

ORDINANCE NO. 2024 - 07

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, CHANGING THE ZONING FROM VOLUSIA COUNTY'S A-2, RURAL AGRICULTURE TO CITY OF DELAND'S PLANNED DEVELOPMENT, TAYLOR RIDGE PLANNED DEVELOPMENT (PD) ON PROPERTY LOCATED AT 1298 SOUTH BLUE LAKE AVENUE, APPROVING A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY 26.011 ACRES OF PROPERTY MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the applicant, Michael Woods, Esq., (hereinafter referred to as "Applicant"), on behalf of the owner, owns approximately 26.011 +/- acres of land located at 1298 South Blue Lake Avenue, which is more particularly described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, the Applicant has applied for a change of zoning designations from Volusia County's A-2, Rural Agriculture to City of DeLand's Planned Development, Taylor Ridge Planned Development (PD); and

WHEREAS, said rezoning 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, the applicant has submitted an application for the approval of a development plan in order to amend the property zoning designation so as to change certain development standards for 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 Transitional Residential Development land use designation.

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

Section 1. The City Commission has held a public hearing to approve the change of zoning from Volusia County's A-2, Rural Agriculture to City of DeLand's Planned Development, Taylor Ridge Planned Development, (PD), on property located at 1298 South Blue Lake Avenue, consisting of approximately 26.011 +/- acres of property.

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 Taylor Ridge 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 Agreement, 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 Taylor Ridge PD, Planned Development District, including the Development Plan Agreement, Map and other supporting documentation (on file with the City Planning Department), are attached hereto as Exhibit "B" and by this reference 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. The City Commission may rezone any portion of the Project which has not obtained a site plan approval within five years from the date of adoption of this Ordinance.

Section 8. Prior to the issuance of a building permit, Applicant shall submit an easement document, acceptable to the City of DeLand, permitting additions to shared access, parking, utilities, and stormwater.

Section 9. Pursuant to Article 5 of the City’s Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

Section 10. 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 11. 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 12. 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 13. This Ordinance shall become effective immediately upon its adoption.

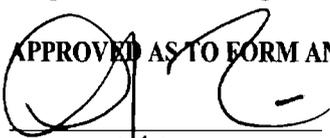
PASSED AND DULY ADOPTED this 5th day of February, 2023.


ATTEST:
Julia A. Hennessy
Julia A. Hennessy
City Clerk - Auditor



Christopher M. Cloudman
Mayor - Commissioner

Passed on first reading: December 04, 2024
Adopted on second reading: February 05, 2024

APPROVED AS TO FORM AND LEGALITY:


Darren J. Elkind
City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION

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4 That part of the Southeast 1/4 of the Southeast 1/4 of Section 22, Township 17 South, Range 30
5 East, Volusia County, Florida being more particularly described as follows:

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7 **COMMENCE** at the Northeast corner of the Southeast 1/4 of Section 22, Township 17 South,
8 Range 30 East, Volusia County, Florida thence S01°09'26"E 1357.82 feet along the East
9 boundary of said Southeast 1/4 to the Northeast corner of the Southeast 1/4 of said Southeast
10 1/4; thence S88°57'54"W 30.00 feet to a point on the West right of way line of Blue Lake Avenue
11 as shown on Volusia County right of way map Project #1335 for the POINT OF BEGINNING;
12 thence S01°09'26"E 678.79 feet along said West right of way line; thence N89°11'44"E 5.00 feet
13 along said right of way line; thence S01°09'26"E 451.92 feet along said right of way line to a point
14 on the South right of way line of Taylor Road as shown on Volusia County right of way map Project
15 #1113-4-5/P4172-3; thence S81°19'36"W 1250.26 feet along said right of way line to the
16 beginning of a tangent curve concave Northerly and having a radius of 3481.24 feet and a central
17 angle of 01°00'58"; thence Westerly 61.73 feet along the arc of said curve and said right of way
18 line to a point on the West boundary of the Southwest 1/4 of the Southeast 1/4 of said Southeast
19 1/4; thence N01°06'37"W 631.00 feet along said West boundary to the Northwest corner of the
20 Southwest 1/4 of the Southeast 1/4 of said Southeast 1/4; thence N89°11'44"E 662.65 feet along
21 the North boundary of the Southwest 1/4 of the Southeast 1/4 of said Southeast 1/4 to the
22 Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Southeast 1/4; thence
23 N01°08'02"W 676.25 feet along the West boundary of the Northeast 1/4 of the Southeast 1/4 of
24 said Southeast 1/4 to the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of said
25 Southeast 1/4; thence N88°57'54"E 632.36 feet along the North boundary of the Northeast 1/4 of
26 the Southeast 1/4 of said Southeast 1/4 to the Point of Beginning.

