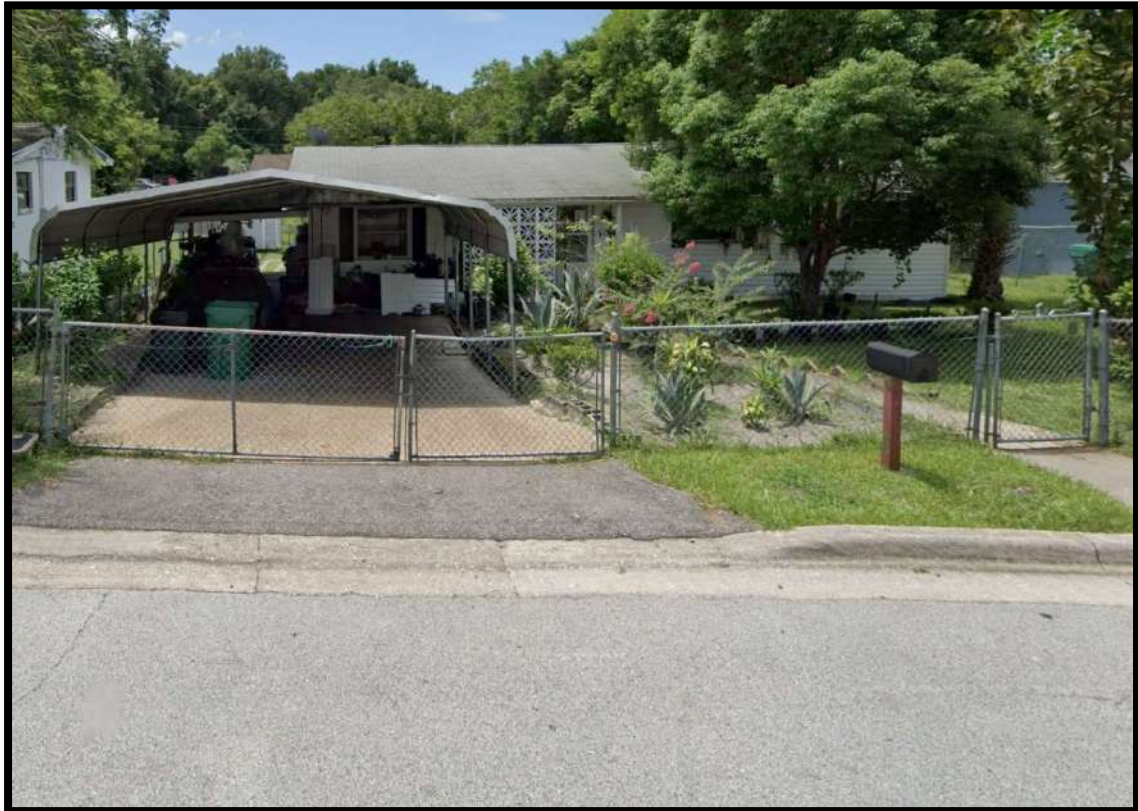
**EXHIBIT B**  
**Bleck's Subdivision**



# EXHIBIT C

## Surrounding Properties

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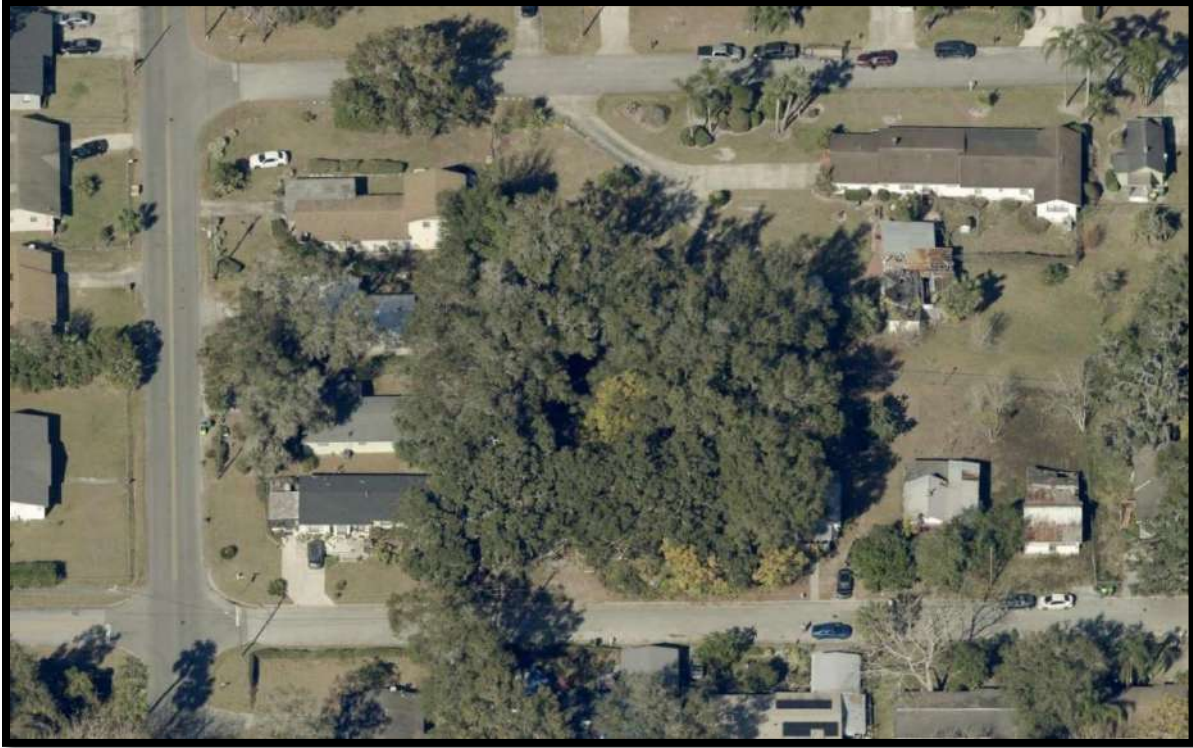
# EXHIBIT C

## Surrounding Properties

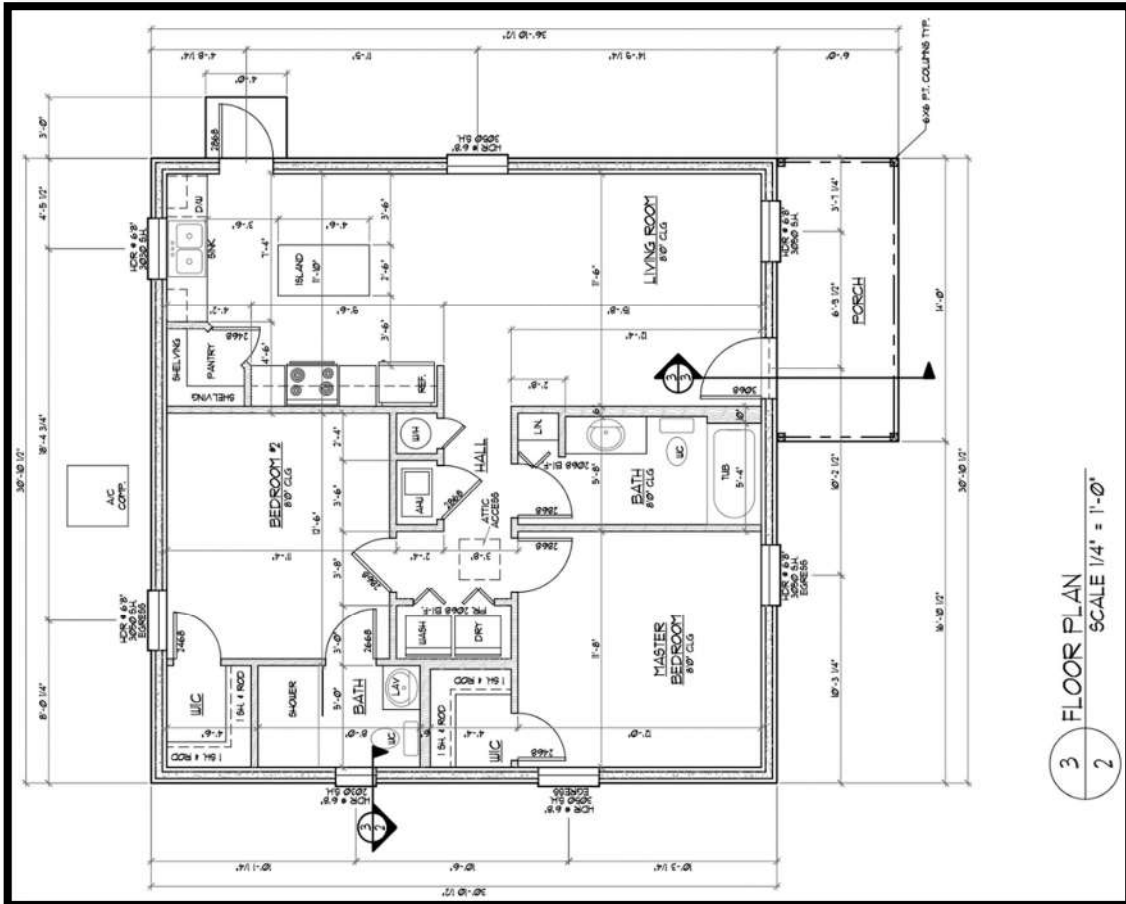
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# EXHIBIT D Aerial

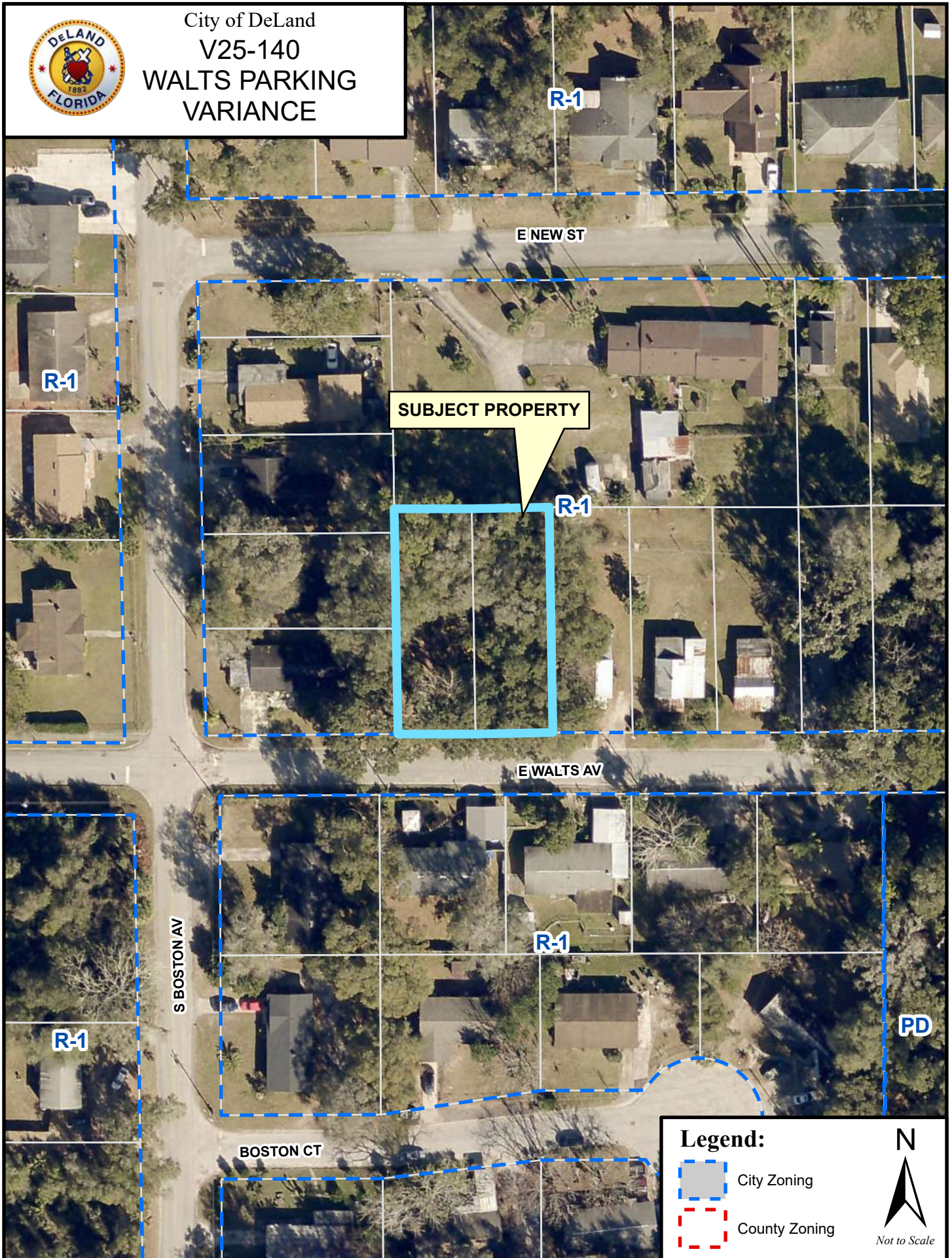


# EXHIBIT E Floor Plan







City of DeLand  
V25-140  
WALTS PARKING  
VARIANCE



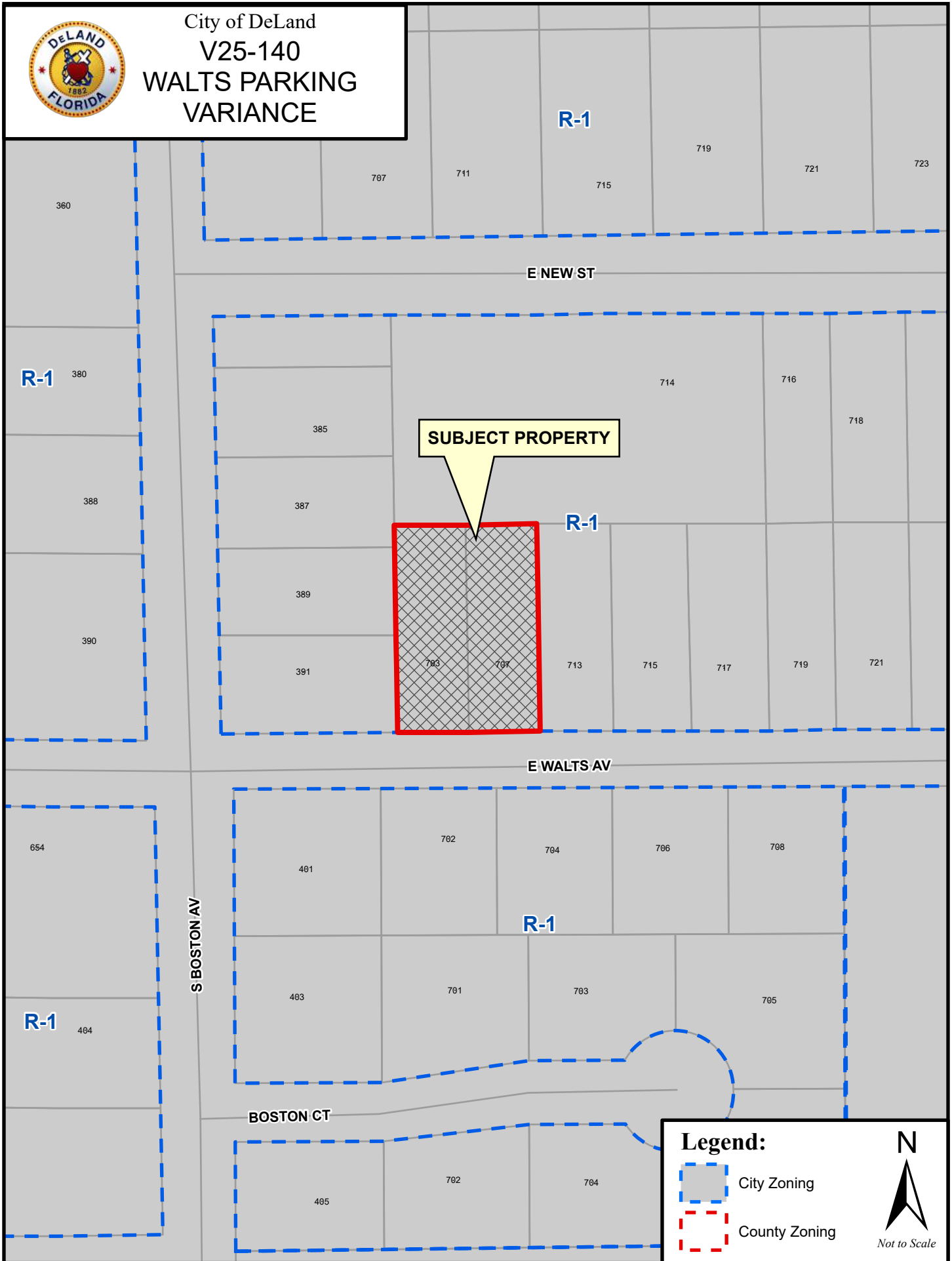
**Legend:**

-  City Zoning
-  County Zoning





City of DeLand  
V25-140  
WALTS PARKING  
VARIANCE



**Legend:**

- City Zoning
- County Zoning

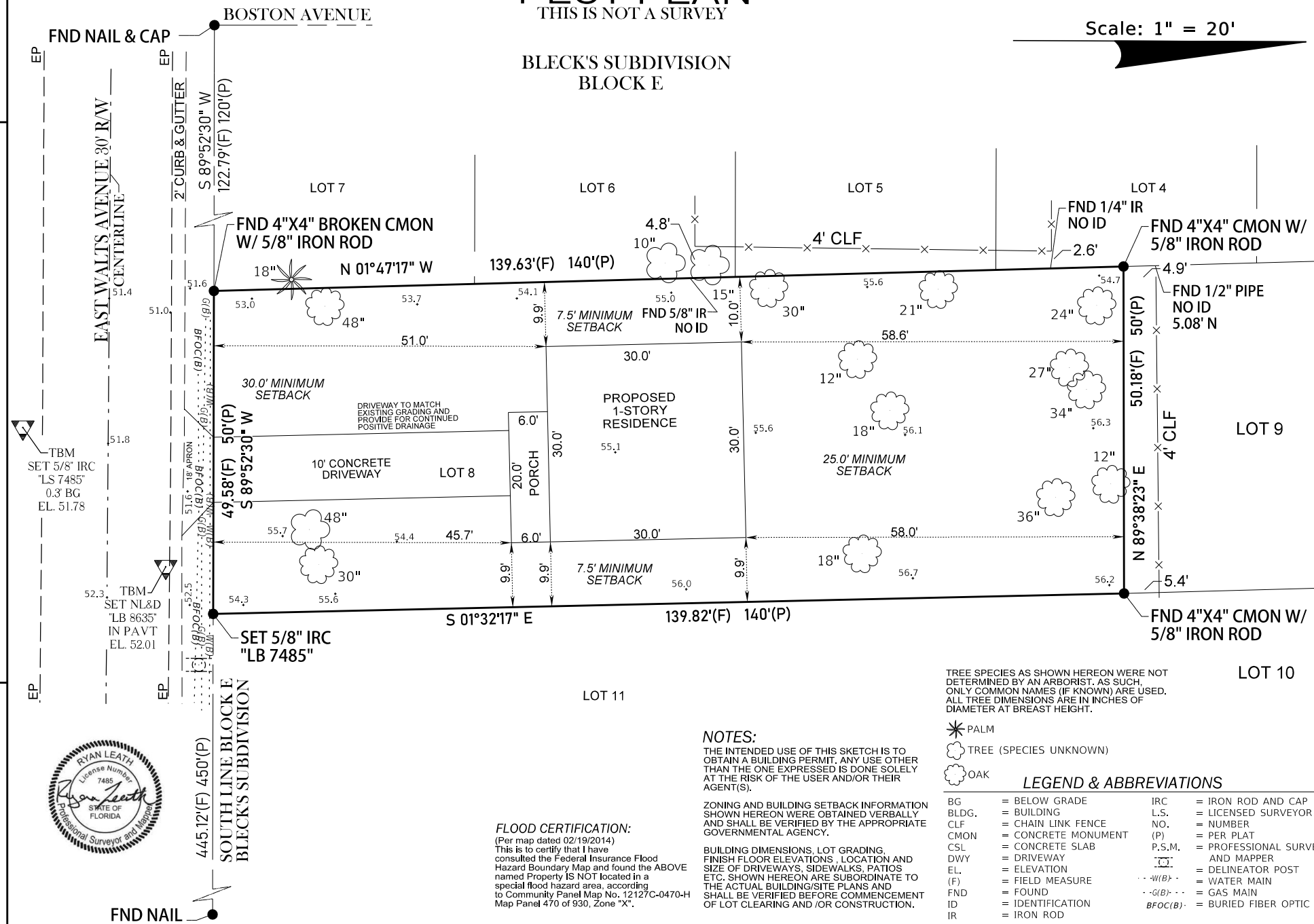
**N**  
  
*Not to Scale*

# PLOT PLAN

THIS IS NOT A SURVEY

Scale: 1" = 20'

## BLECK'S SUBDIVISION BLOCK E



**LEGAL DESCRIPTION**  
AS FURNISHED BY CLIENT PER DEED

LOT 8, BLOCK E, CORRECTED PLAT OF BLECK'S SUBDIVISION OF BLOCKS 150, 160 AND THE SOUTH 1/2 OF BLOCK 159, OF THE CORPORATION MAP OF THE CITY OF DELAND, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 5, PAGE 157, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

703 E WALTERS AVE. DELAND FL. 32724

- NOTES:**
- THIS IS NOT A BOUNDARY SURVEY.
  - THIS IS A PLOT PLAN INTENDED TO SHOW THE LOCATION OF THE BOUNDARY, TREES AND PLANNED IMPROVEMENTS ON A PARCEL OF LAND DESCRIBED AS LOT 8, BLOCK E, CORRECTED PLAT OF BLECK'S SUBDIVISION, ACCORDING TO THE PLAT AS RECORDED IN MAP BOOK 5, PAGE 157, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
  - NO TITLE SEARCH WAS PERFORMED OR PROVIDED TO THIS SURVEYOR. ALL PROPERTY RECORDS SHOWN HEREON ARE BASED ON THE LAST DEED OF RECORD AS RECORDED IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
  - PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAY, COVENANTS AND RESTRICTIONS NOT SHOWN HEREON BUT FOUND IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
  - ALL DISTANCE MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FEET. ALL ANGULAR MEASUREMENTS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS.
  - BEARINGS SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE. THE REFERENCE BEARING FOR THIS SURVEY IS THE SOUTH LINE OF BLOCK E, WHICH HAS A BEARING OF NORTH 89°52'30" WEST.
  - ELEVATIONS SHOWN HEREON ARE GPS DERIVED AND BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
  - UNDERGROUND UTILITIES SHOWN HEREON WERE DESIGNATED BY OTHERS.
  - NOT VALID WITHOUT THE AUTHORIZED ELECTRONIC SEAL OR THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**CERTIFICATION:**

I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.



