



*Inter-Office Memorandum*

**TO:** Development Review Committee      **DATE:** November 13, 2014

**FROM:** John G. Thomson, AICP  
Land Development Manager

**SUBJECT:** DRC Meeting Date: November 18, 2014  
Request for Extension of the Preliminary Plat Development Order  
2006-S-PPL-0193, RSN 801419  
Halifax Plantation Unit II, Section M

This is a request to extend the Preliminary Plat Development Order, pursuant to Section 72-504(10)(d) of Article III *Land Development*, Chapter 72 Code of Ordinances (LDC), for the above-referenced project. The approved preliminary plat application was for a proposed 168-lot residential subdivision on a 119-acre site located within the Halifax Plantation development. Halifax Plantation is located between I-95 and Old Dixie Highway, in the Ormond Beach area. The zoning classification is Residential Planned Unit Development (RPUD).

The Preliminary Plat Development Order was issued on January 11, 2007, and was valid for a period of twenty-four (24) months from the date of issuance. On April 7, 2009, the Development Review Committee granted a one-year extension of said Development Order. Since that date, this project has received two (2) Development Order extensions under Senate Bills 360 and 1752, and a one (1)-year extension from the DRC. The Development Order is set to expire on January 11, 2015. On October 29, 2014, Mr. Parker Mynchenberg, P.E., of Parker Mynchenberg & Associates, Inc., submitted a request for a one (1)-year extension of the valid period of the Preliminary Plat Development Order.

The project has received a Florida Fish and Wildlife Conservation Commission Incidental Take Permit for Gopher Tortoises existing on the site. Environmental Management staff requests that the applicant consider excavating any burrows for relocation of tortoises in lieu of entombment as currently permitted.

**Recommendation:**

Approve the request to extend the Preliminary Plat Development Order for a period of one (1)-year, with a valid period through January 11, 2016.

Please be prepared to discuss and take action on this request at the November 18, 2014, Development Review Committee meeting.

Feel free to call me if you have any questions. Thank you.

JGT

**PARKER MYNCHENBERG & ASSOCIATES, INC.**

1729 Ridgewood Avenue  
Holly Hill, Florida 32117  
(386) 677-6891  
FAX (386) 677-2114  
E-Mail: [info@parkermynchenberg.com](mailto:info@parkermynchenberg.com)

Ms. Sherri LaRose  
Volusia County  
Growth & Resource Management  
123 West Indiana Avenue  
DeLand, Florida 32720

**Received**  
Land Development  
10/29/2014

October 28, 2014

**Re: HALIFAX PLANTATION  
Development Order Extensions**

Dear Sherri:

The following is a summary list of the Development Order numbers and expiration dates for Halifax Plantation:

<u>Project Name</u>	<u>Project Number</u>	<u>RSN</u>	<u>Expiration Date</u>
Halifax Plantation-Unit II, Section O	2009-S-PPL-0032	520025	January 31, 2015
Halifax Plantation-Unit II, Section M	2006-S-PPL-0193	530272	January 11, 2015
Halifax Plantation-Unit II, Section P	2006-S-PPL-0969	530274	January 11, 2015

By copy of this letter, I am requesting an additional one-year extension to the Development Orders listed above.

If any additional information is required, please contact me at 386-677-6891.

Yours truly,

  
Parker Mynchenberg, P.E.

PM/am

cc: Mr. Tony Uanino



January 11, 2007

Ms. Ann Rodgers, Vice President  
Halifax Plantation, Inc.  
4000 Old Dixie Highway  
Ormond Beach, Florida 32174

Re: Subdivision Preliminary Plat Plan Development Order  
Project Name: Halifax Plantation Unit II Section M  
Project Number: 06-S-PPL-0193

Dear Ann:

This letter is the Subdivision Preliminary Plat Development Order for the above-referenced development. Pursuant to the following findings, the Volusia County Development Review Committee (DRC) has approved the application:

