

>> Call to order. Mic on?

February 18th, 2021 hearing for the planning and land development. If you turn off or silence your audible devices and stand for the pledge of allegiance with me.

>> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Thank you. Good morning, everyone. Thank you for joining us this morning in the chambers and whoever is on the COCD webinar. Forms are at the rear of the back there for anyone wishing to speak. You can fill out one of those

Mrs. Cushing, can I please have the roll call, please?

>> Yes. [Taking Roll]. Thank you

I think >> I think you missed Mr. Steve Costa.

>> Mr. Steve Costa, absent. Thank you.

>> Thank you very much.

Okay. We do have some minutes this morning for discussion of January the 21st of 2021 of 2021. Is there any discussion about the minutes?

Okay. I will entertain a motion and make a motion we accept the minutes from January 21st January 21st as submitted.

>> I will second.

>> Okay. I have a motion to prove the minutes from January 21st January 21st, 2021 January 21st, 2021, from Mrs. Jay Young and second from Mrs. Van Dam, all those that signify, say yea.

>> Yea.

>> Those opposed.

>> Aye.

>> Those opposed?

>> ? For those joining us in the webinar and commissioners have had opportunity to ask questions of staff, Mrs. Sommers or forbings will engage your mics at that time. I will ask you to state your name and address for the record to add any pertinent information and add questions that commissioners might have about your case. We might also have requests to speak for and against cases being heard today. When the case is

is -- for those joining us in the webinar. At that time I would like you to state your name and address for the record and limiting you to a three-minute time limit and asking commissioners to ask questions they might have of you. I will give an opportunity to address concerns that you have and answer questions that commissioners might have

At this time, I would like to turn it over to Mr. to Mr. Soria for legal matter.

>> Thank you, Chair. This is for the audience and commissioners this body on exception says on exception cases and those pursuant to the zoning ordinances are recommendations to the county to the county council and don't constitute a hearing. However, decisions on variances made by this body constitute final action subject to county council. That means presented at the time of county council public hearing on the appeal. Every party appeal such decision for record of this body and body of

reSDOIN rezoning -- meaning the body is acting more like a court taking into account oral presented. Decisions on cases must be based on confidence of substantial evidence that a reasonable mind might accept. Thank you.

>> Thank you, Mr. Soria. While in legal comments, I would like to ask commission to close for the report ex-parte communications occurring before or during the public hearing voted to be taken on any on any quasi-judicial matter and starting with my immediate right Mr. Jay young.

>> I have none.

>> None.

>> I have none.

>> None.

>> None.

>> Okay. Thank you very much. Okay.

We have one item here this morning SKW requested for a for a continuous. Mrs. Van Dam, can you tell me what case that is?

>> V21-34 application of -- owners requesting variance to the max mux dock size and urban residential property.

>> Thank you. Would you like to give particulars on this one?

>> Yeah. The applicant simply wasn't wasn't able to make the meeting date. They requested or heard at the foam at the following at the March meeting that will be March 18th

.

>> Thank you, Mrs. Jackson. Any discussion or requesting a motion.

>> I would like to move it to the March 18th, planning, planning commission meeting.

>> 043 not 34 SGLR 34.

>> Correct.

>> Okay. Making a motion to continue V-21-04 to the next meeting of March the 8th tunneling March the 18th?

>> Yes, sir.

>> And Mr. Young seconded

.

Discussion on the motion?

Hearing none, all those in favor signify by saying aye.

>> Aye.

>> Opposed? Motion carries unanimously. Okay. Taking care of continuances and moving to new businesses

.

Mrs. Van Dam, if you can read the first case directly.

>> Case D requesting a variance to the minimum yard requirements and urban single family residential R3 zoned property.

>> Thank you, Mrs. Van Dam. Mrs. Jackson, could I get to the staff report on this, please?

>> Yes, sir.

This variance is to reduce south front yard 30 feet 20 feet for proposed accessory structure garage they want to add on to on to their property. Location of the property is the east side of spring garden

avenue approximately 430 feet northeast of the intersection with daily Boulevard in daily springs area zoned R3 which R3 which requires a 10,000 square foot lot with lot of 85 feet and property exceeds the minimum standards over 1 acre in size and 200 in lot width and is a corner lot with adjacent right of way way on spring garden and magnolia

Because of that, it is subject to two front yards adjacent of right right of ways on the west and south side that is a corner type of lot not exactly straightforward which side is which. That is what we are calling it

In 2020, applicants constructed a house on the property

In November of 2020, they applied for a for a building permit per detached garage and found where they wanted to locate it would are are a variance and wanted to locate it on the south side of the property in line with their driveway. On the screen you see gray areas where they want to add their garage and this is their existing driveway. This is another front yard adjacent to magnolia street which is unopened platted right of way way that is wooded and treed in that area

Where they want to place it requires a 10-foot setback variance and meets all other setbacks and rear property owner and other front proper lines

It should be noted that applicants request request to vacate but vacate applicants take a long time to go through the system. They are -- they wanted to go ahead and jump start the project by going through the variance process first

When we evaluate this particular variance, we find it fails to meet two of the five criteria

It fails criteria 2 and 4. The applicants are responsible for the size of the grudge garage in the proposed location. It needs to meet principal setbacks.

It is not the minimum variance that could be considered. It could be made small or move

We do find it does meet criteria 1, 3, and

5.

We are considering it a special circumstance it is considered a corner lot adjacent to open heavily wooded right of way way that might be an unnecessary hardship to request or require it to be placed elsewhere given it is unopened right of way way and is heavily wooded

Where they want to place it is already at cleared area on the lot. Placing it elsewhere would probably require reconfiguration of the driveway and removal of additional trees on the property. We don't find it to be injurious to the area. Vegetation of the right of way way and the people's the people's properties will screen it from view from any properties to the south.

With that if PLDR finds applicant provides competent and substantial evidence we have one condition. Happy to N- answer any questions.

>> Thank you. Any questions of staff?

>> To the south of the lot [the lot [Indiscernible], will they have access some place other than the exit

of the property? In other words, this is not lapped locking not landlocking, but.

>> We are not considering to vacate ourselves

.

To be honest, without looking at a larger map, I don't know the answer to that.

Although, they will apply for a for a vacate but I don't know the circumstances what will be looked at there. That is why we are considering a variance.

>> Okay. We will take that at the time.

>> That is right.

>> [Indiscernible].

>> I understand. Yeah.

>> The other thing seeing a 20-foot setback and on page 9.

>> Is the applicant in the audience?

>> Yes.

>> To clarify information we are working with is in 10-foot variance and 10 feet from the property line.

>> Any questions? Okay. I assume you are the applicant, sir?

>> I'm here on behalf of the applicant.

>> State your name and address.

>> Tom Russo [Indiscernible].

>> Okay. Questions this morning. Would you like to address those?

>> Yes. I conficied withficiald with I conconficiald I conconfirmed with the applicant the setback right of way way on Magnolia.

>> We can consider that. The advertisement didn't specify a minimum. It can be considered if you wish to consider a setback than the 20.

>> So, you are requesting a 15 rather than [Indiscernible] 20?

>> 20?

>>

>> Correct. That is the final consideration we received. To talk about the landlocking Magnolia extends a couple hundred feet and spouseed to be parallel of the property line scheduled to be abandoned part of the oaks project and needs to know where most of the right the right of way way abandoning will be included in a proposed tree preservation area. The road if it was built would lead to nowhere anyway.

>> Is that it?

>> No. That would be it.

>> Question for the applicant. When the -- I have a question here. You are requesting a 15-foot setback now rather than

20.

Your layout survey showed you

20-foot.

Is the building increasing in size or staying the same size?

>> No. There was some circumstances where we have to park the vehicle in-between the proposed structure and building. And the RV. We had to slide the building over and over a couple hundred feet to accommodate that building. There is power hookups on that side of the structure for the RV. We couldn't put it anywhere else

.

Most of the lot was uncleared. Like stated, we put the driveway there

You know, in order to get the driveway to move the structure, we would have to do the driveway and clear more of the lot

We hoped to shift the proposed structure 5 feet further away from the building to accommodate the RV to be temporarily parked there when not used.

>> [Indiscernible].

>> Yeah, yeah. We tried and brought the RV and realized it ain't ain't going to work.

>> Okay. Any questions for the applicant?

Okay. You can have a seat, sir. We will see if we have any public participation. If we do, I will have you step back up to answer any questions

Do you have participation this morning?

Once making it through for public comments I ask you fill out a form on my left here. You can get one of the forms from the back.

>> Yes, sir. I sent one lot in this morning.

>> Okay.

>> I'm the actual applicant of the home.

>> Okay. If you want to state your name and address for the record.

>> I'm Wayne and address is 440 spring gardens Spring Gardens Avenue heelon springs Florida 32120.

>> Okay. Can I get or making any comments?

>> Yes. Thank you for this time to review my variance request. I had been a resident of Val Oeschia county for 36 years for 36 years my kids grew up here and church here and money supports local business

I'm 64 years old and ready to retire. I recently built my home and my wife and I to remain there in there in our golden years in our home in Val Oeschia county and and purchased Volusia county for 36 years my kids grew up here and church here and money supports local business.

I'm 64 years old and ready to retire. I recently built my home and my wife and I to remain there in our golden years in our home in Volusia county and purchased the property -- found a mostly dead 50-inch diameter existing oak tree prohibited me at the driveway of the location I wanted to and requested I resign the entire layout of my home and property at that point in time. Why am I telling you this?

Well, the tree that calls all of the additional calls and changes I expressed my deep concerns to staff members that members that was assigned for the review of my zoning setback about the condition of the tree before making a final recommendation to the staff members and asked them to please look at the tree and allow me to remove it due to rotten condition it it was in. Due to zoning guidelines they wouldn't wouldn't allow me to remove the tree not fitting the 5 checkboxes they check off. Requiring this is a clearly dead tree and very possible risk danger in the future. I relocated the entire layout of the survey and footprint of my retirement home and moved driveway 50-foot past where I wanted it to go at my cost. For this reason I'm here today requesting a variance for that.

