



**CITY OF DELAND  
REGULAR MEETING OF THE PLANNING BOARD  
FEBRUARY 11, 2026 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 December 10, 2025 meeting minutes.

**VARIANCE OLD BUSINESS**

**VARIANCE NEW BUSINESS**

1. Applicant Name: Douglas Gregson  
Project Number: V25-209 - Variance Request  
Project Location: 418 N. Frankfort Avenue  
Project Description: Variance request To reduce the required side yard setback for a single-family residence from 10-feet to 3-feet for a garage addition and to reduce the required number of parking spaces for a single-family residence and accessory dwelling unit from five (5) to three (3)  
Project Planner: Christopher Carson, AICP

**PLANNING - OLD BUSINESS**

**PLANNING - NEW BUSINESS**

1. Applicant Name: Mark Watts, Esq. - Cobb Cole  
Project Number: Z25-168 – Rezoning  
Project Location: Northeast corner of S. Amelia Ave. and E. Howry Ave.  
Project Description: Rezone ±1.47 acres from  
Project Planner: Emily Kunkel

**OTHER BUSINESS**

1. Rescheduling of September and November 2026 Meetings.
  1. September 9, 2026 meeting to be rescheduled due to City Commission meeting. Proposed dates: Thursday, September 10th or Wednesday, September 16th.
  2. November 11, 2026 meeting to be rescheduled due to Veteran's Day. Proposed dates: Thursday, November 12th or Wednesday, November 18th.

# ADJOURNMENT



**CITY OF DELAND  
PLANNING BOARD REGULAR MEETING  
MINUTES  
WEDNESDAY, DECEMBER 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	Absent
Nora Lewis	Present
Aaron Preston	Present
Don Liska	Present
Troy Baumgartner	Present
Harper Hill, <i>Vice Chairperson</i>	Absent
Jeremy Owens, <i>Chairperson</i>	Present

**Quorum: Yes**

Present – Darren Elkind, City Attorney; Carol Kuhn, Planning Director; Chris Carson, Interim Principal Planner – Current Planning; Kendall Story, Senior Planner; Belinda Williams-Collins, Senior Planner; Samiel Nelson, Planner I; 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 November 12, 2025 Meeting Minutes.

Mr. Preston moved to approve the November 12, 2025 meeting minutes. Mr. Liska seconded the motion. The board unanimously voted to approve the November 12, 2025 Meeting Minutes.

**PUBLIC PARTICIPATION PROCEEDINGS**

Mr. Owens read the Public Participation procedures.

**VARIANCE OLD BUSINESS**

None.

**VARIANCE NEW BUSINESS**

Applicant Name: Gerard Galluci  
Project Number: V25-190 - Variance Request  
Project Location: 1141 N. McDonald Avenue  
Project Description: Variance request to reduce the required rear yard setback from 25 feet to 20 feet to construct an addition.  
Project Planner: Samuel Nelson

Gerard Galluci, as applicant, was present and available to answer questions from the board.

Mr. Preston moved to recommend approval for this item, with the condition that the addition never be walled in beyond the proposed screen. Mr. Liska seconded the motion. The applicant agreed to the condition. The motion to recommend approval, with the condition, passed unanimously.

**OLD BUSINESS**

None.

**PLANNING – NEW BUSINESS**

1. Applicant Name: Harry MacNaught - Longleaf Four, LLC  
Project Number: PSB24-150 - Preliminary Plat for DeLand Tech Park  
Project Location: 1445 Cassadaga Road  
Project Description: A preliminary plat to allow for construction of roadway and retention ponds on 144.88 acres of property, known as DeLand Tech Park  
Project Planner: Kendall Story

Mark Watts, Esq., of Cobb Cole, on behalf of applicant, was present and available to answer questions from the board. Jeff Swisher, of Kimley-Horn, was also present and available to answer questions from the board.

Ms. Lewis moved to recommend approval for this item, with the below-listed conditions. Mr. Preston seconded the motion. The motion to recommend approval passed unanimously.

**CONDITIONS:**

- a. The applicant shall revise the preliminary plat to show all public roadway as right-of-way, rather than tracts. The tract tables and site data tables shall also be revised to reflect the right of way designation.
- b. To minimize stormwater impacts and ensure the site is stabilized for the duration of the development, all areas disturbed by construction, and soil stockpiles, shall be stabilized as soon as possible to reduce the duration of soil exposure to runoff events and the potential for erosion. All stockpiles shall be encompassed by silt fence. All disturbed areas which are either final graded, or will remain inactive for a period of more than seven (7) days, shall be required to be stabilized within seven (7) days of the completion of the grading activities.
- c. Provide security for delayed installation of landscaping for the most southerly portion of Ulysees Drive for a period not to exceed two (2) years from issuance of the Development Order.

2. Applicant Name: Mark Watts, Esq. - Cobb Cole

Planning Board Meeting Minutes – December 10, 2025

Project Number: SMLU24-154 – Comprehensive Plan Amendment

Project Location: Northwest of the intersection of E. Rich Ave. and N. Hill Ave.

Project Description: Land use change for ±1.49 acres from Low Density Residential (LDR) To Medium Density Residential (MDR)

Project Planner: Kendall Story

Mark Watts, Esq., of Cobb Cole, on behalf of applicant, was present, made a presentation and answered questions from the public and the board.

Public Participation: Cindy Fox is concerned with water run-off. Mr. Watts responded that the St. Johns Water Management have standards in the event of a 25-year, 24-hour storm event, and the City of Deland has even more stringent standards requiring that water would not flow off the site.

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

3. Applicant Name: Mark Watts, Esq. - Cobb Cole

Project Number: Z24-153 – Rezoning for North Hill Villas

Project Location: Northwest of the intersection of E. Rich Ave. and N. Hill Ave.

Project Description: Rezone ±1.49 acres from R-1B (Single-Family Dwelling) to North Hill Villas Planned Development

Project Planner: Kendall Story

Mark Watts, Esq., of Cobb Cole, on behalf of applicant, was present and available to answer questions from the board.

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

**OTHER BUSINESS**

None.

**ADJOURNMENT**

The meeting ended at 6:15 p.m.



**PLANNING DIVISION  
STAFF REPORT TO  
PLANNING BOARD**

**A. DATE:** February 11, 2026  
**APPLICATION NO.:** V25-209  
**STAFF PLANNER:** Chris Carson, AICP, *Interim Principal Planner*  
**APPLICANT:** Douglas Gregson, Owner  
**REQUEST:** To reduce the required side yard setback for a single-family residence from 10-feet to 3-feet for a garage addition and to reduce the required number of parking spaces for a single-family residence and accessory dwelling unit from five (5) to three (3).

**B. APPLICABLE REGULATIONS:**

**Article II Primary Uses**  
 Sec. 33-17.04 – R-1B - Single-Family Dwelling District  
**Article III Accessory Uses and Structures**  
 Sec. 33-28.01. – Accessory Structures  
**Article VIII Development Design and Improvement Standards**  
 Sec. 33-91.03 – Number and type of parking spaces required

**C. SITE FACTORS:**

**Location:** 418 N Frankfort Ave  
**Parcel Size:** ± 0.24 acres  
**Existing Zoning:** R-1B Single-Family Dwelling  
**Existing Land Use:** Low Density Residential

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

<b>Setbacks (Feet):</b>	<b>Required</b>	<b>Proposed</b>
<b>Front (East)</b>	30'	30.5'
<b>Rear (West)</b>	25'	72'
<b>Side (South)</b>	10'	3'
<b>Side (North)</b>	10'	10'

**D. BACKGROUND:** The property located at 418 N Frankfort Avenue is zoned R-1B, single-family dwelling and the future land use designation is Low Density Residential (LDR). The property was platted as part of the Orange Crest Deland subdivision in 1926 with 50' wide lots. The surrounding area is developed mostly consistent with the plat layout with primarily single-family residences and a church immediately south of the subject property.

At the May 6, 2019 meeting of the DeLand City Commission the City of DeLand adopted 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. The requirement was further amended at the June 19, 2023 meeting of the City Commission, where 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 total overall parking numerical requirement was maintained. This subject property is located inside of the Core Gateway District and thus exempt from the interior parking requirement.

The property was developed in 1959, with a ± 988 sq. ft. single-family residence and a ± 484 sq. ft. accessory dwelling unit (ADU). The existing driveway can currently accommodate parking for two vehicles.

Since the property was developed prior to 2019, it does not meet the current parking requirements, but meets all other dimensional and setback standards of the R-1B zoning district.

The applicant is requesting to construct a 2-car garage which will bring the property into greater conformance with Sec. 33-91.03 by providing 3 total parking spaces in lieu of the 5 required spaces. According to the applicant, the garage will provide a safe, dedicated space for a vehicle to be used by an elderly family member occupying the accessory dwelling. The garage was configured to provide the most direct and safe route in case of emergencies. To meet the needs of the family, the applicant is requesting a setback reduction to the required side yard setback from 10-ft to 3-ft. At one point, the property consisted of an attached carport for a single vehicle over the existing concrete slab immediately south of the home but that was demolished.

**E. ANALYSIS:** The applicant is proposing to construct a 24-ft by 24-ft 2-car garage addition to the existing residence. The subject property is 75-ft wide at the street line and 140-ft deep, with a size of ± 10,500 square feet. The existing single-family residence is ± 988 square feet in area and conforms to the dimensional and setback requirements of the R-1B zoning district. The subject property is not irregularly shaped and no unusual site conditions are present. Surrounding properties are similar in size, shape, and appearance and appear to meet the requirements of the R-1B zoning district.

The applicant's proposal to construct a garage addition to the south of the residence will encroach into the required 10-ft side-yard setback by 7-ft. Due to this encroachment, the applicant is requesting variance approval to reduce the required side yard setback for a single-

family residence to 3-ft to allow this addition. It appears that other neighboring residences within 500 feet meet the required setbacks.

The applicant has received a letter of support from Calvary Baptist Church, who immediately abuts the side, where the setback reduction is proposed.

Sec. 33-91.03 requires five (5) parking spaces for the three-bedroom, single-family residence and accessory dwelling unit. The applicant is requesting to provide a total of three (3) off-street parking spaces on the property, which will bring the existing nonconforming property into greater compliance with code but will be deficient of the requirement by two (2) spaces. Most of the properties in the surrounding area do not appear to meet the parking requirements of Sec. 33-91.03.

There is an option to construct a tandem 2-car garage over the existing slab without the need for a variance. The applicant could also accommodate a fourth parking space by constructing an addition to the driveway, but that could lead to additional impervious surface, and reduced drainage flow. The other option is to construct a detached, 2-car garage which would need to meet the 7.5-ft accessory structure setback.

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

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

*There are no special conditions or circumstances unique to the property or residence. All dimensional and setback standards for the R-1B zoning district are currently provided or exceeded.*

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 would not prohibit the applicant from the construction of a 2-car garage; however, alternatives could provide operational issues as well as an increase in impervious surfaces.*

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;

*While granting of the variance will confer special privileges when compared with other R-1B district properties as it would allow the applicant to expand their residence into the required side-yard setback area, which all other single-*

*family residences (SFRs) in the R-1B district must observe, the request will bring the property into greater compliance with Sec. 33-91.03.*

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 purpose and intent of the R-1B Single-Family Residential District is to provide affordable, low density residential neighborhoods in an urban setting with less stringent development standards than the R-1A district.*

*The applicant has received a letter of support from Calvary Baptist Church to the south, due to the existing vegetation that exists between the Church and residence. Additionally, many other properties within the subdivision are nonconforming to current parking standards. Therefore, the granting of this variance will be in harmony with the general intent and purpose of these Land Development Regulations and is unlikely to be injurious to surrounding properties.*

5. The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building or structure; and  
*The request is the minimum variance necessary to construct the garage as proposed.*

6. The special conditions or circumstances are not the result of actions of the applicant or owner.  
*The applicant's property has existed as a developed site since 1959 prior to acquisition by the applicant. Therefore, the circumstances are not the result of the applicant's actions.*

**G. STAFF SUMMARY:** The applicant is requesting a variance to reduce the required side yard setback for a single-family residence from 10-feet to 3-feet to allow the construction of a 2-car garage addition. The applicant is also requesting a variance to reduce the number of required parking spaces from five (5) to three (3). The subject property meets all other R-1B standards. The Planning Board may grant this request as presented, grant this request with any conditions or safeguards deemed necessary, or deny this request. If approved, the applicant may submit for building permitting.

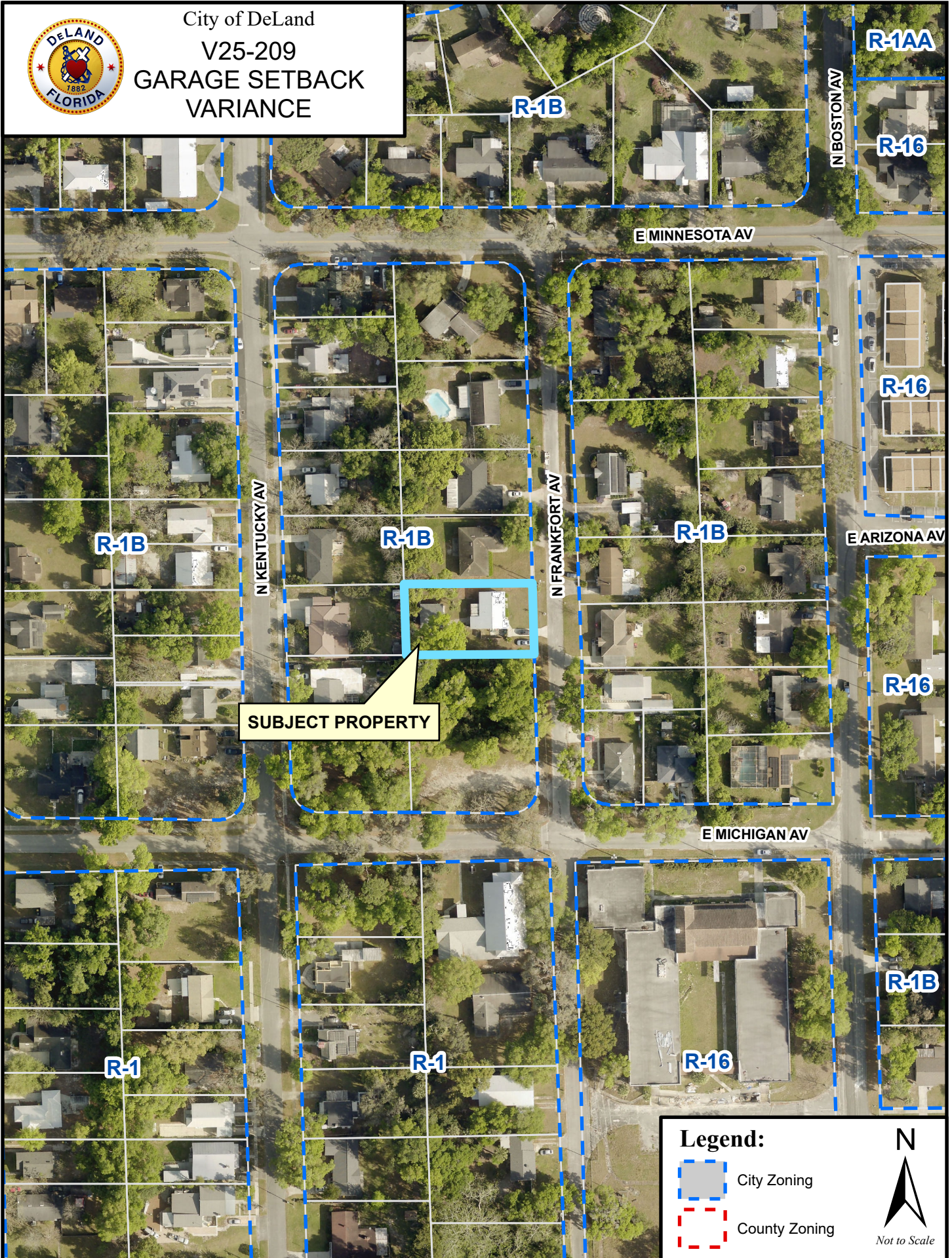
Staff finds the request does not meet the hardship criteria as defined in Sec. 33-103.03 of the Land Development Regulations. The Planning Board may choose to grant this variance request, grant this variance request with conditions, or deny this variance request.

