AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, September 22, 2016
Type of Meeting: Regular

Time: 5:30 PM

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Pledge of Allegiance
2. Silent Invocation
3. Roll Call

B. DISCUSSION/ACTION

4. Consideration of Minutes
5. Case No. 16-90000005
   SUBDIVISION VARIANCE/870 TAYLOR ROAD

   A request for a subdivision variance from Chapter 5, Section 2(b)(3)(a) of the Land Development Code (LDC), to waive the requirement for the submittal of a plat and development plan to subdivide a 7.88-acre parcel into two lots. If the subdivision variance request is approved, the applicant is proposing to apply for a minor subdivision to create two lots on a 7.88-acre parcel of land.

   Staff Contact: Briana Conlan-King (386) 506-5676/brking@port-orange.org
6. Case No. 16-90000006
   VARIANCE/420 BAYWOOD CIRCLE

   A request for a variance from Chapter 17, Section 27 of the Land Development Code (LDC) to allow a 50-foot rear building setback in lieu of the required 82-foot rear building setback required by the LDC. If the variance is approved, the property owners are proposing to construct a detached garage on the subject property.

   Staff Contact: Tim Burman (386) 506-5675/tburman@port-orange.org

7. Case No. 16-25000004
   MORATORIUM/TATTOO PARLORS

   A 9-month moratorium on the issuance of development orders, building permits, zoning verification letters, and zoning approvals for business tax receipts for the operation of tattoo parlors within the City of Port Orange.

   Staff Contact: Tim Burman (386) 506-5675/tburman@port-orange.org

C. OTHER BUSINESS

8. Development Activity Report
9. Commissioner Comments
10. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE **PLANNING COMMISSION** WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED. NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.

PLANNING COMMISSION MEETING MINUTES
CITY OF PORT ORANGE
1000 CITY CENTER CIRCLE
COUNCIL CHAMBERS
AUGUST 25, 2016

THE REGULAR MEETING OF THE PLANNING COMMISSION of the City of Port Orange was called to order by Chairman John Junco at 5:30 p.m.

Pledge of Allegiance

Silent Prayer

ROLL CALL:	Present:	Lance Green John Junco Newton White Michael Arminio Thomas Jordan Maria Mills-Benat Darrel "Bo" Bofamy
	Also Present:	Matthew Jones, Deputy City Attorney Robin Fenwick, City Clerk

DISCUSSION/ACTION

4. Consideration of Minutes

Motion to approve the minutes of July 28, 2016 as presented was made by Member Arminio, and Seconded by Member Jordan. Motion carried unanimously by roll call vote.

5. Case No. 16-20000001
SMALL SCALE COMPREHENSIVE PLAN AMENDMENT/THE PINNACLE SUBDIVISON
East side of Airport Road, west of I-95, north of the Sterling Chase Subdivision

A request to amend the Comprehensive Plan Future Land Use (FLU) Map to change the FLU designation of +/- 9.5 acres from *Rural Transition* (0 – 2 units per acre) to *Suburban Residential* (2-4 units per acre).

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

Vice Chair Green declared a conflict as to items #5 and #6 as Paytas Homes is the applicant and is his current employer. He will abstain from voting. (Form 8B is attached hereto as required.)

Penelope Cruz, Principal Planner, asked to open items #5 and #6 to be discussed together. The Commission agreed.

Commissioners asked questions regarding the average lot size and number of lots, as well as traffic concerns, the vacated Martin Road, etc. Ms. Cruz said the only changes are to expand the boundaries, increase the number of lots, emergency access, etc. It will look and feel like Phase 1.

Jim Paytas, Paytas Homes, believes the project will benefit the community and is available for questions. The homes will probably be priced in the $260-270,000 range. Commissioner Jordan expressed a concern down the road with a different FLU in the middle of Rural Transition.

Jack Goldey, citizen, asked if there are any potential environmental concerns. Randy Hudak, Zev Cohen & Associates, explained the changes with St. Johns Water Management District which required this project to provide additional mitigation factors via a dry pond. Wetlands was also discussed.

Motion to approve Item #5 was made by Member Arminio, and Seconded by Member Jordan. Motion carried 6-0-1 by roll call vote with Vice Chair Green abstaining.

6. Case No. 16-40000004
FIRST AMENDMENT TO THE PINNACLE PLANNED UNIT DEVELOPMENT MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN
East side of Airport Road, west of I-95, north of the Sterling Chase Subdivision

A request to amend the Pinnacle Planned Unit Development (PUD) Master Development Agreement (MDA) and Conceptual Development Plan (CDP) to expand the boundary of the Pinnacle PUD and raise the maximum number of single-family homes from 139 to 150.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

Staff recommends approval of the First Amendment to the Pinnacle PUD Master Development Agreement and Conceptual Development Plan, subject to the following:

1) *Approval of the Future Land Use Amendment (Case No. 16-20000001); and*
2) *Resubmittal of the MDA and CDP to address outstanding technical comments prior to scheduling this item for City Council review.*
3) *Review and approval of the MDA and CDP by the City Attorney's Office for legal form and content.*

Motion to approve Item #6 as recommended by Staff was made by Member Arminio, and Seconded by Member Jordan. Motion carried 6-0-1 by roll call vote with Vice Chair Green abstaining.

7. Case No. 16-25000003
LDC TEXT AMENDMENT/CRAFT FOOD AND BEVERAGE PRODUCER, BREWERY, AND MICROBREWERY USES

Amendment to Chapters 2, 17, and 18 of the Land Development Code (LDC) related to Craft Food and Beverage Producer, Brewery, and Microbrewery uses. The proposed amendments include adding definitions for Craft Food and Beverage Producer, Brewery, and Microbrewery uses; adding Craft Food and Beverage Producer, Brewery, and Microbrewery uses as permitted uses with special development requirements in various commercial and industrial zoning districts; and establishing special development requirements for Craft Food and Beverage Producer, Brewery, and Microbrewery uses.

Staff Contact: Penelope Cruz (386) 506-5671/pcruz@port-orange.org

Ms. Cruz explained that this item is a code amendment for an update to match current trends throughout the United States. Commissioners asked questions regarding the need for this usage and where it will be allowed.

Motion to approve Item #7 was made by Member Arminio, and Seconded by Member Jordan. Motion carried unanimously by roll call vote.

C. OTHER BUSINESS

8. Development Activity Report

Tim Burman, Principle Planner, answered Commissioners questions relating to ongoing projects.

9. Commissioner Comments

There were none.

10. Staff Comments

There were none.

PUBLIC COMMENTS

There were none.

ADJOURNMENT: 6:20 p.m.

_____

Chairman John Junco

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Green, Lance	Planning Commission
MAILING ADDRESS: 6469 Longlake Dr	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY: Port Orange COUNTY: Volusia	NAME OF POLITICAL SUBDIVISION: City of Port Orange
DATE ON WHICH VOTE OCCURRED: August 25, 2016	MY POSITION IS: ☐ ELECTIVE ☑ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lance Green, hereby disclose that on August 25, 20 16:

(a) A measure came or will come before my agency which (check one or more)

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

✓ inured to the special gain or loss of Paytas Homes, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Case No. 16-20000001 - Small scale Comprehensive Plan Amendment - The Pinnacle Subdivision
Case No. 16-40000004 - First Amendment to the Pinnacle Planned Unit Development Master Development Agreement and Conceptual Development Plan.

I am currently employed by the applicant, Paytas Homes.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

8/25/16
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

STAFF REPORT

VARIANCE FROM LDC CHAPTER 5, SECTION 2 (b)(3)(a)
CASE NO. 16-90000005

REQUEST:	Subdivision variance from the Land Development Code (LDC) to waive the acreage requirement for a minor subdivision.
OWNER:	Susan Long, Cheryl Parks, Glenn Parsons and Harry Parsons
APPLICANT:	Joseph H. Hopkins, P.E., The Performance Group Inc.
LOCATION:	870 Taylor Road (See Figure 1)
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Briana Conlan-King, Planner (386) 506-5676
CITY COUNCIL DATE:	September 22, 2016

DISCUSSION:

The applicant for the property owners, Joseph H. Hopkins, is proposing to subdivide the property located at 870 Taylor Road. The property is approximately 7.88 acres with 495 feet of roadway frontage along Taylor Road. Based on the size of the property, the Land Development Code (LDC) requires the applicant to subdivide the property through the final subdivision platting process. However, in the LDC there is an exception to the platting process that is available, provided that certain criteria can be met. The subject property meets all the criteria except the maximum 3-acre criteria.

Approval of the subdivision variance from the acreage requirement would allow the applicant to subdivide the property through the minor subdivision process instead of the platting process. According to the applicant, the variance from the subdivision platting process is being requested to reduce the cost (application fee and preparing the plat) and time associated with subdividing the subject property.

