

**CITY OF DELTONA, FLORIDA  
PLANNING & ZONING BOARD MEETING  
WEDNESDAY, AUGUST 17, 2011**

A Regular Meeting of the Deltona Planning and Zoning Board was held on Wednesday, August 17, at the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

**1. CALL TO ORDER:**

The meeting was called to order at 7:03 p.m. by Chairman Burbank.

**2. ROLL CALL:**

Chairman	Tom Burbank	Present
Vice Chairman	Adam Walosik	Absent (Unexcused)
Secretary	Noble Olasimbo	Present
Member	Victor Ramos	Absent (Excused)
Member	Eileen Gallagher	Resigned 8-16-11
Member	Heather Mulder	Present
Member	David McKnight	Present

Also present: Planning & Development Services Director Chris Bowley; Planning & Development Services Assistant Director Ron A. Paradise; Planning & Development Services Planning Manager Tom Pauls; and Board Secretary Pauline Shattuck.

**3. APPROVAL OF MINUTES:**

**A. Minutes:**

**1. Meeting – July 20, 2011.**

**Motion by Member McKnight, seconded by Member Olasimbo, to adopt the minutes of the Regular Planning & Zoning Board Meeting of July 20, 2011, as presented.**

**Motion carried with members voting as follows: Member Olasimbo, For; Member Mulder, For; Member McKnight, For; and Chairman Burbank, For.**

**4. ANNOUNCEMENTS: None**

**5. OLD BUSINESS: None**

**6. NEW BUSINESS:**

**A. VR11-002 (Boehm)**

The City of Deltona has received a zoning variance request to Section 110.827.03 (1) (d) of the City Code pertaining to the requirement that no accessory structure be allowed in the street side

yard on lots less than  $\pm 2.45$  acres in size. Project No.: VR11-002; Property Location: 2807 Grayton Street, Deltona, FL, 32738; Applicant: Mr. John Boehm; Resolution No. 2011-28.

Chairman Burbank apologized to the applicants, Mr. & Mrs. Boehm, stating that Deltona's Board procedures on variances and appeals, Section 110.1001, state that quorum shall be five members. Since only four members were present the variance case cannot be heard. He said the case will be rescheduled to date certain, the next Planning & Zoning meeting to be held on September 21.

**Motion by Member Olasimbo, seconded by Member McKnight, to reschedule VR11-002 (Boehm) to date certain Planning & Zoning Meeting of September 21, 2011.**

**Motion carried with members voting as follows: Member Olasimbo, For; Member Mulder, For; Member McKnight, For; and Chairman Burbank, For.**

**B. Floodplain Management, Ordinance No. 18-2011**

An Ordinance of the City of Deltona, Volusia County, Florida, amending Chapter 90, Flood Control, by replacing all of Chapter 90 with new Floodplain Standards, which include requirements for special building elevations and/or designs for development within floodplain areas; designation of a floodplain administrator; provisions for variance procedures; and provisions for severability and an effective date.

Mr. Paradise stated that as a result of changes to the FEMA Flood Insurance Rate Maps, the City is mandated by the Federal government to update its floodplain management regulations. The maps were changed by FEMA and are considered to be final. The new regulations do not deviate significantly from the Chapter 90, Land Development Code's existing regulations. As per the current regulations, the new regulations also state that any new development occurring within the 100-year floodplain area has to have its foundation located one foot above base flood elevation. Any references to coastal flooding are not found in the new regulations. There is an extensive variance process for local governments to allow development in the 100-year flood plain. The draft floodplain ordinance was sent to the State Division of Emergency Management (DEM) for an informal review. Based on the informal review, it appears that the proposed floodplain management ordinance would be approved by DEM, and accepted by FEMA.

Mr. Paradise said that in order to memorialize the changes, the City has to adopt a new floodplain ordinance to replace the existing City floodplain management requirements by September 29, 2011. The proposed ordinance is a Federal mandate and is critical to the City to remain included within the National Flood Insurance Program (NFIP). Participation in the NFIP provides benefits to City citizens by making flood insurance available and more affordable, facilitating the ability to secure Federal mortgage insurance guarantees in certain areas, and promotes the protection of floodplains and related functions. FEMA has said that any government that does not adopt the new floodplain regulations will be subject to serious sanctions that affect all of its Federally received funding.

Chairman Burbank stated that Mr. Paradise is correct, that there is not much choice but to accept the new floodplain maps. He read from the proposed ordinance, Pg. 24 of 51, "*Substantial improvement*: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the current market value of the structure before the

“start of construction” of the improvement.” He asked Mr. Paradise whether this was done through the Property Appraiser’s Office, or if the property would need to be appraised and was there some way to change the wording so there is certainty on the market value (of a structure)? Mr. Paradise said that after much staff discussion, the City wanted the ability to accept any appropriate data, such as the County Property Appraiser or a private appraiser, to help make a determination about the 50 percent threshold. Chairman Burbank said he was glad to see variance language in the ordinance, since most of DuPont Lakes Park is now included in the 100-year floodplain.

The public hearing was opened and closed as there were no public comments.

**Motions by Member McKnight, seconded by Member Mulder, to recommend that the City Commission amend Chapter 90, Flood Control, by replacing all of Chapter 90 with the new floodplain standards by adopting Ordinance No. 18-2011, as presented.**

**Motion carried with members voting as follows: Member Olasimbo, For; Member Mulder, For; Member McKnight, For; and Chairman Burbank, For.**

**7. OTHER BUSINESS:** None

**8. TRAINING:** None

**9. DISCUSSION:** None

**A. By the Board**

**B. By the City Attorney**

**C. By the Director of Planning & Development Services**

**10. ADJOURNMENT:**

There being no further business, the meeting adjourned at 7:23 p.m.

**ATTEST:**

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**Tom Burbank, CHAIRMAN**

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**Pauline Shattuck, RECORDING SECRETARY**