1. The application was accepted on December 9, 2005.
2. At their regularly scheduled meeting of January 3, 2006, the DRC continued review to allow the applicant to submit revised plans. Revised plans were submitted on May 25, 2006. The DRC at their regularly scheduled meeting of June 20, 2006, approved the application subject to certain conditions.
3. Revised plans were submitted on July 12, 2006 and October 2, 2006. All of the above-referenced conditions have been satisfied except the following:
  - a. Per the County Council at their regularly schedule meeting of September 7, 2006 approved the request (GM-LD-06-0027) for removal of two (2) historic Live Oaks pursuant to Section 1004.05 of the Land Development Code. Contact Ginger Adair at 386-736-5927 Ext. 2059 to determine if the condition of the approval has been satisfied. A copy of her memorandum is attached.

A copy of the approved version of the plan, last revision dated September 24, 2006, by Parker Mynchenberg & Associates, Inc. is being held in our office as the file copy.

**Note:** The County Forester shall have approved the Tree Permit prior to any clearing, grading or tree removal. Once the silt fence is installed, tree barriers in place and the tree preservation areas marked; contact Ginger Adair at (386) 736-5927, ext. 2059, to coordinate the inspection and issuance of the Tree Permit.

G:\LD\LETTERS\2007\HALIFAX PLANTATION UNIT II SEC. M PPL DO N.DOC

123 West Indiana Avenue • Room 202 • DeLand, FL 32720-4604  
DeLand (386) 736-5942 • Daytona Beach (386) 248-8157 • New Smyrna Beach (386) 423-3872  
Fax (386) 626-6551 • Fax (386) 740-5195

[www.volusia.org](http://www.volusia.org)

**Note:** You must have erosion and sediment control procedures and equipment in place prior to commencement of construction. You need to contact Robert Loveless, Stormwater Inspector, at (386) 561-0255, for approval prior to any on-site clearing and/or grading and prior to the issuance of a Building Permit.

The valid period of this Development Order is twenty-four (24) months from the date of this letter, unless extended by the County Council. On or after that date, if the Final Plat Development Order has not been approved, this Development Order shall expire. During the last three (3) months of the valid period of this Development Order, the developer may request an extension.

**Note:** The Land Development Code (Code) states, "If construction of the required improvements in a subdivision development has commenced during the valid period of a PPL (Preliminary Plat) development order, the improvements may be completed in accordance with the approved development order beyond the valid period of that development order only if the subdivision final plat development order has been approved by the city council." The fact that construction of the required improvements has commenced and is continuing in good faith does not relieve any development from adhering to these time limits in order to keep the Preliminary Plat Development Order and subsequent Final Plat Development Order valid.

This development is exempt from Concurrency testing pursuant to Section 1407 (1) of the Land Development Code.

Pursuant to Subsection 201.01 of the Code, it is a violation of the Code for anyone who is the owner or agent of the owner of any land to sell, agree to sell, or negotiate to sell such land by reference to, exhibition of, or other use of a plat of a subdivision of such land without having the plat approved as required by the Code.

Based on this letter, and after resolution of any conditions, you may apply for a Final Plat for this subdivision. A blank application form and a checklist of exhibits and procedures are attached. A fee, as outlined in the attached fee schedule, must be paid at the time of application submittal. The Final Plat application must be consistent with the approved Preliminary Plat Development Plan and any remaining conditions imposed by the DRC.

Pursuant to Section 102.07 of the Code, any person claiming to be aggrieved by a decision of the Enforcement Official or the DRC may file a written appeal within thirty (30) days after said decision with the Land Development Manager to have the decision reviewed by the Volusia County Council. The appeal shall state fully the specific grounds for the appeal and all of the facts relied upon by the petitioner. The County Council shall consider only those items specified in this petition.

You may elect to commence construction of the improvements in this subdivision (i.e., roads, utilities, etc.) at this time, provided the above issues have been resolved, all other required permits relating to commencement of construction by other government agencies have been issued and the following have been completed:

Refer to Article V for other Code requirements related to completion, testing and responsibility for maintenance of any public and certain private improvements. All construction shall be in substantial compliance with the approved plans.

