



City of Deltona

PLANNING & ZONING BOARD MEETING WEDNESDAY, FEBRUARY 18, 2015

7:00 P.M.

COMMISSION CHAMBERS
2345 PROVIDENCE BOULEVARD
DELTONA, FLORIDA 32725

Chairman
Tom Burbank

Vice-Chairman
Adam Walosik

Members:

Wendy Hickey

Victor Ramos

Noble Olasimbo

Herb Zischkau

Stony Sixma

Staff Liaison
Chris Bowley, AICP

AGENDA

1. CALL TO ORDER:
2. ROLL CALL:
3. APPROVAL OF MINUTES: January 21, 2015
4. PUBLIC COMMENTS:
5. OLD BUSINESS:
6. NEW BUSINESS:
 - A. Resolution No. 2015-02, Conditional Use Application, CU15-001 Iglesia De Dios Pentecostal Church
7. MEMBER COMMENTS:
8. ADJOURNMENT:

NOTE: If any person decides to appeal any decision made by the Planning & Zoning Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).
Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 878-8100.

CITY OF DELTONA, FLORIDA
PLANNING & ZONING BOARD MEETING
WEDNESDAY, JANUARY 21, 2015

A Regular Meeting of the Deltona Planning and Zoning Board was held on January 21, 2015, in the Commission Chambers located at 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Chairman Burbank.

2. ROLL CALL:

Chairman	Tom Burbank	Present
Vice Chairman	Noble Olasimbo	Present
Member-Secretary	Wendy Hickey	Present
Member	Victor Ramos	Present
Member	Adam Walosik	Present
Member	Stony Sixma	Present
Member	Herb Zischkau	Absent - Unexcused

Also present: Planning & Development Director, Chris Bowley, AICP; Assistant Director, Ron Paradise; City Attorney, Becky Vose, Esq. and Administrative Assistant, Kathrine Kyp.

3. APPROVAL OF MINUTES:

A. Minutes:

1. Meeting - December 17, 2014.

Motion by Member Ramos, seconded by Member Sixma to adopt the minutes of the Planning & Zoning Board Meeting of December 17, 2014, as presented.

Motion carries unanimously.

4. PUBLIC COMMENTS: None

5. OLD BUSINESS: None

6. NEW BUSINESS:

B. Election of Officers.

Secretary Hickey called for nominations for the position of Chairman. Member Burbank nominated Adam Walosik. Member Walosik declined and made motion for a vote of confidence for Chairman Burbank. The motion carried unanimously.

Chairman Burbank called for nominations for the position of Vice-Chairman. Member Sixma

49 nominated Adam Walosik. With no further nominations for the position of Vice-Chairman,
50 nominations were closed. The motion was seconded by Member Olasimbo and the motion carried
51 unanimously.

52
53 Chairman Burbank called for nominations for the position of Secretary. Member Sixma nominated
54 Wendy Hickey. With no further nominations for the position of Secretary, nominations were
55 closed. The motion was seconded by Member Ramos and the motion carried unanimously.

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57 **A. Ordinance No. 01-2015, amending the Office Residential (OR) zoning district.**

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59 Mr. Bowley presented a background regarding the amendments to the OR zoning district language
60 to allow for reduced parking standards and landscape requirements.

61
62 Member Walosik stated that the conversion of residential lots to commercial uses would look
63 unattractive for current and future developers. He suggested cross access easements and limited
64 access lots throughout the entire length of the roadway. Mr. Bowley agreed and stated that the lack
65 of utilities is a deterrent for reuse of lots, due to the accommodation of septic tanks and
66 drainfields.

67
68 Chairman Burbank asked whether the reduction of parking spaces would be applicable for the
69 entire OR zoning district and any Conditional Use, such as houses of worship. Mr. Bowley stated
70 that, if the house of worship would act as an assemblage, then the parking ratio requirements
71 would need to comport to the assemblage requirements. Mr. Bowley stated that, the house of
72 worship use has not been changed under the Conditional Use section since the original OR
73 rezoning action that occurred to establish the district and no applications have been submitted to
74 request this type of use. Discussion amongst the Board and staff ensued regarding the limitations
75 of the parcels within the OR zoning district and restrictions of the reuse of the associated
76 properties.