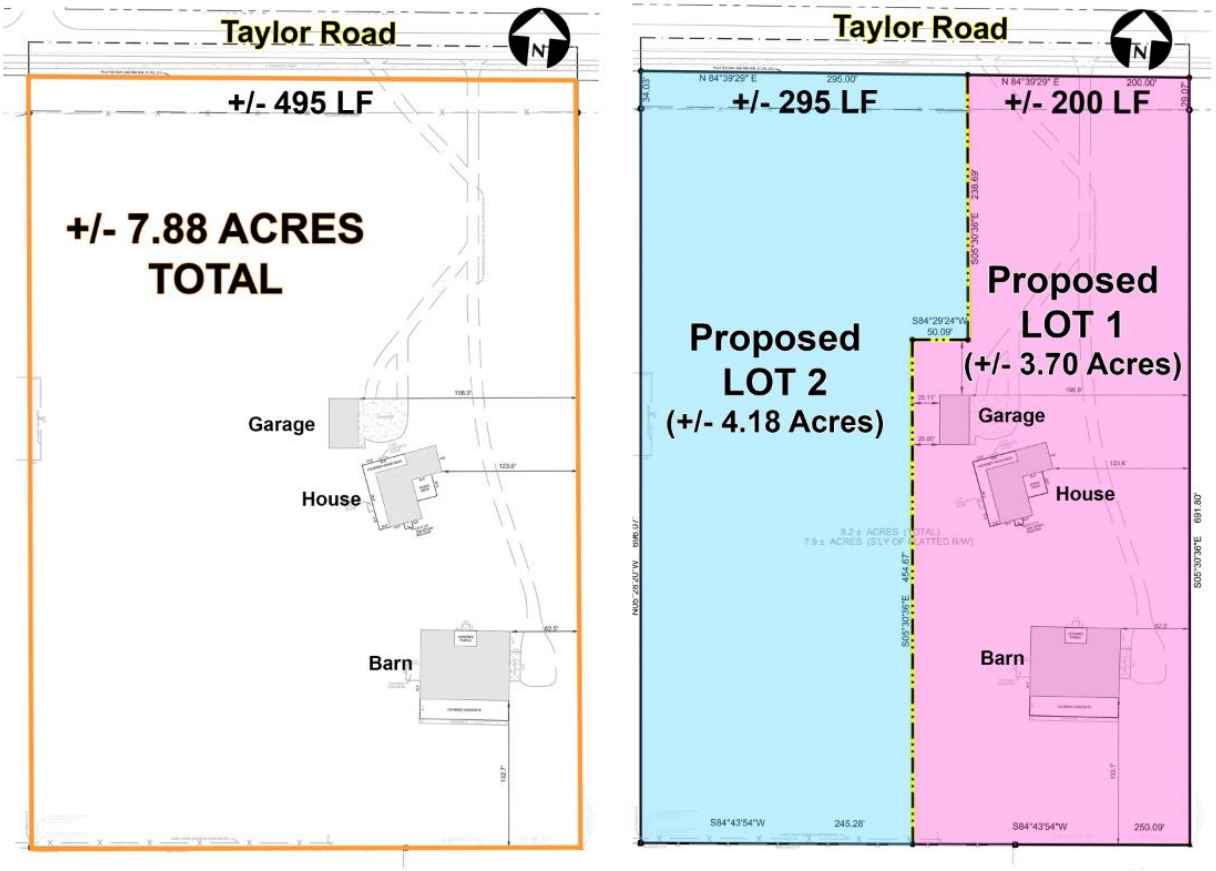
Figure 1. Location of Subject Property (870 Taylor Road)

The LDC requires a subdivision plat for the division of any real property into two or more lots unless otherwise exempted. The purpose of this requirement is to ensure that adequate services are available, that all required improvements are constructed to City standards, and to prevent the piecemeal subdivision of land, which often results in land-locked and remnant parcels. Because utility services are available to the subject property, the property fronts on an existing right-of-way, and the proposed subdivision would not result in any nonconforming lots.

If the subdivision variance is approved, the applicant is proposing to subdivide the property to create a lot for the existing single-family home and accessory structures and a second lot for a proposed commercial kennel. The subject property is zoned Agricultural (A), and both a single-family home and commercial kennel are permitted uses.

If the subdivision variance is approved, the applicant would be required to apply for a minor subdivision, which is reviewed at the staff level to assure the proposed lots and remaining structures meet all of the requirements (e.g. tree preservation, setbacks, lot area and width, and connection to City water and sewer service) of the LDC. If subdivided, the applicant then intends to submit a site plan for the commercial kennel. The proposed site plan will be required to meet all of the minimum development requirements, building setbacks, open space, building coverage, stormwater, utilities connections, parking lot standards, landscape buffers to provide visual screening, and architectural design standards of the LDC.

Figure 2. Current Layout & Proposed Layout



REVIEW OF VARIANCE CRITERIA

Chapter 5, Section 9 of the LDC identifies variance procedures and requirements for a subdivision variance. Variances from the plat and review process may be granted by the City Council upon recommendation from the Planning Commission. As such, the Planning Commission's vote on the subject variance is a recommendation to the City Council. These criteria, accompanied by staff's response, are as follows:

a) *Required services are already available to the proposed lots without the construction of additional improvements.*

The Public Utilities Department has indicated that services are available within the Taylor Road right-of-way and adequate to serve the two proposed lots. The subject property fronts on Taylor Road and access to the proposed lots will be off that street. There is no anticipated impact to the City's drainage system from the proposed subdivision. Any future development on the proposed lots will be required to address stormwater in accordance with the City standards.

Based upon the responses received from Fire and Police, there is adequate capacity to accommodate the additional lot that would be created. Solid waste collection and disposal for the proposed lots would be by the City's solid waste private contractor.

b) *Levels of service can be reasonably provided through the site development review process or residential site plan review process for individual lots.*

The proposed subdivision will create an additional lot that will increase impacts on roadways, potable water, sanitary sewer, and solid waste; however, capacity exists for the projected increases. Levels of service will be adequately addressed in the site plan review process that dictates access, utility connections, drainage, etc. will meet City standards.

c) *Other methods can be arranged to assure construction of improvements, eliminating the need for a formal subdivision approval.*

The City Engineering Division and Public Utilities Department have indicated that no improvements would be required with the proposed subdivision. As part of the site development for the proposed kennel on Lot #2, the water and sewer lines in the Taylor Road right-of-way will need to be tapped and extended to serve the proposed lots.

According to the applicant, the subdivision variance is not requested because of a lack of improvements but because of the size of the current parcel and to reduce the cost and time associated with subdividing the subject property.

d) *The granting of the variance is consistent with the overall intent of this Code, and will not be injurious to surrounding properties or detrimental to the public welfare.*

The property is zoned Agricultural (A) and the resulting lots of the proposed subdivision would exceed the minimum dimensional requirements set forth in the LDC.

The LDC requires a subdivision plat for the division of any real property into two or more lots unless otherwise exempted. The purpose of this requirement is to ensure that adequate services are available, that all required improvements are constructed to City standards, and to prevent the piecemeal subdivision of land, which often results in land-locked and remnant parcels.

Because utility services are available to the subject property, the property fronts on an existing right-of-way, and the proposed subdivision would not result in any nonconforming lots, this variance request is consistent with the overall intent of the Code. The variance is not being sought to avoid any required site improvements but to allow for a more efficient, less expansive process to subdivide the property. Therefore, granting this subdivision variance request will not be injurious to the surrounding properties or detrimental to the public welfare.

RECOMMENDATION:

Since the subdivision variance request meets the review criteria and general intent of the LDC, Staff recommends **approval** of the subdivision variance to waive the 3-acre maximum lot size requirement and allow the applicant to submit a minor subdivision application; subject to:

- Submittal of a minor subdivision exemption application to subdivide the property into two lots as generally depicted in Figure 2 of the staff report.

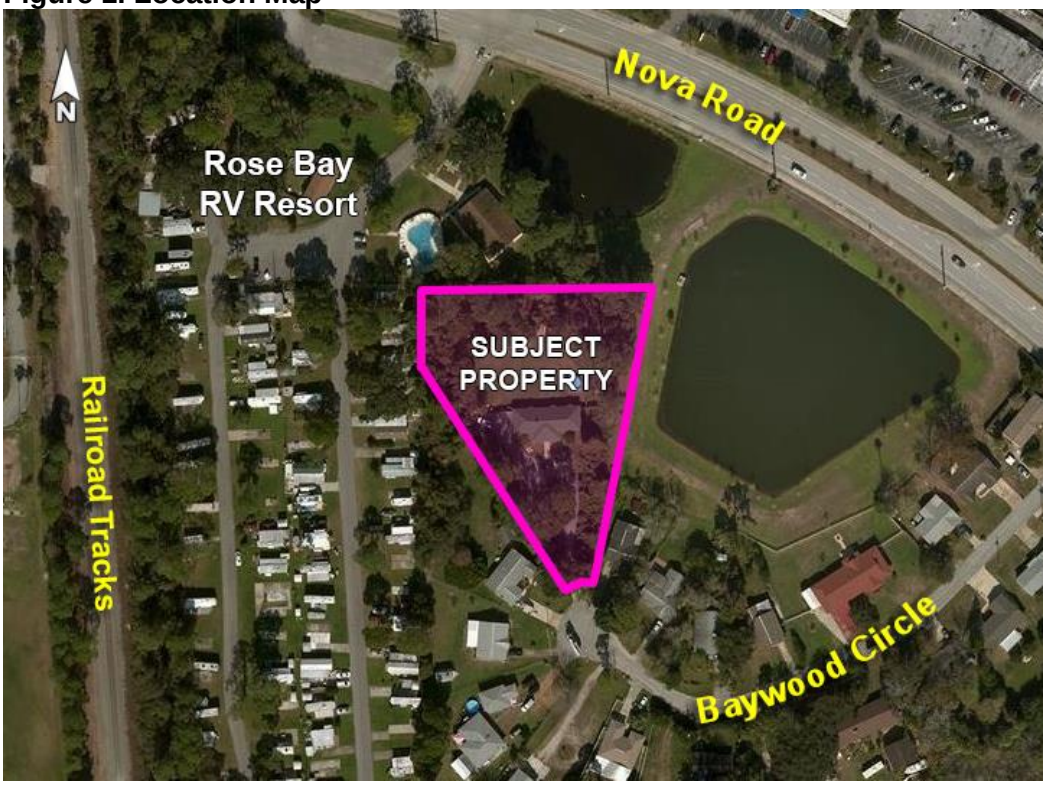
STAFF REPORT
VARIANCE FROM LDC CHAPTER 17, SECTION 27
CASE NO. 16-90000006

REQUEST:	Variance from the LDC to reduce the rear building setback from 77.5 feet to 50 feet.
OWNERS / APPLICANTS:	Ronald & Roseanne Rossi
LOCATION:	420 Baywood Circle (Figure 1 – Location Map)
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Tim Burman, Planning Manager (386) 506-5675
PLANNING COMMISSION DATE:	September 22, 2016