After completing my home 6 months 6 months later later, the tree that the staff required me to save

broke off and split 6-foot from the base and fell 100-foot acrossing spring gardens ampu had to be removed from county of Volusia and blocked block entire street of -- this cost county taxpayers thousands of dollars time and resources to cut and remove a large tree that now was an emergency situation. I would have removed the the tree at my cost had staff taken the proper time what I thought was a dangerous liability

Thankfully nobody was injured when the tree fell across the road. Applying common sense to the zoneing request then staff would have saved taxpayers of Volusia county thousands of taxpayer dollars -- in the decision making process allowing me at my expense to remove that tree. We are again at the same situation. This time I spent money and time applying for a for a variance hoping that staff would review conditions deeper this time and make right decisions examineing variance application request a sensible approach given existing locations and situation

Let me explain. Existence zoneing code for R3 requires existing southwest side of the property have existing 50-foot right right of way way between mine and neighbor's's property. That is a county road to improve for future reasons I have a side setback of 30 feet paper right of way way total distance of 80 feet between me and my neighbor's's property. It is 80 feet. Me and neighbors have 50 feet setback setback between adjoining property and shares and enjoys standard 15-foot setback setback in R3 zoneing

This road is road to nowhere and will never be built out it leads nowhere and serves no purpose for it for it at all. Staff will tell you I don't meet the 5 point check list for criteria to be granted this variance. Common sense would be asked for in practical use staff will say 50-foot right of way way can be vacated they would support but taking considerate amount of time and money working through staff's's red tape requireing lottery review and overVieth oversight. You can see how much oversight getting to this point is. This variance -- approval process because it doesn't fit a 5-point checkbox guideline due to only because of the right of way way to know where that was -- it will never be built

Could this be a condition whereby allowing the opportunity to apply a common approach would be warranted

My closest neighbor's's home for me is 700 feet away away and property is rural area in dealon springs 50-foot right of way way is only reason my permit is being held up causing me to request variance of this nature and asking for simple review in front of the board to look at conditions and render a fair and honest approach

I'm willing to compromise and concede with staff by adding contingency applying for 50-foot right of way way variance and to continue me to allow building my application to continue forward today. That is all I have to say.

>> In your comment in the sense they have to go by what the ordinances say and why we have a variance board.

>> Yes, sir.

>> To address these issues that come before us today.

>> Thank you.

>> They are pretty much doing their job and enforcing that. So saying that, that, do we have questions for questions for the applicant? Thank you, sir.

>> Thank you very much.

>> Thank you for your participation. Any other public participation?

All right. Hearing no other no other no other public participation the applicant brought the other jai gentlemen back up. I will close public participation and open it to staff discussion.

>> Here.

>> Yes, sir.

>> Same situation we have seen in the past housed with two front yards.

>> Yes.

>> Looking at reduction to 15-foot he is still within the overall 20, I believe, maximum of two setback yards. Is that right? I don't see a problem with this at all. Matter of fact, I'm ready to make a motion if there is no other discussion.

>> Okay.

>> All right. I would like to make a motion we approve variance V-20-037 with the staff recommendations.

>> I will second that.

>> Okay. Is that going to be the amended 15 feet?

>> Sorry. Yes. Amended to 15 feet.

>> .

>> Okay.

>> And I will second that again sphere that again.

>> Any discussion on the motion?

I have motion to approve variance 21-037 with amendments to 15 feet rather rather than 20 feet and I -- Mr. Frank Costa and second for Mr. Jay Young. Discussion on the motion?

Hearing none all those in favor signify by saying aye.

>> Aye.

>> Any o Any opposition?

>> ?

Motion carries unanimously.

Mrs. Van Dam?

>> Application of Michelle Lockwood owners requesting a special exception for garage apartment on forestry resource FR zoned property.

>> Thank you, + , Mrs. Van damn.

>> Van Dam.

>> Yes, sir. The location of the property is on the southside of the bull the boulevard pro. Ly 167 feet east of the intersection with the Oakland book Viread book Viread the Oakland the Oakland Boulevard -- this property is only 10 acres 10 acres in size with 318 feet of lot width and is considered a lawful non-conforming lot

The property KRURN currently contains a sickle family residence with a pool and barn

It has been functioning as an acquest rean boarding and training facility since February of 2020.

The applicants would like to convert one of the barns into to include a guest apartment inside of the barn and rest of the barn would be used for garage space that is required for additional storage and location is in the middle if you look here

These areas are old and not where the barns are. We can see that here

In this variance site plan you see the south portion of the barn is what they have pointing to the area they would like to convert into a garage apartment

Note, the garage apartment they want to do is somewhat of a modular design

You can see this. This is the horse barn.

It is a modular horse barn that you can see in the pictures

They want to take three of these modules on 3 wide and convert that portion into the horse barn

That puts it over the -- the garage apartment is limited to 800 square feet

Therefore, there is a companion variance space that will be heard immediately after this case with regard to requesting a variance from 800 square feet to 864 square feet

This is a special exception for the garage apartment itself

As you are aware, the definition of a garage apartment is an accessory structure containing storage area for one or more motor vehicles and one single family dwelling occupying that. They will ask will request a variance for the size and have one motor vehicle but have space for lots more than that.

When we review the exception criteria for the garage department it is consistent with the zoning ordinance and comp plan and will not adversely effect the public interest and will meet all agency requirements and won't generate excessive traffic

It is not anticipated to create a public nuisance nor will it materially alter the character of the area. Staff does recommend that the board forward the acceptance the exception to the town and council and recommend approval and we have three conditions associated with that.

>> Thank you, Mrs. Jackson. Any questions?

Hearing none. Is the applicant present? Would you like to come forward, please?

Could I get your name and address for the record?

>> Michelle Lockwood 328 Elcam Elcam Boulevard daytona, Florida.

>> Is there anything you would like to add to it?

>> There is confusion I don't know if I should bring it up. You will say yes to this

This building hasn't been built yet. There is only two pool barns on it. One is the new pool barn we built last year which is 120 . . . --

When we evaluate this particular variance request, we have to recommend denial. It fails to meet two of the five criteria and fails criteria 2 and three and applicants are responsible for this particular building message

That creates the need for the variance that is not commonly enjoyed right that a garage apartment exceed 800 square feet

We find it meets criteria 1, 4, and 5.

This particular building method could be considered

We might be stretching it a little bit.

It could be considered a special circumstance with regards to this if they were to shave off 64 square feet, that building method wouldn't wouldn't be employable

It is the minimum variance to allow building in the proposed -- this proposed building method

We don't find it to be injurious to the area involved and this garage apartment is in the middle of the 10-acre property and is heavily wooded around the edges of the property shielded from view and don't think 64 square feet would be very noticeable as a variance

With that, staff has provided two conditions to the applicants to provide confident and substantial evidence to support approval of the variance.

>> Thank you, Mrs. Jackson. Any questions?

I have a question. Seeing this is a proposed building rather than a [Indiscernible] building, does that change anything in the packets legally? I mean, I know not a prior consideration but want to make sure.

>> It doesn't change how we advertise for this variance and doesn't negate the ability to hear the variance.

>> Okay. Thank you. Is the applicant present to add anything to the variance and doesn't negate the ability to hear the variance.

>> Okay. Thank you. Is the applicant present to add anything to the variance?

I need your name and address for the report.

>> Absolutely. Michelle Lockwood and not sure how to approach a discussion of this or argument. What would you like to hear from me on this?

>> Well, if you have nothing to add, we will ask if we have questions of you and then that is what we will do. We will allow for public participation if anyone has any

I will have you come back up after that to address a question .

>> I just have one comment on this. 864 square feet is not a big apartment. If you take 64 square feet away from that think of some closets and so on habitable and enjoyable for facilities manager if you consider that as part of aesthetics of living in the apartment we would appreciate that.

>> Thank you. Mrs. Van Dam, question, mob, ma'am?

>> Probably. Page 13 of 18, can we put it up, please?

I'm getting confused on the picture on the bottom of page 13 of

18.

Are we talking this is a building you were saying is going to come down?

>> I don't have the photograph on the PowerPoint.

Can you bear bear with me as we pull this up from the web.

All right. You are speaking of the bottom photograph?

>> Yes. Barn on east side of the property needing a variance.

>> Should have been removed from this exhibit. That barn is an agriculturally used barn that doesn't need a variance

.

They have confirmed they are going to be removing it anyway.

>> Okay.

I wanted to make sure that is the one they were referring to as coming down. Okay.

>> Okay. Do we have any public participation for this case?

>> No, sir.

>> Hearing none, we will close the floor for public participation and open it for any discussion or a motion a motion.

>> I will make a motion we approve with staff staff recommended conditions.

>> Second.

>> I L- I will second.

>> Okay. I have a motion to approve variance 21-040 with staff recommended conditions and motion and a second. [Indiscernible]

.

Any discussion on the motion?

>> All those in favor signify by saying aye.

>> Aye.

>> Opposed? Motion carries unanimously. Mrs. Van Dam?

>> Agent for Richard Rsome shah R shah R shah R Schmidt R Schmidt owner. Setbacks and separation on forestry resource zoned property.

>> Thank you Mrs. Van Dam RPGS. Mrs. Jackson?

>> Yes, sir. This property is located on the west side of the lake Road approximately 1.75 miles 1.75 miles south of the road in the area and is zoned FR which requires a 20-acre a 20-acre lot size and lot width of 150 feet and is only 15 acres 15 acres 15 acres in size and 598 feet in lot width considered a lawful non-conforming lot that is located in rural southwest area you see see on the map in the little red squares located in the very South portion of the crown. This is an area without very good cellular coverage and IT department is radio services division is tasked with increasing radio coverage for public safety users in the portion of the county and have been looking at several properties trying to trying to secure a lease to erect a public safety tower in the area

.

This is the property that meets their needs to needs to provide coverage in this area

.

They conducted a needs analysis and tower height of 20 feet ADL is needed to provide coverage in the southern portion of the county that is consistent with other public safety towers in towers in Volusia county. There is 13 of them all at that height and and tower is considered a lattice type of tower of

construction that will be galvanized steel that is considered unobtrusive in terms of its look and will be situated in the northwest corner of this northeast corner of the parcel.

It is located 150 feet from the property line

.

Tower is designed to collapse upon itself and requirement is that the setback must be half of the distance of the height of the tower which it meets. It is pushed as far up through the north corner that it

can be.

The actual tower compound measures .

They will be requiring it to be lighted or marked

.

With we review all of the criteria we find it meets special exception criteria with exception of distance of nearest single family home that is discussed when we review special exception criteria we find it is consistent with zoning ordinance in the comp plan and won't adversely effect the public interest. It is in favor of the public interest and will meet agency requirements and won't generate undo traffic except for during construction.

These sites don't generate hardly any traffic

.

Maybe somebody comes in once a week to check on their utility box.

It is not anticipated to create a public nuisance or be dang rans be dangerous to the public and won't alter the neighborhood environment. Forwarding this to county council with recommendation of approval. We provided five conditions

.

There is pictures of what the area looks like

.

This is the nearest home in the southwest corner

.

This is on the site, on the property boundary adjacent to that home

.

They have a barn out there on the property

.

You can see it is sparsely habited out there

.

So, we do recommend approval

.

We provided five conditions for your consideration.

>> Thank you, Mrs. Jackson

.

Any questions?

>> I would like to mention that David cook is in the audience and is the engineer for the project

.

Is Brent here?

Brent is here

He is the IT radio services staff person that was charged with finding this location and getting this approval through.

>> Okay. Thank you very much very much. Questions of staff?

>> I am trying to I am trying to make it make sense to me and staff recommended questions, looking at No. 1 that says capable of co-larking minimum of four carriers.

>> I would say minimum is correct if tower is designed to handle additional carriers, we would encourage that, I think. The county would receive revenue from additional carriers.

>> Is [Indiscernible] there then?

>> Our code requires we have co-locations if it is possible.

