

**ORDINANCE 2002 - 35**

**AN ORDINANCE OF THE CITY OF DELAND, FLORIDA, CHANGING THE ZONING FROM VOLUSIA COUNTY R-6, URBAN TWO FAMILY RESIDENTIAL, TO PD, PLANNED DEVELOPMENT DISTRICT ON DESCRIBED PROPERTY LOCATED ON THE EAST SIDE OF NORTH AMELIA AVENUE, APPROXIMATELY 470 FEET SOUTH OF INTERNATIONAL SPEEDWAY BOULEVARD; APPROVING A DEVELOPMENT PLAN FOR AMELIA PLACE, A RESIDENTIAL PLANNED DEVELOPMENT CONSISTING OF APPROXIMATELY 4.7 ACRES OF PROPERTY; DIRECTING A CHANGE IN THE COMPREHENSIVE ZONING MAP; CONDITIONING FINAL DEVELOPMENT APPROVAL ON A DETERMINATION OF CONCURRENCY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Linda Peattie of Central Management Company (hereinafter referred to as "Applicant"), owns a 4.7 acre parcel of land located on the east side of North Amelia Avenue, approximately 470 feet south of International Speedway Boulevard, which is more particularly described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

**WHEREAS**, Applicant has applied for a change of zoning from the present zoning classification of Volusia County R-6, Urban Two Family Residential to PD, Planned Development District; and

**WHEREAS**, said rezoning as a PD District is consistent with both the Comprehensive Plan and the purpose and intent of Section 33-32 of the Code of Ordinances of the City of DeLand (the "Code"); and

**WHEREAS**, Applicant has submitted an application for approval of a development plan for Amelia Place to encompass all of the property described in Exhibit "A" (hereinafter the "Property" or the "Project"); and

**WHEREAS**, the proposed development plan meets or exceeds the minimum conditions and standards for the PD District with respect to minimum development size, perimeter setbacks, comprehensive plan consistency, internal compatibility, external compatibility, open spaces, sidewalks, environmental constraints, internal access and circulation, external transportation access, off-street parking, public facilities and unified control; and

**WHEREAS**, the proposed development plan is consistent with the Low Density and Medium Density land use designations which: encourages intensified development in outlying or newly developed areas for a variety of residential needs; encourages clustering of new development to promote open space; permits energy and cost effective delivery of services; and, requires properly designed ingress and egress to avoid undue traffic hazards or congestion;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:**

**Section 1.** The City Commission has held a public hearing on the application for a change of zoning from Volusia County R-6, Urban Two Family Residential, to PD, Planned Development.

BOOK: 4938  
PAGE: 1383

**Section 2.** Pursuant to the determination made at public hearing, the City Commission hereby amends the Comprehensive Zoning Map of the City to include the land described in Exhibit "A" as PD, Planned Development District.

**Section 3.** The zoning of the Property as PD, Planned Development District, is made pursuant to Section 33-32 of the Code and the development of the Property shall take place in accordance with that Section and in substantial compliance with the Development Plan Report, Narrative, Maps and other supporting documentation submitted by Applicant which shall be filed and retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

**Section 4.** The approved Development Plan for Amelia Place including the Development Plan Report, Narrative, Maps and other supporting documentation (on file with the City Planning Department), are incorporated herein by reference and made a part hereof.

**Section 5.** The failure of the approved Development Plan to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with any law governing said permitting requirements, conditions, terms or restrictions, as same may be amended or enacted from time to time in the future. All current land development regulations of the City are applicable to the PD District except to the extent that they conflict with a specific provision of the approved Development Plan.

**Section 6.** At the time of development, the Applicant shall comply with all relevant building codes and development standards contained in the City's Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan shall supersede comparable standards contained in the Code of Ordinances.

**Section 7.** Pursuant to Article 5 of the City's Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

**Section 8.** The City Commission may rezone any portion of the Project which has not obtained a final development order within five years from the date of adoption of this Ordinance.

**Section 9.** The City Engineer, Planning Director and Building Department are hereby directed to change the Comprehensive Zoning Map of the City of DeLand to conform with the change of zoning enacted in this Ordinance.

**Section 10.** No rights to obtain final development orders nor any rights to develop the property have been granted or implied by this Ordinance. Final development orders for the property including, but not limited to, subdivision and site plan approval shall be subject to a determination of concurrency.

**Section 11.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

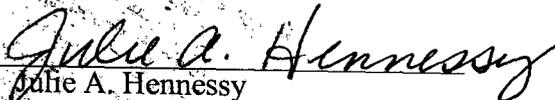
**Section 12.** The effective date of this Ordinance shall be the date of issuance of a certificate of consistency or conditional certificate of consistency by the Volusia Growth Management Commission, and a final order is issued by the Department of Community Affairs or Administration Commission finding the Ordinance in compliance in accordance with Section 163.3184, Florida Statutes. No development orders, development permits or land uses dependent on this Ordinance may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this Ordinance may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

PASSED AND DULY ADOPTED this 16<sup>th</sup> day of September, 2002.