I am enclosing a checklist for your use in identifying other items that must be resolved prior to commencement of construction.

Upon completion of the improvements, but prior to this office scheduling staff inspections of those improvements, the following must be submitted:

1. A signed and sealed professional engineer's certification that the improvements were constructed in accordance with the approved PPL Development Order and the total construction costs (includes landfill).

If fire hydrants were installed, the professional engineer must certify that the water distribution system of the development meets the National Fire Protection Association capacity requirements for fire hydrants. Prior to acceptance, the fire hydrant bonnets must be painted according to the water flow as certified by the water provider in accordance with Section 412.02 (f) of the Land Development Code. The fire hydrant bodies must be painted chrome yellow.

2. One (1) Mylar and three (3) sealed blueines of as-built construction plans, signed by the professional engineer, which encompass all required improvements. If the as-built construction plans were prepared on an appropriate CAD system, such plans shall be provided on computer disk.
3. Adequate test reports signed and sealed by a professional engineer, as required by the County Development Engineer, to assure that all improvements substantially meet Volusia County Standards and Specifications.
4. Two (2) Mylar copies of the shop drawings of the utilities systems shall be submitted if utilities are to be provided by Volusia County.
5. A written request for inspections to be scheduled. **Please be sure the improvements are ready for inspection, because reinspection fees in the amount of 10% of the original inspection fee will be charged each time reinspections are required.**

The Final Plat application may be filed at any time within the valid period of this Development Order. Prior to recording the plat, all of the subdivision improvements must be constructed, approved, and guaranteed with a Maintenance Agreement must be provided in the amount of 15% of the actual cost of the improvements for a minimum period of one (1) year. If the improvements are not completed, but you still wish to record the plat after receiving DeBary City/Volusia County Council approval, a Performance Agreement must be provided in the amount of 115% of the estimated cost of the improvements for a period not to exceed six (6) months. This will allow the plat to be recorded, lots to be sold, and houses to be constructed. However, no Certificate of Occupancy will be issued for any house until the improvements have been completed, and a Maintenance Agreement has been provided as mentioned above.

Any required Performance or Maintenance Agreement must be submitted to the Land Development Office for approval and have an effective date within one (1) week of the anticipated date of the recording of the plat. If the recording is delayed and the Agreement has been submitted, a new Agreement will be required prior to recording the plat.

Please feel free to call the Land Development Office if you have any questions.

Sincerely,



Palmer M. Panton  
Land Development Manager

PMP/clb

Enclosures

- c: Jay D. Preston, P.E., County Development Engineer  
Scott Ashley, Planning Manager  
Ginger Adair, Environmental Permitting Manager  
John Solana, Chief Engineering Inspector  
Bob Loveless, Supervisor III  
David Kraft, Engineering Assistant  
Allen Cole, Engineering Assistant  
Kimberly Dixon, P.E., CPM, Utilities  
Joey Spiller, Civil Review Engineer II  
Mr. Joe Jaynes, Chair, Ormond Beach Scenic Loop Corridor Advocacy Group  
P. O. Box 1807, Ormond Beach, FL 32175  
Ms. Laura Bamberger, Vice Chair, Ormond Beach Scenic Loop  
Corridor Advocacy Group, P. O. Box 1807, Ormond Beach, FL 32175  
Ms. Paula Wehr, Secretary, Ormond Beach Scenic Loop  
Corridor Advocacy Group, P. O. Box 1807, Ormond Beach, FL 32175  
Mr. Richard Smith, Ormond Beach Scenic Loop Corridor Advocacy Group  
P. O. Box 1807, Ormond Beach, FL 32175  
Mr. Dennis K. Bayer, Attorney at Law, 306 S. Oceanshore Blvd.  
Flagler Beach, FL 32136  
Mr. Reid Hughes, 433 Silver Beach Ave., Daytona Beach, FL 32118  
Mr. Robert Bullard, P.E., Bullard Engineering, Inc.  
4802 S. Peninsula Drive, Ponce Inlet, FL 32127  
Mr. Robert Pfeifer, 1208 Kirkpatrick Circle, Ormond Beach, FL 32174  
Mr. Eric West, 119 Pine Tree Drive, Ormond Beach, FL 32174  
Mr. Andrew Greene, 517 Riverview Blvd., Daytona Beach, FL 32118  
Mr. and Mrs. Elliot Gross, 3913 Hano Court, Ormond Beach, FL 32174  
Ms. Dinah Voyles Pulver, The Daytona Beach News Journal VIA EMAIL  
Mr. Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Inc.  
1729 Ridgewood Ave., Holly Hill, FL 32117