>> Mr. Chair, this is Mr. Soria and justification for height if you don't have that or design it for a for a minimum number of carriers, you don't have to be that high is my understanding.

>> I believe you are right. It should say maximum of four carriers because lot size is 100 by 100. You can only get four shelters

Sorry. I'm Trent radio systems manager of Volusia County and here speaking on behalf of the owner.

>> Okay. Any other questions?

>> Not for staff.

>> Okay. Okay. Mrs. Costa, go ahead.

>> Yeah. I have a question for you,, gentlemen

How did you zero zero in on this particular site.

>> We have been looking for land in that area for past three yearss county owns land in that area. We did analysis and 3 feet of water is flowing there right now. We can't put a tower there and worked with Miami core and board family on lots and none worked out for us and we found this here that is in the ideal location as far as coverage and found the land owner and worked out a deal with him and working on lease agreement that is contingent on.

>> Next question was leading to purchase where county could purchase it.

>> Yeah.

>> Okay. Thank you.

>> Sure.

>> [Indiscernible].

>> I think so.

>> Well, if the tower requires four carriers to be able to go that height, -- let me see. Seems to have four carriers to justify that.

>> Keep in mind that public safety safety radio system will be at the top. Normally cell carriers don't like to be that high they reuse their frequencyies and will be 150 to 250 feet on the tower.

>> Want to weigh in on this if it needs to be a minimum because we have to have a minimum of four carriers to carriers to justify the height.

>> You can say they they can have four carriers that carriers that will be minimum and maximum.

>> Okay.

>> We are in charge and designing the tower and know what we are designing and designing for four carriers but doesn't mean we will get four carriers but design standards of the tower will be for co-location for exactly four carriers.

>> I would like to mention one other thing that gives us ISSI interface for the county to tie 2R2 radio systems together for interoperable of statement 6 and I95. This last weekend there was a bad accident with four fatalities. Our guys were down there and couldn't talk.

>> I have a question from a financial side more than anything else as a taxpayer. We are leasing the property. We are the primary user of the tower. Is there any space for leasing out tower space to commercial entities?

>> Yeah. That is what the other three carriers.

>> Limit of four.

>> Maximum of plus 3.

>> Plus 3.

>> Yeah.

>> What What would it take to be 5 or 6? Is it a height issue.

>> No. It is probably the size.

>> Base size of the tower itself.

>> Depending on the carrier there is really only three major carriers.

>> At this time.

>> Yeah.

>> Okay. There is potential there for there for county to recoupe at least its initial expenditures.

>> Yeah. You can squeeze in another small carrier that doesn't use shelters at all but concrete outdoor cabinets you could squeeze a couple of those in there if you had to.

>> Okay. Thank SGLU Mrs. Van Dam?

>> Folks that live at the house have they been talked to and indicated they don't have issues with this tower being SGLSH --

>> I don't know. David, do you know if the landowner for the property next door has been talked to if at all?

>> David cook, engineer [Indiscernible]. I think that was an issue as far as [Indiscernible].

>> We have provided notice to adjoining property owners.

>> Notice has been provided and haven't heard anything.

>> That is correct. We sent them a letter to let them know of the D- development. We haven't We haven't received anything back as far as communication from them.

>> Okay.

>> Nobody has contacted them?

>> We did send public notice to the adjacent property owners and they have not responded

.

They are not necessarily expected to respond in every days in every case

.

They have not called to ask any questions or anything like that.

>> My question is the property to the north to meet this and these setbacks, is that proper owner approached for the tower?

>> That is all properties, I believe. Is that correct?

>> Yeah. Property to the north is Swanson and completely vacant for miles and miles and miles. It is to the south if you look at the photograph on the screen, it is to the south of the tower here that is the nearest residential unit.

>> My line of question is the property lease?

>> Yeah.

>> Setback Snuz.

>> We were in discussions with representation of the Swanson property owner as indicated.

Those discussions kind of fell through

.

This was an ideal site for the property owner who was interested in these things through the county and had the proper soils analysis to report a tower actually.

>> I guess an effort was made to make that minimum setback?

>> To the north? To the northern property, it doesn't have minimum setback. I thought your questions were to discuss other placement. Yes. Other placements were considered.

This one kind of met all of the boxes and also had an interested property owner that could actually support the spectrum and adequate coverage for any future tower applications to start moving it around and you start start being inefficient in your coverage.

>> Thank you. Other questions?

I would like to add do we have public participation?

>> No, sir.

>> Thank you.

>> Thank you. Closing floor to public participation and opening to staff discussion or a motion. I mean, if an effort was made to get it further away from the home and follow through, then what it has to do.

>> I'll make a motion we forward the special exception case S-21-041 to county council for final action with a recommendation of approval subject to staff recommended conditions.

>> I will second that.

>> Okay. I have a motion to forward the case S-21-041 to county council final action of approval and staff recommended conditions and Mrs. Shelley and Frank Costa?

>> Mr. Chair, is there clarification on number of carriers it will be four careerseriers and no more or less or want to keep it at minimum of 4?

>> Limit of 4. I wouldn't I wouldn't want to limit myself. Is that okay?

>> Yes, sir.

>> Okay. Discussion on the motion?

All those in favor signify by saying aye.

>> Aye.

>> Any opposition?

Motion carries unanimous.

Van Dam, if we can get the next case.

>> Next case is V-21-042 agent for frank and McKaren owners owners requirements on urban single family residential R4 zoned property.

>> This is a variance to reduce the side yard from 15 feet to 3 feet from an existing boat house property is located on South side of flame ngo Road at terminus of cul-de-sac cul-de-sac and zoned R4 which requires 74 7400 square feet and 75 75-foot lot width exceeding minimum standard and 318 feet of lot width

.

In tinted 2017 2017 applicants have been making improvements to SKIFRTing sea wall and has a boat house on the property.

You see pictures of it right here.

What they want to do is extend the dock out this way way.

It will meet the minimum dock requirements

.

When they went to permit that, they found that the boat house doesn't meet required setbacks

.

Therefore, they have to get a variance for that to proceed with the docks

.

When we recommend or evaluate this criteria we have to recommend denial failing one of the five criteria and isn't special circumstances associated with the lot

.

We find it meets four of the criteria and boat house was built by a previous owner. Owners are not responsible. It would be an unnecessary hardship to request them to move it a couple a couple feet or remove it

.

It has been there 27 years without without issue and minimum variance to make use of existing structure that is not likely to be injurious to that area there. There are letters of support from both side neighbors

.

With that if PLDRC does find that applicant provides competent evidence we have effort evidence for your consideration.

>> Hearing none is applicant present? Come forward, sir

.

State your name and address for the record, sir.

>> James chambers

.

>> This is the boat house where the lot line used to be. Now, I don't really have any interest or plan to rebuild the Sea wall on the boat house for the western edge of the property

.

Again, this is the minimum we can do to abide by the current ordinances

.

Rebuilding or relocating this boat house is exceptionally difficult in that it is tied in with the sea wall

.

In the future, if the homeowner decides to rebuild a sea wall, it it could be a time to work on a boat house but no plans for that.

>> Okay. Questions for the applicant?

Okay. Have a seat.

>> No, sir.

>> Having none. I will close the floor participation and open for commission discussion or a motion.

>> I would like to say, Mr. Chair, I was out there. I don't see that there is a problem with it. There doesn't look like there is any alternative to doing

.

I don't know if the dock needs to be quite as long as it is. It is a personal preference and don't see it is out of character. I look at other houses I drove down on the cul-de-sac and from my standpoint I don't

see any problem with it

.

Just a comment.

>> All right. I will take a motion if someone would like to make one.

>> I will make a motion to approve variances 2-21-042 with reasons 042 with conditions from staff.

>> Second.

>> Motion from Mr. Jay Young to approve variance 21-042 with staff recommended conditions and second. Shelly,, discussion on the motion? All those in favor signify by saying aye.

>> Aye.

>> Any opposition? Motion carries unanimously

.

Mrs. Van Dam, the next case?

>> B-21-043 application of confidential owner requesting variance of maximum lot coverage on residential R6 zoned property.

>> Okay. Could I have the staff report on this, please?

>> Yes, sir. This is to increase the maximum lot coverage from the minimum of 35% to 46.5% and property is zoned R6 and requires 7500 square feet and lot width of 75 75 feet and property doesn't meet standards that that is 5,400 square feet with 55-foot lot width consider non-conforming lot it was platted in 1924 when platted we didn't have lot coverage requirements in place or zoneing

.

It contains a 2000 square foot single family home that was constructed in 1954.

The home alone on the lot exceeds the maximum lot coverage

.

The property contains an existing shed that is right in this area

.

The existing shed is 60 square feet with shed and lot coverage is exceeded also at 38.2 %.

This existing shed, however, is not permitted

.

They wish to increase the size of the shed because this particular house is built without a garage or any kind of additional storage space

.

You can see it is a small lot

.

They are requesting a larger shed and want to get it permitted.

It meets all required setbacks about you puts but puts this lot over the lot coverage requirement and therefore the request for the variance

.

When we evaluate the variance, we find it fails to meet two of the five criteria and is recognized that spot is 2,000 square feet less than it should be but it is not still a common right to exceed lots to exceed lot coverage standards or variance to make reasonable use of the land

.

They could have a smaller shed that would reduce lot coverage issue but find it meets criteria 1, 2, and

5.

There is special circumstances associated with the lot being 2000 feet less and if this met the minimum lot size standards it wouldn't wouldn't be a lot coverage issue and lot was platted in 1924 and house built in 1964 none of the rules were in place at that time

.

We find it not likely to be injurious to the area where it is located on the north side of the property is non-residential use

.

There is a wall and fence in-between and parking lot here

.

It is not going to effect to effect anybody

.

I don't have any photograph of that.

With that, should the applicant provide competent and substantial evidence?

We have one condition for your consideration.

>> Thank you, Mrs. Jackson. Is the applicant present?

Come forward, please.

State your name and address for the report.

>> for the record.

>> Confidential but owner of V21043.

>> I have a public record exemptions and owned the house for over 23 years 23 years and lived in it in it for 30.

>> All right. Staff report, anything you would like to add.

>> Correct not argue a permit was submitted in 1999 for several things done there

.

Two of them show up

.

I'm not sure of the issue the issue why that is there. Dismissal and I, I remember pulling a permit that is \$14 \$14 or something like that.

It is also not in the shore. I don't know if it matters it is not in the city and beautifully unincorporated Volusia county of east Volusia that only increases the lot size coverage by 2.4 %.

I have two front yards and two side yards which is confusing for my mind to understand but variance would allow and and meet 5-foot side and rear yard for accessory structure which accessory structure is or is allowed under 500 square feet in the current ordinance

.

Again, staff stated it as not visible to three of the neighbors

.

It will be pleasantly pleaseing to drive-buyers on one side where there is a street. I think that is -- broke my heart when I found out how small my yard is. If a cep storm were to take it I wouldn't I wouldn't be able to build on it without a variance and ask for that and thank you.

>> All right.

>> Questions?

We will see if we have public participation from this.

>> No, sir.