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28 **CONTAINING:** 26.011 acres, more or less.
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PLANNED DEVELOPMENT AGREEMENT

IN THE CITY COMMISSION OF THE

CITY OF DELAND, FLORIDA

IN RE: Case # Z23-104, Application of

TLC Blue Lake, LLC

ORDINANCE # 2024-07

ORDER AND RESOLUTION

GRANTING A REQUEST FOR CHANGE OF ZONING FROM COUNTY A-2 TO

TAYLOR RIDGE PD

The application of TLC Blue Lake, LLC, hereinafter, "Applicant", for rezoning was heard by and before the City Commission, DeLand Florida, on February 5, 2024, Based upon the verified Application and other supporting documents, maps, charts, overlays, other evidence and instruments; the advice, report, and recommendations of the Community Development, and other Departments and agencies of DeLand, Florida; and the testimony adduced and evidence received at the Public Hearing on this Application by the Planning Board on October 11, 2023, and otherwise being fully advised, the City Commission does hereby find and determine as follows:

"EXHIBIT B"

1 zoning classification of the parcels described in Exhibit "A" from County A-2 to Taylor
2 Ridge PD (Planned Development).

3

4 B. That the said rezoning to a PD is consistent with both the City of DeLand
5 Comprehensive Plan Ordinance No. 1990-04, as amended, and the intent and purpose
6 of the City of DeLand Development Regulations Ordinance No. 2013-11, as amended,
7 and does promote the public health, safety, morals, general welfare and orderly growth
8 of the area affected by the rezoning request.

9

10 NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF
11 DELAND, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE CITY
12 COMMISSION CHAMBERS, 120 SOUTH FLORIDA AVENUE, DELAND, FLORIDA,
13 THIS 5th DAY OF FEBRUARY, 2024, AS FOLLOWS:

14

15 A. That the Application of TLC Blue Lake, LLC, a Florida limited liability
16 company, for the rezoning of the subject parcels is hereby granted.

17

18 B. That the zoning classification of the subject parcels described in Exhibit "A"
19 attached hereto is hereby amended from County A-2 to Taylor Ridge PD as described in
20 Article VII of the City of DeLand, Land Development Regulations Ordinance No. 2013-11,
21 as amended.

22 C. That the Official Zoning Map of the City of DeLand, is hereby amended to
23 show the rezoning of said parcels to Taylor Ridge PD.

24

1 D. That the City of DeLand, Land Development Regulations Ordinance No.
2 2013-11, as amended, is consistent with the provisions of the "Development Agreement"
3 as hereinafter set forth in this Ordinance and with respect to any conflict between Land
4 Development Regulations Ordinance No. 2013-11, as amended, and the "Development
5 Agreement", the provisions of the "Development Agreement" shall govern. Ordinance No.
6 2013-11, as amended, shall govern with respect to any matter not covered by the
7 "Development Agreement". The City of DeLand will ensure overall compliance with this
8 Ordinance.

9

10 E. Unless otherwise provided for herein the City of DeLand, Land
11 Development Regulations Ordinance No. 2013-11, as amended, shall apply to the PD in
12 the same manner as the R-1 zoning classification.

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14 F. Except as otherwise stated herein, nothing in the Development Agreement
15 is intended to abridge the requirements of Ordinance No. 2013-11, as amended, and any
16 other City Ordinances.

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2 D. Subdivision Approval. After the Planned Development Plan is recorded, and
3 prior to any construction, including clearing and landfill, a final plat of the area to be
4 subdivided, consisting of a single phase, shall be submitted for review and approval in
5 the manner required by Article 13 of the City of DeLand Land Development Regulations,
6 Ordinance No. 2013-11, as amended.

7

8 E. Unified Ownership. The applicant or his successors shall maintain unified
9 ownership of the subject parcels until after issuance of the Final Subdivision Plat
10 Development Order.

11

12 F. Phases of Development. Development of the Property shall be
13 accomplished in a single phase.

14

15 G. Land Uses Within the PD. The location and size of said land use areas are
16 shown on the Development Plan Map, Exhibit "B". The following land uses shall be
17 allowed as permitted principal uses and structures along with their customary accessory
18 uses and structures:

19

Permitted Uses within Residential Areas:

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1. Single-Family Residences:

21

Single-family dwellings, except mobile homes, and their customary
22 accessory uses.

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23

Family day care home.

24

Mini and neighborhood parks.

1 Community uses including but not limited to passive recreation areas
2 with gazebo.

3 Accessory structure per Section 33-28.09.

4

5 H. Development Standards. All development for the property shall rely upon
6 the standards set forth below as identified on the Planned Development
7 Plan. Where this document is silent, the R-1 Zoning regulations shall apply.

