



**GROWTH AND RESOURCE MANAGEMENT DEPARTMENT
PLANNING AND DEVELOPMENT SERVICES DIVISION
LONG RANGE PLANNING ACTIVITY**
123 W. Indiana Avenue, DeLand, FL 32720
(386) 736-5959

PUBLIC HEARING: August 14, 2012-Planning and Land Development Regulation Commission (PLDRC)

CASE NO: CPMA 001-12

SUBJECT: Small Scale Future Land Use Map Amendment from the Agricultural Resource designation to the Rural designation

LOCATION: 1167 Ohio Street, DeLeon Springs

APPLICANT: Rita Cochran

OWNER: Elizabeth Karst, and Ralph and Brenda Fleshman

STAFF: Susan Jackson, AICP, Planner III

I. SUMMARY OF REQUEST

The applicant requests a future land use amendment from Agricultural Resource to Rural for ± 7.87 acres located near DeLeon Springs, south of Spring Garden Ranch Road. The applicant has submitted a companion rezoning application to change the zoning from the Prime Agriculture (A-1) classification to Transitional Agriculture (A-4) classification.

The previous owner purchased adjacent properties; 5.01 acres in 1992 and 2.86 acres in 1994. The zoning code considers these properties combined, because alone, the properties exceed the maximum density of the comprehensive plan and do not meet the minimum lot size requirement of the zoning code. To allow the two properties to stand alone, an amendment to the future land use and official zoning maps are necessary.

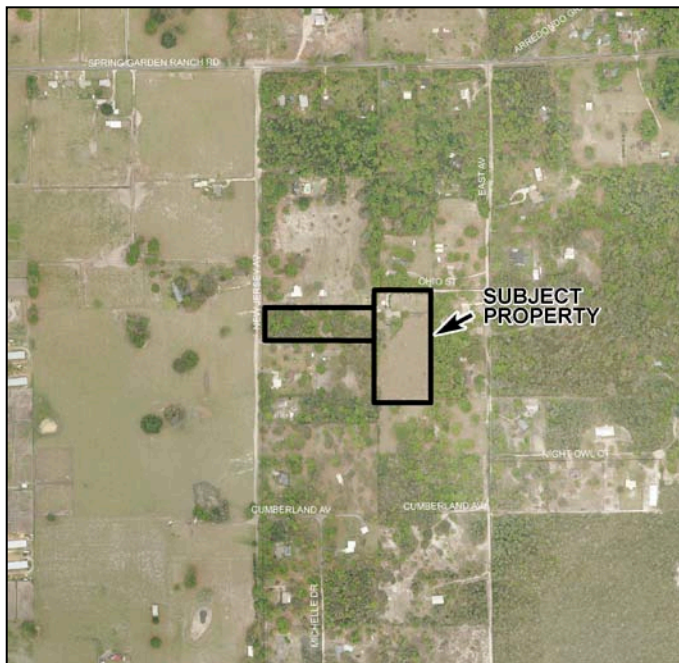
Staff recommendation: Forward to the county council finding the amendment consistent with the comprehensive plan, and with a recommendation of approval once the Volusia Growth Management Commission (VGMC) certification has been received.

II. SITE INFORMATION

- | | |
|------------------------------|---|
| 1. Location: | The property is located in the vicinity of DeLeon Springs, approximately 1.25 miles east of U.S. Highway 17, and 1,300 feet south of Spring Garden Ranch Road, between New Jersey Avenue and East Avenue. |
| 2. Parcel No(s): | 6006-01-20-0032 and 6006-01-20-0020 |
| 3. Property size: | 7.87 acres |
| 4. Council District: | 1 |
| 5. Current Future Land Use: | Agricultural Resource |
| 6. ECO/NRMA Overlay: | None |
| 7. Proposed Future Land Use: | Rural |

III. BACKGROUND

The property is comprised of a 5.01-acre parcel and a 2.86-acre parcel, which the Karsts purchased in 1992 and 1994, respectively. The larger parcel contains a single-family house, the smaller parcel is vacant. The property currently has an Agricultural Resource future land use designation, which has a maximum density of 1 dwelling unit per 10 acres, and A-1 (Prime Agriculture) zoning classification, which requires a minimum lot size of 10 acres. Before the parcels came under single ownership, each one was considered a legitimate nonconforming lot, which did not meet minimum lot size. Typically, an owner may request a variance to separate lots for purposes of maintaining nonconforming lots. However, in this case any variance to separate the lots would conflict with the maximum density requirements of the comprehensive plan. Therefore, to allow the sale and development of the vacant lot, a future land use map amendment is required.



The owner of the property, Mrs. Karst, died in 2010, leaving instructions in her will to sell the property in order to close her estate. The executor of the estate did not realize the parcels are nonconforming and combined for purposes of the zoning code, and therefore, sold the larger parcel with the house to the Fleshmans, leaving the smaller parcel conveyed to a relative.

To remedy the sale, the applicant is requesting a future land use amendment and rezoning that would allow smaller lot sizes so that the parcels can meet the land use and zoning requirements, and again be two

separate lots. Because the conveyance of these properties occurred during the application process, the new owners are party to this application.

The proposed future land use designation is Rural, which generally allows a density of 1 dwelling unit per 5 acres. This density may be reduced to a maximum of 1 dwelling unit per 1 acre subject to compatibility with other properties in proximity that are similarly developed. If the proposed Rural future land use designation is approved, then the property may be rezoned to a classification that also allows smaller lot sizes. The applicant is requesting to rezone the properties to the A-4 (Transitional Agriculture) zoning classification, which allows a minimum lot size of 2.5 acres. If the future land use amendment and rezoning requests are approved, the lots would be considered legitimate conforming lots and may be separated and sold individually.

Most of this general area contains lots sizes less than 10 acres, and most of the subdivisions occurred prior to the adoption of the Comprehensive Plan in 1990 utilizing the exempt subdivision process. In the immediate area, the county has approved a few small scale comprehensive map amendment requests to change the land use from Agricultural Resource to Rural. Rezoning approvals followed the land use amendments to allow lot sizes as small as 2.5 acres.

In the past ten years, the county has approved a few small scale comprehensive plan amendment requests to change the land use from the Agricultural Resource designation to the Rural designation. Rezoning to a classification that allows lot sizes down to 2.5 acres have followed the land use action.

IV. Land Use Analysis

1. Site Characteristics:

The 5.01-acre parcel contains a house and open pasture used for grazing cows for personal use. The 2.86-acre parcel is vacant and wooded. Neither property contains wetlands or flood prone areas. Soils are sandy and well drained, classified as Astatula Fine Sand. The vegetation classification is Generalized Agriculture.

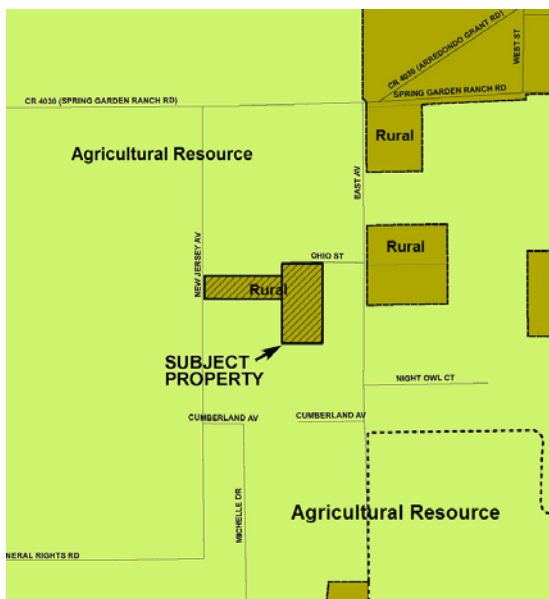
The 5.01-acre parcel has direct access to Ohio Street, which intersects with East Avenue. The 2.86-acre parcel has direct access to New Jersey Avenue.

2. Land Use Compatibility:

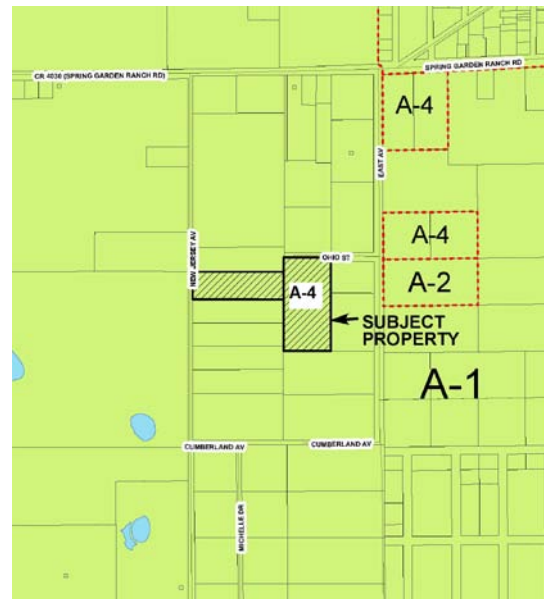
The general area contains a mix of parcel sizes. There are single-family homes on large lots, small ranchettes for personal agriculture use, and some large acreage parcels. Most of the parcels in the immediate vicinity do not meet the requirements of the Agricultural Resource future land use designation or the A-1 zoning classification of 10 acres. Some have already been redesignated to a Rural future land use designation and rezoned to an appropriate zoning classification. In the immediate vicinity of the subject property, to the north, south and east, the parcel size ranges from approximately 2 acres to 5 acres. To the west of New Jersey Avenue are a few parcels that are greater than 10 acres. North of Spring Garden Ranch Road, the parcels are less than 1 acre in size.

Surrounding land uses are presented in the table below:

DIRECTION	FUTURE LAND USE	ZONING	CURRENT USE
Subject Property	Agricultural Resource (current) Rural (proposed)	A-1 (current) A-4 (proposed)	Single-Family ranchette and vacant wooded lot
North	Agricultural Resource	A-1	Single-Family residential
East	Agricultural Resource	A-1	Single-Family residential
South	Agricultural Resource	A-1	Single-Family ranchette
West	Agricultural Resource	A-1	Agriculture



Proposed Future Land Use



Proposed Zoning

3. Impacts of Development on State Monitored Public Facilities:

Staff does not anticipate any significant increase in impacts of development on concurrency monitored public facilities due to the proposed land use change. The current land use allows for residential development at a density of 1 unit per 10 acres, for a total of 1 dwelling unit. Under the Rural future land use designation, the property may develop at a density range of 1 unit per 5 acres to a maximum of 1 unit per 1 acre. The number of potential homes could range from 1 to 7. This property is not necessarily appropriate for 1 acre density and thus the proposed zoning of A-4 would limit the lot size to 2.5 acres, which would cap the number of potential dwellings at 3. The property already contains one

house; therefore, only 2 additional houses could be developed. The property before coming under common ownership in 1994, each parcel could have contained a house.