>> I will close public participation and open for commission discussion or motion.

>> Chair, these lots, this is another one of the lots on the beach side we run into before. It was small and platted before my birth.

I'm old and know you were going to say that. I see it coming and I was out there and don't have objection to it. If nobody else has any objection, I would like to make a -- the recommendation to approve this V-21-043 with one condition of staff.

>> Second.

>> Okay. I have a motion to approve variance 21-043.

>> Yeah.

>> With the staff recommended conditions from Mrs. Jay Young and second from Mrs. Shelley, all those in favor or any discussion on the motion? All those in favor signify by saying aye.

>> Aye.

>> Any opposition? Motion carries unanimously

.

Mrs. Van Dam next case, please.

>> --

>> Thank you Mrs. Van Dam.

>> This is a request to reduce east front yard from 40 feet to 14 feet proposed pool enclosure located on east side of Van tilla street 250 feet south of the intersection with casta Vega Road and zoned A3 requiring 1 acre lot size with 150-foot lot width and this property exceeds the requirement 5.17 acres 5.17 acres in size with 384 feet of lot width and applicants PRFRPed purchased the property in 2016 in 2016 at that time was several lots they combined all together. You see on the graph up here, they combined there is actually a platted unopened road in-between

.

They combined all this including across the street

.

This is really all one lot

.

Portions on each side of the lot though alone meet zoning standards

.

Because of internal right of way way and both sides are corner lot this property has 6 front yo 6 front yards which I think is a record.

In 2717th the applicants constructed a house on western portion of the property on thisth the applicants constructed a house on western portion of the property on this side here

.

When they permitted it records show it was 60 feet from this internal street or real street

.

It was supposed

to be 15.

It got built at 42.5 feet

.
Because of that, there is less room to place any additional structures to the rear of the house.
It was a mistake a mistake on part of the contractor, whoever placed the foundation for that house

.
Because of that, the applicants are wanting to request a variance to reduce that rear yard, which is a front yard. So they can encroach into the 40-foot seethed back and have option of going for a for a vacate and will be considering that. Because of vacateing taking a long time and these guys are under the gun with contractor and financing options they have chosen to go through variance procedure in advance of requesting to vacate

.
When we evaluate this, we still have to recommend denial. We find it fails to meet two of the criteria. It is not a common right. There are other options for placement or vacate of the right of way way and is not minimum variance to make reasonable use of the land. Full enclosure could be moved and wouldn't wouldn't be ideal we understand

that.

Technically, they could be moved and meets however criteria 1 ration 1, 2 and 5 and special circumstances with open right of way way and feel confident in this case this is a right of way way that would be considered for vacate that doesn't need to provide access to any place elites place else for this. It goes in-between lots and ones ahead of that that are on the north side of that that have access to another Road

.
It is not likely to be injurious to area. Applicants themselves are most effected property own ress. ers own owners. They have it overhere

.
With that staff has to recommend denial and if if applicant can provide competent and substantial evidence we have provided one for your consideration.

>> Is the applicant present?

>> Here. This is Tristan Brown [Indiscernible].

>> Thank you, sir. You heard the staff report. Is there anything you would like to add to it?

>> No. She put it pretty much hitting the nail on the head when she said we are in a little bit of a time crunch and already had and applied I think in October or November retails and we will have issues with the permit

.
We are applying for an extension and single chart and [Indiscernible] is non-refundable

.
There is an extension which [Indiscernible]

.
We didn't get that extension this month, so extension to apply for the location that we can but if we applied for that and [Indiscernible] time would have expired and [Indiscernible] extension. We would be out unfortunately.

>> And pointing out it could be placed differently on our property however, it would require us to clear additional trees and not something we felt to do and so much construction around the area that we would like to keep as much as possible and animals and just for privacy.

>> Okay. Let me see if the commission has questions for you

Questions of the the applicant?

>> I just wanted to confirm they owned both of the lots, one right across from each other; right?

Yeah. Okay.

>> They are combined with the county but just that the lot is not vacated.

>> Thank you.

>> Okay. Questions for the applicant?

We don't have more I will see if we have public participation. Question for staff?

>> I wonder since they own both lots and right of way way becomes -- I mean not -- the right of way way goes away, what happens happens to the property in-between two adjacent lots owned by the same person?

>> When you vacate right of way way half goes to one side and half goes to the other. Keep in mind this is one lot not two separate lots.

>> Right of way way goes through the lot.

>> They will acquire the right of way through the process.

>> That is what I was getting at. Thank you very much for explaining.

>> Okay. Any public participation?

>> No, sir.

>> No public participation for the case?

I will close the floor to public participation and open to commission discussion or motion.

>> I will be glad to make a motion we approve case V-21-044, recommendation for approval subject to the staff conditions.

>> I will second that.

>> Okay. Motion to approve variance 21-044 with staff recommended conditions from Mrs. Shelley and second from Mr. Jay Young. Discussion on the motion? Hearing none all those in favor signify by saying aye?

>> Aye.

>> Any opposition? Motion carries unanimously SGL

Mrs. Van Dam?

>> Requesting variances on urban single-family residential R-4 zoned property.

>> Ki get the staff report?

>> Yes, sir.

Variance request is to reduce east side yard from 25 feet 25 feet or east front yard from 25 feet to increase the pool

Location of the property is edge is on the north side of San Jose Drive 150 feet east of intersection with San Jose circle in the are Monday Beach area and 75 75 feet width width this property is bigger at 8,550 square feed. The property is considered a through lot with frontage on both San Jose circle Drive that you can see here on the front of the house and the rear of the house faces San Jose circle

Being a through lot, it is considered two front yards

They want to put a pool in the rear of their house to do so they are requesting variances

The house sits at about 1 at about I think 29 feet from the north property line here. So, that that only leaves 4 feet 4 feet which to build anything to not encroach into the front yard setbacks.

That is why they are requesting variances and with regards to fence site privacy fence here to provide protection to the pool greater than 4 feet in height and neighbors to this side, they actually went through the same variance request a few years ago

They got approval if you -- I believe they were put in the pool over here

They asked for variance to get a 6-foot high fence along here that was approved back then.

We have to deal with a particular lot on its own

When we evaluate a particular variance request we have to find it fails to meet four of the five criteria that fails criteria 1 and there are no special circumstances associated with the through lot to design placement of the pool and fence are direct actions of applicant that is not a common right to have a pool in the front yard or a fence 6-foot high in the front high in the front yard that is not minimum variance to make reasonable use of the land and we find it meets criteria 5 and 5 and find it is unlikely to be injurious to the area

This is not heavily traveled thoroughfare type of road but a local road that goes to houses here that would be effected by seeing a fence that fence would match up to the [Indiscernible] fence

We don't find it would necessarily be injurious or out of character with the area.

So, if the applicant is able to provide Compat tent tent and substantial evidence to support the variance we provided one condition for your consideration

I would mention there are letters of support for the variance.

>> Thank you, Mrs. Jackson

Hearing none, is the applicant present?

Ki get you to come forward, please?

Can I get your name and address for the record?

>> [Indiscernible].

>> We have heard the staff report. Wow like to add anything to it?

>> No. I would like to enjoy the beach a little more with the pool and prefer a 6-foot fence.

[Indiscernible].

>> Do we have questions of the applicant? Okay. Can you have a seat. Any public participation? Do we have public participation for this case?

>> No, sir.

>> Okay. We have none. We will close the floor for public participation and open for commission discussion or a motion.

>> I will make a comment first that is if I went over there and on top of that I have been here a little while. I remember that other house when we had all of the discussion about

that point.

If anybody has objections I would like to make a motion to approve variance 21-045 with one staff recommendation or condition I'm sorry.

>> I will second that.

>> Okay. Motion for Mr. Young to approve variance V-21-21-045 with staff recommended condition and second from Frank Costa. Discussion on the motion? Hearing none all those in favor signify by saying aye.

>> Aye.

>> Opposition? Motion carries unanimously. Mrs. Van Dam?

>> Next case is V-21-047 application of Kellee Holland Smith owner requesting variances to the maximum fence height on planned unit development zoned property.

>> Can I get a staff report on this?

>> Yes, sir. Three variances are associated with the request to increase maximum fence height from 4-foot to 6 feet adjacent to Silver branch trail and shady branch trail and first 30 feet of eastern portion of the southern property boundary. These are three separate variances.

It is zoned PUD and lot meets PUD requirements and is located in trails west subdivision and situated at intersection of a cul-de-sac that you can see on the location map how it is situated and roads all over the place.

It is an after the fact variance that fences exist today and applicant did get homeowners association approval to put them up and felt or didn't realize that they also needed to get a county building permit to allow fences.

We -- when we review these or this variance request, we find it fails to meet one of the five criteria that is not a commonly enjoyed right to build a 6-foot fence in what is considered a front yard but find it meets four of the criteria due to the design of the subdivision and design of the lot we are considering it a special circumstance having basically three front yards.

The applicant is not responsible for the design of the lot.

This would be minimum variance to allow applicant to obtain after the fact building permits not likely to be successful based on area of HOA letter and area of support from the neighbors and we have public comments that came in afterwards that expressed concern with regards to 6-foot height variance that I believe you have been provided that this morning.

With that, should the PLDRC be provided with a competent and substantial area to provide the variance?

We have provided two conditions for your consideration.

>> Thank you, Mrs. Jackson.

Okay. You said this is an after the fact the fact request?

>> Yes, sir.

>> How long has it been?

>> I don't know.

>> This letter of opposition came in this morning?

>> Came in within the last week.

This was mailed on the 16th.

>> All right. Is the applicant present?

>> Good morning.

>> Good morning, sir.

>> Chairman and members of the board good to see you this morning. Mark watts and here on behalf of the applicant my friend Kelly Smith. Your honor on the front yard cases I will limit what I have to say here but want to point out if we can go back to the staff report the location map

I want to just offer an alternate view of that third criteria that staff obviously in the report indicates 4 of the 5 iteria they called into question which was criteria No. 3 and criteria literal interpretation of provisions of the ordinance and enjoying properties in the area of same zoneing classification

Going to the previous slide, Susan in her report talked about how this is, you know, a very unique situation with regards to the layout to the layout of the roads within trail west subdivision

If you look in here, if I draw on here.

>> I don't think so.

>> You took away the drawing; right?

>> No.

>> Unfair

If you look at -- you can see here subdificing subdivision to the bottom and to the right and subdivision trails going through the center and look at lot pattern here this is the only lot configured this way way and this lot is only one that has rights of way way on three sides of it. Several others are close but all have common areas between the roadway and lot lines keeping them from being front-yard configurations

A couple if you go further out of the of the condo area looking down to the right of the red circle circle down below that seeing circular areas are condos they establish condo units in trails west and there is a couple of those and some have 6-foot fences on them that would be a similar situation and for the fact that they have an intervening common area between the road right of way way and the actual property line

If you really think about this parcel, think about the last case that you just heard

You mentioned -- I think you mentioned that neighbor's's property on the left to the corner piece with three front yards

This is the exact same scenario. Piece of property with applicable zoning classification that effects PUD standards that requires 4-foot fences only within that setback this is only property you can see in the view that is configured that way way.

