VOLUSIA COUNTY, FLORIDA
LAND DEVELOPMENT
FINAL MEETING AGENDA
DEVELOPMENT REVIEW COMMITTEE MEETING

MEETING DATE: Tuesday, October 2, 2012
TIME: 9:00 a.m.
PLACE: Thomas C. Kelly Administration Center
        123 W. Indiana Avenue
        Room 202 - DRC Conference Room
        DeLand, Florida 32720

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES September 18, 2012

IV. OLD BUSINESS None.
V. NEW BUSINESS

A: 2012-S-ODP-0129 Mancilla Subdivision
(RSN: 743747) Mr. Juan Mancilla – Owner
Mr. John Allen – Allen Plumbing & Backup Flow Services, Inc.

This is an overall development plan application for a three (3)-lot residential subdivision of a 4.03-acre parcel. The project is located on the east side of Ponce DeLeon Boulevard, approximately 318-feet south of its intersection with Spring Garden Avenue and approximately 2,800-feet north of its intersection with N. U.S. Hwy. 17, in the rural community of DeLeon Springs. Utilities are proposed by a well and septic system. The zoning classification is Urban Single-Family Residential (R-3). The future land use designation is DeLeon Springs Rural Community.

VI. ADDITIONAL BUSINESS None.

VII. DISCUSSION None.

VIII. ADJOURNMENT
TO: Development Review Committee  
FROM: Palmer M. Panton  
Director, Planning and Development Services  

SUBJECT: DRC Meeting Date: October 2, 2012  
Overall Development Plan Application  
Mancilla Subdivision  
2012-S-ODP-0129, RSN 743747

This is an overall development plan application for a proposed three (3)-lot residential subdivision of a 4.03-acre parcel. The property is located on the east side of Ponce DeLeon Boulevard approximately 318-feet south of its intersection with Spring Garden Avenue and approximately 2,800-feet north of its intersection with N. U.S. Hwy. 17, in the rural community of DeLeon Springs. Utilities are proposed by a well and septic system. The zoning classification is Urban Single-Family Residential (R-3). The future land use designation is DeLeon Springs Rural Community (RCOMM).

This development proposes creating lots on an existing paved, county-maintained thoroughfare roadway. The minimum dimensional lot requirements in the R-3 zoning classification are 10,000 square feet in area and 85 feet in lot width. Parcel 1 is vacant and proposed at 2.50 acres in size, and Parcels 2 and 3 are vacant and proposed at .765 acres each in size.

The overall development plan application was submitted on September 11, 2012, and is scheduled for the October 2, 2012, Development Review Committee (DRC) meeting.

Staff met with the applicant on September 26, 2012, and discussed the Code requirements for this development. The applicant is considering redesigning the lot configuration of being one acre in size, or greater, resulting in the requirements of shared access and stormwater permitting not being applicable to this development. It appears that the requirements can be satisfactorily addressed with revised plans, subject to the DRC’s action as recommended below.

The following is a summary of the attached Technical Review Committee comments:

Summary:

1. All lots and blocks of adjacent recorded plats, along with the plat book and page number shall be depicted on the revised survey. Also, the graphic scale is incorrectly reflected on the submitted survey sketch.
2. A stormwater management plan is required as two of the proposed lots are less than one acre in size.

3. Any future development of the site must consider the existing County roadway outfall to the low lying area at the southeast limits of the site.

4. Two of the proposed lots are less than one acre in size and have less than 300 feet of frontage on a thoroughfare, therefore access shall be restricted to a paved, 24-foot wide, common driveway. A 1-foot wide non-vehicular access easement must be provided for the remainder of the subdivision frontage on this roadway and dedicated to Volusia County.

5. A five (5)-foot wide sidewalk is required for the site frontage on Ponce De Leon Boulevard.

Informational:

1. A subdivision plat is required to create the proposed three lots and shall be submitted with the final plat application.

2. A concurrency certificate of capacity application is required and shall be submitted with the final plat application.

3. If the overall development plan application is revised to depict all of the lots being one acre in size, or greater, then the requirements for stormwater and shared access would be eliminated.

4. Section 72-620, Sidewalks, Article III, Land Development, of Chapter 72 Code of Ordinances (Code), can be interpreted several ways. However, as a contributor to the amendments to the Code in 1996, I can attest that the intent of the Code was to require a sidewalk on both sides of a thoroughfare within one mile of an existing or proposed school. The responsibility for the construction of the sidewalk is to be the developer of the abutting side of the new development.

Recommendation:

Staff recommends the DRC APPROVE WITH CONDITIONS the overall development plan application with the conditions stated in the consolidated report and the attached Technical Review Committee comments, with the following waivers or modifications:

1. A waiver requiring further subdivision review, including the recording of a plat, is approved, as this is a three-lot subdivision.
TECHNICAL REVIEW STAFF COMMENTS

September 26, 2012
Mancilla Subdivision
2012-S-ODP-0129, RSN 743747

* * * * * *

BUILDING CODE ADMINISTRATION

Randy Roberts, Commercial Plans Examiner September 14, 2012
Mancilla Subdivision 2012-S-ODP-0129

Building Code Administration staff has reviewed the requested submission and has no comment.

* * * * * *

CURRENT PLANNING

John H. Stockham, ASLA, Planner III September 20, 2012
Mancilla Subdivision 2012-S-ODP-0129

Current Planning staff has reviewed the requested submission and has the following comments:

Informational:

1. The site is within the Rural Community of DeLeon Springs (RComm). Per the Comprehensive Plan, Chapter 1, Section f, Rural (R), has the requirement that the minimum density is one dwelling unit per one acre under specific conditions. The property is located in an area that meets the conditions.

2. The zoning classification is Urban Single-Family Residential (R-3) and the subdivision will also meet the zoning requirements.

3. Well and Septic are allowed since the Comprehensive Plan does not require central water and sewer utilities in rural areas. Review of the proposed wells and septic systems by the County Health Department is required.

* * * * * *
DEVELOPMENT ENGINEERING

Joe Spiller, Civil Engineer II September 19, 2012

Mancilla Subdivision 2012-S-ODP-0129

Development Engineering staff has reviewed the requested submission and has the following comments:

Specific:

1. The portion of Ponce DeLeon Boulevard abutting the proposed project is classified as a thoroughfare collector roadway. The site falls within a Rural Land Use category and is less than 1 mile of a school.
   a. Section 72-620(b)(2)a of Article III, Land Development, Chapter 72 of the Code of Ordinances (LDC), five-foot sidewalks shall be required within and along both sides of the Ponce DeLeon Boulevard right-of-way.
   b. Section 72-619(d)(2) of the LDC, no single-family lot which is under one acre in size and has less than 300 feet of frontage shall front on a thoroughfare unless access to such lot is provided from a street other than that thoroughfare.
   c. Section 72-612(g)(1) of the LDC, every lot or parcel shall have access from a publicly dedicated street.

2. Section 72-777(b)(1)h of the LDC, subdividing of lands into four (4) lots or less, each being one (1) acre or larger in size where no new paved streets are proposed is exempt from the requirements of Division 8, Stormwater Management of the LDC. The subject proposal appears to be for a total of three (3) lots, with two (2) of the lots being less than one (1) acre in size. The proposed subdivision is not exempt and stormwater calculations have not been submitted by the applicant for review.

3. Section 72-779(a)(1)f of the LDC, runoff from higher adjacent lands shall be considered and provisions for conveyance of such runoff shall be included in the drainage plan. Any future development of the site must consider the existing County roadway outfall to the low lying area at the southeast limits of the site.

Informational:

1. The parcel is a legal lot per COB Corporation Unrecorded (2008-S-EXM-0341).
2. FEMA Flood Insurance Rate Maps indicate that the entire site is located within a Zone X designation; areas determined to be outside of the 500 year floodplain.

3. A Use Permit will be required for any work proposed within the Ponce DeLeon Boulevard right-of-way.

* * * * *

ENVIRONMENTAL PERMITTING

Danielle Dangleman, Environmental Specialist III         September 19, 2012
Mancilla Subdivision                                         2012-S-ODP-0129

Environmental Permitting (EP) staff has reviewed the requested submission and has the following comments:

Informational:

1. Residential Environmental Permitting requirements of Division 10, Tree Preservation of the LDC, will apply to any of the lots created by this subdivision.

* * * * *

FIRE SAFETY

Michael Garrett, Fire Safety Inspector     September 17, 2012
Mancilla Subdivision                                      2012-S-ODP-0129

Fire Safety Inspection staff has reviewed the requested submission and has no comment.

* * * * *

3
HEALTH

James McRae, Environmental Health Manager  DOH/Volusia County Public Health Unit

Mancilla Subdivision  2012-S-ODP-0129

Public Health Unit staff has reviewed the requested submission and has the following comments:

Informational:

1. Potable water to be provided by the construction of a private well. Obtain a well permit from the Health Department.

2. Sewage disposal to be provided by the construction of a septic system. Minimum lot size proposed is 0.765 acres. Obtain a septic system permit from the Health Department prior to construction.