DISCUSSION:

The subject property is a 1.4-acre "pie" shaped lot that is +/- 410 feet deep with 50 feet of road frontage on Baywood Circle. The property owners are requesting the variance to reduce the rear-building setback from 77.5 feet to 50 feet to allow for the construction of a detached garage behind their existing single-family home. If approved, the variance would allow the garage to encroach 27.5 feet into the required 77.5-foot rear yard-building setback. According to one of the property owners, the proposed garage is for storage of his classic car collection and camper along with an area to work on his classic cars and personal vehicles (Exhibit A).

Figure 1. Location Map



The subject property is zoned “R-7SF” (Single-Family Residential). According to the Land Development Code (LDC), the intent of the R-7SF zoning district is to provide for medium-density, smaller-lot residences in existing neighborhoods located near urban activity centers.

In 1999, the subject property was annexed into the City as part of the Harbor Oaks annexation and in 2001, this area was administratively rezoned from Volusia County R-4 and R-5 zoning districts (Urban Single-Family Residential) to the City of Port Orange “R-7SF” (Single-Family Residential). The R-7SF zoning district was created by the City specifically for the annexed Harbor Oaks area. The zoning district was created to replace the Volusia County R-4 and R-5 residential zoning district. Based on the information available to staff, these Volusia County zoning districts required a fixed 20-foot rear-yard setback; however, the rear-yard setback created by the City for the R-7SF district required the rear yard setback to be 20% of the lot depth.

The rear-yard setback for R-7SF zoning district is determined by multiplying the average depth of the lot by 20 percent. Since the average depth of the lot is approximately 387.5 feet (410 feet + 365 feet/ 2 feet), the rear yard setback is determined to be 77.5 feet (387.5 feet X 20%). Drawing the setback line parallel to the rear lot line, the proposed garage encroaches into the rear yard setback 27.5 feet (Figure 2).

According to the property owners, the subject property is significantly larger than the surrounding residential lots on Baywood Circle and the subject property abuts to Rose Bay Campground. The property owners are requesting the 50-foot rear-yard setback because that is comparable to other 1-acre lots in Port Orange. The minimum rear-yard setback for 1-acre lots is 40-feet in the Agriculture (A) zoning district and 30-feet in the Rural Residential (RR) zoning district. According to information on the Volusia County Property Appraiser’s Website, the average lot depth for the lots on Baywood Circle is 204.6-feet and average rear-yard setback is 40.9-feet (Table 1).

Table 1. Required Rear Yard Setback for Lots on Baywood Circle

Address	Lot Square Footage	Acreage	Lot Depth (feet)	Rear Yard Setback (feet)
420 Baywood Circle	60,984	1.4	387.5	77.5
418 Baywood Circle	11,470	0.26	155	31
422 Baywood Circle	7,227	0.17	99	19.8
416 Baywood Circle	8,500	0.2	170	34
424 Baywood Circle	6,612	0.15	144	28.8
414 Baywood Circle	8,350	0.19	167	33.4
427 Baywood Circle	21,432	0.49	228	45.6
425 Baywood Circle	17,405	0.4	295	59
423 Baywood Circle	14,170	0.33	218	43.6
419 Baywood Circle	22,022	0.51	182	36.4
Average			204.6	40.9

Source: Volusia County Property Appraisers’ Website

Figure 2. Requested and Required Rear Yard Setback:

REVIEW OF VARIANCE CRITERIA:

Chapter 19, Section 1, LDC, lists the review criteria that are used to determine whether a variance request should be granted. These criteria, accompanied by staff's analysis, are as follows:

a) *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 property owners believe the unique lot configuration compared to the other platted lots in the Baywood Replat Subdivision and how the rear-yard setback is determined in the R-7SF by using percentage of average depth versus a standard fixed dimension, are special conditions that exist for this property. According to the property owners, other lots along Baywood Circle are not required to have a rear-yard setback over 50-feet, but because of the subject property's unusual lot configuration and depth, a 77.5-foot rear yard setback is required. Although the percentage-based setback applies to all lots in this zoning district, the actual dimension of the subject lot is larger than typical due to the lot size.

At the time the Harbor Oaks area was annexed, the Volusia County R-4 and R-5 zoning districts that the City R-7SF zoning district was modeled from required a 20-foot fixed rear yard setback. The Volusia County R-4 and R-5 zoning district did not require the setback to be 20% of the average lot depth.

b) *The special conditions and circumstances are not a result of actions of the applicant.*

The subject lot was platted in 1954 as part of the Baywood Replat and was administratively rezoned to R-7SF in 2001. According to the property owners, the lot configuration and rear-yard setback calculation are special conditions not created by the actions of the property owners because they purchased the property in 2005.

The rear yard setback for the R-7SF zoning district was established by the City of Port Orange in 2001. The zoning district was created to replace the Volusia County R-4 and R-5 residential zoning district for the residential lots annexed into the City in 1999. Based on the information available to staff, these Volusia County zoning districts required a fixed 20-foot rear-yard setback; however, the rear-yard setback created by staff for the R-7SF required the rear yard setback to be 20% of the lot depth.

c) *Literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code, and would work unnecessary and undue hardship on the applicant.*

When a new structure is built, it must comply with current development requirements of the Land Development Code (LDC). The intent of building setback requirement is to minimize the impact on adjoining properties, ensure adequate separation between structures for air movement and light, and provide room on the subject property for maintenance and necessary repairs to the structure.

Although not their preference, the property owners could shift the proposed garage toward the center of the property to meet the rear yard setback requirement. According to the applicant, the variance is necessary for the proposed garage to be setback at least 50-feet from the rear lot line. The property owners state that placement of the garage 50-feet from the property line would still provide the necessary space to minimize the impact on adjoining properties, ensure adequate separation between structures for air movement and light, and provide room on the subject property for maintenance and necessary repairs to the structure. The property owners are concerned that shifting the garage the additional 27.5-feet will not provide sufficient space between the garage and their house.

Figure 4. View looking west along adjacent properties (Rose Bay Campground and 422 Baywood Circle – single-family dwelling)

Figure 3. View looking north along adjacent property (Rose Bay Campground)

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

The garage could be built to comply with the setback requirements of the LDC; however, this would require changes to the proposed location of the garage in the rear yard.