So, the impact to Mrs. Smith is she is only one not allowed backyard privacy with fence around that that other folks in neighborhood would have. You are not Crayateing something here that would open variances each that stands on [Indiscernible] anyways you are not setting a precedent for any other circumstances but circumstance here can satisfy that criteria three in your analysis and only thing that certainly understanding the need to submit and apply for building permits and that is actually applied for that permit when she learned she needed to and did work back in aApril to in to install back in July and expired because it has taken that long to get here and permit applications good for six months for 6 months and has to re to renew that application and request on staff recommended criteria to approve it item 1 we put in place when after the fact permit don't have issue with it and want to make sure she can maintain it based on language of the first condition.

>> With that, I am happy to answer any questions.

Okay.

>> Questions?

>> Yes, I do have a question

.

This is obviously going through an HOA approval process.

>> Yes.

>> HOA meeting involved and drawings shown and ARC board is involved as well and height color and whole 9 yards 9 yards and no opposition at the meetings you are aware of?

Okay. Thank you.

>> Okay. Any other questions?

>> Just wanted to go over your point again, Mr. Watts, regarding condition No.

1.

I believe I heard you say we would like to make sure that if there is damage to the fence they don't have to go back through the process.

>> First condition and second sentence submittal of variance application accepting from mayn'tance and alteration on accepted maintenance.

>> Right. Just wanted to verify.

>> Anybody else from public participation side?

>> No more public participation.

>> All right. Thank you.

>> Thank you.

>> Okay. I will close the floor to public participation and open for commission discussion.

Going back to the recommendation if there is any authorization requireing submittal. How can we reword that Mrs. Jackson to maintain the fence?

>> We can put in any alteration with exception of standard maintenance shall require.

>> Standard.

>> All right.

>> I will be glad to make a motion.

>> All right. Go ahead, Mrs. Shelley.

>> We approved variance request 1, 2, and 3-case V-21-047 for approval subject to staff comments

and clarifying condition No. 1 regarding maintenance on the fence.

>> I will second that.

>> I have a motion to approve variance 21-047 variance and staff recommending conditions with the conclusion of the standard maintenance to the fence

.

Mrs. Shelley and second from Mr. Frank Costa, discussion on the motion?

>> I have a comment to make.

I will save it for after for after comments in general.

>> Okay. All right. Hearing no other conversation on this. All those in favor signify by saying aye.

>> Aye.

>> Opposition?

Motion carries unanimously

.

Okay. Mrs. Van Dam, next, please.

>> Case 0-21-052 proposed ordinance 2021-8 amending the 5-year schedule of capital improvements/capital improvements element of the comprehensive plan for con for concurrency-monitored public facilities.

>> Staff report, please.

>> Good morning. Dareon Ebersole this is up date to county of Volusia -- concurrency monitored public facility this is used used -- to achieve and maintain adopted level of service within the comp plan

.

Do you need planning act that requires state-mandated review for solid waste and storm water potable water and sanitary sewer services and department of environmental protection awarded county \$2.5 million \$2.5 million grant for extension of sewer services along US17 corridor between city of Deland

.

Concurrency for other public facilities became optional such as transportation mass transit and still must be monitored if municipalityies thaty has locally mandated adopted levels which we do. County comprehensive plan includes standard levels that we can include in our annual review

.

Review concludes all concurrency monitored facilities for standiadsards for annual review and staff recommends capital improvement plan county council within recommendation of approval for ordinance 2021-8 authorizeing middle to the department of economic opportunity or DEO.

Okay. Questions from staff?

Mrs. Van Dam, go ahead.

>> Not sure if you are the right person to ask but have to start somewhere. Page 13 of 146, help me understand the decrease in total revenues for 2021 for 2021 to 2022 2022 compared to 2022 to 2022 to 2023 2023 and even 2021.

>> I wouldn't I wouldn't be person to ask about this quite frankly. That is under solid waste?

>> Yes.

>> We don't have any of the folks with us today to answer some of the questions

.

This is included in the budget from last year and much of the attachments was included in October. It

sets forward the funding this year. We are a little behind.

>> Okay. All right. In regards to the land fills, you also are not the person?

I'm sorry. To ask about if we are seeing that one of the cell about to be closed and seeing money to increase buffers but didn't see money to acquire additional land.

>> I believe there is remaining life cycle analysis provided by the landfill folks attached to the staff report as an attachment.

>> Page 16 states current class 1 cell is ending useful life and new one will have to be designed and constructed.

>> If I could, they have plenty of property out on the farms landfill and they have other cells under construction and don't have to acquire to acquire additional properties.

>> Okay.

>> That cell is filling up and lifecycle is about -- it will be closed but they have more property on areas for sale on the property already.

>> Okay. All right. Thank you.

>> Mrs. Van Dam?

>> Quite a few on traffic.

>> Okay.

>> Primary one. I don't know if you can answer this or not but looking at page 109 of 146.

Transportation funding has increased. Collections are not nearly enough to cover the systems capacity needs to support the develop being approved in the city.

How do we handle the concurrency issue or the -- I forget what the term is. The proportionate share

How is proportionate share figured?

Especially in municipalities who are growing fast and have lots of roads that are critical or near critical but keep approving additional housing

How is proportionate share figured on this?

>> With cities.

>> They are the ones that the ones that are responsible to approve concurrency

Volusia county doesn't approve concurrency on county roads

Roads are ours and we maintain them and we have no say in that.

Now, through the review process, we should be sure we let them know about, you know, the issues

We recrewhe traffic impact analysis and let them know the status.

>> The situation is they can continue to increase the traffic count and county can comment that roads are failing and up to county to fix the roads when they fail.

>> Yes, mostly. Yes. They can continue approving the development

It is a county road. County-maintained road, but it is not our responsibility to correct their issue

We try. It is our road. We try to work with the city or cities to come up with some sort of plan.

>> When the level of service fails and road becomes critical it becomes incumbent on the county to widen the road to get the level of service where it needs to be.

>> The county and the city.

>> Okay.

>> County can always say that the city is the one that is approving the development and city is responsible for the traffic issue

.

Really, it is a joint issue

.

We are at the mercy of the city's decision making.

>> That is why we work really hard to coordinate with them as much as possible for them to understand the situation.

>> When you talk about proportional share, is there a formula that determines what proportion the city is actually responsible for and what the county is actually responsible for?

>> No. Not between the city and the county. It is really proportionate share determines how much the developer is responsible.

>> Okay.

>> To pay or construct. Often what he pays in proportionate fair share he is credited with impact of the credit. So -- pardon me?

>> [Indiscernible].

>> No. Through the county or the city if there is impacting. I know. It is Kwon Kwon pluck is is compluckated.

>> As I look through this it is obvious there are cities with more critical roadways than others but seem to be cities that continue to approve development. I'm trying to wrap my head around how the county gets pulled into widening roads when cities are ones that continue to --

>> We do have impact fees that come in and have proportionate fair that comes into the county

.

We spend money in particular impact zone the best we can and coordinate with cities and partner with developers and get most done in each zone as possible but there is not enough.

>> Okay. All right. Thank you.

>> I get two questions

.

One is I'm curious about where we stand

.

This is probably mine. I see on this LPGA right by the bridge

.

It has 1.76

V to C.

I just wondered if -- it is rated F where we stand on that.

Because, I mean, in the whole intersection

.

It has gotten overrun

.

We have buckyies coming in and the mall and everybody else

.

It is one of the highest V to C ratios in the whole chart

.

Where is -- how does the priority from V to C ratio spend and have a big impact on the priority?

>> Yeah.

>> This is the city you are talk being that gets talking about that gets it.

>> You should see V to C ratio with improved development that gets more interesting and priority right now is to wide enWilliamson and widening Williamson between LPGA and circling range and getting close to moving forward with segment between strikeland range and [Indiscernible] and are working with DOT to try to get funding to wide enthat section west of the interstate.

>> Yeah. I know that bottleneck is really out of sight.

>> The interchange is also supposed to be improved by DOT.

I can'tell when you it will happen. They have fundings also.

>> I know that water management with the bridge there has been a problem

.

I have been in on a little bit of it

.

But one other question I'm curious TW I'm curious too about 47 and local tax option and the gas tax, has it been considered now with the new pandemic? Have you really put those numbers that look like they didn't go down as much as I thought they would.

>> I'm the division director for traffic engineering wanting to give you an update on LPGAsPGAs.

We have been talking with the Department of Transportation that will modify their project development environmental study going from I-95 all the way the way to timber creek road and further discussion going from timber creek Road to US-92. If we get that done potential funding partnerships with the department there will be. County allocated the payment from the mosaic development that is 1.2 or \$1.4 million or \$1.4 million to the department to help with design of widening of LPGA from basically the interstate and timber creek Road including the bridge and everything

.

We are working on that.

You need to remember from a timing standpoint that if we go through Department of Transportations process you have environmental study project development environmental and you have design and right of way way that might be needed and construction

.

Each of the four phases is approximately 18 to 24 monthsnths.

We are talking about it and happy it is moving forward

.

It will still be a while before anything is done.

>> I understand that somebody is considered to straight eninroad out on LPGA and go further west on somebody or developers ask.

That would increase it a lot more.

>> Correct.

Now, the good news is buckyies development talking about proportion of pair share payments we get the payment or have developer build something close by. Buckyies development is widening LPGA and they opened in last two weeks in last 2 weeks and six lanes from interstate to Williamson Boulevard and added dual left-turn lanturn lanes into the development. Relating to optional gas taxes your second question the CIP I believe might be last years and wouldn't wouldn't take into effect the pandemic and especially in the trust fund

We are an enterprise fund like solid waste and look and make sure that money that we are seeing and our revenues, we don't exceed them in any given year

The pandemic has impacted us but not as significantly as we first thought

We are currently starting the budget process this year which is the first thing everyone has been asking. Our budget staff is how much money do we look forward to receiving this year?

We know Department of Transportation is significant with the pandemic. They have canceled several projects.

>> Thank you.

>> Okay. Any other questions?

Mrs. Van Dam?

>> Traffic impact studies. Can you help me understand something?

We see a development coming up that states that the roads can handle the traffic. We know that the traffic within a certain area will go outside of that area to get on to on to another main road that is already failing

How is that that you determine what a traffic impact study uses to state it is not going to negatively impact traffic?

>> The first thing we do all development in in Volusia county I have to follow the same procedure which is river to see transportation planning organization and TIA guidelines which is something that we developed 10 or 15 years 15 years ago.

Everyone had their own different methodology how to do things

We basically codified how to do it. What you are asking about is what we call significance tax

Based on the size of the development, what is the radius of the impacts on the surrounding transportation network?

What we do is look at the development and how much traffic it is generating and say based on number of trips on a road segment versus capacity if if 3% significant or more, they need to study that road or segment

We also said, you know, we got -- you know,, 3% on major road might be no more than a couple blocks and we said within the study area, draw a 3-mile radiusdius.

