

**PLANNING AND LAND DEVELOPMENT REGULATION COMMISSION  
PUBLIC HEARING HELD  
JULY 14, 2015**

The Public Hearing of the Volusia County Planning and Land Development Regulation Commission was called to order by **Frank Severino**, at 9:00 a.m., in the County Council Meeting Room of the Thomas C. Kelly Administration Center, 123 West Indiana Avenue, DeLand, Florida. On roll call, the following members answered present, to-wit:

- FRANK SEVERINO**
- JEFF GOVE**
- WANDA VAN DAM**
- JEFFREY BENDER – NOT PRESENT**
- JAY YOUNG**
- RONNIE MILLS**
- JOSEPH ALLEVA**

**STAFF PRESENT:**

- IAN WILLIAMS, Assistant County Attorney**
- SCOTT ASHLEY, AICP, Senior Zoning Manager**
- SUSAN JACKSON, AICP, PLANNER III**
- SARA PAYNE, Staff Assistant II**

**APPROVAL OF MINUTES**

- June 9, 2015

**Member Young moved to APPROVE the minutes. Member Mills seconded the motion. Motion CARRIED unanimously (6:0).**

**Ian Williams, Assistant County Attorney, provided legal comment.**

**Disclosure of Ex Parte Communications**

Members of the Volusia County Planning & Land Development Regulation Commission Board were asked to please disclose, for the record, the substance of any ex parte communications that had occurred before or during the public hearing at which a vote is to be taken on any quasi-judicial matters. All members present disclosed any communication as listed below.

All members stated they had no ex parte communications.

1 **ITEMS TO BE CONTINUED OR WITHDRAWN**

2  
3 **V-15-013** - Application of Kenneth and Sandra Weld, applicants for The Kenneth and  
4 Sandra Weld Living Trust, owners, requesting variances to exceed the maximum lot  
5 coverage and the cumulative area of all accessory buildings or structures requirements  
6 on Planned Unit Development (PUD) zoned property. The property is located at 1784  
7 Earhart Court, within the Spruce Creek Fly-in, Port Orange; ± 18,569 square feet; 6330-  
8 01-00-1900.

9  
10 Scott Ashley, Senior Zoning Manager explained that when the applicant came to the  
11 February 19, 2015 PLDRC hearing, he only had general plans and had not met with the  
12 Spruce Creek Architectural Review committee. The commission granted him a 60-day  
13 continuance in order to finalize plans for that review. Due to unforeseen circumstances  
14 involving health issues for both the applicant and his architect, the plans had not been  
15 completed and the meeting did not take place. The applicant had requested, and was  
16 granted, a second 60-day continuance to the July 14, 2015 hearing in order to complete  
17 the plans and go before the Spruce Creek architectural review committee. Due to on-  
18 going health issues and several members of the Spruce Creek architectural review  
19 committee not being available to meet during the summer months, the applicant has  
20 requested another 60-day continuance.

21  
22 **Member Mills moved to grant a 60-day continuance to the applicant to be heard at**  
23 **the December 8, 2015 PLDRC hearing.**

24  
25 **Member Young seconded the motion. Motion CARRIED unanimously (6:0)**

26  
27 **V-15-021** – Application of Kevin Zambrana, owner, requesting variances to the  
28 minimum yard requirements for a single-family residence and accessory structures on  
29 Urban Single-Family Residential (R-6) zoned property. The property is located at 102  
30 Imperial Heights Drive, Ormond Beach; ± 10,000 square feet; 3221-07-00-0061.

31  
32 Mr. Ashley explained that the applicant had not met the public notification requirements  
33 and recommended the case be heard at the August 11, 2015 PLDRC hearing.

34  
35 **Member Young moved to grant a continuance to the applicant to be heard at the**  
36 **August 11, 2015 PLDRC hearing.**

37  
38 **Member Van Dam seconded the motion. Motion CARRIED unanimously (6:0)**

39  
40 **PUBLIC HEARING ON APPLICATIONS**

41  
42 **V-15-041** – Application of John R. Merrick, agent for Stephanie E. Abbott, owner,  
43 requesting variances to minimum yard requirements for a single-family dwelling on  
44 Prime Agriculture (A-1) zoned property. The property is located at 168 Stacy Grove  
45 Road, Oak Hill; ± 21,788 square feet; 9444-01-03-0632.