**From:** Ginger Adair  
**To:** Bowden, Carol  
**Date:** 10/18/2006 4:26:26 PM  
**Subject:** Halifax Plantation Unit II, Section M

Revised PPL  
06-S-PPL-0193  
LD stamped - September 29, 2006

Environmental Management has no objection to approval of the revised PPL as submitted with the following condition:

1. Only Lots 1-16, 67-76, 122-167 are approved for pre-clearing. Each pre-cleared lot will be required to meet the minimum tree coverage standard of one tree per 2500 square feet of lot area. Street trees may be used to meet this requirement. Tree removal on all other lots will be permitted in conjunction with a building permit application.

Ginger Adair  
Volusia County  
Environmental Permitting Manager  
County Forester  
123 W. Indiana Ave  
Deland, FL 32720  
(386) 736-5927 ext. 2059





GRAPHIC SCALE



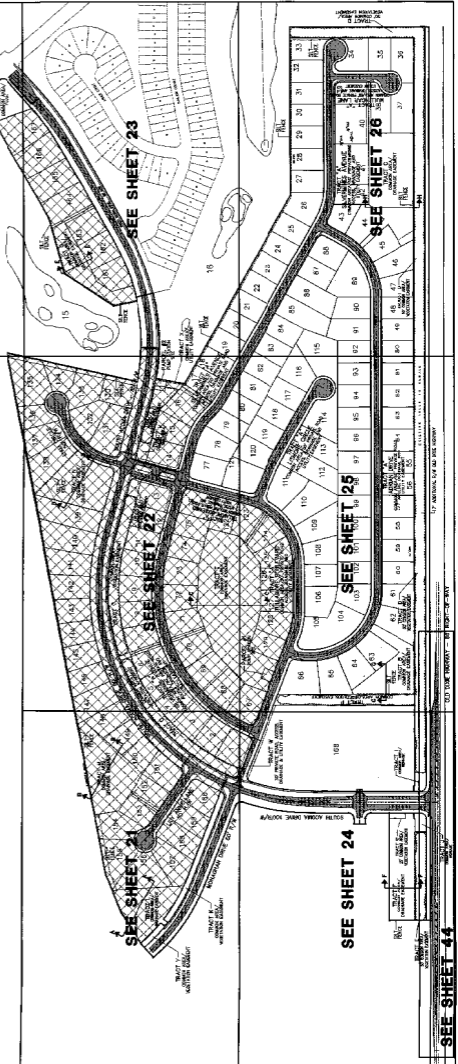
SCALE: 1" = 200'

SEE SHEET 20

DENOTES AREA TO BE CLEARED WITH SUBDIVISION IMPROVEMENTS.

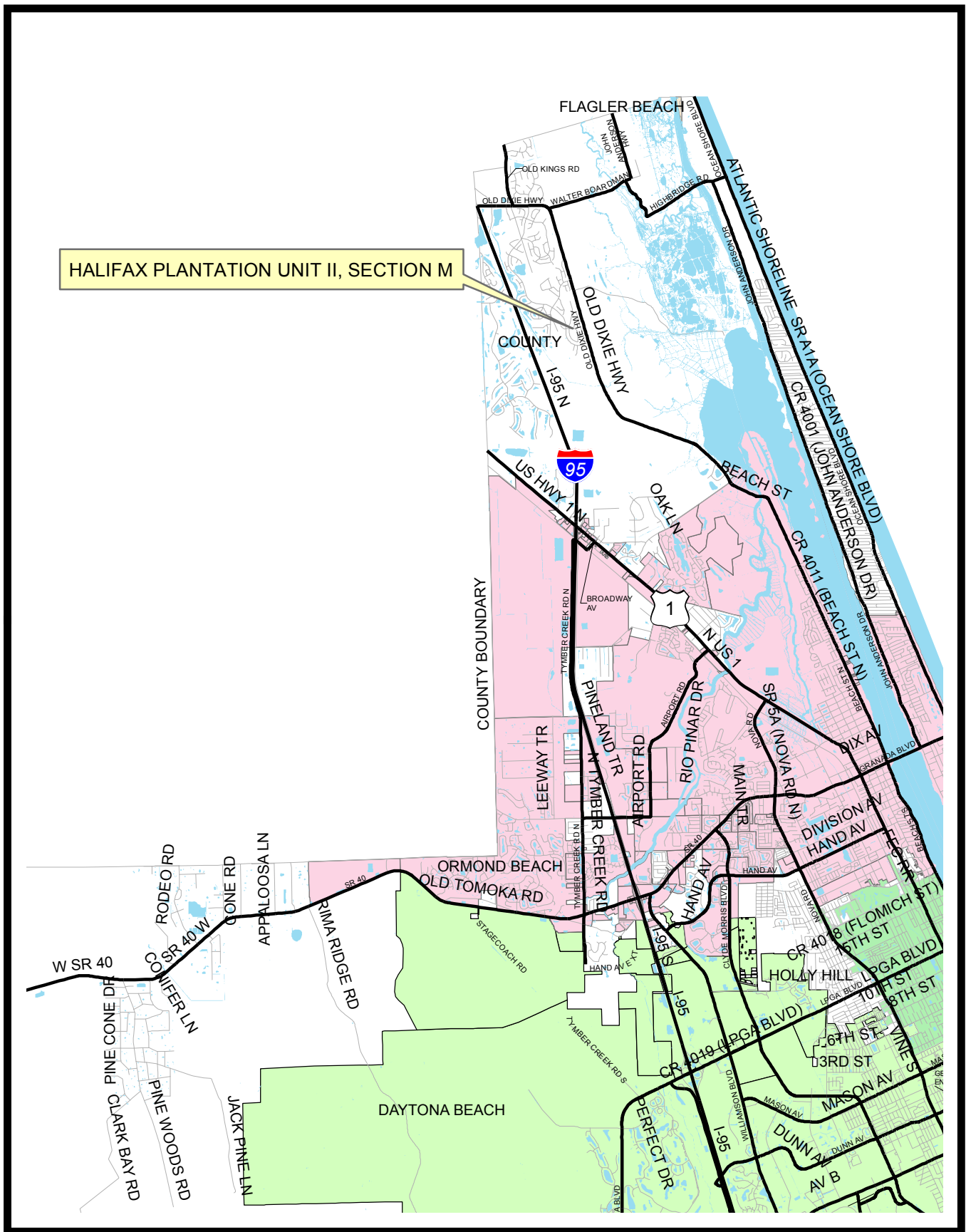


NOTE:  
1. AREA TO BE PRE-CLEARED AS PART OF THE SUBDIVISION INFRASTRUCTURE IMPROVEMENTS.  
(LOTS 1-10, 87-70, 122-129 AND 130-167)  
2. THE AREA TO BE PRE-CLEARED SHALL BE CLEARED AS THE TIME OF SUBMITTING THE  
APPLICATION. EACH PRE-CLEARED LOT SHALL BE REQUIRED TO MEET THE MINIMUM FILL COVERAGE  
STANDARD OF (1) THREE PER 2000 SQUARE FEET OF LOT AREA.