V. Applicable Comprehensive Plan Goals, Objectives & Policies:

The following goals, objectives and policies support the amendment of these parcels to a Rural designation.

Objective 1.1.1 Growth management criteria will be established to ensure that future land use patterns will maintain vital natural functions and in conjunction with the availability of public facilities and services to support that development at the appropriate level of service.

Goal 1.3 Provide a variety of land uses sufficient to meet future needs while minimizing adverse impacts and disruption of existing neighborhoods.

VI. Finding of Fact/Conclusion:

1. The Rural future land use designation is compatible with surrounding land uses and lot size pattern.
2. Concurrency monitored public facilities are not negatively impacted.

VII. STAFF RECOMMENDATION

Staff recommends that the amendment is found to be consistent with the comprehensive plan, and forwarded to county council with a recommendation of approval changing the future land use designation from the Agriculture Resource (AR) designation to the Rural (R) designation.

VIII. ATTACHMENTS

- Ordinance 2012-XX
- Request and Surveys
- Reviewers' comments
- Maps

ORDINANCE 2012-

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE VOLUSIA COUNTY COMPREHENSIVE PLAN ORDINANCE NO. 90-10, AS PREVIOUSLY AND SUBSEQUENTLY AMENDED, BY AMENDING FIGURE 1-11, FUTURE LAND USE MAP; CHANGING FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 7.87 ACRES LOCATED IN THE VICINITY OF DELEON SPRINGS, APPROXIMATELY 1.25 MILES EAST OF U.S. HIGHWAY 17, AND 1,300 FEET SOUTH OF SPRING GARDEN RANCH ROAD, BETWEEN NEW JERSEY AVENUE AND EAST AVENUE, FROM AGRICULTURAL RESOURCE TO RURAL; BY AUTHORIZING INCLUSION IN THE VOLUSIA COUNTY COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161, et seq., Florida Statutes, created the Community Planning Act, herein after referred to as the "Act;" and

WHEREAS, Section 163.3167, Florida Statutes, requires each county in the State of Florida to prepare and adopt a Comprehensive Plan; and

WHEREAS, the County of Volusia has adopted the Volusia County Comprehensive Plan Ordinance No. 90-10, as amended, pursuant to this Act; and

WHEREAS, pursuant to Section 163.3187, Florida Statutes, application has been submitted for the small scale amendment to said Comprehensive Plan; and

WHEREAS, said proposed small scale amendment does not propose a text change to any goals, policies or objectives of the Volusia County Comprehensive Plan;

1 and

2 **WHEREAS**, said amendment is not located in areas of critical state concern; and

3 **WHEREAS**, said Comprehensive Plan amendment involves a use of 10 acres or
4 less; and

5 **WHEREAS**, the County of Volusia has complied with the required legal notices
6 for a small scale amendment to the Comprehensive Plan; and

7 **WHEREAS**, pursuant to Section 163.3174, Florida Statutes, the Volusia County
8 Code of Ordinances, chapter 72, article II, division 11, section 72-413, has designated
9 the Volusia County Planning and Land Development Regulation Commission as a local
10 planning agency for the unincorporated area of the County of Volusia; and

11 **WHEREAS**, said Planning and Land Development Regulation Commission has
12 held a public hearing on said Comprehensive Plan amendment; and

13 **WHEREAS**, the County Council of the County of Volusia has conducted its
14 adoption public hearing on said small scale amendment to the Comprehensive Plan.

15 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF**
16 **VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:**

17
18 The Volusia County Comprehensive Plan Ordinance No. 90-10, as amended, is
19 further amended as follows:

20 **SECTION I: FUTURE LAND USE MAP AMENDMENT.** Appendix 1: "Maps and
21 Figures," Figure 1-11, Future Land Use Map, is hereby amended to change the future
22 land use designation of Agricultural Resource to Rural for approximately 7.87 acres

1 located in the vicinity of Deleon Springs, approximately 1.25 miles east of U.S. Highway
2 17, and 1,300 feet south of Spring Garden Ranch Road, between New Jersey Avenue
3 and East Avenue. The subject property is located as shown on Exhibit "A." Said
4 Exhibit is appended hereto, and by reference, made a part hereof.

5 **SECTION II: SEVERABILITY.** Should any section or provision of this
6 Ordinance, or application of any provision of this Ordinance be declared to be
7 unconstitutional or invalid, or inconsistent with the applicable state law, such declaration
8 shall not affect the validity of the remainder of this Ordinance.

9 **SECTION III: EFFECTIVE DATE.** A certified copy of this ordinance shall be
10 filed with the Department of State by the County Manager within ten (10) days after
11 enactment, and this ordinance shall take effect either 31 days after adoption, or upon
12 the date of issuance of a certificate of consistency or conditional certificate of
13 consistency by the Volusia Growth Management Commission, whichever is later.

14 **ADOPTED BY THE COUNTY COUNCIL OF THE VOLUSIA COUNTY,**
15 **FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE COUNTY CHAMBERS**
16 **AT THE THOMAS C. KELLY ADMINISTRATION CENTER IN THE CITY OF DELAND,**
17 **FLORIDA, THIS ____ DAY OF ____, 2012.**

18
19
20 ATTEST: COUNTY COUNCIL
COUNTY OF VOLUSIA, FLORIDA

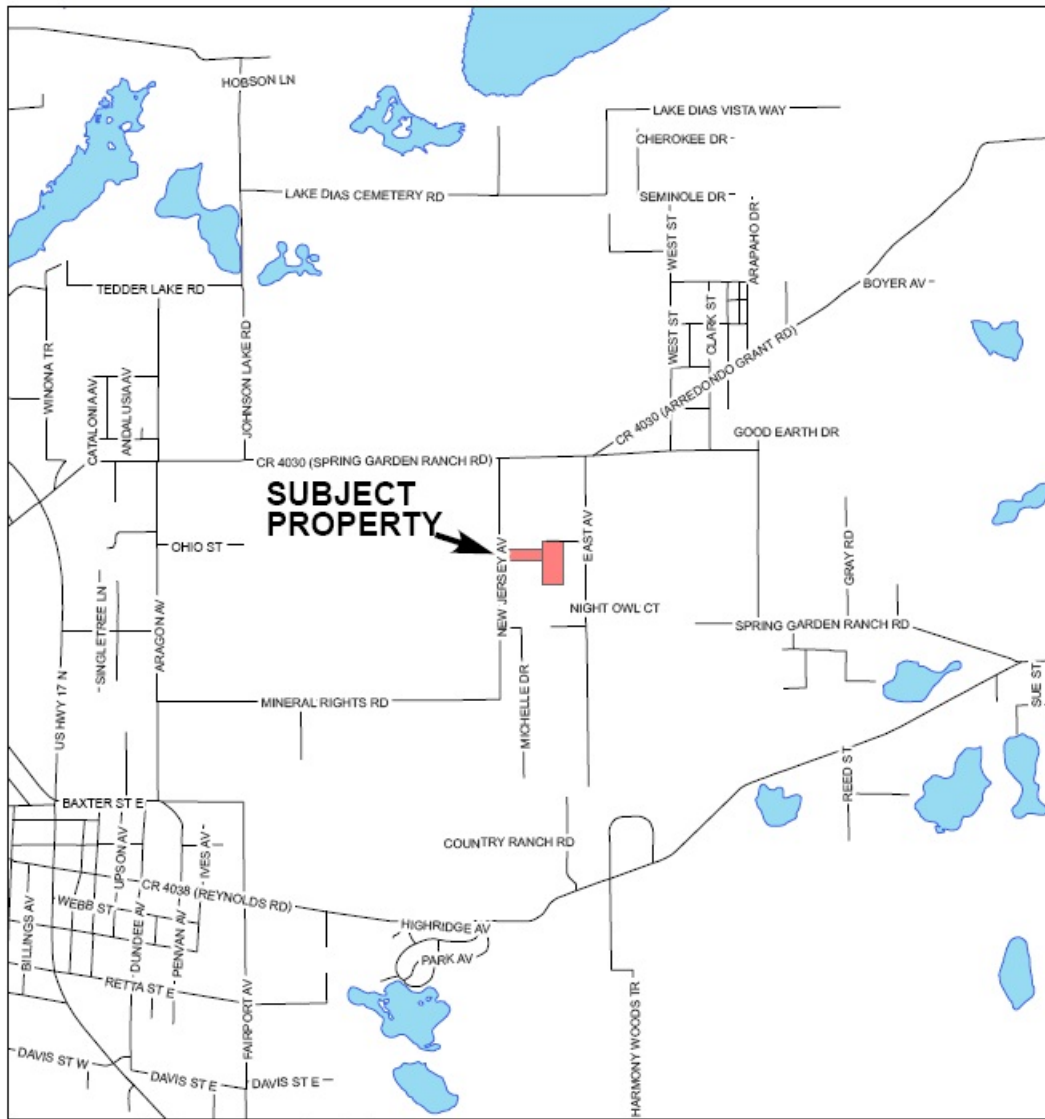
21
22
23
24
25 _____
James T. Dinneen, County Manager

25 _____
Frank T. Bruno, Jr., County Chair

EXHIBIT A

CPMA-001-12

Amendment Location
CPMA-001-12



Prepared by: Volusia County Growth & Resource Management Department



6/6/2012
1 in = 2,000 ft

**Application for an Amendment
to the
Volusia County Comprehensive Plan**

This application is intended to accommodate the primary information needs for all amendment requests. You may be required to submit additional information for the County's review process. If you have any questions relating to this application, please call the Comprehensive Planning Department at (386) 736-5959, ext 2022.

1. Application Type

* Small Scale Amendment: A small scale amendment is generally defined as being a parcel(s) of land less than 10 acres in size and, if residential, proposing a density less than 10 units per acre. [See s. 163.3187(1)(c) F.S. for complete definition.]	✓
Large Scale Amendment: A large scale amendment is generally defined as being a parcel(s) of land 10 acres in size or greater.	
Text Amendment: Text Amendments to the Goals, Objectives and Policies of the Comprehensive Plan are processed as Large scale amendments.	
Thoroughfare Map Amendment	
Development of Regional Impact: Defined by Section 380.06, Florida Statutes	
Development of Regional Impact Notice of Proposed Change	

You may submit your application in person or by mail. Please submit your application to:

Planning and Development Services
Comprehensive Planning
123 West Indiana Avenue, Room 200
Deland, FL 32720-4604

For Office Use Only	
Date Stamp: 5/23/12	Received by: Y/S Fee: \$1354.00 pd ck 1006

ARSN: 735254

2. Contact Information

	Applicant/Authorized Agent**	Property Owner *
Name	Rita Cechran	Elizabeth Kerst
Address	5490 EAST AVE DeLeon Springs, FL. 32130	deceased
Phone	386-985-0495	
FAX		
Email	write - to - rita@yahoo.com	

* If the Owner is a corporation or Trust, Give the Name and Title of the person who can legally sign on behalf of the corporation and provide Documentation that they have legal Authority.

** Proof of property owner's authorization is required when submittal is signed by authorized agent.

What is the relationship between Applicant and Owner? personal representative

Note: Required Ownership Information.

List all persons who have ownership interest in the property by Name and address. Attach separate sheets if necessary.

In the case of a Trust, list the name and address of each trustee.

In the case of a Corporation, list the Corporate Officer(s) who has authority to act on behalf of the corporation and provide documentation of said authority.

Is there an existing contract of sale or option to purchase on the subject property?

Yes ☒ No ☐

If yes, list names and addresses of all parties to the contract and/or option. Notify this office if ownership changes during the period of this amendment process.

Ralph & Brenda Freshman
90 Chimacum Creek Dr po Box 358
Port Hadlock, Wa. 98339

FARM - 51 Acres
buyer - if rezoned

Janice James
11865 Clearwater Oaks Dr. West
Jacksonville, FL. 32223

- per Will - of Elizabeth Kerst
2.86 A

3. Project Information (To be completed by Applicant)

Project Name	
Site Address	5.1 acres - Farm 1167 Ohio St DeLeon Springs, FL. 2.86 acres - vacant, wooded lot 32130 New Jersey Ave
General Location (include distance and direction from nearest cross-roads)	5.1 acres - WEST of EAST Ave on Ohio St. at the end of Ohio St. 2.86 on New Jersey St. South of Spring Garden Ranch Rd.
Tax Parcel ID Number(s)	600 601 2000 32 - 600 601 2000 20 -
Size of Property (acres or square feet)	8+ - acres
Existing Conditions	
Current Future Land Use Designation	Homestead - Farm - 5.1 A. wooded lot - unused - unknown 2.86 A.
Current Zoning Designation	A1
Existing Use(s)	empty house wooded lot
Proposed Conditions	
Proposed Future Land Use Designation	homestead - Farm - 5.1 A unknown 2.86 A
Proposed Zoning Designation	AH
Proposed Use(s) (Include densities/intensities per types of use)	: Small scale Amendment
Service Providers	
Sanitary Sewer	
Potable Water	
Reclaimed Water	

4. Required Supplemental Information

- _____ **Pre-Application Meeting.** Date of meeting _____.
- _____ **Application Fee.**
- _____ **Proof of Ownership.** A property owner printout from the Property Appraiser dated as of the date of the application. Deeds will not be accepted as proof of ownership.
- _____ **Ownership Disclosure Form.** (attached)
- _____ **Applicant Authorization Form.** (attached)
- _____ **Statement of Understanding.** (attached)
- _____ **Boundary Survey.** Two Copies. Must be signed and dated with last two years.
- _____ **Legal Description.** Provide paper and digital (disk or email) word format.
- _____ **Vicinity Map.** Show the property location in relation to major roads and area within 2 mile radius of the proposed amendment site. 8 ½ x 11.
- _____ **Statement of Justification.** Attach a narrative describing the justification for the request, using support material, including but not limited to Volusia County Comprehensive Plan adopted Goals, Objectives and Policies. Note: Any Plan Map Amendment which seeks to convert an area from a non-urban to an urban land use designation must specifically address Policy 1.3.1.28.
- _____ **School Impact Analysis.** (If Residential) Contact the Volusia County School Board Facilities Services Department at (386) 947-8786.
- _____ **Transportation Analysis.** A Multimodal Transportation Analysis shall be required for any change of use when trip ends generated by the proposed change of use equal or exceed 1000 trip ends per day, or when deemed necessary by the Director of Traffic Engineering. The analysis shall be performed for the most trip intensive use as defined by the latest edition of the ITE Trip Generation Manual within the proposed Land Use category. Contact the Volusia County Traffic Engineering Department at (386) 736-5968 ext. 2709 for study area requirements.
- _____ **Environmental Impact Analysis.** (Required for all sites 1 acre or greater) The analysis shall be conducted by a qualified biologist and dated less than one year old. The analysis shall document the types of habitat found on site; identify vegetation types, soils types, wetlands, floodplain; and must identify the presence of any threatened or endangered species and/or species of special concern.
- If the property has been identified by Volusia County Environmental Management as containing habitat that has the potential to be occupied by the Florida scrub jay, a five-day scrub jay survey conforming to United States Fish and Wildlife Survey guidelines is required. The survey may be no more than one year old.
- _____ **Letters of Capacity Availability.** For each public service provider (potable water, sanitary sewer, reclaimed water) a letter shall be submitted, signed by the public service provider, which states:
- 1) the project's capacity requirements at build-out based on maximum development potential; and,
 - 2) provides data on existing and future plant/public facility capacity; and,
 - 3) provides data on the capacity of the public facility that is unencumbered for other uses; and,
 - 4) provides a statement on the ability of the plant to serve the project.
 - 5) For potable water facilities, submit a complete the SJRWMD's water supply availability worksheet. The worksheet is available on line at:
http://www.sjrwmd.com/comprehensiveplanning/potable_water_worksheet.doc

5. Ownership Disclosure Form

Please provide the information as requested below. (Use additional sheets if necessary)

- 1. List all persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.**

Name: _____	Name: _____
Address: _____	Address: _____
Phone # _____	Phone # _____
Name: _____	Name: _____
Address: _____	Address: _____
Phone # _____	Phone # _____

- 2. For each corporate owner, list the name, address, and title of each officer of the corporation.**

Name of Corporation: <u>NA</u>	Name of Corporation: _____
Officer: _____	Officer: _____
Address: _____	Address: _____

Name of Corporation: _____	Name of Corporation: _____
Officer: _____	Officer: _____
Address: _____	Address: _____

- 3. In the case of a trust, list the name and address of each trustee.**

Name of Trust: <u>NA</u>	Trustee: _____
Trustee: _____	Address: _____
Address: _____	

Trustee: _____	Trustee: _____
Address: _____	Address: _____

6. Authorization of Owner.

I/We Rita Cochran / personal representative for Elizabeth Karst

As the sole or joint fee simple title holder(s) of the property described as:

PARCEL - 600601200032 - S 198 FT. OF N 300.6 FT. OF LOTS 3 & 4
GROVE BLK 20 AS MEAS FROM VACATED OHIO AVE SPRING GARDEN PER 1937
pg. 1346

PARCEL 600601200020 - 6-16-30 LOT 2 & INC VACATED S 1/2 OF OHIO ST
ADD TO SAME GROVE BLK 20

(Legal description or parcel ID number(s))

Authorize Rita Cochran to act as my agent to
(Applicant's name)

seek a Future Land Use Map Amendment from _____ to _____
on the above described property.

Owner's Signature _____

Type or Print Owner's Name _____

Owner's Signature _____

Type or Print Owner's Name _____

*If additional Owner's names are required, attach additional signature pages.

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____
(Date)
by _____, who is personally known to me or
(Name of person acknowledging)
who has produced _____ as identification and
(Type of identification)
who did not take an oath.

Notary Public, State of Florida

Type or Print Name

Commission No.: _____

My Commission Expires: _____

7. Statement of Understanding.

By my signature hereto, I do hereby certify that the information contained in this application is true and correct to the best of my knowledge, and understand that deliberate misrepresentation of such information may be grounds for denial or reversal of this application and/or revocation of any approval based upon this application.

I hereby authorize Volusia County staff permission to view and enter upon the subject property for the purposes of investigating and reviewing this request.

I understand that this application and payment of fees for the processing and public hearing advertisement does not imply or guarantee that an amendment of the Volusia County Comprehensive Plan, maps(s) or for the Future Land Use of the subject property(ies) will be approved.

I understand that a formal concurrency review will be required if/when a final development order is issued for this project and that any statement of capacity availability provided for review of this proposed Future Land Use Amendment does not constitute concurrency review, nor does it constitute a reservation of said capacities. I specifically acknowledge that any proposed development on the subject property will be required to undergo Concurrency Review and meet all Concurrency requirements at the time of development.

Rita Cochran
Signature of Owner/Applicant

(* Proof of property owner's authorization is required with submittal if signed by someone other than the property owner.)

May 23, 2012
Date

Rita Cochran
Print or Type Name

SKETCH OF SURVEY

LEGEND
 A/C - AIR CORRECTIONS
 B/P - BOUNDARY POINT
 C/L - CENTERLINE
 D/L - DRY DRIVE
 E/L - ELEVATION
 F/L - FENCE LINE
 G/L - GROUND SURFACE
 H/L - HIGHWAY
 I/L - INTERSECTION
 J/L - JUNCTION
 K/L - KNOT
 L/L - LATERAL
 M/L - METAL SHED
 N/L - NORTH
 O/L - OCEAN LEVEL
 P/L - PLAT
 Q/L - QUANTITY
 R/L - ROAD
 S/L - SURFACE
 T/L - TIE
 U/L - UTILITY
 V/L - VERTICAL
 W/L - WATER
 X/L - EXISTING
 Y/L - YARD
 Z/L - ZONE

LEGAL DESCRIPTION: (FURNISHED)

The South 198 feet of the North 300.6 feet of lots 3 and 4, GROVE BLOCK 20, as measured from the centerline of vacated Ohio Avenue, SPRING GARDEN CITY, according to map in Deed Book "N", Page 425, Public Records of Volusia County, Florida.

SYMBOLS LEGEND [Symbol] BOUNDARY [Symbol] CENTERLINE [Symbol] DRY DRIVE [Symbol] ELEVATION [Symbol] FENCE LINE [Symbol] HIGHWAY [Symbol] INTERSECTION [Symbol] JUNCTION [Symbol] KNOT [Symbol] LATERAL [Symbol] METAL SHED [Symbol] NORTH [Symbol] OCEAN LEVEL [Symbol] PLAT [Symbol] QUANTITY [Symbol] ROAD [Symbol] SURFACE [Symbol] TIE [Symbol] UTILITY [Symbol] WATER [Symbol] EXISTING [Symbol] YARD [Symbol] ZONE		THE SURVEY DEPICTED HERE IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER. THE SURVEY DEPICTED HERE IS NOT COVERED BY PROFESSIONAL LIABILITY INSURANCE.	
PREPARED BY JAMES H. BEAL SURVEYING 1008 Avenue #100 Jacksonville, FL 32204 Phone: (904) 738-8811		THIS PLAT OR SKETCH OF SURVEY IS CERTIFIED AS MEETING THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027.	
PREPARED FOR KARST / COCHRAN FIELD DATE: 05-23-12 JOB NO. 12-124 FILE: SPRING GARDEN CITY SUBD.		TYPE OF WORK: BOUNDARY PARTY CHECK: JP DRAWN BY: JHB SHEET: 1 OF 1 SCALE: 1" = 60' CASE BY: JHB SIGNATURE DATE: 05-24-12	
REVISIONS IDENTIFICATION REVISIONS: IF ANY, SEE NOTED ABOVE			

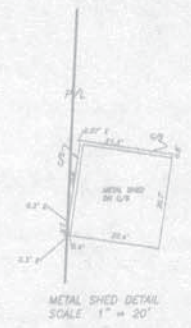
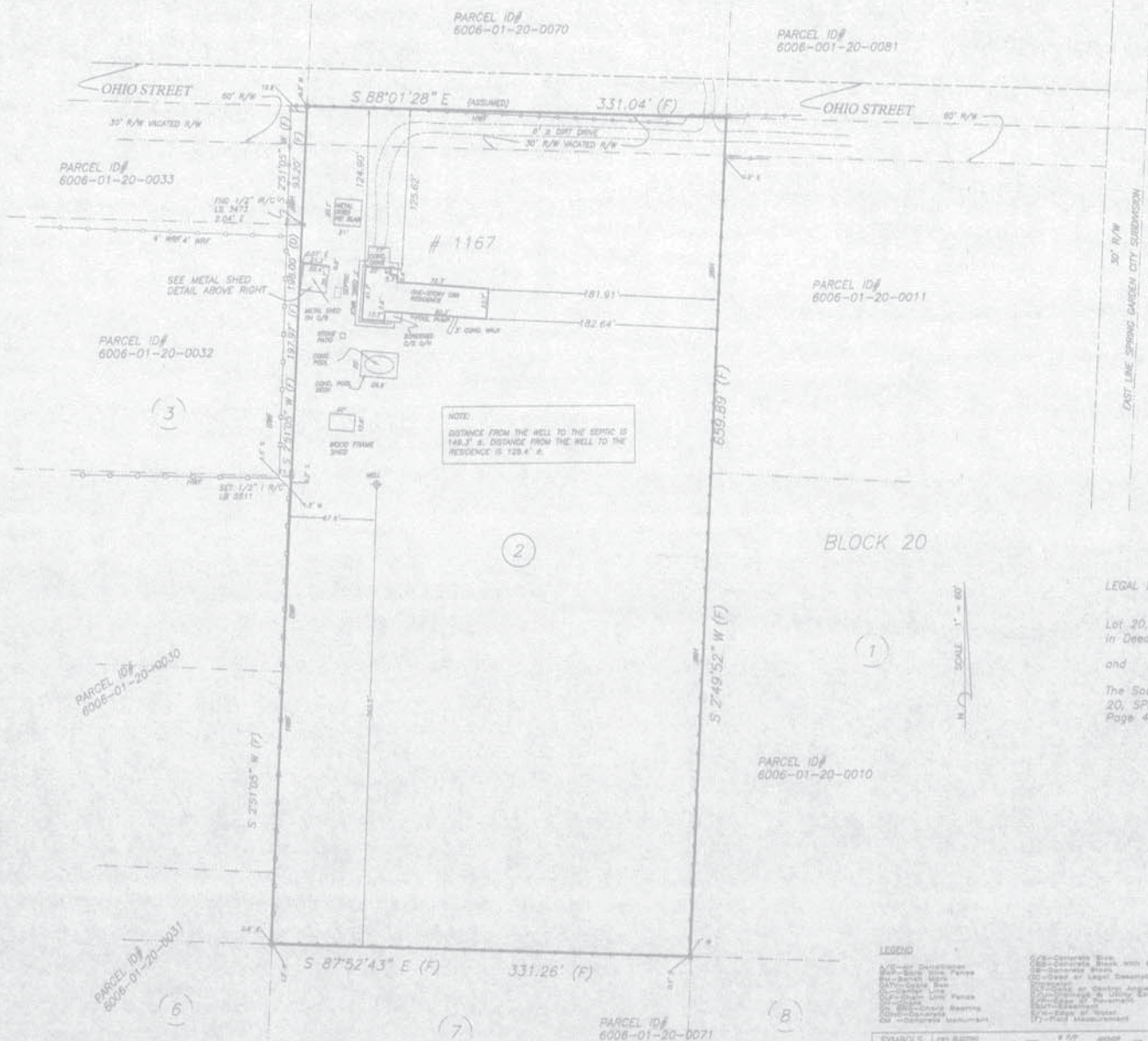
NOTES

1. NO REPRESENTATIONS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY AND JOINT OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN.
 2. UNLESS OTHERWISE SHOWN, ELEVATIONS ARE MEASURES AND DO NOT REFER TO MEAN SEA LEVEL (MSL) AND ALL LINEAR MEASUREMENTS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL EQUIVALENTS THEREOF.
 3. NO UNDERGROUND UTILITIES OR INSTALLATIONS, INTERIOR FENCES AND OTHER INTERIOR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN.
 4. EXISTING UTILITIES, INCLUDING POWER, GAS, WATER, ETC., SHOWN ON L.S. OF L.S. NUMBERS ARE SHOWN WITH RESPECTIVE SYMBOLS, UNLESS SHOWN IN LEGEND.
 5. EXISTING AS NOTED BY SURVEYOR.
 6. THE SURVEY DEPICTED HEREON IS CERTIFIED THAT IN THE LAST FIELD DATE SHOWN HEREON, ALL LINES, CORNERS, ELEVATIONS AND ANY EXISTING ZONE LINES SHOWN HEREON, WERE CHECKED FROM THE NEW SURVEY AND FOUND CORRECT AND THE SURVEYOR HAS AND - CANNOT HAVE AND - CANNOT HAVE, SINCE AFTER 12, 1994, NO L.S. LINES.

PLAT NO. 12-124
 JOB NO. 12-124
 COUNTY NAME AND NUMBER: VOLUSIA COUNTY (INCORPORATED - 1919)
 IS THE PLAT/BOOK FILE FOR THE SURVEY COVERED HEREON IS THE PROPERTY OF ATLANTIC SURVEYING LOCATED IN ORANGE FLORIDA AND IS NOT THE PROPERTY OF THE CLIENT.

NOTE

THIS PLAT AND/OR SKETCH OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS SHOWN HEREON, ON THE MOST CURRENT DATE SHOWN, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL, UNLESS THEY MAY BE ADDITIONAL RECORDING AND/OR OTHER MATTERS THAT ARE NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY. THE SURVEY DEPICTED IS PREPARED WITHOUT THE BENEFIT OF A NOTARIAL OR TITLE SEARCH UNLESS OTHERWISE NOTED. ASSISTANCE OF CLIENTS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SURVEYOR OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SURVEYOR. THE SURVEYOR'S LIABILITY IS THE PROFESSIONAL OBLIGATION OF THE SURVEYOR AND SURVEYOR AND THE FIRM WHICH HAS PREPARED THE SURVEY, UNLESS THE BEST AVAILABLE INFORMATION AND ALL REASONABLE DUE CARE DOES NOT EXISTING RESPONSIBILITY AND SHALL NOT BE HELD LIABLE FOR CLAIMS ARISING FROM NEGLIGENCE OF INDIVIDUAL INFORMATION FURNISHED TO THE SURVEYOR, WHICH HAS BEEN USED AS A BASIS IN THE PREPARATION OF THIS SURVEY DRAWING.



NOTE:
DISTANCE FROM THE WELL TO THE SEPTIC IS 148.3' S. DISTANCE FROM THE WELL TO THE RESIDENCE IS 128.4' S.

LEGAL DESCRIPTION: (FURNISHED)

Lot 20, Block 20, SPRING GARDEN CITY, a subdivision according to map in Deed Book "N", Page 425; Public Records of Volusia County, Florida, and
The South 1/2 of vacated Ohio Street lying adjacent to Lot 20, Block 20, SPRING GARDEN CITY SUBDIVISION as recorded in Deed Book "N", Page 425, of the Public Records of Volusia County, Florida.

THIS SURVEY IS CERTIFIED TO:
RALPH FLESHMAN AND BRENDA FLESHMAN
husband and wife
JBERA BANK MORTGAGE CO.,
its successors and its assigns
as their respective interests appear
COAST TITLE OF WEST VOLUSIA
WESTCOAST LAND TITLE INSURANCE CO.

LEGEND 1. 1/2" - 1/4" - 1/8" - 1/16" - 1/32" - 1/64" - 1/128" - 1/256" - 1/512" - 1/1024" - 1/2048" - 1/4096" - 1/8192" - 1/16384" - 1/32768" - 1/65536" - 1/131072" - 1/262144" - 1/524288" - 1/1048576" - 1/2097152" - 1/4194304" - 1/8388608" - 1/16777216" - 1/33554432" - 1/67108864" - 1/134217728" - 1/268435456" - 1/536870912" - 1/1073741824" - 1/2147483648" - 1/4294967296" - 1/8589934592" - 1/17179869184" - 1/34359738368" - 1/68719476736" - 1/137438953472" - 1/274877906944" - 1/549755813888" - 1/1099511627776" - 1/2199023255552" - 1/4398046511104" - 1/8796093022208" - 1/17592186044416" - 1/35184372088832" - 1/70368744177664" - 1/140737488355328" - 1/281474976710656" - 1/562949953421312" - 1/1125899906842624" - 1/2251799813685248" - 1/4503599627370496" - 1/9007199254740992" - 1/18014398509481984" - 1/36028797018963968" - 1/72057594037927936" - 1/144115188075855872" - 1/288230376151711744" - 1/576460752303423488" - 1/1152921504606846976" - 1/2305843009213693952" - 1/4611686018427387904" - 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REVIEW STAFF COMMENTS
Cochran-Karst-Flechman

CPMA-001-12

COUNTY EXTENSION

David Griffis

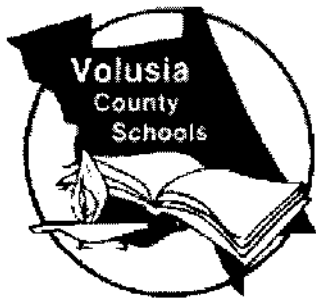
June 25, 2012

Comments:

As requested, I visited the site. Soils were found to be #4 Astatula fine sand, 0 to 8 percent slopes. This excessively drained, nearly level to sloping sandy soil occurs on sand hills. The water table is usually below a depth of 72 inches. This soil has a high potential for community development.

Portions of the property have been developed.

* * * * *



Dr. Margaret A. Smith
Superintendent of Schools

FACILITIES SERVICES

3750 Olson Drive, Daytona Beach, Florida 32124
PHONE: 386/947-8786 FAX: 386/506-5056

School Board of Volusia County

Dr. Al Williams, Chairman
Ms. Judy Conte, Vice-Chairman
Mr. Stan Schmidt
Ms. Candace Lankford
Mrs. Diane Smith

May 30, 2012

Ms. Rita Cochran
Personal Representative
for the Karst Estate
5490 East Avenue
DeLeon Springs, FL 32130

**RE: School Planning Case#12-05-23-001-NI
Karst Rezoning – Volusia County**

Dear Ms. Cochran:

The School District has reviewed the proposed rezoning for 8± acres located on New Jersey Avenue and Ohio Street in the DeLeon Springs area within unincorporated Volusia County. The subject property supports an existing residential dwelling.

The proposed rezoning is from Prime Agriculture (A-1) zoning to Transitional Agriculture (A-4) zoning. The existing A-1 zoning designation would permit one (1) residential dwelling unit per ten (10) acres. The proposed zoning designation of A-4 could permit one dwelling unit per 2.5 acres or up to three (3) residential dwelling units. Therefore, this rezoning could result in an increase of residential density.

By utilizing the School District's student generation rate for a single family unit, the proposed rezoning could generate approximately one (1) full time student. The schools impacted by this rezoning are as follows:

Schools	11/12 SY Enrollment	% of Permanent Capacity	Planned Capacity On site	Projected 5 YR Capacity%	Students Generated by requested zoning
McInnis Elementary	397	95%	N	94%	1
Taylor Middle/High	1020	78%	N	86%	0

The impacted schools are currently at or below their permanent capacities and projected to remain the same for the five (5) year planning period. Based on the minimal students anticipated to be generated from this residential rezoning the school district staff has no objection to the zoning change.

Please note that the School Board has the right to adjust the attendance boundaries to balance the student enrollment populations at these area schools. Consequently, students generated from this project may not attend the current assigned schools.

If you should have additional questions please contact me at (386) 947-8786, extension 50805.

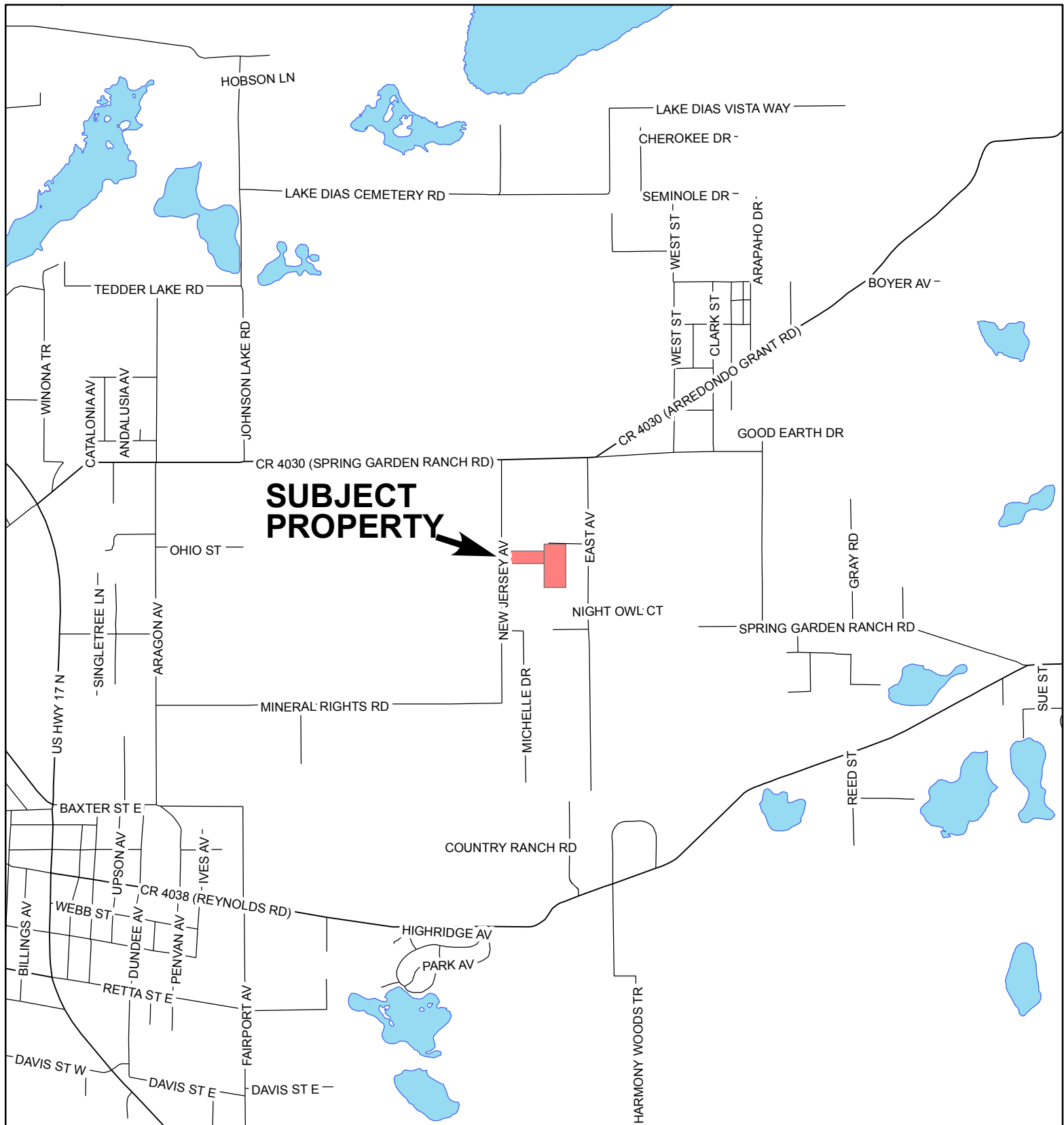
Sincerely,



Helen LaValley
Planning Specialist

C: Saralee L. Morrissey, Director of Site Acquisition
and Intergovernmental Coordination
Scott Ashley, VC Planning Mgr (via email)
Project File

Amendment Location CPMA-001-12

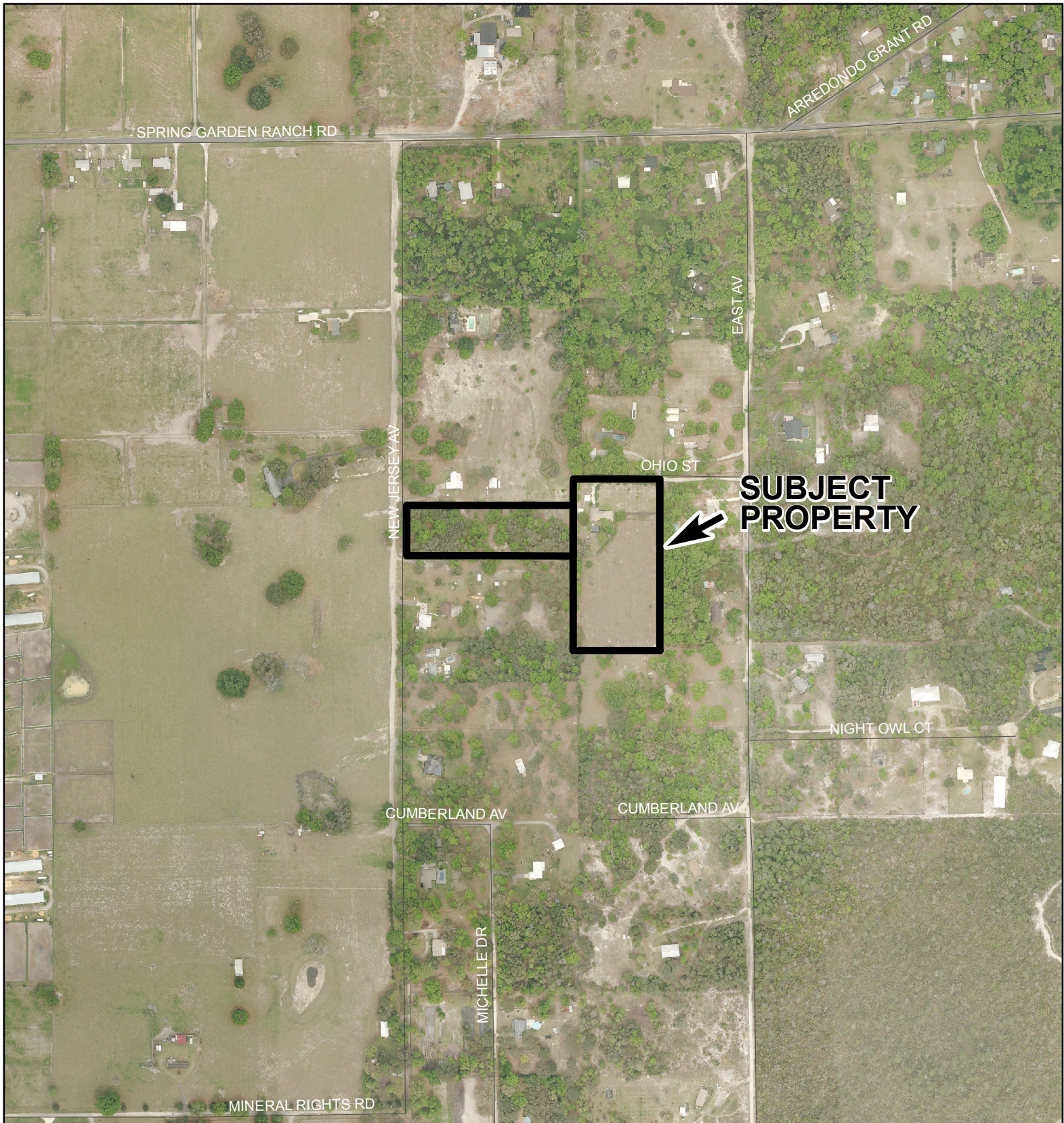


Prepared by: Volusia County Growth & Resource Management Department

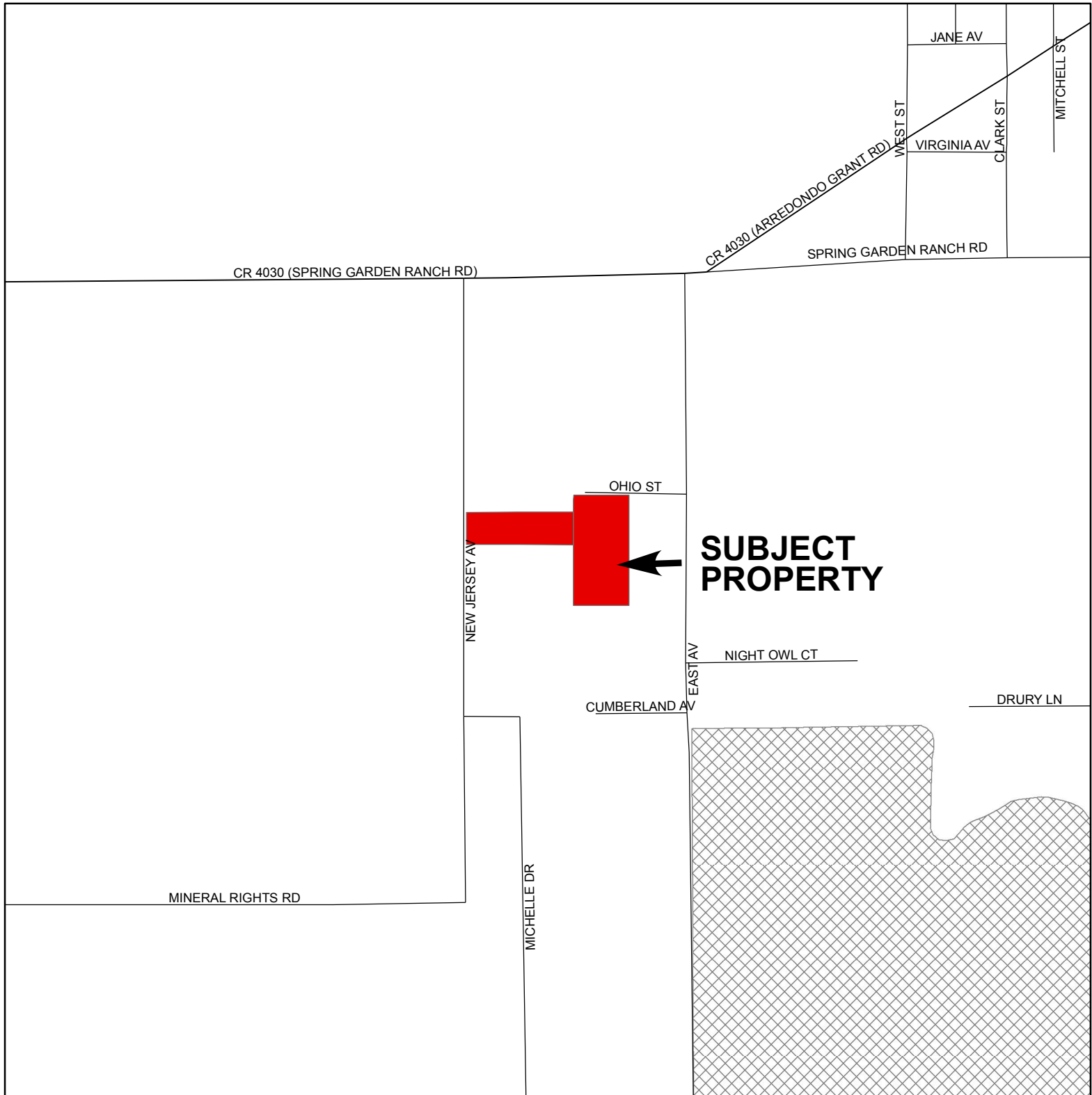


6/6/2012
1 in = 2,000 ft


Amendment Location CPMA-001-12



ECO/NRMA Overlay CPA 001-12



Prepared by: Volusia County Growth & Resource Management Department

 ENVIRONMENTAL CORE OVERLAY

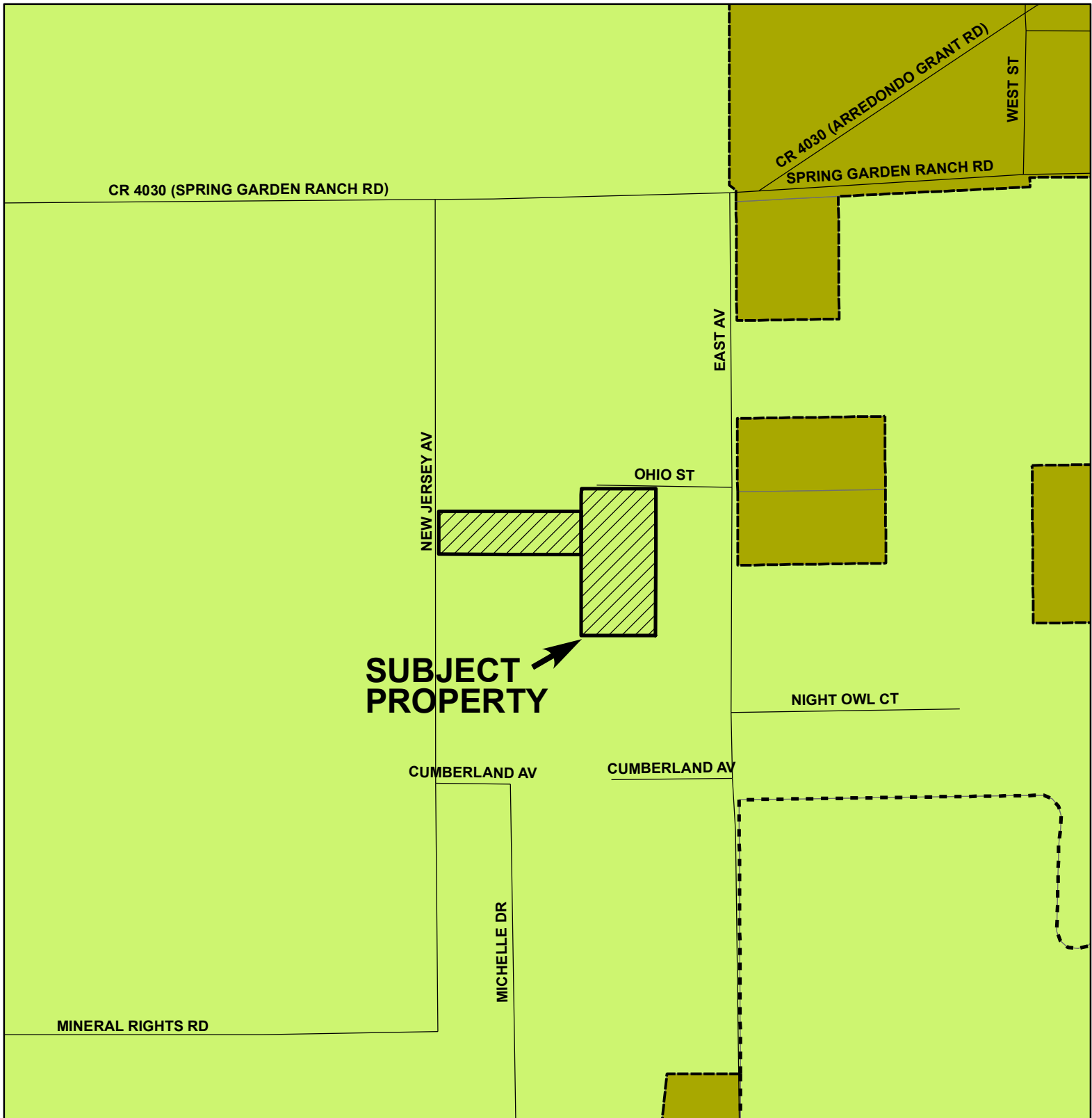
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6/6/2012

1 in = 800 ft

Current Future Land Use CPMA-001-12



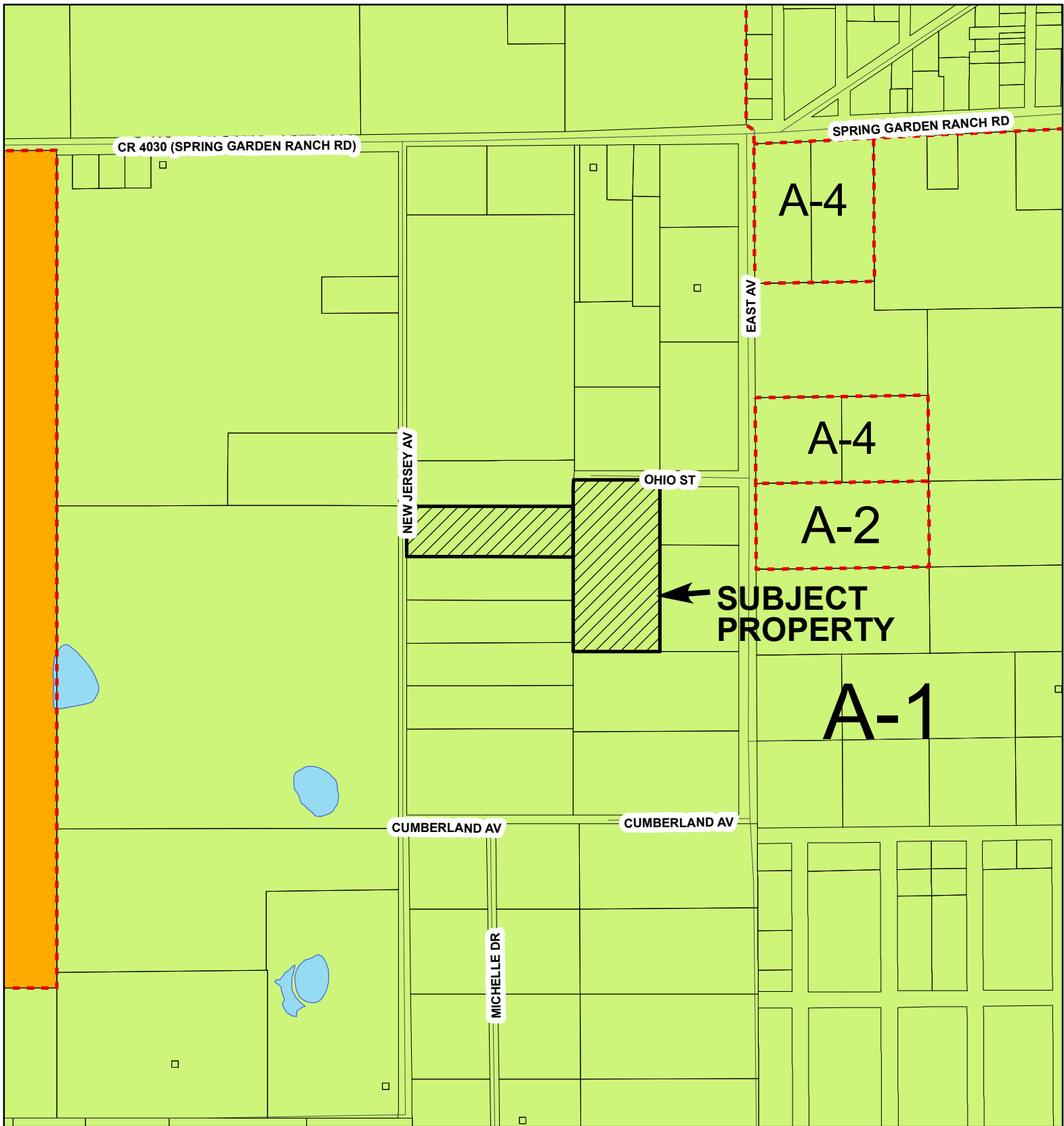
Prepared by: Volusia County Growth & Resource Management Department

AGRICULTURE RESOURCE RURAL

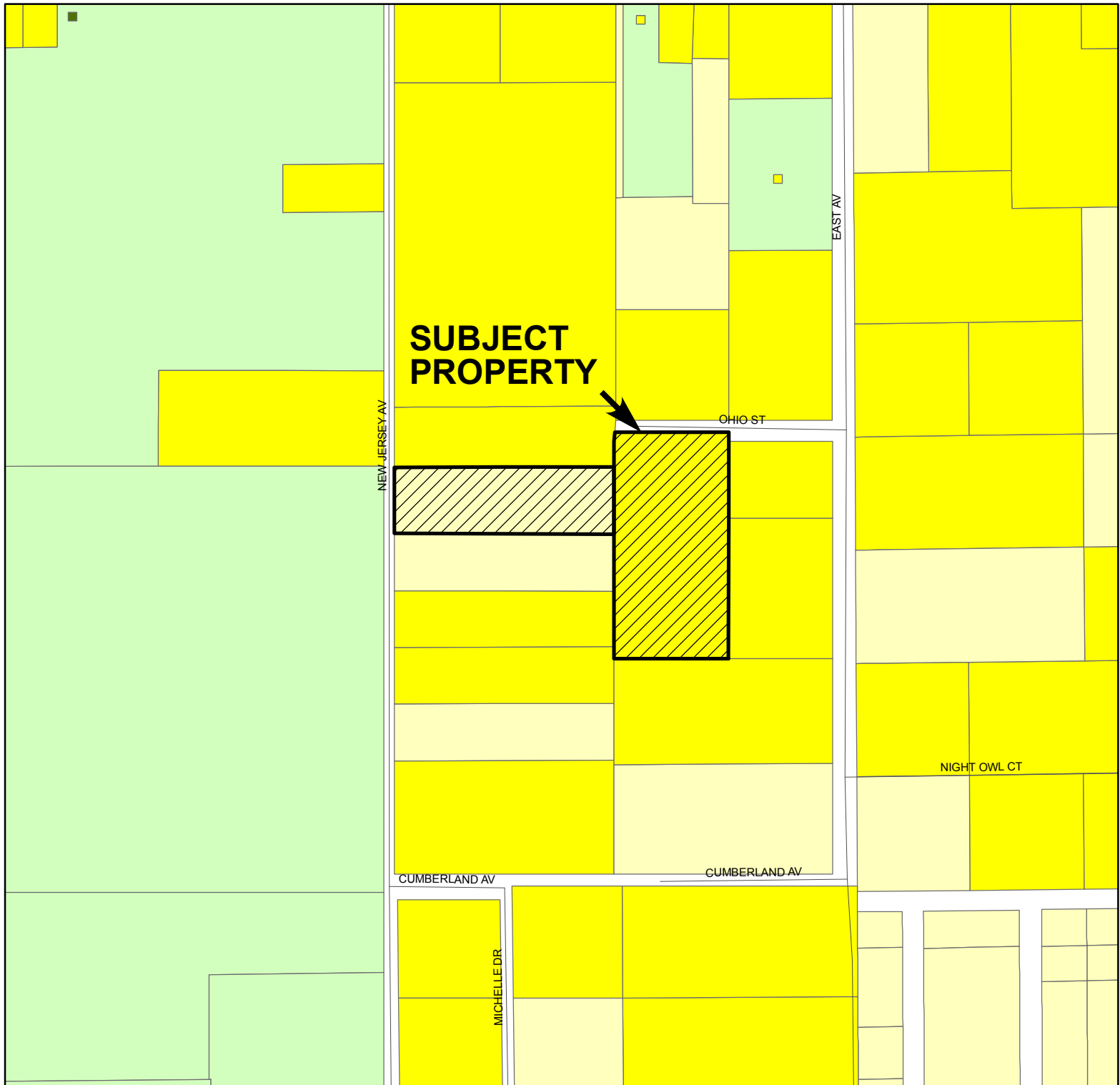


6/6/2012
1 in = 600 ft

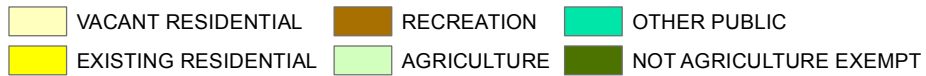
Zoning CPMA-001-12



Existing Land Use CPMA-001-12

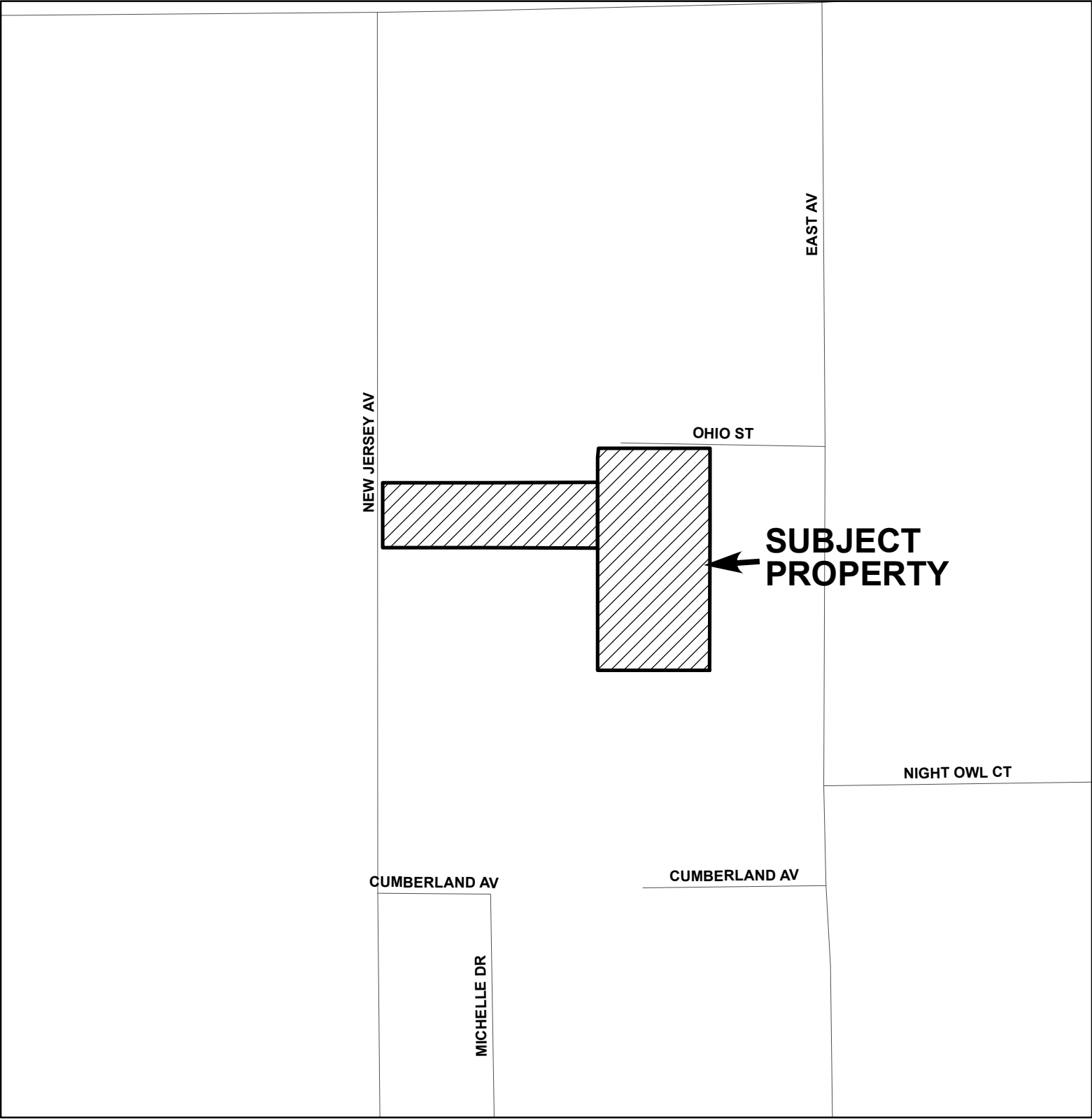


Prepared by: Volusia County Growth & Resource Management Department




6/6/2012
1 inch = 400 ft

Flood Zone
CPMA-001-12



Prepared by: Volusia County Growth & Resource Management Department

 AREAS WITHIN 100 YEAR FLOODPLAIN



6/6/2012
1 in = 400 ft

Soils CPMA-001-12

CR 4030 (SPRING GARDEN RANCH RD)

EAST AV

NEW JERSEY AV

OHIO ST

04

**SUBJECT
PROPERTY**

05

NIGHT OWL CT

CUMBERLAND AV

CUMBERLAND AV

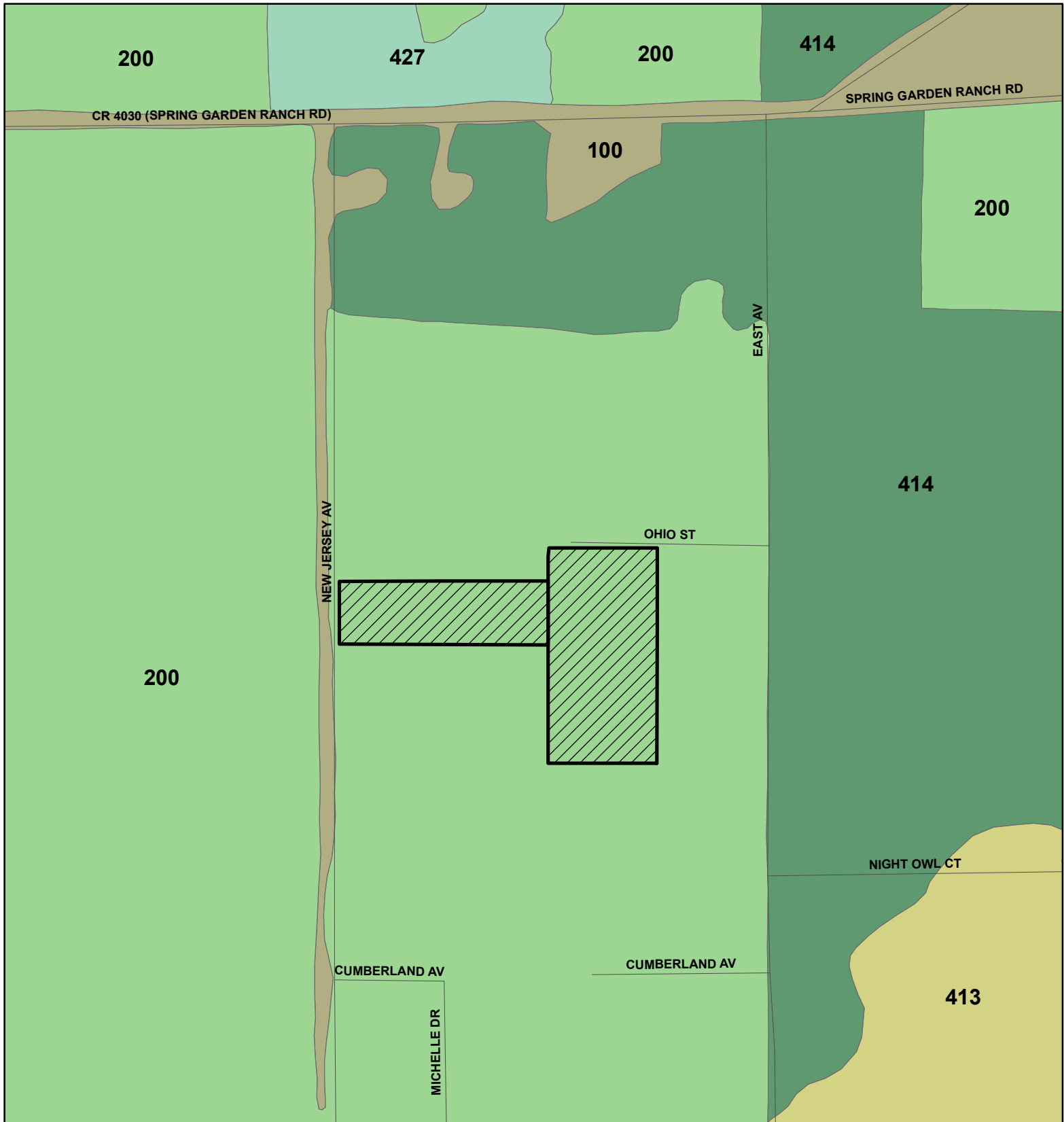
MICHELLE DR

05

42



Vegetation CPMA-001-12



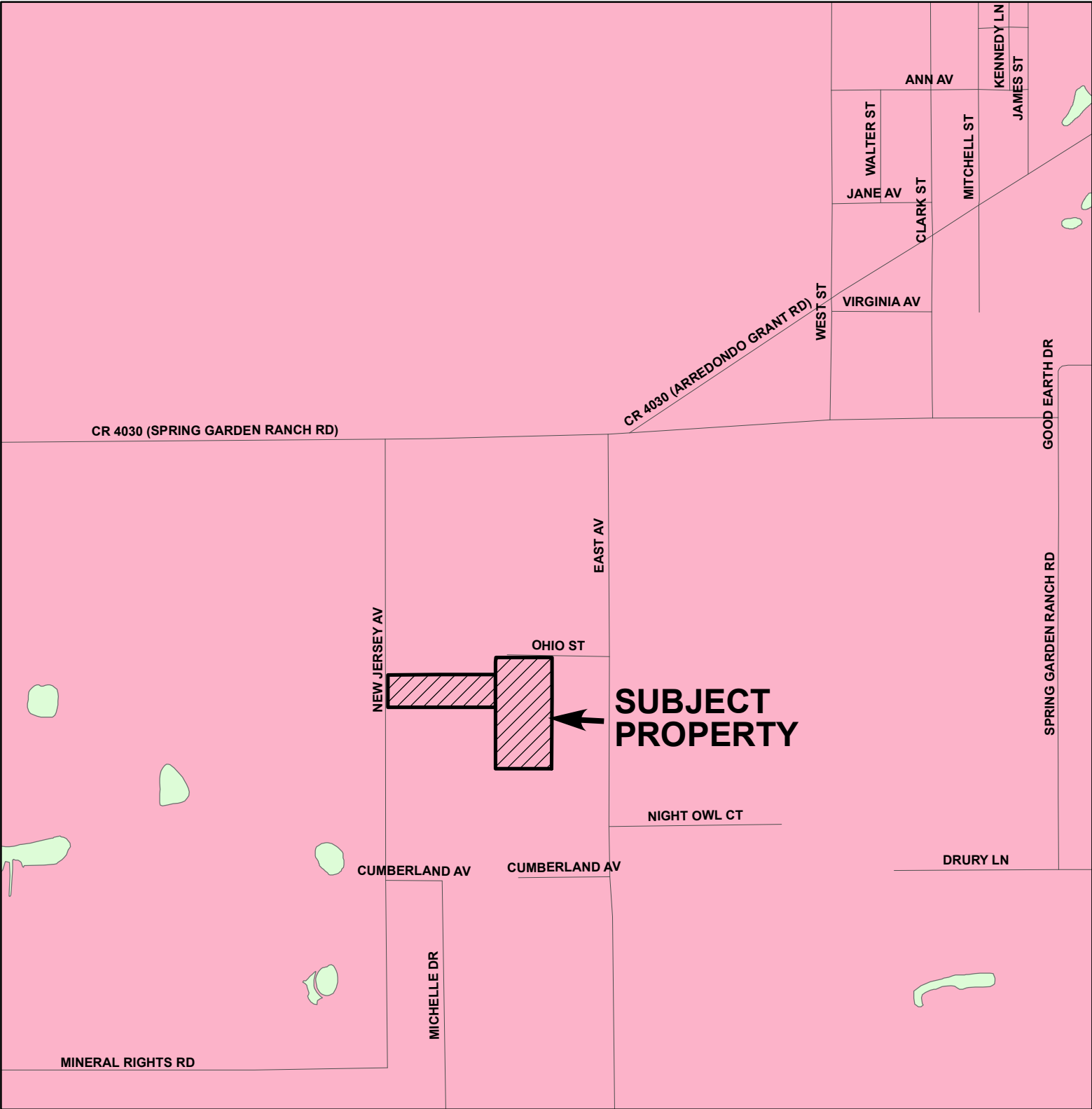
Prepared by: Volusia County Growth & Resource Management Department



6/6/2012
1" = 400'

- | | | |
|---|--|---|
| 200 GENERALIZED AGRICULTURE | 427 LIVE OAK HAMMOCK | 413 SAND PINE |
| 100 GENERALIZED URBAN | 414 PINE/MESIC OAK | |

Wetlands Habitat
CPMA -001-12



Prepared by: Volusia County Growth & Resource Management Department

UP - Palustrine emergent Upland



6/6/2012
1 in = 800 ft