



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### Planning and Zoning Board

---

Wednesday, October 20, 2021

6:00 PM

Deltona Commission Chambers

---

Revised October 19, 2021

- A. In an effort to reduce the possibility of exposure of residents to the COVID-19 (Coronavirus) we are allowing limited public access into the Commission Chambers and practicing social distancing with the Planning and Zoning Board Members, staff, and residents.

1. CALL TO ORDER:

The meeting was called to order at 6:00 pm.

2. ROLL CALL:

Chair Northey welcomed Member Burbank to the Planning and Zoning Board as a Member and Steven Webster as an Alternate.

**Present:** 6 - Chair Patricia Northey  
Vice Chair Jody Lee Storozuk  
Secretary Allen Pfeffer  
Member Ruben Munoz  
Alternate Steven Webster  
Member Tom Burbank

**Excused:** 2 - Member Susan Berk  
Alternate Manuel Rodriguez

3. APPROVAL OF MINUTES & AGENDA:

A. Minutes of August 18, 2021

Member Munoz stated he had comments regarding the minutes from the last Planning and Zoning Board Meeting of August 18, 2021. Member Munoz's comments were that the minutes did not reflect what took place at the last Planning and Zoning Board Meeting regarding elections of Officers. Chair Northey explained she called for nominations for Vice Chair and Member Munoz nominated himself. Chair Northey stated the minutes did reflect correctly. Chair Northey and city Attorney Marsha Segal-George confirmed with Member Munoz the minutes did reflect the election results of the Planning and Zoning Board Meeting of August 18, 2021. Further discussion regarding whether Vice Chair Jody Lee Storozuk was permitted to vote, with his absence from the Planning and Zoning Board Meeting of

August 18, 2021. City Attorney Marsha Segal-George stated Vice Chair Jody Lee Storozuk was permitted to vote. Motioned by Dr. Allen Pfeffer, seconded by Ruben Munoz to accept the minutes of August 18, 2021. The motion carried by the following vote:

**Motion by Dr. Allen Pfeffer, seconded by Ruben Munoz to accept the Minutes of August 18, 2021. The motion carried by the following vote:**

**For: 5 - Chair Northey, Vice Chair Jody Lee Storozuk, Secretary Allen Pfeffer, Member Munoz and Alternate Steven Webster**

**Abstained: 1 - Member Tom Burbank**

**4. PRESENTATIONS/AWARDS/REPORTS:**

There were no items to present.

**6. OLD BUSINESS:**

**7. NEW BUSINESS:**

**A. RESOLUTION NO. 2021-38 - A RESOLUTION OF CITY OF DELTONA, FLORIDA; GRANTING A CONDITIONAL USE TO PERMIT A COMMUNITY RESIDENTIAL HOME WITHIN AN R1, SINGLE-FAMILY DISTRICT FOR PROPERTY LOCATED AT 1059 E. DE CARLO DRIVE, WITHIN THE CITY OF DELTONA; PROVIDING CONDITIONS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

Mr. Paradise provided a summary of the Conditional Use request for a Community Residential Home for an Adult Family Care Home. He noted the consistency with the Land Development Code and the Comprehensive Plan.

The applicant requested to serve up to three (3) elderly residents at this location. The homeowner will serve as a caretaker for up to three (3) elderly residents, along with the assistance of another Certified Nursing Assistant to provide care to the residents in shifts. Staff does recommend the Planning and Zoning Board recommend to the City Commission to approve the request, subject to the following conditions. Member Paradise noted the conditions as follows.

- 1) Dwelling shall serve no more than three (3) non related elderly residents within the dwelling
- 2) All residents and related services shall be directly associated with and regulated by Agency for Health Care Administration (AFCA)
- 3) Community residential home shall remain under the management and ownership of the applicant, Brenda Cruz and the property owner of 1059 E. DeCarlo Drive
- 4) Change of ownership shall require a new Conditional Use to operate a community residential home

- 5) The applicant shall continue to utilize the dwelling as a primary residence including maintaining the residence as a homestead dwelling, with the intent of remaining engaged within the neighborhood
- 6) No signs are permitted except for a one (1) by one (1) square foot home occupation care sign mounted on the house
- 7) If the applicant desires to provide any different services a new Conditional Use application shall be submitted to the city for review

Brenda Cruz, 1059 E. DeCarlo Drive - Property owner answered Member Pfeffer's inquiries about the residents capabilities. Ms. Cruz stated the residents do almost everything for themselves and may require a little assistance from a care taker.

**Motion by Member Burbank and Seconded by Member Munoz, to recommend the City Commission approve Resolution No. 2021-38 Conditional Use Request for a Community Residential Home located at 1059 E. De Carlo Drive. Subject to the conditions in the staff report.**

For: 6 - Chair Northey, Vice Chair Storozuk, Secretary Pfeffer, Member Munoz, Alternate Webster and Member Burbank

**B. ORDINANCE NO. 06-2021 - AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, FOR A MAJOR AMENDMENT TO THE DELTONA VILLAGE BUSINESS PLANNED UNIT DEVELOPMENT (BPUD) TO ADD EIGHT (8) SEPARATE PARCELS CONSISTING OF A TOTAL OF +10.3 ACRES TO BE INCLUDED WITHIN THE DELTONA VILLAGE BPUD AND REZONED TO BPUD; AND VACATING CERTAIN LOTS AND PUBLIC RIGHT OF WAYS ASSOCIATED WITH THE EIGHT (8) SEPARATE PARCELS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Paradise presented Ordinance No. 06-2021, a major amendment to Deltona Village Business Planned Unit Development BPUD previously approved in 2010. He noted this is a major amendment to include the addition of eight (8) individual parcels totaling approximately 10.3 acres of land scattered throughout the BPUD. There will be no changes to the basic entitlements of the BPUD, uses, traffic management elements, or dimensional requirements. It is to better unify the property. He stated this application also includes the vacation of lots and right-of-ways. With the vacation of the lots and right-of-ways the city is proposing about one (1) acre of land be granted to the applicant. To offset this, the applicant would grant the city the one (1) acre of land for future right-of-way associated with the Rhode Island Avenue extension. This later addition of information being discussed was not a part of the Staff Report. This proposal came up after the Staff Report was completed and the Agenda was produced. Staff does recommend the approval of the major amendment to the BPUD, vacation of the applicable lots and right-of-ways of the Davis Park additions.

Member Burbank brought up the three (3) different unified ownerships as the area that was platted, the area platted minus pieces already sold, plus the addition of eight (8) pieces. Discussion occurred regarding another addendum to the 2010 BPUD Development Agreement and if a replat should be filed that encompasses all the various entities. Mr. Paradise referred this question to the applicants legal representation. Member Burbank asked if the staff will be requiring a revised Master Development Plan and Development Agreement. Mr. Paradise stated there will be a revised Master Development Plan and the Development Agreement will not change but the Amendment will serve as an Addendum to the Development Agreement.

Member Burbank stated the legal description of the PUD should change so the limits are known. Mr. Paradise stated that if the direction to Planning and Development Board, we will extend that to the City Commission.

Discussion among the board and Mr. Paradise regarding the south side of development setbacks/buffer requirements, environmental conservation matters, one acre right-of-way occurred.

Chair Northey asked for clarification regarding their vote and the possibility of future changes before presentation to the City Commission. Mr. Paradise noted the vacation of the ROW is for unified ownership. The reason for adding the quid pro quo is to accommodate the future Rhode Island Extension.

Ms. Booker, legal representation for the applicant, noted there was no prior notice presented on the comments of the quid pro quo. She explained this is to vacate portions of the 1920 plat with old lots and non developed right-of-way and incorporated in the Activity Center with the existing BPUD. Part of parcels were swapped with the County for retention efforts to bring the lots into one.

Member Burbank requested to amend the existing PUD to bring the parcels in.

Discussion between the Board and Ms. Booker ensued regarding clarification and understanding the main purpose of this request. She explained it is to include the parcels into the overall development.

Mr. Paradise removed the one (1) acre of Right of Way swap from consideration.

Member Munoz asked for clarification and understanding or the main purpose of this request. Ms. Booker explained it is to include the parcels or little pieces into the overall development.

Member Pfeffer asked about pedestrian access. Ms. Booker noted that is a part of the site plan process and requirements in the BPUD.

Chair Northey suggested a presentation showing an overview of what is going on with this

part of the city from the Planning and Development Department on this section of the City. She noted there is great interest in seeing this area is developed appropriately.

Mr. Paradise agreed that a continuing education presentation of past, present, and future would not be a problem.

City Attorney Marsha Segal-George confirmed with Member Burbank that he is requesting the Master Development Plan be updated. Member Burbank stated that this is all part and parcel to the Development Agreement.

**Motion by Member Burbank and Seconded by Member Munoz, to recommend the City Commission approve Ordinance No. 06-2021, Amending Ordinance No. 21-2009, as amended by Ordinance No. 10-2018, Request for a Major Amendment to the Deltona Village Business Planned Unit Development (BPUD) incorporate as per the described with the conditions prior to the final adoption the applicant be required to submit an accurate and up to date Development Agreement with the plans included.**

**For:** 6 - Chair Northey, Vice Chair Storozuk, Secretary Pfeffer, Member Munoz, Alternate Webster and Member Burbank

#### **8. STAFF COMMENTS:**

There were no staff comments.

#### **9. BOARD/COMMITTEE MEMBERS COMMENTS:**

Member Munoz spoke regarding being interrupted during the meeting when he had questions. Also, discussed were the handling of the Election of Officers at the previous meeting. Member Munoz stated he accepted the outcome and wanted it noted in the minutes.

#### **10. ADJOURNMENT:**

The meeting adjourned at 7:01 pm.

---

Pat Northey, Chairperson

---

Renée Cairney, Board Secretary