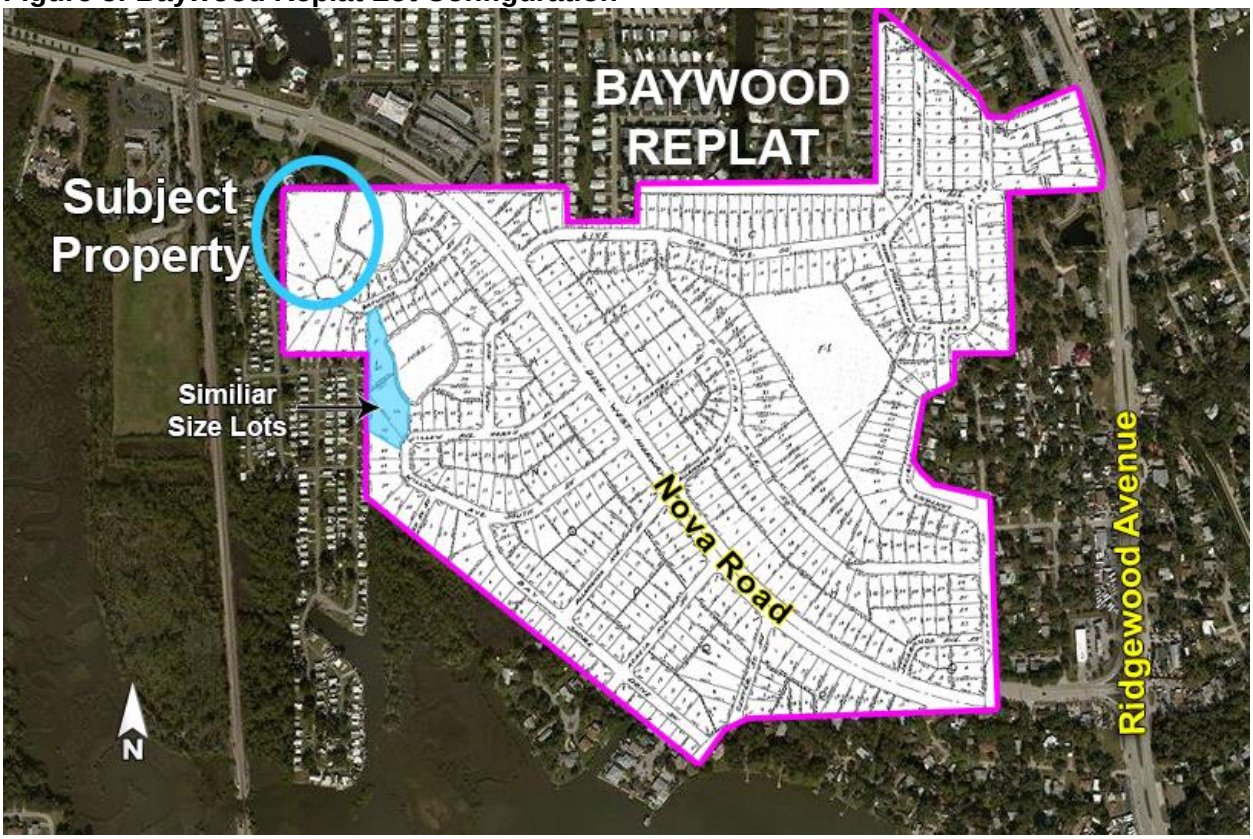
Although not their preference, the property owners could shift the proposed garage toward the center of the property to meet the setback requirement and relocate the proposed garage closer to the house. However, this would reduce the separation

between the proposed garage and single-family home. According to the applicants, the requested 50-foot rear yard setback will provide sufficient separation between the proposed garage and adjacent property to the north (Rose Bay Campground).

e) *Granting the variance request will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings, or structures in the same zoning district.*

Based on the various lot configurations in the R-7SF zoning district, there are a few similar lots with a required rear yard setback greater than 50 feet in the Baywood Replat area. However, the majority of lots in this area have a smaller setback requirement due to the percentage calculation method. Also, any structure to be built must to comply with the requirements of the LDC, unless a variance is granted.

Figure 5: Baywood Replat Lot Configuration



f) *The granting of the variance will be in harmony with the general intent and purpose of this code, and will not be injurious to the surrounding properties or detrimental to the public welfare.*

Building setback requirements are intended to provide adequate separation between buildings in order to minimize the visual appearance of the structure from adjacent properties, ensure adequate separation between structures for air movement and light, and to provide room on the subject property for maintenance and necessary repairs to the structure. A typical Port Orange rear yard setback ranges between 25 feet to 40 feet. The proposed 50-foot rear yard setback would exceed any of the rear yard setbacks required by other residential zoning districts.

Table 2. Minimum Rear Building Setback for Single-Family Zoning Districts

Zoning District	Minimum Lot Area	Minimum Rear Building Setback (Feet)
A	1.0 acre	40
RR	1.0 acre	30
R-20SF	20,000 sq. ft.	25
R-10SF	10,000 sq. ft.	25
R-8SF	8,000 sq. ft.	25
R-7SF	7,500 sq. ft.	20 percent of the depth of the lot or 20 feet, whichever is greater

The property owners state the garage will not have a visual impact on the adjacent property (Rose Bay Campground) due to the existing vegetation and trees on the applicants' property along the side and rear of the subject property. Also, the new garage will have a larger setback than what is applied to lots one-acre in size and greater which are zoned Agriculture or Rural Residential. According to the property owners, the area proposed for the garage is already cleared and is currently used for RV storage.

Figure 6. Proposed location of garage and existing vegetation and trees

According to the LDC, the purpose and intent of the R-7SF Single-Family Residential District is to provide for medium-density, smaller-lot residences in existing neighborhoods located near urban activity centers. Based on the purpose and intent statement related to smaller-lot homes, it appears that the impact to lots over 1-acre and greater than 350' deep was not considered when the percentage-based rear-yard setback requirement was created.

g) *The variance represents a reasonable disposition of a claim brought under the Bert J. Harris Private Property Rights Protection Act, chapter 95-181, Laws of Florida, that a development order of the city has unreasonably burdened the applicant's property, based upon the recommendations of the special master appointed in accordance with the act, or the order of a court as described in the act.*

The variance requested is not based on a claim brought under the Bert J. Harris Private Property Rights Protection Act.

RECOMMENDATION:

Based on the findings of this report, Staff recommends approval of the variance request from Chapter 17, Section 27 LDC to allow a 50-foot rear-yard setback for a lot zoned R-7SF that has an average lot depth of 387.5 feet.

EXHIBIT A

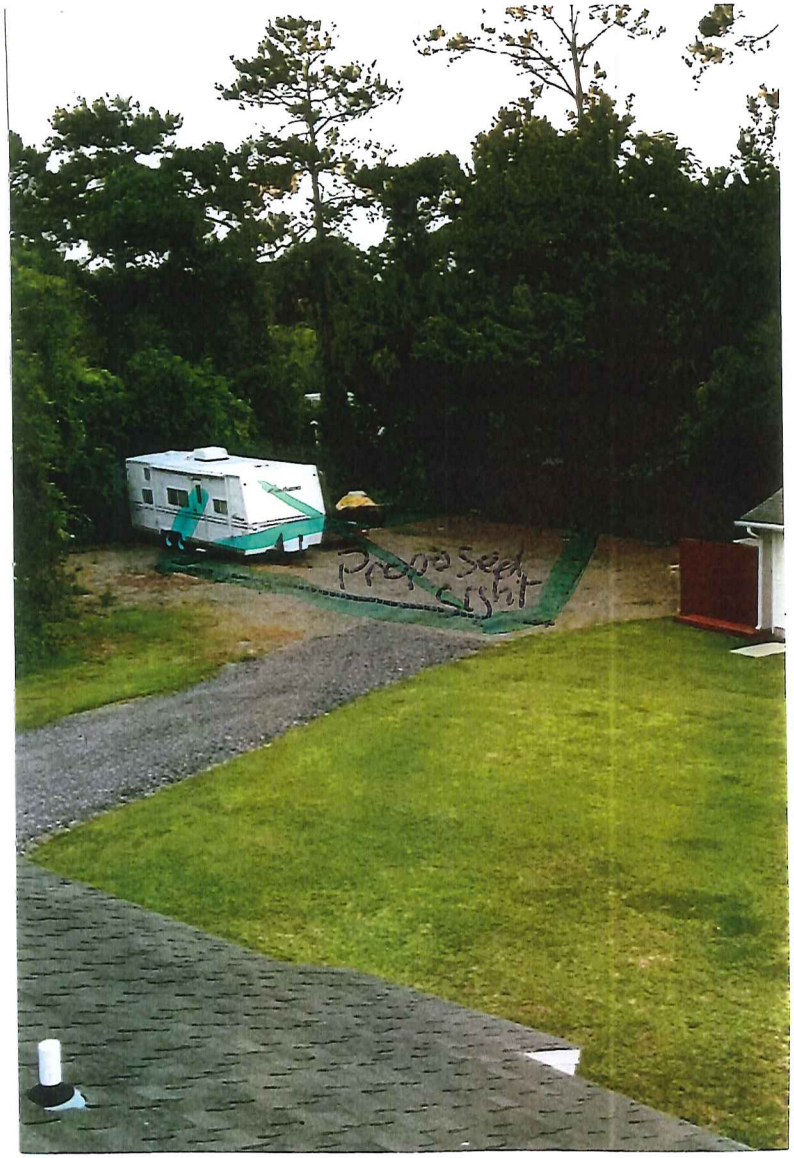
To Whom It May Concern,

I am putting up a detached garage at my home and am requesting a varanice to place it with a distance from our back property line of 50 feet, as I would like to take full advantage of my 1.4 acre property. I come from a long line of avid car enthusiasts, and will be using the garage to continue to enjoy my hobby with my classic cars. As I enjoy attending and supporting our local classic car shows, I look forward to enjoying the extra room in the new garage to be able to detail and work on my three already owned classic cars and two personal vehicles. My family also enjoys camping and owns a travel trailer which will be stored in the garage. Due to the pie shape of our property the area that I would like to place the garage would benefit it to have a 50 foot rear setback. Because of the unique shape of our property, it would be closest to the Rose Bay RV park's pool and receration area, and would be on the opposite end of our property from the only other abutting neighbors. Although I own an air conditioning company, and have a home office, this garage is being used for our personal hobbies. My business is servicing air conditioning units at our customers homes on their property. Thank you for your help in considering our request for a variance to place the garage at a 50 foot rear setback, like other one acre lot properties in Port Orange.