46  
47 Scott Ashley, AICP, Senior Zoning Manager, presented the staff report. Mr. Ashley  
48 stated that the applicant had met all five criteria for granting the variances. He then  
49 stated staff would recommend approval of the variances subject to the condition that the

1 applicant, prior to construction, obtain all required permitting through the Volusia County  
2 Building Permit Center. This condition was omitted from the staff report (page 5 of 20)  
3 and was now being verbally provided.  
4

5 Stephanie Abbott, owner, 931 South Ridgewood Avenue, Suite B6, Edgewater, Florida,  
6 32132. Ms. Abbott stated she agreed with the staff recommendations presented in the  
7 staff report.  
8

9 Member Mills asked Ms. Abbott if she understood and agreed with all staff  
10 recommendations.  
11

12 Ms. Abbott answered in the affirmative.  
13

14 There being no public participation, the floor was opened to commission discussion.  
15

16 Chair Severino asked if there was no discussion to move forward with a motion.  
17

18 **Member Young moved to APPROVE:**

19 **a variance for the front yard from the required 100 feet to 80 feet (Variance**  
20 **1); and,**

21 **a variance for the east side yard from the required 50 feet to 26 feet**  
22 **(Variance 2); and,**

23 **a variance for the west side yard from the required 50 feet to 30 feet**  
24 **(Variance 3)**

25 **to minimum yard requirements for a single-family dwelling on Prime**  
26 **Agriculture (A-1) zoned property, subject to the following condition:**

27 **The property owner(s) or authorized agent(s) shall obtain and complete all**  
28 **applicable state and/or local permits and inspections for the development**  
29 **of any permitted principal uses or structures on parcel 9444-01-03-0632.**  
30

31 **Member Mills seconded the motion. Motion CARRIED (6:0).**  
32

### 33 **OTHER PUBLIC ITEMS**

#### 34 **Proposed Ordinance 2015-XX amending Chapter 72 regarding the Enterprise** 35 **Overlay Community Zone** 36

37  
38 Becky Mendez, Senior Planning Manager, gave an overview of the staff memorandum  
39 and proposed ordinance, which amends sections 72-1304 and 72-1305 of the code of  
40 ordinances to allow side-loaded garages in the front yard, regardless the size of the lot.  
41 Currently side-loaded garages are permitted on lots with a minimum of two acres.  
42

43 Discussion ensued on comments received from the Enterprise Preservation Society  
44 dated June 30, 2015 (attachment to staff memorandum). After review and discussion,  
45 the commission agreed to delete the word “detached” from the proposed ordinance, as  
46 it relates to side-loaded garages.  
47

48 Chair Severino asked if there was no other discussion to move forward with a motion.  
49

1 **Member Mills moved to FORWARD to county council with recommendation of**  
2 **approval, subject to striking the word “detached,” as it relates to side-loaded**  
3 **garages, Ordinance 2015-XX amending Chapter 72 of the Volusia County Code of**  
4 **Ordinances regarding side-loaded garages, regardless of lot size, in the**  
5 **Enterprise Community Overlay Zone.**

6  
7 **Member Young seconded the motion. Motion CARRIED (6:0).**

8  
9 **STAFF ITEMS**

10  
11 None

12  
13 **STAFF COMMENTS**

14  
15 None

16  
17 **COMMISSION COMMENTS**

18  
19 Chair Severino and the commission thanked Ms. Mendez for her years of service with  
20 the County of Volusia and gave their well wishes to her for her upcoming employment  
21 opportunity.

22  
23 **PRESS AND CITIZEN COMMENTS**

24  
25 None

26  
27 **ADJOURNMENT**

28  
29 Having no further comments from the public, staff, or commissioners, Chair Severino  
30 thanked everyone and adjourned the meeting at 9:29 a.m.