



CITY OF DELAND
REGULAR MEETING OF THE PLANNING BOARD
MAY 17, 2023 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 April 19, 2023 meeting minutes.

VARIANCE OLD BUSINESS

VARIANCE NEW BUSINESS

1. Applicant Name: Jerome Taru Berryhill
Project Number: V23-064 – Variance
Project Location: 212 S. Chandler Ave.
Project Description: Variance to reduce the required interior parking spaces from 2 to 1
Staff Planner: Samuel Nelson

PUBLIC PARTICIPATION PROCEEDINGS

PLANNING - OLD BUSINESS

1. Applicant Name: Michael Radcliffe
Project Number: SP22-211 – Site Plan for Meadowlea Village Phases 4-5
Project Location: 22.11 acres located at 1004 Overlook Dr.
Project Description: Expand existing mobile home park in 2 phases, to develop 103 mobile home spaces
Staff Planner: Belinda Williams-Collins

PLANNING - NEW BUSINESS

OTHER BUSINESS

1. Vote on rescheduling monthly Planning Board meeting to 2nd or 4th week of the month.

ADJOURNMENT



**CITY OF DELAND
PLANNING BOARD REGULAR MEETING
MINUTES
WEDNESDAY, APRIL 19, 2023 - 5:00 P.M.
CITY HALL**

CALL TO ORDER

The meeting began at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance – Mr. Owens, Chairperson

ROLL CALL

Nora Lewis	Present
Don Liska	Absent
Buz Nesbit	Present
Albert Neumann	Present – Arrived 5:08 p.m.
Virginia Comella	Absent
Harper Hill, <i>Vice Chairperson</i>	Present
Jeremy Owens, <i>Chairperson</i>	Present

Quorum: Yes

Present – Carol Kuhn, Planning Director; Deborah Glick, Deputy Planning Director; Rick Werbiskis, Community Development Director; Darren Elkind, City Attorney; Belinda Williams-Collins, Senior Planner; Kendall Story, Senior Planner; Melissa Winsett, Senior Planner; Sam 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. Mr. Hill moved to approve the March 15, 2022 Meeting Minutes. Mr. Owens seconded the motion. The motion passed unanimously.

VARIANCE OLD BUSINESS

None.

VARIANCE NEW BUSINESS

1. [WITHDRAWN]

Applicant Name: Debra Pendleton

Project Number: V23-051 – Variance

Project Location: 431 W. Wisconsin Ave.

Project Description: Variance to reduce the side yard setback from 7.5' to 2', the rear yard setback from 7.5' to 6', and the minimum required space between buildings from 6' to 1', to allow for an accessory structure (carport) in the R-1B zoning district.

2. Applicant Name: Frank Rojas

Project Number: V23-053 – Variance

Project Location: 1699 N. Woodland Blvd.

Project Description: Variance to increase the maximum allowed building sign area from 150 square feet to 325 square feet.

Public Participation: Charles Busch of MS Consultants Inc. spoke on behalf of Applicant, Frank Rojas, and answered questions from the board.

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

PUBLIC PARTICIPATION PROCEEDINGS

Mr. Owens read the Public Participation procedures.

PLANNING – OLD BUSINESS

None.

PLANNING – NEW BUSINESS

1. Applicant Name: Michael Radcliffe

Project Number: SP22-211 – Site Plan for Meadowlea Village Phases 4-5

Project Location: 22.11 acres located at 1004 Overlook Dr.

Project Description: Expand existing mobile home park in 2 phases, to develop 103 mobile home spaces.

Public Participation: Chris Gwin of Radcliffe Engineering spoke on behalf of Applicant, Michael Radcliffe and answered questions from the board, mainly regarding their concerns on ingress and egress to the property.

Ms. Lewis moved to continue the request until the next meeting to further investigate feasibility concerns for ingress and egress into the property. Mr. Neumann seconded the motion. The motion to approve passed 3 to 2, with members Hill and Owens dissenting.

2. Applicant Name: Yedlin & Co LLC

Project Number: PSB23-030 - Preliminary Plat for The Canopy at Blue Lake Subdivision

Project Location: Northeast quadrant of Miller Rd. & E. Wisconsin Ave.

Project Description: Proposed 12-lot residential subdivision on 4.874 acres of property

Public Participation: Tyler Malmborg of Newkirk Engineering spoke on behalf of applicant, and answered questions from the board.