8 1. Single-Family Residences:

9 a. Maximum unit count: 65

	60' Lots
1. Minimum lot area:	6,900 sq. ft.
2. Minimum lot width:*	60 ft.
3. Minimum lot length:	115 ft.
4. Minimum building setbacks:	
a. Front yard to garage face/door:	25 ft.
b. Front yard to structure:	15 ft.
c. Rear yard:	20 ft.
d. Side yard:	5 ft.
e. Side street	15 ft.
5. Min. screen enclosure setbacks:	
f. Rear yard screen enclosure	5 ft.
g. Side yard screen enclosure	5 ft.

Side street screen enclosure:	15 ft.
6. Min. pool and accessory structure setbacks:	
h. Side setback for pools and accessory structures:	5 ft.
i. Side street setback for pools and accessory structures:	15 ft.
j. Rear setback for pools and accessory structures:	5 ft.
7. Minimum floor area:	1300 sq. ft.
8. Maximum lot coverage:	65%
9. Maximum building height:	35 ft.
10. Maximum number of lots:	65

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* The minimum lot width and area for corner lots must be 15% greater than the standard for an interior lot.

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+ Lots fronting a curve must be at least 50 feet wide at the street line.

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2. Accessory Structures. Unless otherwise stated herein, all accessory

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structures shall meet the development standards of Section 33-28 of the Land

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Development Regulations Ordinance No. 2013-11, as amended.

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3. Parking Standards

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1. Off-Street Parking: Each parcel shall be designed to accommodate

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no less than two (2) parking spaces via use of an on-parcel driveway and

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two (2) spaces in an internal garage. All driveway parking spaces shall be

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a minimum of nine (9) feet wide by twenty-five (25) feet long (per each

1 vehicle).

2 2. On-Street Parking:

3 a. On-street parking, as illustrated on Exhibit "B", shall be
4 provided in various locations within the Property.

5 b. No less than 31 on-street parking spaces shall be provided.

6 c. On-street parallel parking is 8.5 feet by 22 feet measured to
7 back of drop curb (minimum eight feet (8') of asphalt and up to one half foot
8 (0.5') of drop curb).

9 d. Perpendicular parking spaces are sized 9 feet by 20 feet.

10 e. Cross sections of the roadway illustrating typical design for
11 parking on one or both sides of the street are included in Exhibit "B".

12 4. Sidewalks: Sidewalks shall be provided throughout the subdivision and
13 along its exterior roadways in accordance with Section 33-90.04 of the City's Land
14 Development Regulations and as generally depicted in Exhibit "B".

15 5. Subdivision Entryways: Entryways into the subdivision shall screen the
16 sides of any proposed single-family dwellings by one of the following methods or
17 combination of methods: 1) Perimeter roadway buffers complying with Buffer Standard
18 "B" extended along both sides of the roadway entrance into the subdivision a minimum
19 distance of 100 feet; or 2) Stormwater facilities with a fountain and with perimeter
20 landscaping sufficient to obscure the view of adjacent dwellings.

21 6. Signage: Signage for the subdivision shall be provided per the Land
22 Development Regulations. No more than two monument signs identifying the subdivision
23 may be placed at the entrance along East Taylor Road and no more than two monument
24 signs identifying the subdivision may be placed at the entrance along South Blue Lake

1 Avenue.

2 7. Open Space. Open Space and Common Area shall meet the requirements
3 of the Land Development Regulations Ordinance No. 2013-11, and shall be as provided
4 in the Development Plan Map.

5 8. Design. The homes within the development shall have a mixture of design
6 facades, and the same façade and home design shall not be used on lots within three (3)
7 lots of each other on the same side of the street, nor may the same façade and home
8 design be used directly across the street from each other. The homeowner's association
9 shall ensure that an individual lot owner seeking building permits shall demonstrate
10 compliance with this Section as part of the construction permit submittal for a lot.

11 9. Model Homes and Temporary Sales Offices. Up to four (4) model homes
12 and one (1) home for a temporary sales office may be constructed. Construction of the
13 model homes and temporary sales office may commence upon approval of a preliminary
14 plat and final construction plans and completion of a stabilized access to the model homes
15 and temporary sales office for emergency vehicles and the provision of acceptable water
16 supply for fire protection during construction. However, neither the model homes nor the
17 temporary sales office may be occupied nor otherwise issued a temporary or a final
18 certificate of occupancy until final plat approval for said phase and acceptance of the
19 roadway and all water and sewer infrastructure by the City of DeLand.

