

REGULAR PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
AUGUST 22, 2019

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Vice Chair Mills-Benat at 5:30pm.

Pledge of Allegiance

Silent Invocation

Roll Call

Present: John Junco
Maria Mills-Benat
Darrel “Bo” Bofamy (arrived late)
Newton White
Lance Green
Thomas Jordan, Chairman (arrived late)

Absent: Stan Schmidt (unexcused)

Also Present: Shannon Balmer, Assistant City Attorney
Shelby Field, Assistant City Clerk

B. DISCUSSION/ACTION

4. Consideration of Minutes

Motion to approve the minutes as presented from July 25, 2019 was made by Commissioner Junco and Seconded by Commissioner White. Motion carried unanimously by voice vote.

5. Case No. 19-90000005

Variance/1490 Taylor Road
1490 Taylor Road

A request by the applicant for variances from the Land Development Code to 1) reduce the minimum shade tree planting requirement for a right-of-way landscape buffer along Taylor Road; and 2) reduce or waive the required number of replacement trees or replacement tree mitigation payment for the removal of trees within a required buffer.

STAFF CONTACT: Briana Conlan-King, Senior Planner (386) 506-5676 brking@port-orange.org

Briana Conlan-King, Senior Planner, discussed details of the variance requests and answered questions from the Commissioners.

Gino Brown, HOA President for Phase 1, gave a brief history of the area, discussed the struggles with the current financial structure and difficulties with maintenance and answered questions from the Commissioners.

Shawn Goepfert, citizen, spoke about the cost to the homeowners due to the trees.

Robert Reinhausen, citizen, addressed his concerns regarding sufficient land for the required number of replacement trees.

Motion to approve case 19-90000005 as recommended by staff was made by Commissioner White and Seconded by Commissioner Junco. Motion carried unanimously by roll call vote.

Vice Chair Mills-Benat turned the meeting over to Chairman Jordan.

6. Case No. 19-40000003

PUD Amendment/Colony in the Wood Planned Unit Development Amended and Restated Master Development Agreement and Conceptual Development Plan
4000 Clyde Morris Boulevard

A request by the applicant to amend and restate the Colony in the Wood Planned Unit Development (PUD) Master Development Agreement (MDA) to allow for up to 19 additional mobile home units to be built in the Colony in the Wood mobile home park.

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671 pcruz@port-orange.org

Penelope Cruz, Planning Manager, discussed details of the proposed amendment and answered questions from the Commissioners.

Sean Murphy, Atwell Engineering, provided more information about the amendment request and answered questions from the Commissioners.

Motion to approve Case No. 19-40000003 was made by Vice Chair Mills-Benat and Seconded by Commissioner Bofamy. Motion carried 5-1 by roll call vote with Commissioner White voting no.

7. Case No. 19-20000004

Small-Scale Future Land Use Map Amendment/1793 Taylor Road
1793 Taylor Road

A request by the applicant to amend the Comprehensive Plan Future Land Use (FLU) Map to change the FLU for ±1.68 acres, located at 1793 Taylor Road, from Public/Institutional to Rural Transition (0-2 units/acre).

STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671 pcruz@port-orange.org

Chairman Jordan asked if they should open the following related item up for discussion at the same time as this item and then vote separately at the end. The Board agreed.

Mrs. Cruz discussed details of the proposed amendment and the proposed rezoning (item 8) and answered questions from the Commissioners.

Glen Storch, Attorney for the applicants, provided more information on the desire to change the zoning for each parcel and the land use for the one parcel at 1793 Taylor Road.

Sarah Jones, citizen, asked the Commission about the location of Gamble Place and if it was affected by any of these changes. Staff responded no, it is not.

Mr. Reinhagen asked the Commission about sewer or septic system connection requirements. Mrs. Cruz responded that there is currently no development proposed, but when there is and if there is sewer within 100ft they would have to connect.

Motion to approve Case No. 19-20000004 was made by Commissioner Junco and Seconded by Vice Chair Mills-Benat. Motion carried unanimously by roll call vote.

8. Case No. 19-60000005

Rezoning/Cracker Creek (1815, 1789, 1793, and 1795 Taylor Road)
1815, 1789, 1793, and 1795 Taylor Road

A request by the applicant to rezone ±53 acres from Planned Unit Development (PUD) to Office/Residential Transition (ORT), Rural Residential (RR), Recreation (REC) and Flood-Plain Conservation (F-C).

STAFF CONTACT: Gwen Perney, Senior Planner (386) 506-5673 gperney@port-orange.org

Mrs. Cruz discussed details of the proposed rezoning and answered questions from the Commissioners.

Motion to approve Case No. 19-60000005 was made by Vice Chair Mills-Benat and Seconded by Commissioner Green. Motion carried unanimously by roll call vote.

C. OTHER BUSINESS

9. Commissioner Comments

Commissioner Green inquired about annual commercial business inspections. Tim Burman, Community Development Director, responded that Code Enforcement is responsible for conducting the Commercial Property Maintenance Program (CPMP). Commissioner Green is upset about businesses abusing the sign ordinance. He is also upset about how the tree buffer at the AutoZone on Taylor Road looks. Commissioner Green asked about the status of the

apartment buildings on Samms Avenue and the Church on Madeline. Mr. Burman informed the Board both are being worked on. Commissioner Green asked Mr. Burman if anything is being done with the old BP gas station next to the Waffle House. Mr. Burman replied that there have been no inquiries on it.

Commissioner White spoke about the trend of converting shipping containers into permanent structures and his desire to investigate this option further for Port Orange. Mr. Burman spoke about the potential difficulties with the size limitations in current mobile home zoning, but could investigate preparing some type of amendment to come back before the Commission if its something they are interested in.

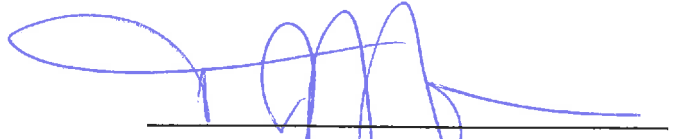
Commissioner Bofamy inquired about the construction materials required in Port Orange, specifically for mobile home verse shipping containers. Mr. Burman responded they have to meet Florida building Code; the major issue would be meeting size requirements.

10. Staff Comments

Mr. Burman updated the Commission on the recent City Council meeting and Riverwalk items.

D. PUBLIC COMMENTS – there were none.

E. ADJOURNMENT – 6:55pm


Chairman Thomas Jordan