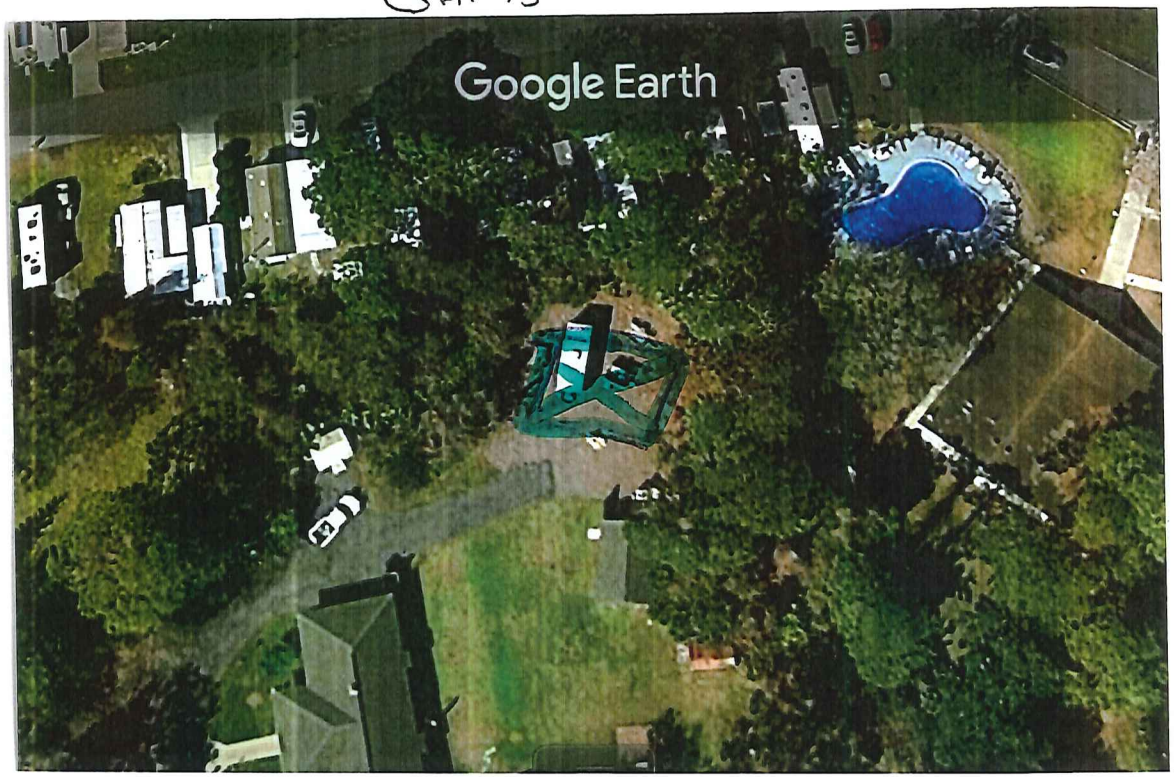
Sincerely,

Ronald Rossi
420 Baywood Circle
Port Orange, FL 32127

Proposed sight
There will Be 50 Feet
of wooded Area Between
Garage & CampGround

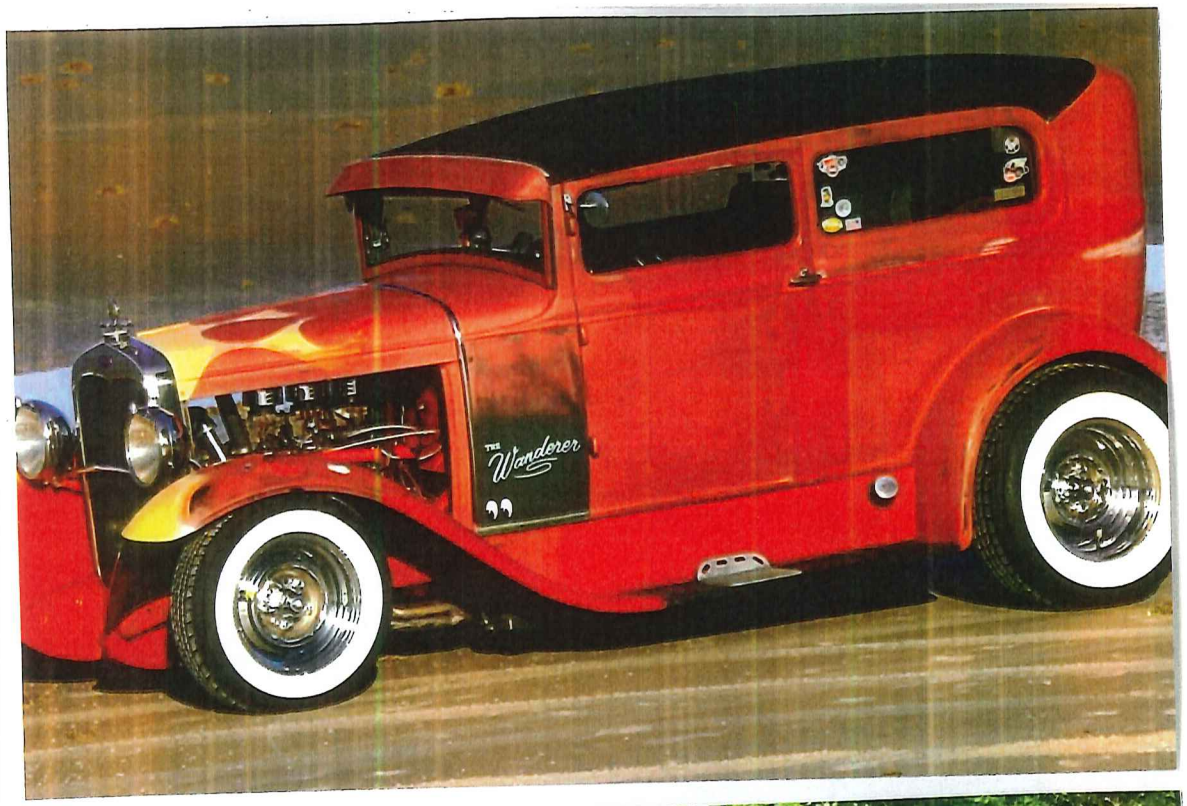


As you can See in this
Aerial View the Rose Bay
CampGround is the only
Property that will Border
Garage in Proposed area



Vehicles Registered
and owned By Ronald Rossi
which is why GARAGE is
Being Built

Vehicles owned By Ronald Rossi



STAFF REPORT
Moratorium – Tattoo Parlors
CASE NO. 16-25000004

REQUEST:	To establish a 9-month moratorium on the issuance of development orders, building permits, zoning verification letters, and zoning approvals for business tax receipts for the operation of tattoo parlors in the City of Port Orange.
APPLICANTS:	City of Port Orange
RECOMMENDATION:	**Approval**
STAFF CONTACT:	Tim Burman, Planning Manager (386)-506-5675
PLANNING COMMISSION DATE:	September 22, 2016

DISCUSSION:

The requested moratorium will allow staff to review the existing City requirements for Tattoo Parlors as part of an on-going maintenance effort. The Tattoo Parlors regulations in the Land Development Code have not been comprehensively updated since the early 2000's. If modifications are needed to maintain reasonable and uniform regulations for Tattoo Parlors that protect the health, safety and general welfare of the residents of Port Orange, amendments to the Code of Ordinances and Land Development Code will be prepared and brought before Council for review.

Currently, Tattoo Parlors are a Special Exception use within the Highway Commercial and Ridgewood Development zoning districts. In Port Orange, a Special Exception is reviewed by the Planning Commission and must be approved by the City Council. In addition to standard development requirements for all Special Exception uses (traffic generation, parking, landscaping, etc.), Tattoo Parlors must comply with specific development requirements. The special development requirements currently include: separation distance from residential uses, existing Tattoo Parlors, bars, schools, parks, and houses of worship. Landscape buffering from adjacent uses is also required.

Due to recent court findings related to zoning requirements for tattoo parlors, staff has prepared an ordinance imposing a 9-month moratorium on the issuance of development orders, building permits, zoning verification letters, and zoning approvals for business tax receipts for the operation of Tattoo Parlors within the City limits. If the amendment is approved, the proposed moratorium will allow staff to further research the Land Development Code regarding locations and development requirements for Tattoo Parlors.

RECOMMENDATION:
Approval of a 9-month moratorium on the issuance of development orders, building permits, zoning verification letters, and zoning approvals for business tax receipts for the operation of Tattoo Parlors in the City of Port Orange as part of an on-going maintenance effort to update the Land Development Code.