77
78 **Motion by Member Olasimbo, seconded by Member Hickey, to recommend that, the City**
79 **Commission approve Ordinance No. 01-2015, amending the Office Residential zoning district.**

80
81 **Motion carries unanimously.**

82
83 **7. DISCUSSION:**

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85 **A. By the Board:**

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87 Discussion between the Board and staff ensued regarding future sewer connection in the Saxon
88 Boulevard corridor.

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90 **B. By the City Attorney: None.**

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92 **C. By Planning & Development Staff: None.**

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94 **8. ADJOURNMENT:**

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96 There being no further business, the meeting adjourned at 7:30 p.m.

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ATTEST:

Tom Burbank, CHAIRMAN

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Kathrine Kyp, RECORDING SECRETARY

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AGENDA MEMO

TO: Planning and Zoning Board **AGENDA DATE:** February 18, 2015

FROM: Chris Bowley, AICP, Director **AGENDA ITEM:** 6-A
Planning and Development Services

SUBJECT: Conditional Use Application CU15-001 Iglesia De Dios Pentecostal Church
(Resolution No. 2015-02).

LOCATION: 840 Fort Smith Boulevard, Deltona, Florida 32738. The property is generally located along Fort Smith Boulevard, about a half mile east of the intersection of Normandy Boulevard and Fort Smith Boulevard.

BACKGROUND: The City has received an application for a Conditional Use; file number CU15-001, to expand a house of worship, Iglesia De Dios Pentecostal Church, within an R-1, Single Family Residential zoning district. The church, located at 840 Fort Smith Boulevard in Deltona, was built in 1982 and has outgrown the existing space. The church plans to expand the building and the parking area to meet the needs of the growing congregation. House of worship is not a principle permitted use in the R-1 district and expansion requires a Conditional Use.

For more information concerning this proposal including detailed graphics, public service analysis, etc., see the attached staff report.

ORIGINATING DEPARTMENT: Department of Planning & Development Services

REVIEWED BY: Reviewed by Chris Bowley, AICP, Director, Planning & Development Services
PRESENTED BY: Presented by Scott McGrath, Planner II, Planning & Development Services

STAFF RECOMENDATION: The Planning and Zoning Board recommend that the City Commission adopt Resolution No.2014-29 allowing for the Conditional Use with conditions.

POTENTIAL MOTION: **“I hereby move to recommend that the City Commission adopt Resolution No. 2015-02”.**

ATTACHMENTS: CU15-001 Staff Report
Resolution No. 2015-02



Memorandum

To: Planning and Zoning Board

From: Chris Bowley, AICP

Date: February 5, 2015

Re: Project No. CU15-001

I. SUMMARY OF APPLICATION:

Applicant: Iglesia De Dios Pentecostal Church, located at 840 Fort Smith Boulevard in Deltona

Request: The City has received an application for Conditional Use, CU15-001, to expand a house of worship within an R-1, Single Family Residential zoning district.

A. SITE INFORMATION:

Tax Parcel No.: 8130-19-00-0010

Property Acreage: ± 5.82 Acres

Property Location: 840 Fort Smith Boulevard, Deltona, Florida 32738

Legal Description: Tract A Deltona Lakes Unit 19 per Ordinance 2140 Page 1547.

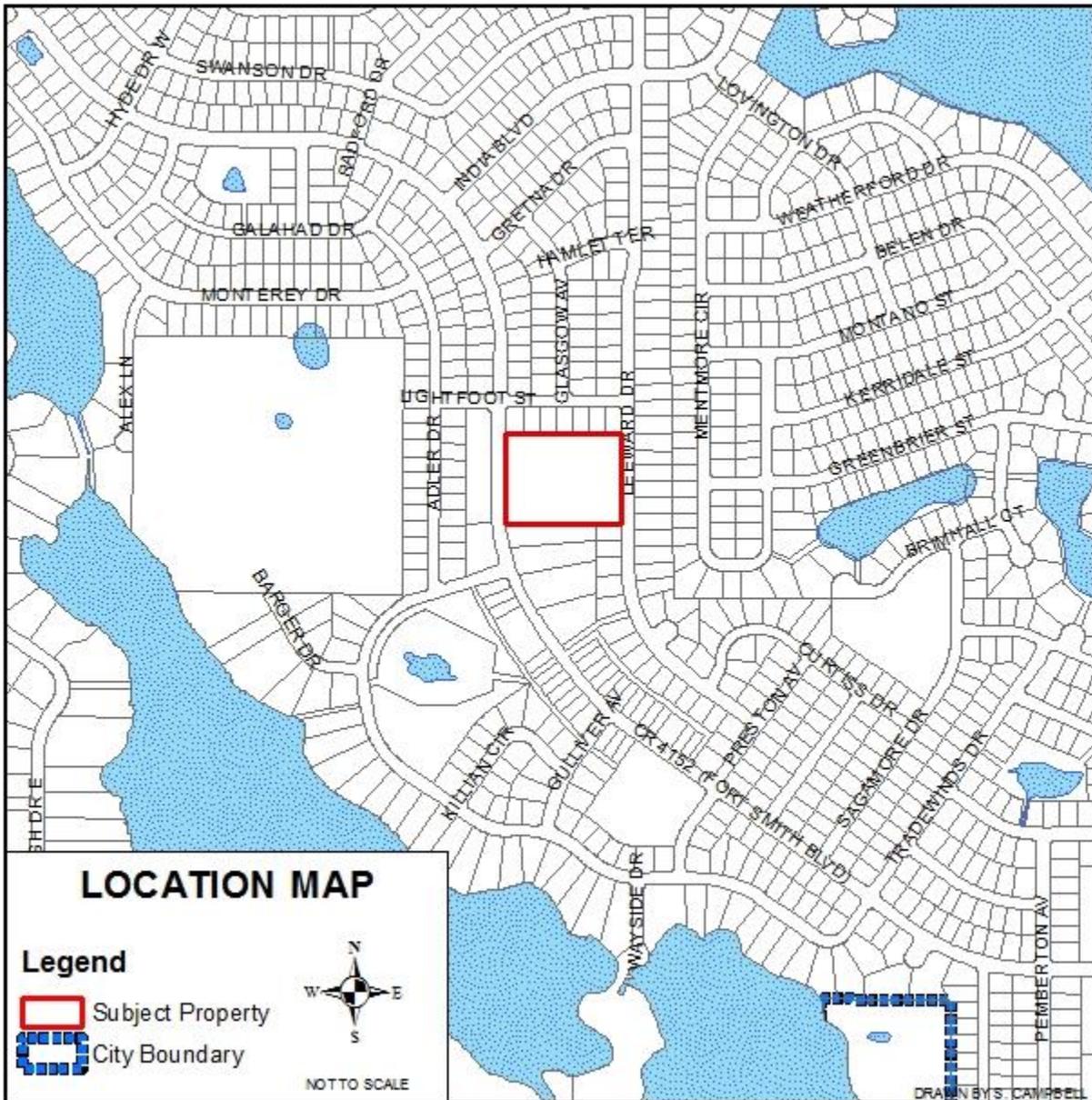


Figure 1: Location Map



Figure 2: Aerial Photo



Figure 3: Future Land Use Map

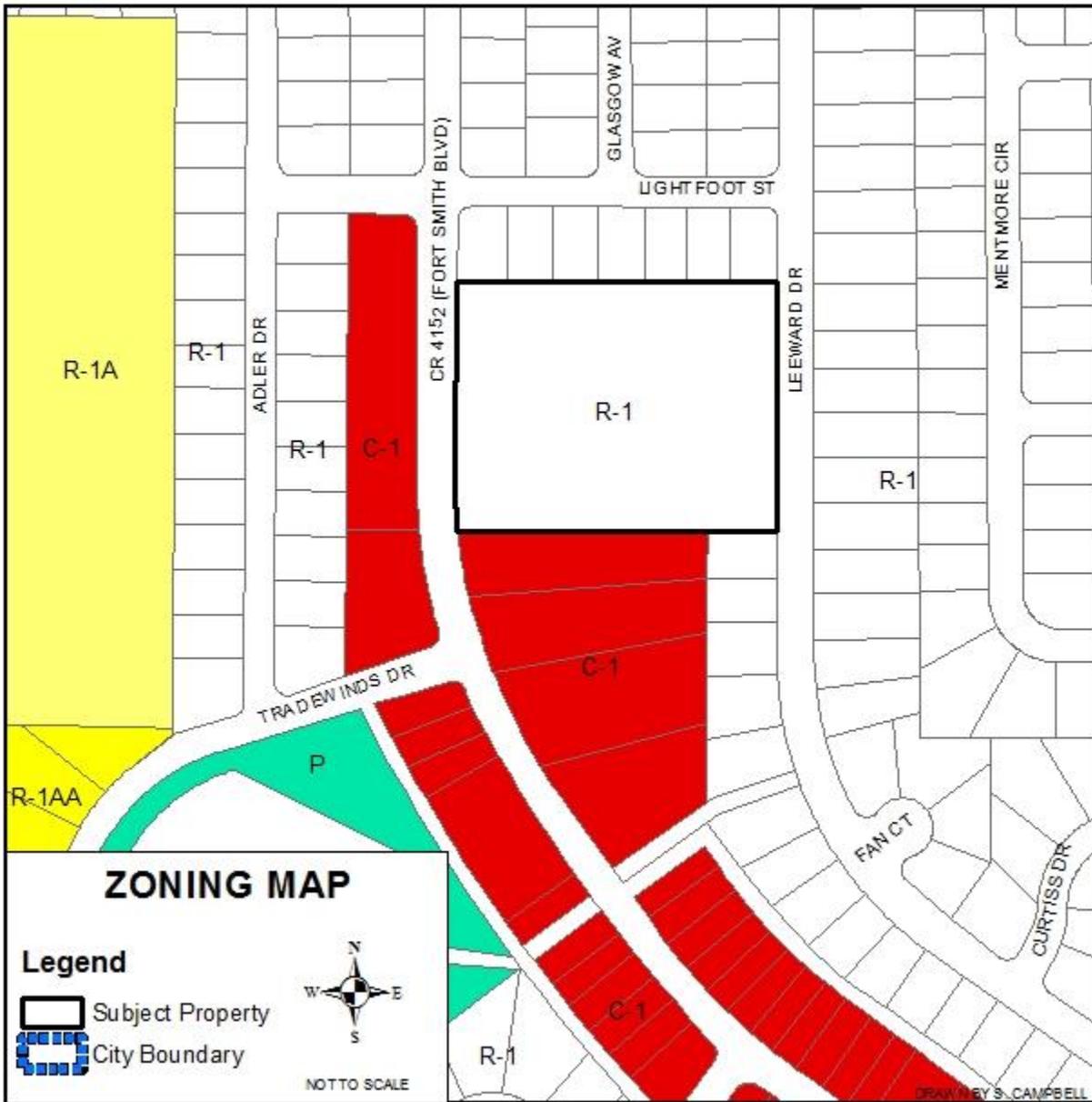


Figure 4: Zoning Map

B. Existing Zoning:

1. Subject Property:

Existing: R-1 Single Family

2. Adjacent Properties:

North: R-1 Single Family

South: C-1 Retail Commercial

East: R-1 Single Family

West: C-1 Retail Commercial

C. Background:

The City has received an application for a Conditional Use, file number CU15-001, to expand a house of worship, Iglesia De Dios Pentecostal Church, within an R-1, Single Family Residential zoning district. The church, located at 840 Fort Smith Boulevard in Deltona, was built in 1982 and has outgrown the existing space. The church plans to expand the building and the parking area to meet the needs of the growing congregation. House of worship is not a principle permitted use in the R-1 district and expansion requires a Conditional Use.

D. Support Information

Public Facilities:

- a. Potable Water: to be supplied by Deltona Water
- b. Sanitary Sewer: to be supplied by Private System
- c. Fire Protection: Fire Station 63
- d. Law Enforcement: Volusia County Sheriff's Office (VCSO)
- e. Electricity: Florida Power and Light

E. Matters for Consideration:

Section 110-1102, Code of City Ordinances, states that the City shall consider the following matters when reviewing applications for Conditional Use:

1. It is inconsistent with the purpose or intent of this chapter?

The application for expansion of the church and parking facility is consistent with the purpose and intent of Section 110-1102.

2. It is inconsistent with any element of the comprehensive plan?

The application is consistent with all elements of the comprehensive plan.

3. It will adversely affect the public interest?

Approval of this application for Conditional Use will not adversely affect the public interest.

4. It does not meet the expressed requirements of the applicable special exception?

A house of worship is a conditional use in the R-1 Single Family zoning district, a special exception would not be applicable.

5. The applicant will be able to meet all requirements imposed by federal, state or local governments, or by the commission?

The applicant will be able to, and required to, meet all applicable federal, state, and local laws and ordinances.

6. Notwithstanding the provisions of Chapter 86, Code of Ordinances, as it may be amended from time to time, it will generate undue traffic congestion?

The house of worship operates primarily during off-peak hours and will not adversely affect traffic or create undue congestion.

7. It will create a hazard or a public nuisance, or be dangerous to individuals or to the public?

The expansion project will not create hazard conditions or public nuisance. It will not endanger the public or individuals.

8. It will materially alter the character of surrounding neighborhoods or adversely affect the value of surrounding land, structures or buildings?

As part of the Final Site Plan application requirements, the buffers between the church and the neighborhood will be improved, which will help maintain and improve the value of the surrounding land, structures and buildings.

9. It will adversely affect the natural environment, natural resources or scenic beauty, or cause excessive pollution?

The project will have minimal impact on the natural environment and natural resources. It will have increased landscaping and buffers which will help reduce pollution while increasing the beauty of the property.

CONCLUSION/STAFF RECOMMENDATION:

Staff recommends approval of Resolution 2015-02 (CU15-001) allowing for the expansion of the house of worship and its parking facilities located at 840 Fort Smith Boulevard in Deltona.

RESOLUTION NO. 2015-02

A RESOLUTION OF THE CITY OF DELTONA, FLORIDA, GRANTING A CONDITIONAL USE TO EXPAND A HOUSE OF WORSHIP WITHIN AN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT FOR THE PROPERTY LOCATED AT 840 FORT SMITH BOULEVARD, WITHIN THE CITY OF DELTONA; PROVIDING FOR CONDITIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Igelsia de Dios Pentecostal Church has submitted an application for Conditional Use, CU15-001, to a conditional use to expand a house of worship within an R-1, Single Family Residential zoning district; and

WHEREAS, in accordance with Section 110-1102 Deltona City Code, the City of Deltona held a public hearing after due public notice to review the proposed Conditional Use Application, Project Number CU15-001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, as follows:

Section 1. Conditions of approval. In accordance with the Code of the City of Deltona, Section 110-1102, the Deltona City Commission hereby grants a Conditional Use, CU15-001, for the expansion and operation of a house of worship at 840 Fort Smith Boulevard, subject to the conditions, in part per Sections 110-817 of the Land Development Code that require buildings be no closer than 50 feet from any property line and that off-street parking areas meet the landscape buffer and parking surface requirements.

Section 2. Effective Date. This Resolution shall become effective immediately upon its adoption and is valid for a period not to exceed twenty four (24) months from the date of adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA THIS _____ DAY OF _____ 2015.**

BY: _____
JOHN C. MASIARCZYK, SR., Mayor

ATTEST:

JOYCE RAFTERY, CMC, City Clerk

Approved as to form and legality for use
and reliance of the City of Deltona, Florida

GRETCHEN R. H. VOSE, ESQ., City Attorney