

RESOLUTION NO. 2025-24

**A RESOLUTION OF CITY OF DELTONA, FLORIDA;
APPROVING THE FINAL PLAT FOR PHASE 1 OF THE
VINELAND RESERVE RPUD FOR A 126-LOT SINGLE-
FAMILY TOWNHOUSE SUBDIVISION ON ± 20.3 ACRES
OF PROPERTY LOCATED EAST OF PEACH CREEK
DRIVE, WITHIN THE CITY OF DELTONA; PROVIDING FOR
CONDITIONS, CONFLICTS, SEVERABILITY, AND AN
EFFECTIVE DATE.**

WHEREAS, pursuant to Section 106-31 of the Land Development Code, William D. Donley (the "Applicant") has applied to the City of Deltona, Florida (the "City") for approval of Final Plat SD24-0012, attached as Exhibit "B," for a 126-lot single-family subdivision, within the Vineland Reserve Residential Planned Unit Development (RPUD) zoning classification, situated on the eastside of Peach Creek Drive, legally described in Exhibit "A" (the "Property"); and

WHEREAS, The Final Plat shall dedicate certain Rights-of-Way and easements to the public, and the applicant has submitted an acceptable Performance Bond for all required improvements in accordance with Chapter 96 of the Land Development Code; and

WHEREAS, the application is subject to the requirements set forth within the Vineland RPUD Development Agreement recorded in the official records on December 27, 2019 (Book: 7316, Page: 3245 to 3267), and Chapter 106 of the Land Development Code; and

WHEREAS, the Development Review Committee approved the Final Plat with conditions on February 13, 2025, and forwarded the application and Final Plat Development Order, attached hereto and incorporated herein as "Exhibit C," to the City Commission; and

WHEREAS, the City Commission finds the Vineland Reserve Phase I Final Plat consistent and in compliance with the Vineland Reserve RPUD Development Agreement, Chapter 106 of the Land Development Code, the Comprehensive Plan of the City of Deltona, and Chapter 177 of the Florida Statutes.

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

Section 1. Findings. That the foregoing recitals are hereby ratified and incorporated as the legislative intent of this Resolution.

Section 2. Approval of Final Plat. In accordance with the Land Development Code of the City of Deltona, Section 106-31, the Deltona City Commission hereby grants approval of Vineland Reserve Phase I, SD24-0012, for a 126-lot Single-Family Subdivision located east of Peach Creek Drive, attached as "Exhibit B."

Section 3. Conditions. The approvals granted by this Resolution are subject to the Applicant's compliance with the following conditions, to which the Applicant stipulated at the public hearing:

1. The Final Plat Development Order, attached hereto and incorporated herein as "Exhibit C," shall be recorded into the public records concurrently with Final Plat mylar. The Final Plat Development Order and Final Plat mylar shall not be recorded until the completion of an engineering peer review to verify the geotechnical data underlying the Stormwater Infrastructure design calculations (the "Peer Review"). In the event the Peer Review results in a need to revise the Final Plat, the Development Order shall be null and void, requiring the Applicant to submit a revised Final Plat under SD24-0012 within 20 working days of the City's notification to the Applicant of the Peer Review results. In the event that revisions are not required, recording of the Final Plat shall be executed within 20 working days of the City's notification to the Applicant of the Peer Review results.
2. The issuance of construction or site development permits pursuant to this Development Order shall be conditioned upon the completion and findings of the Peer Review and all conditions thereto as described in the item above.
3. The proposed development shall be built in conformance with the approved Final Plat Development Order, and other related documents for this project, including the Development Agreement for the Vineland Reserve Residential Planned Unit Development (RPUD).
4. The issuance of construction or site development permits pursuant to this Development Order shall be conditioned upon certified compliance of all development activities performed within the Vineland Reserve Residential

Planned Unit Development (RPUD) in accordance with Final Plat SD-SD23-0018 and all conditions thereto.