Robert P. Appgar  
Mayor-Commissioner

ATTEST:



Julie A. Hennessy  
City Clerk - Auditor

Passed on first reading: September 4, 2002  
Adopted on second reading: September 16, 2002

APPROVED AS TO FORM AND LEGALITY:



Darren J. Elkind  
City Attorney

Book: 4938  
Page: 1384

AN 02-02-03

BOOK: 4938  
PAGE: 1385

BOUNDARY SURVEY OF:

Diane M. Matousek

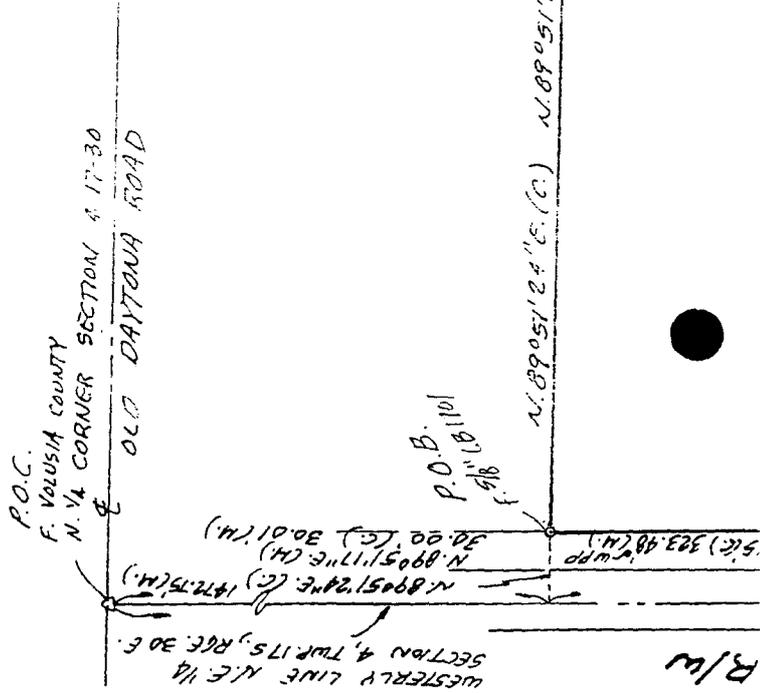
THE NORTH 323.12 FEET OF THE SOUTH 764 FEET OF THE NORTH 914 FEET OF THE WEST 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 30 EAST, EXCEPTING THEREFROM THE WEST 30 FEET USED FOR ROAD.

ALSO DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

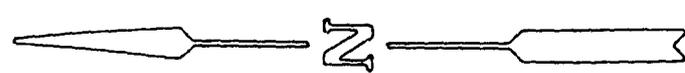
COMMENCING AT THE NORTH QUARTER (1/4) CORNER OF SAID SECTION 4, (BEING THE INTERSECTION OF OLD DAYTONA ROAD AND N. AMELIA AVENUE), THENCE S.00°54'17"E. ALONG THE WESTERLY LINE OF THE SAID NORTHEAST ONE-QUARTER, ALSO BEING THE CENTERLINE OF SAID N. AMELIA AVENUE, A DISTANCE OF 1472.75 FEET, THENCE N.89°51'17"E., A DISTANCE OF 30.01 FEET TO A 5/8" IRON ROD AND CAP MARKED "LBI1701", BEING THE NORTHWESTERLY CORNER OF THE SUBJECT PROPERTY AND THE POINT OF BEGINNING OF THE SUBJECT PROPERTY; THENCE N.89°51'17"E., A DISTANCE OF 630.76 FEET TO A 1" IRON PIPE, BEING THE NORTHEASTERLY CORNER OF THE SUBJECT PROPERTY; THENCE S.01°00'18"E., A DISTANCE OF 323.37 FEET TO A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION), BEING THE SOUTHEAST CORNER OF THE SUBJECT PROPERTY; THENCE S.89°50'39"W., A DISTANCE OF 631.08 FEET, TO A 4" X 4" CONCRETE MONUMENT (BROKEN), BEING THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY; THENCE N.00°56'51"W., A DISTANCE OF 323.48 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF THE AFORESAID N. AMELIA AVENUE, TO THE POINT OF BEGINNING.

BEARINGS BASED ON ASSUMED DATUM--The Westerly line of the N.E. 1/4 of Section 4, being S.00°54'17"E.



Locator:

4.7 acres located at N.  
Amelia Ave. approx.  
440 feet south of.  
Incl. Speedway Blvd



R/W

CENTRAL MANAGEMENT COMPANY  
201 S. Amelia Ave., G-4  
DeLand, FL 32724

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AUG 27 2002

COMMUNITY DEVELOPMENT

PROPOSED AMELIA PLACE  
PLANNED DEVELOPMENT CONCEPT REPORT  
July 24, 2002

1. This site is located on the East Side of Amelia Avenue approx. 470' south of International Speedway Blvd.

Frontage on Amelia Ave. is 323' and one entrance is proposed approx. in the center of Amelia frontage.

The north boundary of 636' borders developed commercial property.

The south boundary of 636' borders vacant county-zoned property, multi-family (duplex).

The eastern boundary of 323' runs parallel to an easement and beyond the easement are single family homes.

Rose Hill Avenue adjoins the north eastern boundary of the property at the easement. The home on Rose Hill Avenue that is adjacent to the proposed property occurs on the southern half of Rose Hill Avenue.

Bennett Avenue occurs at the eastern corner of the property but south of the proposed development south property line. The home on Bennett Avenue that adjoins the property is on the north side of Bennett Avenue.

The Amelia Avenue frontage is directly across the street from Rose Hill Avenue with two single-family homes facing the Amelia Avenue frontage of the proposed development.

It is planned that an emergency vehicle entrance and exit will occur where Rose Hill Avenue connects with the northeastern corner of the proposed development. This entrance will be equipped with a fire department approved barricade and will not be used for any other purpose.

2. The proposed development is to consist of 9 one-story apartment buildings with a total of 56 living units, 45 one-bedroom @624 sq. ft. each and 11 two-bedrooms @ 936 sq. ft. each for a total square footage of 39,000 sq. ft.
  3. Developments on the north boundary of the property are commercial. Southern boundary, vacant multi-family; eastern boundary, an easement plus single family; western boundary, Amelia Avenue, single family.
  4. There are no major geographical features to this property. The property is relatively flat and falls gently west to the southeast corner.
  5. Aerial map of trees attached. It does not appear that the property contains any specimen trees
  6. There are 9 one-story apartment buildings proposed each containing from 6 to 8 living units and there are no above ground utilities.
  7. See site plans for parking lot layout. Number of spaces required, 117 including 4 handicapped units, 118 parking spaces proposed.
- All traffic flow will be in and out through the entrance off of Amelia Avenue. The entrance driveway may be 30' wide at this point.
- For emergency purposes, an exit is provided at the northeast corner of the property.
8. An access will be required to Amelia Avenue.
  9. Landscape buffers must be comparable with the buffers depicted on the Concept Plan.
  10. This property to our knowledge is not in a flood zone.
  11. The drainage of the property shall be surface conducted to the retention area indicated in the southeast corner of the property.
  12. There are no special occupancies other than allowing for handicapped requirements. Occupancy is R-2.
  13. Existing city water and sewer services are available adjacent to the property.

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AUG 27 2002

COMMUNITY DEVELOPMENT

14. The gross floor area per floor is 39,000 sq. ft. (all buildings one floor).
15. The type of building construction is VI
16. The occupancy classification of the buildings is R-2.
17. This property has been annexed into the City of DeLand and is serviced by the DeLand Fire Department.
18. The development will be equipped with sidewalks from the parking areas to the individual apartments. In addition, there will be provided a 5' sidewalk on the Amelia Avenue frontage.
19. The majority of the trees within buffers will be retained. In addition, every effort will be made to retain trees within the development itself.

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COMMUNITY DEVELOPMENT

Additional landscaping will be provided adjacent to buildings and patios (see picture for example). Additional trees will be planted as required and placed for an overall environmental and aesthetic effect.

20. The development will generate estimated real estate taxes to be approximately \$42,200 with \$33,000 to the city and balance to the county.
21. Expected impact fees per unit is \$3,600 x 56 units is \$201,600; \$78,500 to the City, \$61,500 for schools, \$59,000 for roads
22. Public Facilities Impacts:

Expected number of residents based upon comparable developments: 75

**Potable Water:** based upon comparable developments, the proposed development will generate the need for approx. 2500 gallons per month for one-bedroom and 3500 gallons per month for two-bedrooms for a total of 150,500 gallons per month.

**Waste Water:** Quantities will be the same as potable water quantities.

The development will be equipped with an irrigation system with the use of a well.

**Solid Waste:** Solid waste from apartments is generally less than from single family homes and is approx. 6# per day per capita which amounts to 450# per day.

**Recreation:** Due to the size of the development and based upon being primarily one-bedroom units, no recreation area is designated.

**Transportation:** Based upon a detailed traffic study of comparable apartment developments, total expected trips in and out of the development on a daily basis is 222.

The development is located approx. 600' from a Votran Bus stop.

All setbacks between buildings and from pavement will be in accordance with city requirements.

This proposed development is very compatible with the surrounding neighborhood. The fact that it is transitional from the north commercial property and to the south county multi-family property, further there are only two buildings that occur adjacent to Amelia Avenue and it is only the ends of these buildings that face Amelia. In addition, all boundaries of the property, north, east, south and west are heavily buffered with mature trees, which will be retained. In general, this development will be very unobtrusive and fill a very definite need for market-rate apartments in this northern portion of the city in as much as it is only approx. one mile from the Airport Industrial Park and from major shopping areas.

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AUG 27 2002  
COMMUNITY DEVELOPMENT

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COMMUNITY DEVELOPMENT

The developer of the proposed Amelia Place Apartment Community will not provide any walls or fences separating the property from the adjoining parcels.

The site development plan is such that it provides substantial wooded buffers and setbacks from all adjoining properties as follows:

The north boundary of 636' adjoins developed commercial property and the minimum setback provided at this boundary is 30'. Actual setbacks of three of the five buildings that occur along this north property line have setbacks of from 40-60'. The development plan will retain the wooded buffer along this property line.

The south boundary line is also 636' and it adjoins county zoned undeveloped multi-family zoned property. The minimum setbacks of the buildings along this property line are 40'. This 40' buffer area is wooded and will be retained as a buffer.

The eastern boundary of the property, 323', adjoins single-family on both Rose Hill and Bennett Roads where only 2 homes occur opposite this eastern boundary. Setback of the building on the proposed development occurring in the northeast corner of the development is setback 70' from the property line.

The setback on the building on the southeast corner of the building is 165' from the property line.

On the eastern boundary, there is also what appears to be a 20' easement between the eastern property line and the western property line of the three single-family homes. Therefore, the setbacks are actually increased 20' each because of this easement.

This eastern boundary also provides a buffer zone, which is wooded and will be retained.

In addition, the 20' easement east of the property line is also wooded providing additional buffer between the development and the 2 single-family homes.

The western boundary is 325' facing onto Amelia Avenue. There are only two buildings of the development, which occur adjacent to Amelia Avenue and in the case of these 2 buildings, only the building ends with no windows or entry doors face toward Amelia.

There are 3 single-family homes across Amelia Avenue from the development. This distance between the two development buildings facing Amelia Avenue to the three single family homes across the street is approx. 110 to 120'.