* * * * *

LAND DEVELOPMENT

Jesse Bowers, Land Development Assistant  DOH/Volusia County Public Health Unit

Mancilla Subdivision  2012-S-ODP-0129

Land Development staff has reviewed the requested submission and has the following comments:

Informational:

1. The subject parcel is Parcel B, COB Corporation Unrecorded (2008-S-EXM-0341). The subject parcel has legal standing status.

2. None of the subject proposal lies within the 100-year flood plain.

* * * * *
**PUBLIC WORKS – MOSQUITO CONTROL**

Bill Greening, Environmental Specialist II  
Mancilla Subdivision  
September 14, 2012  
2012-S-ODP-0129

Mosquito Control staff has reviewed the requested submission and has no comment.

* * * * * *

**PUBLIC WORKS – ROAD & BRIDGE**

Tom Morrissey, Construction Engineer II  
Mancilla Subdivision  
September 19, 2012  
2012-S-ODP-0129

Road & Bridge staff has reviewed the requested submission and has the following comments:

**Informational:**

1. Drainage impact on the road is of concern during development and construction.

* * * * * *

**PUBLIC WORKS – ROAD IMPACT**

Scott Martin, P.E., Engineering Section Manager  
Mancilla Subdivision  
September 14, 2012  
2012-S-ODP-0129

Road Impact staff has reviewed the requested submission and has no comment.

* * * * * *
PUBLIC WORKS – STORMWATER

Dan Nimlos, Senior Engineering Inspector  
Mancilla Subdivision  
September 18, 2012  
2012-S-ODP-0129  
Stormwater Inspection staff has reviewed the requested submission and has no comment.

*     *     *     *     *     *

SCHOOL BOARD

Helen LaValley, VC School Board  
Mancilla Subdivision  
September 17, 2012  
2012-S-ODP-0129  
The school district has no objection to the Mancilla Subdivision (2012-S-ODP-0129). Residential subdivisions of ten (10) or less lots/units are exempt from school concurrency review.

*     *     *     *     *     *

SOILS

Dave Griffis, County Extension Director  
Mancilla Subdivision  
September 17, 2012  
2012-S-ODP-0129  
As requested I reviewed the proposed subdivision. Soils were found to be:

1. #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.
SURVEY

David H. Kraft, PSM, Surveyor Manager  September 18, 2012

Mancilla Subdivision  2012-S-ODP-0129

County Survey staff has reviewed the requested submission and has the following comments:

Informational:

1. The County of Volusia Council has rescinded portions of Section 72-537 of the LDC, (formerly Section 202 Exemption or Vested Rights of Article II Subdivision Regulations). Therefore, a plat complying with Chapter 177, Part 1, Florida Statutes and the Volusia County Land Development Code (Ord. 88-3, as amended) is required.

2. Section 72-541, Final Plat Review, of the LDC

Para.(3) The FPL shall be prepared by a currently registered land surveyor at a scale of one inch equals 100 feet, or such other scale approved by the county registered land surveyor. All FPL's shall be prepared on standard sheet sizes as required by F.S. ch. 177, as amended, and shall be 22 inches by 28 inches, including a three-inch binding margin on the left side and a one-inch margin on the other three sides. To ensure legibility, all lettering upon the plat shall have a minimum height of 0.10 inches. The legal description, tract data, lot dimensions, prepared by section and general notes shown on the plat does not comply with this section.

*     *     *     *     *     *

TRAFFIC

Renee Mann, Engineering Assistant  September 19, 2012

Mancilla Subdivision  2012-S-ODP-0129

Traffic Engineering staff has reviewed the requested submission and has the following comments:

Specific:

1. According to our measurements, this subdivision is within one mile of McInnis Elementary School. Therefore, a 5-foot wide sidewalk is required for the site frontage of Ponce DeLeon Boulevard in accordance with Section 72-620 of the LDC.
2. Ponce DeLeon Boulevard is a County maintained thoroughfare roadway. According to Table III of the LDC, access is prohibited unless the spacing requirements of Table V-B are met. Therefore, the access must be restricted to paved, 24-foot wide, common driveways with a 335-foot centerline spacing. The remainder of the subdivision frontage on this roadway must be provided with a 1-foot wide non-vehicular access easement dedicated to Volusia County.

* * * * * *

UTILITIES

Scott Mays, P.E., Utilities Engineer
Mancilla Subdivision

Utilities Engineering staff has reviewed the requested submission and has no comment.

* * * * * *
MANCILLA SUBDIVISION
2012-S-ODP-0129
MANCILLA SUBDIVISION
2012-S-ODP-0129

1 inch = 300 feet