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

OTHER BUSINESS

Mr. Nesbit requested spreadsheet of manufactured homes/dwelling units by square feet. Mr. Elkind responded that there are currently too multiple time sensitive mandates and projects pending, but we can provide partial data which may already be available.

Ms. Kuhn wants proposed moving the monthly Planning Board meeting to either the 2nd or 4th week of the month, a vote will be held at the next meeting.

ADJOURNMENT

The meeting ended at 6:45 p.m.

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

May 17, 2023

A. APPLICATION NO: V23-064

APPLICANT: Jerome Taru Berryhill (Applicant/Owner)

REQUEST: To reduce the required number of interior parking spaces from 2 to 1.

APPLICABLE ORDINANCES: *Sec. 33-17.05 R-1 Single-Family Dwelling Sec. 33-91.03 Number and type of parking spaces required.*

B. SITE FACTORS:

LOCATION: 212 S Chandler Ave

PARCEL SIZE: +/- 7350 Square Feet

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

Required Minimum Setbacks in Feet				
Front	Rear Setback	Side Setback	Corner lot: Street side Setback	Accessory Uses & Structures
30'	25'	7.5'	15'	7.5', 6'

Proposed Minimum Setbacks in Feet				
Front	Rear Setback	Side Setback	Corner lot: Street side Setback	Accessory Uses & Structures
30'	25'	7.5'	15'	7.5', 6'

SURROUNDING USE:

SURROUNDING ZONING:

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

DOES THE APPLICANT OWN PROPERTY WHICH IS ADJACENT TO THE PROPERTY

FORWHICH HE OR SHE SEEKS A VARIANCE? Yes ☐ No ☒

C. LAND USE PLAN DESIGNATION: Medium Density Residential

CHRONOLOGY:

The applicant is requesting a variance to reduce the single-family interior parking requirement from 2 spaces to 1. The applicant has applied for a permit to build a 4-bedroom 2-bathroom 2098.71 square feet single-family residence. (Exhibit 1) The vacant property located at 212 S Chandler Ave is located in the R-1 Single-Family Dwelling zoning district. The lot is 50' wide by 147' deep. Surrounding properties contain single family dwellings with various lot sizes.

D. ANALYSIS:

The subject property is 50' wide at the street line, and 147' deep. The square footage is 7,350. The R-1 zoning district requires a width of 60' at the street line, and a total size of 6,500 square feet. The lot, being 10' smaller in width than R-1 standards, may restrict the applicant's ability to build a house compatible with zoning regulations if the required interior parking is to be kept. The proposed residence will conform to all other R-1 zoning requirements.

The proposed residence will not be detrimental to the surrounding properties. There is a mix of lot sizes in the surrounding neighborhood. The single-family residences on these lots are of various sizes, but typically smaller than the applicant's proposal. Additionally, no existing surrounding residence meets the current interior parking requirement. (Exhibit 3)

The applicant has agreed to provide 4 outside parking spaces and one interior space. A redlined plan will be provided.

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

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

The subject property is undersized per current zoning standards. The R-1 zoning district has a minimum width of 60' whereas this property is 50' in width. A number of the surrounding lots are conforming to the minimum lot width. The applicant is proposing a home that would meet their needs with one inside space and has modified the initial proposed plan to accommodate 4 outside spaces on the driveway.

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

Granting of the variance would not confer special privileges when compared with other R-1 district properties, as many older R-1 district properties do not conform to current parking standards of two inside spaces and two outside spaces.

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

The literal interpretation and enforcement of the code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district, as the existing, surrounding homes were constructed prior to the 2019 requirement of 2 inside and 2 outside spaces for single-family residential. The lot, being 10-feet narrower than the surrounding properties further constrains the site.

4. The granting of the variance will be in harmony with the general intent and purpose of these Land Development Regulations and the Comprehensive Plan, as amended, and will not be injurious to the surrounding properties or detrimental to the public welfare.

The granting of this variance will be in harmony with the intent and purpose of these Land Development Regulations by developing a nonconforming lot for reasonable use. The granting of this variance is unlikely to be injurious to surrounding properties as most surrounding properties are not conforming to the 2019 parking standards and the applicant has agreed to provide additional parking outside.

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

Due to the nonconforming width of the lot, this is the minimum variance necessary to make possible the reasonable use of this lot for a single-family residence. The applicant has agreed to provide additional parking outside in the driveway to accommodate the required parking.

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

No special conditions or circumstances exist that are the result of actions of the applicant. The property was nonconforming due to size prior to their purchase.