These two buildings are set back a minimum of 34' from this western property line and allows for a wooded buffer with the majority of the trees being retained.

In view of this site information the developer once again will not provide any walls or fences separating the property from adjoining parcels.

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**AUG 27 2002**

**COMMUNITY DEVELOPMENT**

201 S. Amelia Avenue, DeLand, FL 32724  
 PROPOSED AMELIA PLACE  
 PLANNED DEVELOPMENT CONCEPT REPORT

**RECEIVED**

SITE DATA  
 July 24, 2002

AUG 9 2002

NO. OF BUILDINGS:	COMMUNITY DEVELOPMENT
Five buildings 52 x 72'	9
4 buildings 52'x96'	18,730 sq.ft
ALL BUILDINGS 1 STORY	20,240 sq.ft
	Height 13'2"
TOTAL LIVING UNITS:	
One bedrooms:	56
Two bedrooms:	45
	11
9'x18' PARKING SPACES WITH STOPS:	114
13'X18'HANDICAPPED PARKING SPACES WITH STOPS:	4
56 8x12' PATIO'S 96 SQ.FT. EA.	5,376 sq.ft
20' DRIVE AND PARKING AREAS:	33,500 sq.ft
SIDEWALKS, OFFICE AND HANDICAPPED:	48"
AMELIA AVENUE PUBLIC WALK	60"
SIDEWALKS TO UNITS FROM COMMON WALKS	30"
COMMON WALKS	36"
TOTAL SIDEWALK AREAS:	5,000 sq.ft
SETBACKS:	
Front	Min. 34'
Rear:	Min. 50'
N. side:	Min. 30'
S. Side:	Min. 40'
SEPARATION BETWEEN BUILDINGS:	
Front to Front:	Min. 50'
Front to Side:	Min. 25'
Side to Side:	Min. 25'
MINIMUM DISTANCE FROM BUILDINGS TO PAVEMENT:	10'
TOTAL SITE AREA:	4.68 Acres
TOTAL SITE COVERAGE:	82,846 sq.ft
PERCENTAGE OF SITE COVERAGE:	40.5%
APPROX. TREE PROTECTION AREA (24%):	50,00 sq.ft
RETENTION AREAS TO MEET CITY REQUIREMENTS	

VEHICLE COUNT  
 LYN VILLAGE APARTMENTS  
 201 S. Amelia Ave.  
 DeLand, FL 32724

RECEIVED

AUG 9 2002

Friday, June 28, 2002

COMMUNITY DEVELOPMENT

DATA: The development consists of 24 one-bedroom and 32 two-bedroom apartments for a total of 56 units, 100% occupancy. Occupants one-bedroom: 27; occupants two bedrooms: 65; total occupants: 92; total number of resident automobiles: 55.

The following traffic survey was observed and counted by myself or under my direct supervision and I hereby certify that this information is true and correct.

Includes both trips in and out

HOUR	TRIPS IN AND OUT	TOTAL
5:00 - 6:00 AM	6	6
6:00 - 7:00	12	18
7:00 - 8:00	8	26
8:00 - 9:00	5	31
9:00 - 10:00	12	43
10:00 - 11:00	3	46
11:00 - 12:00 Noon	17	63
12:00 - 1:00 PM	7	70
1:00 - 2:00	24	94
2:00 - 3:00	22	116
3:00 - 4:00	23	139
4:00 - 5:00	6	145
5:00 - 6:00	17	162
6:00 - 7:00	24	186
7:00 - 8:00	10	196
8:00 - 9:00	21	217
9:00 - 10:00	3	220
10:00 - 11:00	2	222
TOTAL VEHICLES IN AND OUT		222

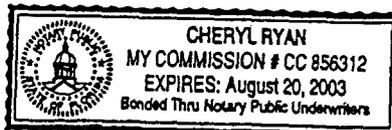
*Linda Peattie, V.P.*  
 Linda Peattie, VP & Land Acquisition Director  
 Central Management Company

Date: 8/9/02

Signed and notarized this 9<sup>th</sup> day of August, 2002 by Linda Peattie, personally known to me.

*Cheryl Ryan*  
 Cheryl Ryan, Notary Public

Date: 08/09/02



AMELIA AVE.