ATTACHMENT:
1. Exhibit A – Draft Tattoo Parlors Moratorium Ordinance

EXHIBIT "A"

ORDINANCE NO. 2016-XX

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA; ESTABLISHING A MORATORIUM ON THE ISSUANCE OF DEVELOPMENT ORDERS, BUILDING PERMITS, ZONING VERIFICATION LETTERS, AND ZONING APPROVALS FOR BUSINESS TAX RECEIPTS FOR THE OPERATION OF TATTOO PARLORS IN THE CITY OF PORT ORANGE; PROVIDING FOR THE DURATION OF THE MORATORIUM; PROVIDING FOR INTERPRETATION; PROVIDING DEFINITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orange regulates the use of land through its Comprehensive Plan and the Land Development Code; and

WHEREAS, the Land Development Code must be reviewed and amended periodically in order to maintain effective regulations; and

WHEREAS, the City Community Development Department believes that review of the City's tattoo parlor zoning and regulations is needed to ensure effectiveness; and

WHEREAS, the City Council hereby determines that the zoning and regulations under review are of such gravity that issuing any development orders, building permits, zoning verification letters, or zoning approvals for business tax receipts for tattoo parlors would in all probability undermine the recommendations of the Community Development Department for revisions to zoning and regulations set forth in the Land Development Code and Code of Ordinances; and

WHEREAS, to protect, preserve, and effectuate the public safety and welfare, the City Council finds that a moratorium on the receipt of applications for and the issuance of

any development orders, building permits, zoning verification letters, or zoning approvals for business tax receipts for the operation of tattoo parlors is necessary for a limited duration and until regulations are codified in the Land Development Code and Code of Ordinances to address the concerns referenced above; and

WHEREAS, specific authority for this ordinance includes but is not limited to Article VIII, Section 2, Florida Constitution of 1968; Chapters 163 and 166, Florida Statutes; and Sections 163.3161, 163.3194, and 163.3201, Florida Statutes; and

WHEREAS, the Planning Commission, sitting as both the Local Planning Agency and the Planning Commission (hereinafter referred to as the "LPA"), has found this ordinance to be consistent with the Comprehensive Plan; and

WHEREAS, the LPA has determined that this ordinance is necessary to promote the economic order of the community by encouraging the proper regulation of tattoo parlors in the City of Port Orange; and

WHEREAS, the LPA finds that additional reasons necessary for imposing the moratorium in this ordinance include:

1. Preservation of the status quo in the community to avoid a crisis being created by the impact on abutting properties, property values and community/neighborhood preservation;
2. Preservation of the status quo in the community pending a determination by the City to adopt local regulations relating to tattoo parlors in the City of Port Orange;
3. Avoiding the creation of vested rights or nonconforming or inconsistent uses as a result of amended permitting systems and regulations;

4. Control of community development during the time period of the review and amendment of local regulations; and

5. Allowing a time period for comprehensive planning to proceed, if applicable; and

WHEREAS, the LPA finds that based on the foregoing reasons for the moratorium established by this ordinance, the moratorium will promote the public health, welfare, safety, aesthetics, and economic order of the community and the region; and

WHEREAS, the LPA has determined that a moratorium of nine (9) months in duration is the minimum reasonable period of time needed to review this issue and determine what amendments or modifications are needed; and

WHEREAS, the City Council hereby adopts the findings of the LPA as its own.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. Purpose and Intent.

The foregoing "WHEREAS" clauses are hereby ratified and affirmed as being true and correct and are incorporated herein by reference.

Section 2. Definitions.

Tattoo parlor shall mean a commercial establishment where people go to get tattoos.

Section 3. Moratorium Imposed.

a. The Land Development Code and Code of Ordinances are hereby amended by placing a moratorium on the issuance of any development orders, building permits, zoning verification letters, or zoning approvals for business tax receipts for the operation of tattoo parlors. For purposes herein, the term, "development order," shall have the

same meaning as that set forth in Section 163.3164, Florida Statutes.

b. Applications for issuance of development orders, building permits, zoning verification letters, or zoning approvals for business tax receipts for tattoo parlors shall be considered pursuant to the following requirements:

(1) Applications received on or after the effective date of this ordinance may be received and reviewed. However, no development orders, building permits, zoning verification letters, or zoning approvals for business tax receipts shall be issued in violation of the moratorium on the issuance of development orders, building permits, zoning verification letters, or zoning approvals for business tax receipts for the operation of tattoo parlors. If amendments to the Comprehensive Plan or the Land Development Code are adopted by the City Council on or before the expiration of the moratorium that revise the substantive or procedural legal requirements regarding the operation of tattoo parlors, any application not approved for issuance of a development order, building permit and zoning approval and submitted on or after the date of this ordinance, but before the expiration of the moratorium, shall be required to comply with the new substantive or procedural legal requirements.

c. The moratorium imposed by this ordinance shall expire within 9 months of the adoption of this Ordinance by the City Council, or the adoption of an ordinance amending the Comprehensive Plan or the Land Development Code regarding the zoning of or otherwise regulating tattoo parlors, whichever event shall first occur. The moratorium shall be deemed to be in effect over all of the geographic area of the City now existing or which may be hereafter annexed during the pendency of the moratorium. This ordinance shall be deemed to be pending on applications for tattoo parlors, within

the meaning of the term "pending ordinance" as that term is used in Smith v. City of Clearwater, 403 So.2d 407 (Fla. 1981).

d. During the pendency of this moratorium the City Manager and the Community Development Director shall proceed in good faith to undertake a planning study to determine appropriate amendments to zoning and development related ordinances, if any.

e. The Community Development Director shall make interpretations of this ordinance.

Section 4. Conflicting Ordinances.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Codification.

It is the intention of the City Council for the City of Port Orange, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Ordinances and Land Development Code; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

Section 7. Effective Date.

This ordinance shall become effective immediately upon final passage by the City Council.

_____
MAYOR ALLEN GREEN

ATTEST:

_____
Robin L. Fenwick, CMC, City Clerk

Passed on first reading on the day of

Passed and adopted on second and final reading on the day of

Reviewed and Approved: _____
Matthew J. Jones, Deputy City Attorney

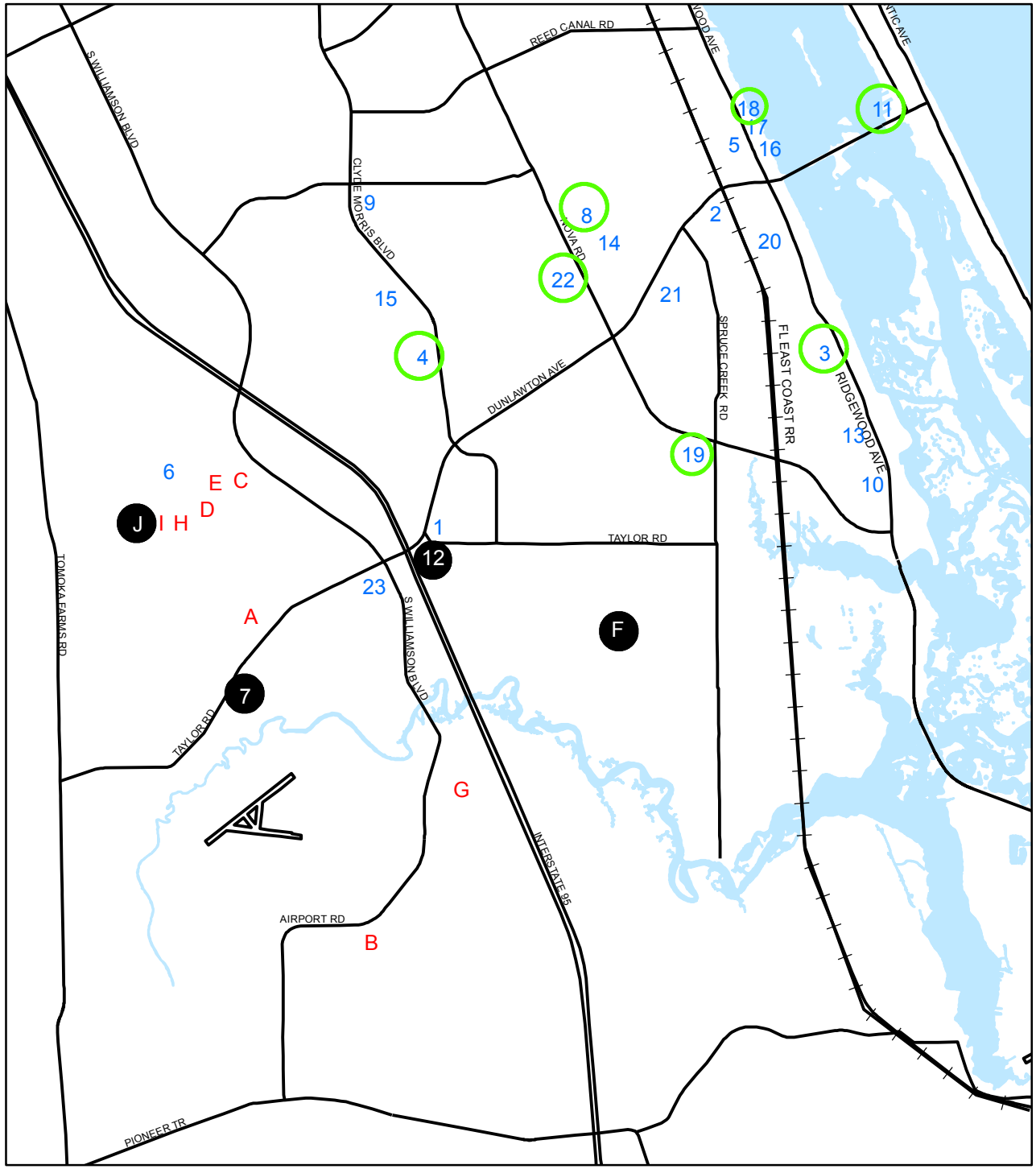
CITY OF PORT ORANGE
MONTHLY DEVELOPMENT ACTIVITY REPORT

VyStar Credit Union – 750 Dunlawton Ave.

CITY COUNCIL
allen green, mayor
drew bastian, vice mayor
bob ford, councilman
donald burnette, councilman
scott stiltner, councilman
jake johansson, city manager

PLANNING COMMISSION
john junco, chairperson
lance green, vice chairperson
michael arminio, commissioner
darrel bofamy, commissioner
thomas jordan, commissioner
maria mills-benat, commissioner
newton white, commissioner

UPDATE: SEPTEMBER 15, 2016



RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT PROJECTS

UPDATE:SEPTEMBER 15, 2016

Residential

- A Crane Lakes Golf & Country Club
- B Golf Homes at Cypress Head
- C Hawks Preserve, Phase I
- D Hawks Preserve, Phase II
- E Hawks Preserve Amenity Center
- F King's Landing, Phase I
- G The Pinnacle PUD, Phase II
- H The Sanctuary at Westport
- I Westport Reserve, Phase 2B
- J Westport Reserve, Phase 2C

Non-Residential

- 1 Altamira Shopping Village
- 2 Atlantic Marine
- 3 Auto Sales Lot
- 4 Badcock Furniture & More
- 5 Charles Street Center
- 6 Coraci Sports Park - Pop Warner Field
- 7 Cracker Creek PUD - MDA Amendment
- 8 Cumberland Farms (Nova Road)
- 9 Cumberland Farms (Palmetto Pointe)
- 10 Faris Car Wash
- 11 Hunter Building
- 12 Journey's End Tiki Bar and Grill
- 13 Little C's Custom (fka Florida Truck Sales)
- 14 Port Hole Retail Center
- 15 Ravenwood Veterinary Hospital expansion
- 16 Riverwalk Marina & Riverboat PCD
- 17 Riverwalk Condominium & Point

Restaurant

- 18 Riverwalk Park, Phase1B
- 19 Spruce Creek Center
- 20 Virginia Industrial Park
- 21 Vystar Credit Union
- 22 Waffle House - Nova Rd.
- 23 Waffle House - Taylor Rd.

● New Project

○ Change In Status

RESIDENTIAL DEVELOPMENT PROJECTS **Update: September 15, 2016**

■ = addition to the development activity report ☐ = change of status to a particular project

MAP ID	Project	Location	Description	Status								Comments	Case No./ Planner
				Under staff review	D. O. issued	Pre-con held	ABC completed	Const. Permit issued	Under construction	Final inspection	C.O. issued		
A	Crane Lakes Golf & Country Club / site plan modification	1780 Taylor Rd.	Construction of a second driveway into the site, additonal 8 mobile home lots, storage area for the golf course, pickle ball courts, and associated site improvements	X								Awaiting resubmittal	16-82000003 PGC
B	Golf Homes at Cypress Head / site plan	S. side of Airport Rd. between Cypress Head and Waters Edge	52 townhomes on ±6.62 acres	X	X							DO issued 4/18/16	15-80000009 GKP
C	Hawks Preserve, Phase I / subdivision (fka Port Orange Plantation, Phase IV A & B)	E. side of Coraci Blvd, N. of Town West Blvd.	123 single-family lots on ±57 acres	X	X	X	-	X	X			Under construction	14-50000006 16-52000001 PGC
D	Hawks Preserve, Phase II / subdivision (fka Port Orange Plantation, Phase IV D & E)	E. side of Coraci Blvd, N. of Town West Blvd.	66 single-family lots on ±23 acres	X	X	X	-					DO modification issued 6/16/16	14-50000007 16-52000002 PGC
E	Hawks Preserve Amenity Center / site plan	5200 Bear Corn Run	696 SF amenity center building with swimming pool, restrooms, and associated site improvements on 0.54 acres	X	X							DO issued 9/08/16; Pre-construction meeting scheduled for 9/22/16	16-80000009 PGC
F	King's Landing, Phase I / subdivision	5931 Hensel Rd.	19 single-family lots on ±32.15 acres of the total 82.2 acres	X								SDRC scheduled for 9/21/16	16-50000004 TPB
G	The Pinnacle PUD — Phase II, D. O. Modification	E. side of Williamson Blvd. / W. of I-95, S. of Martin Dairy Rd.	64 single-family lots on ±29.72 acres	X	X							DO issued 11/06/15	15-52000001 PGC
G	The Pinnacle PUD — 1st Amendment to the MDA & CDP	E. side of Williamson Blvd. / W. of I-95, S. of Martin Dairy Rd.	Expand the boundary of the subdivision, increase total number of single-family lots to 150, modify stormwater retention area, and construction of a stabilized emergency access	X								Scheduled for CC 1st reading 9/20/16	16-40000004 PGC
H	The Sanctuary at Westport, Phase 2A / site plan	S. side of Town West Blvd., W. of Coraci Blvd., E. of Tomoka Farms Rd.	360 multi-family apartment units on ±33.63 acres	X	X	X	X	X	X			Under construction	16-80000001 GKP
I	Westport Reserve, Phase 2B / subdivision	S. side of Town West Blvd., W. of Coraci Blvd., E. of Tomoka Farms Rd.	64 single-family lots on ±140.85 acres	X	X	X	-	X	X			Under construction	16-50000002 GKP
J	Westport Reserve, Phase 2C / subdivision	S. side of Town West Blvd., W. of Coraci Blvd., E. of Tomoka Farms Rd.	28 single-family lots on ±7.46 acres	X								SDRC held 9/7/16	16-50000003 GKP

NON-RESIDENTIAL DEVELOPMENT PROJECTS

Update: September 15, 2016

= addition to the development activity report = change of status to a particular project

MAP ID	Project		Location	Description	Status								Comments	Case No./ Planner
					Under staff review	D. O. issued	Pre-con meeting	ABC permit completed	Const. Permit issued	Under construction	Final inspection	C. O. issued		
1	Altamira Shopping Village	Commercial Subdivision Replat	1790 Dunlawton Ave.	5-lot commercial subdivision replat of +/- 27 acres	X								On hold	14-50000001 TPB
		Crosby Property / site plan	1736 Dunlawton Ave.	4,500 SF retail building on 1.24 acres with associated site improvements	X								On hold	14-80000014 TPB
2	Atlantic Marine / site plan		520 Dunlawton Ave. (619, 621, 627, & 631 Lemon St. 630 & 632 Ruth St.)	16,910 SF building for boat sales and boat repair and areas for outdoor boat storage for Atlantic Marine along with associated site and off-site improvements	X	X	X	X	X	X			Under construction	14-80000006 BP #16-0813 TPB
3	Auto Sales Lot / redevelopment		5164 Ridgewood Ave.	800 SF auto sales building with associated site improvements on 0.76 acres	X	X							DO issued 9/9/16	16-80000008 GKP
4	Badcock Furniture & More / site plan		4610 Clyde Morris Blvd.	18,000 SF retail building along with associated site improvements on 1.37 acres	X	X							DO issued 8/18/16	16-80000006 PGC
5	Charles Street Center / redevelopment		3670 Ridgewood Ave.	Redevelopment of a 0.60 acre property including a 3,625 SF building and associated site improvements	X								Scheduled for DRC 8/17/16	16-82000004 BRK
6	Coraci Sports Park, Pop Warner field / site plan modification		5200 Coraci Blvd.	Modifications to an existing football field including the construction of permanent grandstands with press box, storage facilities, restrooms, shelter pavilions, and associated site improvements	X	X	X	X	X	X			Under construction	15-82000002 BP #15-2549 GKP
7	Cracker Creek PUD / 1st Amendment to the MDA & CDP		1815 Taylor Rd.	Amendment to the Master Development Agreement and Conceptual Development Plan to add Assisted Living Facility to the list of permitted uses on 9.75 acres	X								SDRC held 9/14/16	16-20000002 16-40000005 PGC
8	Cumberland Farms (Nova Rd./Herbert St.) (Fka Booth's Bowery) / site plan		3657 Nova Rd.	Demolition of a 15,000 SF building (Booth's Bowery) and construction of a 5,000 convenience store and 10 fueling dispensers and associated site improvements on 1.35 acres	X	X							DO issued 8/31/16	16-80000004 GKP
9	Cumberland Farms (Palmetto Pointe) / site plan		3803 Clyde Morris Blvd.	4,952 SF convenience store with 8 fueling dispensers and associated site improvements on 1.44 acres	X								2nd resubmittal under review	16-80000002 BP #16-2288 GKP
10	Faris Car Wash / redevelopment		5476 Ridgewood Ave.	3,000 SF 4-bay car wash building and associated site improvements on 0.95 acres	X								DO pending approval of minor subdivision	16-80000007 16-55000002 PGC

NON-RESIDENTIAL DEVELOPMENT PROJECTS

Update: September 15, 2016

= addition to the development activity report = change of status to a particular project