The applicant could construct a smaller home, thereby meeting the two interior parking space requirement. However, the applicant has proposed a home that meets their needs and has agreed to include additional outside parking to accommodate the parking needs.

F. STAFF SUMMARY:

The applicant is requesting a variance to reduce the required number of interior parking spaces from 2 to 1. The property is surrounded by similar single-family homes with larger lot sizes. The applicant's lot size is nonconforming to current R-1 zoning standards. The applicant's property is 50' wide, whereas the minimum width requirement for the R-1 zoning district is 60'. Construction of the desired single-family residence could be difficult on this nonconforming lot due to the interior parking requirement. The lot being undersized for the R-1 zoning district, and also smaller in size compared with surrounding lots. The applicant has agreed to provide additional parking area in the expanded driveway to accommodate the required parking. The surrounding properties were constructed prior to the 2019 requirement for 2 inside and 2 outside parking spaces and most surrounding residences were not constructed with the required interior parking.

Attachments:

Exhibit A – Plot Plan

Exhibit B – Zoning

Exhibit C – Neighboring Properties

Exhibit D – Proposed Elevation

Exhibit E – Proposed Floor Plan

Exhibit B – Zoning

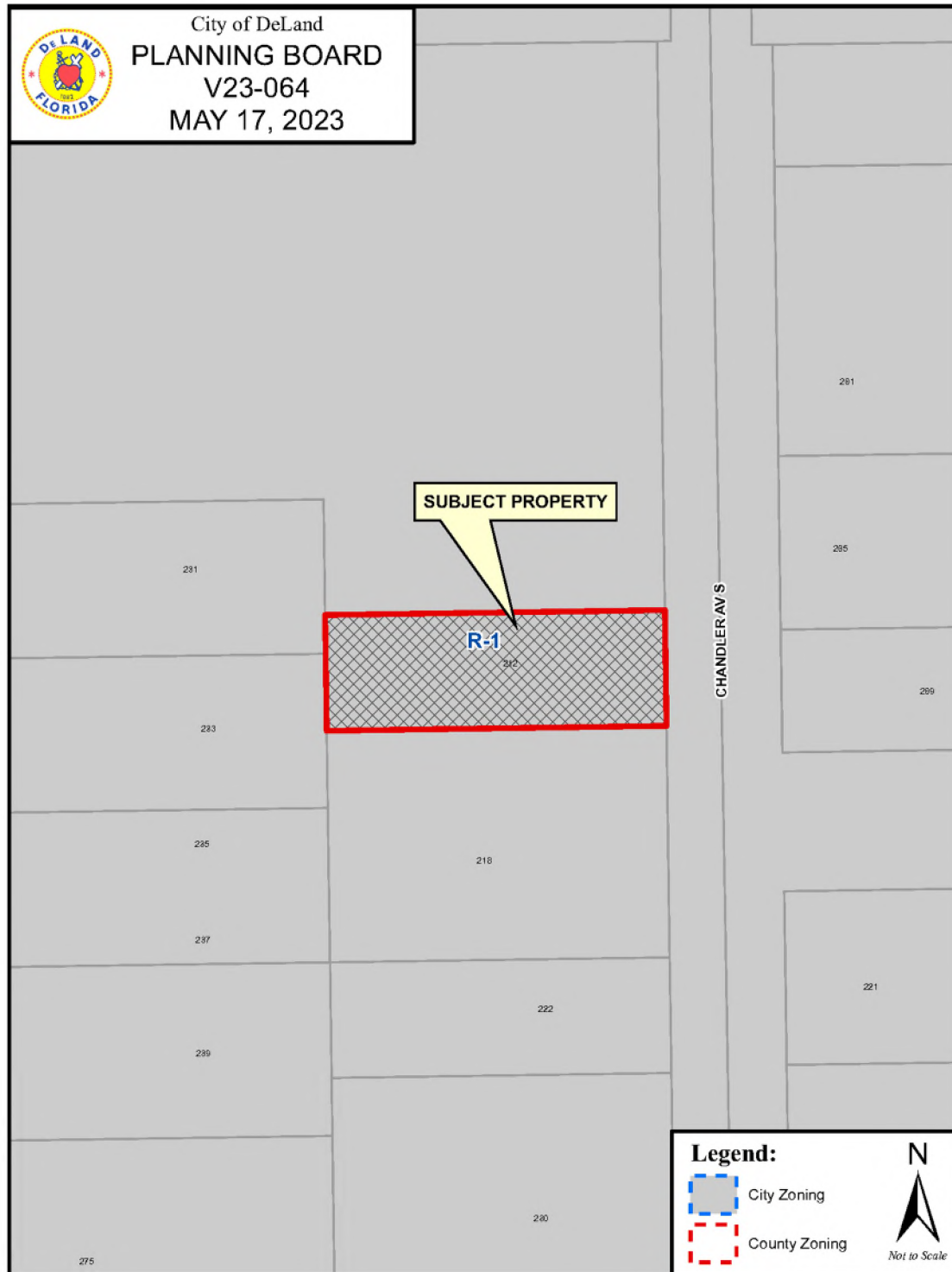
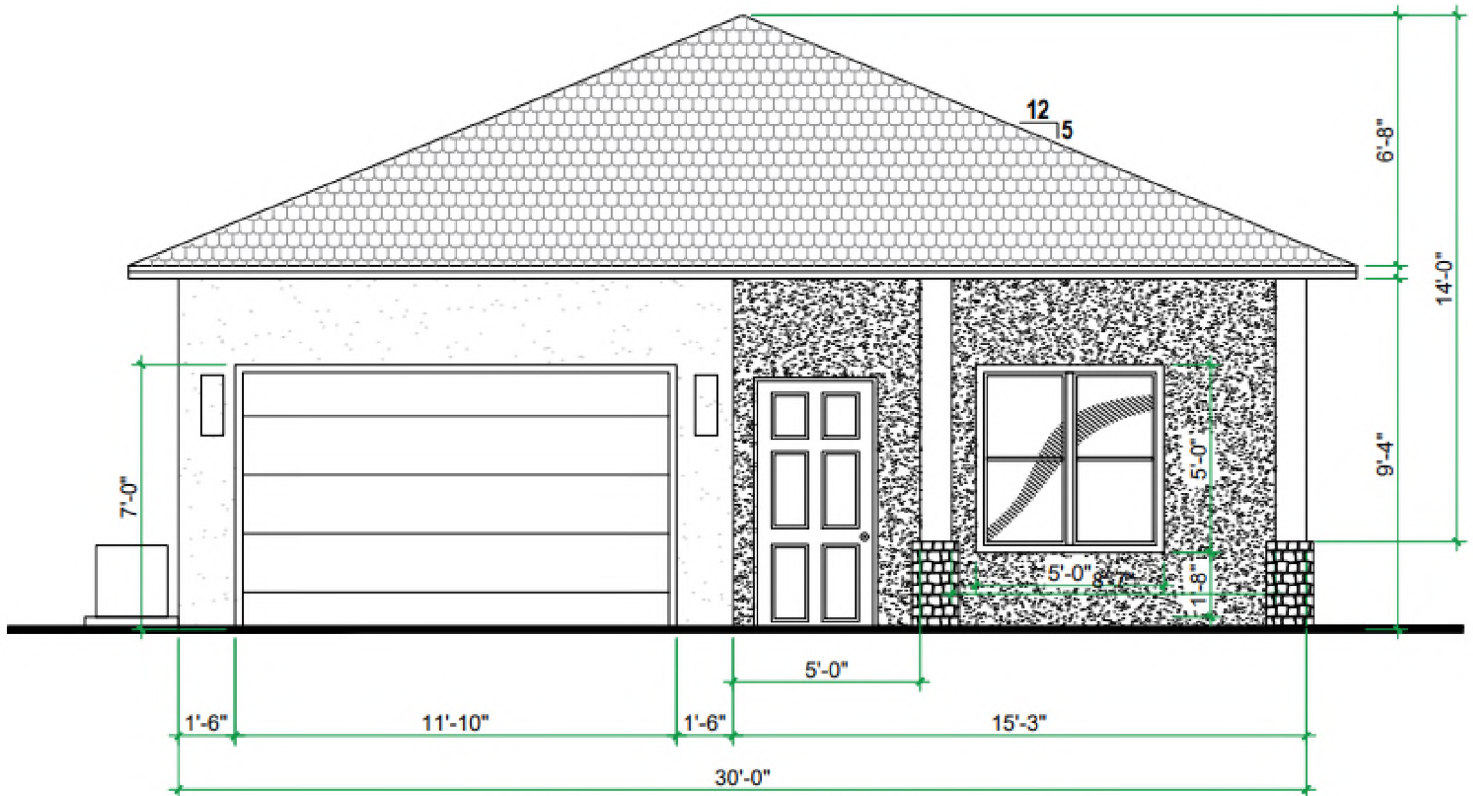


Exhibit C – Neighboring Properties



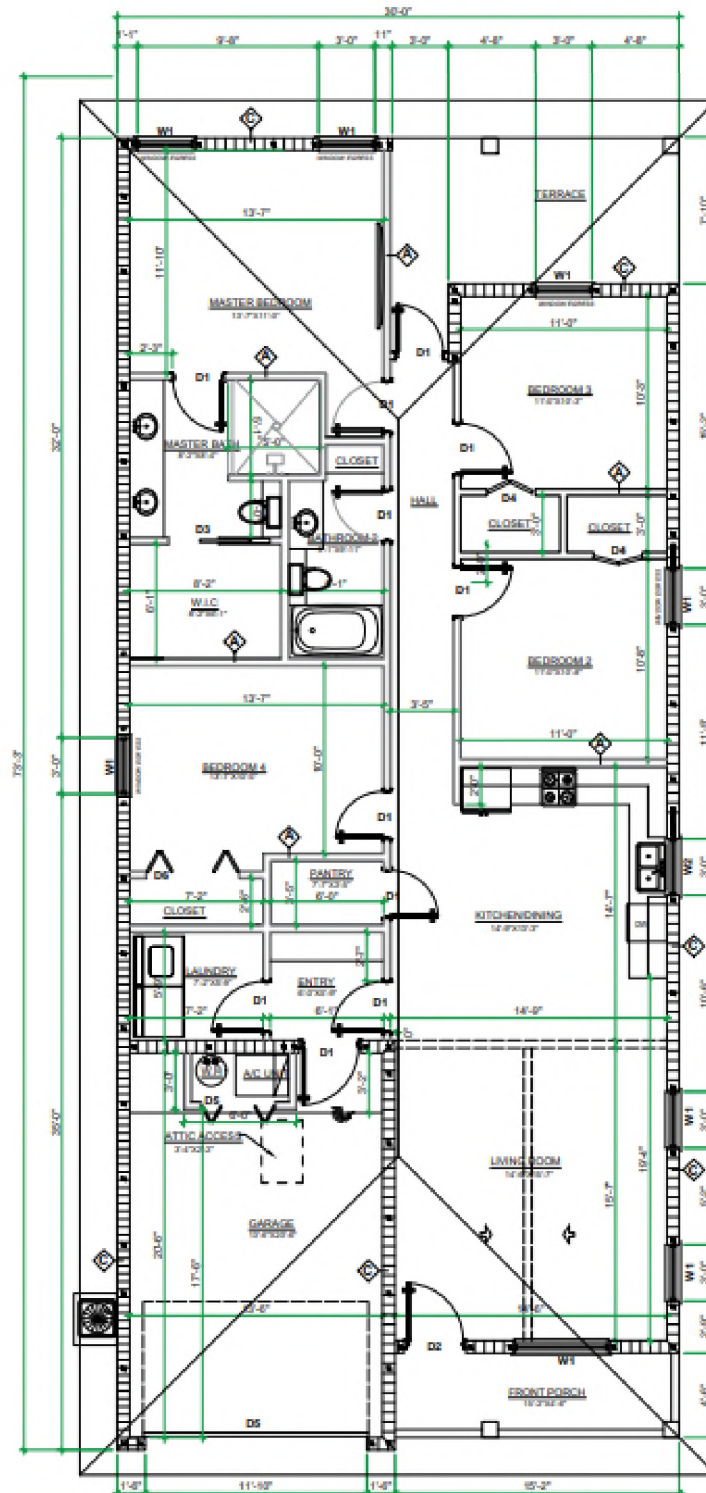


Exhibit D – Proposed Elevation



FRONT ELEVATION

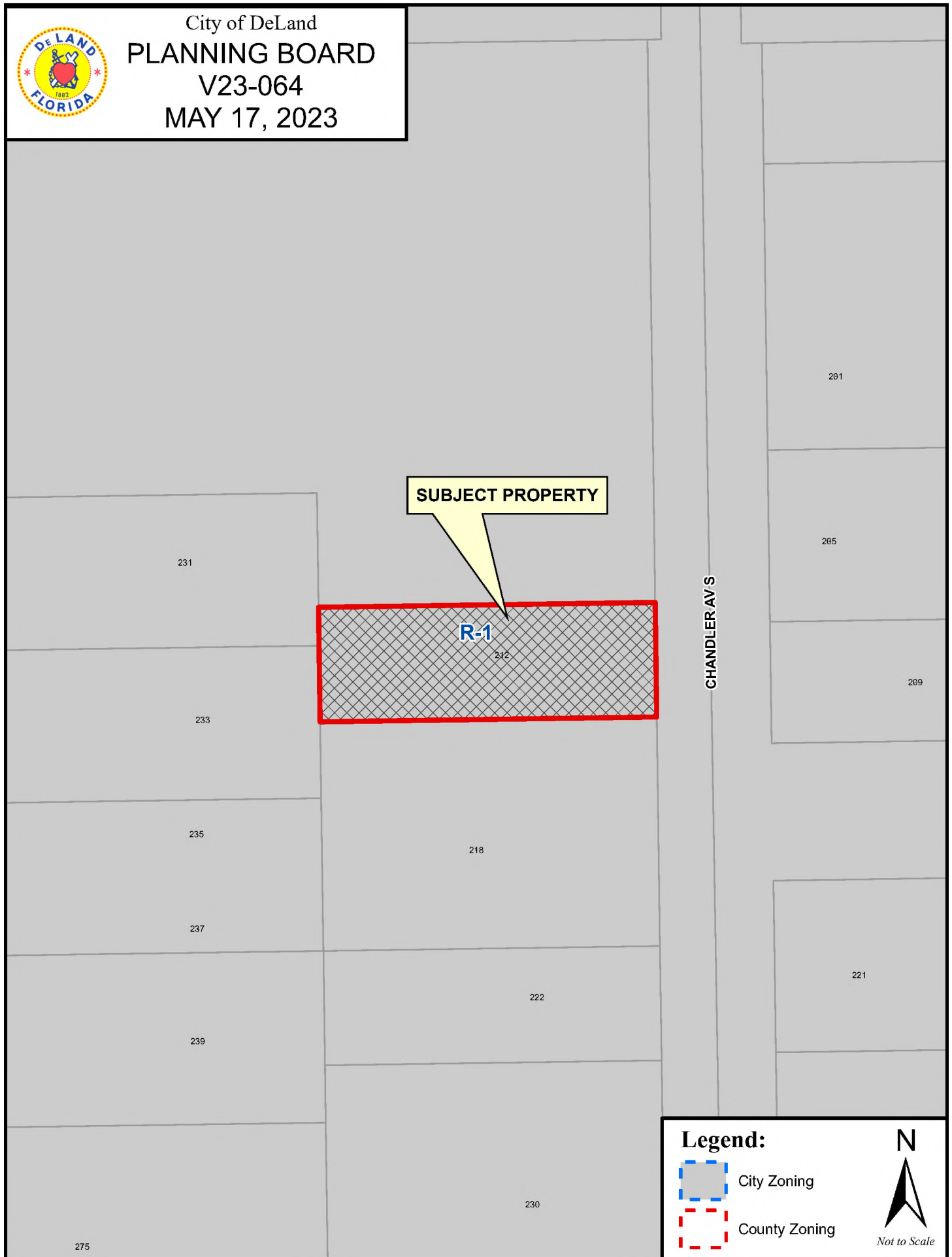
Exhibit E – Proposed Floor Plan



 **PROPOSED FLOOR PLAN**
SCALE: 1/4" = 1'-0"



City of DeLand
PLANNING BOARD
V23-064
MAY 17, 2023





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Memorandum

To: Planning Board

From: Carol Kuhn, AICP, Planning Director

Date: May 10, 2023

Re: Continuation of SP22-211 – Site Plan for Meadowlea Village Phases 4 & 5

On April 19, 2023, the Planning Board voted to continue the Meadowlea Village Phase 4 & 5 site plan to allow the applicant additional time to explore the feasibility of a secondary access point. However, the applicant needs additional time to prepare this information and has requested that this item be continued to a future date.



City of DeLand
PLANNING BOARD
SP22-211
APRIL 19, 2023



Legend:

- City Zoning
- County Zoning



CITY OF DELAND
Request for Commission Action
May 17, 2023

SUBJECT: Vote on rescheduling monthly Planning Board meeting to 2nd or 4th week of the month.

DEPARTMENT: Planning

PREPARED BY: Carol Kuhn, Deputy Planning Director

ATTACHMENTS:

APPROVED BY: ,

SUMMARY/HIGHLIGHT: