



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

**PUBLIC HEARING:** February 11, 2014 - Planning and Land Development  
Regulation Commission (PLDRC)

**CASE NO:** V-14-020

**SUBJECT:** Variance to the front yard requirement from the edge of the  
traveled way for a single-family dwelling on Prime Agriculture (A-  
1) and Resource Corridor (RC) zoned property.

**LOCATION:** 1400 Volco Road, Edgewater

**APPLICANT:** Gina Johnson, owner

**OWNERS:** Gina Johnson

**STAFF:** Carol McFarlane, AICP, Planner II

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## **I. SUMMARY OF REQUEST**

The applicant is requesting a variance to the applicable minimum front yard requirement for an existing barn, to allow the upper story to be converted into a single-family residence. The property is approximately 5.96 acres and is zoned Prime Agriculture (A-1) with a small portion zoned Resource Corridor (RC).

The requested variance is:

A variance for a front yard on Volco Road from the required 115 feet to 107 feet from the edge of the traveled way for a single-family dwelling on Prime Agriculture (A-1) and Resource Corridor (RC) zoned property.

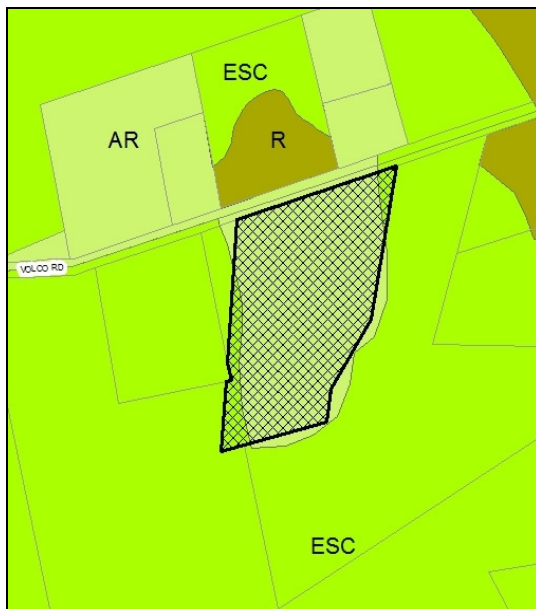
*Staff recommendation:* Approval with the staff recommended conditions.

## II. SITE INFORMATION

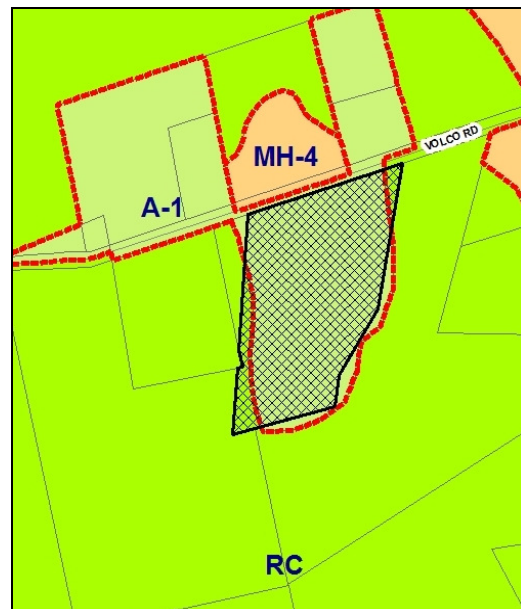
1. Location: The property is located on the south side of Volco Road, approximately 650 feet west of its intersection with Beacon Light Road, in the Edgewater area.
2. Parcel No(s): 8443-01-00-0280
3. Property Size: ±5.96 acres
4. Council District: 3
5. Zoning: Prime Agriculture (A-1) and Resource Corridor (RC)
6. Future Land Use: Agricultural Resource (AR) and Environmental Systems Corridor (ESC)
7. ECO Overlay: No
8. NRMA Overlay: Yes
9. Adjacent Zoning and Land Use:

DIRECTION	ZONING	FUTURE LAND USE	CURRENT USE
North:	MH-4 and A-1	R and AR	Single-family Residence and Vacant Residential
East:	RC	ESC	Vacant
South:	RC	ESC	Single-family Residence and Vacant
West:	RC	ESC	Single-family Residence and Vacant

### 10. Location Maps:



Future Land Use Map



Zoning Map

### III. BACKGROUND AND PREVIOUS ACTIONS

This property is a portion of a lot in the Assessor's Subdivision of the Charles Sibbald Grant, platted in 1925. The property's A-1 zoning requires a minimum lot size of 10 acres, which at 5.96 acres means this parcel is a nonconforming lot. A valid, non-conforming lot letter has been submitted with this application.

In 1996, the property was developed with a mobile home, but was then removed at some point afterwards. In June of 2010, the applicant, Gina Johnson, purchased this property. Several agricultural structures have been constructed on the property over the last few years, including a wall with an electric gate, two sheds, and a 40-foot by 80-foot livestock barn. The property is currently being used as a horse ranch.



2012 Aerial Map

### IV REVIEW CRITERIA AND ANALYSIS

The purpose of this application is to receive a variance for a previously exempt structure (barn) to be converted to a single-family residence. In 2011, the applicant was issued a farm building exemption placard for a 40-foot by 80-foot livestock barn (permit # 20110418028). The barn was shown on the permit to be located 100 feet south of the right-of-way line of Volco Road. This permit was reviewed by county staff for compliance with the zoning regulations and was found to be in compliance with the 100-foot front yard requirement.

However, at the time of building permit review county staff failed to review the width of Volco Road. Volco Road has a 30-foot wide right-of-way, as evidenced by the plat. According to the zoning ordinance, front lot lines are defined as *"the property line abutting any street right-of-way, or for streets with less than 50 feet of dedicated right-of-way, an imaginary line located 15 feet and parallel to the edge of the traveled way of publically dedicated or maintained roadways."* Therefore, the front yard of this property technically is 115 feet south of the right-of-way line, instead of the typical setback for the A-1 zoning, which is 100 feet. Thus, the barn intrudes into the front yard.

The applicant has submitted a building permit to convert the second floor of the barn into living space and to add a first floor covered work area and a two-story deck onto the rear of the structure. Only the first floor covered work area will be new construction encroaching into the front yard but at a distance less than the existing barn. The rear deck does not intrude into any required yards.

Section 72-379 (1) a. 4 *Variances* of the zoning code contains five applicable criteria by which a variance application may be granted by the commission. The following staff evaluation using these criteria is as follows:

***i. Special conditions and circumstances exist which are peculiar to the land, structure, sign, or building involved and which are not applicable to other lands, structures, signs, or buildings in the same zoning classification.***

There are special conditions and circumstances which apply to this land, namely, the width of Volco Road, which affects the measurement of the front yard, and requires a 115-foot front yard setback instead of the typical 100-foot front yard. In addition, the property is irregularly shaped and is a legal, nonconforming parcel. The structure itself is peculiar to the land, as it received a zoning approval for a 100-foot setback when it should have been shifted southwards to accommodate the additional front yard requirement.

Staff finds that the variance application can meet this criterion.

***ii. The special conditions and circumstances do not result from the actions of the applicant.***

The parcel existed in its current configuration at the time that the applicant purchased the property in 2010. The configuration of the parcel and the width of Volco Road are not the responsibility of the applicant. The location of the structure within the front yard setback is also not the responsibility of the applicant. The applicant filed for a farm building exemption placard with a valid survey as required. The applicant should have been informed by county staff that the structure would not meet front yard setbacks at the time of permit submittal.

Staff finds that the variance application can meet this criterion.

***iii. Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification, under the terms of the ordinance, and would work an unnecessary and undue hardship on the applicant.***

Literal interpretation of the zoning code would require that the barn be demolished and/or a separate single-family residence be constructed in a location that is setback an additional 15 feet, outside of the required front yard area.

Staff finds that the variance application can meet this criterion.

***iv. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, structure, or sign.***

The variance that is being requested is the minimum necessary to convert part of the existing barn into a single-family residence. The applicant is not requesting to increase the intrusion into the front yard area, only to convert the second floor of the existing barn.

Staff finds that the variance application meets this criterion.



***v. The grant of the variance will be in harmony with the general intent and purpose of this ordinance and the Volusia County Comprehensive Plan Ordinance No. 90-10, as amended, and that such variance will not be injurious to the area involved.***

The requested variance is in harmony with the zoning ordinance and the comprehensive plan. Converting an existing agricultural structure into a single family residence will not have an impact on the community. The surrounding area is already developed as residences with agricultural uses.

Staff finds that the variance application meets this criterion.

#### **IV. STAFF RECOMMENDATION**

Staff finds that the application can meet the five criteria required for the granting of a variance. Therefore, staff recommends approval of the variance to the front yard on Volco Road from the required 115 feet to 107 feet from the edge of the traveled way for a single-family residence on Prime Agriculture (A-1) and Resource Corridor (RC) zoned property with the following conditions:

1. The variance is limited to the proposed construction as indicated on the variance site plan, which is a modified copy of the signed and sealed Boundry Survey provided by Harts Progressive dated 11/27/2013. The structure cannot be enlarged, increased, or extended to further encroach or occupy greater area or other part of the front yard, or other required yards, of the property as described by the zoning ordinance without approval of a separate variance and/or building permits and inspections.
2. The property owner shall obtain all building permits and inspections for the residence in compliance with the plans submitted with this variance application prepared by Williams Engineering and dated June 26, 2013, prior to the expiration date of this variance, unless the valid period is extended by the Zoning Enforcement Official.

#### **VI. ATTACHMENTS**

- Written Petition
- Variance Site Plans
- Building Permit # 20131118035
- Site Photos
- Reviewer Comments
- Building Permit # 20110418028
- Maps

#### **VII. AUTHORITY AND PROCEDURE**

The commission may, except as otherwise provided in Section 72-379 of the zoning code, authorize, after due public notice upon application on a form prescribed by the zoning enforcement official, such variance or variances from the terms of this ordinance as will not

be contrary to the public interest when, owing to special conditions, a literal enforcement of the provision of this ordinance would result in unnecessary and undue hardship. Said variance application shall be heard only if it is presented by the person owning 51 percent or more of the specific area of land involved or upon an administrative application by the county council.

Any new information to be presented at the planning and land development regulation commission meeting for any application will be grounds to continue an application to the next planning and land development regulation commission meeting. Applicants shall inform and provide staff with the new information prior to the planning and land development regulation commission meeting.

**VOLUSIA COUNTY  
WRITTEN PETITION FOR A VARIANCE**

Section 72-379(1)(a)(4) of the Zoning Ordinance of Volusia County, as amended, requires that each applicant for a Variance submit a written petition as part of the application. The written petition must clearly describe how the Variance request satisfies all of the specific conditions necessary for the granting of the Variance, as listed in the Ordinance.

The following items must be completed in sufficient detail to allow Current Planning to determine if the application complies with the Ordinance (use additional sheets if necessary):

- A. What special condition(s) and circumstance(s) exist which are peculiar to your land, structure, building, or sign and are not applicable to other lands, structures, buildings, or signs in the same zoning classification? Were these special condition(s) and circumstance(s) the result of actions by you?

This structure would meet the county  
Setbacks if Volco Road were wider.

- B. How would literal interpretation of the Zoning Ordinance deprive you of rights commonly enjoyed by other properties in the same zoning classification and be an unnecessary and undue hardship on you?

Having to move the structure is not  
financially possible

- C. Explain how the Variance(s) you are requesting is/are the minimum Variance(s) that will make it possible for you to make reasonable use of your land, building, structure or sign:

I am just utilizing the existing  
structure,

- D. The general intent and purpose of the Zoning Ordinance and the Volusia County Comprehensive Plan Ordinance No. 90-10 is to lessen congestion in the streets; to promote public health, safety, morals, and the general welfare; to properly provide for the use of land and governmental services; and to preserve the character, appearance, and aesthetic qualities of Volusia County by regulating signs.


1. Is your request for Variance(s) consistent with this intent and purpose?

yes, to maintain aesthetic quality of  
existing surroundings

and

2. Explain how your request for Variance(s) will not be injurious to the surrounding area:

It is far away from my neighbors and  
does not pose any threat or harm.

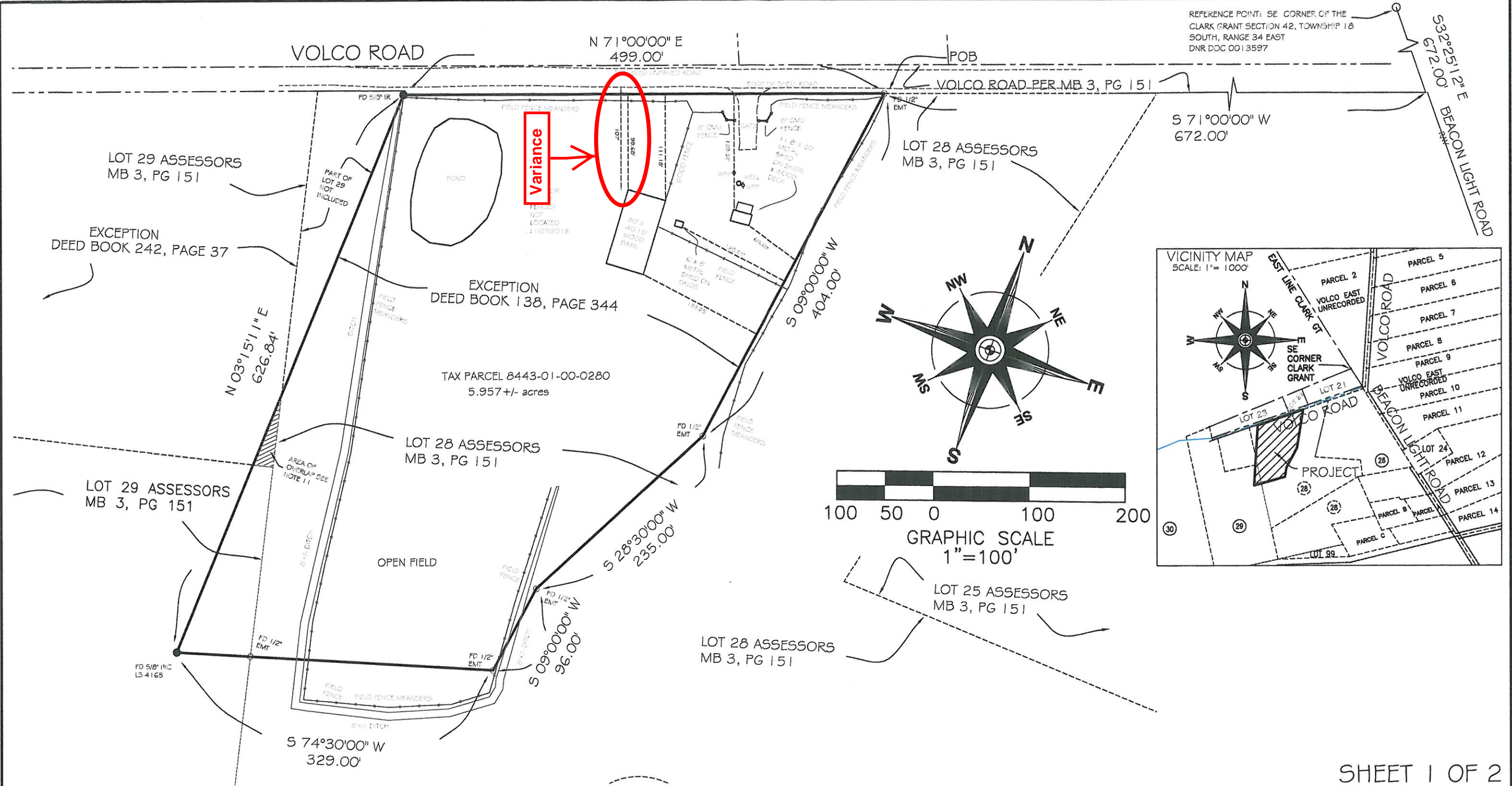
  
Applicant's Signature

12/19/13  
Date

Applicant's Signature

Date

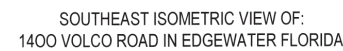
VARIANCE  
SITE PLAN



SHEET 1 OF 2

<p>REVISIONS:</p> <p>OVERALL BOUNDARY ON 06/17/2010 WO#H100603</p> <p>BARN AND SHEDS LOCATED ON 11/27/2013</p> <p>TRAVELED UNPAVED ROAD ADDED ON 12/16/2013</p>	<p>TYPE OF SURVEY:</p> <p>BOUNDARY</p> <p>SUBJECT:</p> <p>#1400 VOLCO ROAD,</p> <p>EDGEWATER, FL 32141</p> <p>PROJECT# H100603</p> <p>PROJECT# H131109</p> <p>FIELD BOOK 1 PG 38</p>	<p></p> <p>Harts Progressive Enterprise Inc.</p> <p>Land Surveyors * Mappers * Drafting</p> <p>629 Overlook Trail, Port Orange, FL 32127</p> <p>(386)767-2776 FAX (386)767-2776 LB# 7743</p> <p>William S Hart PSM 3905</p> <p>Visit us at: <a href="http://www.hartsprogressive.com">www.hartsprogressive.com</a></p> <p>© 2009</p>	<p>SEE SURVEY REPORT TITLE: 1400 VOLCO ROAD ,</p> <p>EDGEWATER, FL REPORT DATED: 11/27/2013</p> <p>THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=100' OR SMALLER ANY USE OF</p> <p>THIS FILE AT A SCALE LARGER THAN STATED SHALL BE AT YOUR RISK.</p> <p>SURVEY MAP</p>	<p>THIS MAP IS NEITHER FULL AND</p> <p>COMPLETE WITHOUT THE</p> <p>REPORT</p> <p>FILE: NSB</p> <p>S-22-00-28</p>
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1. REMODEL LOFT OF BARN INTO LIVING QUARTERS
2. ADD COVERED DECK AT REAR (EAST) OF BARN WITH EXTERIOR STAIRWAY
3. ADD SHED ROOF AT FRONT OF BARN TO EAST FOR A COVERED WORK AREA
4. REMOVE EXISTING INTERIOR STAIRS, MOVE SOUTH WALL UNDER STAIR WELL TO THE SOUTH, REMOVE INTERFERING DOOR TO STORAGE ROOM AND RELOCATE TO THE NORTH OF THE ROOM ON THE WEST WALL, PROVIDE CLOSET DOOR TO UNDER STAIR FOR STORAGE THEN CONSTRUCT AND INSTALL NEW STAIRS

SHEET 00.0	COVER AND INDEX SHEET
SHEET A-01	ELEVATIONS
SHEET A-02	ELEVATIONS
SHEET A-01.1	EXISTING ELEVATIONS & PLAN VIEWS
SHEET A-03.2	PROPOSED FLOOR PLAN/ AREA CALC.
SHEET A-04	DOOR & WINDOW SCHEDULE
SHEET E-01	ELECTRICAL LAYOUT
SHEET S-01	FOOTINGS AND DETAILS
SHEET S-02	DETAILS
TOTAL SHEETS:	09

THE MINIMUM DESIGN PRESSURES FOR COMPONENTS AND CLADDING ARE DETERMINED BY A.S.C.E. 7-10 (CHAPTER 30, SECTION 30.5 PART 2, LOW RISE BUILDINGS) (SUMMERIZED) USING TABLES 10-1 & 1 FIGURE 30-1

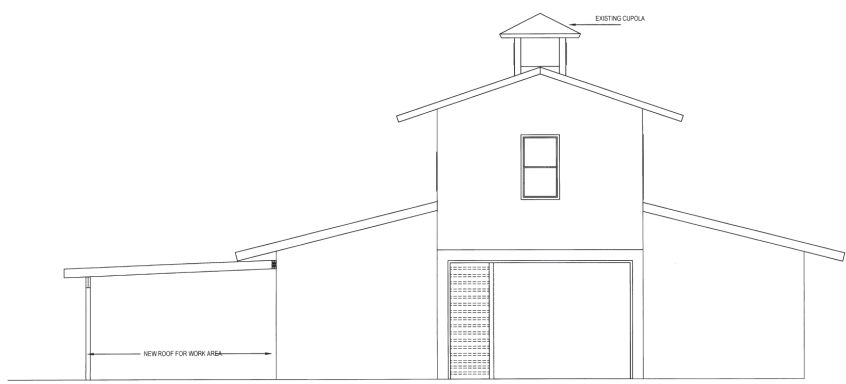
WALLS (ZONE 4)	+20.3 P.S.F.	-36.2 P.S.F.
WALLS (ZONE 5)	+35.3 P.S.F.	-47.2 P.S.F.
ROOF PITCH-27 DEGREES		
ROOF (ZONE 1)	+20.3 P.S.F.	-32.3 P.S.F.
ROOF (ZONE 2)	+20.3 P.S.F.	-56.2 P.S.F.
ROOF (ZONE 3)	+20.3 P.S.F.	-83.1 P.S.F.

Date	02152013	
Scale	$\frac{1}{4}'' = 1'-0''$ UNLESS NOTED	
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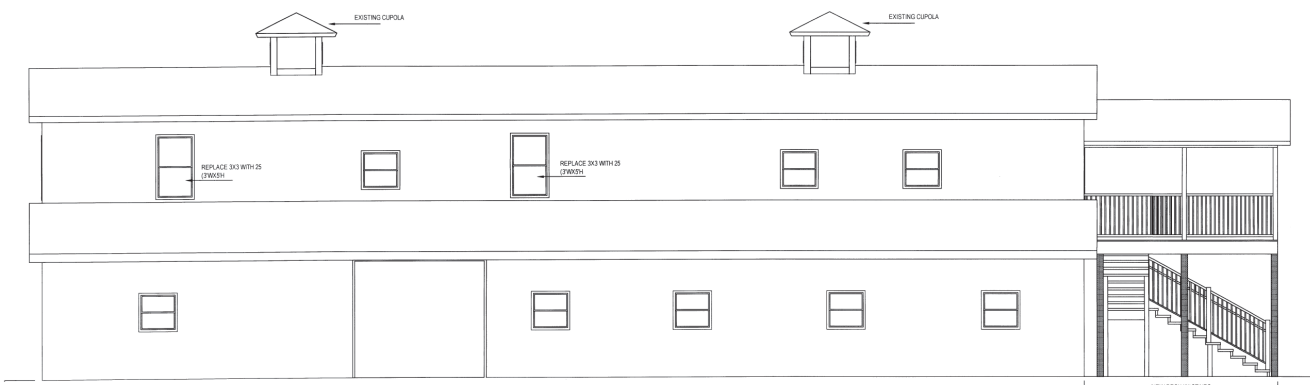
Ralph J Mauger!  
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njmdrafting.com



**RJM**  
DRAFTING SERVICES



1 NORTH ELEVATION  
10'-1 1/2"



3 WEST ELEVATION  
10'-1 1/2"

ENGINEER OF RECORD:  
THOMAS C. WILLIAMS P.E. #54877  
206 LIVE OAK STREET  
NEW SMYRNA BEACH, FL 32168

DESIGN STATEMENT:  
THIS DRAWING MEETS THE STRUCTURAL  
REQUIREMENTS OF A.S.C.E. 7-10 AND THE  
FLORIDA BUILDING CODE 2010

THE MINIMUM PRESSURES FOR WIND & S.  
ARE DETERMINED BY A.S.C.E. 7-10 CHAPTER 27, SECTION 27.5  
PART 2 (ENCLOSED SIMPLE SHAPED BUILDINGS)  
USING TABLES 27.5-1, 27.5-1A, & 27.5-2  
ROOF HEIGHT 30' OR LESS  
DESIGN WIND SPEED 140 MPH, HIGH CATEGORY II  
EXPOSURE CATEGORY B  
BUILDING ENCLOSED  
INTERNAL PRESSURE COEFFICIENT +/- 10%  
WALLS +/- 31.9 P.S.F.  
ROOF +/- 21.5 (sward) (sward zone 3 pressures for all roof pitches)

THE MINIMUM DESIGN PRESSURES FOR COMPONENTS AND CLADDING  
ARE DETERMINED BY A.S.C.E. 7-10 CHAPTER 30, SECTION 30.5  
PART 2 (ENCLOSED SIMPLE SHAPED BUILDINGS)  
USING TABLES 30.5-1 & FIGURE 30.5-1  
WALLS (ZONE A) +/- 31.9 P.S.F. 30.2 P.S.F.  
WALLS (ZONE B) +/- 31.9 P.S.F. 47.2 P.S.F.  
ROOF PITCH 12/12 STEEP  
ROOF (ZONE 1) +/- 31.9 P.S.F. 32.3 P.S.F.  
ROOF (ZONE 2) +/- 31.9 P.S.F. 36.2 P.S.F.  
ROOF (ZONE 3) +/- 31.9 P.S.F. 43.1 P.S.F.

206 LIVE OAK ST.  
N.S.B., FL 32168

ELEVATIONS  
PRELIMINARY PLANS - NOT FOR BIDDING

REVISIONS		BY

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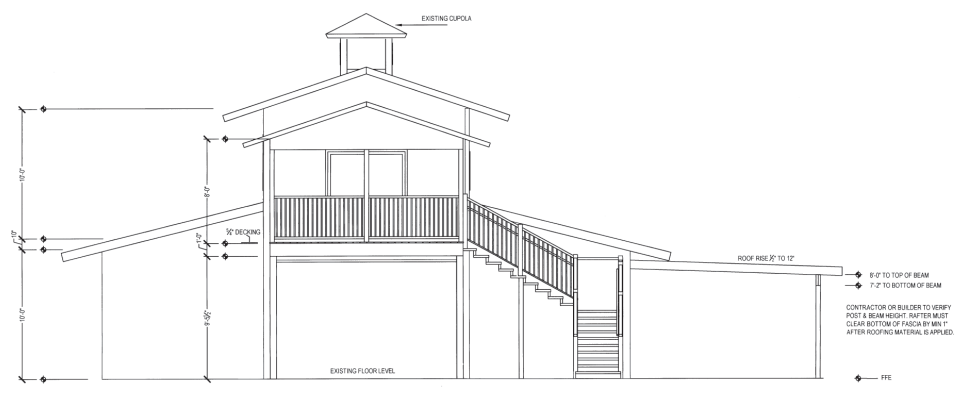
**RJM**

**DRAFTING SERVICES**

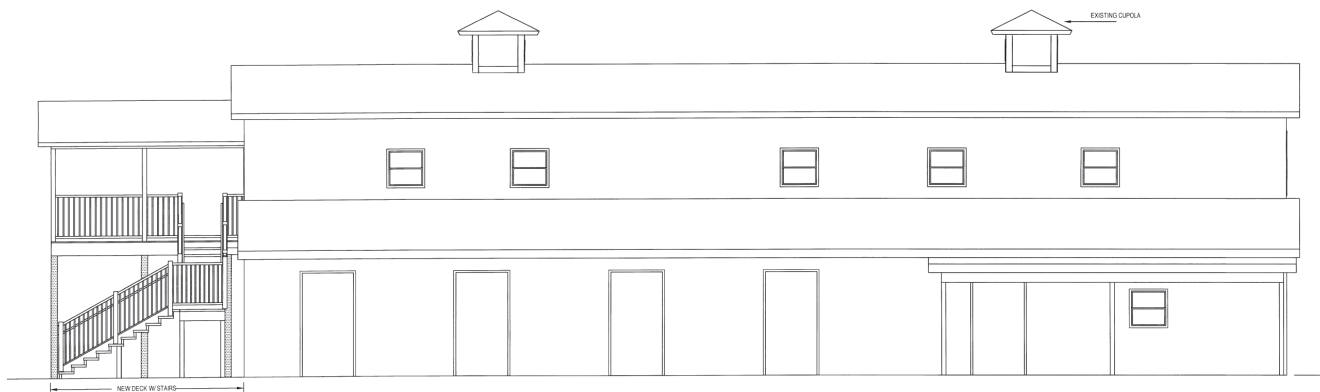
**PLANS for:**  
**GINA JOHNSON**  
1400 VOLCO RD  
EDGEWATER, FL

Date	02/15/2013
Scale	1/4" = 1'-0" UNLESS NOTED
Drawn by	
File	A-01 06.26.13
Sheet number	A-01





2 SOUTH ELEVATION  
1/8" = 1'-0"



1 EAST ELEVATION  
1/8" = 1'-0"

ENGINEER OF RECORD:  
THOMAS C. WILLIAMS P.E. #54877  
206 LIVE OAK STREET  
NEW SMYRNA BEACH, FL 32168

DESIGN STATEMENT:  
THIS DRAWING MEETS THE STRUCTURAL  
REQUIREMENTS OF A.S.C.E. 7.10 AND THE  
FLORIDA BUILDING CODE 2010.

THE MINIMUM PRESSURES FOR COMPONENTS  
AND CLADDING ARE DETERMINED BY A.S.C.E. 7.10 CHAPTER 27, SECTION 27.5  
PART 1, ENCLOSED SIMPLE DIAPHRAGM BUILDINGS  
USING TABLES 27.5-1, 27.5-2, 27.5-3, 27.5-4, 27.5-5, 27.5-6, 27.5-7, 27.5-8, 27.5-9, 27.5-10, 27.5-11, 27.5-12, 27.5-13, 27.5-14, 27.5-15, 27.5-16, 27.5-17, 27.5-18, 27.5-19, 27.5-20, 27.5-21, 27.5-22, 27.5-23, 27.5-24, 27.5-25, 27.5-26, 27.5-27, 27.5-28, 27.5-29, 27.5-30, 27.5-31, 27.5-32, 27.5-33, 27.5-34, 27.5-35, 27.5-36, 27.5-37, 27.5-38, 27.5-39, 27.5-40, 27.5-41, 27.5-42, 27.5-43, 27.5-44, 27.5-45, 27.5-46, 27.5-47, 27.5-48, 27.5-49, 27.5-50, 27.5-51, 27.5-52, 27.5-53, 27.5-54, 27.5-55, 27.5-56, 27.5-57, 27.5-58, 27.5-59, 27.5-60, 27.5-61, 27.5-62, 27.5-63, 27.5-64, 27.5-65, 27.5-66, 27.5-67, 27.5-68, 27.5-69, 27.5-70, 27.5-71, 27.5-72, 27.5-73, 27.5-74, 27.5-75, 27.5-76, 27.5-77, 27.5-78, 27.5-79, 27.5-80, 27.5-81, 27.5-82, 27.5-83, 27.5-84, 27.5-85, 27.5-86, 27.5-87, 27.5-88, 27.5-89, 27.5-90, 27.5-91, 27.5-92, 27.5-93, 27.5-94, 27.5-95, 27.5-96, 27.5-97, 27.5-98, 27.5-99, 27.5-100.

THE MINIMUM DESIGN PRESSURES FOR COMPONENTS AND CLADDING  
ARE DETERMINED BY A.S.C.E. 7.10 CHAPTER 30, SECTION 30.1  
PART 2, LOW RISE BUILDINGS (SIMPLIFIED)  
USING TABLES 30.1-1, 30.1-2, 30.1-3, 30.1-4, 30.1-5, 30.1-6, 30.1-7, 30.1-8, 30.1-9, 30.1-10, 30.1-11, 30.1-12, 30.1-13, 30.1-14, 30.1-15, 30.1-16, 30.1-17, 30.1-18, 30.1-19, 30.1-20, 30.1-21, 30.1-22, 30.1-23, 30.1-24, 30.1-25, 30.1-26, 30.1-27, 30.1-28, 30.1-29, 30.1-30, 30.1-31, 30.1-32, 30.1-33, 30.1-34, 30.1-35, 30.1-36, 30.1-37, 30.1-38, 30.1-39, 30.1-40, 30.1-41, 30.1-42, 30.1-43, 30.1-44, 30.1-45, 30.1-46, 30.1-47, 30.1-48, 30.1-49, 30.1-50, 30.1-51, 30.1-52, 30.1-53, 30.1-54, 30.1-55, 30.1-56, 30.1-57, 30.1-58, 30.1-59, 30.1-60, 30.1-61, 30.1-62, 30.1-63, 30.1-64, 30.1-65, 30.1-66, 30.1-67, 30.1-68, 30.1-69, 30.1-70, 30.1-71, 30.1-72, 30.1-73, 30.1-74, 30.1-75, 30.1-76, 30.1-77, 30.1-78, 30.1-79, 30.1-80, 30.1-81, 30.1-82, 30.1-83, 30.1-84, 30.1-85, 30.1-86, 30.1-87, 30.1-88, 30.1-89, 30.1-90, 30.1-91, 30.1-92, 30.1-93, 30.1-94, 30.1-95, 30.1-96, 30.1-97, 30.1-98, 30.1-99, 30.1-100.

