

**CITY OF DELTONA, FLORIDA
PLANNING & ZONING BOARD MEETING
WEDNESDAY, SEPTEMBER 21, 2011**

A Regular Meeting of the Deltona Planning and Zoning Board was held on Wednesday, September 21, 2011, at the City Hall Commission Chambers, 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	Adam Walosik	Present
Secretary	Noble Olasimbo	Present
Member	Victor Ramos	Present
Member	Heather Mulder	Present
Member	David McKnight	Present
Member	Vacant	

Also present: 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 – August 17, 2011.

Motion by Member Ramos, seconded by Member Olasimbo, to adopt the minutes of the Regular Planning & Zoning Board Meeting of August 17, 2011, as presented.

Motion carried with members voting as follows: Member Walosik, for; Member Olasimbo, for; Member Ramos, for; Member Mulder, for; Member McKnight, for; and Chairman Burbank, for.

4. PUBLIC COMMENTS: None

5. OLD BUSINESS: None

6. NEW BUSINESS:

A. Land Development Code Update – Ordinance No. 19-2011

An ordinance of the City of Deltona, Florida, amending the City's Code of Ordinances Subpart B, Land Development Code, by revising and organizing Chapters 70 through 110 (Land

Development Code), providing for severability; providing for an effective date.

Mr. Paradise said this is an update to the City's Land Development Regulations and constitutes a foundation for the Land Development Code (LDC); an organizational effort to enable the city to build a sound, efficient and functional land development regulatory system. Staff will be getting to the details in the future. He asked the Board to continue to contribute their comments.

Mr. Pauls stated this update is primarily a housekeeping effort. Staff needed to modify the Land Development Code in a number of areas to set the stage for more substantive work to be done after adoption. This housekeeping revision eliminates duplication, replaces obsolete terms, and centralizes a common element. For example, the parking elements and regulations were in three separate places. Definitions have also been centralized in one area. The purpose of this is to create a document that is easy to navigate for citizens, developers, and any other stakeholders who are interested in trying to understand the LDC. This ordinance reflects the recent Floodplain Ordinance revisions and also includes signs within the interstate/interchange areas. He said Chairman Burbank provided housekeeping comments, most of which were incorporated into the update. Mr. Pauls also thanked Chairman Burbank for notifying staff that the Group Homes/Assisted Living Facilities Ordinance was inadvertently omitted. He asked the Board to consider including the provisions cited in this ordinance as a condition, should the Board vote to approve the update. Mr. Pauls gave credit to Dinelia Santana, P&D Planner I, for her many hours of work on this project.

Chairman Burbank said he was glad to hear that this update is as current as possible before it is heard by the City Commission.

Motion by Member Olasimbo, seconded by Member Ramos, to recommend that the City Commission amend the City's Code of Ordinances Subpart B, Land Development Code, by revising and organizing Chapters 70 through 110 (Land Development Code) with the condition that the most current version be adopted (Ordinance No. 19-2011).

Motion carried with members voting as follows: Member Walosik, for; Member Olasimbo, for; Member Ramos, for; Member Mulder, for; Member McKnight, for; and Chairman Burbank, for.

7. MEMBER COMMENTS:

- a) Chairman Burbank said he would like to discuss the revised P&Z By-laws. He read the revision, Article IX – Minutes, Section 2, which states “All communications by or on behalf of the Board or any Board member shall be made either in public at a Board meeting, through communications to the Staff Liaison, or through items placed in the minutes of the Board. Neither the Board, nor any Board member, shall purport to speak on behalf of the Board or as an official Board member through any other means of communication. This restriction shall not prevent any Board member from expressing his or her individual ideas or opinions relating to any matter, so long as such expression of ideas or opinions are expressed as that *individuals'* ideas or opinions, and not as the ideas or opinions of the Board, or the ideas or opinions of

such individual *as a Board member.*” He said this either says nothing, or says a lot. Member McKnight agreed, expressing that it is a contradiction. Mr. Paradise suggested asking Ms. Becky Vose, City Attorney, to the next Board meeting to provide educational input on this topic if this was the consensus of the Board. Member Olasimbo said it was the consensus of the Board to ask the City Attorney, Becky Vose, to attend the next P&Z meeting, provide explanation of the revised P&Z By-laws, and a refresher course on the Florida Sunshine Law.

- b) Member Olasimbo asked about the Boehm Variance that was to be heard at this meeting. Chairman Burbank said it was withdrawn. Mr. Pauls said it was withdrawn by the applicant on August 25th.

8. ADJOURNMENT:

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

ATTEST:

Tom Burbank, CHAIRMAN

Pauline Shattuck, RECORDING SECRETARY