RYAN A. LEATH P.S.M. NO. 7485

- NOTES:**
- THE INTENDED USE OF THIS SKETCH IS TO OBTAIN A BUILDING PERMIT. ANY USE OTHER THAN THE ONE EXPRESSED IS DONE SOLELY AT THE RISK OF THE USER AND/OR THEIR AGENT(S).
- ZONING AND BUILDING SETBACK INFORMATION SHOWN HEREON WERE OBTAINED VERBALLY AND SHALL BE VERIFIED BY THE APPROPRIATE GOVERNMENTAL AGENCY.
- BUILDING DIMENSIONS, LOT GRADING, FINISH FLOOR ELEVATIONS, LOCATION AND SIZE OF DRIVEWAYS, SIDEWALKS, PATIOS ETC. SHOWN HEREON ARE SUBORDINATE TO THE ACTUAL BUILDING/SITE PLANS AND SHALL BE VERIFIED BEFORE COMMENCEMENT OF LOT CLEARING AND/OR CONSTRUCTION.

TREE SPECIES AS SHOWN HEREON WERE NOT DETERMINED BY AN ARBORIST. AS SUCH, ONLY COMMON NAMES (IF KNOWN) ARE USED. ALL TREE DIMENSIONS ARE IN INCHES OF DIAMETER AT BREAST HEIGHT.

- \* PALM  
 ○ TREE (SPECIES UNKNOWN)  
 ○ OAK
- LEGEND & ABBREVIATIONS**
- |                          |                                |
|--------------------------|--------------------------------|
| BG = BELOW GRADE         | IRC = IRON ROD AND CAP         |
| BLDG. = BUILDING         | L.S. = LICENSED SURVEYOR       |
| CLF = CHAIN LINK FENCE   | NO. = NUMBER                   |
| CMON = CONCRETE MONUMENT | (P) = PER PLAT                 |
| CSL = CONCRETE SLAB      | P.S.M. = PROFESSIONAL SURVEYOR |
| DWY = DRIVEWAY           | AND MAPPER                     |
| EL. = ELEVATION          | ---(W/B)--- = DELINEATOR POST  |
| (F) = FIELD MEASURE      | ---(G/B)--- = GAS MAIN         |
| FND = FOUND              | BF(OC)(B) = BURIED FIBER OPTIC |
| ID = IDENTIFICATION      |                                |
| IR = IRON ROD            |                                |

**FLOOD CERTIFICATION:**  
 (Per map dated 02/19/2014)  
 This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12127C-0470-H Map Panel 470 of 930, Zone "X".

DESCRIPTION			REVISIONS		BREVIS SURVEYING LLC LB 8635 1180 14TH STREET ORANGE CITY, FLORIDA, 32763	PLOT PLAN			CERTIFIED TO: DAVID SEILKOP WEST VOLUSIA HABITAT FOR HUMANITY	SHEET NO. 1
DRAWN BY:	CHECKED:	FIELD DATE:	DATE			PROJ.	COUNTY	DATE		
RAL	RAL	03/22/2025	08/03/25	DRIVEWAY AND FOUNDATION LOCATION	H4H-001	VOLUSIA	04/09/2025			

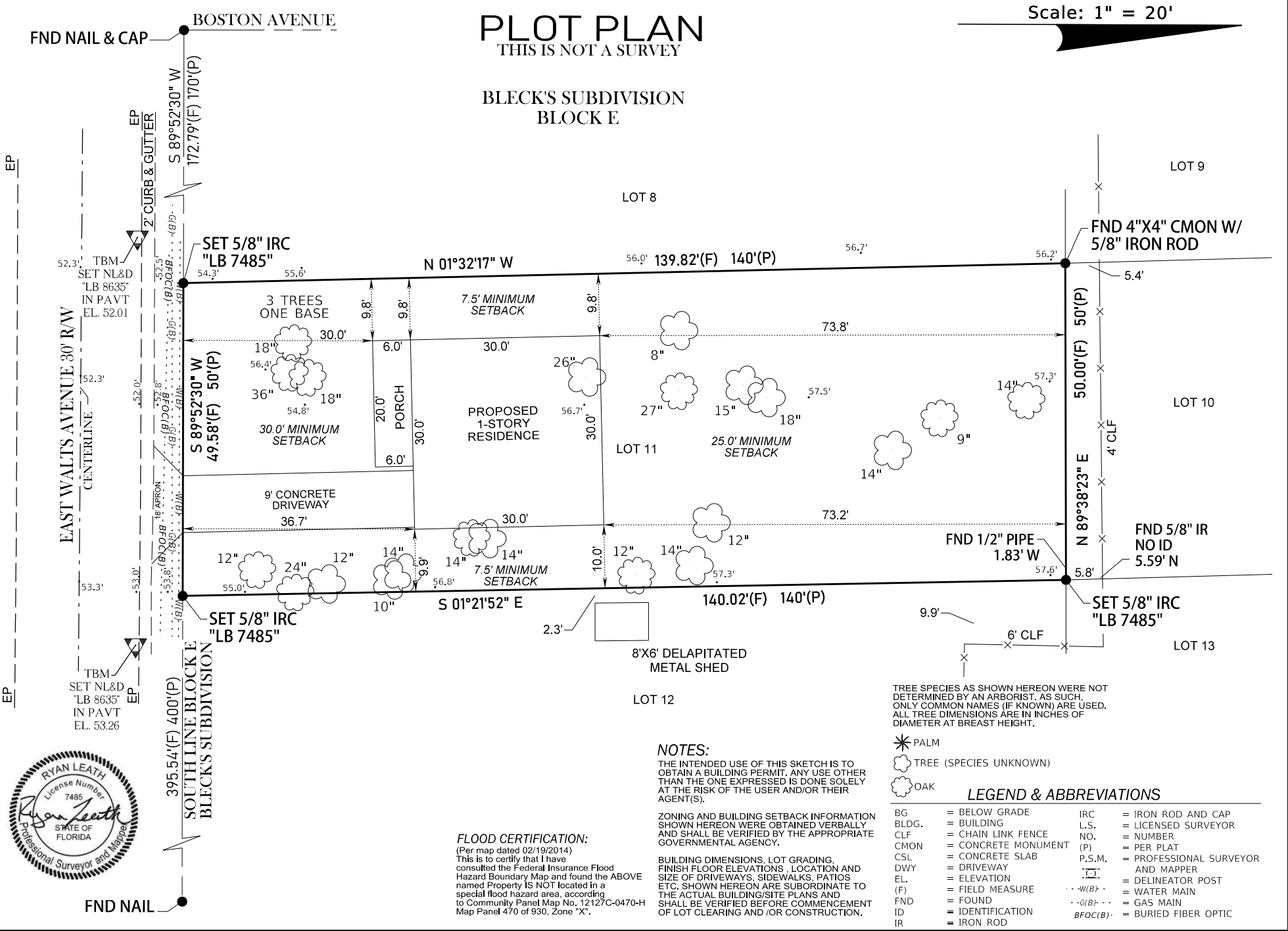
**LEGAL DESCRIPTION**  
 AS FURNISHED BY CLIENT PER DEED  
 LOT 11, BLOCK E, CORRECTED PLAT OF BLECK'S SUBDIVISION OF BLOCKS 150, 160 AND THE SOUTH 1/2 OF 159, OF THE CORPORATION MAP OF THE CITY OF DELAND, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 4, PAGE 39, AND CORRECTED IN MAP BOOK 5, PAGE 157, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.  
 ADDRESS NOT ASSIGNED

**NOTES:**

- THIS IS NOT A BOUNDARY SURVEY.
- THIS IS A PLOT PLAN INTENDED TO SHOW THE LOCATION OF THE BOUNDARY, TREES AND PLANNED IMPROVEMENTS ON A PARCEL OF LAND DESCRIBED AS LOT 11, BLOCK E, CORRECTED PLAT OF BLECK'S SUBDIVISION, ACCORDING TO THE PLAT AS RECORDED IN MAP BOOK 5, PAGE 157, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- NO TITLE SEARCH WAS PERFORMED OR PROVIDED TO THIS SURVEYOR. ALL PROPERTY RECORDS SHOWN HEREON ARE BASED ON THE LAST DEED OF RECORD AS RECORDED IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAY, COVENANTS AND RESTRICTIONS NOT SHOWN HEREON BUT FOUND IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- ALL DISTANCE MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FEET. ALL ANGULAR MEASUREMENTS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS.
- BEARINGS SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE. THE REFERENCE BEARING FOR THIS SURVEY IS THE SOUTH LINE OF BLOCK E, WHICH HAS A BEARING OF NORTH 89°52'30" WEST.
- ELEVATIONS SHOWN HEREON ARE GPS DERIVED AND BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
- UNDERGROUND UTILITIES SHOWN HEREON WERE DESIGNATED BY OTHERS.
- NOT VALID WITH OUT THE AUTHORIZED ELECTRONIC SEAL OR THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**CERTIFICATION:**  
 I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

RYAN A. LEATH P.S.M. NO. 7485



**PLOT PLAN**  
 THIS IS NOT A SURVEY

**BLECK'S SUBDIVISION**  
**BLOCK E**

Scale: 1" = 20'

TREE SPECIES AS SHOWN HEREON WERE NOT DETERMINED BY AN ARBORIST. AS SUCH, ONLY COMMON NAMES (IF KNOWN) ARE USED. ALL TREE DIMENSIONS ARE IN INCHES OF DIAMETER AT BREAST HEIGHT.

- \* PALM
- ☼ TREE (SPECIES UNKNOWN)
- OAK

**LEGEND & ABBREVIATIONS**

BG	= BELOW GRADE	IRC	= IRON ROD AND CAP
BLDG.	= BUILDING	L.S.	= LICENSED SURVEYOR
CLF	= CHAIN LINK FENCE	NO.	= NUMBER
CMON	= CONCRETE MONUMENT	(P)	= PER PLAT
CSL	= CONCRETE SLAB	P.S.M.	= PROFESSIONAL SURVEYOR
DWY	= DRIVEWAY	AND MAPPER	
EL.	= ELEVATION	☼	= DELINEATOR POST
(F)	= FIELD MEASURE	---W(B)---	= WATER MAIN
FND	= FOUND	---G(B)---	= GAS MAIN
ID	= IDENTIFICATION	---BFOC(B)---	= BURIED FIBER OPTIC
IR	= IRON ROD		

**NOTES:**  
 THE INTENDED USE OF THIS SKETCH IS TO OBTAIN A BUILDING PERMIT. ANY USE OTHER THAN THE ONE EXPRESSED IS DONE SOLELY AT THE RISK OF THE USER AND/OR THEIR AGENT(S).

ZONING AND BUILDING SETBACK INFORMATION SHOWN HEREON WERE OBTAINED VERBALLY AND SHALL BE VERIFIED BY THE APPROPRIATE GOVERNMENTAL AGENCY.

BUILDING DIMENSIONS, LOT GRADING, FINISH FLOOR ELEVATIONS, LOCATION AND SIZE OF DRIVEWAYS, SIDEWALKS, PATIOS ETC. SHOWN HEREON ARE SUBORDINATE TO THE ACTUAL BUILDING/SITE PLANS AND SHALL BE VERIFIED BEFORE COMMENCEMENT OF LOT CLEARING AND/OR CONSTRUCTION.

**FLOOD CERTIFICATION:**  
 (Per map dated 02/19/2014)  
 This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12127C-0470-H Map Panel 470 of 930, Zone "X".

DESCRIPTION				REVISIONS			BREVIS SURVEYING LLC LB 8635 1180 14TH STREET ORANGE CITY, FLORIDA, 32763	BOUNDARY SURVEY			CERTIFIED TO: DAVID SEILKOP WEST VOLUSIA HABITAT FOR HUMANITY	SHEET NO. 1
DRAWN BY:	CHECKED:	FIELD DATE:	DATE:	PROJ.	COUNTY	DATE		H4H-002	VOLUSIA	04/09/2025		
RAL	RAL	03/22/2025										

# Arbor Report – Tree Protection Plan

August 5, 2025

David Seilkop  
West Volusia Habitat for Humanity  
604 S Spring Garden Avenue  
Deland, Fl 32720

Re: 703 E Walts Avenue (Lot 8), Deland, Florida - Tree Protection, Monitoring and Recovery Plan for a 48” Historic Live Oak.

## Scope:

Services were retained to prepare a Tree Protection and Monitoring Plan for a 48” Historic as defined by the City of Deland Land Development code. This project is located at 703 E Walts Ave., Deland, Fl.



Aerial view of project site.

City of Deland Code definitions:

(d) *Historic tree protection.* Unless otherwise authorized by this article, no historic tree shall be removed without a recommendation by the city forester, the tree advisory committee, and a finding by the city commission that the tree is a hazard (due to health or natural damage) or that it is not economically or practically feasible to develop the parcel without removing the tree. The developer shall explain in detail why

the tree is a hazard or why it is not economically or practically feasible to develop the parcel without removing the historic tree. The city forester shall make a presentation to the tree advisory committee on the application and make a recommendation as to whether it should be approved or denied. The tree advisory committee shall make a recommendation to the city commission on the application. Any historic tree permitted to be removed shall be replaced by a sufficient number of replacement trees so that their DBH equals 100 percent of the total DBH of the historic tree to be removed from the property. In no case shall replacement stock be less than ten feet in height, have a DBH of less than four inches, or a caliper of less than six inches.

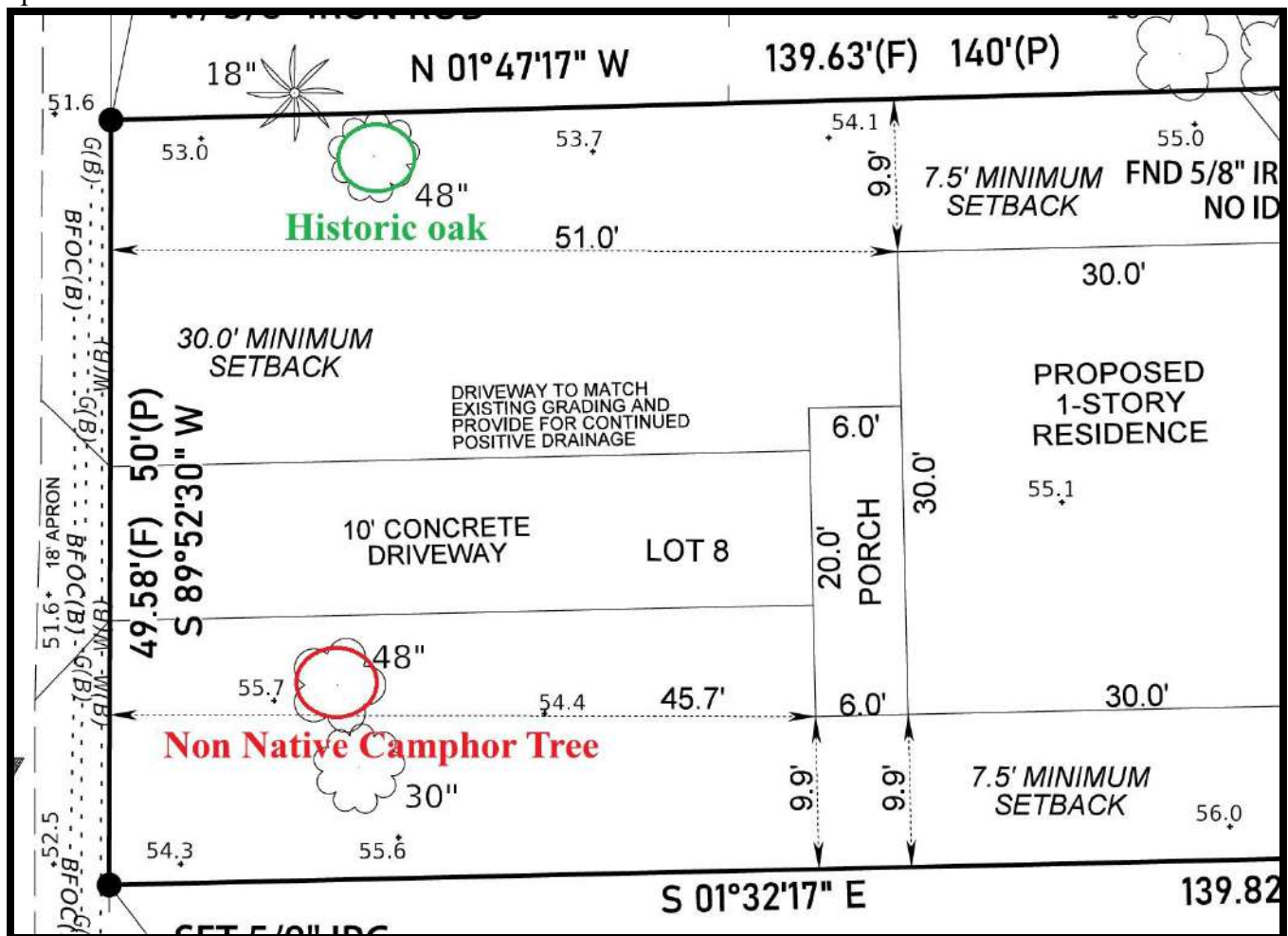
Historically significant trees shall be as follows:

1. Bald cypress if 20-inch or larger DBH.
2. Live oak or sand live oak if 25-inch or larger DBH.
3. Red cedar if 25-inch or larger DBH.

**OBSERVATIONS / DISCUSSION:**

This undeveloped lot has a canopy consisting of live oaks (*Quercus virginiana*), laurel oaks (*Quercus laurifolia*) and non-native camphor trees (*Camphora officinarum*).

There is a 48” Historic live oak located in front of the proposed home, on the west side of the lot. This Historic live oak is approximately 70’ tall with a DBH of 48” and a live crown ratio of around 40% and is healthy and vigorous with no visual signs of decay, insect pests, or disease. The suite plan has been adjusted, and the house has been set 15’ further back from the street setback to give more root space for the oak. The site plan below shows a proposed 9’ driveway to provide more root protection for the tree. The current development code requires a 20’ driveway. The project seeks a variance from the City of Deland for a 9’ driveway to provide more root protection for the Historic oak.



Site plan and tree location.

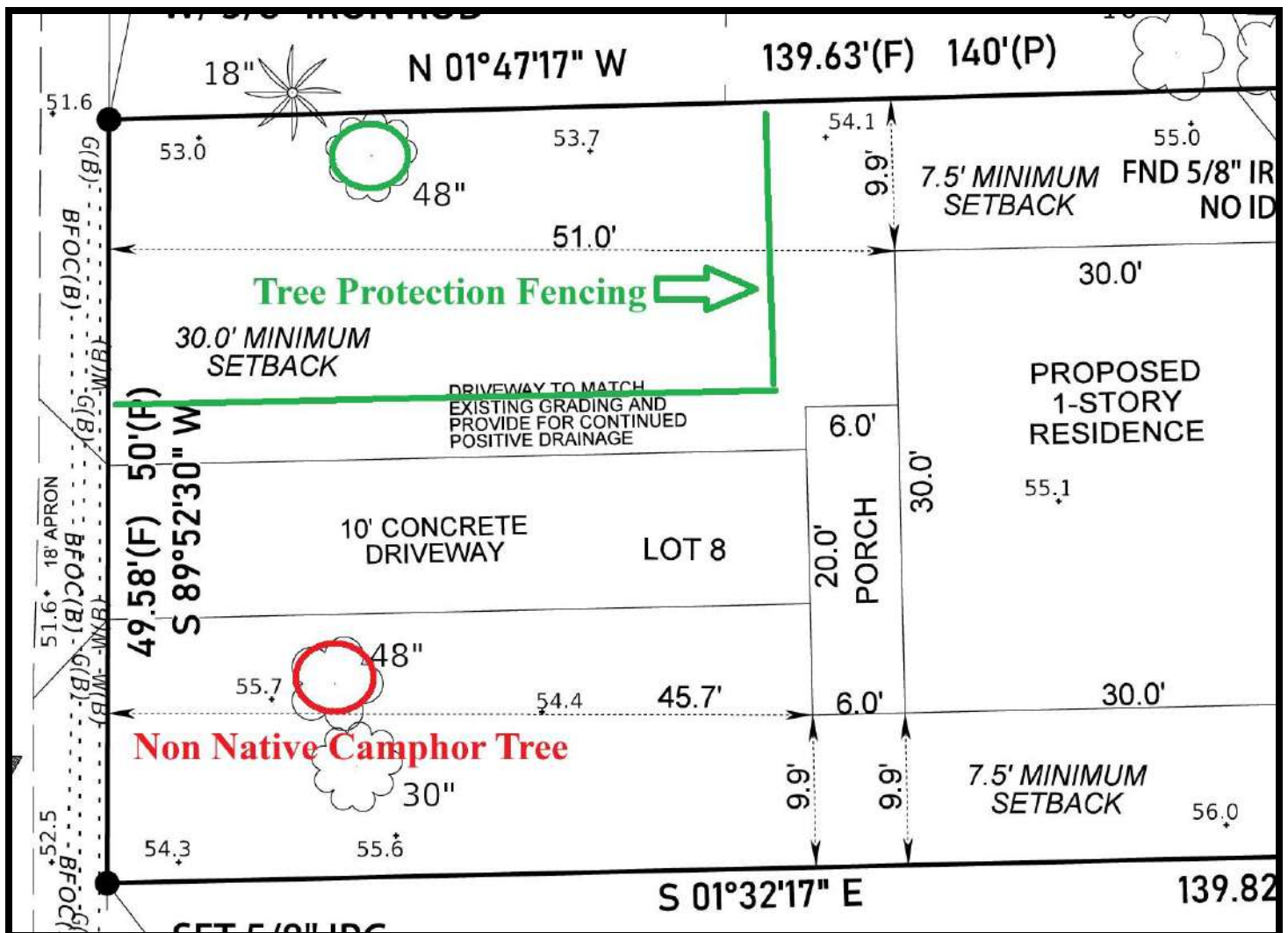
**CONCLUSION:**

The project seeks a variance from the City of Deland for a 9" driveway to give more root protection for the Historic tree.

This tree will be protected for this project and the following recommendations are standard tree care protection measures and follow methodologies of the International Society of Arboriculture (ISA) and Best Management Practices (BMPs) published in the *American National Standard for tree Care Operations – Tree, Shrub, and Woody Plant Management – Standard Practices (Management of Trees and Shrubs During Planning, Site Development, and Construction)* (ANSI A300, Part 5). These recommendations are to help reduce root impacts stress to the tree.

**Forestry Mow** – Bushhog, forestry mow, or remove by hand crews, the vegetation around the Historic tree and remove any non-native trees so that TPZ fencing can be installed prior to land clearing.

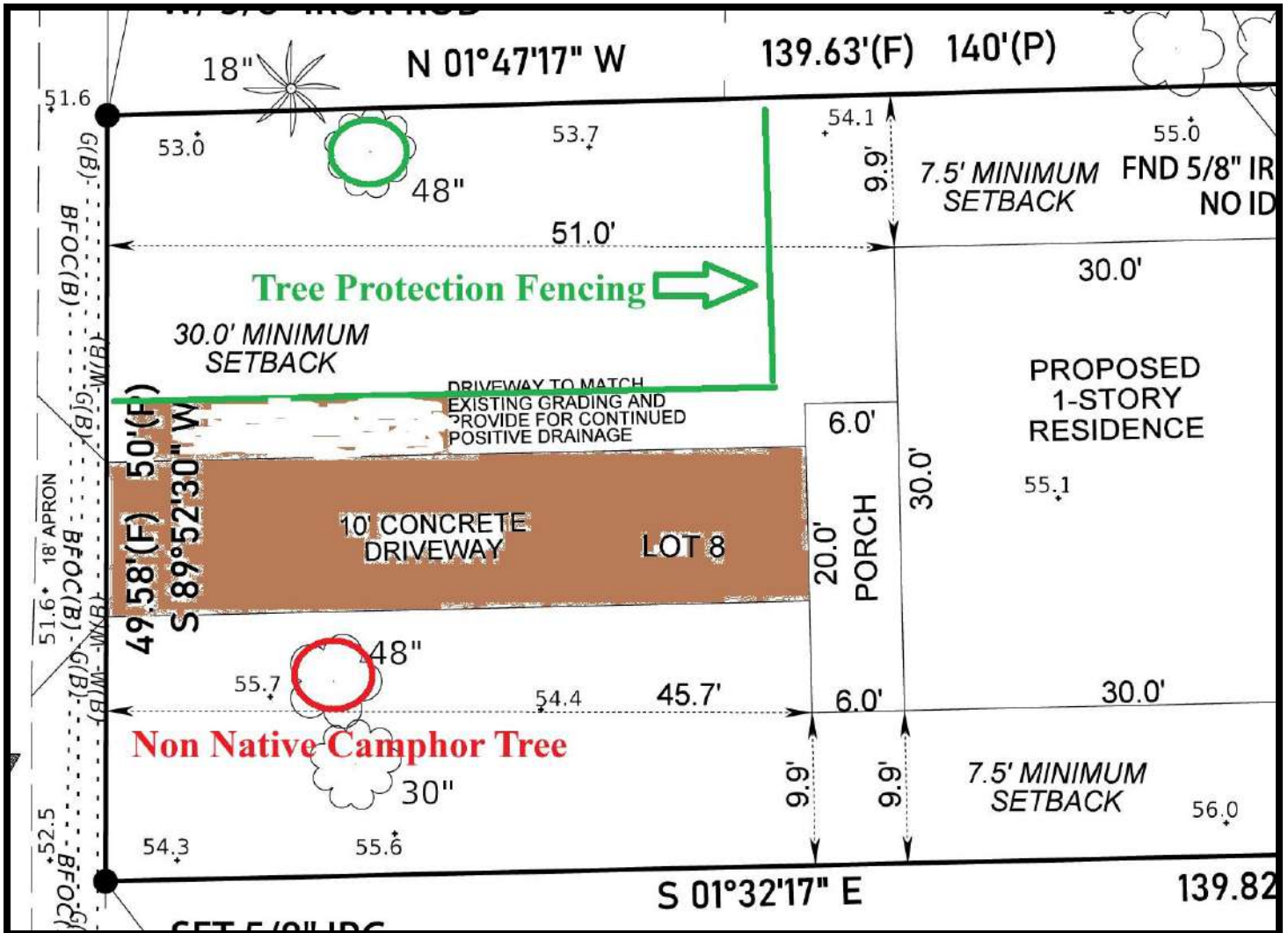
**TPZ** – Set TPZ fencing to the edges of construction activities as shown below.



**Signage** - Add signage to the TPZ fence to ensure all subcontractors, deliveries of construction materials, etc. are aware of the intent of the TPZ fencing. Typical language for a TPZ sign should say something like, 'Tree Protection Zone - No vehicles, equipment, soil or building material are to be stored within this boundary. An example of this type of signage is attached.

**Monitoring** – Monthly monitoring of the tree will be done to ensure tree protection measures are still in place until construction is completed and to monitor the health and vigor of the tree.

**Construction egress within the TPZ** – Heavy equipment and construction activities will egress the site using the proposed 9' driveway, adjacent to the TPZ fencing. This egress area should be protected with a minimum of 4 - 6" of wood chip mulch, to help cushion roots from construction equipment and prevent soil compaction as shown below. Other methods for temporary soil and root protection include using 3/4" plywood, Geotextile fabric / gravel and logging / road mats. Once the site is cleared and the home is built, the mulch can be reused elsewhere in the landscape, so that the driveway can be poured.



**Pruning (roots and canopy)** - Pruning will be overseen by an **International Society of Arboriculture (ISA), Certified Arborist** to ensure reduction cuts are done properly and to ANSI standards. **Reduction pruning** will reduce the likelihood of failure from high wind events that can put pressure and leverage on large diameter branches. 'A reduction cut shortens a branch by removing a stem back to a lateral branch that is large enough to resist extensive disfunction and decay behind the cut. This is generally interpreted as cutting back to a lateral branch that is at least one-third the diameter of the cut stem.' (Ref: <https://hort.ifas.ufl.edu/woody/stem-reduction.shtml>). Any roots that are exposed during land clearing and site prep will be clean cut using hand pruners, loppers or a chain saw. Cut roots will not be treated with pruning paint and fungicides and will be covered with soil.

**Post construction** – The tree will be aerated twice within the TPZ with a hand aeration tool to alleviate any soil compaction and apply a granular, slow-release fertilizer, 8-2-12, +4% Mg with micronutrients at a rate of one pound per 100 Sq. ft. of canopy.

**Order of Events Prior to Construction Activities:**

1. Forestry mow vegetation around the Historic oak so that the TPZ fencing can be set.
2. Install TPZ fencing and signage.
3. Add 4 – 6” wood chips along the proposed driveway and designated egress area.
4. Begin monthly monitoring and proposed treatments for the tree.

SINCERELY,



Ray Jarrett  
 Biologist / Arborist  
 ISA Certified Arborist FL-5343A  
 ISA Tree Risk Assessment Qualified (TRAQ)



- Fertilizing and disease management
- Tree surveys
- Tree health assessments / arbor reports
- Tree health recovery plans
- Tree protection plans for construction
- DEP Professional Mangrove Trimmer (PMT)
- Land Management- Defensible Space & Rx Fire

TNC, UF/IFAS Certified Land Manager  
 Prescribed Burn Manager #2019-4937  
 ISA Certified Arborist #FL-5343  
 ISA Tree Risk Assessment Qualified  
 Certified Landscape Inspector (LIAF)  
 Certified Stormwater Inspector #38419 (FDEP)  
 Limited Commercial Urban Fertilizer Applicator License

**ASSUMPTIONS, LIMITING CONDITIONS and DISCLAIMER**

Trees and plants are living things and are subject to an array of potential health problems, abiotic factors and unpredictable weather that can cause healthy trees and plants to fail. Information provided in this report is for consideration; and is based on my professional experience, formal education, and methodologies of the International Society of Arboriculture, ISA. Ultimately the client must use their own judgment and decisions but may consider these recommendations.

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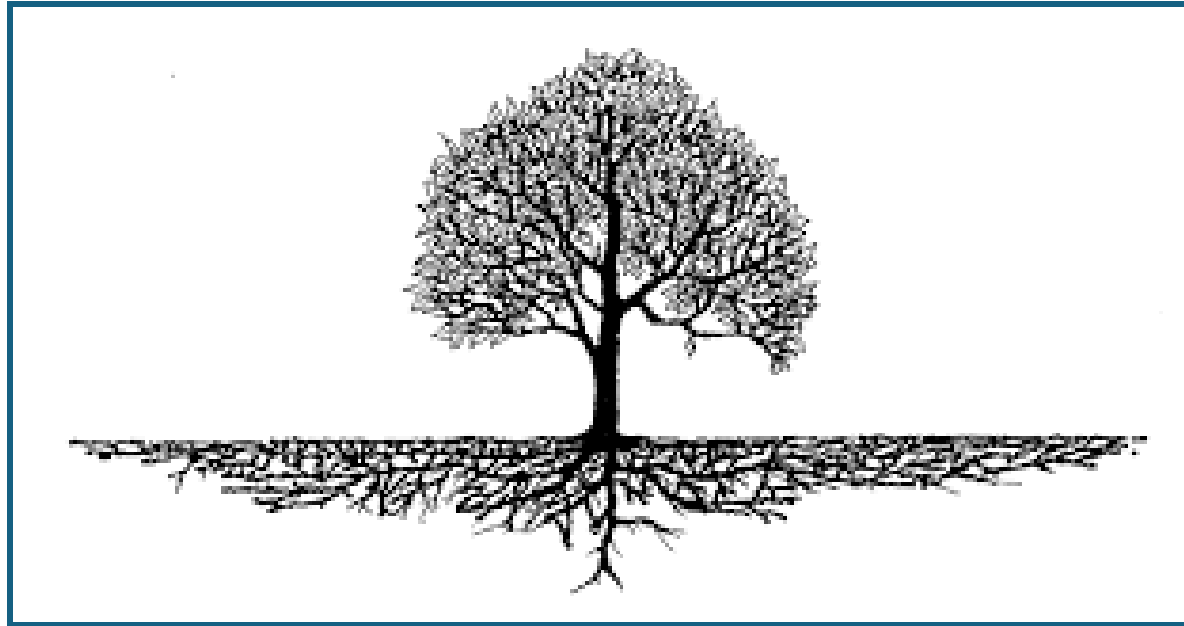
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# Tree Protection Zone



**No vehicles, equipment, soil or building materials are allowed within this boundary.**

**This fencing is to remain in place until it is authorized to be removed by the Project Manager.**

**Any questions, please contact the Project Manager Arborist –  
Ray (386) 295-0481**

# Arbor Report – Tree Protection Plan

August 3, 2025

David Seilkop  
West Volusia Habitat for Humanity  
604 S Spring Garden Avenue  
Deland, Fl 32720

Re: 707 E Walts Avenue (Lot 11), Deland, Florida - Tree Protection, Monitoring and Recovery Plan for a 36” Historic Live Oak.

## Scope:

Services were retained to prepare a Tree Protection and Monitoring Plan for a 36” Historic as defined by the City of Deland Land Development code. This project is located at 707 E Walts Ave., Deland, Fl.



Aerial view of project site.

City of Deland Code definitions:

(d) *Historic tree protection.* Unless otherwise authorized by this article, no historic tree shall be removed without a recommendation by the city forester, the tree advisory committee, and a finding by the city commission that the tree is a hazard (due to health or natural damage) or that it is not economically or practically feasible to develop the parcel without removing the tree. The developer shall explain in detail why

the tree is a hazard or why it is not economically or practically feasible to develop the parcel without removing the historic tree. The city forester shall make a presentation to the tree advisory committee on the application and make a recommendation as to whether it should be approved or denied. The tree advisory committee shall make a recommendation to the city commission on the application. Any historic tree permitted to be removed shall be replaced by a sufficient number of replacement trees so that their DBH equals 100 percent of the total DBH of the historic tree to be removed from the property. In no case shall replacement stock be less than ten feet in height, have a DBH of less than four inches, or a caliper of less than six inches.

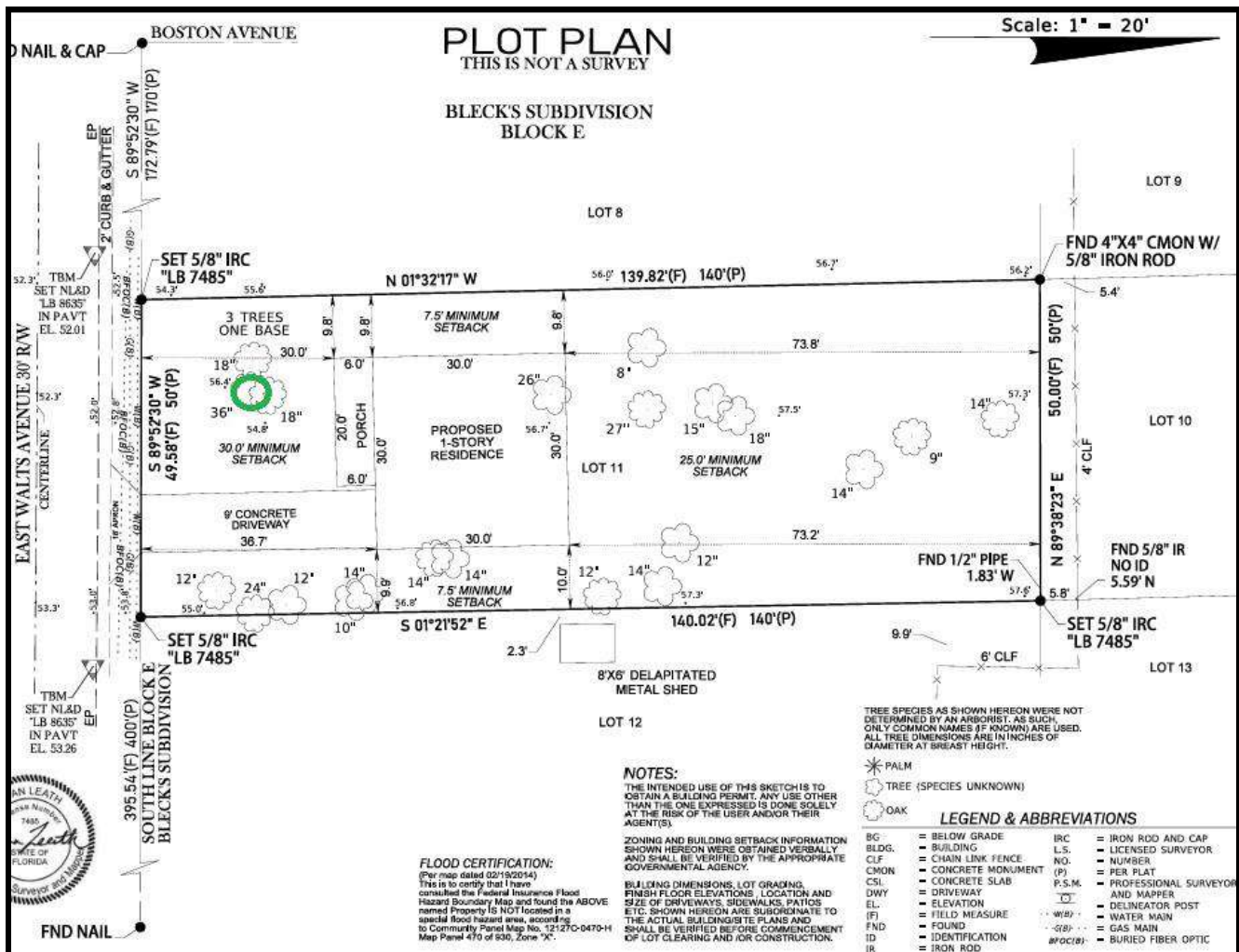
Historically significant trees shall be as follows:

1. Bald cypress if 20-inch or larger DBH.
2. Live oak or sand live oak if 25-inch or larger DBH.
3. Red cedar if 25-inch or larger DBH.

**OBSERVATIONS / DISCUSSION:**

This undeveloped lot has a canopy consisting of live oaks (*Quercus virginiana*), laurel oaks (*Quercus laurifolia*) and non-native camphor trees (*Camphora officinarum*) and ear pod trees (*Enterolobium contortisiliquum*).

There is a 36” Historic live oak located in front of the proposed home, southwest corner of the lot. This Historic live oak is approximately 60’ tall with a DBH of 36” and a live crown ratio of around 40% and is healthy and vigorous with no visual signs of decay, insect pests, or disease. The site plan below shows a proposed 9’ driveway to provide more root protection for the tree. The current development code requires a 20’ driveway. The project seeks a variance from the City of Deland for a 9’ driveway to provide more root protection for the Historic oak.



Site plan and tree location.

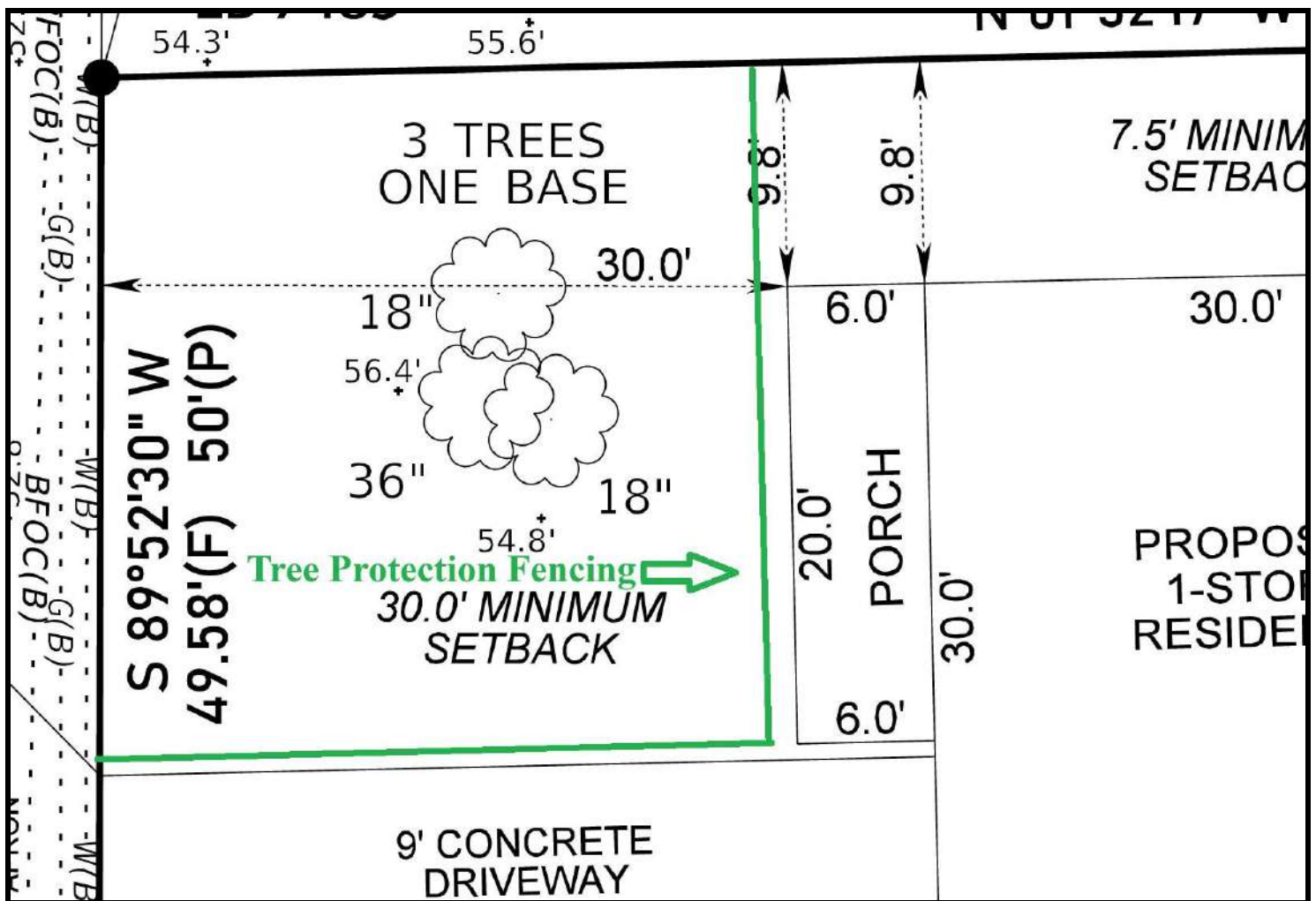
**CONCLUSION:**

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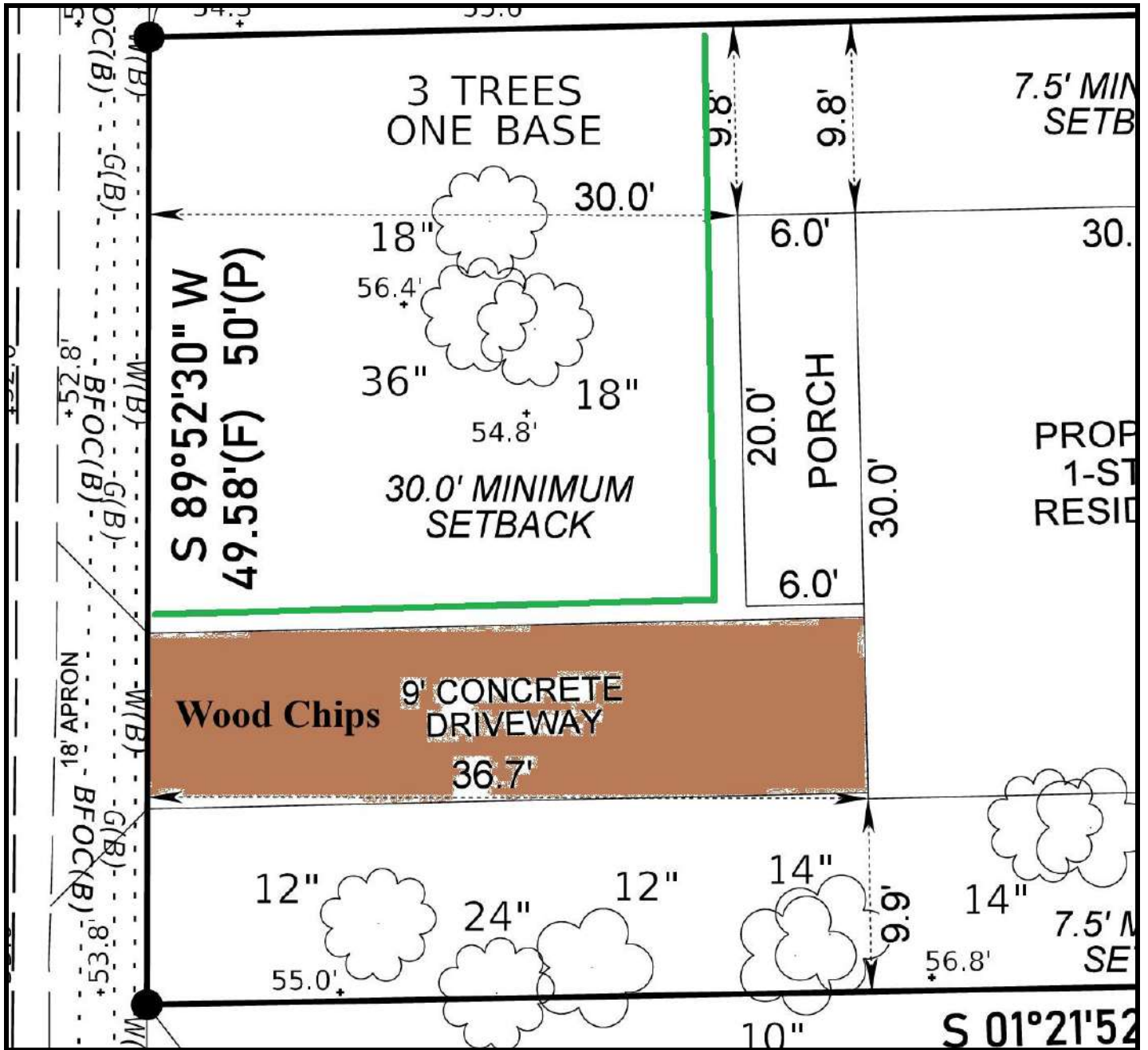
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**Monitoring** – Monthly monitoring of the tree will be done to ensure tree protection measures are still in place until construction is completed and to monitor the health and vigor of the tree.

**Construction egress within the TPZ** – Heavy equipment and construction activities will egress the site using the proposed 9' driveway, adjacent to the TPZ fencing. This egress area should be protected with a minimum of 4 - 6" of wood chip mulch, to help cushion roots from construction equipment and prevent soil compaction as shown below. Other methods for temporary soil and root protection include using ¾" plywood, Geotextile fabric / gravel and logging / road mats. Once the site is cleared and the home is built, the mulch can be reused elsewhere in the landscape, so that the driveway can be poured.



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**Post construction** – The tree will be aerated twice within the TPZ with a hand aeration tool to alleviate any soil compaction and apply a granular, slow-release fertilizer, 8-2-12, +4% Mg with micronutrients at a rate of one pound per 100 Sq. ft. of canopy.

**Order of Events Prior to Construction Activities:**

1. Forestry mow vegetation around the Historic oak so that the TPZ fencing can be set.
2. Install TPZ fencing and signage.
3. Add 4 – 6” wood chips along the proposed driveway and designated egress area.
4. Begin monthly monitoring and proposed treatments for the tree.

SINCERELY,



Ray Jarrett  
Biologist / Arborist  
ISA Certified Arborist FL-5343A  
ISA Tree Risk Assessment Qualified (TRAQ)



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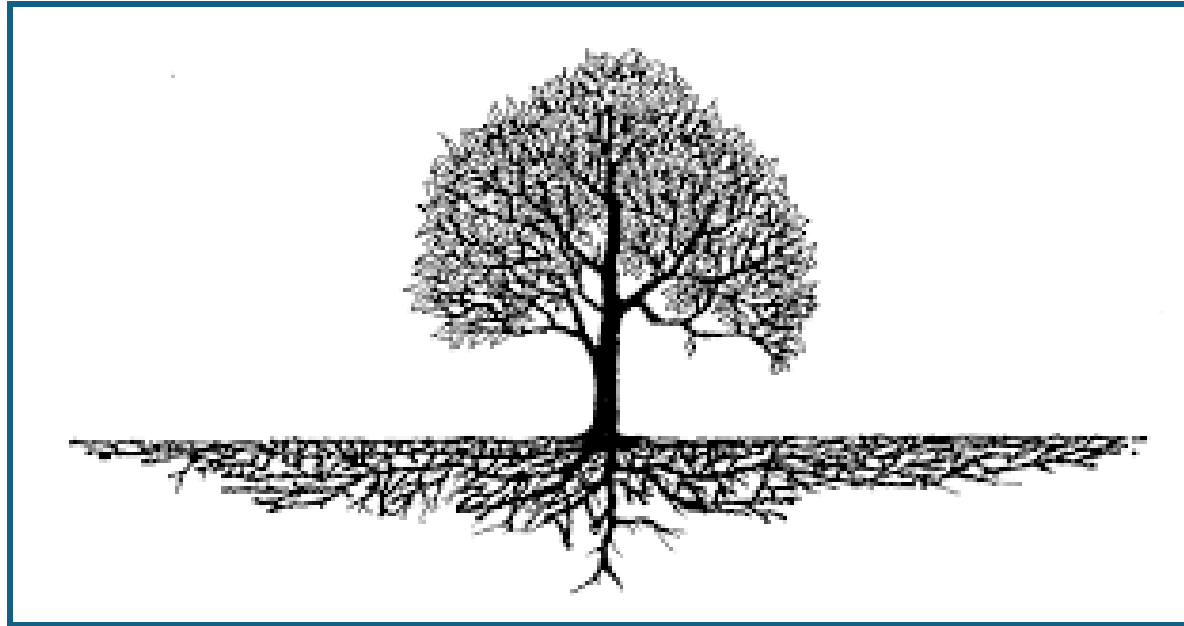
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# Tree Protection Zone



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**This fencing is to remain in place until it is authorized to be removed by the Project Manager.**

**Any questions, please contact the Project Manager Arborist –  
Ray (386) 295-0481**



# Planning Division Memorandum

**TO:** PLANNING BOARD

**DATE:** OCTOBER 9, 2025

**FROM:** SAM NELSON, PLANNER I

**SUBJECT:** VARIANCE APPLICATION REHEARING

**FILE:** V25-140 & V25-142

---

## Summary

Variance applications V25-140 and V25-142 to reduce the parking requirement for four single-family residences were originally heard at the September 10, 2025 Planning Board meeting. At this meeting all variance requests were approved. In preparation for the October Planning Board meeting, it was discovered that the newspaper which is used for variance public noticing had changed their publication date from Wednesday to Thursday. This change was made in September without notifying City staff. Due to this change, the notices for the September Planning Board meeting did not meet the required seven-day notice period by one day. For this reason, the September variances must be re-advertised and reheard. The October Planning Board meeting date is scheduled to comply with the new public noticing date.

## Requested Planning Board Action

As there are no changes to the variance requests being made, staff recommends the Planning Board approve variance request V25-140 for 703 E Walts Ave and 707 E Walts Ave and staff recommends the Planning Board approve V25-142 for 721 E Walts Ave and 725 E Walts Ave.



## PLANNING DIVISION STAFF REPORT TO PLANNING BOARD

**DATE:** September 10, 2025

**APPLICATION NO.:** V25-142

**STAFF PLANNER:** Sam Nelson, *Planner I*

**APPLICANT:** David Seilkop, West Volusia Habitat for Humanity

**REQUEST:** To reduce the required number of parking spaces for single-family residences from four (4) to two (2), within the Core Gateway District.

### APPLICABLE REGULATIONS:

<b>Article II</b>	<b>Primary Uses</b> Sec. 33-17.05 – R-1 - Single-Family Dwelling District
<b>Article VIII</b>	<b>Development Design and Improvement Standards</b> Sec. 33-91.03 – Number and type of parking spaces required

### SITE FACTORS:

**Location:** 721 & 725 E Walts Ave  
**Parcel Size:** ± 0.32 Acres  
**Existing Zoning:** R-1 Single-Family Dwelling  
**Existing Land Use:** Medium Density Residential

	SURROUNDING USE:	SURROUNDING ZONING:
<b>North:</b>	Medium Density Residential	R-1, Single-Family Dwelling
<b>South:</b>	Low Density Residential	R-1, Single-Family Dwelling, Beresford Reserve PD
<b>East:</b>	Medium Density Residential	R-1, Single-Family Dwelling
<b>West:</b>	Medium Density Residential	R-1, Single-Family Dwelling

Required Minimum Setbacks in feet				
Front	Rear	Side	Corner Lot: Street Side	Accessory Uses & Structure
30'	25'	7.5'	15'	7.5'

Parking Requirements		
Residential Uses	Minimum off-street parking requirement	Notes
Single-family and duplex	1, 2, 3 bedrooms: 4 spaces/unit 4+ bedrooms: 5 spaces/unit	Single-family or duplex residential parking spaces may be tandem. In all zoning districts except the Core Gateway District, a minimum of 2 of the required parking spaces for each unit must be indoor spaces. No indoor parking spaces are required within the Core Gateway District. Parking is prohibited on front lawns.

**BACKGROUND:** The vacant properties located on E. Walts Ave. are part of Bleck’s Subdivision, which was platted in 1909 with 40 and 50-foot wide lots. The subdivision is generally in the same configuration (Exhibit B) as the original 1909 subdivision. The surrounding area consists primarily of single-family residences (SFRs) constructed between 1920 and 1970. There are no known records of previous development on the subject parcels. The applicant, West Volusia Habitat for Humanity, has obtained these properties for the purpose of constructing affordable housing.

On May 6, 2019, the City Commission approved Ordinance 2019-10 which required all one, two, and three-bedroom single-family residences to provide a minimum of four (4) parking spaces, with two (2) of these being interior. Single-family residences with four or more bedrooms are required to provide a minimum of five (5) parking spaces. On June 19, 2023, the City Commission approved Ordinance to maintain the same number of parking spaces required but the requirement to provide two (2) interior parking spaces for single-family residences was waived for properties located within the Core Gateway District only. The subject properties are located within the Core Gateway District and thus exempt from the interior parking requirement, but must provide 4 parking spaces.

On July 30, 2025, the applicant applied for building permits to construct two (2), two-bedroom two-bathroom, 900 square feet (SF) single-family residences without garages on E. Walts Ave. As part of the submittal, the applicant is proposing driveways which are approximately 10-ft wide by 40-ft long to accommodate two (2) parking spaces for each residence. which is deficient of the code-required four (4) off-street parking spaces for two-bedroom single-family residences by two (2). The construction of a two, (2) two-bedroom residence requires four (4) parking spaces, therefore the site is deficient by two (2) spaces for each unit. The applicant is now requesting variance approval to reduce the minimum number of required parking spaces for two, two-bedroom single-family residences from four (4) to two (2), for each of the lots.

**ANALYSIS:** Each of the subject properties are 50-ft wide at the street line and 140-ft deep, with areas of approximately 7,000 square feet (Exhibit A). The R-1 zone district requires a minimum lot width of 60 feet. The properties are deficient of the required 60-ft width by 10-ft. The subject properties are legal lots of record and therefore, will comply with the minimum lot size, setback, and maximum impervious coverage requirements for the R-1 district, but are exempt from meeting the minimum lot width. For parking, Sec. 33-91.03 of the Land Development Regulations requires all two-bedroom, single-family residences to provide four (4) parking spaces, with two (2) of these being interior for properties located outside of the Core Gateway District. These properties are located within the Core Gateway District, therefore, the requirement to provide interior parking spaces is waived. The requirement to provide a minimum of four (4) off-street parking spaces applies and the applicant is requesting to provide a total of two (2) off-street parking spaces on each property, which will be deficient of the requirement by two (2). Interior parking could be used to meet the total parking requirement; however, this would add significant cost to the applicant, .

Some administrative relief is offered by the Land Development Regulations (LDRs) for development on nonconforming lots. Section 33-102.05 allows vacant nonconforming lots to be developed for single-family residences provided the residence conforms with the established setbacks of the surrounding area. Additionally, 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 define “adequate” parking, so the standard requirement of 4 spaces is applied. There is no similar provision for staff to administratively approve a reduction of parking as exists for setbacks. The proposed 900 sf two-bedroom single-family residences will be largely consistent with surrounding development. Neighboring residences were constructed between 1920 and 1970 with home sizes ranging from 660 to 2,000 square feet. The proposed residences will be setback further than the neighborhoods established front-yard setback to accommodate a tandem, two-car driveway. No residences on the same portion of E. Walts Ave. are conforming to the current parking requirement (Exhibit C).

Per aerial imagery and arborist reports provided by the applicant, each property contains an abundance of trees, including historic trees, in the front-yard areas. The code promotes the protection of historic trees and requires City Commission approval for removal. To protect the root zones of these historic trees, the applicant has proposed narrow driveways. Per the applicant, providing parking as required by the code would impact the historic trees.

**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 widths of the subject properties are undersized per current R-1 standards by 10-ft. In conjunction with the placement of historic trees within the front-yards, there appears to be limited area for additional parking beyond the proposed two car tandem parking. .*

2. 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 structure(s);

*Literal interpretation and enforcement of these Land Development Regulations is unlikely to deprive the applicant of rights commonly enjoyed by other properties in the same zoning district as the applicant could construct garages to provide the required parking, as is common on other properties. The applicant’s specific affordable business-model does not include garages.*

3. 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, buildings or structures in the same zoning district;

*Granting of the variance will confer special privileges when compared with other R-1 district properties, as all new Single-Family Residences (SFRs) must meet the parking requirements. However, all surrounding properties were constructed prior to 2019, when the parking requirement was increased.*

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 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. The granting of this variance is unlikely to be injurious to surrounding properties, as all properties within the same block are non-conforming to current parking standards.*
  
5. The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure; and  
*The applicant could construct a garage to provide the required parking without the need for a variance. The applicant does not intend to construct garages, as garages increase the cost for these affordable housing units.*
  
6. The special conditions or circumstances are not the result of actions of the applicant or owner.  
*Each lot was in the existing, nonconforming configuration prior to acquisition by the applicant.*

**STAFF SUMMARY:** The applicant is requesting a variance to reduce the required number of parking spaces for two (2), two-bedroom single-family residences from four (4) to two (2) within the Core Gateway District. Some hardship may exist on the properties as the widths of the properties are undersized to R-1 standards by 10-ft, and historic trees are present in the front yards. When combining these site factors, there may be some hinderance in placing the code required four (4) parking spaces. Interior parking could be provided to meet the code requirement without further impacting historic trees, however, the applicant’s available affordable home models do not include garages. The code offers some administrative relief for development of vacant nonconforming lots; however, a parking reduction is not specifically permitted. The proposal will not be injurious to surrounding properties, as no property on the same block contains the currently required parking due to the time of their construction. The Planning Board may choose to grant this variance request, grant this variance request with conditions, or deny this variance request. Please note, two separate motions are required, one for each of the properties located at 721 and 725 E. Walts Ave.

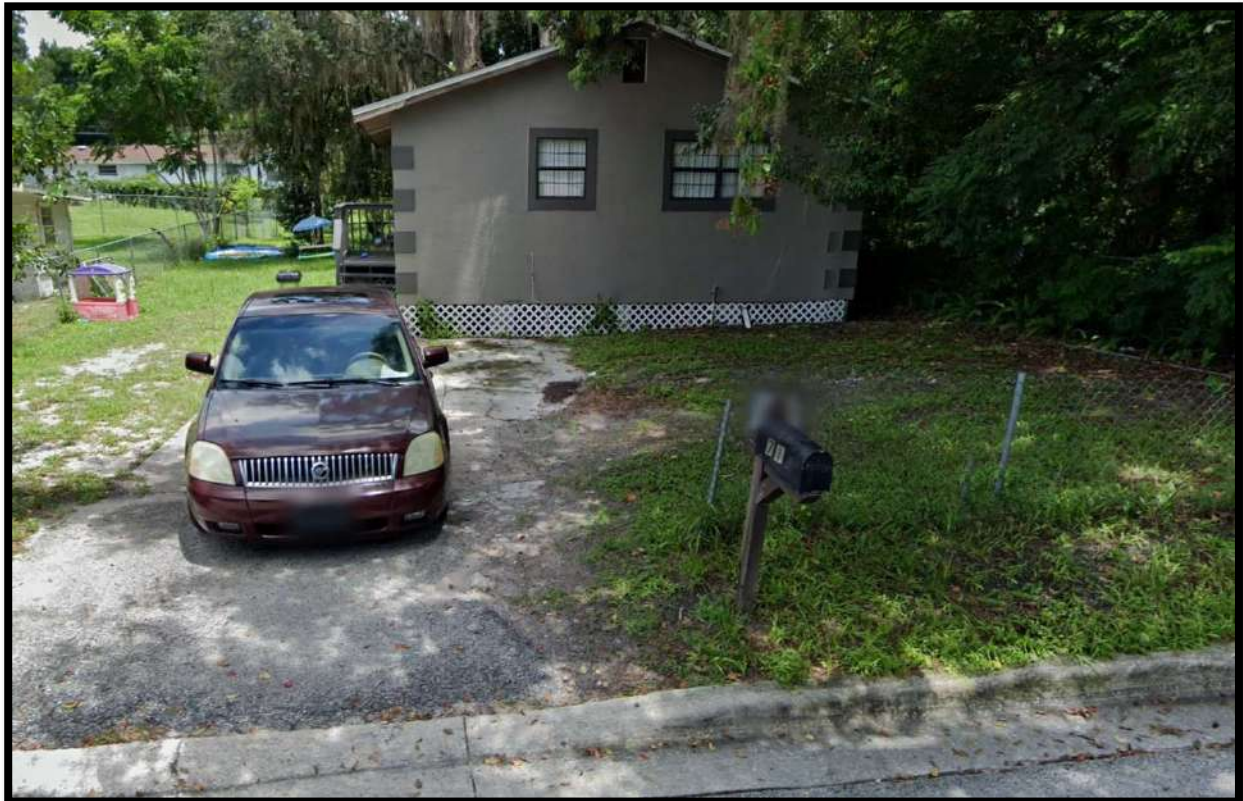


**EXHIBIT B**  
**Bleck's Subdivision**

120	50	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	50	140			
1	9	10	13	14	17	18	21	22	25	26	27	24	23	20	19	16	15	12	11	8	50	20
40	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	50
2	3	4	5	6	7	120	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
<b>BOSTON</b>																						

**EXHIBIT C**  
**Surrounding Properties**

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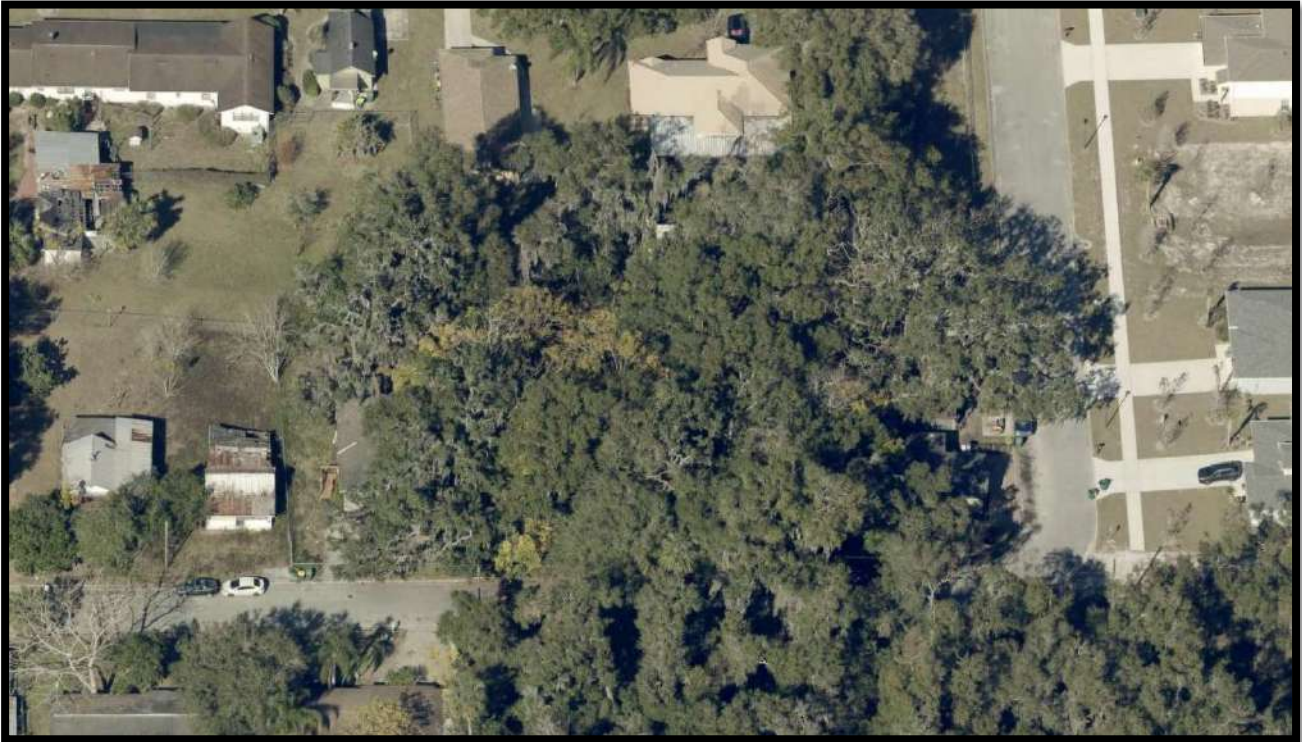
# EXHIBIT C

## Surrounding Properties

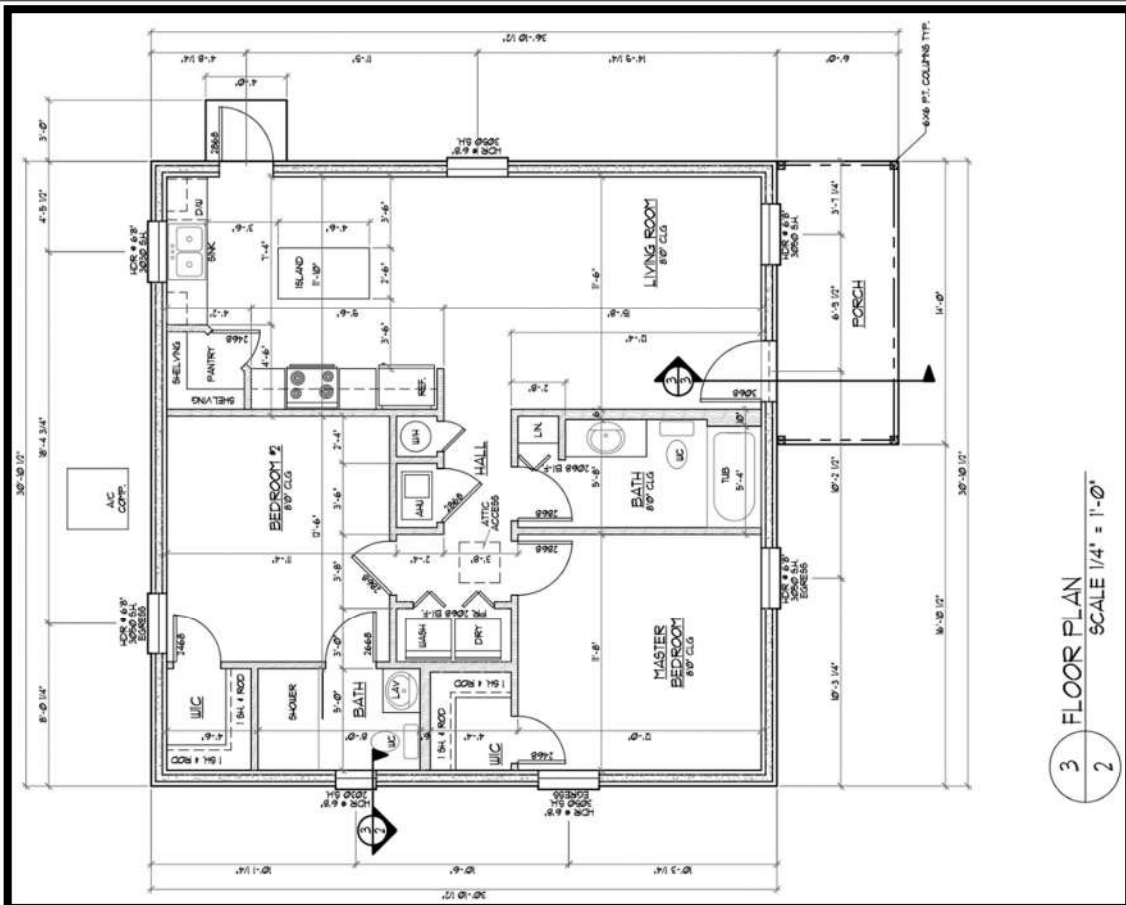
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# EXHIBIT D Aerial



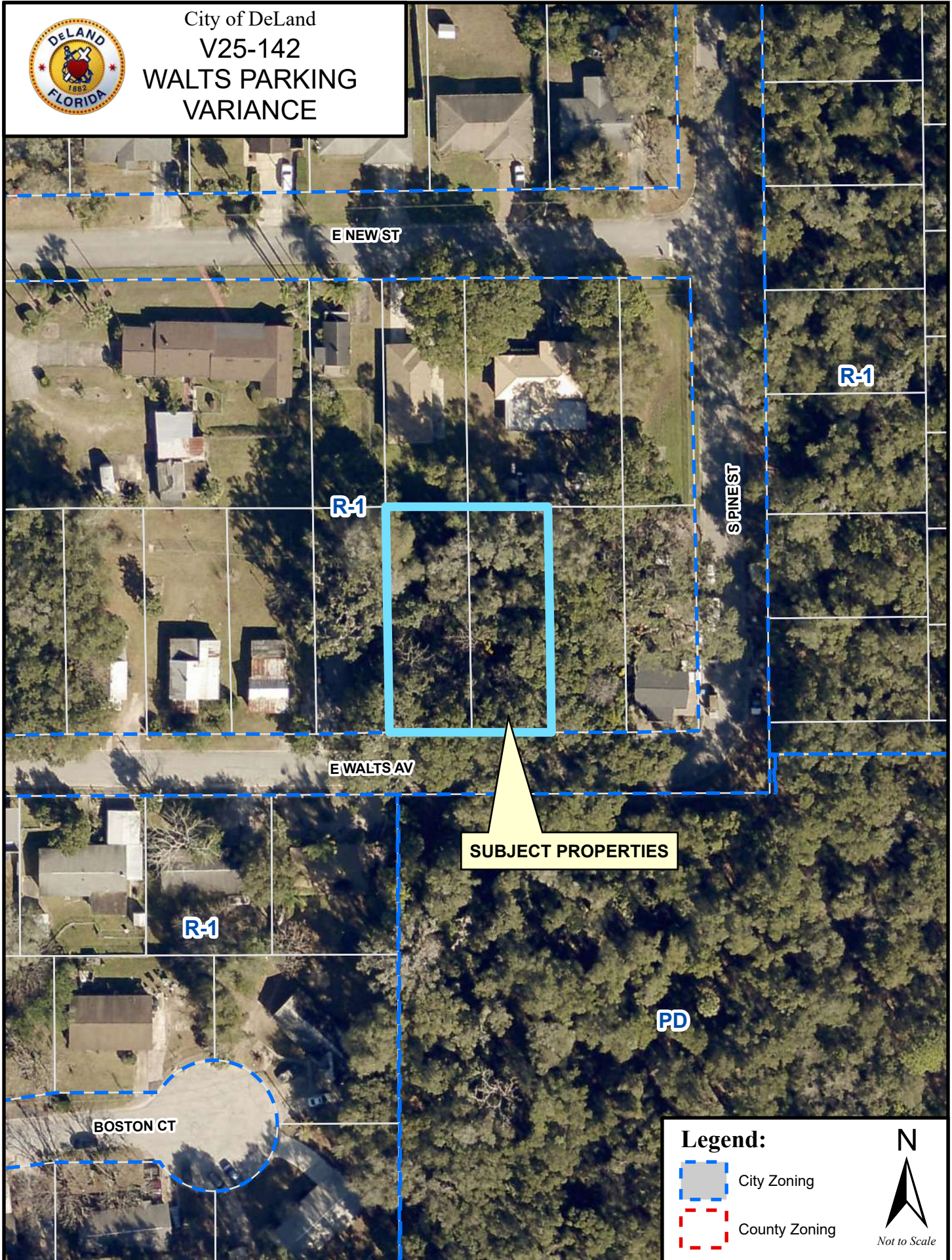
# EXHIBIT E Floor Plan



3 FLOOR PLAN  
SCALE 1/4" = 1'-0"

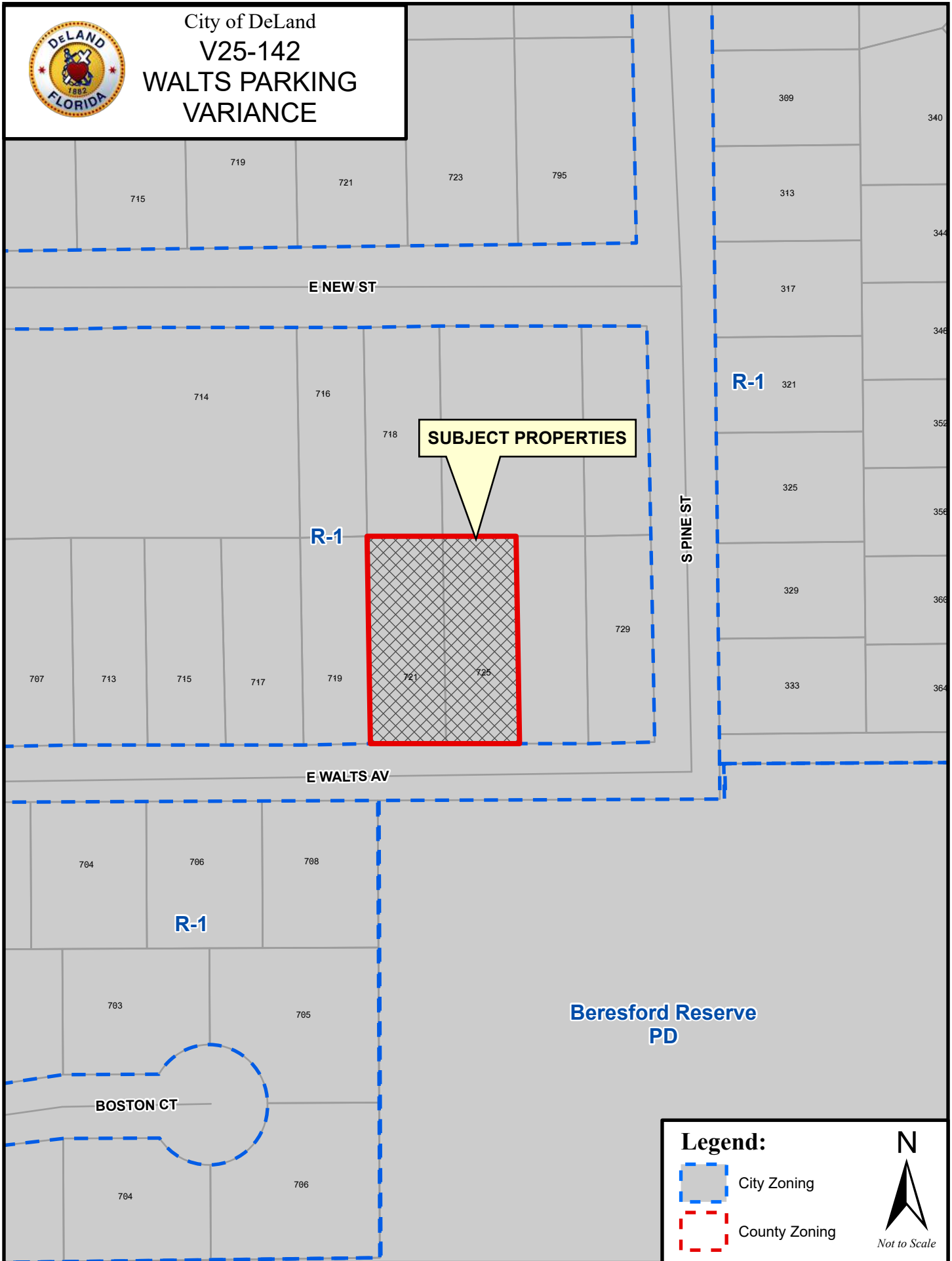


City of DeLand  
V25-142  
WALTS PARKING  
VARIANCE







City of DeLand  
V25-142  
WALTS PARKING  
VARIANCE



**Legend:**

-  City Zoning
-  County Zoning



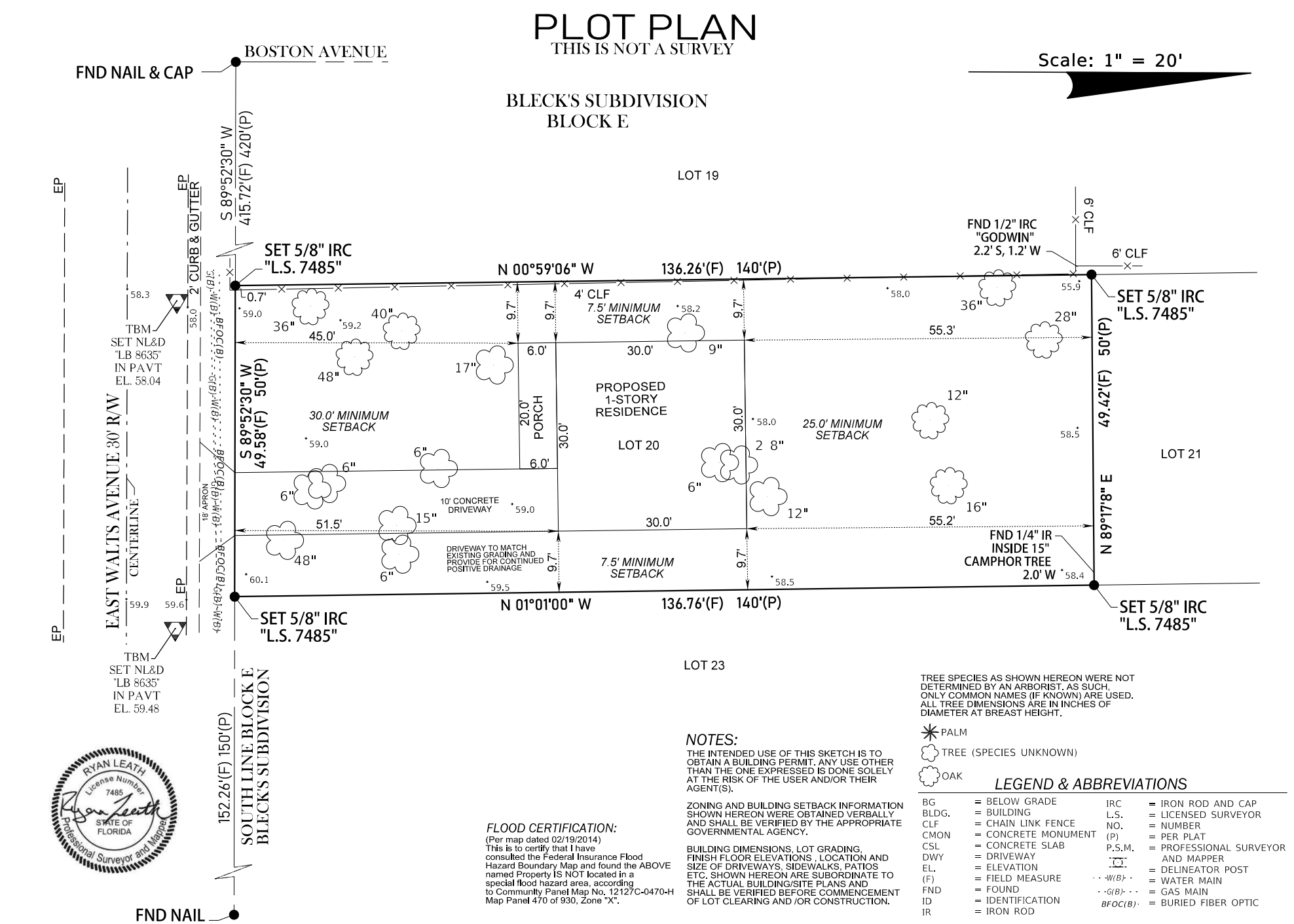
**LEGAL DESCRIPTION**  
 AS FURNISHED BY CLIENT PER DEED  
 LOT 20, BLOCK E, CORRECTED PLAT OF BLECK'S SUBDIVISION  
 OF BLOCKS 150, 160 AND THE SOUTH 1/2 OF 159,  
 OF THE CORPORATION MAP OF THE CITY OF DELAND,  
 ACCORDING TO THE PLAT THEREOF AS RECORDED IN  
 MAP BOOK 4, PAGE 39, AND CORRECTED IN MAP BOOK 5,  
 PAGE 157, AND PLAT BOOK 14, PAGE 94, OF THE PUBLIC  
 RECORDS OF VOLUSIA COUNTY, FLORIDA.  
 721 E WALTERS AVE. DELAND FL. 32724

**NOTES:**

- THIS IS NOT A BOUNDARY SURVEY.
- THIS IS A PLOT PLAN INTENDED TO SHOW THE LOCATION OF THE BOUNDARY, TREES AND PLANNED IMPROVEMENTS ON A PARCEL OF LAND DESCRIBED AS LOT 20, BLOCK E, CORRECTED PLAT OF BLECK'S SUBDIVISION, ACCORDING TO THE PLAT AS RECORDED IN MAP BOOK 5, PAGE 157, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- NO TITLE SEARCH WAS PERFORMED OR PROVIDED TO THIS SURVEYOR. ALL PROPERTY RECORDS SHOWN HEREON ARE BASED ON THE LAST DEED OF RECORD AS RECORDED IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RIGHTS OF WAY, COVENANTS AND RESTRICTIONS NOT SHOWN HEREON BUT FOUND IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- ALL DISTANCE MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FEET. ALL ANGULAR MEASUREMENTS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS.
- BEARINGS SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE. THE REFERENCE BEARING FOR THIS SURVEY IS THE SOUTH LINE OF BLOCK E, WHICH HAS A BEARING OF NORTH 89°52'30" WEST.
- ELEVATIONS SHOWN HEREON ARE GPS DERIVED AND BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988.
- UNDERGROUND UTILITIES SHOWN HEREON WERE DESIGNATED BY OTHERS.
- NOT VALID WITH OUT THE AUTHORIZED ELECTRONIC SEAL OR THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**CERTIFICATION:**  
 I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

DRAWN BY: RAL		CHECKED: RAL	FIELD DATE: 04/04/2025	DATE: 08/03/25	REVISIONS: DRIVWAY AND FOUNDATION LOCATION
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**PLOT PLAN**  
 THIS IS NOT A SURVEY

Scale: 1" = 20'



**NOTES:**  
 THE INTENDED USE OF THIS SKETCH IS TO OBTAIN A BUILDING PERMIT. ANY USE OTHER THAN THE ONE EXPRESSED IS DONE SOLELY AT THE RISK OF THE USER AND/OR THEIR AGENT(S).  
 ZONING AND BUILDING SETBACK INFORMATION SHOWN HEREON WERE OBTAINED VERBALLY AND SHALL BE VERIFIED BY THE APPROPRIATE GOVERNMENTAL AGENCY.  
 BUILDING DIMENSIONS, LOT GRADING, FINISH FLOOR ELEVATIONS, LOCATION AND SIZE OF DRIVEWAYS, SIDEWALKS, PATIOS, ETC. SHOWN HEREON ARE SUBORDINATE TO THE ACTUAL BUILDING/SITE PLANS AND SHALL BE VERIFIED BEFORE COMMENCEMENT OF LOT CLEARING AND/OR CONSTRUCTION.

**FLOOD CERTIFICATION:**  
 (Per map dated 02/19/2014)  
 This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12127C-0470-H Map Panel 470 of 930, Zone "X".

TREE SPECIES AS SHOWN HEREON WERE NOT DETERMINED BY AN ARBORIST, AS SUCH, ONLY COMMON NAMES (IF KNOWN) ARE USED. ALL TREE DIMENSIONS ARE IN INCHES OF DIAMETER AT BREAST HEIGHT.

\* PALM  
 TREE (SPECIES UNKNOWN)  
 OAK

**LEGEND & ABBREVIATIONS**

BG	= BELOW GRADE	IRC	= IRON ROD AND CAP
BLDG.	= BUILDING	L.S.	= LICENSED SURVEYOR
CLF	= CHAIN LINK FENCE	NO.	= NUMBER
CMON	= CONCRETE MONUMENT	(P)	= PER PLAT
CSL	= CONCRETE SLAB	P.S.M.	= PROFESSIONAL SURVEYOR
DWY	= DRIVEWAY	AND MAPPER	
EL	= ELEVATION	DELIN.	= DELINEATOR POST
(F)	= FIELD MEASURE	-(G/B)-	= WATER MAIN
FND	= FOUND	-(G/B)-	= GAS MAIN
ID	= IDENTIFICATION	BFOC(B)	= BURIED FIBER OPTIC
IR	= IRON ROD		

BREVIS SURVEYING LLC  
 LB 8635  
 1180 14TH STREET  
 ORANGE CITY, FLORIDA, 32763

BOUNDARY SURVEY		
PROJ.	COUNTY	DATE
H4H-003	VOLUSIA	04/15/2025

CERTIFIED TO:  
**DAVID SEILKOP**  
 WEST VOLUSIA HABITAT FOR HUMANITY

SHEET NO.
1

**LEGAL DESCRIPTION**  
AS FURNISHED BY CLIENT PER DEED

LOT 23, BLOCK E, BLECK'S SUBDIVISION, BLOCK 159, DELAND, SECTION 15, TOWNSHIP 17 SOUTH, RANGE 30 EAST, AS PER MAP BOOK 5, PAGE 157, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

725 E WALTERS AVE. DELAND FL. 32724

**NOTES:**

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- THIS IS A PLOT PLAN INTENDED TO SHOW THE LOCATION OF THE BOUNDARY, TREES AND PLANNED IMPROVEMENTS ON A PARCEL OF LAND DESCRIBED AS LOT 23, BLOCK E, CORRECTED PLAT OF BLECK'S SUBDIVISION, ACCORDING TO THE PLAT AS RECORDED IN MAP BOOK 5, PAGE 157, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- NO TITLE SEARCH WAS PERFORMED OR PROVIDED TO THIS SURVEYOR. ALL PROPERTY RECORDS SHOWN HEREON ARE BASED ON THE LAST DEED OF RECORD AS RECORDED IN THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
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- UNDERGROUND UTILITIES SHOWN HEREON WERE DESIGNATED BY OTHERS.
- NOT VALID WITH OUT THE AUTHORIZED ELECTRONIC SEAL OR THE ORIGINAL RAISED SEAL AND SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**CERTIFICATION:**

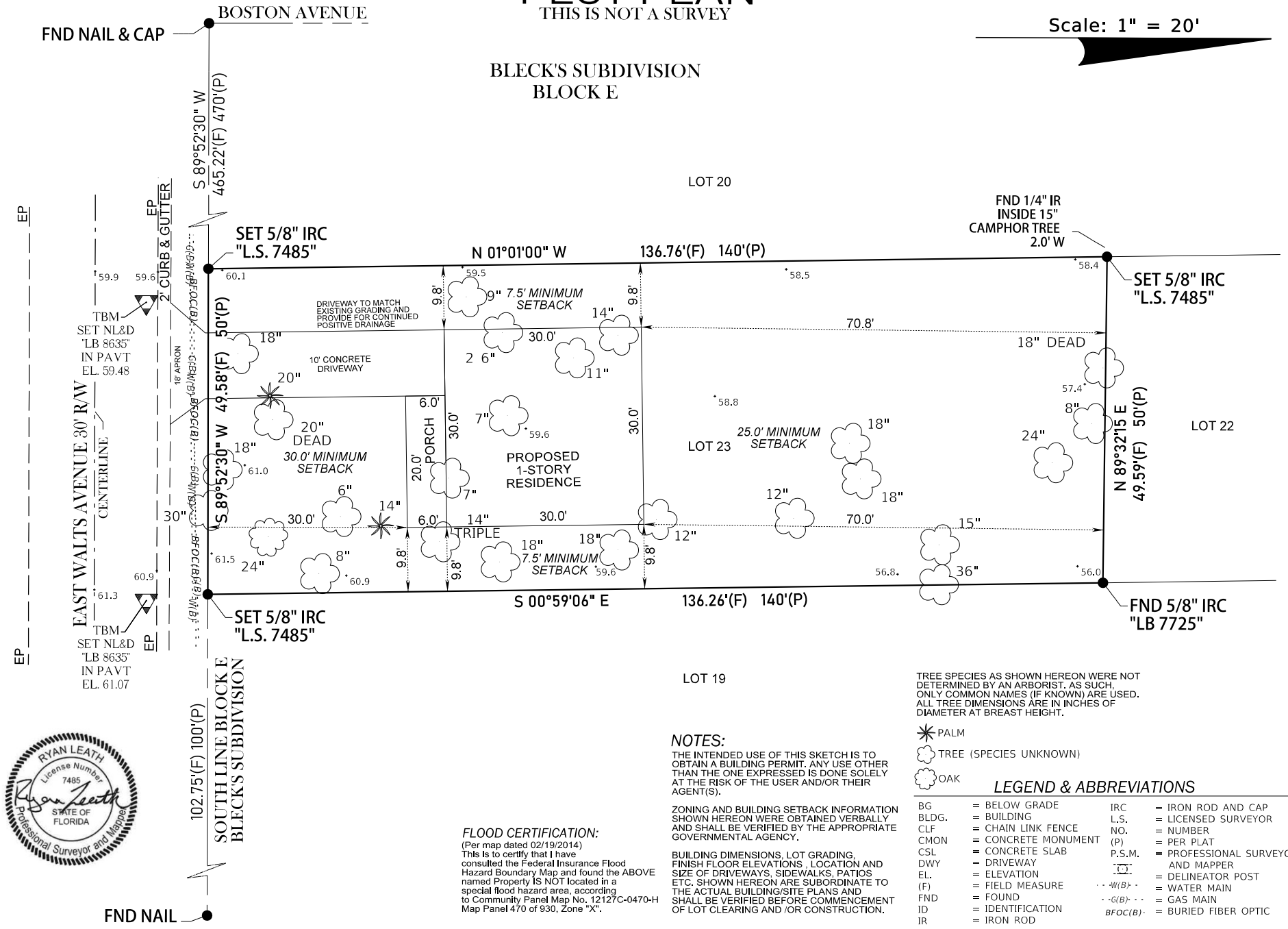
I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

RYAN A. LEATH P.S.M. NO. 7485



**PLOT PLAN**  
THIS IS NOT A SURVEY

Scale: 1" = 20'



TREE SPECIES AS SHOWN HEREON WERE NOT DETERMINED BY AN ARBORIST, AS SUCH, ONLY COMMON NAMES (IF KNOWN) ARE USED. ALL TREE DIMENSIONS ARE IN INCHES OF DIAMETER AT BREAST HEIGHT.

- \* PALM
- ☁ TREE (SPECIES UNKNOWN)
- ☁ OAK

**LEGEND & ABBREVIATIONS**

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**NOTES:**

THE INTENDED USE OF THIS SKETCH IS TO OBTAIN A BUILDING PERMIT. ANY USE OTHER THAN THE ONE EXPRESSED IS DONE SOLELY AT THE RISK OF THE USER AND/OR THEIR AGENT(S).

ZONING AND BUILDING SETBACK INFORMATION SHOWN HEREON WERE OBTAINED VERBALLY AND SHALL BE VERIFIED BY THE APPROPRIATE GOVERNMENTAL AGENCY.

BUILDING DIMENSIONS, LOT GRADING, FINISH FLOOR ELEVATIONS, LOCATION AND SIZE OF DRIVEWAYS, SIDEWALKS, PATIOS ETC. SHOWN HEREON ARE SUBORDINATE TO THE ACTUAL BUILDING/SITE PLANS AND SHALL BE VERIFIED BEFORE COMMENCEMENT OF LOT CLEARING AND /OR CONSTRUCTION.

**FLOOD CERTIFICATION:**  
(Per map dated 02/19/2014)  
This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12127C-0470-H Map Panel 470 of 930, Zone "X".

DESCRIPTION			REVISIONS		BREVIS SURVEYING LLC LB 8635 1180 14TH STREET ORANGE CITY, FLORIDA, 32763	BOUNDARY SURVEY			CERTIFIED TO: <b>DAVID SEILKOP</b> WEST VOLUSIA HABITAT FOR HUMANITY	SHEET NO. <b>1</b>
DRAWN BY:	CHECKED:	FIELD DATE:	DATE			PROJ.	COUNTY	DATE		
RAL	RAL	04/04/2025	08/03/25	DRIVEWAY UPDATE	H4H-004	VOLUSIA	04/15/2025			

# Arbor Report – Tree Protection Plan

August 5, 2025

David Seilkop  
West Volusia Habitat for Humanity  
604 S Spring Garden Avenue  
Deland, Fl 32720

Re: 721 E Walts Avenue (Lot 20), Deland, Florida - Tree Protection, Monitoring and Recovery Plan for a 48” Historic Live Oak.

## Scope:

Services were retained to prepare a Tree Protection and Monitoring Plan for a 48” Historic as defined by the City of Deland Land Development code. This project is located at 703 E Walts Ave., Deland, Fl.



Aerial view of project site.

City of Deland Code definitions:

(d) *Historic tree protection.* Unless otherwise authorized by this article, no historic tree shall be removed without a recommendation by the city forester, the tree advisory committee, and a finding by the city commission that the tree is a hazard (due to health or natural damage) or that it is not economically or practically feasible to develop the parcel without removing the tree. The developer shall explain in detail why the tree is a hazard or why it is not economically or practically feasible to develop the parcel without removing

the historic tree. The city forester shall make a presentation to the tree advisory committee on the application and make a recommendation as to whether it should be approved or denied. The tree advisory committee shall make a recommendation to the city commission on the application. Any historic tree permitted to be removed shall be replaced by a sufficient number of replacement trees so that their DBH equals 100 percent of the total DBH of the historic tree to be removed from the property. In no case shall replacement stock be less than ten feet in height, have a DBH of less than four inches, or a caliper of less than six inches.

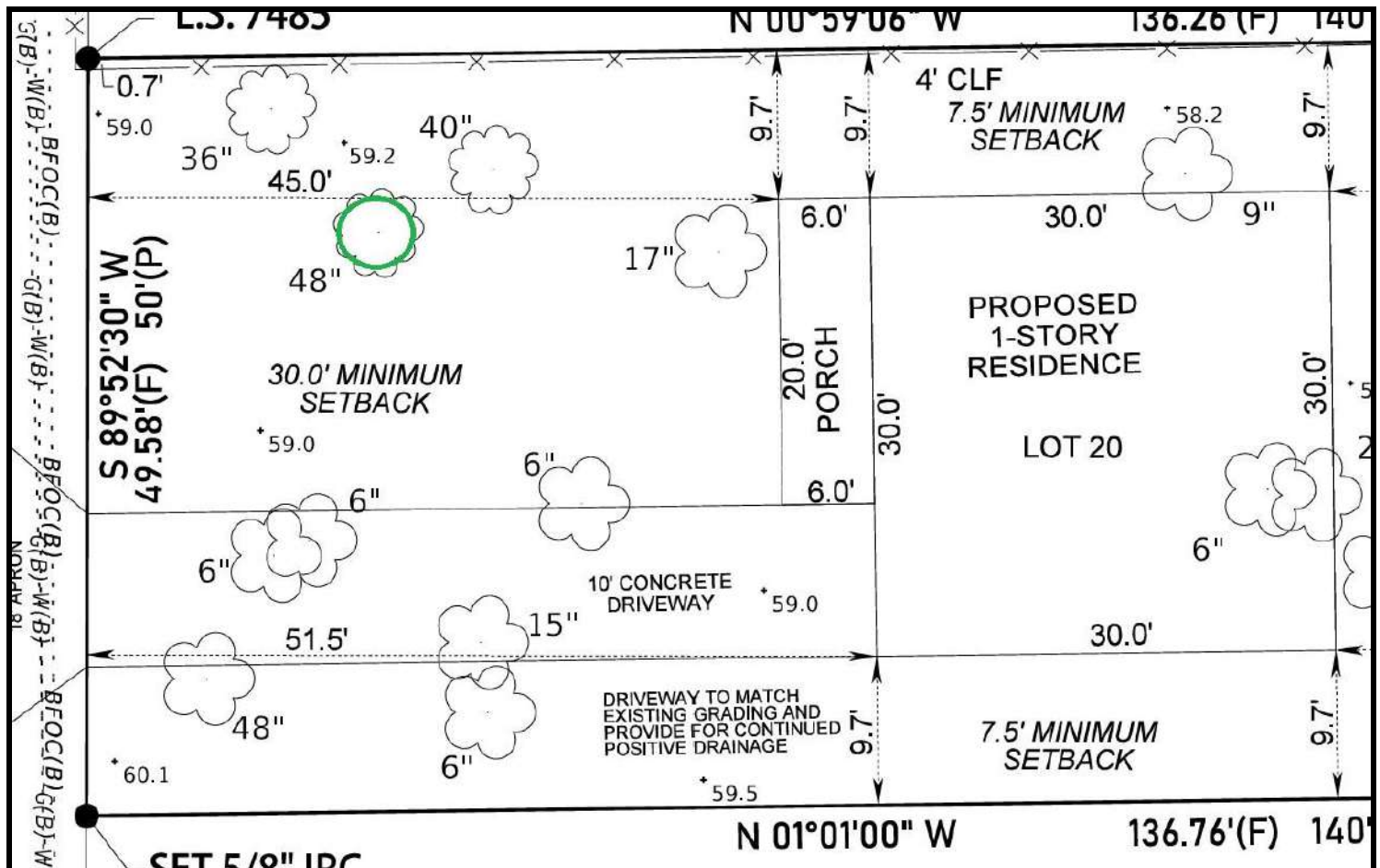
Historically significant trees shall be as follows:

1. Bald cypress if 20-inch or larger DBH.
2. Live oak or sand live oak if 25-inch or larger DBH.
3. Red cedar if 25-inch or larger DBH.

**OBSERVATIONS / DISCUSSION:**

This undeveloped lot has a canopy consisting of live oaks (*Quercus virginiana*), laurel oaks (*Quercus laurifolia*) and non-native camphor trees (*Camphora officinarum*).

There is a 48” Historic live oak located in front of the proposed home. This Historic live oak is approximately 60’ tall with a DBH of 48” and a live crown ratio of around 40% and is healthy and vigorous with no visual signs of decay, insect pests, or disease. The suite plan has been adjusted, and the house has been set 15’ further back from the street setback to give more root space for the oak. The site plan below shows a proposed 9’ driveway to provide more root protection for the tree. The current development code requires a 20’ driveway. The project seeks a variance from the City of Deland for a 9’ driveway to provide more root protection for the Historic oak.



Site plan and tree location.

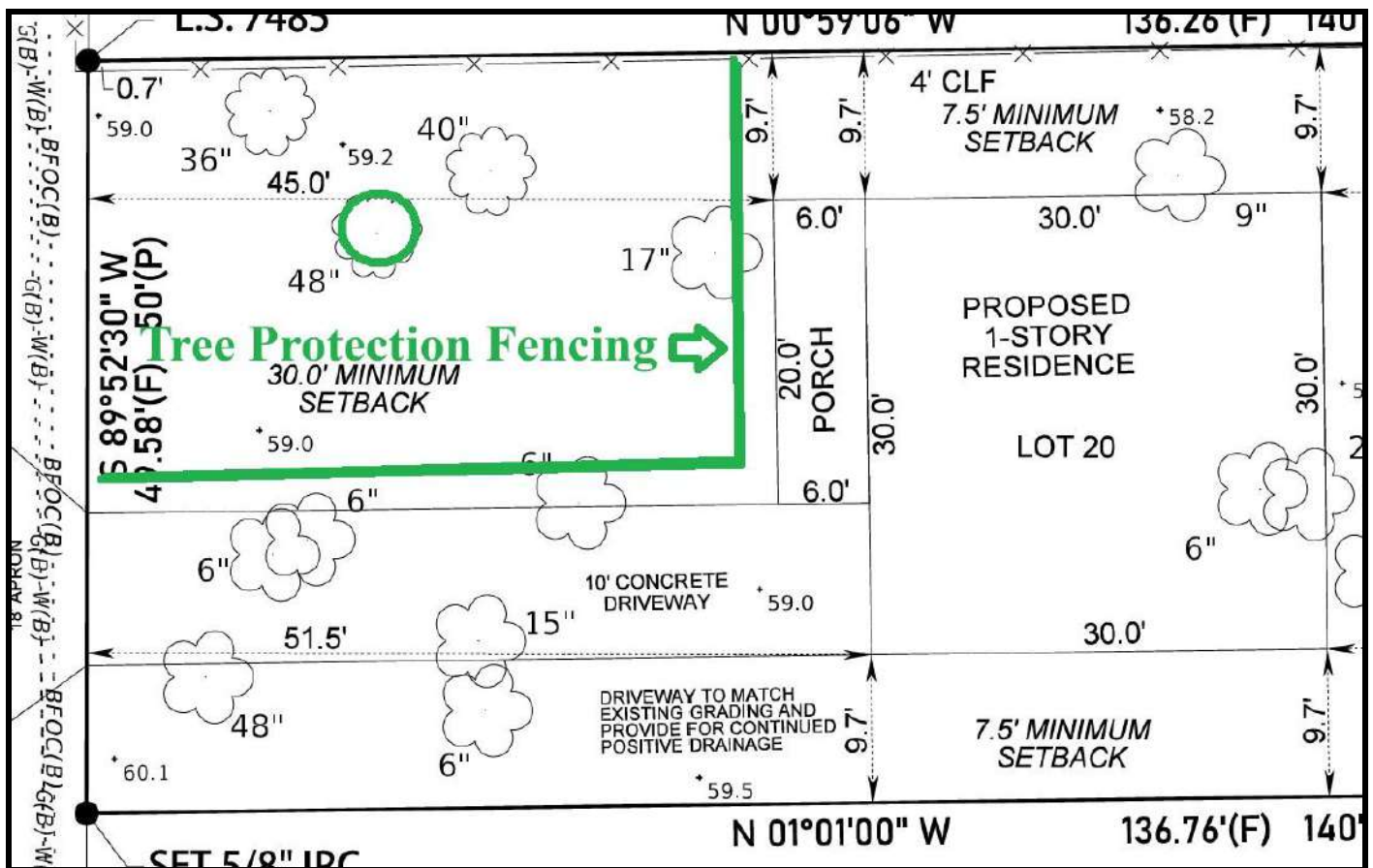
**CONCLUSION:**

The project seeks a variance from the City of Deland for a 9” driveway to give more root protection for the Historic tree.

This tree will be protected for this project and the following recommendations are standard tree care protection measures and follow methodologies of the International Society of Arboriculture (ISA) and Best Management Practices (BMPs) published in the *American National Standard for tree Care Operations – Tree, Shrub, and Woody Plant Management – Standard Practices (Management of Trees and Shrubs During Planning, Site Development, and Construction)* (ANSI A300, Part 5). These recommendations are to help reduce root impacts stress to the tree.

**Forestry Mow** – Bushhog, forestry mow, or remove by hand crews, the vegetation around the Historic tree and remove any non-native trees so that TPZ fencing can be installed prior to land clearing.

**TPZ** – Set TPZ fencing to the edges of construction activities as shown below.

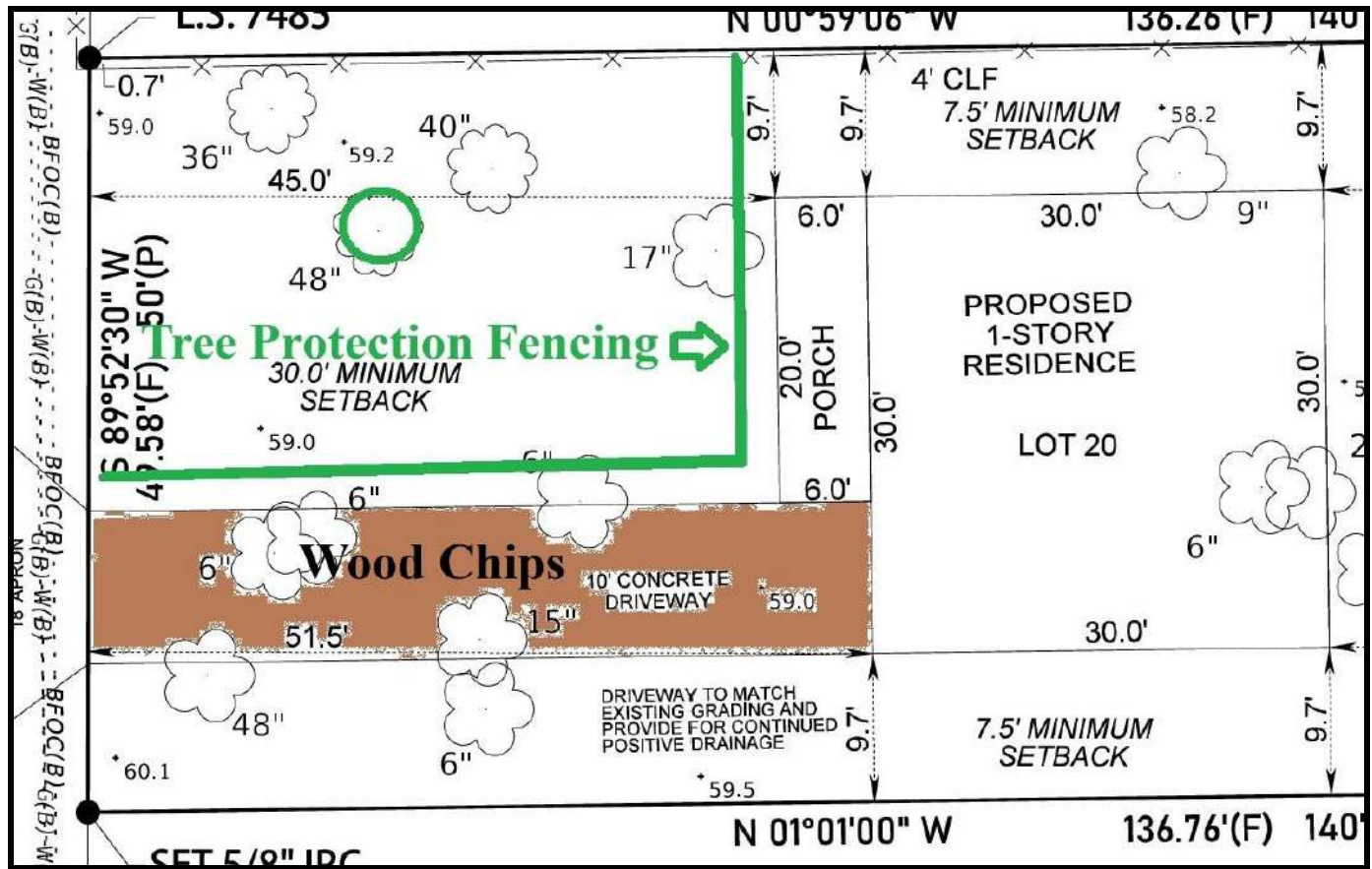


**Signage** - Add signage to the TPZ fence to ensure all subcontractors, deliveries of construction materials, etc. are aware of the intent of the TPZ fencing. Typical language for a TPZ sign should say something like, ‘**Tree Protection Zone - No vehicles, equipment, soil or building material are to be stored within this boundary.**’ An example of this type of signage is attached.

**Monitoring** – Monthly monitoring of the tree will be done to ensure tree protection measures are still in place until construction is completed and to monitor the health and vigor of the tree.

**Construction egress within the TPZ** – Heavy equipment and construction activities will egress the site using the proposed 9’ driveway, adjacent to the TPZ fencing. This egress area should be protected with a minimum of 4 - 6” of wood chip mulch, to help cushion roots from construction equipment and prevent soil compaction as

shown below. Other methods for temporary soil and root protection include using 3/4" plywood, Geotextile fabric / gravel and logging / road mats. Once the site is cleared and the home is built, the mulch can be reused elsewhere in the landscape, so that the driveway can be poured.



**Pruning (roots and canopy)** - Pruning will be overseen by an **International Society of Arboriculture (ISA), Certified Arborist** to ensure reduction cuts are done properly and to ANSI standards. **Reduction pruning** will reduce the likelihood of failure from high wind events that can put pressure and leverage on large diameter branches. 'A reduction cut shortens a branch by removing a stem back to a lateral branch that is large enough to resist extensive disfunction and decay behind the cut. This is generally interpreted as cutting back to a lateral branch that is at least one-third the diameter of the cut stem.' (Ref: <https://hort.ifas.ufl.edu/woody/stem-reduction.shtml>). Any roots that are exposed during land clearing and site prep will be clean cut using hand pruners, loppers or a chain saw. Cut roots will not be treated with pruning paint and fungicides and will be covered with soil.

**Post construction** – The tree will be aerated twice within the TPZ with a hand aeration tool to alleviate any soil compaction and apply a granular, slow-release fertilizer, 8-2-12, +4% Mg with micronutrients at a rate of one pound per 100 Sq. ft. of canopy.

**Order of Events Prior to Construction Activities:**

1. Forestry mow vegetation around the Historic oak so that the TPZ fencing can be set.
2. Install TPZ fencing and signage.
3. Add 4 – 6" wood chips along the proposed driveway and designated egress area.
4. Begin monthly monitoring and proposed treatments for the tree.

SINCERELY,

*Ray Jarrett*

Ray Jarrett  
Biologist / Arborist  
ISA Certified Arborist FL-5343A  
ISA Tree Risk Assessment Qualified (TRAQ)

<p><b>Environmental and Urban Tree Consulting</b> <b>Ray Jarrett</b> Biologist ISA Certified Arborist #FL-5343 ISA Tree Risk Assessment Qualified</p>  <p>386-295-0481 rayjarrett1@gmail.com</p>	<ul style="list-style-type: none"><li>• Fertilizing and disease management</li><li>• Tree surveys</li><li>• Tree health assessments / arbor reports</li><li>• Tree health recovery plans</li><li>• Tree protection plans for construction</li><li>• DEP Professional Mangrove Trimmer (PMT)</li><li>• Land Management- Defensible Space &amp; Rx Fire</li></ul> <p>TNC, UF/IFAS Certified Land Manager Prescribed Burn Manager #2019-4937 ISA Certified Arborist #FL-5343 ISA Tree Risk Assessment Qualified Certified Landscape Inspector (LIAF) Certified Stormwater Inspector #38419 (FDEP) Limited Commercial Urban Fertilizer Applicator License</p>
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**ASSUMPTIONS, LIMITING CONDITIONS and DISCLAIMER**

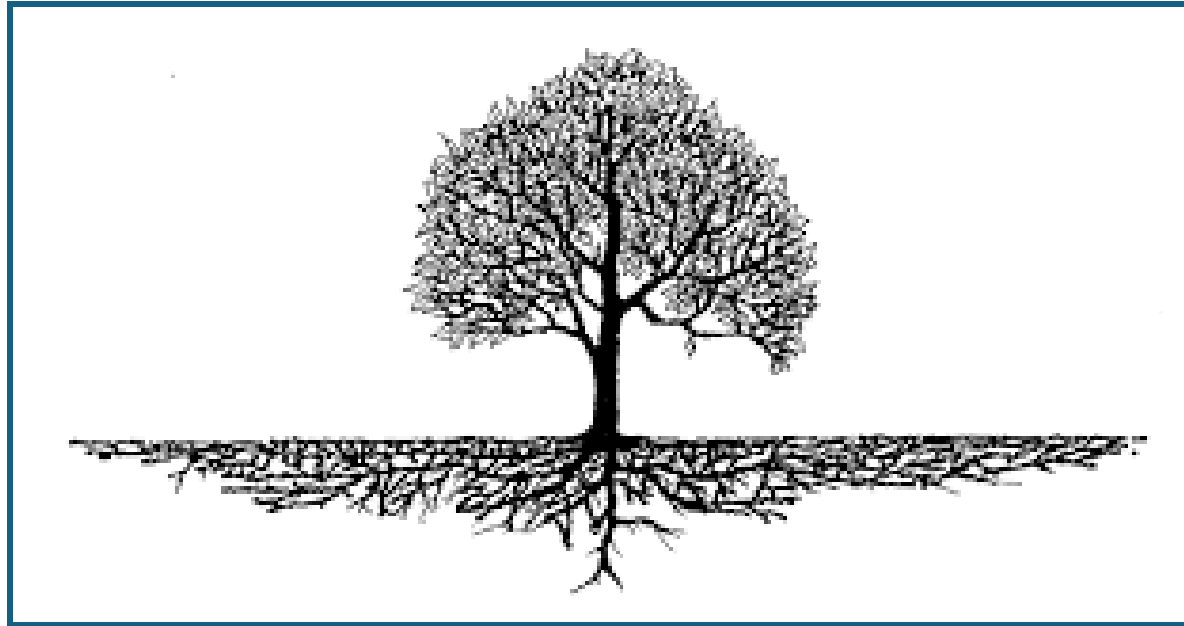
Trees and plants are living things and are subject to an array of potential health problems, abiotic factors and unpredictable weather that can cause healthy trees and plants to fail. Information provided in this report is for consideration; and is based on my professional experience, formal education, and methodologies of the International Society of Arboriculture, ISA. Ultimately the client must use their own judgment and decisions but may consider these recommendations.

**Technical Literature References**

- American National Standard Institute (ANSI) A300 (Part 9) 2017. *Tree Risk Assessment*, Tree Care Industry Association, Inc. (TCIA), Manchester, NH.
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- Hodel, Donald R. 2012. *The Biology and Management of Landscape Palms*. University of California Cooperative Extension. 176pp.

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# Tree Protection Zone



**No vehicles, equipment, soil or building materials are allowed within this boundary.**

**This fencing is to remain in place until it is authorized to be removed by the Project Manager.**

**Any questions, please contact the Project Manager Arborist –  
Ray (386) 295-0481**

# Arbor Report – Tree Protection Plan

August 3, 2025

David Seilkop  
West Volusia Habitat for Humanity  
604 S Spring Garden Avenue  
Deland, Fl 32720

Re: 725 E Walts Avenue (Lot 23), Deland, Florida - Tree Protection, Monitoring and Recovery Plan for a 36” Historic Live Oak.

## Scope:

Services were retained to prepare a Tree Protection and Monitoring Plan for a 30” Historic as defined by the City of Deland Land Development code. This project is located at 725 E Walts Ave., Deland, Fl.



Aerial view of project site.

City of Deland Code definitions:

(d) *Historic tree protection.* Unless otherwise authorized by this article, no historic tree shall be removed without a recommendation by the city forester, the tree advisory committee, and a finding by the city commission that the tree is a hazard (due to health or natural damage) or that it is not economically or practically feasible to develop the parcel without removing the tree. The developer shall explain in detail why the tree is a hazard or why it is not economically or practically feasible to develop the parcel without removing the historic tree. The city forester shall make a presentation to the tree advisory committee on the application







**Post construction** – The tree will be aerated twice within the TPZ with a hand aeration tool to alleviate any soil compaction and apply a granular, slow-release fertilizer, 8-2-12, +4% Mg with micronutrients at a rate of one pound per 100 Sq. ft. of canopy.

**Order of Events Prior to Construction Activities:**

1. Forestry mow vegetation around the Historic oak so that the TPZ fencing can be set.
2. Install TPZ fencing and signage.
3. Add 4 – 6” wood chips along the proposed driveway and designated egress area.
4. Begin monthly monitoring and proposed treatments for the tree.

SINCERELY,



Ray Jarrett  
Biologist / Arborist  
ISA Certified Arborist FL-5343A  
ISA Tree Risk Assessment Qualified (TRAQ)



**ASSUMPTIONS, LIMITING CONDITIONS and DISCLAIMER**

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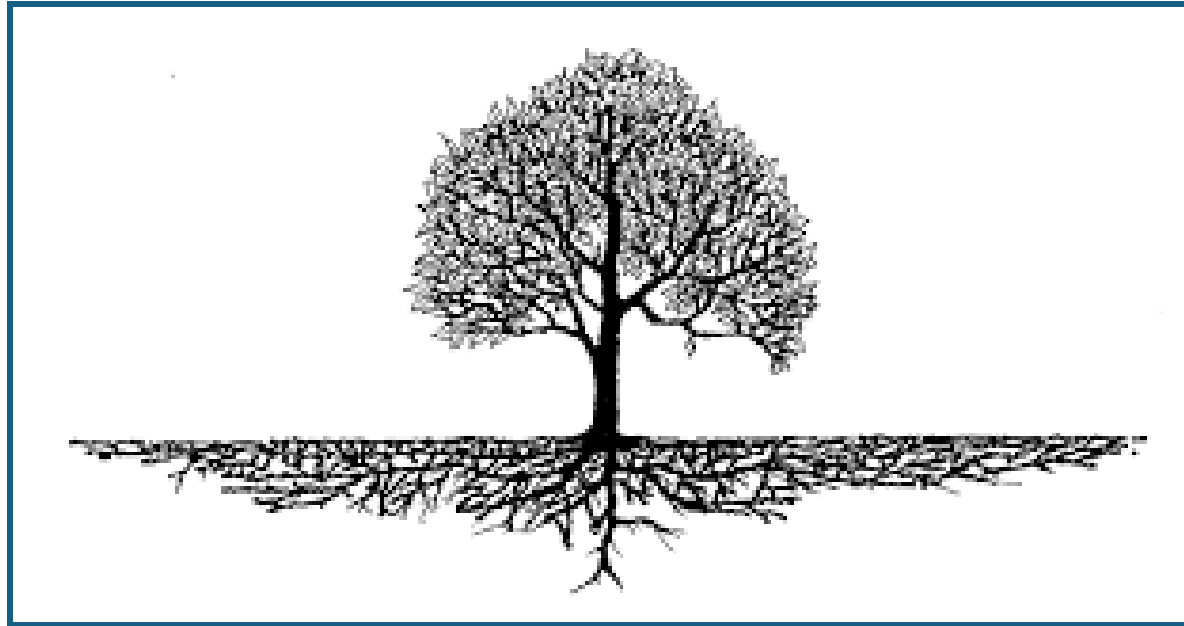
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# Tree Protection Zone



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Ray (386) 295-0481**

**PLANNING DIVISION STAFF REPORT  
TO  
PLANNING BOARD**

**DATE:** October 9, 2025  
**APPLICATION NO.:** V25-161  
**STAFF PLANNER:** Sam Nelson, *Planner I*  
**APPLICANT:** Michael Arth, Owner  
**REQUEST:** Request to Reduce the Required Class B Buffer Along the North Property Line From 15' To 4' And to Reduce the Required Class A Buffers From 15' To 0'.

**APPLICABLE ORDINANCE:** Article II - Section 33-18 Special Exceptions, Article 12 - Sec. 33-134 Procedures for obtaining a special exception; Article III – Section 33-27 Accessory uses

**SITE FACTORS:**

**Location:** 302 S. Hayden Ave.  
**Size:** ±0.35 acres  
**Land Use:** Medium Density Residential  
**Existing Zoning:** R-1 Single-Family Dwelling  
**Existing Use:** Single-Family Dwelling with an Accessory Dwelling Unit

	<b>SURROUNDING LAND USE:</b>	<b>SURROUNDING ZONING:</b>
<b>North:</b>	<b>Downtown Commercial</b>	<b>C-2A Downtown Commercial</b>
<b>South:</b>	<b>Medium Density Residential</b>	<b>R-1 Single-Family</b>
<b>East:</b>	<b>Medium Density Residential</b>	<b>R-1 Single-Family</b>
<b>West:</b>	<b>Medium Density Residential</b>	<b>R-1 Single-Family</b>

<b>R-1 Required Minimum Setbacks in feet</b>				
<b>Front (Hayden Ave)</b>	<b>Rear (Alabama Ave)</b>	<b>Side</b>	<b>Corner Lot: Street Side (Voorhis Ave)</b>	<b>Bed and Breakfast Landscape Buffers</b>
30'	25'	7.5'	15'	15'

<b>Variance Approved Setbacks in feet</b>				
<b>Front (Hayden Ave)</b>	<b>Rear (Alabama Ave)</b>	<b>Side</b>	<b>Corner Lot: Street Side (Voorhis Ave)</b>	<b>Vehicle Use Area Separation</b>
2'	0'	0'	15'	4'

**BACKGROUND:** The property is located within the R-1 Single-Family residential zoning district and has a future land use designation of Medium Density Residential. The surrounding area consists of single-family, multiple-family, and commercial uses. The property is also located within the Historic Garden District, which consists of numerous historic buildings southeast of downtown. The subject property is developed with a single-family residence, and an accessory dwelling unit, and also contains a parking area previously constructed for an off-site commercial use, which has since been abandoned. The applicant received approval for several variance requests to reduce setbacks and buffers to construct the existing buildings and parking lot, and is now seeking variance approval to remove the landscape buffering requirements for a bed and breakfast homestay.

**ANALYSIS:** The R-1 zone district allows a bed and breakfast homestay either by right or through a special exception subject to the requirements of Sec. 33-27.03. Prior to 2017, an applicant seeking to permit a bed and breakfast homestay would have been required to meet these standards without the option for relief through a special exception. In 2017, the City Commission adopted Ordinance 2017-24 to allow bed and breakfast homestays to be established in areas where they were previously not permitted through the special exception process subject to Sec. 33-134. Relief through the special exception process is offered for certain criteria, such as for the age of the buildings. Landscape buffers are not one of the criteria which can be relieved through the special exception process therefore, the applicant is requesting relief through a variance.

The conversion of a single-family residence into a bed and breakfast homestay requires landscaping buffers whether by right or through the special exception process. Per the code, 15-ft Class A & B landscape buffers are required to be provided around the perimeter of the property and to screen parking areas. Previous variance approval was granted to permit the buildings at their current footprints (Exhibit B), and also to reduce the landscape buffer around the parking area to 4-ft. Landscape buffers are not required for single-family dwellings, therefore additional relief was not sought prior to construction. Due to the proposed bed and breakfast homestay use, the previously approved placement of the buildings and parking area restricts the installation of the required landscape buffers and the applicant is requesting relief.

The purpose of providing landscape buffers is to create an attractive boundary and separation between different, and typically incompatible uses. While this property is located in a single-family zoning district, surrounding uses vary between single-family, multiple-family, and commercial. A new mixed-use development, DeLand Commons, has recently been constructed directly to the northwest. (Exhibit D) Additionally, the majority of surrounding buildings are historic and were not subject to building setback or landscape buffer requirements. Those buildings were constructed near the property lines without landscape buffers.

The parking area located on the subject property contains a landscape buffer, which was reduced to 4-ft from 15-ft through a variance. This buffer screens the parking area from vehicular and pedestrian view (Exhibit C). Several neighboring properties are also located within the C-2A Downtown Commercial zone district, which do not require landscape buffers and encourages building orientation to front the right of way. Due to these factors, the elimination of the required landscape buffer for a bed and breakfast homestay at this location is consistent with the development pattern and character of the surrounding area and unlikely to be injurious to surrounding properties.

**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 structures on the property were built at or near the property lines, and the property is located within a mixed-use historic district, which is unique when compared with most R-1 properties.*

2. 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 structure(s);

*Literal interpretation and enforcement of these Land Development Regulations is unlikely to deprive the applicant of rights commonly enjoyed by other properties in the same zoning district as other properties must provide the required landscape buffers for a bed and breakfast homestay. While other properties seeking a bed and breakfast homestay must provide the required landscape buffers, the surrounding area was largely developed prior to modern Land Development Regulation and therefore were not subject to many of today's standards such as setbacks and buffering. Literal interpretation and enforcement of the Land Development Regulation would cause unnecessary and undue hardship on the applicant as the applicant would need to demolish the existing structures to operate as a bed & breakfast homestay.*

3. 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, buildings or structures in the same zoning district;

*Granting of the variance will confer special privileges when compared with other R-1 district properties by allowing the applicant to operate a bed and breakfast homestay use without meeting the applicable special exception landscape buffer criteria, which must be met by other properties in the same zoning district.*

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 will not be in harmony with the general intent and purpose of these Land Development Regulations as the regulations require landscape buffering for bed and breakfast homestays and do not offer relief through the special exception. The granting of this variance is unlikely to be injurious to surrounding properties as surrounding properties are varied in uses, and were permitted to be constructed without landscape buffers.*

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

*For the applicant to operate a bed and breakfast homestay, the elimination of the requirement to provide landscape buffering is required. The applicant can continue to operate the property as a single-family dwelling with accessory dwelling unit*

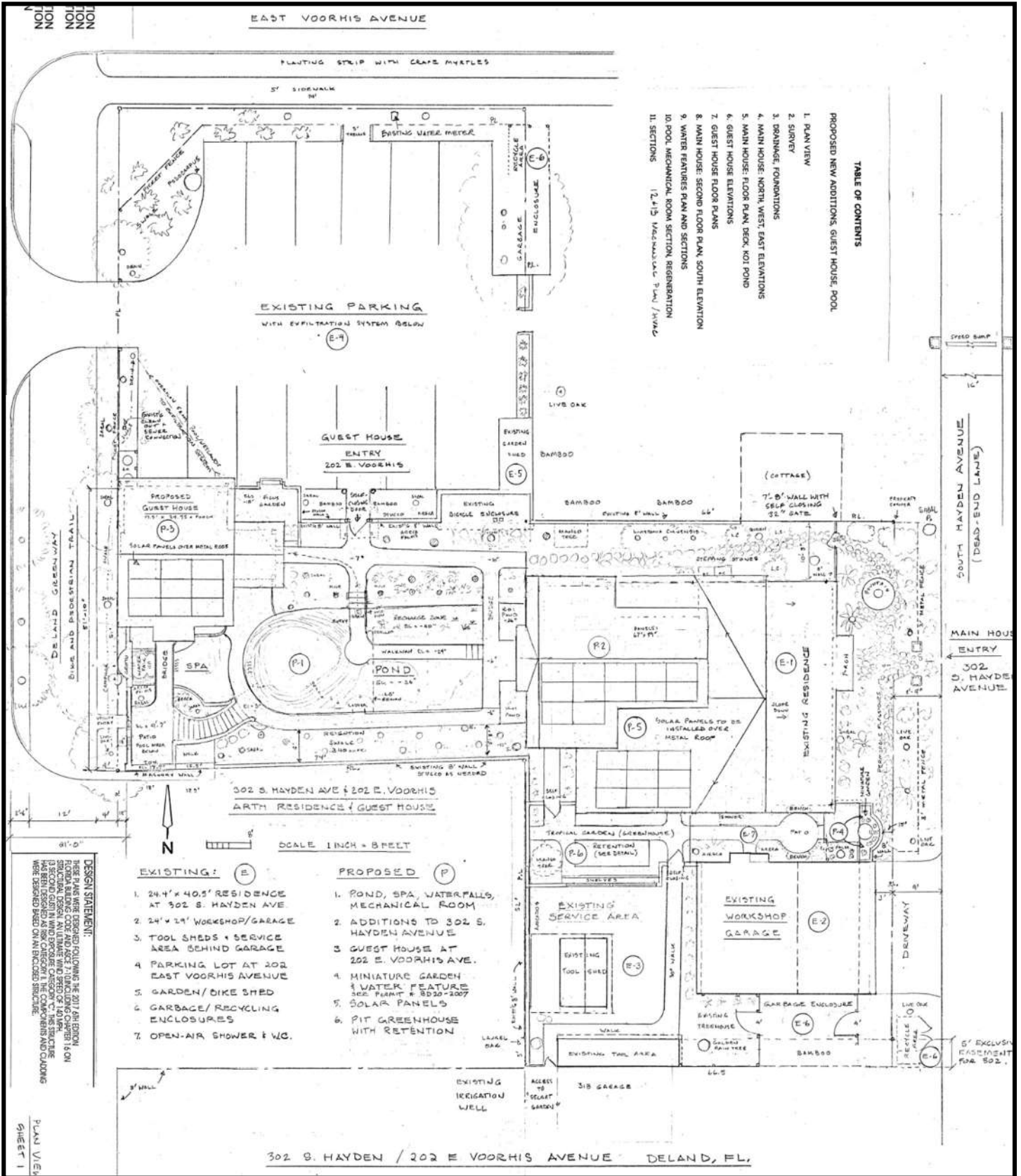
*without additional relief. The requested variances are the minimum necessary to operate as a bed and breakfast homestay use.*