ELEVATIONS  
PRELIMINARY PLANS - NOT FOR BIDDING

REVISIONS		BY

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rjm@williamsengineering.com

**RJM**  
DRAFTING SERVICES

**PLANS for:**  
GINA JOHNSON  
1400 VOLCO RD  
EDGEWATER, FL

Date: 02/15/2013  
Scale: 1/8" = 1'-0" UNLESS NOTED  
Drawn by: A-02  
Sheet number: 09

REVISIONS

BY

WILLIAMS ENGINEERING

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NEW SMYRNA BEACH, FL 32168

Ralph J. Mangel

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EDGEWATER, FL 32141

Tel. 386-600-5405

rjmangel@williamseng.com



RJM

DRAFTING SERVICES

PLANS for:

GINA JOHNSON

1400 VOLCO RD  
EDGEWATER, FL

Date: 02/12/2013

Scale: 1/8" = 1'-0" UNLESS NOTED

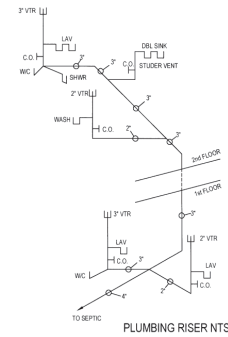
Drawn by: RJM

No. 03 PROPOSED ALTERATIONS 2ND FLOOR HOME

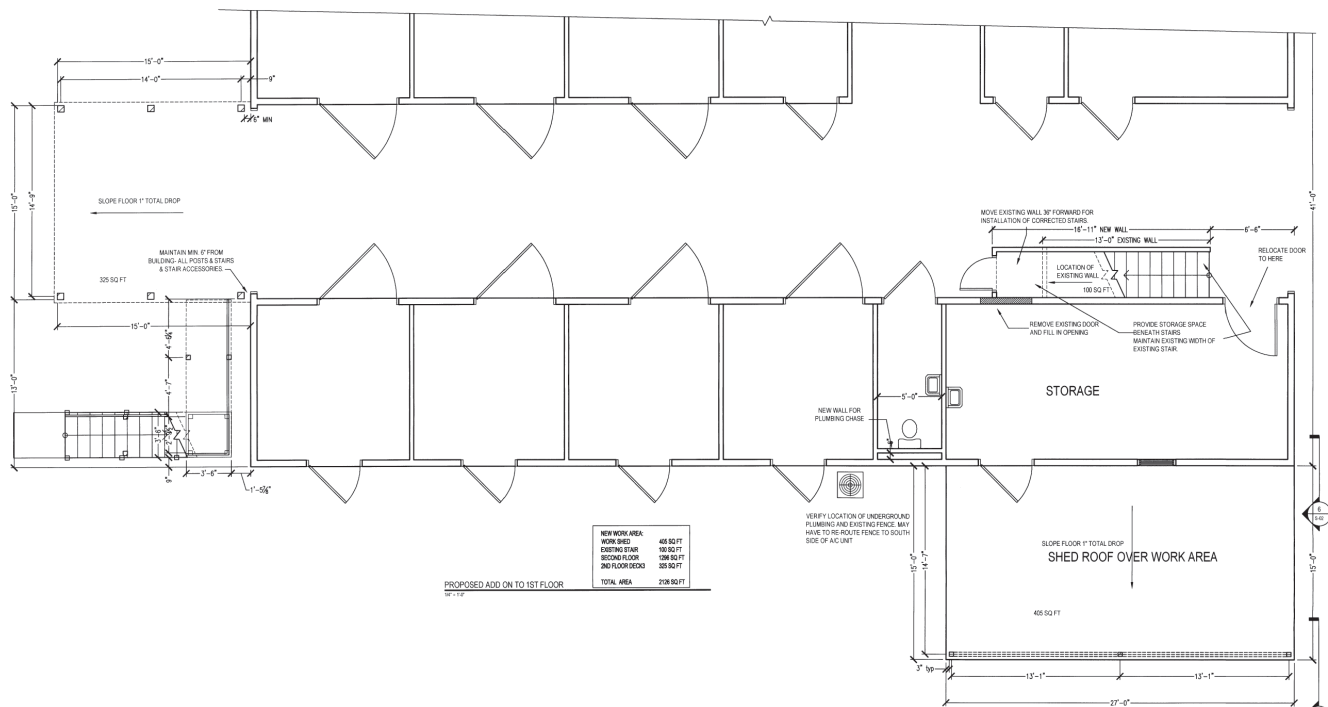
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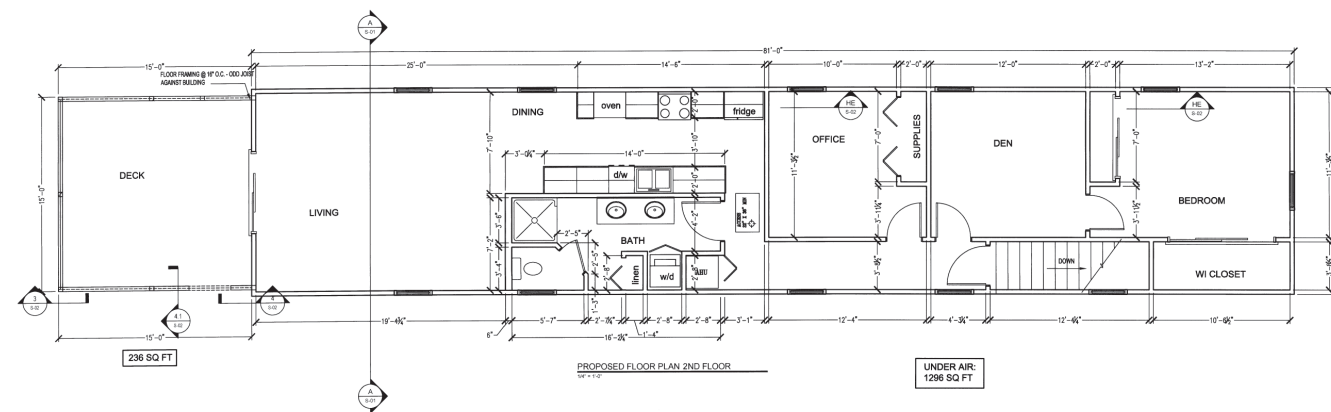
PROPOSED ALTERATIONS TO LOFT AND BARN



PLUMBING RISER NTS



PROPOSED ADD ON TO 1ST FLOOR



PROPOSED FLOOR PLAN 2ND FLOOR

UNDER AIR:

ENGINEER OF RECORD  
THOMAS C. WILLIAMS P.E. #54877  
206 LIVE OAK STREET  
NEW SMYRNA BEACH, FL 32168DESIGN STATEMENT:  
THIS DRAWING MEETS THE STRUCTURAL  
REQUIREMENTS OF A.S.C.E. 7-10 AND THE  
FLORIDA BUILDING CODE 2010THE MINIMUM DESIGN PRESSURES FOR WIND & SE  
ARE DETERMINED BY A.S.C.E. 7-10 CHAPTER 21, SECTION 21.5  
PART 2, ENCLOSED SIMPLE DIAPHRAGM BUILDINGS  
USING TABLE 21.5-1, 21.5-1A & 21.5-2  
ROOF MEAN HEIGHT 37' OR LESS  
DESIGN WIND SPEED: HURRICANE RISK CATEGORY II  
EXPOSURE CATEGORY II  
BUILDING ENCLOSURE  
INTERNAL PRESSURE COEFFICIENT = 0.18  
WALLS = 31.5 P.S.F.  
ROOF = 31.5 (based upon zone 3 pressures for all roof pitches)THE MINIMUM DESIGN PRESSURES FOR COMPONENTS AND CLADDING  
ARE DETERMINED BY A.S.C.E. 7-10 CHAPTER 21, SECTION 21.5  
PART 2, ENCLOSED SIMPLE DIAPHRAGM BUILDINGS  
USING TABLE 21.5-1, 21.5-1A & 21.5-2  
WALLS (ZONE 4) = 30.3 P.S.F. - 30.3 P.S.F.  
WALLS (ZONE 5) = 30.3 P.S.F. - 30.3 P.S.F.  
ROOF PITCH 27 DEGREES  
ROOF (ZONE 1) = 30.3 P.S.F. - 30.3 P.S.F.  
ROOF (ZONE 2) = 30.3 P.S.F. - 30.3 P.S.F.  
ROOF (ZONE 3) = 30.3 P.S.F. - 30.3 P.S.F.

06.26.13

#54877

206 LIVE OAK ST.

N.S.B., FL 32168









View of Backyard

*Inter-Office  
Memorandum*



**TO:** Carol McFarlane, Planner II      **DATE:** January 15, 2014

**FROM:** Danielle Dangleman, Environmental Specialist III

**SUBJECT:** Planning & Land Development Regulation Commission meeting for  
Date: February 11, 2013  
Parcel #: 8443-01-00-0280  
Case #: V-14-020, Gina Johnson, owner

Environmental Permitting (EP) has reviewed the application and aeriels of the Johnson property to determine if reducing the front yard setback for the existing structure would have any environmental impact. This property falls within the Natural Resource Management Area, which requires a fifty (50) foot upland buffer from wetlands. There are wetlands along the west, south and east portions of the property. The existing home is out of the wetlands and the wetland buffer.

EP has no objection to this variance as long as the applicant makes no alteration to the wetlands or their associated buffer.

## LAND DEVELOPMENT

John Thomson,

Johnson

V-14-020

The 1978 tax roll description of the parcel does not match the current description; however the deed used for the 1978 description (OR 1682, Page 103) was corrected by deed in OR 2683, Page 320. This description matches the current description therefore the parcel has legal standing status. The GIS mapping of the parcel does not match the description or survey provided. Staff will get with the property appraiser's to verify the parcel mapping.

20110418028



# County of Volusia

GROWTH & RESOURCE MANAGEMENT  
BUILDING & ZONING DIVISION  
123 W. INDIANA AV. DELAND, FLORIDA 32720  
TELEPHONE: (386) 943-7059

## EXEMPTION FOR FARM BUILDING ON EXISTING FARM

08/02

Volusia County Tracking Number AP 690856 02

This is to certify that I Gina Johnson  
am exempt from the requirements for a Building Permit under Florida Statute 553.73 (8)(c), State Minimum Building Codes.  
The proposed structure(s) as depicted on the attached plot plans (2 plans drawn to a scale no greater than 1"=100') is to be a  
nonresidential farm building(s) on a farm:

1400 1 Volico Road 1 Edgewater/Volusia County  
Number Street Community

Tax Parcel Number 8443 - 0100-0280 - Full Parcel 43-18-34-01-00-0280

The agricultural use of the property is: FEED LOT / HORSES / PULKS

40x80 Wooden Barn  
(Type and use of structure)

Directions to property US 1 to Volico Road, turn right -> 1400 Volico Road, Edgewater, FL

If this site has a lock gate, how do we gain access? call (386) 795-7563

\*\*\*I hereby certify that all information contained in this document is true and correct.\*\*\*

Gina Johnson  
(Signature of owner)

Gina Johnson  
(Print Name)

316 TWO OAKS DRIVE Edgewater 32141  
(Address of owner)

(386) 795-7563  
(Phone Number)

\*\*\*There may be permits required from other governmental entities such as water management districts, state or federal agencies.\*\*\*  
The Farm Building Exemption(s) only apply to Building Codes. Wetland, Tree and Zoning requirements are not exempt.

Zoning Classification A-1, RC Minimum Setbacks Front 100 Side 50 Rear 50 Checked by BPM  
Code Compliance Inspection 4/24/11 Compliance Officer [Signature] Approved X Disapproved  
Environmental Inspection 4/24/11 Inspector [Signature] Trees Approved X Disapproved  
Wetlands : Yes     No     Not in area of proposed structure X Notes:

A tree

and wetland inspection will be scheduled when this Farm Building Exemption is processed through Zoning.

Checked by



# VOLUSIA COUNTY

## AFFIDAVIT OF DRAINAGE CONTROL FOR RESIDENTIAL AND MINOR COMMERCIAL CONSTRUCTION

**I OWNER/SITE INFORMATION:**

1. Name of Owner Gina Johnson
2. Address of Owner 316 TWO OAKS Drive
3. Phone No: Home 386 424 9992 Office (386) 795-7563
4. Parcel Number for site 8443-01-00-0280

BP# \_\_\_\_\_

(Office Use Only)

**II CERTIFICATE OF COMPLIANCE:**

The undersigned owner of the above described property, being fully aware of the provisions of Section 104.1.7 Chapter 22, Code of Ordinances, as amended, hereby certifies that development of the above described property will not result in:

1. Flooding of adjacent lands.
2. Blockage of existing drainage systems, natural or manmade.
3. The destruction of existing drainage systems, natural or manmade.
4. Erosion of fill or disturbed materials onto adjacent lands or environmentally sensitive areas (as determined by the environmental control officer).
5. The destruction of roadside drainage swales, roadway pavement and/or shoulders.
6. Flooding of proposed structure during a 100-year-frequency storm or construction to an elevation less than that indicated on the floodprone maps as are available in the growth management department.
7. Inadequate on-site drainage in the vicinity of the proposed structure.

**IV RELEASE AND AUTHORIZATION:**

1. The undersigned hereby releases and holds harmless the County of Volusia and its authorized agents and/or employees from any and all claims of damage of every kind and nature whatsoever to said property, or contiguous properties, arising from the approval of this application or construction of required improvements.
2. The undersigned hereby grants unto authorized agents and/or employees of the County of Volusia the right to enter upon said property for inspection and enforcement activities. Volusia County reserves the right to require the property owner to implement reasonable measures regarding drainage control including, but not limited to, submittal of signed & sealed engineered drainage plans.

Gina Johnson  
Signed

Gina Johnson  
Printed Name

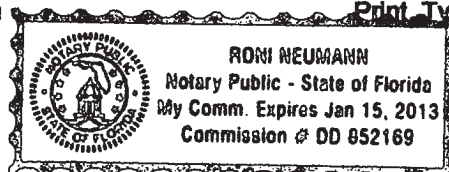
State of Florida  
County of Volusia

Sworn to and Subscribed before me, this 18<sup>th</sup> day of April, 2011 by A NOTARY  
who is personally known to me or has produced FL-DL as identification.

(Type of ID)

[Signature]  
Signature of Notary Public, State of Florida

Notarial Seal



Roni Neumann  
Print, Type or Stamp Name of Notary



## GENERAL NOTES:

1. BEARING STRUCTURE (S 71°00'00" W) ALONG THE SOUTH LINE OF VOLCO ROAD PER DESCRIPTION.
2. LEGAL DESCRIPTION PROVIDED BY CLIENT PER OFFICIAL RECORDS BOOK 4093 PAGE 4840, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
3. RECORD DIMENSIONS ARE SHOWN IN PARENTHESIS ( ), WHEN DIFFERS FROM MEASURED.
4. FLOOD PLANE CERTIFICATION ACCORDING TO THE FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY) F.I.R.M (FEDERAL INSURANCE RATE MAP), COMMUNITY OF VOLUSIA COUNTY NUMBER 125155, PANEL NUMBER 12127C0700 G DATED: 04/15/2002 THE PROPERTY APPEARS TO BE IN FLOOD ZONES "X" AND THE BASE 100 YEAR FLOOD ELEVATION HAS NOT BEEN DETERMINED NGVD 1929 DATUM.
6. ACCURACY STATEMENT:  
THE EXPECTED CLOSURE FOR THIS PROPERTY SHOULD BE AT A MINIMUM OF SUBURBAN LINEAR RATIO OF 1 : 5000 FEET.  
THE CLOSURE OF THE TRAVERSE FOR THIS PROJECT WAS : 1 : 69,922
7. NO VERTICAL DATA WAS REQUESTED FOR THIS PROJECT.
8. MEASUREMENT METHODS: HORIZONTAL AND VERTICAL MEASURES MADE BY ONE OR MORE OF THE FOLLOWING INSTRUMENTS:  
TOPCON INSTRUMENTS GPT-3003W, AT-G2  
LUPKIN STEEL TAPE, CST STEEL TAPE, STEEL HIGHWAY CHAIN, CST & LUPKIN FIBERGLASS TAPE FOR DIMENSIONS FOR BUILDINGS.
9. HISTORY REFERENCE TO PREVIOUS SURVEY OR HELPERS SURVEYS, UPHAM INC. SURVEY FILE B-93, DATED JAN. 24, 1985.
10. LINEAGE OF DATA HORIZONTAL DATA REFERENCES DATE OF ORIGINAL PLAT, ASSESSORS MAP OF THE CHARLES SIBBALD GRANT RECORDED APRIL 22, 1925 PER MAP BOOK 3, PAGE 151. CAN ALSO BE FOUND IN MAP BOOK 17, PAGE 132 AND 132.
11. NOTE: THE OVERLAPPING DEED INFORMATION SHOWN ON THIS SURVEY WAS TAKE FROM THE UPHAM INC. SURVEY DATED 1985 AND WAS NOT SUPPLIED TO THIS SURVEYOR AND SHOWN HEREON FOR INFORMATION PURPOSE ONLY.

## 12. LIMITATIONS

- A.) NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY AND OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR, EXCEPT AS SHOWN. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN. IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLATS, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER. PER FLORIDA STATUTES RULE 5J-17.05(2)(d)(4)
- B.) IT IS UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THIS SURVEYOR AND THE FIRM, FROM WHICH IS FORMULATED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH, DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY. FURTHERMORE, THIS SURVEYOR AND FIRM, DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE LIABLE FOR CLAIMS ARISING FROM ERRONEOUS OR INCORRECT INFORMATION FURNISHED BY THE OWNER, LENDER, OR OWNERS CONTRACTORS OR OTHERS, WHICH IS USED AS A BASIS TO FORMULATE THIS SURVEYORS OPINION.
- C.) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE PARTY. PER FLORIDA STATUTES CHAPTER RULE 5J-17.05 (13)(b)(6)
- D.) THE ACCEPTANCE OF THIS SURVEY AS CERTIFIED FOR THE EXCLUSIVE USE OF NAMES SHOWN HEREON SHALL CONSTITUTE FULFILLMENT OF MY CONTRACTUAL OBLIGATION. ADDITIONAL SEALED ORIGINALS MAY BE PURCHASED UP TO SIX MONTHS AFTER THE DATE OF THE INVOICE. "ORIGINAL" AS DEFINED HEREON REFERS TO THE SIGNED AND SEALED GRAPHIC REPRESENTATION OF THE FIELD SURVEY. CAD FILES ARE NOT THE SURVEY AND THERE WILL BE A SURCHARGE FOR THEM.
- E.) TAX PARCEL IDENTIFICATION NUMBERS, ADJACENT OWNERS NAMES AND ADDRESS WHEN SHOWN SHOWN IS EITHER SUPPLIED BY CLIENT AND/OR TAKEN FROM COUNTY APPRAISERS INTER NET WEB PAGE AND MAY NOT BE THE MOST CURRENT.
- F.) SPECIAL PURPOSE SURVEYS WHEN IDENTIFIED AS TYPE OF SURVEY
  1. WHEN TREES AS SHOWN ON THE SURVEY IT IS FOR THE LOCATION OF THE TREES 6" INCHES DIAMETER AND ABOVE TREES TAKEN APPROXIMATELY 4 TO 4-1/2 FEET ABOVE GROUND LEVEL. TREE IDENTIFICATION OTHER THAN LOCATION AND SIZE, SEE AN ARBORIST.
  3. JURISDICTIONAL WETLANDS WHEN SHOWN WERE LOCATED FROM FLAGSMARKS BY OTHERS AND THE DETERMINATION OF WETLANDS ARE OUT OF THE EXPERTISE OF THIS SURVEYOR AND MAPPER.
  - 4.) ARCHAEOLOGICAL FEATURES WHEN SHOWN WERE LOCATED FROM OBJECTS IDENTIFIED BY OTHERS AND THE DETERMINATION OF WHAT CONSTITUTES A ARCHAEOLOGICAL FEATURES IS OUT OF THE EXPERTISE OF THIS SURVEYOR AND MAPPER.
  - 5.) WILDLIFE CORRIDORS OR HABITATS WHEN SHOWN WERE LOCATED FROM OBJECTS IDENTIFIED BY OTHERS AND THE DETERMINATION OF WHAT CONSTITUTES A WILDLIFE CORRIDORS OR HABITATS IS OUT OF THE EXPERTISE OF THIS SURVEYOR AND MAPPER.

## LEGAL DESCRIPTION

A PARCEL OF LAND IN THE CHARLES SIBBALD GRANT, SECTION 43, TOWNSHIP 18 SOUTH, RANGE 34 EAST, VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE COMMENCE AT A CONCRETE MONUMENT MARKING THE SOUTH EAST CORNER OF THE GEORGE I.F. CLARK GRANT, SECTION 42, TOWNSHIP 18 SOUTH, RANGE 34 EAST, THENCE ON AN EXTENSION OF THE EAST LINE OF SAID CLARK GRANT RUN SOUTH 32 DEGREES 25 MINUTES 12 SECONDS EAST, 244.60 FEET TO A POINT ON THE SOUTH SIDE OF THE EXISTING VOLCO ROAD, THENCE ALONG SAID ROAD SOUTH 71 DEGREES 00 MINUTES 00 SECONDS WEST, 672.00 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 09 DEGREES 00 MINUTES 00 SECONDS WEST, 404.00 FEET; THENCE SOUTH 28 DEGREES 30 MINUTES 00 SECONDS WEST, 235.00 FEET; THENCE SOUTH 09 DEGREES 00 MINUTES 00 SECONDS WEST, 96.00 FEET; THENCE SOUTH 74 DEGREES 30 MINUTES 00 SECONDS WEST, 329.00 FEET; THENCE NORTH 03 DEGREES 15 MINUTES 11 SECONDS EAST, 626.84 FEET TO THE SOUTH SIDE OF EXISTING ROAD; THENCE NORTH 71 DEGREES 00 MINUTES 00 SECONDS EAST, 499.00 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THAT PART LYING IN VOLCO ROAD.

## ABBREVIATIONS / LEGEND

AC... AIR CONDITIONER	MAO 63 (1980)... NORTH AMERICAN DATUM OF 1983
BUSA... BRASS DISK	ADJUSTED 1980
C... CENTER LINE	O.R. OFFICIAL RECORDS BOOK
CM... CONCRETE MONUMENT	OA... OFFICIAL... OVERHEAD ELECTRIC
CONC... CONCRETE	PCP... PERMANENT CONTROL POINT
ID... DESCRIPTION OF DEED	PS... PAGE
EL OR ELEV... ELEVATION	P... PARKER TALKIN / MAG NAIL
EM... ELECTRICAL METAL TUBING	P.O... POST OFFICE
FA... FASCIMILE	POB... POINT OF BEGINNING
FL... FLORIDA	POC... POINT OF CORRECTION
FO... FOUND	PRM... PERMANENT REFERENCE MONUMENT
IP... IRON ROD & CAP	PRM... PERMANENT REFERENCE MONUMENT
IS... LICENSED SURVEYOR	RM... REFERENCE MONUMENT
LS... LICENSED SURVEYOR	RM... REFERENCE MONUMENT
(M) MEASURED	W... WOOD POWER POLE

THIS REPORT IS NEITHER FULL  
AND COMPLETE WITHOUT THE  
MAP

SEE SURVEY MAP TITLE: ADDRESS, CITY  
MAP DATED: 06/17/2010

SHEET 2 OF 2

THE FOREGOING PLAT IS CERTIFIED TO MEET THE STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND THE FLORIDA DEPARTMENT OF REVENUE, EFFECTIVE OCTOBER 1, 2008, FLORIDA ADMINISTRATIVE CODE, AS TUG, JANUARY 1, 2009.

NOT VALID WITHOUT THE SIGNATURE OF THE STATE OF FLORIDA  
OF A FLORIDA LICENSED SURVEYOR

FILE: NSB  
5-22-00-28

## SURVEY REPORT



**Harts Progressive Enterprise Inc.**  
Land Surveyors • Mappers • Drafting

629 Overlook Trail, Fort Orange, FL 32127  
(386)767-2776 FAX (386)767-2776 LB# 7743  
Visit us at: www.hartsprogressive.com

© 2009

TYPE OF SURVEY:  
BOUNDARYCERTIFIED for the exclusive use of:  
-- GINA LORSON  
-- DELTA COMMUNITY CREDIT UNION  
-- SOUTHERN TITLE  
-- STEWART TITLE

WO# H100603

OFFICE WORK BY: WSH  
DATE: 06/17/2010FIELD WORK BY: WSH  
DATE: 06/17/2010





**ZONING CLASSIFICATION**

1 inch = 300 feet

- |   |   |
|---|---|
|  AGRICULTURAL |  RESOURCE CORRIDOR |
|  MOBILE HOME  |  REQUEST AREA      |



**VARIANCE**  
**CASE NUMBER**  
**V-14-020**






**AERIAL**

IMAGE YEAR: 2012

1 inch = 300 feet

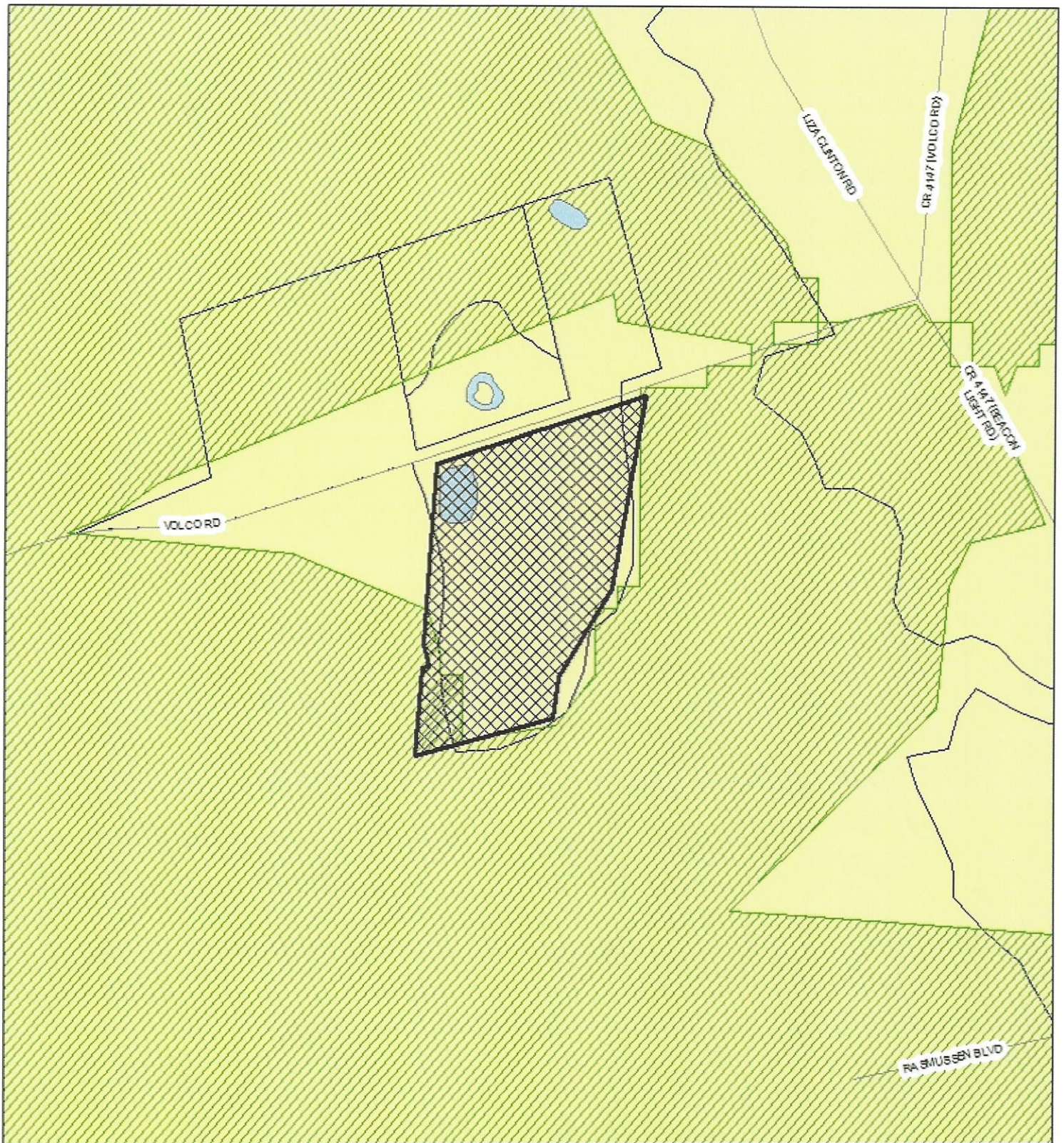
 REQUEST AREA






**VARIANCE  
CASE NUMBER**

**V-14-020**





**ECO/NRMA**

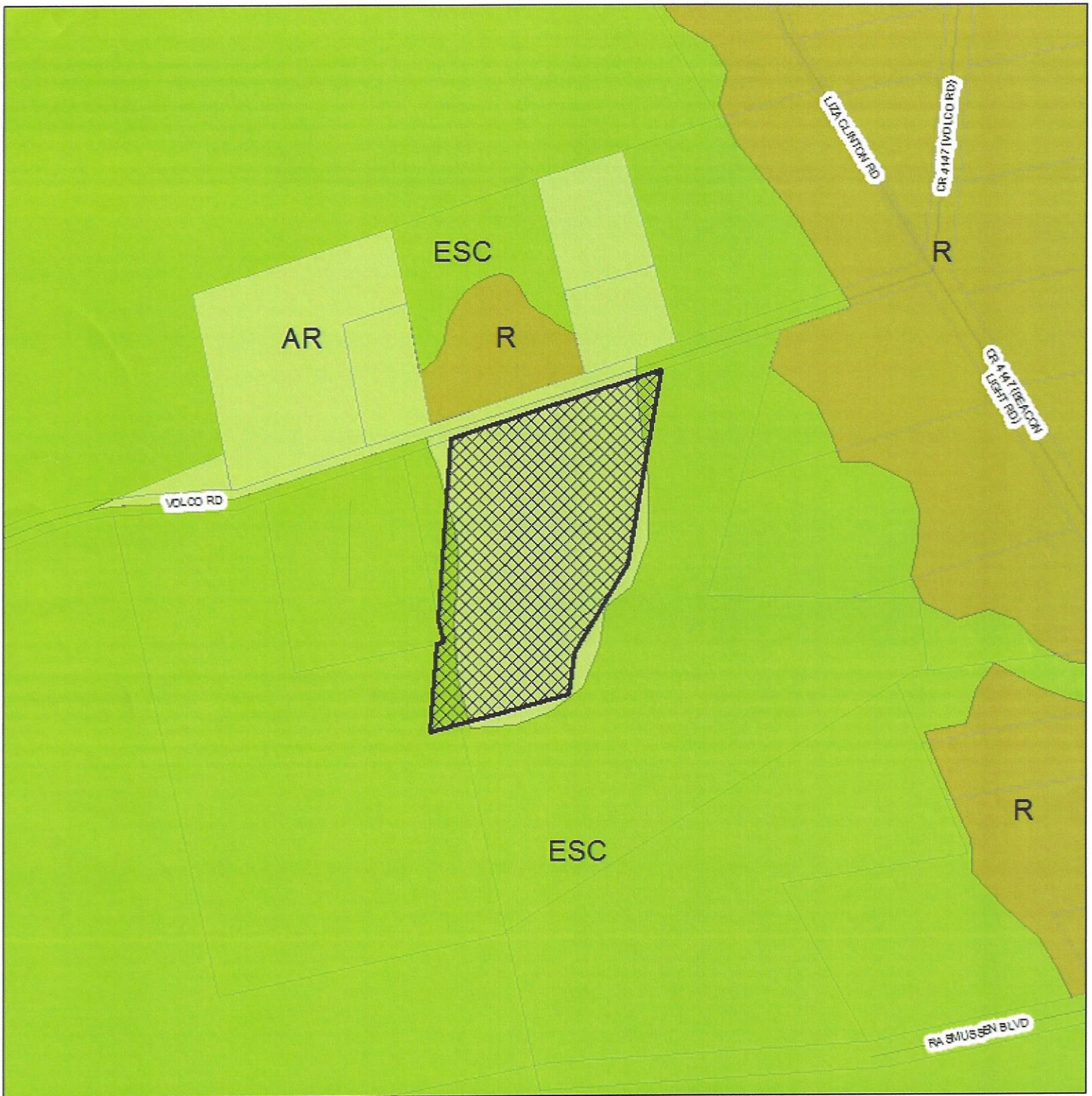
 ECO  NRMA  REQUEST AREA

1 inch = 300 feet







**VARIANCE**  
**CASE NUMBER**  
**V-14-020**





# **FUTURE LAND USE DESIGNATION**

- |   |  |
|---|--|
|  AGRICULTURE RESOURCE (1)           |  RURAL (3)    |
|  ENVIRONMENTAL SYSTEMS CORRIDOR (2) |  REQUEST AREA |

1 inch = 300 feet



**VARIANCE  
CASE NUMBER  
V-14-020**