323' +/-

636' +/-

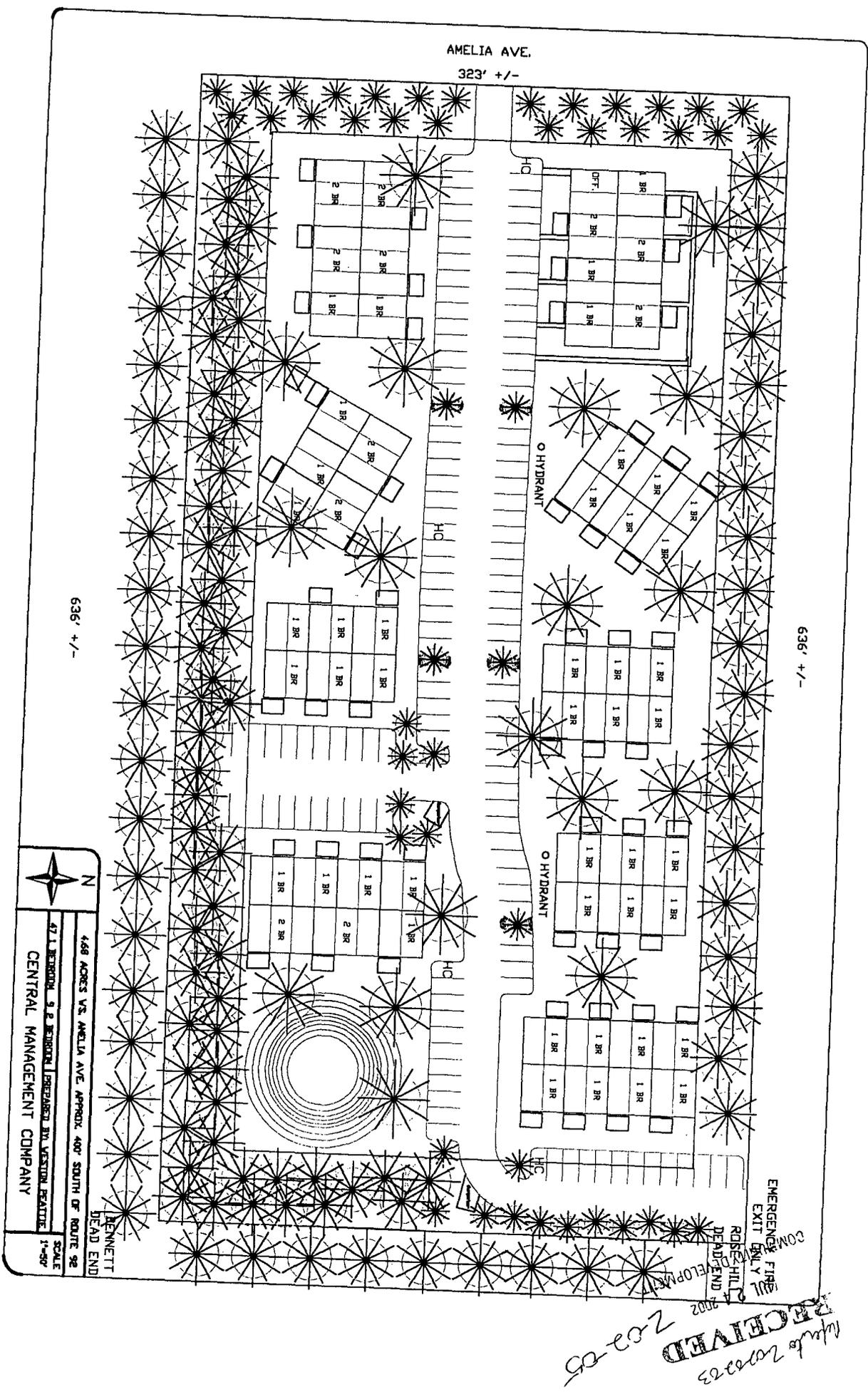
636' +/-

468 ACRES VS. AMELIA AVE. APPROX. 400' SOUTH OF ROUTE 92  
 471 BORDEN & P. BORDEN | PREPARED BY VESTING REALTY  
 CENTRAL MANAGEMENT COMPANY



SCALE 1"=50'

KENNETT DEAD END



EMERGENCY FIRE  
 EXIT ONLY  
 COME  
 ROSEHILL  
 DEAD END  
 2-20-05  
 RECEIVED  
 2-20-05

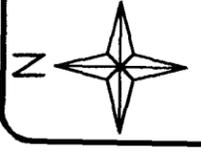
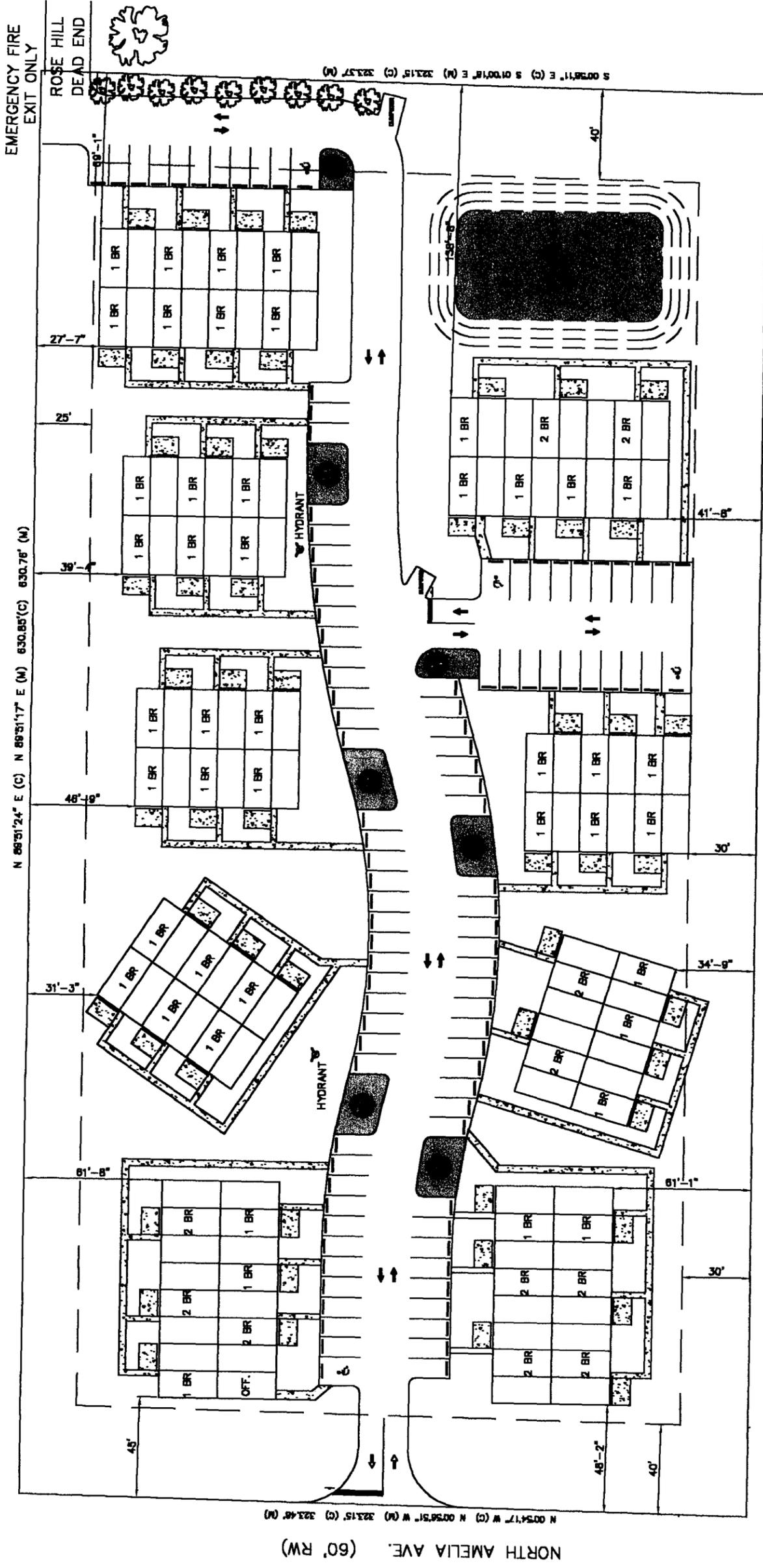
CENTRAL MANAGEMENT COMPANY  
201 S. Amelia Avenue, DeLand, FL 32724  
PROPOSED AMELIA PLACE  
PLANNED DEVELOPMENT CONCEPT REPORT  
SITE DATA  
September 12, 2002

In response to the City council meeting of September 4, 2002, the following modifications have been made to the site plan.

1. The parking spaces have been reduced to 100, 96 are 9x18 with stops and 4 handicap are 13x18, with stops. The reduction has made it possible to triple and quadruple the sizes of the landscape parking separation areas adjoining the driveway and parking.
2. In addition, the reduction of the parking spaces added to the overall landscape area.
3. The driveway area was re-figured so that there are now two obvious curves to the drive rather than one, enhancing the general character of the development.
  - A. To accomplish the additional curve, the southern setback was changed from 40' to 30' (Note: Because this set-back adjoins multi-family zone property, the setback could be 20')
  - B. The northern setback was changed from 30' to 25' since this setback adjoins commercial property. (Note: Setback could be 20').

In the case of both the north and south setbacks, there is only one building on each side at the setback line.

4. The front set-back on Amelia has been increased from 34' to approximately 40', thereby, providing greater separation and screening from the 3 single family homes on the west side of Amelia (Note: This setback could be 30' per current rules).
5. The rear setback line is 40' as indicated, but the only building at the northeast corner of the property is approximately 70' from the property line Note: Also there is a 15' easement along the eastern boundary further separating the development from the two single family homes on Rosehill Ave.).
6. The reduction of the parking requirement also made it possible to eliminate the parking that was adjacent to the retention area allowing the retention area to be enlarged if needed.
7. The entrance drive has been widened and flared in both directions to improve traffic flow.
8. The entrance to the parking on the south side of the development has been provided a radius at the corner to allow for turning of large fire trucks.
9. The drive, as of September 4<sup>th</sup>, was indicated as 20' wide. The new plan provides a 22' wide drive, ample in width to accommodate fire vehicles (Note: That resident areas on most streets in DeLand are 20' wide).



4.88 ACRES WS. AMELIA AVE. APPROX. 400' SOUTH OF ROUTE 92

47 1 BEDROOM & 2 BEDROOM PREPARED BY: WESTON PEATTIE

CENTRAL MANAGEMENT COMPANY

SCALE  
1"=50'

CENTRAL MANAGEMENT COMPANY  
 201 S. Amelia Avenue, DeLand, FL 32724  
 PROPOSED AMELIA PLACE  
 PLANNED DEVELOPMENT CONCEPT REPORT  
 SITE DATA  
 July 24, 2002

	<u>SEPT. 4<sup>th</sup></u>	<u>SEPT. 16<sup>th</sup></u>
<b>NO. OF BUILDINGS:</b>	9	
Five buildings 52 x 72'	18,730 sq.ft	
4 buildings 52'x96'	20,240 sq.ft	
ALL BUILDINGS 1 STORY	Height 13'2"	
<b>TOTAL LIVING UNITS:</b>	56	
One bedrooms:	45	44
Two bedrooms:	11	12
<b>9'x18' PARKING SPACES WITH STOPS:</b>	114	96
<b>13'X18 HANDICAPPED PARKING SPACES WITH STOPS:</b>	4	
56 8x12' PATIO'S 96 SQ.FT. EA.	5,376 sq.ft	
<b>DRIVE AND PARKING AREAS:</b>	33,500 sq.ft	30,260 sq. ft
<b>SIDEWALKS, OFFICE AND HANDICAPPED:</b>	48"	
AMELIA AVENUE PUBLIC WALK	60"	
<b>SIDEWALKS TO UNITS FROM COMMON WALKS</b>	30"	
<b>COMMON WALKS</b>	36"	
<b>TOTAL SIDEWALK AREAS:</b>	5,000 sq.ft	
<b>SETBACKS:</b>		
Front	Min. 34'	Min. 40'
Rear:	Min. 50'	Min. 69'
N. side:	Min. 30'	Min. 25'
S. Side:	Min. 40'	Min. 30'
<b>SEPARATION BETWEEN BUILDINGS:</b>		
Front to Front:	Min. 50'	
Front to Side:	Min. 25'	
Side to Side:	Min. 25'	
<b>MINIMUM DISTANCE FROM BUILDINGS TO PAVEMENT:</b>	10'	
<b>TOTAL SITE AREA:</b>	4.68 Acres	
<b>TOTAL SITE COVERAGE:</b>	82,846 sq.ft	79,606 sq.ft
<b>PERCENTAGE OF SITE COVERAGE:</b>	40.5%	39%
<b>APPROX. TREE PROTECTION AREA (24%):</b>	50,00 sq.ft	41,160 sq.ft.
41,160 sq.ft		
<b>RETENTION AREAS TO MEET CITY REQUIREMENTS</b>		



# City of DeLand

www.deland.org

120 South Florida Avenue  
DeLand, Florida 32720-5481  
Telephone: (386) 740-5700  
Fax: (386) 740-6869

October 1, 2002

**Diane M. Matousek**  
**Clerk of Circuit Court**  
**Post Office Box 43**  
**DeLand, FL 32721-0043**

Dear Madam:

Please record and return the originals to our office.

**City of DeLand**  
**City Clerk**  
**120 South Florida Avenue**  
**DeLand, FL 32721-0449**

Sincerely,

Kimberly K. Cline  
Deputy City Clerk

**Enclosures:**

- 1. Ordinance 2002-34: Vacating and Abandoning Easement for 860 Peachwood.**
- 2. Ordinance 2002-35: Chancing Zoning from Volusia County R-6 to Planned Development Amelia Avenue.**
- 3. Covenant to Support Annexation: 1068 Torcjwood Drive; Parcel #7028-11-20-0100.**
- 4. Covenant to Support Annexation: 1600 Old Daytona Road; Parcel #6035-04-00-0051.**

12/19/02

**ATTACHMENT #1 For October 2002 Bill**

**RECEIPT #84141**

**Plat**

02-224655 Waterford Lakes \$ 190.00

**RECEIPT #84291**

02-225161 Ordinance 2002-34 \$ 10.50  
02-225162 Ordinance 2002-35 \$ 19.50  
02-225163 Covenant to Support Annexation; Douglas & Laura Summers, 1068 Torchwood Drive; Parcel #7028-11-20-0100 \$ 15.00  
02-225164 Covenant to Support Annexation; Arthur Brown, 1600 Old Daytona Road Parcel #6035-04-00-0051 \$ 10.50

**RECEIPT #89650**

02-238437 Claim of Lien; Michael Jones; \$127.72; 142 N Adelle; Parcel #7008-43-10-0012 \$ 6.00  
02-238438 Claim of Lien; Frances Moore; \$1030.41; 713 W New York; Parcel #7008-43-12-0070 \$ 6.00  
02-238439 Claim of Lien; Talicorp, Inc.; \$596.36; 227 N San Souci; Parcel #7009-09-00-0340 \$ 6.00  
02-238440 Claim of Lien; Thomas & Jacqueline Aton; \$515.38; 541 W Rich; Parcel #7008-48-00-0090 \$ 6.00  
02-238441 Claim of Lien; Bonnie McMillan; \$97.08; 544 W Ohio; Parcel #7008-40-00-0122 \$ 6.00  
02-238442 Claim of Lien; Josefa Tipton; \$40.58; 1515 S Elsasser; Parcel #7020-00-00-1659 \$ 6.00  
02-238443 Claim of Lien; Mildred Edwards; \$15.09; 335 N Kentucky; Parcel #7009-56-01-0340 \$ 6.00  
02-238444 Claim of Lien; Allan Klein; \$252.48; 1328 N Woodland; Parcel#7004-00-00-2181 \$ 6.00  
02-238445 Claim of Lien; Pauline Mosley; \$102.31, 242 S Kentucky, Parcel #7016-18-00-0310 \$ 6.00  
02-238446 Claim of Lien; Volusia Lake Realty; \$49.44; 500 E Howry; Parcel #7016-17-00-0030 \$ 6.00  
02-238447 Claim of Lien; Woodie Guilford; \$962.25; 330 S Clake; Parcel #7016-12-00-0050 \$ 6.00  
02-238448 Claim of Lien; Bernadine Mauro; \$125.40; 614 S Amelia; Parcel #7016-31-01-0290 \$ 6.00  
02-238449 Claim of Lien; Gregory Washburn; \$78.21; 595 E Samuel; Parcel #7021-00-00-0050 \$ 6.00  
02-238450 Claim of Lien; William Bohlen; \$212.20; 433 S Woodland; Parcel #7016-51-00-0010 \$ 6.00  
02-238451 Claim of Lien; Michael Bruno; \$123.05; 4136 Woodland Circle; Parcel #6038-17-02-0140 \$ 6.00  
02-238452 Claim of Lien; James Griffith; \$33.65; 1440 E Wisconsin; Parcel #7011-09-00-0090 \$ 6.00

**RECEIPT #91425**

02-243006 Plat Map for Victoria Park \$ 65.00

**RECEIPT #93020**

02-247084 Ordinance 2002-39 \$ 10.50  
02-247085 Covenant to Support Annexation; John W & Patti Blocker; 141 Grace Street; Parcel #6033-00-00-0600 \$ 10.50  
02-247086 Covenant to Support Annexation; Gloria Stinger & Anna Lovett; 202 Rosehill; Parcel #7004-10-00-0420 \$ 10.50

**RECEIPT #93820**

02-248997 Ordinance 2002-22 \$ 19.50  
02-248998 Ordinance 2002-23 \$ 19.50  
02-248999 Ordinance 2002-21 \$ 15.00  
02-249000 Ordinance 2002-20 \$ 19.50  
02-249001 Covenant to Support Annexation; Thomas & Amy Flowers; 1520 Brittain Ave; Parcel #7018-12-01-0300 \$ 10.50

**SUBTOTAL** \$ 522.00

**TOTAL** \$ 522.00

INVOICE

DIANE M. MATOUSEK  
CLERK OF CIRCUIT COURT - VOLUSIA COUNTY  
P. O. BOX 6043  
DELAND, FL 32721-6043

(386) 822-5726

TO: CITY OF DELAND  
120 SOUTH FLORIDA AVENUE  
DELAND, FL 32720

INVOICE NO: 32223  
DATE: 11/08/02

CUSTOMER NO: 110

CUSTOMER TYPE: GC/ 110

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.00	REC. DEPT. TRANSACTIONS Transaction from the Recording Department, as reported from the recording system. (See attached) CHARGES FOR THE PREVIOUS MONTH.	522.00	522.00

RECEIVED

NOV 15 2002

CLERK

TOTAL DUE: \$522.00

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 11/08/02

DUE DATE: 11/18/02

CITY OF DELAND

REMIT AND MAKE CHECK PAYABLE TO:  
CLERK OF THE CIRCUIT COURT  
ATTENTION: ACCOUNTING DEPT. (A/R)  
P.O. BOX 6043  
DELAND

FL 32721-6043

(386) 822-5726

CUSTOMER NO: 110

INVOICE NO: 32223

CUSTOMER TYPE: GC/ 110

TERMS: NET 10 DAYS

AMOUNT: \$522.00

**NOTICE OF PUBLIC HEARING  
CITY COMMISSION  
CITY OF DELAND, FLORIDA**

NOTICE IS HEREBY GIVEN that there will be a Public Hearing on the following ordinance on Monday, September 16, 2002, at a regular meeting of the DeLand City Commission. The meeting will take place at 7:00 P.M. in the City Commission Chambers, 121 West Rich Avenue, City Hall Annex. All interested parties are invited to attend and be heard on the matter.

Any person who appeals any decision made by the City Commission with respect to any matter considered at this meeting will need a record of the proceeding and, thus, may need to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which an appeal may be based.

The original of the ordinance is on file in the office of the City Clerk and may be inspected Monday through Friday from 8:00 A.M. to 4:30 P.M.

**ORDINANCE 2002 - 35**

**AN ORDINANCE OF THE CITY OF DELAND, FLORIDA, CHANGING THE ZONING FROM VOLUSIA COUNTY R-6, URBAN TWO FAMILY RESIDENTIAL, TO PD, PLANNED DEVELOPMENT DISTRICT ON DESCRIBED PROPERTY LOCATED ON THE EAST SIDE OF NORTH AMELIA AVENUE, APPROXIMATELY 470 FEET SOUTH OF INTERNATIONAL SPEEDWAY BOULEVARD; APPROVING A DEVELOPMENT PLAN FOR AMELIA PLACE, A RESIDENTIAL PLANNED DEVELOPMENT CONSISTING OF APPROXIMATELY 4.7 ACRES OF PROPERTY; DIRECTING A CHANGE IN THE COMPREHENSIVE ZONING MAP; CONDITIONING FINAL DEVELOPMENT APPROVAL ON A DETERMINATION OF CONCURRENCY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

Please publish the above legal advertisement one time on the following date: Friday, September 6, 2002; and send proof of publication to:

City Clerk  
City of DeLand  
120 South Florida Avenue  
DeLand, FL 32720

# The News-Journal

Published Daily and Sunday  
Daytona Beach, Volusia County, Florida

State of Florida,  
County of Volusia:

Before the undersigned authority personally appeared

Kathleen Mayes

Who, on oath says that she is

Classified Sales Manager

of The News-Journal, a daily and Sunday newspaper,  
published at Daytona Beach in Volusia County, Florida;  
that the attached copy of advertisement, being a  
Notice of Public Hearing

in the matter of Ordinance No. 2002-35

in the

Court was

published in said newspaper in the issues

September 6, 2002

Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me

this 6th day of September

A.D. 2002



ANITA MARIE SAUNDERS  
Notary Public, State of Florida  
My Comm. Exp. Aug. 30, 2003  
Comm. No. CC 867646

## LEGAL ADVERTISEMENT

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ORDINANCE 2002-35  
AN ORDINANCE OF THE CITY OF DELAND, FLORIDA, CHANGING THE ZONING FROM VOLUSIA COUNTY R-6, URBAN TWO FAMILY RESIDENTIAL, TO PD, PLANNED DEVELOPMENT DISTRICT ON DESCRIBED PROPERTY LOCATED ON THE EAST SIDE OF NORTH AMELIA AVENUE, APPROXIMATELY 470 FEET SOUTH OF INTERNATIONAL SPEEDWAY BOULEVARD; APPROVING A DEVELOPMENT PLAN FOR AMELIA PLACE, A RESIDENTIAL PLANNED DEVELOPMENT CONSISTING OF APPROXIMATELY 4.7 ACRES OF PROPERTY; DIRECTING A CHANGE IN THE COMPREHENSIVE ZONING MAP; CONDITIONING FINAL DEVELOPMENT APPROVAL ON A DETERMINATION OF CONCURRENTLY PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.  
Legal L45636, September 6, 2002 1t.