## **ATTACHMENTS:**



- Aerial Map
- Zoning Map
- Orange Crest Deland Plat
- Applicant Narrative & Justification
- Calvary Baptist Church Letter of Support



City of DeLand  
V25-209  
GARAGE SETBACK  
VARIANCE



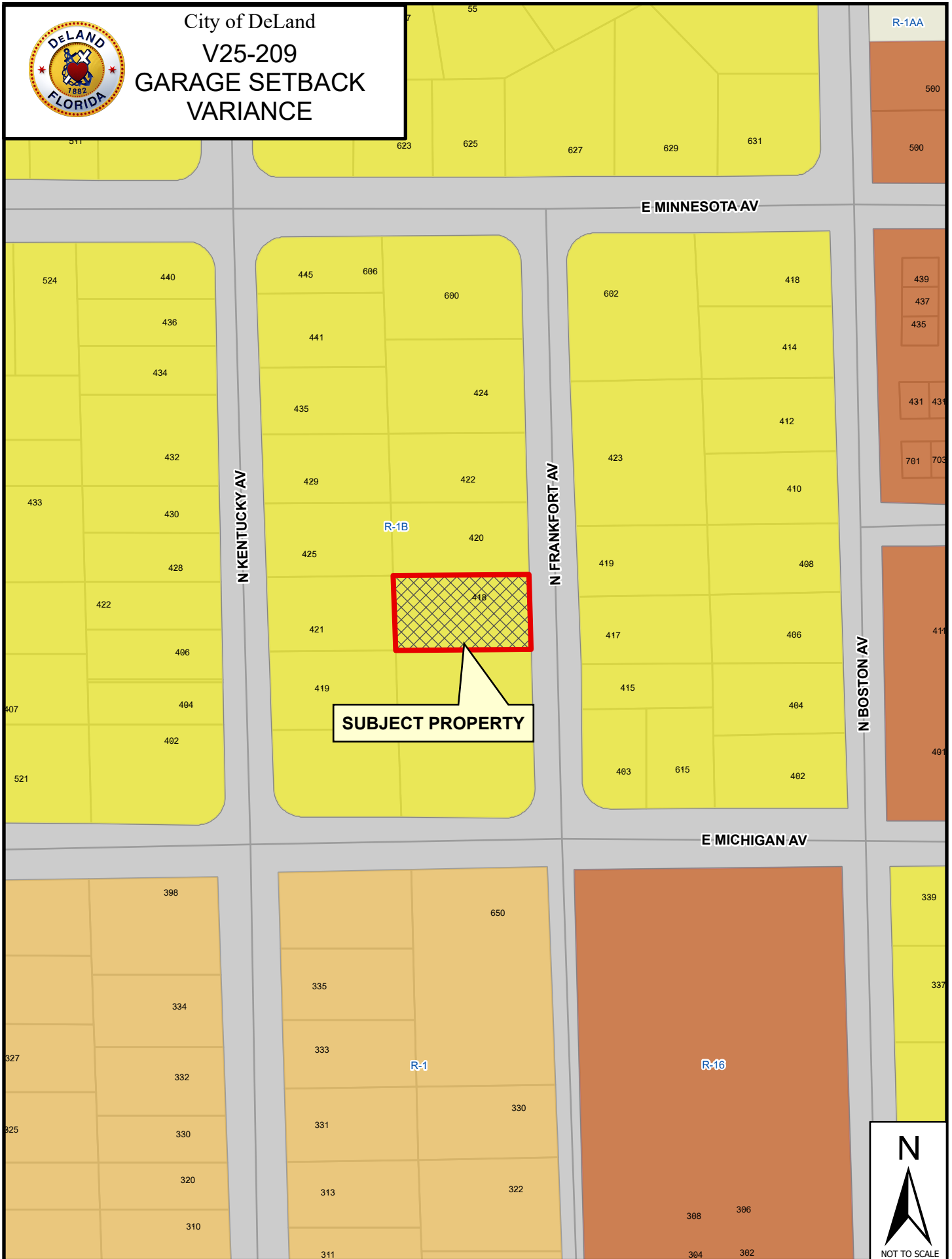
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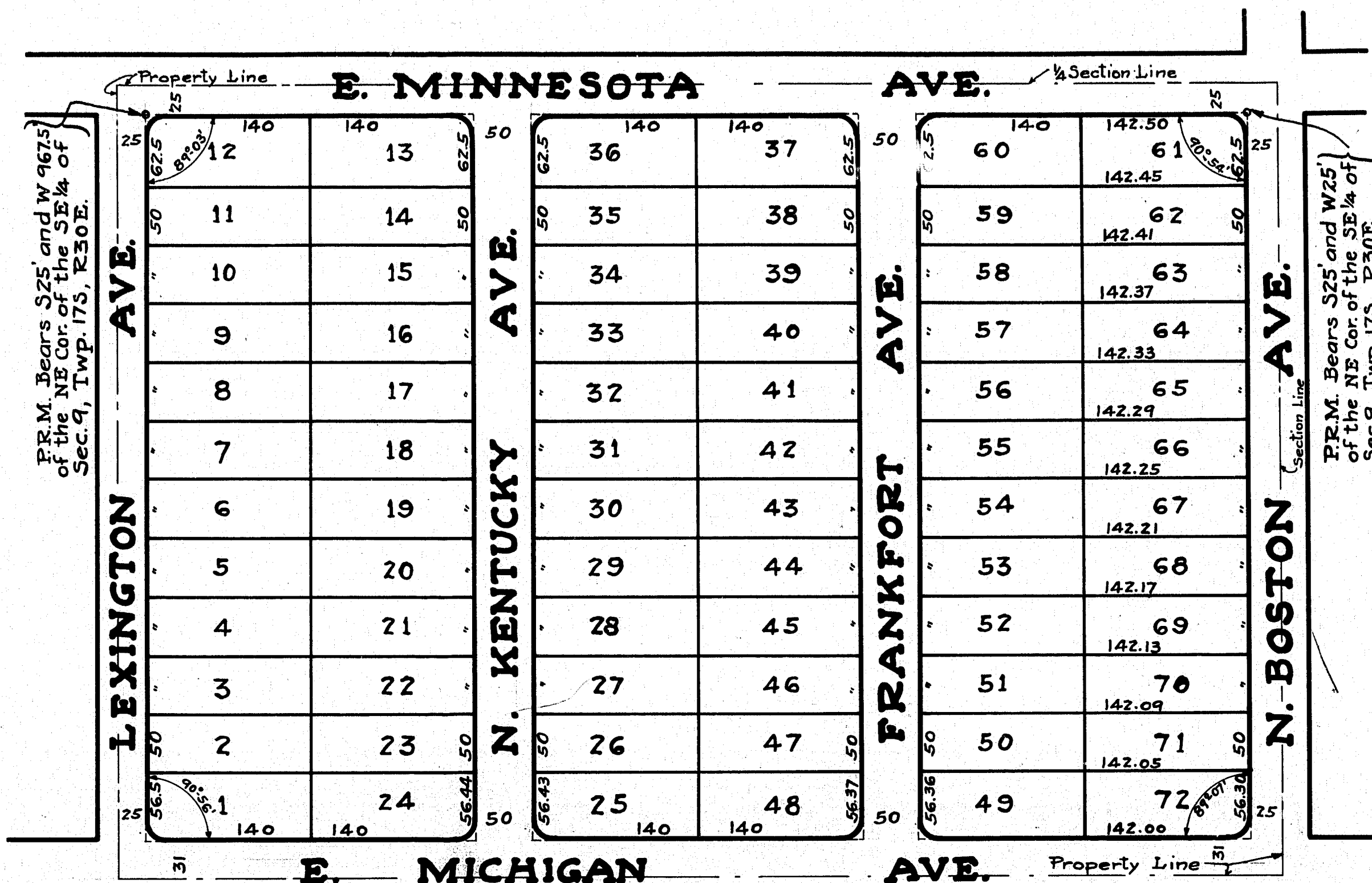
-  City Zoning
-  County Zoning





City of DeLand  
V25-209  
GARAGE SETBACK  
VARIANCE





PR.M. Bears S25' and W25' of the NE Cor. of the SE 1/4 of Sec. 9, Twp. 17S, R30E.

PR.M. Bears S25' and W 967.5' of the NE Cor. of the SE 1/4 of Sec. 9, Twp. 17S, R30E.

Certified in compliance with Survey Laws of 1925 and filed for record this FEB 2 1926

*Samuel Jordan*  
Clerk Circuit Court.  
*Clifford B. Bell*

Note! All radii 15'

# Orange Crest

DE LAND FLORIDA

Being a subdivision of Block 110 and the E 1/2 of Block 111, in the city of De Land, Volusia County, Florida.  
January 12<sup>th</sup> 1926. Scale 1"=100'

We hereby certify that this map is a correct representation of the land platted and that permanent reference monuments have been placed as required by law.

VOLUSIA COUNTY ABSTRACT CO., Engrs.  
By *J. M. Vallentine*  
State Certificate No. 569

Approved  
By *Dr. J. T. Grant* Mayor  
De Land City Council  
*E. M. ...*

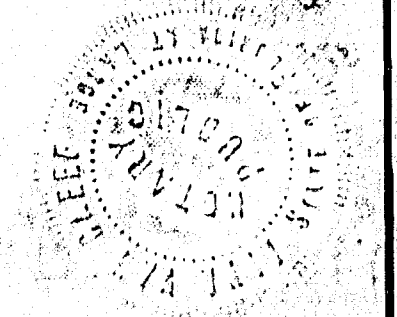
Know all men that the Emerson Dendy Barkley Corp. is owner of the above described land, and has caused the same to be subdivided as shown, and hereby dedicates to the public use all streets and avenues within their property lines as shown hereon.

By and with authority of the Directors of the above named Emerson Dendy Barkley Corp.  
Signed and sealed in the presence of:  
Emerson Dendy Barkley Corp. Witness *J. P. ...* By *Chas. S. Emerson* President  
*Anna ...* Witness Attest *N. W. Dendy* Secretary

STATE OF FLORIDA }  
COUNTY OF VOLUSIA }

Before me this day personally appeared Chas. S. Emerson, President and N.W. Dendy, secretary of the Emerson Dendy Barkley Corp., to me personally known, and acknowledged the due execution by them of the foregoing dedication, and having been done by due corporate authority.

Witness my hand and seal this 12<sup>th</sup> day of January, 1926.  
*Anna ...* Notary Public  
My Commission Expires *Jan. 12<sup>th</sup>, 1929.*





**REQUEST FOR DIMENSIONAL VARIANCE**

To: City of DeLand, Florida Department: Property Records and Planning Division Date: October 28, 2025

**I. PROPERTY OWNER AND PROJECT INFORMATION**

<b>Owner Detail</b>	<b>Lot 44 and N. 1/2 Lot 45 Owner</b>	<b>S. 1/2 Lot 45 Owner (Consenting Party)</b>
Name(s)	Douglas C and Denise M Gregson	Calvary Baptist Church
Mailing Address	418 N. Frankfort Ave, Deland FL 32724	650 E. Michigan Ave, DeLand FL 32724
Phone Number	224-428-6910	386-734-3139
Email Address	<a href="mailto:dgregson@mail.com">dgregson@mail.com</a>	
Subject Property Address	418 N. Frankfort Ave, Deland FL 32724	650 E. Michigan Ave, DeLand FL 32724
Parcel ID(s)	Lot 44 and North 1/2 Lot 45	South 1/2 Lot 45
Zoning District	R-1B	R-1B

**II. NATURE OF THE REQUEST**

A dimensional variance is hereby requested from the minimum **side yard setback requirement** specified by the City of DeLand zoning ordinances for the replacement and construction of a new carport/garage structure on **Lot 44 and N. 1/2 Lot 45**.

<b>Standard Requirement</b>	<b>Proposed Measurement</b>	<b>Variance Requested</b>
Minimum Side Yard Setback: 10 feet	Proposed Setback: 2 feet (3 feet from property line minus 1 foot for irregular margin)	Variance Required: 8 feet (7 feet plus 1 foot for margin)

The proposed new structure will be a **24 ft x 24 ft** garage/carport, replacing an older, non-compliant carport that was removed in 2020. The proposed setback from the south property line (bordering the S. 1/2 Lot 45) is 2 feet.

**III. JUSTIFICATION FOR HARDSHIP AND ACCESSIBILITY**

This request is based on the following justifications:

- 1. Accessibility and Mobility Hardship:** The primary residence for a parent/granny is located in the CBS Guest House structure on the rear of Lot 44. The intent of the new garage/carport is to provide a dedicated, covered space for a vehicle to access this rear residence.
- 2. Mitigating Future Disability:** The parent is aging, and this variance is critical to ensuring **automobile accessibility** to their residence in the event they become **mobility-challenged or disabled**. The reduced setback is necessary to align the new structure's driveway and orientation

with the existing property layout to facilitate the most direct and safest access path for an elderly resident, especially in adverse weather or during a medical emergency.

3. **Unique Property Configuration:** The property's current layout, which includes the existing rear Parent/Granny residence and the desire to provide covered access, creates a practical difficulty in meeting the 10-foot setback without significant redesign, which would compromise the vital function of providing close-proximity, protected access for the mobility-impaired resident. The location of the previous carport also established a non-conforming precedent for this area of the property, which this replacement seeks to minimally change.
4. **Cooperation with Adjacent Owner:** This variance is requested with the full cooperation and consent of the owner of the adjacent **S. 1/2 Lot 45**, as evidenced by their signature below. The adjacent lot is owned by a local church and currently consists of an empty wooded area, functioning as a natural buffer between the church and housing. Therefore, the proposed 2-foot setback for the carport/garage will not interfere with the current or planned use of the adjacent property.

In summary, the variance is an **accessibility and hardship request** essential for the health and safety of the resident of the rear dwelling unit.

#### IV. SUPPORTING DOCUMENTS

The following document is attached and incorporated into this request:

- **Uploaded Graphic:** A survey sketch detailing the lot lines, existing structures, proposed **24 ft x 24 ft New Carport/Garage**, and the variance measurements detailed in RED (showing the 10-foot setback requirement, the 7-foot variance needed, and the proposed 3-foot distance from the property line).

#### V. SIGNATURES AND CONSENT

By signing below, the property owners confirm the accuracy of the information contained herein and consent to this application for a dimensional variance.

**Lot 44 and N. 1/2 Lot 45 Owner:** Douglas Gregson, Denise Gregson

[ Douglas Gregson ]

[ Denise Gregson ]

**S. 1/2 Lot 45 Owner (Consenting Party):** William Tate

[ William J Tate / MODERATOR ]

[ \_\_\_\_\_ ]

To: City of DeLand Planning Department / Planning Board

Date: December 20, 2025

Subject: Request for Variance and Administrative Relief – 418 N. Frankfort Ave.