If critical or near critical roads or roads that roads that are critical or near critical based on vested trips

that cities have all approved

.

Those also need to be evaluated based on where are your trips onset with critical or near critical [Reading From Board] critical road.

>> But limited to 3-mile radius radius?

>> Yes, unless it is a major development like Avalon Project. Some was 3% significant all the way the way out to state road 40 and US17.

It depends on the size of the development. If it is a gas station or something like that we don't go three miles that we don't go 3 miles just 1.5 miles.

There is capture from surrounding network and you won't go three miles won't go 3 miles for that.

>> Okay. You are limiting -- I don't know how to say this. You are taking into consideration impact to road and radius to get to a major road and major road is failing we are not.

>> We are saying 3% you extend however far the size of your development impacts the road. If it is really a smaller project it is 1 to 3-mile Morse Morse significant than 3%.

>> Okay. It is like an or not and.

>> Okay.

>> Within 3 miles 3 miles and you have 3%. It is 3% or within three miles 3 miles.

>> .

>> Okay. All right. Thank you.

>> Question then. You go with the 3-mile radius radius there

.

In here, you have listed road, state road 44. Yet we are still seeing high density development on Martin Luther there and don't have anything from Martin Luther to summit and extension of the avenue.

>> That is based on volume of traffic on -- you know, the current road network

.

It is not -- you know, impacting the level of service yet

.

Now, I think when we start to look at vested trips, one of the things that really challenges transportation and our unit is right now you have a multitude of projects on Martin Luther King being approved and looked at.

You might have 4 or 5 projects in city A going through approval process and are not combining any of those projects into the traffic study because they haven't been approved. They are not vested

.

All we have to do is our obligation has to be vested and including trips on the road network

.

>> Even development going on now that is not considered in this.

>> Approved and building homes

.

Those trips would be on the network

.

If going through the planning process for approval so they get development order to say you can start

until we or the city approves the development agreement, typically, trips are not on the road network in TIA.

They are not vested is what we call it.

>> Going back to the previous question. We don't have tools in toolbox to bring cruelty to bring cities to the table and say listen

.

To resolve issues of fund forge the roads and development

.

We don't have anything on tools for that?

>> We are challenged with our ability to tell the city no.

>> A lot of the residents believe it is our fault.

>> I understand that. I do this all the time. We try to explain, you know, in the -- trying to for future planning and lots of it is out of our hands

.

This is adjacent and this there too to prevent that.

>> We always have to watch out and see what the state legislators will do.

Right now, we have the pendulum with regards to concurrency

.

We have hard concurrency and are back on soft concurrency and is reaction going to be okay going back to hard current?

That means there is no unfortunate and it is the problem that we stated.

>> Mr. Chair, to clarify soft concurrency, if they significant significantly impact one of the of the critical roads, the authority of the county is not to tell the development no. It is here is the proportionate share that you are required to pay

.

It is not a denial.

It is only ramping up what they have to contribute in terms of the proportionate fair share.

>> County staff is fortunate to work with lots of the cities to try to get the best deal we can so that we can pipeline money to a needed improvement that will impact transportation network

.

We know where the problem lies

.

We have to bring it to light.

The city going on here and at some point we won't have the funding

.

It obviously costs more from a development.

>> Some proportionate fair share payments I don't I don't think we have gotten anything ha would build this from widening of roads from 2 to 4 lanes

.

Everything we are getting is probably 6 million dollars \$6 million to wide ena road from 2 to 4 lanes on county network

.

Might get 1/3 or quarter of a mile.

>> Does that take into consideration if there is sewer lines that need to be moved?

>> I serve on current taskforce between day tonea

.

How come we don't have such agreements with all of the cities like we do with the land?

It seems natural to have a committee between us and land that would be with all of the cities

.

Was that mandated with the land?

How did it come about? We only had the one.

>> Sorry. I don't I don't know what you are talking about.

>> Of the joint crit city county.

>> We haven't We haven't had them either.

>> JCC, yeah. Got my card. It is called joint committee county coordination taskforce, yeah.

>> Okay.

>> In the road business we typically call it a road show

.

We are coming back and have been authorized by manager and public public works director to do what we call a road show and will go to every impact fee zone. There is four in Volusia county and laying out this is what the road program is for the next 5 years.

We haven't been really doing it since the mid 2000s and hard to tell everyone we are here and here to listen to you don't want to hear what the problems are but we have no money.

>> Okay.

>> We are bringing it back, again, to get feedback from the different cities

.

What is very challenging is in certain zones who is stripe is driving the road program. Developers building things proportionate fair share and getting credits? We don't have credit or no actual money to build what we actually need.

>> We encourage high density development and figure for the left density also and word for developer to come in and be low density development

.

Regulatory side of it and requirements

.

It doesn't allow them to do it and better to do high density and why they get annexed with the city.

>> County staff is looking for recommendation for approval.

>> [Laughing].

>> Money, money, money.

>> This is no doubt they do need -- what they have in here is definitely needed and more. Believe me. I realize that. Anyway, let's let's move on.

>> Okay.

>> Chair, where do we stand now?

>> Yeah.

>> Any public participation for this?

>> We do.

>> Uh-oh.

>> Mr. Watts, state your name and address for the record and please --

>> I just want to -- brief comment Mr. Chair and members of the board. Also, here as a member of eCard, I wanted to thank your staff. We have worked with them on this particular set of amendments for many months

If you see this in your materials, everything you see here that is red was something we originally didn't fully disagree on or at odds on with changes and note exception and final final column on these is green.

>> Mark, we are on CIP annual updates.

>> Sorry. On wrong one. Okay.

>> I will bring you back.

>> We were talking so much about roads.

>> I will bring you back.

We just got off on a tangent on the capital improvement

Okay.

Anyway, let's let's get it back in line here

Any discussion on the updated 5-year schedule capital improvement capital improvement settlement of the comprehensive plan? The.

>> Well, we don't have any other public participation.

>> No, sir.

>> Okay. Closing floor of public participation and opening floor to commission for discussion.

>> Motion -- I authorize submittal to department of economic opportunity.

>> Okay.

>> Second.

>> Second.

>> Okay. I have a motion to forward this O-21-052 to the county council of recommendation of approval. Mrs. Young is motion and second from Mrs. Shelley. Discussion on the motion? All those in favor signify by saying aye?

>> Aye. That includes the 5,000 questions we had.

>> Yeah. Any opposition? Motion carries unanimously

Okay.

>> Next case is CPA-20-003 proposed ordinance 2021-2 amending chapter 2 transportation of the Volusia county comprehensive plan.

>> Mrs. Van Dam and playing Smith?

>> Trish Smith, planning and development services. This is an amendment to our transportation map of the comprehensive plan. You may recall we brought text to you last year

We had that passed on and are here to update the map and add a few additional policies to the text. If you can bear with me a moment, I will go through the report organization

You have paperwork in front of you, you just received today

First thing in your report is the staff report. Intent there is to provide a brief overview of the process

Appendix A is the ordinance that is one of the handouts you got today

Ordinance is correct. We do have 6 attachments which those are the 6 final maps that maps that would go with the ordinance and go to county council for approval. Those are on or happened to you today

It is page 7 and ordinance and maps are pages 12 through 12 through 17. That is the first handout. Second one is the entire map series

Might look confusing but what we tried to do is take the existing maps as they are in the comp plan

We showed you our proposed changes and third version of the map is the final that would go with ordinance. You are seeing final map twice in your report which would be page 19 through be page 19 through 40 of your report we are placing today.

Next, appendix B through

I.

One that we handed out today is the updated version

Appendixes are designed to provide detail for staff report on how each item occurs and what the outcome was

It would be page 41 through be page 41 through page 54 of your report.

After that, we have a thoroughfare analysis performed by traffic engineering staff

Then we move on to on to the map that Mark talked about

You have a very small version in your report and we thought it was in everybody's's best interest to give you a large version of this so everybody can read it

What is very neat about this is it follows comments from the city. They are comments from V-card. It shows how everybody worked together on this and went through all 16 municipalityies twice and went through V card twice

It is something we have worked long and hard for two years for 2 years now and longer with our traffic staff. Appendix J, we want you to look at page 68.

66 or 68 of your report going to be replaced with the larger version and apologize for that we had production errors and commitments to add additional checks and balances to make sure we don't we don't have to inundate you with paperwork on the day

Please accept my apologies for this

This is truly collaboration between public works county engineer and traffic engineering and growth management internally and V-card and municipalities.

I told you it has gone out twice to each of the groups to make sure they were happy with the results. Going back to appendix J in a nutshell looking at far right column that green means everybody finally agreed

.
It is interesting to watch the process evolve

.
Now, we have John Chaney and Melissa in the room to answer any technical questions you have about our traffic program

.
Melissa will give the presentation, I believe.

>> Thank you very much.

>> Melissa and Volusia county traffic engineer

.
Sorry, guys

.
Okay. County's comprehensive plan is made up of the transportation element. It includes transportation element as well as transportation map series

.
This amendment package proposes to make changes to the map. Some are minor and some are more significant

.
Some are housekeeping related.

We started this over 2.5 years 2.5 years ago.

It was something that came out of traffic engineering

.
We wanted to look at the thoroughfare plan and remove some roads in the cities that didn't function as thoroughfares.

They were roads that wouldn't be widened. Thoroughfares require lengthier spacing and larger driveways and promote higher speeds and make sense in some areas where slower speeds were present and where we wanted to keep them. They were more urban uses

.
We sent it up to the top. It came back down with all of the requests

.
This instigated a number of requests

.
That is the staff report and map that were redone 12 or 13 times

.
So, we apologize about any of the production errors

I'm surprised there there are not more. It can get confusing when things look the same but yet things change

Of course, some of the changes came from the cities in V-card that we will get into that a little later.

Next, please.

We will review all of the sections in the presentation

Next, please.

An overview is important to note that the amendment package has gone through extensive and governmental development community coordinations

Even before everything is going to the state or through Volusia gross management section we decided to reach out and make sure changes we were proposing made sense and weren't weren't offensive or weren't weren't changes that cities couldn't live with.

This is our attempt to make sure that amendments go through smoothly

We started sharing our information in 2019 with the cities

In 2020, we came back to the cities again and also included coordination with V-card as well as Volusia flag flagler and environmental action committee and on the slide shows major comments that we received

Then the request for change. We will get more into that later that later in the presentation

Next, please.

Our administrative updates include planned horizon year change from FWENT from 2025 2025 to 2035 2035 which is consistent with remainder of the comprehensive plan or what will soon be approved in the comprehensive plan.

We also removed maps that we felt weren't weren't very useful or were maintained in a better way way by a different entity

The 2006ap is proposed to be eliminated because we don't really use it. We have and can look up number of lanes we have right now on our traffic engineering traffic count spreadsheet getting service level information and accounts and good data for today

What is useful is that snapshot of 20352035.

That let's us know what number of lanes will be in the be in the future and what are or government has approved to be widened in the future or extended

We also are proposing 2006 2006 level of service maps to be eliminated and same reasons and public transportation map is transit-related map. It is a better map to use that they have of what they call TDP, transit development plan with family that is being updated right now

It is a 10-year plan that is coordinated with all of the cities in the county every 10 years.

Also, roadway maintenance map was very outdated

.

Maintenance is something that changes all the time

.

That database is maintained by road and bridge division and information is available on the Website and figure numbers had to change because of elimination from what we were going from 10 maps down

to 6.

Next slide, please

.

This is where we get into more significant amendments and information is available on the Website and figure numbers had to change because of elimination from what we were going from 10 maps down to 6.

Next slide, please.

This is where we get into more significant amendments

.

Next slide, please

.

Thoroughfare roadway map is being proposed to add one road and eliminate 25 roads

.

We wanted to add [Indiscernible] road to the emergency evacuation map we had to add to the thoroughfare map meaning it had to get added to all of the other maps. You will see comments coming in for that time after time. Each of these asked for us to add TCAs transportation concurrency accumulation areas and we did that.

We have that information or related information on the map from DeLeon and Daytona.

We are proposing to locate thoroughfare road section areas and we did that.

We have that information or related information on the map from DeLeon and Daytona.

We are proposing to locate thoroughfare roads to -- this southern part is being relocated because it is not where the real population core of East Volusia is. It is more of a sprawled area that we don't see as need at this time

.

Emphasis on this time; right?

Same goes for Madelyn Avenue extension and west side connector. West side connector in west Volusia that is further to the west and we don't see it as a need at the time this time

.

Next up.

Okay. Future needs list, what is it?

If adopted list of roads forecasted to be built in the future out 2035 planned horizon that they would be removed from the map. We still would issue impact credits for right of way to secure right of way from developers to get that opportunity to save us money in the future

.

We typically wouldn't provide impact fee credits for construction

.

That is going to be limited to case-by-case basis decided by county engineer

.

We thought it would be better to add the roads to a list instead of removing them entirely and we currently have many, many priorities and needs right now. Critical near critical mass Mr. Tinni referred to it to it previously in the CIPs in the CIPs analysis and shows in red and orange where failing roads are today or near failing roads and and purple and blue roads are roads in the future that will fail with development structure

.

We have plenty to do and ended up moving only these four roads ideally.
It could be more but we had a hard time

.

Next slide, please

.

This here is proposed to be moved because they are city-maintained. We removed everything city-maintained. Causes confusion for developers.
If city roads are on our thoroughfare plan it is confusing

.

Next slide, please

.

Lastly, we are proposing to remove thoroughfares to thoroughfares to operate as local roads that are roads that are generally local and non-regional and they have fee limits and lower traffic volumes and and shorter lanes like 3 miles 3 miles or less we are or less we don't have plans to wind them. Next slide, please please this shows thoroughfare collector roads we are moving

.

We looked at -- we looked at all of the thoroughfare collector roads in these urbanized boundaries which is how we started with analysis. We had to start somewhere that made sense and looked at all characteristics. This is simplistic what you have in your staff report for the back

.

Page 56 goes into more detail.
Most of them are propose today be removed

.

They serve only one city.

They have road lanes that are equal or three miles 3 miles or less. Sorry. Next, please.
I had it again. Now we are into number lane update

.

We started with the update because we saw number of lanes was outdated not keeping up with development that was being approved

.

On the slide is widening, proposed widenings associated with recent development. It is not all needs but some needs

.

Next slide, please

.
Okay. This slide.

We have a few non-development related changes one has to do with I4 beyond the ultimate project where I4 is included including managed lanes and also interchanges of CISM Don and varied sexton and varied oil of those interchanges will be widened so slight changes with the interchanges

.
Lastly sorry going back up to creek road was added as a 4-lane road a B-card request and landowner donated enough right away for us to construct a 4-lane. We agreed right away that, that was a good change

.
Lastly, this is being shown as a future 4-lane road

.
It is grebe is -- not on this map. It is on the thoroughfare map and right now it is not built to thoroughfare standards

.
It will be four lanes in the future consistent with local plans

.
Next, please.

Level of service map update.

>> This is a minor update. We had a request come in from city of lake Helen Lake Helen

.
They wanted Main Street level service to go from C to D so capacity would actually increase this way way.

Rural areas are generally supposed to have a level of service of street. When roads carries more urban traffic or becomes more developed we will change level of service standards to an E consistent with the rest of the county urban roads.

>> Scenic corridors map up date. This is relatively minor adding heritage byway in east Volusia including A1 at SR40 to Sturm from 40 to Bell view and highlights several -- includes Main Street and orange avenue bridges on this it looks purple but it is pinking on the final map

.
We also made updates to eliminate confusion we had. These are like a yellow center line running through some of the existing scenic roadways that makes sense and now it is more clear. Every scenic road has its own color

.
We also eliminated any scenic road in the city.

Well, any city maintained by region to include on the roadway map.

Next, please

.
As stated before, we have coordinated with the cities twice and V-card several times and list of these shows the more significant comments and Schepenss and responses

.
For the request that we couldn't approve, we always provided an explanation

You know, sometimes it requests conflicted with comp plan or regional plan and sometimes request it makes sense from a financial perspective or contact contact perspective

For example, we had a request come in for the 8-leaning of LPGA Boulevard

8 leaning Leaning Roadwayway is a big deal and feel of an 8-lane roadway is way way different than 8-lane roadway and bike or pest or pedestrian crossing a wide road like this as difficult. Going to the city in that case is Daytona Beach for their input and needs to go to council and some requests we got needed to go to council and were beyond what staff would be comfortable with.

Next, please. Next up is my favorite slide moving on and going to council and then to Volusia gross management commission and through the whole process you are aware of.

Next, please. That is it. Any questions? I know you will. Yeah.

>> [Indiscernible]. We are eliminating the connector. How do we overcome that where -- I mean, pretty long stretches in and out of designated connectors. What is the end result?

>> We can't or don't like to leave any road that has no connection. I see what you mean. We just felt those roads were not thoroughfare roads

They were more residential and needed to have slower speed limits.

Do you have a better answer?

>> This is a connector going between between through fairjust connector eliminating connections.

>> We are and we don't really like to do that.

The main issue is that we have arterial collector and local local roads that roads that are federally functionally classified and we are not eliminating any fed.

>> ERIN LARA: Functional clacks classification and collector road will remain a collector road

Difference is it won't be or thoroughfare. We are eliminatingeral functional classification and collector road will remain a collector road.

Difference is it won't be or thoroughfare. We are eliminating and we are setting priorities and focusing on arterial roads and those regional in nature and trying to impact future development to say these are road it's it's that are important and that we think will be widened and how wide they will be.

Like I said, as it relates to connector roads

Again, that is something that we will make with view

I know you are saying from grand avenue is a little short connector from grand over to US-17 in Pearson and de deland spring.

>> You are eliminating some connectors so what are you going to do in replacement?

>> Again, it is nice to have a nice and clean this is a route and remember that thoroughfare is unique in Volusia county. I don't believe anyone else uses the term thoroughfare. We use it. When we designate and collect impact from our development, these are are roads we will spend it on. We are talking right now when we do the impact fee updeck fee uptake

.
Are we going to use all arterial and collector roads to set new impact fee and do a subset where the money will be spent setting that fee?

Other question I had is orange camp road there

.
You have a future of 4-lane

.
Engineered as a roundabout as a roundabout at the intersection of orange camp and Martin Luther

.
My question to you is if we do a future use of 4-laning, is a roundabout going to be efficient in the intersection based on engineering and construction, I guess, with that, that was done and signal at intersection and consultant doing the design project came back and said a round a roundabout would be more efficient and throughout the day we would have better level service and less delay at anything

.
Intersections we measure level of service by person later later to vehicles and there would be less throughout date. With that being said, there might be periods like a.m. and p.m. peak where you may experience congestion at roundabouts with cue being built up and best possible roads state 44 and Kepler would have their roundabout and those on the road would PE people trying to people trying to bypass state road to get into the land and bypassing 472 at Martin Luther King because of the congestion of the inter the intersection.

Again, the roundabout will work

.
This I hope is not the quote of the day or anything and will work a vast majority of the time. It will be congestion in the a.m. and p.m. peak and question will be how long is that peak and land you have PM peak in 15 minutes in 15 minutes when everyone is leaving in the afternoon and mid-day peak where everyone is going to columning to lunch

.
My question going back to question is 4-lane and bad enough on 2-lanes

.
44 and grand archAnd Grand Avenue is a roundabout and works good and there is not much traffic on grand avenue. Constant flow on arteryies there and on top of that you 4-lane it, how will that work?

>> How is it going to work?

>> I would refer you to Department of Transportation what they did they have a roundabout at that location also. They have an excellent presentation in the video how traffic pedestrians and bicyclists can maneuver through the intersection.

>> With the 4-lane?

>> With the 4-lane. They also have an an an animation.

>> Mrs. Van Dam?

>> Not a question or to rip your hair out more than you already have on this text updates might want to make note that corridor federal status last -- I don't know if you need something from them on that.

Since you make changes anyway and notice if you you mark if they are county or state or federal.

>> Thank you. We will look into that.

>> Do we have questions?

>> Now I'm hearing. Hear in my capacity as a member of V-card, I just want to thank staff. We support amendment in front of you interesting I made this and Trish said something about this in her presentation and this is the matrix reviewing staff and and whole bunch of colors here with disagreement and information needed and we got to point we understood the changes and we had some questions and compromise and everything else in-between as we went through it

I want to say the county is well-represented by John and Melissa and traffic engineering staff who does a phenomenal job and things you talked about this morning is local governments are [Indiscernible] by changes in the statute over the past decade or more in regards to how we approach traffic

What we do with your staff is from a development community standpoint, you know, moving our road network forward as residents that live in the area as well as professionals that deal with it, it is a collaborative approach and we work together to design or maximize benefit to the county road network coming from the projects coming into the community

Within the parameters of the state law

Your staff, I think,, I think they do a maximum job about dollars of maximum benefit of the community and enjoy working with them. It is collaborative and collegial and sometimes there is conflict and argument or discussion in it

At the end of the day I respect folks that you have making your recommendations to you and working on your behalf and the county

Happy to answer questions you might have from private sector with regards to involvement in the discussion and appreciate opportunity to be involved with it. Staff made this and I was im impressed with their organization

In any event thanks for thanks for opportunity to be here and speak this morning and thank you to your staff.

>>

>> On the roundabouts my wife's's family is from Mexico and rule is you go in and hold on and don't hit anybody

As long as you can do that it will work fine.

>> First one was [Indiscernible].

All right

Okay. Do we have other public participation?

>> No.

>> Okay. Hearing none we will close board of public participation and open to the board for discussion or a motion.

>> I will say that going through this transportation element, there is lots of things at collaborative agreements and what everybody wants and.

>> Mr. Chair, I will make a recommendation that amendment consistent with the comprehensive plan forward application of of case CPA-20-003 for county council recommendation of approval and transmitted to DEO for review and to VGMC for certification.

>> I'll sect.

>> Okay. Motion to forward the CPA-20-003 to county council recommendation of approval

.

Also, I have a second from Mrs. Van Dam

.

Any discussion on the motion? Hearing none. All those in favor signify by saying aye.

>> Aye.

>> Any opposition?

Motion carries unanimously

.

Mrs. Van Dam?

>> Last case, CPA-21-005 proposed ordinance 2021-10 amending chapter 5 housing element of Volusia county comprehensive plan.

>> Okay. [Indiscernible].

>> Yes. This is your last item. I will try to be quick. I think it will be a little easier. We are updating the housing element of the comp plan. This, again, is another collaborative collaborative effort between planning department and community services division and affordable housing advisee advisory committee and environmental group and municipalityies in V-card and starting with report. This is easier. Staff report in beginning of page 1 followed by ordinance on page 4.

After that, we have the text from chapter 5 and underline describing through that you can see the changes. It is actually exhibit

A page 7.

Following that, we have comments from city of oak hill and V card you will find them on pages 30 and 31 31 of your report and very last thing is is excerpt from state statute relating to housing on page 32 and elements brought to you and updated references to documents and date and corrected misspellings and tried to improve grammar a little and two new policies first is policy 5.1.1.17 and purpose of that is to recognize affordable housing committee and to define their role

.

Second policy is policy 5. 5.1.2.9 which adds specific reference to workforce housing in the fast we talked about affordable housing wanting to put to put workforce housing into the comp plan

.

The next thing that we tried to do was to make all policies consistent to say very low, low, and moderate income

.

We kind of bounced around there in there in our plan and to help you understand what that is, very low is less than 50% of the median AGI and low is less than 80%

.

Mod real is less than 120%

.
Our plan has a definition of affordable which everyone typically hears 30% of your income should be dedicated to housing

.
We added term workforce housing to the definition section

.
To remind you that workforce equals low and moderate income category.
80 and less than
120.

It doesn't include very low.

One of the other things we did is changed group homes to community residential homes to homes to be consistent with state statute

.
We added new term to the definition section

.
Affordable -- this is my favorite one, affordable housing committee recognized people first language

.
Didn't know what they meant and complained complain SCOMPLAINED to me over and over in meetings.

My example of that is instead instead of me saying I have an autism an autistic son my son has autism. I'm not labeling him

.
We did that throughout all of the disabilities listed in the housing elements

.
We had policy 5 about the 5.1.6.2 which is an existing policy talking about density bone crags for affordable housing they asked us to add term workforce housing after affordable housing

.
Same policy about you added workforce housing

.
Changes were requested like in the transportation map

.
We need today get council approval before we could change them and a clarification is there is policy 5. 5.1.1. 5.1.1.3. It is renumbered to policy 5.

5.1.1.2.

It says Volusia county shall encourage residents using septic tankings ins in residential urban areas to connect with sewage treatment plant and correct in staff report page 2 and correct in matrix page 18 and we realized it is incorrect in the housing text

.
If you saw something different than that, that implied changes that was incorrect.

AHAC was concerned.

We discussed changing policy to try to strengthen it

.
To one likes the word encourage. We discussed require

AHAC had concerns about forcing people that couldn't afford to hook up to the sewer

City of oak hill encouraged stronger language than we were proposing and took pause in environmental team and requested we leave it as-is for now and we seek board direction on that issue in the future

Second clarification was policy

5.1.1.10.

It was renumbered

to 5.1.1.9.

It says Volusia county shall not issue development orders for urban residential development in resource areas correct onmate trix page 19 and incorrect in text on page 10 and we discussed changing that to clarify meaning of the policy and environmental team requested that the policy remain as-is. We will leave it as currently adopted

I think and not trying to trying to put you on the spot here, Paolo. There were discussions of that policy Paolo might be able to expand on if you have questions about that. That is all of the changes we have. We are happy to answer any questions you might have.

>> Chair, clarification for definition of workforce housing

There is an error on my part. Took definition from the state definition and median income adjusted in household applies and state concern designated under 25.

It is 80% for household size or in in a certain designated area concern rises to 100 not state definition of workforce housing

We willix that definition to match this.

>> Staff report?

>> That is it.

>> Questions of staff?

Mrs. Van Dam?

>> Sorry. Just a quick one.

Regarding normal over lay

That goes away when a property is annexed?

>> I believe it stops being part of our comprehensive plan which doesn't apply to cities. They have their own comprehensive plan by statute.

>> To ignore normal designations?

>> No. It wouldn't wouldn't be designated normal under their comprehensive plan

Well, here is -- complicated

When a property is annexed, unless and un and until city takes affirmative step to redesignate to city

landuse designated zoneing actually carries with it county zoneing and lending ining until they change. You see it all the time and see annexation

There is supposed to be a follow up plan and zoneing. They are operating under their comprehensive plan

If they choose to amend their comprehensive plan and take it out, they wouldn't wouldn't be subject to the instruction.

>> Thank you.

>> This affordable housing and housing element update we request to put a board member on there. I think it was program. Was it not?

>> I believe AHAC has an option to have one of the local planning members there.

>> We have one.

We haven't heard anything on that. Have any input on this?

>> We will check into that to see where that request is.

>> Okay. One other thing I will throw out there is a suggestion. I always do when it comes to this is that in here where it says connect with the municipal or county operated sewer treatment plants

Has it ever been suggested they may do a higher treatment type onsite system rather than municipal or a county operated sewer treatment given that option?

There are systems that do higher treatment and accomplish what you are asking them to do by requireing hookup.

>> I will tell you environmental group and utilities folks will look at this very closely and came up in the housing element when they reviewed it

There is lots of discussions now about how to address all these. I think they are working through that now.

>> Okay. Are there lots of options now other than standard septic tank and hire treatments and matter of fact get better results? All right. Any other questions for staff?

Okay. Any other participation on this?

>> No, sir.

>> We will close the floor to public participation and open discussion or a motion.

>> Mr. Chair, I will make a motion that we find amendment consistent with comprehensive plan and forward application CPA21-005 to county council with recommendation of approval to transmit to department of economic opportunity view and to growth management commission for certification.

>> I will second that.

>> Okay. I have a motion to forward CPA-21-005 to county council with recommendation for approval from Mrs. Van Dam and second from Mr. Jay Young. Discussion on the motion? Hearing none all those in favor signify by saying aye.

>> Aye.

>> Any opposition? Motion carries unanimously

Okay. That does it for new business today

.

I don't think we have old business. Do we?

>> No, sir.

>> Okay. Do we have any other public items?

>> No, sir.

>> Any staff items?

>> Well, I would like to bring up we are embarking on our budget process which we do every year about this time.

We either budget for lots of paper or budget for some devices that we could push agendas out to you guys and electronics and I want to know what the board feels

.

I know you have been offered this in the past

.

To be honest, it would save a lot in paper and staff time and we are not mailing them anymore

.

We are actually delivering them

.

It would save a lot
in that.

I know that there has been -- I -- we are reluctant from the board to go to the electronic version

.

Wanted to bring that up because now is the time for us to include it in a budget in a budget item if that is something you are interested in.

>> From point of view I have no problem in that.

>> I have a problem because of the -- not only the printing, but I should turn the microphone off.

Spectrum is my biggest problem. In my neighborhood, sometimes they don't get it or we get cash we get garbage. I have a real problem and I like to make notes on the paper

.

That is just
me.

If everybody goes along with it, I will try.

>> As far as notes go, I know you like to write notes in margins and stuff. Can you have a separate paper to write notes on and be able to reference and can bring laptop in or device we get into the thing and you can reference page numbers and so forth
forth.

>> I don't I don't have a lot but that is all right. I threw it away a long time ago.

>> We'll provide you.

>> We will provide it.

>> Okay.

>> Yeah. You have a committee on this thing you are putting this together?

If you talk about buying laptops and issuing us all laptops?

>> I don't know. Could be laptops or iPads.

>> Or iPads. From that perspective, cloud T we can download our own and have access to cloud right here and write notes directly into the cloud on the document itself we can see and share if we need to

in meeting opposed to not trudging along with another piece of equipment that will be obsolete in 24 months and have option of being broken dropped or stolen is my personal opinion at this point. We need electronic device to be tethered to is my point.

>> We can study the situation and lots of it depends what IT group is willing to do.

We can study what options are on our side.

Ki provide them to you next month or month after

.

At that point we have to start rolling them into the budget.

>> You are exploratory at the moment?

>> Yes. I want to get a feel for if you are interested at all.

>>

>> I meant making notes on my copy.

>> Okay.

>> And that I'm able to access from this particular screen. I'm not bringing an additional screen. My notes are private to me N- un Leitz I want to share them.

>> All right. We have two members that would rather have safest for idea

.

How do you feel about it?

This paper.

>> I agree I don't like we use this much paper

.

I'm neutral and could go either way way. This is majority of the group that prefers this electronically. I do every time I get this packet and here it comes again and I go [Indiscernible]

.

That part of it I don't like. I like to note and it is something we can all learn to do if that is the majority.

>> I understand and like 2 for 2 when doing presentations and don't want to have to work off a laptop and completely get it and trying to trying to find out research and find out options available to bring back for discussion.

>> Course education too. Believe it or not I have an engineering degree and gave up up computers when I retired.

>> No problem. We will help you out. That is all for me.

>> Okay. Any other staff comment?

Okay. Commission comments? Frank costa, you have one?

>> I have many but will reVEFSH reserve most for today. Reserve on application?

>> They are up on the council clerk. I haven't heard.

>> Did they vote in February or March? March?

>> March.

>> Okay. Next month?

>> Yeah.

>> Okay. They have our apps now?

>> Yes, sir. They do.

>> That is it.

>> Okay. I have a comment. You hear me talk a lot about high density growth and everything. I want to clarify something that I'm not that I'm not against growth growth as long as it doesn't increase problems it has been creating

If we can resolve issues I have no problem and think there is a place for it

Problem is I'm seeing is scene put in end result and what it has on residents in on residents in the community and I want to let that be known

I'm not anti-development, high density development

I'm looking at the whole target not just bulls eye.

I this I it should be something to try to do with the cities and know a lot of it. We will go through the county and we will go to the city and get through the city and goes back to county to maintain roadways.

We need to get working relationship and there has to be very aware of it

It is obvious to drive around and intersection before you get through it

Anyway, that is my comment on that.

Any other comments?

>> Just kudos to staff for work on comprehensive plans

That is a really good job that I know was a lot of work.

>> Other comments?

>> Okay. Do we have any [Indiscernible]? None? This meeting is adjourned. Studs is auto RKSDZ restrikes low design ray William & Mary is

National institute of allergy and infectious DiseasesInstitute of Allergy and Infectious Diseasesational institute of allergy and infectious diseasesNational Institute of Allergy and Infectious DiseasesonDr. Anthony FauciDr. Anthony Fauci astra xen ebbsingeneca is Jansen Nov aavaxsen Novavax biotech faux sun pharma Pfizer Moderna

>> MODERATOR: Earn

>> MODERATOR: Earn ah.

>> MODERATOR: