



MEMORANDUM

DATE: April 21, 2025

TO: City Commission

FROM: Jordan Smith, AICP, PP Planning and Development Services Director

THRU: Doc Dougherty, City Manager

SUBJECT: Resolution No. 2025-24, A Rehearing request for Final Plat for a 126-lot townhome subdivision on +/-20.3 acres of property located east of Peach Creek Drive, southeast to Phase 2 and 3 of Vineland Reserve Single Family homes. Applicant: William Donley (Quasi-Judicial – Public Hearing) (Jonathan Knight, Project Manager)

REFERENCES: Vineland Reserve Residential Planned Unit Development Developer's Agreement, City Comprehensive Plan, Code of Ordinances Section 106-30 and 106-31 and Florida Statutes Chapter 177.

REQUEST: The applicant requests a rehearing of Resolution 2025-24 a request for Final Plat for a 126-lot townhome subdivision, pursuant to Section 110-1005 of the City's Land Development Code.

DISCUSSION:

Subject Property and Background: The subject property consists of approximately 20.83 acres of vacant land, located east of Peach Creek Drive and southeast of Phases 2 and 3 of the Vineland Reserve single-family development. The site is currently zoned Residential Planned Unit Development (RPUD) and is part of the overall Vineland Reserve RPUD. The Future Land Use designation for the property is Residential Low Density.

On September 19, 2016, the Mayor and City Commission adopted Ordinance No. 2024-16, amending the Vineland Reserve RPUD to permit a total of 407 residential dwelling units, including 279 single-family homes and 128 townhomes on the subject site. Phases 2 and 3 of the development have already been completed, with the Final Plats approved by the City Commission on December 13, 2021 and March 6, 2023, respectively.

Denial of Final Plat and Rehearing Request: On March 18, 2025, the Deltona City Commission voted to deny the Final Plat for a proposed 126-lot townhome subdivision on 20.3 acres located east of Peach Creek Drive, southeast of Phases 2 and 3 of the Vineland Reserve single-family development.

Following this decision, the applicant submitted a request for rehearing on April 2, 2025, citing that the City Commission overlooked or misapprehended certain facts or points of law in reaching its decision.

In accordance with Section 110-1005 "Rehearing and Administrative Res Judicata of the City's Code of Ordinances, a rehearing may be granted under the following conditions:

- A rehearing may be initiated by any member of the City Commission who voted on the prevailing side, or
- By an aggrieved party, provided it is alleged that relevant facts or points of law were overlooked or misinterpreted.

If the City Commission grants the motion for rehearing, it must:

- State the reasons for granting the rehearing, and
- Set a time, date, and location for a new public hearing, with due public notice provided.

NEXT STEPS: If the Mayor and City Commission approve the motion for rehearing, the matter will be scheduled for consideration during the Regular City Commission meeting on Monday, May 19, 2025.

ATTACHMENTS:

- Lowndes Letter Request for Rehearing