Project: Construction of a 24' x 24' Detached Garage to Resolve Parking & Storage Constraints

Dear Members of the Planning Board,

I am submitting this request for relief regarding the property at 418 N. Frankfort Ave. This 1959-era property currently consists of a 3-bedroom primary residence and a 1-bedroom parent dwelling (ADU).

To modernize the property and address the city's off-street parking objectives, I am proposing the construction of a 24' x 24' (576 sq. ft.) detached garage. To make this project viable on this historic lot, I am requesting the following relief:

#### 1. Primary Relief: Minimum Off-Street Parking Requirements

Current regulations for a 4-bedroom total occupancy (main house + ADU) would require 5 off-street parking spaces. I am requesting a Variance to allow for 3 dedicated off-street spaces (2 internal garage spaces and 1 paved driveway space).

- **Justification:** Paving 5 spaces on this residential lot would create an unnecessary amount of "hard surface," likely exceeding the 45% Maximum Impervious Surface Ratio (ISR). By providing 3 high-quality spaces, we fulfill the practical needs of the residents while preventing excessive stormwater runoff and preserving the green space that defines Frankfort Avenue.

#### 2. Secondary Relief: Side Yard Setback (South Side)

To accommodate a 24-foot wide garage—which is necessary to functionally house two modern vehicles—I am requesting a 7-foot Variance from the 10-foot side setback, allowing for a 3-foot setback on the south property line.

- **Justification & Neighbor Support:** This request is a direct result of the narrow lot configuration established in the 1950s. Adhering to the 10-foot setback would force the garage width to 17 feet, making it a single-car garage and failing to address the neighborhood's parking needs.
- **The South Neighbor Context:** The property immediately to the south is owned by Calvary Baptist Church. I have been in close coordination with their leadership regarding this project. The Church has officially voted on and issued a formal letter of support for this 3-foot setback.
- **Buffer Status:** The Church-owned lot is currently wooded and functions as a permanent buffer to their primary facilities. There are no plans to develop this lot. As such, the proposed 3-foot setback will have zero adverse impact on the neighboring property, its usage, or its privacy.

## Conclusion

This project is a good-faith effort to bring a historic DeLand property into compliance with modern standards. The proposed garage layout is the most efficient way to provide 3 dedicated off-street parking spaces while respecting the environmental limits of the land. Given the formal support from our southern neighbor and the specific constraints of this 1950s lot, we believe this request is reasonable and beneficial to the community.

Thank you for your consideration.

**Sincerely,**

Douglas Gregson  
224-428-6910  
[dgregson@mail.com](mailto:dgregson@mail.com)



## CALVARY BAPTIST CHURCH

650 East Michigan Avenue, DeLand, Florida 32724

William L. Tate, Pastor

Church 734-3139

November 13, 2025

To Whom It May Concern:

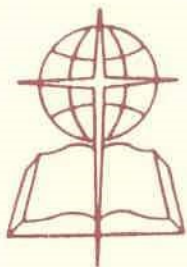
At our regular business meeting on November 12, 2025 under new business the topic of our neighbor Douglas Gregson's desire to seek a variance in setback rules came up for discussion. His property at 418 N. Frankfort Ave. abuts our property and he is looking to decrease the required setback on the side of his property next to our lot. The motion was made and unanimously passed to actively support this request. The reasoning was that the lot next to his property is vacant and has been left wooded. The reduction in distance of the proposed building would in no way create any adverse conditions as we have no intention of developing that part of our property.

We therefore support and ask that you approve his request for the variance.  
Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink that reads "William Tate". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Rev. William Tate, Pastor/Moderator.



## CALVARY BAPTIST CHURCH

650 East Michigan Avenue, DeLand, Florida 32724

William L. Tate, Pastor

Church 734-3139

November 13, 2025

To Whom It May Concern:

At our regular business meeting on November 12, 2025 under new business the topic of our neighbor Douglas Gregson's desire to seek a variance in setback rules came up for discussion. His property at 418 N. Frankfort Ave. abuts our property and he is looking to decrease the required setback on the side of his property next to our lot. The motion was made and unanimously passed to actively support this request. The reasoning was that the lot next to his property is vacant and has been left wooded. The reduction in distance of the proposed building would in no way create any adverse conditions as we have no intention of developing that part of our property.

We therefore support and ask that you approve his request for the variance.  
Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink that reads "William Tate". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Rev. William Tate, Pastor/Moderator.



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

**February 11, 2026**

**A. APPLICATION NO.:** Z25-168 (Ace Hardware PD Rezoning)  
**APPLICANT:** Cobb Cole  
**OWNER:** RZT Properties, LLC  
**STAFF PLANNER:** Emily Kunkel, *Senior Planner*  
**REQUEST:** Rezoning for ±1.47 Acres of Property, from C-2 (General Commercial) to Ace Hardware PD (Planned Development).

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

**C. SITE FACTORS:**  
**PARCEL NUMBER:** 701605000072 & 701605000051  
**LOCATION:** Northeast of the intersection of South Amelia Avenue and East Howry Avenue  
**SIZE OF PROPERTY:** ±1.47 acres

**D. LAND USE DESIGNATION & ZONING OF SUBJECT PROPERTY:**  
**Future Land Use:** Mixed Commercial  
**Existing Zoning:** C-2 (General Commercial)  
**Existing Use:** Vacant

**E. SURROUNDING LAND USE & ZONING:**

	LAND USE	ZONING
<b>North:</b>	Mixed Commercial	C-2 (General Commercial)
<b>South:</b>	High Density Residential	R-16 (Multiple-Family Dwelling)
<b>East:</b>	Mixed Commercial	C-2 (General Commercial)
<b>West:</b>	Downtown Commercial	C-2 (General Commercial)

**F. BACKGROUND:** The subject property is ±1.47 acres in size, vacant and undeveloped. A portion of the site was previously developed as a bank with drive-thru lanes. The site is currently two separate lots, at the time of the site plan process, the applicant will be required to complete a lot consolidation. The current zoning is C-2 (General Commercial), and the applicant is requesting to rezone to the Ace Hardware PD (Planned Development) district. The subject property is located northeast of the intersection of South Amelia Avenue and East Howry Avenue, and located in the DeLand Plaza shopping center. Located north of the property are developed commercial uses; and apartment complexes to the south. To the east is the DeLand Plaza shopping plaza, and to the west is a mix of vacant and commercial use properties.

**G. ANALYSIS:** The applicant proposes to develop the site with a home improvement retail use, Ace Hardware. The property is currently zoned C-2 (General Commercial), which allows the proposed use but requires outdoor storage and outdoor display to be located at the rear of the building. The site currently contains a cluster of three (3) historic oak trees to the west of the proposed parking and building, and the remainder of the site consists of vacant land with existing pavement to be removed.

Due to the presence of the historic oak trees, the corner lot configuration, and the existing shopping plaza layout, the building was reoriented to face Amelia Avenue in order to meet the C-2 zoning district required setbacks, buffering, parking, while also utilizing the existing shopping plaza access. As a result, the applicant found there is no practical area for outdoor storage or outdoor display at the rear of the building. Therefore, the applicant is requesting rezoning to the Ace Hardware PD (Planned Development) district, to allow for the proposed outdoor display to be on the front of the building and the outdoor storage to be on the side of the building, and adequately screened, as outlined within the PD.

Per Sec. 33-32 of the Land Development Regulations, in return for flexibility in site design and development, Planned Developments (PDs) are expected to include exceptional design that preserves critical environmental resources and incorporates creative design in the layout of buildings. All development for the property shall rely upon the standards set forth below as identified on the Planned Development Plan. Where this document is silent, the C-2 zoning regulations shall apply.

As shown on the concept plan, and further outlined in the PD document, the applicant is proposing to have 500 sq. ft. of outdoor display at the front of the building and 1,036 sq. ft. of outdoor storage on the south side. The site will be enclosed with 5-ft black aluminum fencing; however, enhanced landscaping is proposed to be integrated with the fence along the south side to provide additional screening for the above-ground propane tank, dumpster, and outdoor storage. While the concept plan illustrates the overall site layout, site-specific details, such as impervious surface percentages and Tree Protection Areas will be addressed at the site plan phase.

The PD includes landscape designs standards intended to provide environmentally beneficial functions, including cooling, privacy screening, shade, aesthetics, and runoff pollution prevention. The perimeter landscape buffers are summarized in the table below, which compares the C-2 zoning district buffer requirements with the buffers proposed in the PD. As shown, the buffer widths along the north, south, and east boundaries exceed the minimum required standards.

LANDSCAPE BUFFERS		
	REQUIRED	PROVIDED
<b>NORTH</b>	N/A	None
<b>SOUTH (E. Howry Ave.)</b>	Type C (20ft – 35ft.)	20 ft. (except for required drive aisles) + 5 ft. black aluminum fence <i>The aluminum fence will be integrated with landscaping arranged in clusters to provide additional screening of the propane tank and outdoor storage and to ensure compatibility with this overall buffer design.</i>
<b>EAST</b>	N/A	5 ft. + retaining wall <i>Retaining wall shall be installed at least 5 ft. west from property line and shall begin just north of the proposed irrigation well and dumpster enclosure that will sit along this buffer.</i>
<b>WEST (S. Amelia Ave.)</b>	Type A (15 ft. – 20ft.)	Type “A” buffer (15 ft.)

The development shall comply with the city’s Land Development Regulations as well as International Dark Sky standards, designed to reduce light pollution by restricting upward-directed light and avoiding glare.

The on-site parking shall comply with the parking requirements within the Land Development Regulations. The calculations can be seen using the below table.

<b>PARKING</b>		
	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>RETAIL</b>	23	28
<b>ADA</b>	2	2
<b>TOTAL</b>	25	30

The Planned Development District is intended to provide a method for consideration and approval of unique zoning districts for individual Planned Developments (PD) which are not provided for or allowed in the zoning districts otherwise established.

The C-2 zoning district allows for general commercial uses, such as the proposed Ace Hardware; however, outdoor storage and outdoor display is limited to only in the rear of the building. Because the applicant is proposing outdoor storage along the south side of the building and outdoor display at the front of the building, deviations from the City’s C-2 zoning standards are requested through a proposed PD that would create a tailored zoning district for the project. The associated code deviations from C-2 to the Ace Hardware PD are outlined in the table below.

<b>DEVELOPMENT STANDARD DEVIATIONS</b>		
	<b>C-2 REQUIRED</b>	<b>PROPOSED (PD)</b>
<b>Max. Impervious (total site)</b>	60%	60%
<b>Maximum Building height</b>	80 ft.	80 ft.
<b>Maximum building length</b>	120 ft.	120 ft.
<b>Minimum lot area</b>	9,000 sq. ft.	9,000 sq. ft.
<b>Minimum lot width</b>	75 ft.	75 ft.
<b>Minimum floor area</b>		1,000 sq. ft.
<b>Minimum Building Separation</b>		20 ft. between sides of buildings 20 ft. between sides and rear of adjacent buildings 20 ft. between any combination of fronts or rears of adjacent buildings.
<b>Setbacks (Commercial)</b>	Front yard: 20 ft. Rear yard: 10 ft. Side yard (abutting residential): 25 ft. Side yard: 10 ft. Side yard (street): 20 ft.	Front yard: 20 ft. Rear yard: 10 ft. Side yard (abutting residential): 25 ft. Side yard: 10 ft. Side yard (interior): 10 ft. Side yard (street): 20 ft.
<b>Minimum building setback</b>		Street: 20 ft. Adjacent to other uses: 10 ft.

**School Concurrency:** Public-school concurrency review is not required for this project, as nonresidential developments are deemed de minimis under Sec. 33-41.07.

**Traffic Analysis:** A Traffic Impact memo was completed on September 22, 2025. The analysis determined that the project will generate 96 average daily trips, 46 peak hour A.M. and P.M. hour trips. Per Sec. 33-41.04 of the code, a full Traffic Impact Analysis is not required for projects that generate less than 1,000 daily trips.

**Stormwater:** A stormwater retention pond is being proposed along South Amelia Avenue. Per the proposed PD Agreement, the stormwater system will be designed to meet all required governmental regulations, and shall be designed to accommodate a 100-year, 24-hour storm event which will be retained on site.

**H. LAND DEVELOPMENT REGULATIONS:**

*Sec. 33-135 – Procedure for text amendments & rezoning of the Land Development Regulations provides the following factors to consider during the review of each application for rezoning or for changes in permitted uses, among the factors to be considered are the following:*

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

The proposed zoning of Planned Development (PD) is consistent with the Comprehensive Plan with an underlying land use designation of Mixed Commercial. The Mixed Commercial land use designation is considered compatible with the Planned Development (PD) zoning district, per the Comprehensive Plan.

The subject property is located on an existing lot within a commercial development, which constitutes infill development; south are apartment complexes; east is the DeLand Plaza shopping plaza; and to the west is a mix of vacant and commercial use properties. On the Future Land Use map, the surrounding properties are designated as Mixed Commercial to the north and east, High Density Residential to the south and Downtown Commercial to the west. The proposed Ace Hardware PD fits in with the mix of residential and commercial uses nearby by providing a neighborhood commercial component to serve the current and future residents of the City of DeLand.

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

The site currently contains a cluster of three (3) historic oak trees to the west of the proposed parking and building, and the remainder of the site consists of vacant land with existing pavement to be removed. At the time of site plan, the development standards within the PD will ensure that Tree Protection Areas and landscape buffering both meet the requirements of the Land Development Regulations and Ace Hardware PD.

The proposed project is located on an existing lot within a commercial development, which constitutes infill development, with limited opportunities to incorporate low impact development practices. Due to these site constraints, the concept plan has been designed to best accommodate the existing topography and drainage patterns identified on the site. Low impact development practices and green infrastructure shall be incorporated to the extent practicable during the site plan review process to mimic natural environmental conditions. The specific location and configuration of developed areas and related improvements within the site, will be determined during site plan review process.

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

The site is currently undeveloped; therefore, the redevelopment of a commercial use should have a positive economic impact on the city and the surrounding area. This development in close proximity to the neighboring apartment complexes could have the potential for creating additional jobs, shopping, and convenience.

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

Governmental services such as potable water, reclaimed water, sewer, code enforcement, police, and fire are available for the subject property and will be provided by the City.

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

Since the original assignment of zoning, there have been changes in the market and demand of the area, as the previous bank development has been demolished. The proposed zoning change will facilitate site improvements, and it is consistent with the surrounding land uses and zoning.

**6. Was there a mistake in the original classification?**

There were no mistakes in the original classification, but because the applicant was unable to provide outdoor storage and outdoor display in the rear of the building as required in the C-2 zoning district, the applicant has proposed a PD that creates a tailored zoning district for the project. Standards that are not included in the PD agreement will default to the C-2 zoning district standards and the Land Development Regulations.

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

The proposed rezoning could positively impact the city's economic health by activating a currently vacant property and providing additional commercial options for the surrounding neighborhood.

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

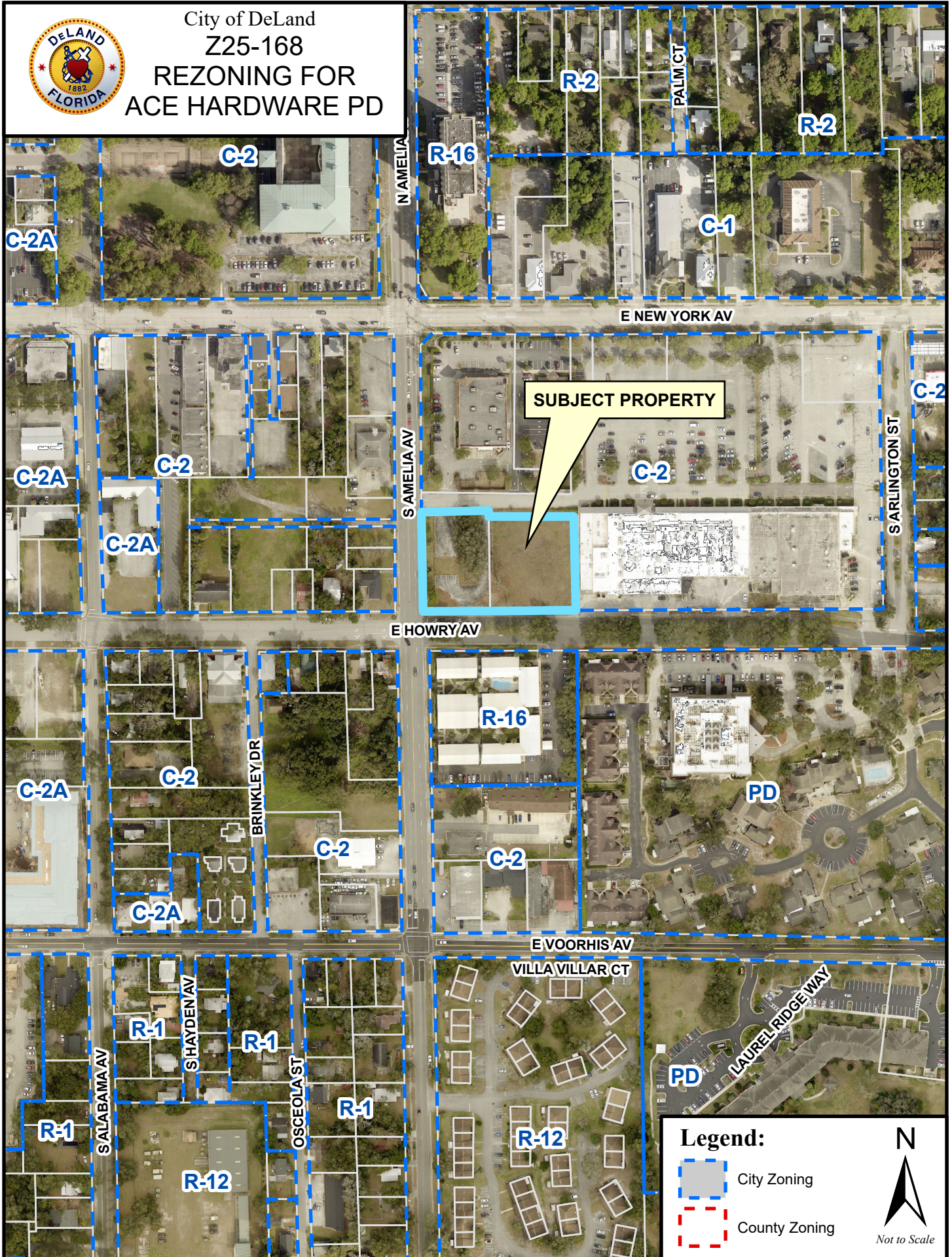
There is no indication at this time that the new proposal will create additional impacts upon public health, safety or welfare, as all provided public services have the capacity needed to accommodate the proposed development. This rezoning would be consistent with the commercial uses of the surrounding area.

**I. CONCLUSION:** The applicant is proposing to rezone the subject property from C-2 (General Commercial) to Ace Hardware Planned Development (PD). Submittal of a site plan and lot consolidation will be required to ensure the provisions of the Planned Development Agreement are satisfied, as determined by TRC Staff, Planning Board, and City Commission.

**J. STAFF RECOMMENDATION:** Staff recommends that the Planning Board forward the application to the City Commission with a recommendation of approval for the request to rezone from C-2 (General Commercial) to Ace Hardware Planned Development (PD).

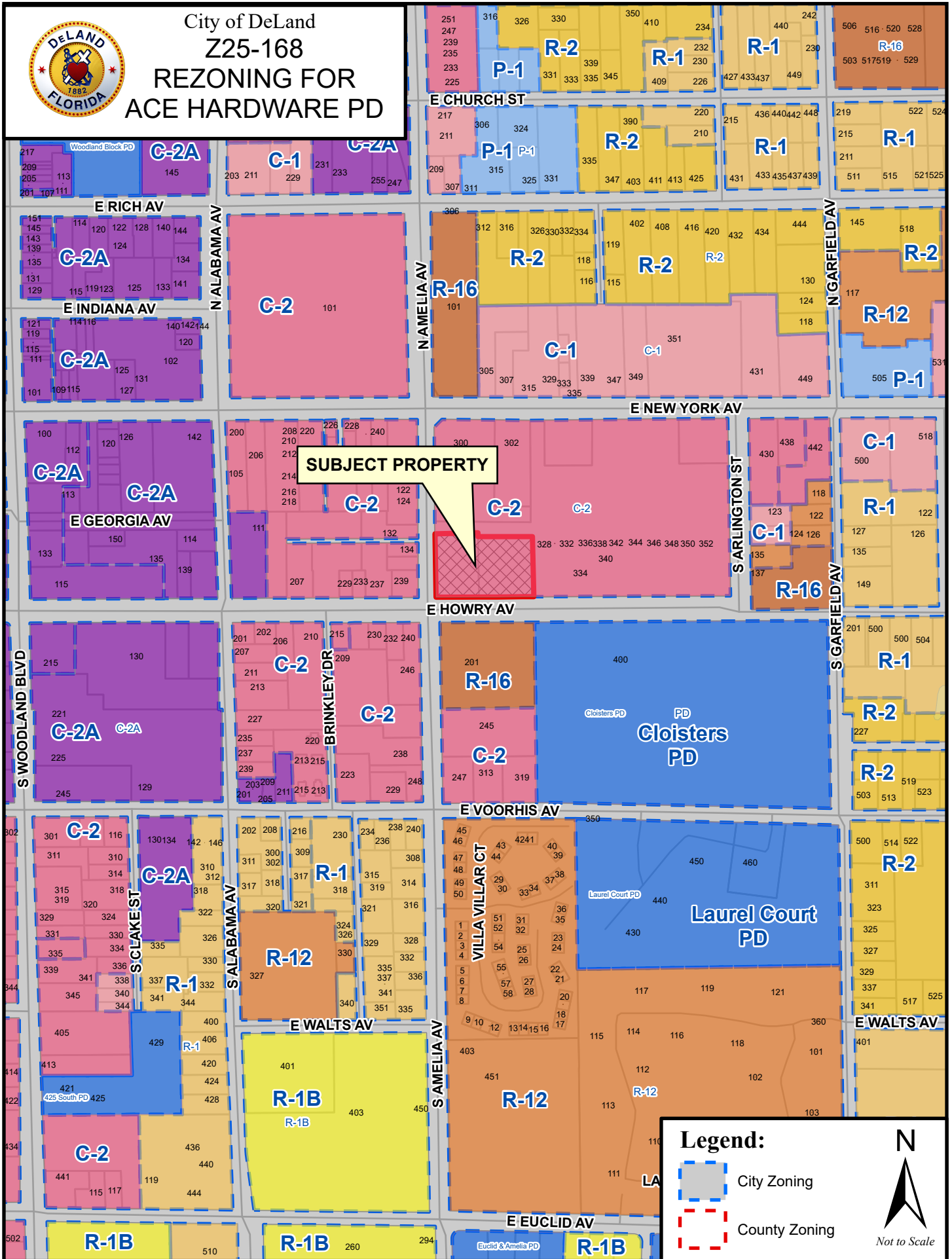


City of DeLand  
Z25-168  
REZONING FOR  
ACE HARDWARE PD





City of DeLand  
Z25-168  
REZONING FOR  
ACE HARDWARE PD



**Legend:**

- City Zoning
- County Zoning

**Legend:**

- N

*Not to Scale*

1 PLANNED DEVELOPMENT AGREEMENT

2 IN THE CITY COMMISSION OF THE

3 CITY OF DELAND, FLORIDA

4 IN RE: Case # Z25-168,

5 Application of RZT Properties, LLC,

6 ORDINANCE # 2026-\_\_\_\_\_  
7

8 **ORDER AND RESOLUTION**

9 **GRANTING A REQUEST FOR CHANGE OF ZONING**

10 **FROM C-2 TO ACE HARDWARE PLANNED DEVELOPMENT (PD)**

11  
12 The application of RZT Properties, LLC, hereinafter, "Applicant", for rezoning was  
13 heard by and before the City Commission, DeLand Florida, on \_\_\_\_\_, 20\_\_\_\_,  
14 Based upon the verified Application and other supporting documents, maps, charts,  
15 overlays, other evidence and instruments; the advice, report, and recommendations of  
16 the Community Development, and other Departments and agencies of DeLand, Florida;  
17 and the testimony adduced and evidence received at the Public Hearing on this  
18 Application by the Planning Board on February 11, 2026, and otherwise being fully  
19 advised, the City Commission does hereby find and determine as follows:  
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**GENERAL FINDINGS**

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A. That the application of RZT Properties, LLC was duly and properly filed herein on September 19, 2025 as required by law.

B. That all fees and costs which are by law, regulation, or Ordinance required to be borne and paid by the applicant have been paid.

C. That the Applicant is the owner of a 1.47 +/- acre parcel of land described in Exhibit "A" (the "Property") that is the subject of this application and which land is situated in DeLand, Florida.

D. That the Applicant has complied with the Planned Development Plan provisions as required by Land Development Regulations of the Code of Ordinances of the City of DeLand.

E. That the Applicant has complied with the "Due Public Notice" requirements of the Land Development Regulations of the Code of Ordinances of the City of DeLand.

F. That the owner(s) of the subject property, RZT Properties, LLC, agrees with the provisions of the Development Agreement adopted hereby.

**FINDINGS REGARDING REZONING**

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A. That the applicant has applied for a change of zoning from the present zoning classification of the Property from C-2 to ACE HARDWARE PLANNED DEVELOPMENT. The Property has a future land use designation of Mixed Commercial.

B. That the said rezoning to a Planned Development is consistent with both the City of DeLand Comprehensive Plan and the intent and purpose of the Land Development Regulations contained in Chapter 33 of the Code of Ordinances of the City of DeLand (the "LDR") and does promote the public health, safety, morals, general welfare and orderly growth of the area affected by the rezoning request.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF DELAND, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE CITY COMMISSION CHAMBERS, 120 SOUTH FLORIDA AVENUE, DELAND, FLORIDA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_, AS FOLLOWS:

A. That the application of RZT Properties, LLC, for the rezoning of the Property is hereby granted.

B. That the zoning classification of the Property is hereby amended from C-2 to ACE HARDWARE PLANNED DEVELOPMENT as described in the LDR.

C. That the Official Zoning Map of the City of DeLand, is hereby amended to show the rezoning of the Property to ACE HARDWARE PLANNED DEVELOPMENT.

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D. That the provisions of the "Development Agreement" as hereinafter set forth is consistent with the LDR and with respect to any conflict between the LDR and the Development Agreement, the provisions of the Development Agreement shall govern. The LDR shall govern with respect to any matter not covered by the Development Agreement. The City of DeLand will ensure overall compliance with the Development Agreement.

E. Except as otherwise stated herein, nothing in the Development Agreement is intended to abridge the requirements of the LDR or any other City Ordinances.

1 **DEVELOPMENT AGREEMENT**

2

3 The City of DeLand and the other parties executing this Development Agreement

4 hereby enter into this Development Agreement which shall constitute a binding

5 agreement, but is not a statutory development agreement as provided for in Sections

6 163.3220-163.3243, Florida Statutes, the Florida Local Government Development

7 Agreement Act.

8 A. Development Concept. The Property shall be developed as the ACE

9 HARDWARE PLANNED DEVELOPMENT, substantially in accordance with the Planned

10 Development Plan. The Planned Development Plan shall govern the development of the

11 Property and shall regulate the future use of the Property.

12

13 B. Planned Development Plan. The Planned Development Plan shall consist

14 of this Development Agreement and the Development Plan Map prepared by Engineered

15 Permits, Inc., and dated December 26, 2025. The Development Plan Map is incorporated

16 in this Development Agreement by reference as Exhibit "B". The Planned Development

17 Plan shall be filed and retained for public inspection in the Planning Division, and it shall

18 constitute a supplement to the Official Zoning Map of the City of DeLand.

19

20 C. Amendments. All amendments of the Planned Development Plan shall

21 require the review and recommendation of the Planning Board and action by the City

22 Commission in the same manner as a rezoning of the parcel. No administrative

23 amendments may be authorized.

24

25 D. Subdivision Approval. The Property does not need to be subdivided in order

Page 5 of 21 2/2/2026

1 to accomplish the development proposed by the Planned Development Plan.

2

3 E. Site Plan Approval. After the Planned Development Plan is recorded, and  
4 prior to any construction, including clearing and fill, a final site plan for the development  
5 of the Property shall be submitted for review and approval in the manner required by the  
6 LDR.

7

8 F. Unified Ownership. The Property as proposed for development in the  
9 Planned Development Plan will not be subdivided or otherwise separated.

10

11 G. Phases of Development. The Property shall be developed in a single phase.  
12 The single-phase development plan is shown on Exhibit "B".

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14 H. Land Uses Within the Planned Development Plan. The development of the  
15 Property shall be consistent with the uses prescribed for each area within the Property as  
16 set forth in the Planned Development Plan. The approximate location and size of said  
17 land use areas are shown on the Development Plan Map. The following land uses shall  
18 be allowed as permitted principal uses and structures along with their customary  
19 accessory uses and structures:

20

Permitted Uses:

21

- Retail trade establishments – including hardware stores, building supply  
22 stores, home improvement centers, clothing, furniture, general  
23 merchandise, storefront outdoor merchandise sales and displays and  
24 outdoor storage on rear or side of building when properly screened as

1 set forth herein. Outdoor storage in areas which are not adjacent to the  
2 building, such as in the open space to the west of the parking lot in front  
3 of the building, shall not be permitted.

- 4 • Personal service establishments – such as barber shops, beauty salons,  
5 dry cleaners, laundromats, and tailoring.
- 6 • Business service establishments – including offices for contractor yards,  
7 equipment rental (excluding heavy equipment), printing and copy  
8 services.
- 9 • General offices – business, professional, and administrative offices.
- 10 • Restaurants and food service establishments – including sit-down  
11 dining, take-out, and fast food with or without drive-through service.
- 12 • Banks and financial institutions – including drive-through facilities.
- 13 • Hotels and motels.
- 14 • Medical offices and clinics – outpatient only.
- 15 • Automobile service stations (fuel sales), and car washes.
- 16 • Commercial recreation – such as theaters, bowling alleys, indoor  
17 recreation centers, and fitness facilities.
- 18 • Specialty shops – including florists, gift shops, and similar retail.
- 19 • Community facilities compatible with commercial uses – such as post  
20 offices, police/fire substations, or civic meeting halls.
- 21 • Accessory uses and structures customarily incidental to the above  
22 principal uses.
- 23 • All C-2 conditional and special exception uses are permitted as long as  
24 they are approved through the applicable conditional or special

1 exception review process; however, single-family, multifamily and any  
 2 other residential uses shall not be permitted within this Planned  
 3 Development.

4  
 5 I. Development Standards. All development for the Property shall rely upon  
 6 the standards set forth below. Unless otherwise provided for in the Development  
 7 Agreement, the LDR shall apply to the Property in the same manner as the C-2 zoning  
 8 classification.