5. Prior to recording the Final Plat mylar and Development Order, the applicant shall pay all outstanding fees due to the City, including those for cost recovery.

Section 3. Conflicts. All Resolutions or parts of Resolution insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.

Section 4. Severability. In the event any portion of this Resolution is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portion or sections of the Resolution which shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption. If the final plat approved by this resolution is not recorded within the official records of Volusia County as provided in the Final Plat Development Order, it shall expire.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, THIS _____ DAY OF _____, 2025.

BY: _____
Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

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

TG Law, PLLC, CITY ATTORNEY

EXHIBIT A
Legal Description

A PORTION OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE JI EAST,
VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 12; THENCE
RUN NORTH 89°J7'12" WEST, ALONG THE NORTH LINE OF THE
NORTHEAST 1/4 OF SAID SECTION 12, A DISTANCE OF 1333.43 FEET TO
THE INTERSECT/ON OF SAID NORTH LINE WITH THE NORTHERLY
EXTENSION OF THE WEST LINE OF JOE SMITH PLACE, ACCORDING TO
THE PLAT THEREOF AS RECORDED IN MAP BOOK 20, PAGE 7 OF SAID
PUBLIC RECORDS AND THE WEST LINE OF THE NORTHEAST 1/4 OF THE
NORTHEAST 1/4 OF SAID SECTION 12; THENCE RUN SOUTH 00'00'07"
WEST, ALONG SAID WEST LINE, 1321.12 FEET TO THE SOUTHWEST
CORNER OF LOT 4 OF SAID JOE SMITH PLACE AND THE POINT OF
BEGINNING: THENCE SOUTH 89°36'53" EAST, ALONG THE SOUTH LINE OF
SAID JOE SMITH PLACE, 1337.96 FEET TO THE SOUTHEAST CORNER OF
LOT 2 OF SAID JOE SMITH PLACE AND A POINT ON THE EAST LINE OF
THE NORTHEAST 1/4 OF SAID SECTION 12; THENCE RUN SOUTH 00'09'46"
EAST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION
12, A DISTANCE OF 660.15 FEET TO A POINT ON THE NORTH LINE OF THE
SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID
SECTION 12; THENCE NORTH 89°38'24" WEST, ALONG SAID NORTH LINE,
A DISTANCE OF 1340.19 FEET TO A POINT ON THE EAST RIGHT-OF-WAY
LINE OF PEACH CREEK DRIVE, VINELAND RESERVE PHASE 2,
ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 6J
PAGES 16 THROUGH 22 OF SAID PUBLIC RECORDS; THENCE RUN NORTH
00'00'07" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE AND THE WEST
LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4
OF SECTION 12, A DISTANCE OF 660.44 FEET TO THE POINT OF
BEGINNING.

CONTAINING: 20.30 ACRES..

CITY OF DELTONA
FINAL PLAT DEVELOPMENT ORDER
Vineland Reserve Phase 1 Final Plat SD24-0012
Peach Creek Drive
PARCEL ID NOS.: 9112-00-00-0020

- A. FILE NO.: SD24-0012
- B. NAME OF APPLICANT: William D. Donley
- C. APPLICANT ADDRESS/TELEPHONE NO: 210 Parktown Boulevard, Suite 1
Edgewater, FL 32132
bdonley@donleyconsulting.com
- D. DESCRIPTION OR TYPE OF AUTHORIZED DEVELOPMENT:
Application to plat 126 single family townhome lots.
- E. FINDINGS AND CONCLUSIONS:
Application received on: July 22, 2024
Deemed complete on: August 5, 2024
Approved by DRC on: February 13, 2025
Approved by the City Commission _____

The authorized development as proposed under this Development Order is found to be consistent with all applicable provisions of the City's Comprehensive Plan, the Land Development Code, Chapter 177 of the Florida Statutes, and the Vineland Reserve RPUD.

- F. TIME LIMIT:
This Final Plat Development Order (D.O.) shall be valid for a period of 24 months from the date of Development Order recordation
- G. CONDITIONS OF APPROVAL:

1. The proposed development shall be built in conformance with the approved Final Plat Development Order, and other related documents for this project, including the Development Agreement for the Vineland Reserve Residential

Planned Unit Development (RPUD). The Final Plat is consistent with the RPUD Development Agreement

2. The Final Plat Development Order attached hereto and incorporated herein as "Exhibit C," shall be recorded into the public records concurrently with Final Plat mylar. The Final Plat Development Order and Final Plat mylar shall not be recorded until the completion of an engineering peer review to verify the geotechnical data underlying the Stormwater Infrastructure design calculations (the "Peer Review"). In the event the Peer Review results in a need to revise the Final Plat, the Development Order shall be null and void, requiring the Applicant to submit a revised Final Plat under SD24-0012 within 20 working days of the City's notification to the Applicant of the Peer Review results. In the event that revisions are not required, recording of the Final Plat shall be executed within 20 working days of the City's notification to the Applicant of the Peer Review results.
3. The issuance of construction or site development permits pursuant to this Development Order shall be conditioned upon the completion and findings of the Peer Review and all conditions thereto as described in item (2) above.
4. The issuance of construction or site development permits pursuant to this Development Order shall be conditioned upon certified compliance of all development activities performed within the with Vineland Reserve Residential Planned Unit Development (RPUD) in accordance with Final Plat SD-SD23-0018 and all conditions thereto.
5. The owner/developer shall contact Public Works Project Administrator, Ms. Bobbie Degon, at (386) 878-8976 to schedule a Pre-Construction Meeting after the Development Order is issued.
6. Before the clearing of the site commences, the owner/developer shall contact the NPDES Inspector at (386) 878-8979 to arrange for a site inspection to verify the proper installation of silt fences and other best management protection devices. A minimum 48-hour advance notice is required prior to a scheduled clearing.

7. The owner/developer or contractor shall contact Public Works Engineering Inspectors office at (386) 878-8945 or (386) 878-8996 to schedule all engineering and stormwater inspections. A minimum of 48 hours advance notice is required for all field inspections
8. The owner/developer shall contact Deltona Water at (386) 878-8970 or the Utility Systems Manager at (386) 878-8977 to schedule the coordination of utility construction activities, such as wet taps, backflow prevention equipment inspections, pressure testing, lift station start-ups, and Deltona Water fees. A minimum 24-hour advance notice is required for all field activities or inspections.
9. A Site Engineering Permit/Inspection Placard shall be issued by Public Works per this Development Order. This permit shall be posted at the construction site in a prominent place for public viewing. A minimum 48-hour advance notice is required for all inspections. Please see the Site Engineering Permit/Inspection Placard for contact information.
10. The owner/developer shall contact the Deltona Fire Department, Fire Safety Division at (386) 878-8655 to schedule the coordination of fire safety required site and construction inspections, such as underground fire lines, fire sprinkler backflows, water supplies, etc.; as well as questions concerning fire safety fees. A minimum of 48 hours advance notice is required for all field activities or inspections.
11. Fire Department access roads provided in accordance with 18.2.3 shall be provided at the start of a project and shall be maintained throughout construction (NFPA 1, Fire Code, 2021 Edition, Section 16.1.4).
12. Fire department access roads shall maintain a clear width of 24 feet and a vertical clearance of 17 feet. The locations of any plantings shall consider the full growth of trees and landscaping, and shall not obstruct fire apparatus access, or access to, visibility of, or function of any fire protection equipment.

13. The holder of all required state and federal permits shall have acquired such permits before the commencement of any site development or clearing and provide a copy to the City of Deltona for review.
14. In accordance with Florida Statute 556.105, before any site clearing or digging commences, the owner/developer shall provide a copy of the call ticket and number to Public Works Environmental staff at a pre-clearing inspection. To schedule the utility locate, please contact Sunshine One at 1 (800) 432-4770, or visit www.callsunshine.com. This condition must be prior to pre-clearing inspection (see #8 above). If the call ticket is not provided at time of pre-clearing, inspection will not be approved and will be subject to any civil penalties. For more information or additional assistance please contact the Code Compliance Division at (386) 878-8700.
15. Although irrigation plans are submitted to the City as part of the site plan review process, approval and permitting for irrigation is obtained from the Volusia County Office of the Florida State Health Department. Please contact Mr. Andy Natal at (386) 736-5444 for additional information.
16. Consistent with Ordinance No. 06-2019 the City has granted a waste hauler exclusive right to haul waste and refuse (residential and non-residential uses) within the city limits of Deltona. Therefore, all waste management, including but not limited to, debris and other refuse generated during the land clearing and construction phase(s) shall be hauled by the sole hauler granted exclusive rights by the City. In addition, after a Final Plat is accepted and individual C.O.s are issued for dwellings, the hauler will continue to be the sole provider for solid waste hauling for the project. The City currently has a relationship with the solid waste hauler Waste Pro. To coordinate waste management with Waste Pro, contact Waste Pro at (386) 788-8890. This condition will apply to any future exclusive solid waste hauling terms negotiated by the City.
17. After roads or other infrastructure are built and accepted by the City, no right-of-way or other dedicated areas can be used to store or place any

solid waste or solid waste container. In addition, all solid waste storage and management must be consistent with applicable City Codes.

18. This Development Order shall be subject to acceptance of a final plat by the City Commission.

H. CERTIFICATE OF CONCURRENCY:

Concurrency requirements, pursuant to the City's Comprehensive Plan and Land Development Code, have been reviewed and are determined to be sufficient.

The Certificate of Concurrency is achieved by issuance of this Development Order and shall remain valid for the duration of this Development Order.

However, concurrency is not vested and, should the project fail to meet concurrency requirements at the time a building permit application is made, the permit may not be issued.

I. LIMITATIONS:

1. This Development Order authorizes development within the City of Deltona, as specified herein. Any deviation from or modifications of the development authorized by this Development Order must be submitted to the Department of Planning and Development Services for appropriate review and, if warranted, approval.
2. This Development Order does not confer vested rights to development after the expiration date, specified herein. This Development Order authorizes the issuance of permits and is not a substitute for any required permit. This Development Order does not eliminate or substitute obligations to comply with all applicable City codes or ordinances, or for compliance with any other required federal, state, regional, or local permits.
3. Open burning of land clearing debris (uprooted or cleared vegetation) for purposes of preparation for development or construction of buildings and rights-of-way or land development is prohibited. Alternative means for disposal/removal shall be agreed upon with the City of Deltona Fire Official.

4. Where underground water mains and hydrants are to be provided, they shall be installed, completed, and in service prior to commencing construction work on any structure. (NFPA 1, *Fire Code*, 2021 Edition, Section 16.4.3.1.3 16.5.3.1.3).
5. A water supply for fire protection, either temporary or permanent, shall be made available, as soon as combustible material accumulates. There shall be no delay in the installation of fire protection equipment. (NFPA 1, *Fire Code*, 2021 Edition, Sections 16.5.3.1.1 and 16.5.3.1.2).
6. No vertical construction or storage of combustible material on-site shall be permitted, until fire hydrants are installed, inspected, flow tested and approved by the Fire Safety Division. Fire flows shall be conducted during peak demand hours, as determined by the Fire Department.
7. Buildings undergoing construction, alteration, or demolition operations, shall comply with NFPA 1, *Fire Code*, as amended, Sections 16.1, 16.4 and 16.5.
8. As part of the inspection and acceptance of project infrastructure, the Fire Safety Division shall determine if the accessibility for a fire apparatus is met, as per a Final Plat, and any corrective measures necessary shall be completed prior to the issuance of a Certificate of Occupancy.
9. The Volusia County Water Department is to be notified to witness tapping of water lines for hydrants and the inspection of hydrant connections and piping. All hydrants and installations shall meet City specifications.
10. Requirements for Projects with NPDES Permits: It will be the responsibility of the contractor(s) to ensure that all required permits are obtained and are in hand at the job site prior to commencement of construction. The contractor shall abide by all conditions contained therein. Permits included (but not necessarily limited to) are:
 - FDEP and St. Johns River Water Management District permits
 - Local rights-of-way use permits
 - NPDES General Stormwater Permit
 - USF&W and FWC environmental permits