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

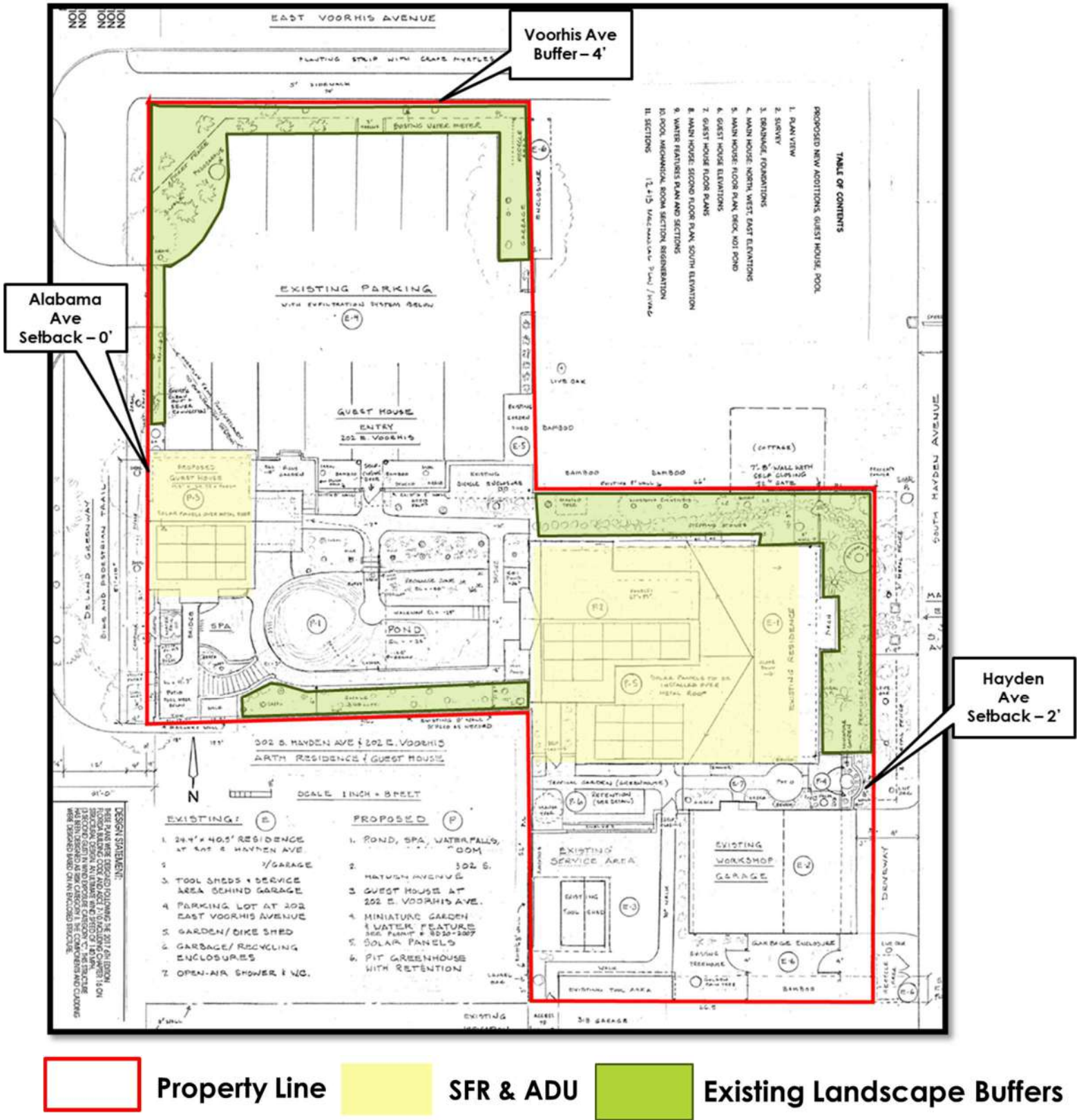
*At the time the site was developed and variances were approved, the applicant was unaware that other uses could require larger landscape buffers and would be subject to criteria at the time not considered.*

**STAFF SUMMARY:** The applicant is requesting a variance to reduce the required landscape buffers for a bed and breakfast homestay. The approved site layout prevents the installation of the required buffers and previous variance approval permitted a 4-ft landscape buffer to screen the parking area. The proposal is unlikely to be injurious to surrounding properties as the surrounding properties consist of a mixture of uses including commercial and multiple-family residential. If granted, the applicant will be required to obtain special exception approval from the City Commission to operate the bed and breakfast homestay. The Planning Board may choose to grant this variance, grant this variance with conditions, or deny this variance.

# EXHIBIT A Site Plan



# EXHIBIT B Existing Buffers and Setbacks



**TABLE OF CONTENTS**

PROPOSED NEW ADDITIONS: GUEST HOUSE, POOL

1. PLAN VIEW
2. SURVEY
3. REMAINING FOUNDATIONS
4. MAIN HOUSE: NORTH, WEST, EAST ELEVATIONS
5. MAIN HOUSE: FLOOR PLAN, CROCK, HOT POND
6. GUEST HOUSE ELEVATIONS
7. GUEST HOUSE FLOOR PLANS
8. MAIN HOUSE: SECOND FLOOR PLAN, SOUTH ELEVATION
9. WATER FEATURES PLAN AND SECTIONS
10. POOL, MECHANICAL ROOM SECTION, RENOVATION
11. SECTIONS
12. 11'S VERTICAL CURB / WALK

- EXISTING:** (E)
1. 24' x 40.5' RESIDENCE AT 302 S. HAYDEN AVE
  2. TOOL SHEDS + SERVICE AREA BEHIND GARAGE
  3. PARKING LOT AT 202 EAST VOORHIS AVENUE
  4. GARDEN / DIKE SHED
  5. GARBAGE / RECYCLING ENCLOSURES
  6. OPEN-AIR SHOWER + WC.
- PROPOSED:** (P)
1. POND, SPA, WATER FALLS, ROOM 302 S.
  2. HAYDEN AVENUE
  3. GUEST HOUSE AT 202 E. VOORHIS AVE.
  4. MINIATURE GARDEN + WATER FEATURE
  5. SOLAR PANELS
  6. PIT GREENHOUSE WITH RETENTION

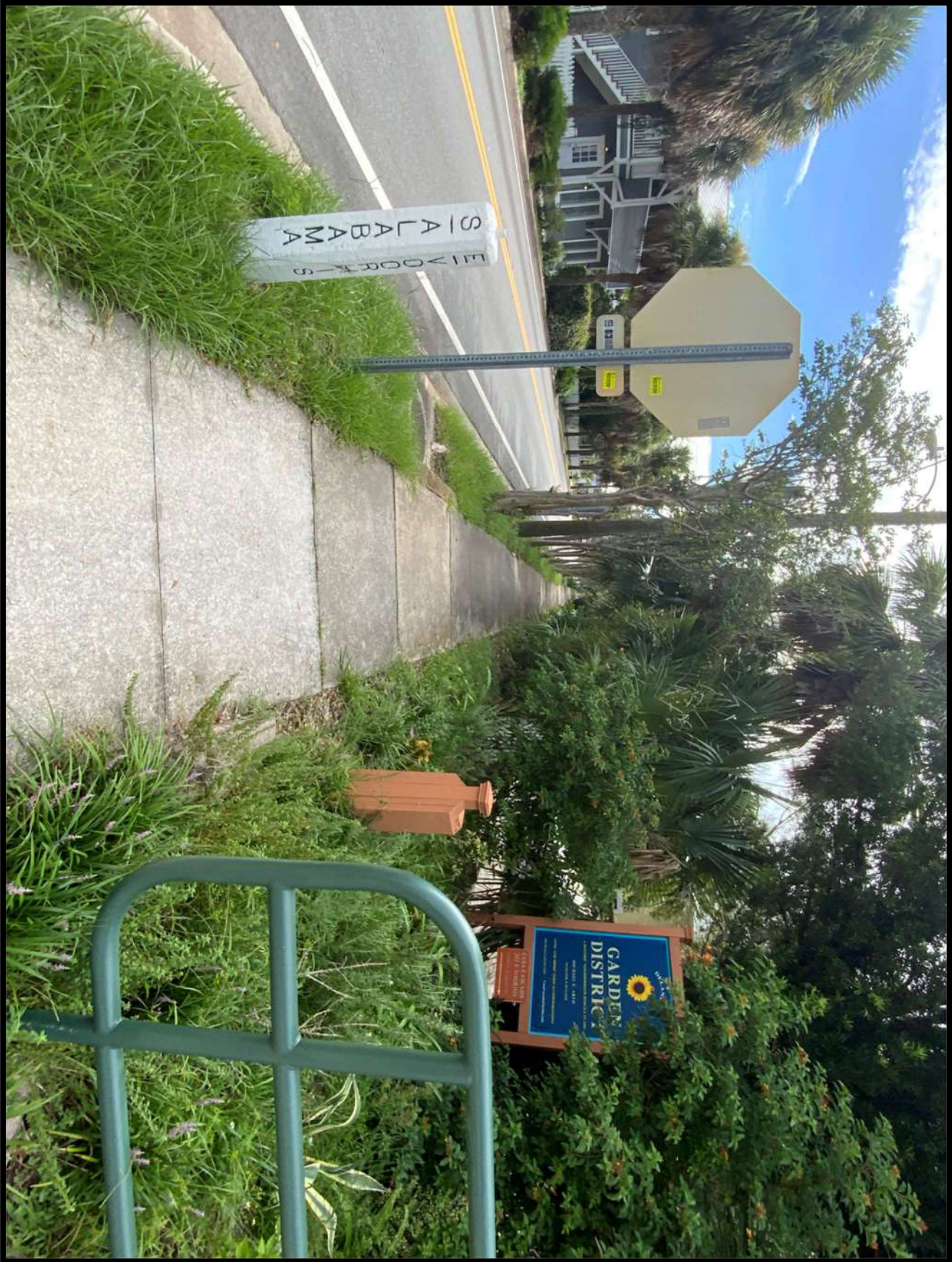
**EXHIBIT C**  
**Existing Landscape Buffers**



**EXHIBIT C**  
**Existing Landscape Buffers**



**EXHIBIT C**  
**Existing Landscape Buffers**



# EXHIBIT D

## Surrounding Properties



**EXHIBIT D**  
**Surrounding Properties**

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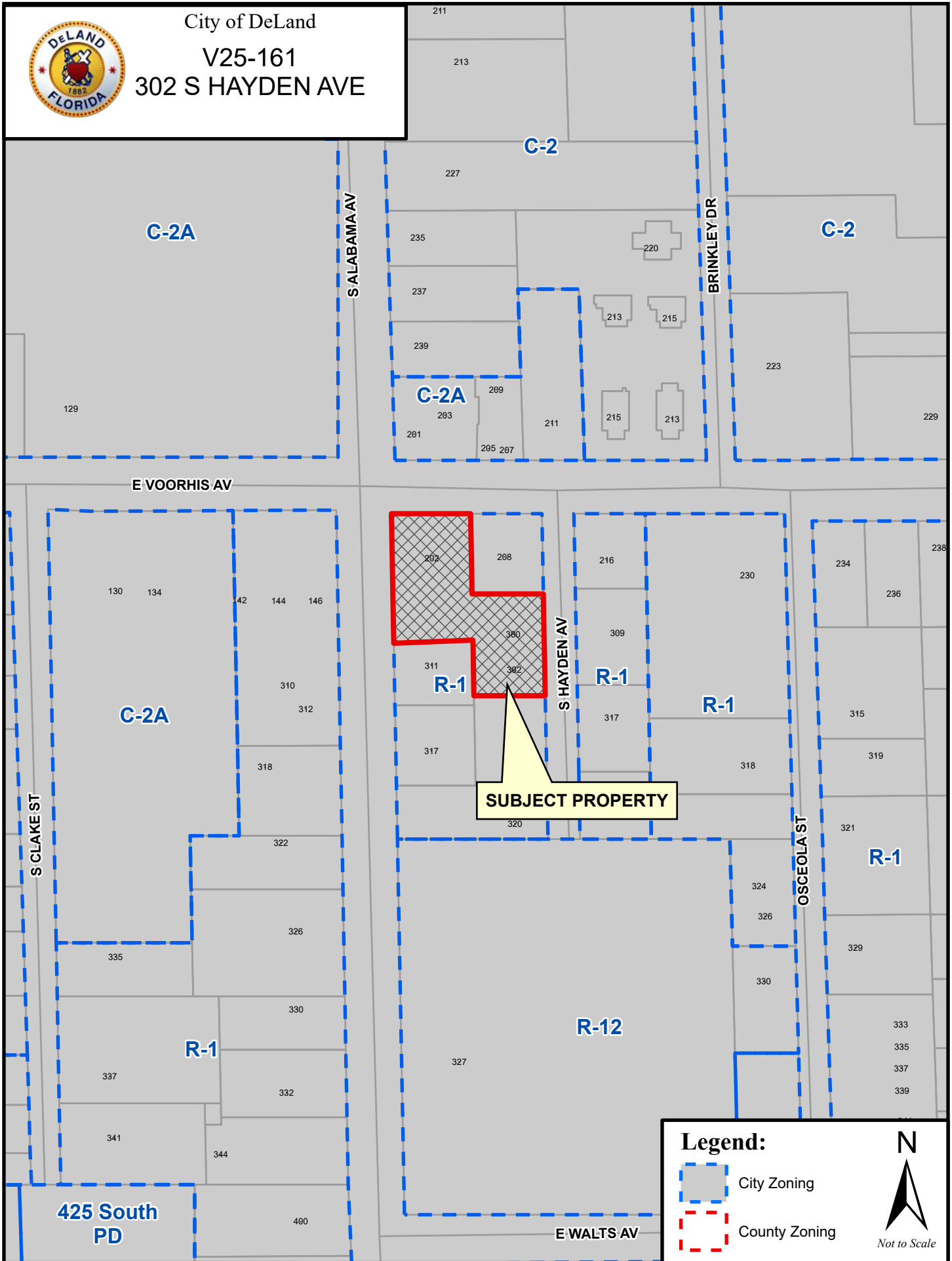
**EXHIBIT D**  
**Surrounding Properties**

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City of DeLand  
V25-161  
302 S HAYDEN AVE



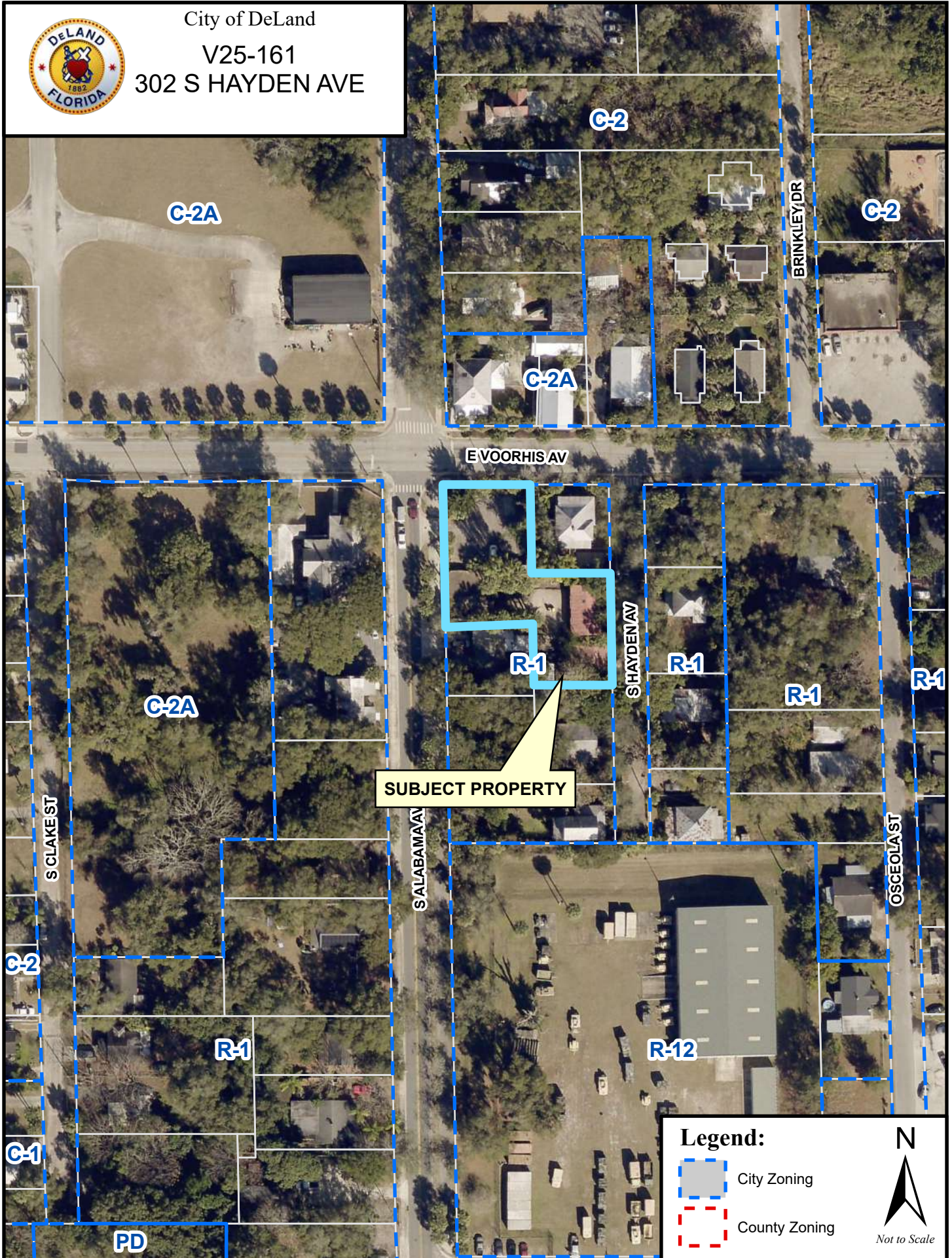
**Legend:**

- City Zoning
- County Zoning



**N**  
  
Not to Scale



City of DeLand  
V25-161  
302 S HAYDEN AVE



**Legend:**

-  City Zoning
-  County Zoning



## **Applicant/Owner's Statement regarding the age of the property and the buffers**

### **Regarding the age of building requirement, the applicant states:**



The subject property (shown in 1915) consists of 2 combined lots with 2 addresses. The main house is 302 S. Hayden and the guest house is 202 E. Voorhis. 302 is to the left & house at 202 is on right.

The subject property consists of two combined lots with a main house at 302 S Hayden Ave, and a guest house at 202 E Voorhis Ave. The buildings on these two lots date back to as early as 1910, with the traditional Spanish Colonial Revival improvements being finished in 2025.

I created Downtown DeLand's Historic Garden District, where this B & B is located, in the early 2000s after restoring around 33 historic dwelling units consisting of single family homes, duplexes, and one four-unit apartment building. The oldest house in the Garden District dates to 1903. From the 1970s to 2001, this neighborhood was a dangerous drug slum known as "Crack Town."

The guest house replaces a circa 1910 house (see above photo) that was moved to a movie set in the 1990s. I planted many trees that were already mature, beginning in 2001, so the architecture, combined with the landscaping, makes people assume it is one of the DeLand's oldest buildings. Some of the architectural elements, including windows, doors, portals, and built-ins date to the 19th century.

### **Regarding the landscape buffer zone, the applicant states:**

The only reason the buffer requirement is not met at the subject property, located along part of the Alabama Greenway, is because I obtained a zero setback variance from the DeLand City Commission in 2018. The variance was granted owing to the unique character of the historic neighborhood and because it fits in with the eclectic, non-conforming setbacks of surrounding homes. Also, I planted hundreds of trees and plants in the Garden District to set the historic, traditional buildings in a lush, mature botanical garden unlike typical housing developments.



View from the northeast corner at Voorhis & Alabama showing buffer



Entrance to the parking, showing the side setback along the Alabama Greenway

About 60 feet of the frontage on South Alabama consists of the landscaped parking lot with a 60 ft. setback. The other 52 feet has a very small setback, but still has a landscaped planting strip with mature palms and a 35' tall live oak tree.

Surrounding houses located at 201 E. Voorhis, 205 E. Voorhis, 208 E. Voorhis and nearly all the buildings on South Hayden Avenue, have non-conforming setbacks. A former mom and pop grocery store built in 1903 at 205 E. Voorhis actually has a second story overhanging part of the sidewalk.

Bringing the guest house at 202 E. Voorhis close to the Alabama Greenway added character and interest, and the Greenway and landscaped medians together create a 20 ft. buffer from the automobile traffic on South

Alabama Avenue.

The buffer from East Voorhis Avenue is about 60 feet, which includes a heavily landscaped parking lot, and mature street trees. The garden gate to the courtyard of the bed and breakfast is set back about 60 feet from East Voorhis, and it faces the parking lot. The subject property is across the street from commercial zoning, and catty corner from the 180 unit DeLand Commons.