<b>Development Standard</b>	<b>OVERALL</b>
Number of lots/Max. unit count	As per Planned Development approval.
Max. Residential Density	N/A – Commercial only
Max. Building Height	80 ft
Max. Building Length	120 ft
Min. Lot Width	75 ft
Min. Lot Area	9,000 sq ft
Min. Floor Area	1,000 sq ft
Min. Building Separation	20 ft. between sides of buildings 20 ft. between sides and rear of adjacent buildings 20 ft. between any combination of fronts or rears of adjacent buildings.
Max. Impervious Surface	60%
Setbacks ( <i>commercial</i> )	Front yard: 20 ft Rear yard: 10 ft Side yard abutting residential: 25 ft Side yard: 10 ft Side yard (interior): 10 ft Side yard (street): 20 ft
Min. Building Setback	Street: 20 ft Adjacent to other uses: 10 ft

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 10 J. Accessory Structures. Unless otherwise stated herein, all accessory  
 11 structures shall meet the development standards of the LDR.

12 K. Signage. Signage shall be provided per the LDR. Monument signs

1 identifying the development shall be placed at the primary entrance along South Amelia  
2 Ave. as shown in Exhibit "B" and a separate permit will be required for its construction in  
3 accordance with the LDR.

4  
5 L. Architectural Standards. The development shall comply with the provisions  
6 of the LDR, except as specifically otherwise provided herein. Building architecture shall  
7 comply with the DeLand Community Design Standards and shall endeavor to achieve  
8 general compatibility with the surrounding commercial architectural standards, while  
9 allowing the Planned Development to implement branded design standards consistent  
10 with this business' well-known architectural standards and color patterns, so long as the  
11 branded concepts do not violate the DeLand Community Design Standards. The  
12 architectural elevations attached and referenced as Exhibit "C" are hereby approved as  
13 presented, and the building design depicted in Exhibit "C" shall serve as the approved  
14 architectural design for the development. As the general public will be able to view the  
15 primary structure from all four sides, all four sides of each primary structure shall comply  
16 with or otherwise meet these architectural standards.

17 Storage and screening areas, including outdoor storage, loading areas,  
18 dumpsters, propane tank, and other equipment, may be located on the south side of the  
19 primary structure and shall be screened from public view through a combination of,  
20 fencing and landscaping, as shown and approved on Exhibit "C". Screening shall be  
21 designed to be compatible with the primary structure and consistent with the DeLand  
22 Community Design Standards.

23 The propane tank shall be separated from the building and shall not be integrated  
24 into or immediately next to the building.

25 Outdoor storage shall be contained and maintained within the area shown on the  
Page 9 of 21 2/2/2026

1 Development Plan Map attached hereto as Exhibit "B," along Howry Ave, with screening,  
2 and shall not exceed the total square footage indicated on the Development Plan Map.  
3 Outdoor display area shall be contained and maintained to the specific area shown on  
4 the Development Plan Map and shall not exceed the total square footage shown on the  
5 Development Plan Map. Outdoor display may be permitted along the front façade within  
6 the area shown on the Development Plan Map. Outdoor storage in areas which are not  
7 identified for such use on the Development Plan Map, such as in the open space to the  
8 west of the parking lot in front of the building, shall not be permitted.

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10 M. Parking Standards. The parking standards shall adhere to the LDR.

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12 N. Landscape and Buffer Standards. All landscaping and buffers, shall utilize  
13 Florida-Friendly Landscaping, as defined by the University of Florida/Institute of Food and  
14 Agricultural Sciences ("UF/IFAS") Center for Landscape Conservation and Ecology,  
15 native, or low-water plant material. The development of the Property shall include  
16 landscape designs such that plants will serve environmentally friendly functions including,  
17 but not limited to, cooling, privacy screening, shade, aesthetics, and runoff pollution  
18 prevention.

19 1. Open Space. A minimum of 15% of the development shall be open space.  
20 Open Space shall meet the requirements of the LDR except as otherwise  
21 expressly provided for in this Development Agreement.

22 2. Perimeter Buffers: The purpose of the buffers is to provide enhanced  
23 screening to soften the views from adjacent right of ways. Except as  
24 otherwise specifically provided for in this Development Agreement, the  
25 perimeter buffers of the site shall at a minimum comply with the landscape

1                   buffer width and planting requirements provided for in the City of DeLand  
 2                   LDR. As shown on the Development Plan Map, the buffers shall be as  
 3                   follows:

LOCATION	TYPE
NORTH	No landscape or buffer will run along the northern side of the Property.
SOUTH (E. Howry Avenue)	A 20 ft. landscape buffer will run along a portion of the south side of the Property and will provide landscape screening and an enhanced streetscape. The buffer will be continuous along the south property line, except for required drive aisles. Along the southern buffer, a 5 ft. black aluminum fence shall run parallel with E. Howry Avenue, which shall help to screen the propane tank fill equipment. The aluminum fence will be integrated with landscaping arranged in clusters to provide additional screening of the propane tank and outdoor storage and to ensure compatibility with this overall buffer design.
EAST	A 5 ft. buffer shall be provided along the eastern boundary of the Property. A retaining wall shall be installed at least 5 ft. west of the eastern property line and shall begin just north of the proposed irrigation well and dumpster enclosure that will sit along this buffer. The building footprint on the east side shall maintain a minimum 10 ft. setback from the property line.
WEST (S. Amelia Avenue)	A 15 ft. landscape buffer will run along the west side of the Property and will meet Buffer Standard "A" of the City of DeLand Land Development Regulations.

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5                   3.     Tree Preservation Area. Fifteen percent (15%) of the gross square footage  
 6                   of the Property shall be designated for the protection of trees and shall meet  
 7                   the requirements of the LDR.

8                   4.     Street Trees. No street trees are proposed.

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O. Environmental Considerations. The development of the Property shall comply with the requirements for preservation of environmental resources as set forth in the LDR.

1. The stormwater retention system shall be designed to retain a 100-year, 24-hour storm event and to meet all other applicable governmental regulations. All stormwater systems on the Property shall be designed to accommodate existing onsite flows such that no adverse upstream or downstream flooding occurs due to the development of the Property. All stormwater ponds shall utilize supplemental plantings. Wet detention ponds shall have littoral zone plantings, and dry retention ponds shall have supplemental plantings consisting of species native to Florida.
2. All applicable activities and applications will be conducted in accordance with the most current version of the Florida Green Industries Best Management Practices handbook guidelines.
3. There shall be no mass-grading of the property.
4. On-Site Burning of Cleared Vegetation Prohibited. Vegetation and other biomass cleared from the Property during development may not be incinerated on-site.

P. Low Impact Development Standards. The Property is located on an existing lot within a commercial development, and constitutes infill development with limited opportunities to incorporate low impact development practices. Due to these site constraints, the Planned Development Plan has been designed to best accommodate the existing topography and drainage patterns identified on the Property. Low impact

1 development practices and green infrastructure shall be incorporated to the extent  
2 practicable during the site plan review process to mimic natural environmental conditions.  
3 The specific location and configuration of developed areas and related improvements  
4 within the Property shall be determined during site plan review. Such infrastructure may  
5 include, but is not limited to:

- 6 • rain gardens
- 7 • minimize building construction footprint;
- 8 • concentrated landscape parking islands and row-ends;
- 9 • vegetated stormwater conveyance;
- 10 • retain tree canopy and native vegetation;
- 11 • retain large riparian or vegetated natural buffers;

12  
13 Q. Stormwater Plantings. All stormwater ponds shall utilize supplemental  
14 plantings to enhance the functionality and/or aesthetics of the stormwater system. Littoral  
15 plantings shall be utilized if viability is likely. (i.e. if a stormwater pond is designed to  
16 remain wet) If a pond is designed to remain dry and littoral plantings are unlikely to  
17 survive, the supplemental plantings shall utilize Florida-Friendly Landscaping, as defined  
18 by the University of Florida/Institute of Food and Agricultural Sciences (“UF/IFAS”) Center  
19 for Landscape Conservation and Ecology, native, or low-water plant material.

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21 R. Dark Sky Standards. All lighting shall comply with Dark Sky standards and  
22 be of the full cut-off, fully-shielded variety in which the light source is recessed and  
23 shielded which prohibits upward light overspill into the night sky and off-site nuisance  
24 glare.

1           S.     Sewage Disposal, Potable Water and Reclaimed Water.     Provision for  
2 sewage disposal, potable and reclaimed water needs of the development on the Property  
3 will be provided in accordance with the City of DeLand Comprehensive Plan, the LDR,  
4 and all other applicable regulations.

5  
6           T.     Access and Transportation System Improvements.     All access and  
7 transportation system improvements shall be provided in accordance with the LDR. The  
8 parcel shall be developed in substantial accordance with the following access and  
9 transportation system improvements:

10           1.     Access. Access to the site will be from S. Amelia Ave. and the pre-  
11 existing shopping center’s internal drive aisle on the north side of the  
12 Property and from E. Howry Ave. as shown in the Development Plan  
13 Map. Although the Development Plan Map indicates the anticipated  
14 connection locations, the final locations may vary due to final  
15 engineering design and permitting considerations. A Declaration of  
16 Easements, Covenants, and Restrictions, executed by the prior  
17 owners of the Property, the northern property, and the shopping  
18 center property, which runs with the Property for the benefit of the  
19 current and all future owners of the Property, was recorded on  
20 December 15, 2009 in Official Records Book 6427, Page 2427, of  
21 the Public Records of Volusia County, Florida.

22           2.     Transportation System Improvements. Transportation system  
23 improvements will be provided as required by permitting agencies.

24           3.     Sidewalks and Multi-use Trails. 5-foot-wide sidewalks shall be  
25 provided and tie into the preexisting sidewalks on E. Howry Ave. on

1 either side of the entrance as shown on the Development Plan Map.

2 4. Internal Roadways. Internal roadways for the Property shall be  
3 provided in accordance with the LDR. All internal roads will be  
4 privately owned and maintained.

5 U. Undergrounding of Utilities. All utility lines shall be buried underground, at  
6 the cost of the developer/property owner.

7  
8 V. Mechanical Equipment. All mechanical equipment, service and delivery  
9 areas, and loading zones shall be visually screened from pedestrian areas and from  
10 public view. The screening shall be consistent with the approved development as shown  
11 on the Development Plan Map and the standards set forth in Section L above.

12  
13 W. Maintenance. The current or any future owner of the Property shall be  
14 responsible for the ownership and ongoing maintenance of all improvements,  
15 landscaping, buffers, Low Impact Design Elements and Stormwater System, and in no  
16 event shall those be the responsibility of the City of DeLand. All such areas shall be  
17 maintained in good condition and in compliance with the City of DeLand Land  
18 Development Regulations.

19  
20 X. Expiration. The terms of this Development Agreement and all provisions of  
21 the Planned Development Plan shall be vested upon issuance of a certificate of  
22 occupancy related to the development of the Property, which shall occur within five (5)  
23 years from the effective date of this ordinance. If not vested within said time frame, this  
24 Development Agreement shall automatically terminate and be of no further force or effect,  
25 unless the City Commission, for good cause shown, shall extend the time period indicated

1 in this paragraph. Thereafter, the City Commission may rezone the Property as may be  
2 necessary or appropriate to protect adjoining properties health, safety, and welfare.

3

4 Y. Binding Effect of Plans; Recording; and Effective Date. The Planned  
5 Development Plan, including any and all amendments, shall bind and inure to the benefit  
6 of the Applicant and his successor in title or interest. The ACE HARDWARE Planned  
7 Development zoning, provisions of this Development Agreement, and all approved plans  
8 shall run with the land and shall be administered in a manner consistent with the LDR.

9 This Ordinance and all subsequent amendments shall be filed with the Clerk of the  
10 Court and recorded within forty-five (45) days following execution of the document by the  
11 City Commission, in the Official Records of Volusia County, Florida. One copy of the  
12 document, bearing the book and page number of the Official Record in which the  
13 document was recorded, shall be submitted to the Planning Division for placement in the  
14 public file. The date of recording of this document shall constitute the effective date of  
15 the Planned Development Plan and any subsequent amendments. The applicant shall  
16 pay all filing costs for recording documents.

17

18

19

1 DONE and ORDERED by the City Commission, City of DeLand, Florida, this \_\_\_\_  
2 day of \_\_\_\_\_, 20\_\_\_\_.

3  
4  
5 ATTEST: City Commission of DeLand Florida

6  
7  
8 \_\_\_\_\_  
9 Michael P. Pleus  
10 City Manager

\_\_\_\_\_ Christopher M. Cloudman  
Mayor

11  
12 \_\_\_\_\_  
13 Dale Arrington  
14 Interim City Clerk – Auditor

\_\_\_\_\_ Darren J. Elkind  
City Attorney

15  
16  
17 STATE OF FLORIDA  
18 CITY OF DELAND

19  
20  
21 The foregoing instrument was acknowledged before me by means of  physical  
22 presence or  online notarization this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
23 Michael P. Pleus and Christopher M. Cloudman, as City Manager and Mayor of  
24 the City of DeLand, respectively, on behalf of the City of DeLand, and who are  
25 personally known to me.

26  
27 NOTARY PUBLIC, STATE OF FLORIDA  
28 Type or Print Name:  
29 \_\_\_\_\_  
30 Commission No.: \_\_\_\_\_  
31 My Commission Expires: \_\_\_\_\_

1 WITNESSES:

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**APPLICANT/OWNER:**  
RZT PROPERTIES, LLC

\_\_\_\_\_

By: \_\_\_\_\_

Richard A. Anderson, MGRM

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence  
or  online notarization this \_\_\_\_ day of \_\_\_\_\_, 2026, by Richard A.  
Anderson, who is the MGRM of RZT Properties, LLC, and who is personally known to me  
or who has produced \_\_\_\_\_ as identification.

NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name:

\_\_\_\_\_  
Commission No.: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**EXHIBIT "A"**  
**LEGAL DESCRIPTIONS**

DESCRIPTION: (PER ORB 8642 PG. 1402)

**PARCEL 1:**

THE SOUTH 212.5 FEET OF THE WEST 150 FEET OF LOT 7, REVISED PLAT OF ASSESSOR'S SUBDIVISION OF WEST 1/2 OF NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 17 SOUTH, RANGE 30 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 3, PAGE 145 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

**PARCEL 2:**

THAT PORTION OF LOTS 5, 6 AND 7 OF THE REVISED PLAT OF ASSESSOR'S SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 17 SOUTH, RANGE 30 EAST, DELAND, AS RECORDED IN MAP BOOK 3, PAGE 145, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE SOUTH LINE OF SAID LOT 5, SAID POINT BEING A DISTANCE OF 639.00 FEET WESTERLY OF A CONCRETE MONUMENT MARKING THE INTERSECTION OF THE NORTHERLY LINE OF EAST HOWRY AVENUE, AN 80 FOOT STREET, WITH THE WESTERLY LINE OF ARLINGTON AVENUE, A 45 FOOT STREET AS NOW LAID OUT; THENCE CONTINUE NORTH 89°27'45" WEST ALONG THE SOUTH LINES OF SAID LOTS 5, 6 AND 7 A DISTANCE OF 160.00 FEET; THENCE NORTH 00°20'15" WEST A DISTANCE OF 200.00 FEET; THENCE SOUTH 89°27'45" EAST AND PARALLEL WITH THE SOUTH LINES OF LOTS 7, 6 AND 5 A DISTANCE OF 160.00 FEET; THENCE SOUTH 00°20'15" EAST A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. TOGETHER WITH THE RIGHT OF USE OF THAT CERTAIN CROSS OVER EASEMENT AS DESCRIBED IN O.R. BOOK 6427, PAGE 2427 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**CROSS EASEMENT DESCRIPTION**

A PORTION OF LOTS 5, 6 AND 7 OF THE REVISED PLAT OF THE ASSESSOR'S SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 17 SOUTH, RANGE 30 EAST, DELAND OF RECORD IN MAP BOOK 3, PAGE 145, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID LOT 2, OF THE REVISED PLAT OF THE ASSESSORS SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 17 SOUTH, RANGE 30 EAST, DELAND, SAID POINT BEING A DISTANCE OF 30.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2 AND ON THE WEST LINE OF ARLINGTON AVENUE AS NOW LAID OUT; THENCE NORTH 00°00'28" EAST ALONG THE WEST RIGHT-OF-WAY OF ARLINGTON AVENUE, A DISTANCE OF 574.51 FEET TO THE SOUTH RIGHT-OF-WAY OF EAST NEW YORK AVENUE; THENCE NORTH 89°19'06" WEST, ALONG THE SOUTH RIGHT-OF-WAY OF EAST NEW YORK AVENUE, A DISTANCE OF 577.44 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°20'53" EAST, A DISTANCE OF 294.77 FEET; THENCE SOUTH 74°18'46" WEST, A DISTANCE OF 46.41 FEET; THENCE NORTH 89°25'53" WEST, A DISTANCE OF 300.74 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF AMELIA AVENUE; THENCE NORTH 00°49'26" WEST ALONG SAID EAST RIGHT-OF-WAY OF AMELIA AVENUE, A DISTANCE OF 33.54 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY OF AMELIA AVENUE, SOUTH 89°22'03" EAST, A DISTANCE OF 150.20 FEET; THENCE SOUTH 89°17'22" EAST, A DISTANCE OF 159.45 FEET; THENCE NORTH 00°20'53" WEST, A DISTANCE OF 330.13 FEET TO THE SOUTH RIGHT-OF-WAY OF EAST NEW YORK AVENUE, THENCE SOUTH 89°19'06" EAST ALONG THE SOUTH RIGHT-OF-WAY OF EAST NEW YORK AVENUE, A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

**EXHIBIT "B"**  
**DEVELOPMENT PLAN**

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**EXHIBIT "C"**  
**BUILDING ELEVATIONS**

## LEGAL DESCRIPTION

DESCRIPTION: (PER ORB 8642 PG. 1402)

### **PARCEL 1:**

THE SOUTH 212.5 FEET OF THE WEST 150 FEET OF LOT 7, REVISED PLAT OF ASSESSOR'S SUBDIVISION OF WEST 1/2 OF NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 17 SOUTH, RANGE 30 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 3, PAGE 145 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

### **PARCEL 2:**

THAT PORTION OF LOTS 5, 6 AND 7 OF THE REVISED PLAT OF ASSESSOR'S SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 17 SOUTH, RANGE 30 EAST, DELAND, AS RECORDED IN MAP BOOK 3, PAGE 145, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT A POINT IN THE SOUTH LINE OF SAID LOT 5, SAID POINT BEING A DISTANCE OF 639.00 FEET WESTERLY OF A CONCRETE MONUMENT MARKING THE INTERSECTION OF THE NORTHERLY LINE OF EAST HOWRY AVENUE, AN 80 FOOT STREET, WITH THE WESTERLY LINE OF ARLINGTON AVENUE, A 45 FOOT STREET AS NOW LAID OUT; THENCE CONTINUE NORTH 89°27'45" WEST ALONG THE SOUTH LINES OF SAID LOTS 5, 6 AND 7 A DISTANCE OF 160.00 FEET; THENCE NORTH 00°20'15" WEST A DISTANCE OF 200.00 FEET; THENCE SOUTH 89°27'45" EAST AND PARALLEL WITH THE SOUTH LINES OF LOTS 7, 6 AND 5 A DISTANCE OF 160.00 FEET; THENCE SOUTH 00°20'15" EAST A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. TOGETHER WITH THE RIGHT OF USE OF THAT CERTAIN CROSS OVER EASEMENT AS DESCRIBED IN O.R. BOOK 6427, PAGE 2427 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

### CROSS EASEMENT DESCRIPTION

A PORTION OF LOTS 5, 6 AND 7 OF THE REVISED PLAT OF THE ASSESSORS SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 17 SOUTH, RANGE 30 EAST, DELAND OF RECORD IN MAP BOOK 3, PAGE 145, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE

PARTICULARLY DESCRIBED AS FOLLOWS:

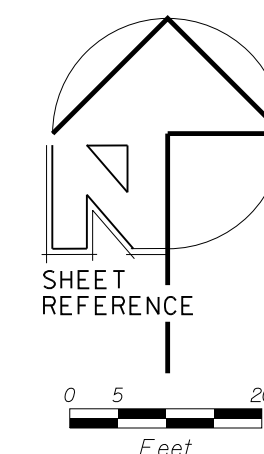
COMMENCING AT A POINT ON THE SOUTH LINE OF SAID LOT 2, OF THE REVISED PLAT OF THE ASSESSORS SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 17 SOUTH, RANGE 30 EAST, DELAND, SAID POINT BEING A DISTANCE OF 30.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2 AND ON THE WEST LINE OF ARLINGTON AVENUE AS NOW LAID OUT; THENCE NORTH 00°00'28" EAST ALONG THE WEST RIGHT-OF-WAY OF ARLINGTON AVENUE, A DISTANCE OF 574.51 FEET TO THE SOUTH RIGHT-OF-WAY OF EAST NEW YORK AVENUE; THENCE NORTH 89°19'06" WEST, ALONG THE SOUTH RIGHT-OF-WAY OF EAST NEW YORK AVENUE, A DISTANCE OF 577.44 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°20'53" EAST, A DISTANCE OF 294.77 FEET; THENCE SOUTH 74°18'46" WEST, A DISTANCE OF 46.41 FEET; THENCE NORTH 89°25'53" WEST, A DISTANCE OF 300.74 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF AMELIA AVENUE; THENCE NORTH 00°49'26" WEST ALONG SAID EAST RIGHT-OF-WAY OF AMELIA AVENUE, A DISTANCE OF 33.54 FEET; THENCE DEPARTING SAID WEST RIGHT-OF-WAY OF AMELIA AVENUE, SOUTH 89°22'03" EAST, A DISTANCE OF 150.20 FEET; THENCE SOUTH 89°17'22" EAST, A DISTANCE OF 159.45 FEET; THENCE NORTH 00°20'53" WEST, A DISTANCE OF 330.13 FEET TO THE SOUTH RIGHT-OF-WAY OF EAST NEW YORK AVENUE, THENCE SOUTH 89°19'06" EAST ALONG THE SOUTH RIGHT-OF-WAY OF EAST NEW YORK AVENUE, A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.466 ACRES, MORE OR LESS

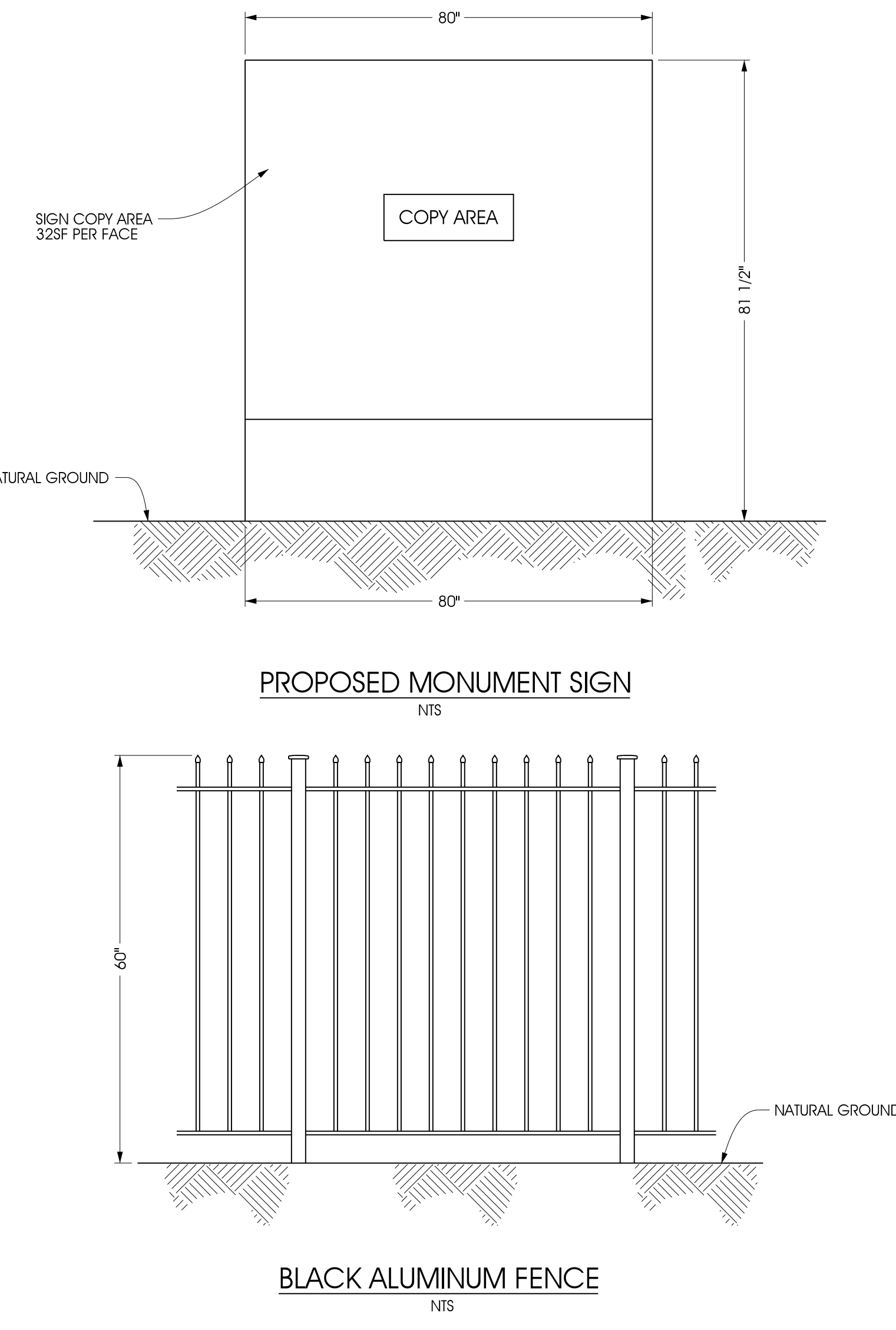
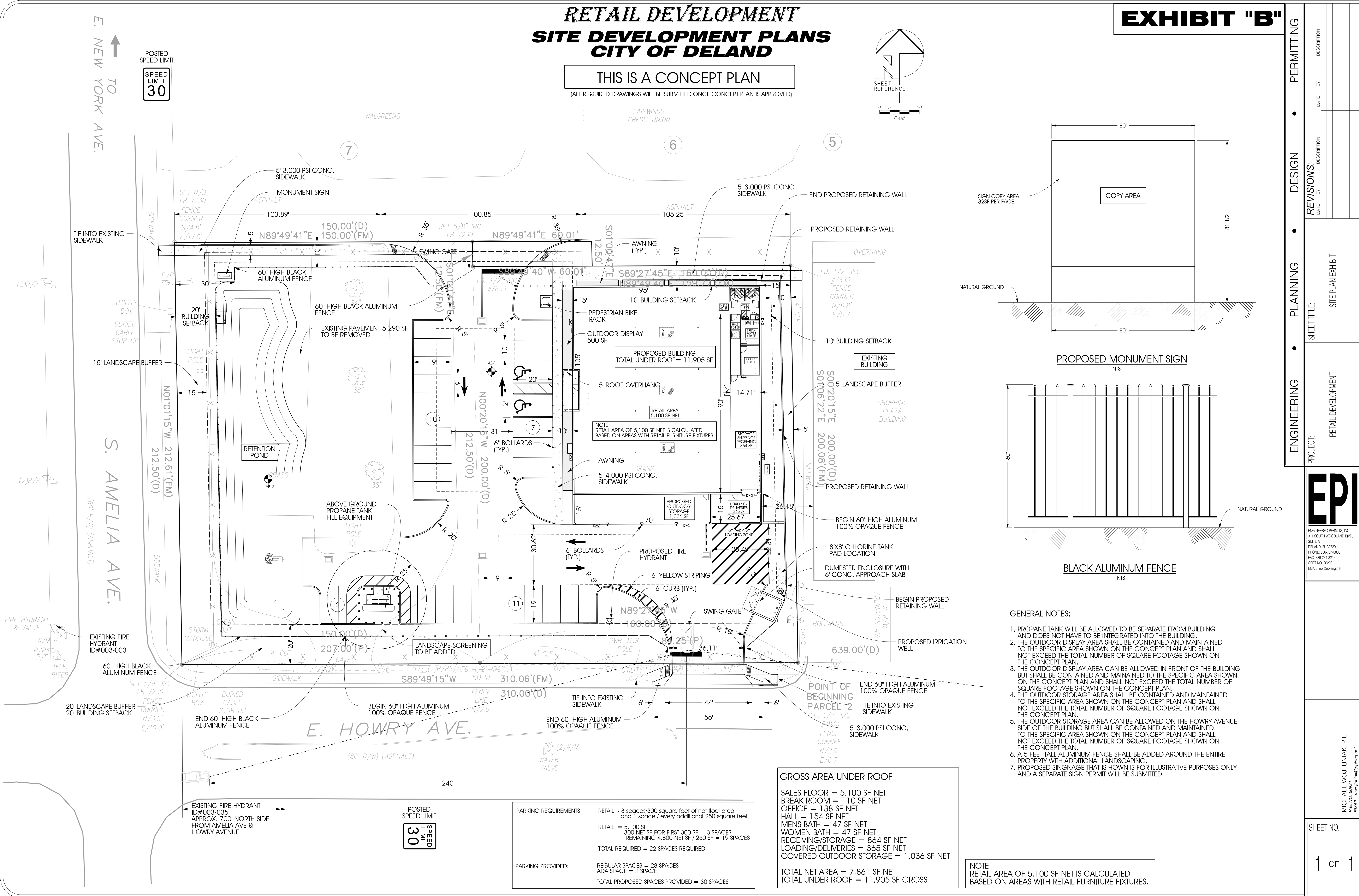
# RETAIL DEVELOPMENT SITE DEVELOPMENT PLANS CITY OF DELAND

**THIS IS A CONCEPT PLAN**

(ALL REQUIRED DRAWINGS WILL BE SUBMITTED ONCE CONCEPT PLAN IS APPROVED)



**EXHIBIT "B"**



- GENERAL NOTES:**
1. PROPANE TANK WILL BE ALLOWED TO BE SEPARATE FROM BUILDING AND DOES NOT HAVE TO BE INTEGRATED INTO THE BUILDING.
  2. THE OUTDOOR DISPLAY AREA SHALL BE CONTAINED AND MAINTAINED TO THE SPECIFIC AREA SHOWN ON THE CONCEPT PLAN AND SHALL NOT EXCEED THE TOTAL NUMBER OF SQUARE FOOTAGE SHOWN ON THE CONCEPT PLAN.
  3. THE OUTDOOR DISPLAY AREA CAN BE ALLOWED IN FRONT OF THE BUILDING BUT SHALL BE CONTAINED AND MAINTAINED TO THE SPECIFIC AREA SHOWN ON THE CONCEPT PLAN AND SHALL NOT EXCEED THE TOTAL NUMBER OF SQUARE FOOTAGE SHOWN ON THE CONCEPT PLAN.
  4. THE OUTDOOR STORAGE AREA SHALL BE CONTAINED AND MAINTAINED TO THE SPECIFIC AREA SHOWN ON THE CONCEPT PLAN AND SHALL NOT EXCEED THE TOTAL NUMBER OF SQUARE FOOTAGE SHOWN ON THE CONCEPT PLAN.
  5. THE OUTDOOR STORAGE AREA CAN BE ALLOWED ON THE HOWRY AVENUE SIDE OF THE BUILDING BUT SHALL BE CONTAINED AND MAINTAINED TO THE SPECIFIC AREA SHOWN ON THE CONCEPT PLAN AND SHALL NOT EXCEED THE TOTAL NUMBER OF SQUARE FOOTAGE SHOWN ON THE CONCEPT PLAN.
  6. A 5 FEET TALL ALUMINUM FENCE SHALL BE ADDED AROUND THE ENTIRE PROPERTY WITH ADDITIONAL LANDSCAPING.
  7. PROPOSED SIGNAGE THAT IS SHOWN IS FOR ILLUSTRATIVE PURPOSES ONLY AND A SEPARATE SIGN PERMIT WILL BE SUBMITTED.

**GROSS AREA UNDER ROOF**

SALES FLOOR	= 5,100 SF NET
BREAK ROOM	= 110 SF NET
OFFICE	= 138 SF NET
HALL	= 154 SF NET
MENS BATH	= 47 SF NET
WOMEN BATH	= 47 SF NET
RECEIVING/STORAGE	= 864 SF NET
LOADING/DELIVERIES	= 365 SF NET
COVERED OUTDOOR STORAGE	= 1,036 SF NET
<b>TOTAL NET AREA</b>	<b>= 7,861 SF NET</b>
<b>TOTAL UNDER ROOF</b>	<b>= 11,905 SF GROSS</b>

**PARKING REQUIREMENTS:**

RETAIL	- 3 spaces/300 square feet of net floor area and 1 space / every additional 250 square feet
RETAIL	= 5,100 SF
300 NET SF FOR FIRST 300 SF = 3 SPACES	REMAINING 4,800 NET SF / 250 SF = 19 SPACES
<b>TOTAL REQUIRED</b>	<b>= 22 SPACES REQUIRED</b>

**PARKING PROVIDED:**

REGULAR SPACES	= 28 SPACES
ADA SPACE	= 2 SPACE
<b>TOTAL PROPOSED SPACES PROVIDED</b>	<b>= 30 SPACES</b>

**REVISIONS:**

NO.	DATE	BY	DESCRIPTION

**PROJECT:** RETAIL DEVELOPMENT  
**SHEET TITLE:** SITE PLAN EXHIBIT

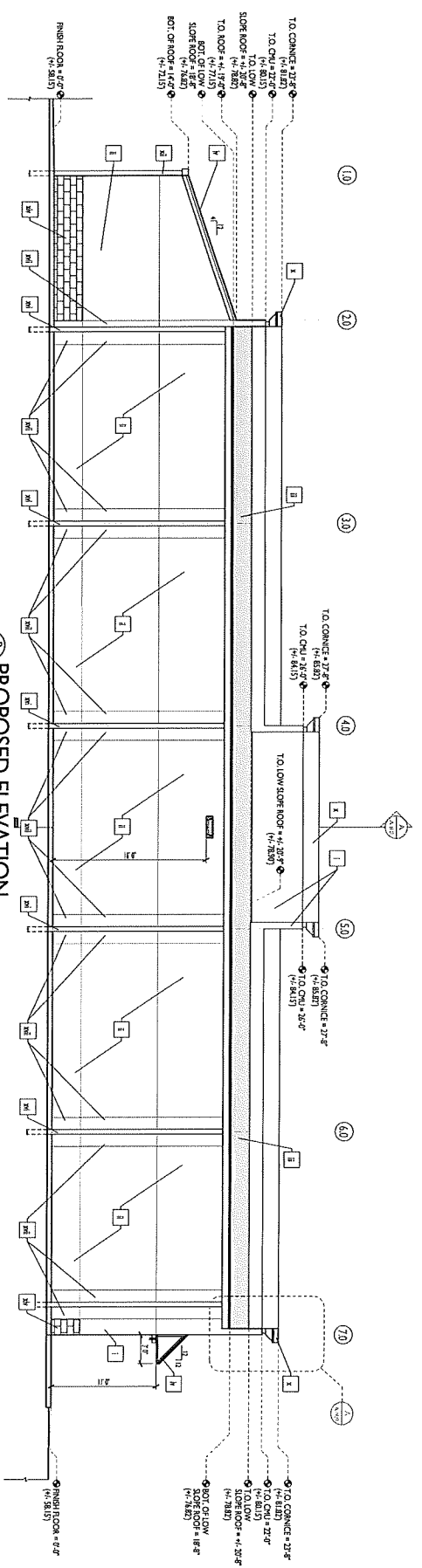
**EPI**  
ENGINEERED PERMITS, INC.  
311 SOUTH WOODLAND BLDG.  
SUITE A  
DELAND, FL 32720  
PHONE: 386-734-0800  
FAX: 386-734-8226  
CERT. NO. 20599  
EMAIL: epi@epieng.net

**MICHAEL W. JUTUNIAK, P.E.**  
EPA: mraj@epieng.net

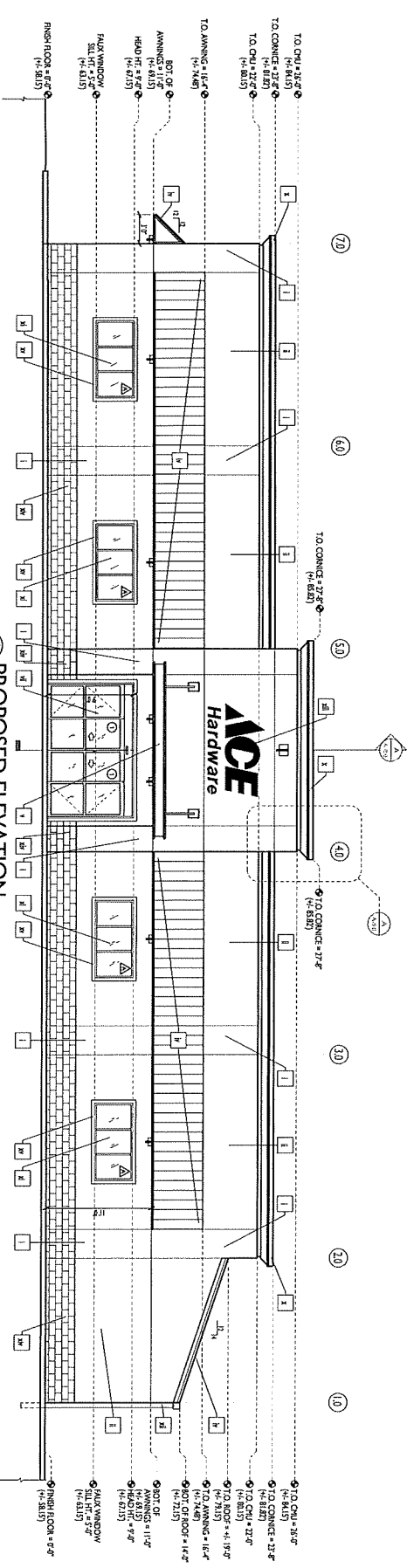
**SHEET NO.**  
1 OF 1

\*\*\*THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY MICHAEL J. WJUTUNIAK, P.E. ON 12/26/2025 PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES. UNLESS THE RAISED SEAL HAS BEEN UTILIZED.\*\*\*

**PROPOSED ELEVATION**  
**ET FAÇADE FACIANG**  
 ADJACENT SHOPPING CENTER  
 SCALE: 3/16" = 1'-0"



**PROPOSED ELEVATION**  
**ET FAÇADE FACIANG**  
 S. AMELIA AVE.  
 SCALE: 3/16" = 1'-0"



**MATERIAL & COLOR SCHEDULE**

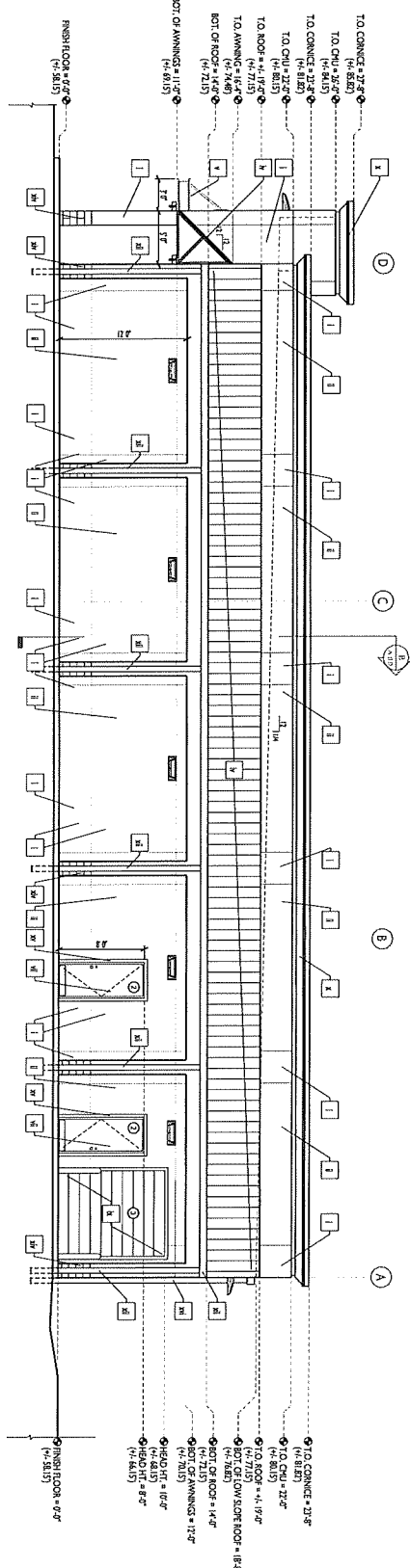
NO.	BUILD ELEMENT	MATERIAL	COLOR	NO.	BUILD ELEMENT	MATERIAL	COLOR	NO.	BUILD ELEMENT	MATERIAL	COLOR
I	THE EXTERIOR WALL	STUCCO OVER CONCRETE	SWIMMING POOL FACED BRICK (HORIZONTAL BAND)	VI	STORMDOOR DOOR	ALUMINUM FRAME WITH BRONZE GLAZING	PNC	XII	5. SIDE EXTERIOR WALL	STUCCO OVER CONCRETE	SWIMMING POOL FACED BRICK (HORIZONTAL BAND)
II	THE LOW SLOPE ROOF	FRONT OVER ROOF PANEL ROOFING	PAVING ROOFING	VII	STORMDOOR DOOR	ALUMINUM FRAME WITH BRONZE GLAZING	PNC	XIII	5. SIDE EXTERIOR WALL	STUCCO OVER CONCRETE	SWIMMING POOL FACED BRICK (HORIZONTAL BAND)
III	THE LOW SLOPE ROOF	FRONT OVER ROOF PANEL ROOFING	PAVING ROOFING	VIII	STORMDOOR DOOR	ALUMINUM FRAME WITH BRONZE GLAZING	PNC	XIV	5. SIDE EXTERIOR WALL	STUCCO OVER CONCRETE	SWIMMING POOL FACED BRICK (HORIZONTAL BAND)
IV	413 SECOND FLOOR	FRONT OVER ROOF PANEL ROOFING	PAVING ROOFING	IX	STORMDOOR DOOR	ALUMINUM FRAME WITH BRONZE GLAZING	PNC	XV	5. SIDE EXTERIOR WALL	STUCCO OVER CONCRETE	SWIMMING POOL FACED BRICK (HORIZONTAL BAND)
V	5.147 CANTILEVER AWNING	FRONT OVER ROOF PANEL ROOFING	PAVING ROOFING	X	STORMDOOR DOOR	ALUMINUM FRAME WITH BRONZE GLAZING	PNC	XVI	5. SIDE EXTERIOR WALL	STUCCO OVER CONCRETE	SWIMMING POOL FACED BRICK (HORIZONTAL BAND)

**GENERAL NOTE:**  
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 ALL MATERIALS AND FINISHES TO BE APPROVED BY THE ARCHITECT.  
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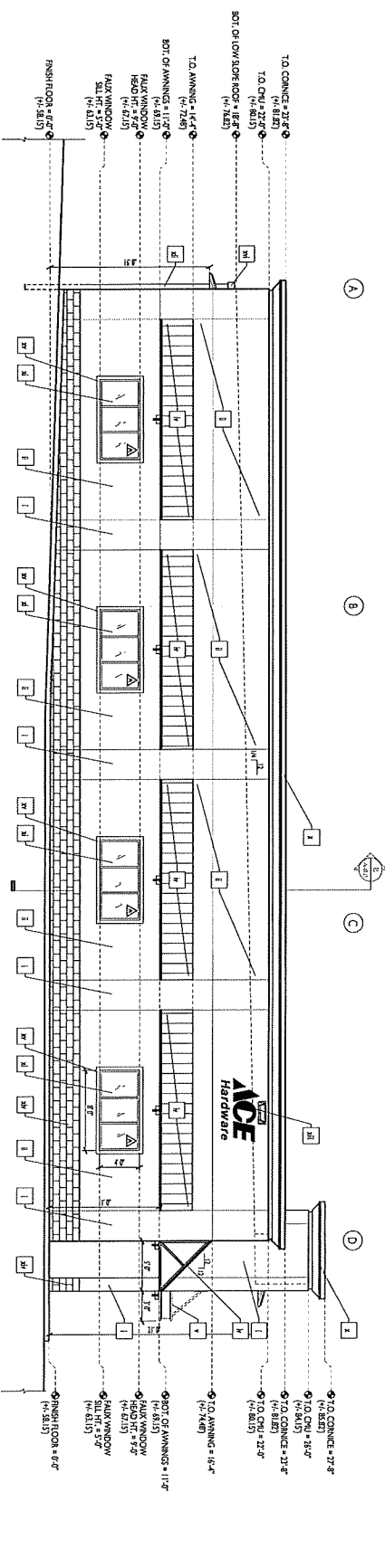
**ACE HARDWARE DELAND**  
 OWNER/DEVELOPER: RICHARD ANDERSON, MANAGING MEMBER, RZT PROPERTIES, LLC, 203 WOODHOUSE LANE, DELAND, FL 32724  
 PROJECT LOCATION: NE CORNER OF SOUTH AMELIA AVE & EAST HOWRY AVENUE, DELAND, FL 32724  
 GENERAL CONTRACTOR: FULL TIME CONSTRUCTION, LLC, KEN HALL, UC#CC1528624, 5 FLORAL COURT, PALM COAST, FL 32137, PH: (386)566-7846

**PROPOSED ELEVATIONS E.A.W.**  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: [Date]

**ARCHITECT'S ENGINEER'S SEAL**  
 [Seal Area]



**B** PROPOSED ELEVATION  
 FACADE FACING  
 E HOWRY AVE  
 SCALE 3/16" = 1'-0"



**A** PROPOSED ELEVATION  
 FACADE FACING TOWARDS  
 N. ADJACENT PROPERTY  
 SCALE 3/16" = 1'-0"

**MATERIAL & COLOR SCHEDULE**

NO.	BUILD ELEMENT	MATERIAL	COLOR	NO.	BUILD ELEMENT	MATERIAL	COLOR
I	TYPE EXTERIOR WALL	SWISSALUMINOUM VINYL SMOOTH FINISH	SWISSALUMINOUM WHITE	VI	STORMDOOR DOOR	ALUMINUM FRAME WITH TINTED GLAZING	SWISSALUMINOUM WHITE
II	TYPE EXTERIOR WALL (2)	STRUCTURAL CHU BLOCK	SWISSALUMINOUM WHITE	VII	STORMDOOR DOOR	ALUMINUM FRAME WITH TINTED GLAZING	SWISSALUMINOUM WHITE
III	TYPE LOW SLOPE ROOF	INSULATION V. 2" MIN	INSULATION V. 2" MIN	VIII	DOOR	SWISSALUMINOUM VINYL SMOOTH FINISH	SWISSALUMINOUM WHITE
IV	41/2" SLOPE ROOF	INSULATION V. 2" MIN	INSULATION V. 2" MIN	IX	DOOR	SWISSALUMINOUM VINYL SMOOTH FINISH	SWISSALUMINOUM WHITE
V	FINISH FLOOR	FINISH FLOOR	FINISH FLOOR	X	DOOR	SWISSALUMINOUM VINYL SMOOTH FINISH	SWISSALUMINOUM WHITE

**GENERAL NOTE:**  
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND ALL APPLICABLE LOCAL ORDINANCES.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
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**PROPOSED ELEVATIONS N&S**

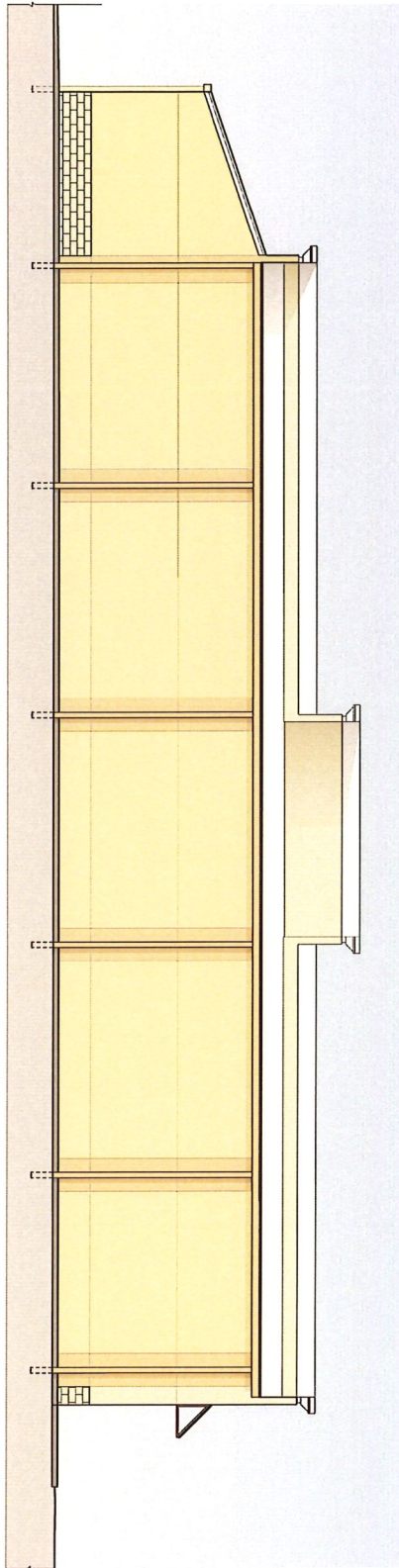
DATE: 08/21/24  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

# ACE HARDWARE DELAND

OWNER/DEVELOPER: RICHARD ANDERSON, MANAGING MEMBER, RZT PROPERTIES, LLC, 203 WOODHOUSE LANE, DELAND, FL 32724  
 PROJECT LOCATION: NE CORNER OF SOUTH AMELIA AVE & EAST HOWRY AVENUE, DELAND, FL, 32724  
 GENERAL CONTRACTOR: FULL TIME CONSTRUCTION, LLC, KEN HALL, LIC#CGC1328624, 5 FLORAL COURT, PALM COAST, FL 32137, PH: (386) 346-7946

REVISIONS

NO.	DESCRIPTION



REAR ELEVATION  
E. FACADE FACING  
ADJACENT BUILDING



FRONT ELEVATION  
W. FACADE FACING  
S. AMELIA AVE.

GENERAL NOTE:  
ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
ALL FINISHES ARE TO BE AS SHOWN UNLESS NOTED OTHERWISE.  
ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE  
INTERNATIONAL BUILDING CODES (IBC) AND THE INTERNATIONAL  
MECHANICAL AND ELECTRICAL CODES (IMC) AND THE  
INTERNATIONAL PLUMBING AND MECHANICAL CODES (IPMC).  
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL  
NECESSARY PERMITS AND APPROVALS FROM THE  
APPLICABLE AGENCIES.  
ALL WORK SHALL BE SUBJECT TO INSPECTION AND  
APPROVAL BY THE APPLICABLE AGENCIES.  
ALL DIMENSIONS TO BE SHOWN IN THIS SET.



# ACE HARDWARE DELAND

OWNER/DEVELOPER: RICHARD ANDERSON, MANAGING MEMBER, RZT PROPERTIES, LLC., 203 WOODHOUSE LANE, DELAND, FL 32724  
PROJECT LOCATION: NE CORNER OF SOUTH AMELIA AVE & EAST HOWRY AVENUE, DELAND, FL 32724  
GENERAL CONTRACTOR: FULL TIME CONSTRUCTION, LLC., KEN HALL, LIC.#CGC1529624, 5 FLORAL COURT, PALM COAST, FL 32137, PH: (386)366-7846

**TRIPPIER**  
DESIGN INCORPORATING  
BUILDING DESIGN AND ARCHITECTURE

BRUNY RICHIE ASSOCIATE PA ARCHITECT  
DANIEL R. RICHIE, ARCHITECT  
PAUL RICHIE, ARCHITECT  
DANIEL RICHIE ASSOCIATE PA ARCHITECT  
1000 W. UNIVERSITY AVENUE, SUITE 100  
ORLANDO, FL 32817  
PH: (407) 241-1111  
WWW.RICHIEASSOCIATE.COM

COLONED ELEVATIONS 1

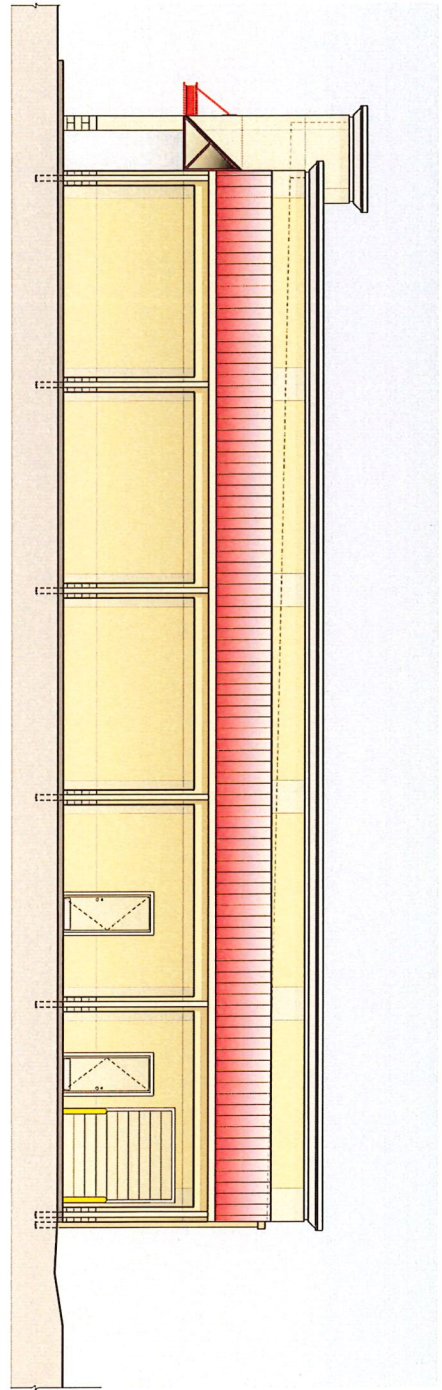
DRAWN BY: JH

DATE: NOVEMBER 2020

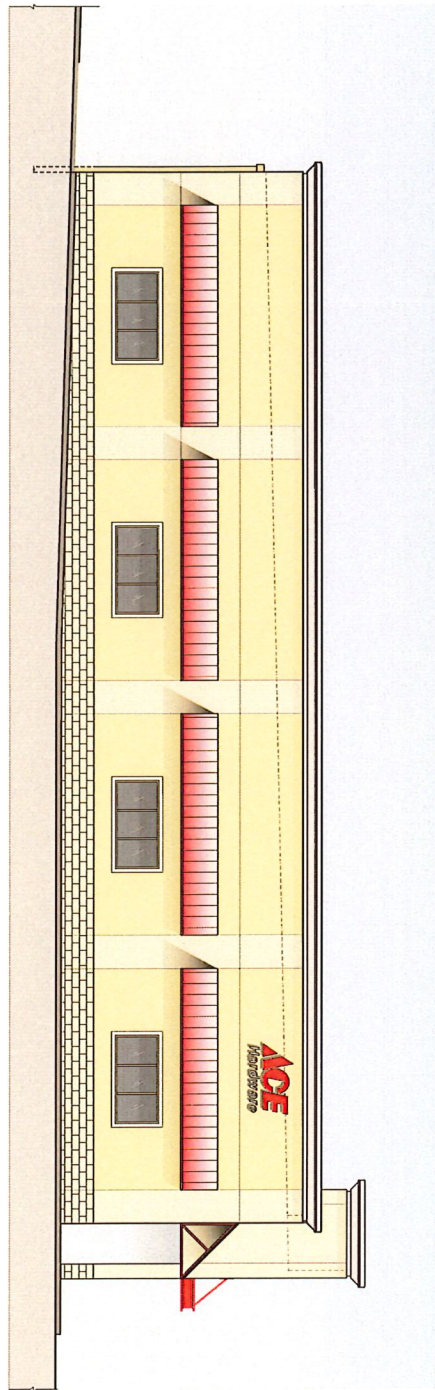
SCALE: AS SHOWN

ARCHITECT'S ENGINEER'S SEAL

REVISIONS



SIDE ELEVATION  
S. FACADE FACING  
E. HOWRY AVE.



SIDE ELEVATION  
N. FACADE FACING  
ADJACENT PROPERTY

GENERAL NOTES:  
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
2. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.  
3. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.  
4. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.  
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9. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.  
10. ALL WORK SHALL BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.

REVISIONS

# ACE HARDWARE DELAND

OWNER/DEVELOPER: RICHARD ANDERSON, MANAGING MEMBER, RZT PROPERTIES, LLC  
 PROJECT LOCATION: NE CORNER OF SOUTH AMELIA AVE & EAST. HOWRY AVENUE, DELAND, FL, 32724  
 GENERAL CONTRACTOR: T.B.D.

**DESIGN INCORPORATED**  
 Building Design and Architecture  
 BARRY HENRIK ASSOCIATE PA PROJECT MANAGER  
 DANIEL R. BUCK, ARCHITECT  
 1000 N. UNIVERSITY AVENUE  
 SUITE 200  
 DELAND, FL 32725  
 PH: 386.243.4444  
 WWW.DESIGNINCORPORATED.COM

**COLONIAL BEATONS?**  
 OWNER: BR      DESIGNER: BR/HR  
 DATE: 08/20/18      SHEET NO.: 11  
 DATE: 08/20/18      SHEET NO.: 11  
 ARCHITECT'S BUSINESS SEAL



311-A S. Woodland Blvd., DeLand, FL 32720  
Phone 386-734-0830 Fax 386-734-8226  
[epi@epieng.net](mailto:epi@epieng.net) COA#26298

September 22, 2025

**Subject: Ace Hardware  
South Amelia Avenue and East Howry Avenue  
Traffic Impact Statement**

To whom it may concern:

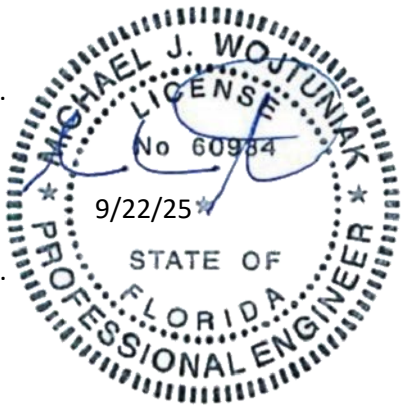
Engineered Permits Inc. (EPI) has reviewed this project for traffic impacts. The site will be used for the development of a new 11,905 square foot hardware retail store. The store will consist of 8,045 sf of retail sales floor 2,298 sf of mixed storage uses and the remaining space will be accessory spaces (bathroom, office and hallways, etc.).

Using the ITE (Institute of Traffic Engineers) **ITETripGen Web-based App** we have calculated the potential new trips using the Land Use Group, Hardware/Paint Store land use code 816. This results in an average of 96 average weekday 2 way driveway trips onto the South Amelia Avenue. There will be 11 new AM trips and the PM peak will be 35 new trips. See attached statistical data.

Based on the low number of proposed new trips this project will not exceed any undesirable effects on the roadway. If any additional information is required please feel free to contact me at 386-490-5474 or by email at [mwojtuniak@epieng.net](mailto:mwojtuniak@epieng.net).

Sincerely,  
Engineered Permits Inc.

Michael Wojtuniak, P.E.  
Project Manager



*This document has been digitally signed and sealed by Michael J. Wojtuniak, P.E. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies, unless the raised seal has been used.*

PM Peak (4 PM and 6PM)

AM Peak (7 AM and 9 AM)

**DATA STATISTICS**

**Land Use:**

Hardware/Paint Store (816) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Weekday  
Peak Hour of Adjacent Street Traffic  
One Hour Between 4 and 6 p.m.

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

7

**Avg. 1000 Sq. Ft. GFA:**

10

**Average Rate:**

2.98

**Range of Rates:**

0.59 - 8.45

**Standard Deviation:**

3.09

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

46% entering, 54% exiting

**Calculated Trip Ends:**

Average Rate: 35 (Total), 16 (Entry), 19 (Exit)

**DATA STATISTICS**

**Land Use:**

Hardware/Paint Store (816) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Weekday  
Peak Hour of Adjacent Street Traffic  
One Hour Between 7 and 9 a.m.

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

4

**Avg. 1000 Sq. Ft. GFA:**

11

**Average Rate:**

0.92

**Range of Rates:**

0.46 - 1.66

**Standard Deviation:**

0.42

**Fitted Curve Equation:**

$T = 0.75(X) + 1.92$

**R<sup>2</sup>:**

0.62

**Directional Distribution:**

54% entering, 46% exiting

**Calculated Trip Ends:**

Average Rate: 11 (Total), 6 (Entry), 5 (Exit)

Fitted Curve: 11 (Total), 6 (Entry), 5 (Exit)

Weekday Total

### DATA STATISTICS

**Land Use:**

Hardware/Paint Store (816) [Click for Description and Data Plots](#)

**Independent Variable:**

1000 Sq. Ft. GFA

**Time Period:**

Weekday

**Setting/Location:**

General Urban/Suburban

**Trip Type:**

Vehicle

**Number of Studies:**

4

**Avg. 1000 Sq. Ft. GFA:**

11

**Average Rate:**

8.07

**Range of Rates:**

3.82 - 20.33

**Standard Deviation:**

5.66

**Fitted Curve Equation:**

Not Given

**R<sup>2</sup>:**

\*\*\*\*

**Directional Distribution:**

50% entering, 50% exiting

**Calculated Trip Ends:**

Average Rate: 96 (Total), 48 (Entry), 48 (Exit)

Supplemental Data follow

# Data Plot and Equation

Caution – Small Sample Size