Copies of the Notice of Intent (NOI) acknowledgement letter from FDEP with permit number and a copy of the Stormwater Pollution Prevention Plan (SWPPP) must be sent to the following address prior to commencing construction:

NPDES Inspector
201 Howland Blvd.
Deltona, Florida 32738

A copy of the NOI or letter from the FDEP confirming coverage under the State of Florida Construction Generic Permit shall be posted at the construction site in a prominent place for public viewing, in compliance with Part III (C)(2) of the State of Florida Construction Generic Permit.

11. Perimeter soil and erosion controls and controls for sensitive areas that conform to Best Management Practices (BMPs) must be installed prior to land clearing/disturbing activities. The contractor is to continually maintain, at his/her expense, any and all erosion prevention systems, material management, and waste management needed to ensure that project construction will limit the exposure of these materials to stormwater and that construction will not cause any water quality degradation or violations to on-site or off-site properties, water bodies, ponds, lakes, or wetlands. No direct discharge of unfiltered water to downstream receiving waters will be allowed and discharge water shall be routed in such a manner as to adequately remove silt prior to runoff from site. The proposed BMP controls shall conform to federal, state, and local requirements or manual of practice, as applicable. The contractor shall implement additional controls as directed by permitting agency or owner. Wash-out areas shall be clearly delineated with silt fence, utilized, inspected daily, and maintained.
12. The contractor shall be responsible for performing weekly inspections of the SWPPP erosion controls and completing the Inspection Forms. Copies of these reports shall be maintained at the project site and made available to the City NPDES Inspector, upon request.

13. The limits of disturbance have been provided to the contractor on the construction plan. Unless otherwise directed by the owner or engineer, and consented to by applicable regulatory and permitting authorities if required, the contractor is expected to contain all construction activities within these limits. At no time shall the contractor disturb surrounding properties or travel on surrounding properties without written consent from the property owner. Any repair or reconstruction of damaged areas in surrounding properties shall be repaired by the contractor on an immediate basis. All repairs shall be the responsibility of the contractor and no extra compensation shall be provided.

- A. All Florida Department of Environmental Protection application forms submitted to the City or Deltona Water must bear original signatures and seal of the engineer of record (EOR). Two (2) sets of signed and sealed construction plans are required for City records.
- B. Two (2) sets of as-built plans signed and sealed by the EOR, and a certification of construction letter from the EOR certifying that construction has been completed in substantial accordance with the approved plans and specifications must be submitted to the City/Deltona Water prior to final project inspections being performed of the completed project. Any deviations or modifications from the approved plans and specifications must be noted by the EOR in the certification letter and indicated on the as-built plans as applicable.
- C. The Site Engineering Permit/Inspection Placard shall be posted with the Building Permit and inspections performed by the applicable City Departments, as noted on the permit. It is the responsibility of the owner/developer and/or contractor to ensure that inspections are requested and performed as appropriate for the project.
- D. A copy of the St. Johns River Water Management District Environmental Review Permit (District), or letter from the District exempting site from permitting requirements, shall be provided to Public Works/Engineering prior to construction of any stormwater system improvements. Upon

completion of construction, the EOR shall also submit a copy of the executed District certification of construction form.

Director, or Designee
Planning and Development Services

Date Approved

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by _____ Director, or Designee, Planning & Development Services, who is personally known to me and who did not take an oath.

Notary Public Signature

(Notary Stamp)