SEE SHEET 44

HALIFAX PLANTATION UNIT II, SECTION M



HALIFAX PLANTATION UNIT II, SECTION M

2006-S-PPL-0193



1 inch = 2 miles

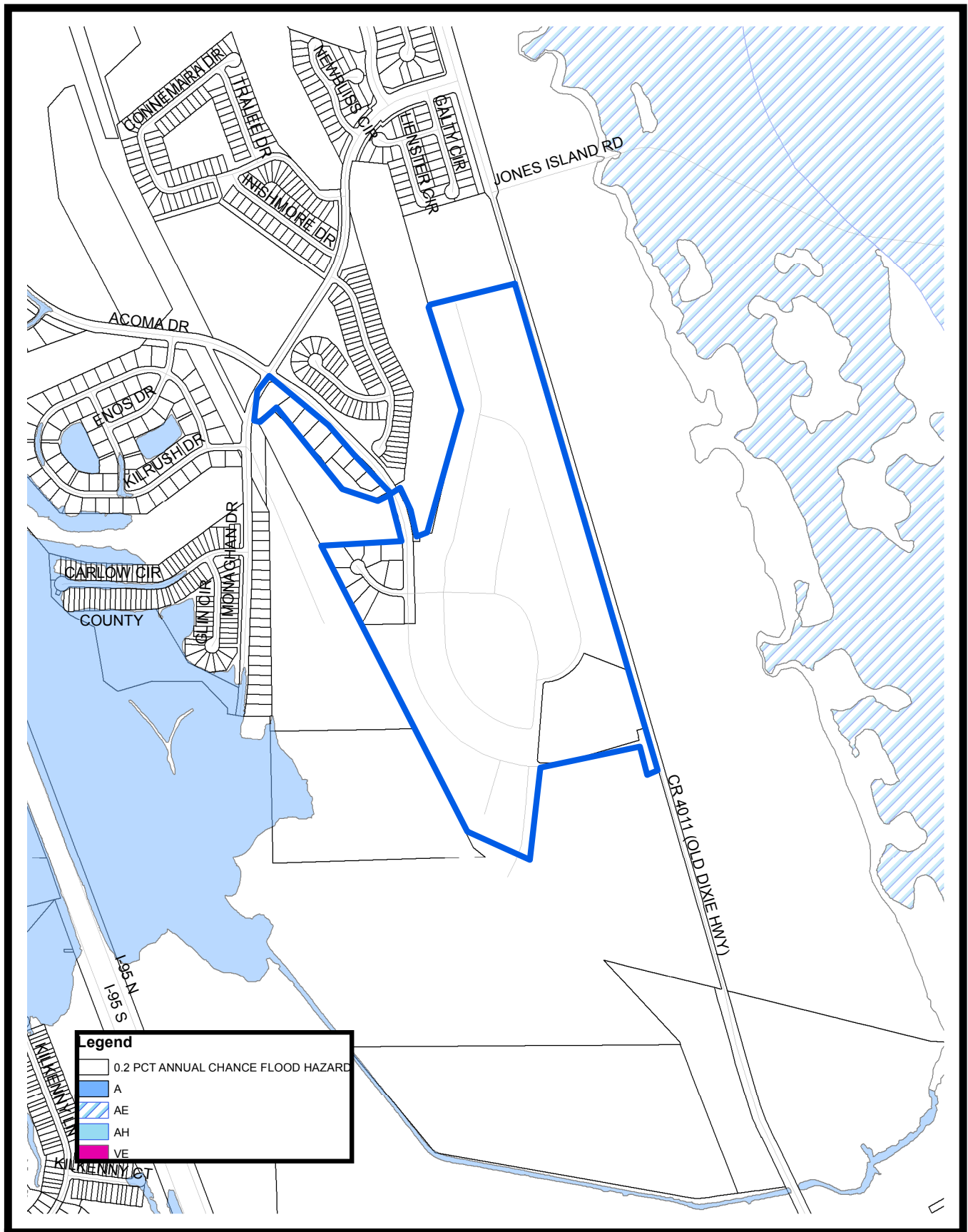


HALIFAX PLANTATION UNIT II, SECTION M  
2006-S-PPL-0193



1 inch = 1,000 feet





PLANTATION OAKS UNIT II, SECTION M  
2006-S-PPL-0193



1 inch = 1,000 feet