20 10. Buffers/Landscaping. Except as otherwise specifically provided for in this
21 Development Agreement, the perimeter buffers of the subdivision shall comply with the
22 landscape buffer width and planting requirements provided for in Section 33-92.02 of the
23 City of DeLand Land Development Regulations, except as specifically otherwise provided
24 for herein. As shown on Exhibit "B", the buffer widths shall be as follows:

Perimeter Buffer-all areas not otherwise specifically addressed in this section H.10.	40-foot buffer, Type B
Perimeter Buffer, along the eastern edge of the power line easement	15-foot buffer, Type B
S. Blue Lake Ave.- Road Frontage	40-foot buffer, Type D
E. Taylor Rd. - Road Frontage	50-foot buffer, Type D

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2 In addition to the foregoing buffers, there shall be an internal buffer to the south of lots
3 numbered 31 through 35 on Exhibit "B" in order to screen those lots from the adjacent
4 play field. Said buffer shall be at least ten feet (10') wide and consist of canopy trees and
5 shrubs. This buffer is not shown on Exhibit "B" but must be provided.

6 I. Environmental Considerations. The development shall comply with the
7 requirements for preservation of environmental resources as set forth in the Land
8 Development Regulations Ordinance No. 2013-11, as amended. This includes
9 compliance with the Land Development Regulations regarding analysis, preservation and
10 mitigation for historic trees. Tree Protection Areas preserving a minimum of 15% of the
11 net developable area, which excludes required right-of-way dedication areas and on-site
12 easements, shall be required and maintained as generally depicted on Exhibit "B". The
13 Tree Protection Areas as generally depicted on Exhibit "B" may be modified based upon
14 an updated tree survey during the platting process so long as the minimum 15% of net
15 developable area is preserved, and the ultimate configuration will be determined through
16 the platting process. Nothing shall prevent the grading of Tree Protection Areas prior to
17 creation of said areas, but any portion of the property with grading shall require replanting
18 as provided for in the Land Development Regulations.

19 The development has been laid out in a manner to best accommodate the existing

1 topography, drainage, and known environmental conditions identified on the property. In
2 addition, all landscaping, including buffers, shall predominantly utilize Florida-Friendly
3 Landscaping, as defined by the University of Florida/Institute of Food and Agricultural
4 Sciences ("UF/IFAS") Center for Landscape Conservation and Ecology, native, or low-
5 water plant material.

6 1. The City shall grant mitigation credit for Live Oak trees measuring 2" DBH
7 to 5" DBH and maintained in Tree Protection Areas. If said provision regarding 2"-5" Live
8 Oak trees within the Tree Protection Areas is utilized, the City will require an additional
9 conservation easement to prevent the future removal of said trees as the default
10 provisions of the Land Development Regulations only protects trees 6" DBH or larger.
11 Credit for preservation of these 2"-5" Live Oak trees shall be based on an actual tree
12 survey rather than a statistical analysis.

13 2. Due to the City's recognition that Laurel Oaks larger than 20" DBH are
14 nearing the end of their lifespan, any Laurel Oak 20" DBH or larger removed from the
15 Property during development will require reduced replacement of one 3" caliper canopy
16 tree for each Laurel Oak removed. Each 3" caliper canopy tree shall receive 2" DBH
17 credit towards tree replacement calculations.

18 3. Street trees may be planted within the rights of way within the Property and
19 said trees may be included in mitigation calculations. However, if any such trees are
20 planted, the HOA shall be responsible for the maintenance of said trees. Moreover, the
21 HOA shall also be responsible to repair any and all impacts upon the right of way
22 infrastructure created by the presence of said trees, including any road or sidewalk
23 facilities.

24 4. A tree survey is required as part of the review process for the platting and

1 development of the project. The tree survey shall be conducted based on the following
2 standards:

3 a. All specimen and historic trees shall be surveyed.

4 b. For non-specimen or non-historic trees, the Applicant will engage an
5 arborist to identify statistically significant sample area(s). Sample areas are
6 to be identified based upon cover types of species. The sample area for
7 each cover type must have an area that is at least 10 percent of its total
8 area and may not be less than one acre in size. The Applicant's arborist
9 shall provide the City Forester with the proposed sample areas for review,
10 comment and approval. The proportionate area of each statistically
11 significant sample area will be calculated as a percentage of the overall
12 property area.

13 c. Upon approval of the statistically significant sample areas by the City
14 Forester, all trees 6" DBH and larger shall be identified and surveyed in the
15 selected sample area.

16 d. The tree density determined by the survey of the sample area(s) will
17 be used to determine tree replacement or mitigation requirements. The tree
18 mitigation requirements will be weighted based on the proportionate area
19 represented by each sample area.

20 5. Street tree installation, based upon the approved landscape plan, shall be
21 required on a lot-by-lot basis and must be planted prior to the issuance of a certificate of
22 occupancy for that particular lot.

23 6. Each lot shall have trees planted in accordance with the City's Land
24 Development Regulations. The homeowners association required for this subdivision

1 shall be responsible for ensuring the preservation and, if necessary, the replacement, of
2 required trees. The foregoing provision does is not intended to divest the City of its code
3 enforcement authority relative to required trees, but places an additional burden on the
4 homeowners association to proactively enforce the tree requirements.

5 7. Palm trees and understory trees from the City of DeLand List of Approved
6 Tree Replacement Species shall account for no more than 25 percent of trees on
7 individual lots.

8

9 J. Sewage Disposal, Potable Water and Reclaimed Water. Provision for
10 sewage disposal, potable and reclaimed water needs of the PD will be provided in
11 accordance with the Comprehensive Plan, Ordinance No. 1990-04, as amended, the
12 Land Development Regulations Ordinance No. 2013-11, as amended, and State of
13 Florida Administrative Code 64E-6. The development will be required to connect to
14 reclaimed water for both the individual lots and any common areas that are irrigated, but
15 the development shall not be required to have a pond or other facility for receiving and
16 retaining reclaimed water.

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18 K. Stormwater Drainage.

19 1. The stormwater system shall be designed to accommodate, at a minimum,
20 the one hundred-year, 24-hour storm event, or any higher amount if required by the City's
21 Land Development Regulations at the time of construction of the site. The stormwater
22 system shall also hold the entire volume of such storm event. The Applicant understands
23 that it would typically be allowed discharge any off-site pre-development flow from the
24 development site but has offered to design its stormwater system to retain the entire storm

1 event as an inducement to allow for density and other development entitlements set forth
2 in this Development Agreement. In all other regards, the stormwater retention shall be in
3 accordance with the Land Development Regulations Ordinance No. 2013-11, as
4 amended.

5 2. LID – Low Impact Design Elements: The following Low Impact Development
6 elements shall be provided:

7 a. Stormwater Plantings. All stormwater ponds shall utilize
8 supplemental plantings to enhance the functionality and/or aesthetics of the
9 stormwater system. Littoral plantings shall be utilized if viability is likely –
10 i.e. if a stormwater pond is designed to remain wet. If a pond is designed
11 to remain dry and littoral plantings are unlikely to survive, the supplemental
12 plantings shall be Florida Friendly plants.

13 b. Swales. If the stormwater design provides for surface connectivity
14 between the two proposed ponds at the southeast corner of the project, a
15 bioswale will be provided. Furthermore, if a surface swale is required within
16 the amenity tract, a bioswale will be provided so long as there is no negative
17 impact to existing historic trees on the amenity tract. The swales will act as
18 an amenity with Florida friendly plants that require no fertilizers or irrigation
19 and rocks to help control erosion.

20 c. Maintenance Requirements. The required homeowners association
21 for the project shall be responsible for the maintenance of Low Impact
22 Design Elements, and in no event shall they be the responsibility of the City
23 of DeLand.

24

1 L. Access and Transportation System Improvements. All access and
2 transportation system improvements shall be provided in accordance with the Land
3 Development Regulations, Ordinance No. 2013-11, as amended. The parcel shall be
4 developed in substantial accordance with the following access and transportation system
5 improvements:

6 1. Access Points. Access to the site will be from East Taylor Road and
7 South Blue Lake Avenue. The Planned Development Plan indicates the anticipated
8 connection locations; however, the final locations may vary due to final engineering
9 design and permitting considerations.

10 2. Transportation System Improvements. Transportation system
11 improvements will be provided as required by permitting agencies and as needed
12 according to the Traffic Impact Analysis (TIA) for the project.

13 3. Private Access Easement. A private access easement no less than
14 twenty-five feet (25') in width shall be granted to the adjoining property owner in the
15 location depicted on the Development Plan Map.

16

17 M. Internal Roadways. All rights-of-way will be a minimum of fifty (50) feet
18 wide, and constructed in accordance with the Land Development Regulations, Ordinance
19 No. 2013-11, as amended. All internal roads will be dedicated to the City. The dead-end
20 parking area shown on the Planned Development Map will accommodate fire trucks and
21 garbage trucks, as determined by the City Engineer.

22

23 N. Homeowners Association. The Applicant shall create a homeowners
24 association. The charter and by-laws of said association and any other agreements,

1 covenants, easements or restrictions shall be furnished to the City of DeLand for review
2 prior to the time of creation. The Applicant shall be responsible for recording said
3 information in the Public Records of Volusia County, Florida. Also, the applicant shall
4 bear and pay all costs for recording all of the aforementioned documents.

5
6 With respect to the enforcement of said agreements, covenants, easements or
7 restrictions entered into between the Applicant and the owners or occupiers of property
8 within the Taylor Ridge PD, the City of DeLand shall only enforce the provisions of the
9 "Development Agreement" and City of DeLand Land Development Regulations
10 Ordinance No. 2013-11, as amended, whichever is applicable, and not the private
11 agreements entered into between the aforementioned parties.

12
13 O. Reverter Provision: The terms of this Development Agreement shall be
14 vested upon issuance of a final plat development order for the development issued within
15 five (5) years from the effective date of the ordinance which adopts the Planned
16 Development Plan unless the City Commission, for good cause shown, extends the time
17 period indicated in this paragraph. If not vested by said date, the Planned Development
18 Plan shall expire and will be of no further force or effect and no development shall occur
19 on the subject property until it is rezoned. The City Commission may rezone the subject
20 property as may be necessary or appropriate to protect adjoining properties or the public
21 health, safety and welfare if the Planned Development Plan expires.

22
23 P. On-Site Burning of Cleared Vegetation Prohibited: Vegetation and other
24 biomass cleared from the Property during development may not be incinerated on-site.

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Q. Community Enhancements:

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1. Community Activity Enhancements:

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a. Centralized Amenity Parcel consisting of:

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i. an open play field (approximately 208'x105')

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ii. a mulched picnic area, covered by a 600 sf sunshade

7

iii. Four (4) picnic tables (with concrete slab beneath each)

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iv. Two (2) charcoal BBQ grill stations adjacent to picnic area

9

v. An area for horseshoe and or cornhole adjacent to picnic area

10

b. Mulched pathways running from Centralized Amenity Parcel south to

11

Taylor Road and also around SW retention pond.

12

c. Four Exercise Stations located along mulch trail.

13

i. One (1) ExoPod

14

ii. One (1) Pull Up Station

15

iii. One (1) Stepper

16

iv. One (1) Air Walker

17

d. Tot Lot dedicated activity area with the following playground equipment.

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i. Swing Set

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ii. Slide & Tower

21

iii. Bench

22

iv. Shade Sail

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e. Fenced dog park approximately 55' x 120' with bench for dog owners.

24

1 2. In accordance with the TRD land use category, the allowable density of this
2 project is set at no more than 2.5 du/ac, granted pursuant to the clustering of the
3 subdivision and the enhanced amenities provided for in the paragraph above.

4
5 R. Binding Effect of Plans; Recording; and Effective Date. The Planned
6 Development Plan, including any and all amendments, shall bind and inure to the benefit
7 of the Applicant and his successor in title or interest. The Taylor Ridge PD zoning,
8 provisions of the "Development Agreement," and all approved plans shall run with the
9 land and shall be administered in a manner consistent with Article XII of the City of
10 DeLand Land Development Regulations Ordinance No. 2013-11, as amended.

11 This Ordinance and all subsequent amendments shall be filed with the Clerk of the
12 Court and recorded within forty-five (45) days following execution of the document by the
13 City Commission, in the Official Records of Volusia County, Florida. One copy of the
14 document, bearing the book and page number of the Official Record in which the
15 document was recorded, shall be submitted to the Planning Department for placement in
16 the public file. The date of recording of this document shall constitute the effective date
17 of the Taylor Ridge PD or its subsequent amendments. The applicant shall pay all filing
18 costs for recording documents.

19

20 DONE and ORDERED by the City Commission, City of DeLand, Florida, this 5th
21 day of February, 2024.

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1 ATTEST: City Commission of DeLand Florida

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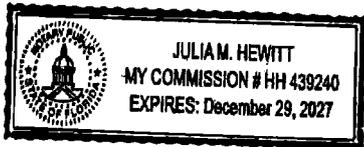
Michael P. Pleus
Michael P. Pleus
City Manager

Christopher M. Cloudman
Christopher M. Cloudman
Mayor
ATTEST:
Julie A. Hennessy
Julie A. Hennessy, MMC
City Clerk - Auditor

STATE OF FLORIDA
CITY OF DELAND

10 The foregoing instrument was acknowledged before me by means of physical
11 presence or online notarization this 14th day of February, 2024, by
12 Michael P. Pleus and Christopher M. Cloudman, as City Manager and Mayor of
13 the City of DeLand, respectively, on behalf of the City of DeLand, and who are
14 personally known to me.

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NOTARY PUBLIC, STATE OF FLORIDA
Type or Print Name:
Julia M Hewitt
Commission No.: HH439240
My Commission Expires: 12/29/2027

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WITNESSES:

[Signature]

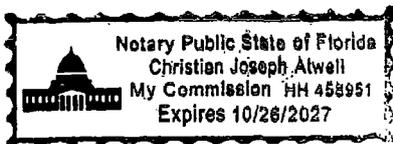
TAN TRAN
Printed Name

[Signature]

JOHN PANTUSO
Printed Name

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 16th day of January, 2024, by ANDREW J. OROSZ, as an Authorized Representative of TLC Blue Lake, LLC, who is personally known to me or who has produced _____ as identification.



APPLICANT
TLC Blue Lake, LLC
a Florida limited liability company

By: [Signature]
ANDREW J. OROSZ
Authorized Representative

NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name: [Signature]

Commission No.: _____

My Commission Expires: _____

EXHIBIT "A"
LEGAL DESCRIPTION

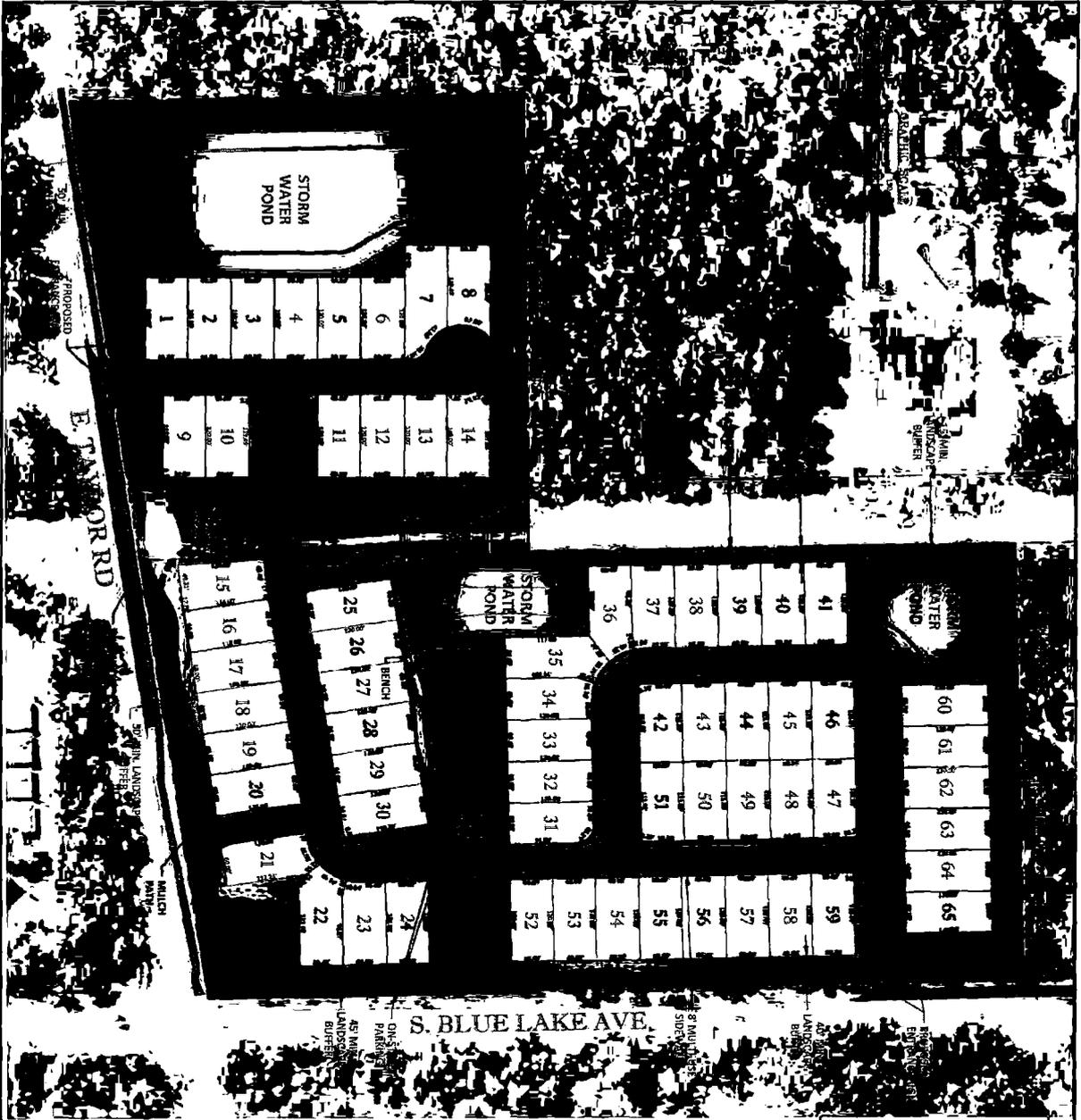
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4 That part of the Southeast 1/4 of the Southeast 1/4 of Section 22, Township 17 South, Range 30
5 East, Volusia County, Florida being more particularly described as follows:
6

7 COMMENCE at the Northeast corner of the Southeast 1/4 of Section 22, Township 17 South,
8 Range 30 East, Volusia County, Florida thence S01°09'26"E 1357.82 feet along the East
9 boundary of said Southeast 1/4 to the Northeast corner of the Southeast 1/4 of said Southeast
10 1/4; thence S88°57'54"W 30.00 feet to a point on the West right of way line of Blue Lake Avenue
11 as shown on Volusia County right of way map Project #1335 for the POINT OF BEGINNING;
12 thence S01°09'26"E 678.79 feet along said West right of way line; thence N89°11'44"E 5.00 feet
13 along said right of way line; thence S01°09'26"E 451.92 feet along said right of way line to a point
14 on the South right of way line of Taylor Road as shown on Volusia County right of way map Project
15 #1113-4-5/P4172-3; thence S81°19'36"W 1250.26 feet along said right of way line to the
16 beginning of a tangent curve concave Northerly and having a radius of 3481.24 feet and a central
17 angle of 01°00'58"; thence Westerly 61.73 feet along the arc of said curve and said right of way
18 line to a point on the West boundary of the Southwest 1/4 of the Southeast 1/4 of said Southeast
19 1/4; thence N01°06'37"W 631.00 feet along said West boundary to the Northwest corner of the
20 Southwest 1/4 of the Southeast 1/4 of said Southeast 1/4; thence N89°11'44"E 662.65 feet along
21 the North boundary of the Southwest 1/4 of the Southeast 1/4 of said Southeast 1/4 to the
22 Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Southeast 1/4; thence
23 N01°08'02"W 676.25 feet along the West boundary of the Northeast 1/4 of the Southeast 1/4 of
24 said Southeast 1/4 to the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of said
25 Southeast 1/4; thence N88°57'54"E 632.36 feet along the North boundary of the Northeast 1/4 of
26 the Southeast 1/4 of said Southeast 1/4 to the Point of Beginning.

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28 CONTAINING: 26.011 acres, more or less.
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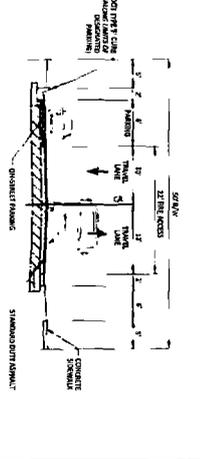
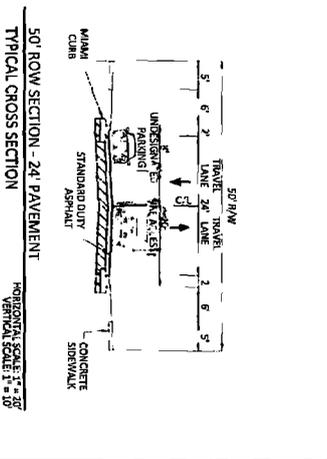
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EXHIBIT "B"
PLANNED DEVELOPMENT PLAN



CITY OF DELAND SITE DATA

TOTAL PROJECT AREA:	26.01 AC	43%
RESIDENTIAL LOT AREA:	10.70 AC	36%
INTERNAL RIGHT OF WAY:	3.66 AC	14%
OPEN SPACE INCLUDES TREE PROTECTION AREA & AMENITY TRACT:	11.59 AC	45%
STORMWATER TRACTS:	3.83 AC	15%
AMENITY TRACT:	0.87 AC	3%
TREE PROTECTION (1.5% MIN):*	3.97 AC	15%
POWERLINE EASEMENT:	1.14 AC	4%
OTHER OPEN SPACE:	1.78 AC	7%
DENSITY ALLOWED:	2.50 du/ac	
DENSITY PROVIDED:	2.50 du/ac	
*FINAL TREE PROTECTION AND OPEN SPACE TRACES WILL BE DETERMINED WITH CONSTRUCTION PLANS BUT REMAINS WILL BE MAINTAINED.		
TOTAL AREA:	25.05 AC	100%



LEGEND:

- 60' LOT
- TOTAL: 65 LOTS/UNITS
- 100%
- LID SWALE
- TREE PROTECTION
- MULCH PATH

PROOF OF PUBLICATION

CITY OF DELAND
City of Deland - City Clerk
120 S Florida AVE
Deland FL 32720-5422

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The News-Journal, published in Volusia and Flagler Counties, Florida; that the attached copy of advertisement, being a Main Custom Legal CLEGL, was published on the publicly accessible website of Volusia and Flagler Counties, Florida, or in a newspaper by print in the issues of, on:

01/26/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 01/26/2024



Legal Clerk



Notary, State of WI, County of Brown



My commission expires

Publication Cost:	\$403.00	
Order No:	9765754	# of Copies:
Customer No:	466111	1
PO #:	PO#ORD-2024-07	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

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, February 05, 2024 at a regular meeting of the DeLand City Commission. The meeting will take place at 7:00 P.M. in the City Commission Chambers, 120 South Florida Avenue, City Hall. All interested parties are invited to attend and be heard on the matter.

Any person who wishes to appeal 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 5:00 P.M.

ORDINANCE NO. 2024 - 07

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, CHANGING THE ZONING FROM VOLUSIA COUNTY'S A-2, RURAL AGRICULTURE TO CITY OF DELAND'S PLANNED DEVELOPMENT, TAYLOR RIDGE PLANNED DEVELOPMENT (PD) ON PROPERTY LOCATED AT 1298 SOUTH BLUE LAKE AVENUE, APPROVING A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY 26.011 ACRES OF PROPERTY MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