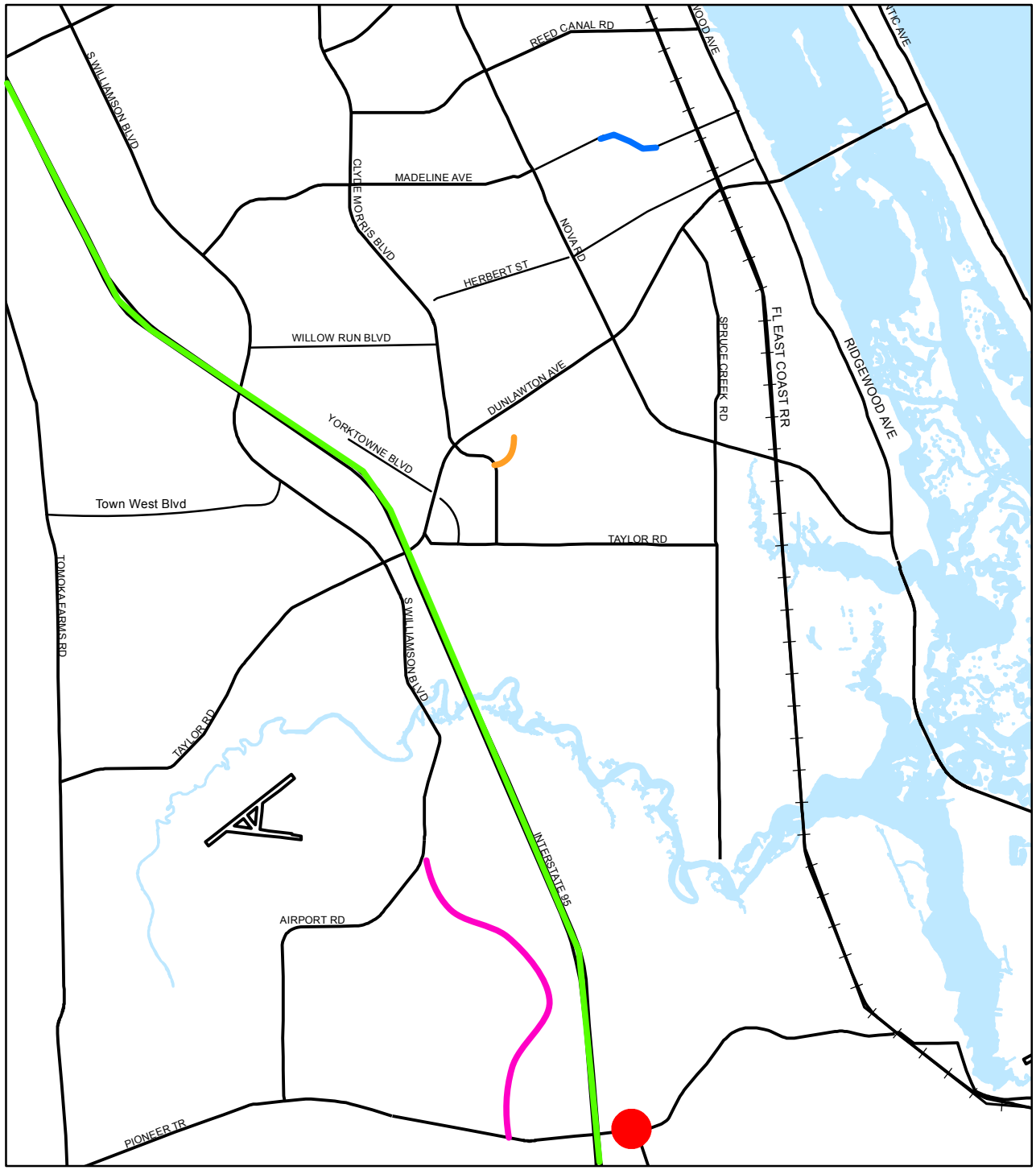
MAP ID	Project		Location	Description	Status								Comments	Case No./ Planner
					Under staff review	D. O. issued	Pre-con meeting	ABC permit completed	Const. Permit issued	Under construction	Final inspection	C. O. issued		
11	Hunter Building / redevelopment		59 Dunlawton Ave.	Redevelopment of a 0.57 acre property including a 5,132 SF warehouse building and associated site improvements	X	X							DO issued 8/22/16	16-80000005 BP #16-2573 PGC
12	Journey's End Tiki Bar and Grill / site plan		5800 Journey's End Way	6,000 SF restaurant and associated site improvements on 1.4 acres	X								SDRC held 9/14/16	16-80000010 BRK
13	Little C's Custom (fka Florida Truck Sales) / redevelopment		5536 Ridgewood Ave.	Redevelopment of a 0.68 acre commercial property into a car/truck sales lot with associated site improvements	X	X	X	X	X	X	X		Awaiting close-out documents	15-80000006 PGC
14	The Port Hole Retail Center		930 Herbert St.	Redevelopment of an existing 5,562 SF bar/retail store with associated site improvements on 0.50 acres	X	X							DO issued 5/26/16	15-80000010 GKP
15	Ravenwood Veterinary Hospital Expansion / site plan		4542 Clyde Morris Blvd.	Expansion of the veterinary hospital to include an 8,500 SF fenced dog run area, parking, and associated site improvements	X	X							DO issued 6/03/16	16-82000001 GKP
16	Riverwalk Marina and Riverboat PCD	Restatement of MDA & CDP	East and West sides of Halifax Dr. between Ocean Ave. and Herbert St.	Restatement of the MDA & CDP to state the framework for development of 2 residential condominium buildings, a restaurant on the point, 58-slip marina, linear park with 20-foot wide path, multi-purpose dock building, off-site signage along Dunlawton and Ridgewood and associated site improvements	X								Tentatively scheduled for CC 9/20/16	16-40000003 TPB
17	Riverwalk Condominium & Point Restaurant	Subdivision Replat	East and West sides of Halifax Dr. between Ocean Ave. and Herbert St.	Replat of subject property as an 8-lot subdivision	X								Tentatively scheduled for CC 9/20/16	16-50000001 TPB
		Site plan		Development of 2 residential condominium buildings, a restaurant on the point, 58-slip marina, linear park with 20-foot wide path, multi-purpose dock building, off-site signage along Dunlawton and Ridgewood and associated site improvements	X								2nd resubmittal pending CC approval of restatement of MDA/CDP and replat	16-80000003 TPB
18	Riverwalk Park / new construction	Phase 1B	3459 Ridgewood Ave.	Playground, splash park, picnic facilities, pavilions, shade structures, additional restrooms, concession building, portion of the boardwalk, event lawn, parking, and the southern portion of the 12' wide trailway, along with associated site improvements	X	X	X	-	X	X			Under construction	15-80000005 PGC

NON-RESIDENTIAL DEVELOPMENT PROJECTS

Update: September 15, 2016

= addition to the development activity report = change of status to a particular project

MAP ID	Project	Location	Description	Status								Comments	Case No./ Planner
				Under staff review	D. O. issued	Pre-con meeting	ABC permit completed	Const. Permit issued	Under construction	Final inspection	C. O. issued		
19	Spruce Creek Center / site plan modification	4020 Nova Rd.	Modifications to a parking lot for an existing shopping center with associated site improvements on 3.99 acres	X	X	X	X	X	X			Final inspection scheduled for 9/20/16	14-82000008 GKP
20	Virginia Industrial Park / new construction	515 Virginia Ave.	5 building office/warehouse complex with associated site improvements	X	X	X	X	X	X			Building permits issued for 531 & 535 Virginia Ave.	01-80000019 TPB
21	Vystar Credit Union / new construction	750 Dunlawton Ave	4,000 SF bank with 5 drive-thru lanes on 2.5 acres with associated on-site and off-site improvements	X	X	X	X	X	X			Under construction	14-80000010 15-82000003 16-82000002 BP #16-0370 GKP
22	Waffle House Nova Rd. / new construction	3740 Nova Rd.	1,875 SF restaurant with associated site improvements on 0.80 acres	X	X							Pre-construction meeting scheduled for 9/22/16	15-80000007 BP #15-2908 GKP
23	Waffle House Taylor Rd. / new construction	1633 A Taylor Rd.	1,875 SF restaurant with associated site improvements on 0.92 acres	X	X	X	X	X	X			Under construction	15-80000008 BP #15-2907 GKP



ROADWAY DEVELOPMENT PROJECTS

UPDATE: SEPTEMBER 15, 2016

- I-95 Widening
- McDonald Road Sidewalk
- Pioneer Trail at Turnbull Bay Road
- S. Williamson Blvd. Extension
- Victoria Gardens Blvd. Sidewalk

ROADWAY DEVELOPMENT PROJECTS REPORT **Update: September 15, 2016**

Project	Description	Jurisdiction	Status
I-95 Widening	Construction to widen I-95 from SR44 to I-4/SR400 from 4 lanes to 6 lanes	FDOT	Under construction / 47% Complete Est. completion 04/2018
McDonald Road Sidewalk	Construct an 5'-wide sidewalk on the south side of Madeline Ave., the west side of McDonald Rd., and the south side of Charles St. from Sugar House Dr. to 6th St.	City/TPO	90% plans approved by FDOT
Pioneer Trail at Turnbull Bay Road	Intersection improvement	Volusia County/TPO	Completion documents in progress; Intersection open for use
S. Willamson Blvd. Extension	Extension of Williamson Blvd. as a 4-lane divided roadway from Airport Rd. to Pioneer Trail	Developer/ Volusia County	Under construction / Est. completion 12/2016
Victoria Gardens Blvd. Sidewalk	Construct a 5' to 8'-wide sidewalk along the east/south side of Victoria Gardens Blvd. from Clyde Morris Blvd. to Appleview Way	City/TPO	LAP Agreement complete; Design in progress