



# AGENDA

## ORMOND BEACH BOARD OF ADJUSTMENT AND APPEALS

February 6, 2013

ORMOND BEACH CITY COMMISSION CHAMBERS

7:00 P.M.

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- I. ROLL CALL
- II. ADMINISTRATIVE ITEMS
  - A. Election of Chairperson and Vice-Chair.
  - B. Approval of the 2012 Rules of Procedures
  - C. Acceptance of 2012 BOAA calendar.
- III. APPROVAL OF THE MINUTES
  - A. December 5, 2012
- IV. NEW BUSINESS
  - A. **Case No. 13V-037: 1387 West Granada Boulevard, side yard and parking variances.**

This is a request from Peter Solti, on behalf of the property owner, Tony Pearson, to demolish the existing single-family house and construct a new 2,000 square foot office building at 1387 West Granada Boulevard. The property is located at 1387 West Granada Boulevard and is zoned as B-10 (Suburban Boulevard). The applicant is seeking two variances: **(1)** Chapter 2, Article II of the Land Development Code, Section 2-31.B.9.c., requires a 20' side yard building setback. The applicant is seeking a side yard setback of 10' along the west side of the property, requiring a side yard variance of 10' from the required 20' setback. **(2)** Chapter 3, Article III of the Land Development Code, Section 3-26 requires one parking space for each 200 square feet of gross floor area or ten parking spaces for the proposed 2,000 square foot office. The applicant is requesting a variance of one parking space to the requirement of ten parking spaces.
- V. OTHER BUSINESS
- VI. ADJOURNMENT

# CITY OF ORMOND BEACH

FLORIDA

PLANNING

MEMORANDUM

**TO:** BOAA Members

**FROM:** Steven Spraker, AICP, Senior Planner

**DATE:** January 25, 2013

**SUBJECT:** Board of Adjustment and Appeals Administrative Items

This is the first meeting of the Board of Adjustment and Appeals (BOAA) for the year 2013. There are several administrative items on the agenda including the election of the chairperson/vice-chairperson, calendar of meetings and the rules of procedures.

Planning staff will continue to provide the BOAA members copies of the packets via hard copy and by e-mail. It would be beneficial for staff if BOAA members could respond to the packet e-mail to let us know if they will be attending the Board meeting. BOAA alternate members will receive packets via e-mail and staff will provide hard copies if an alternate member is requested to attend the Board meeting. If any alternate member desires hard copies of the packet, please contact me and staff can provide the packet to the member. Alternate member(s) are not required to attend the BOAA meetings unless substituting for a member who is absent.

***Planning staff would appreciate if Board members could provide or verify for Planning staff their e-mail addresses for the purposes of distributing the packets.***

The variance packet and agenda are also provided at the City website, under Boards and Committees. If there are any questions, I can be contacted at 676.3341 or by e-mail at [Steven.Spraker@ormondbeach.org](mailto:Steven.Spraker@ormondbeach.org). Thank you.

**RULES OF PROCEDURE  
OF THE  
BOARD OF ADJUSTMENTS AND APPEALS  
FOR THE CITY OF  
ORMOND BEACH, FLORIDA**

The Board of Adjustment and Appeals of the City of Ormond Beach, Florida ("Board") shall be governed by the terms of the Charter and Code of Ordinances of the City of Ormond Beach, the *Land Development Code* of the City of Ormond Beach, Florida, and the Rules of Procedure set forth herein and adopted by the Board.

**SECTION 1. OFFICERS, MEMBERS AND DUTIES**

1.1 Chairman. A Chairman shall be elected by the Board, in accordance with Section 1.16.A.6 of the *Land Development Code*. The Chairman shall decide upon all points of order and procedure subject to these rules, unless otherwise directed by a majority of the Board in session at the time. The Chairman shall appoint from the Board membership any committee found necessary to investigate matters before the Board. The Chairman shall sign all minutes of the Board and all pertinent correspondence.

1.2 Vice-Chairman. A Vice-Chairman shall be elected by the Board in accordance with Section 1.16A6 of the *Land Development Code*. The Vice-Chairman shall serve as Acting Chairman in the absence of the Chairman and, at such times, shall have the same powers and duties as the Chairman.

1.3 Secretary. The Secretary shall be the Director of Planning or the designee of the said Director. The Secretary shall keep all records, shall conduct all correspondence of the Board, shall cause to be given the required legal notice of each public hearing and shall generally take charge of the clerical work of the Board. The Secretary shall take, or cause to be taken, the minutes of every meeting of the Board. These shall show the record of all important facts pertaining to each meeting and hearing, every resolution acted upon by the Board, and all votes of members of the Board upon any resolution or upon the final determination of any questions, in dictating the names of members absent or failing to vote. The Secretary shall endeavor to present the final copy of the minutes to the Chairman for signature not later than five (5) days before the next regular meeting. The Secretary shall keep all records open to the public at all times during normal business hours (8:00 AM-5:00 PM), but shall in no event relinquish the original of any record to any person, unless such authority is granted by the Chairman of the Board.

1.4 Members. As required by the Land Development Code Subsection 1-16:A.2, members of the Board shall be appointed by the City Commission. Terms and conditions of appointment shall be governed by Article I, inclusive. Members shall provide the Secretary with their current home address and home and/or office telephone number, unless such information is made confidential by law. Such information shall be kept current by the members. In the event that a member of the Board shall be unable to attend a regularly scheduled meeting, the member shall notify the Secretary of the member's expected absence

no later than five (5) days before that meeting. The five (5) days notice of absence shall not apply to emergency absences beyond the member's control, nor to special meetings described in Subsection 2.2 below.

1.5 Viewing. The Board members shall make every effort to view any site being considered for recommendation. The Secretary shall provide each member with a map showing the subject site.

## **SECTION 2. MEETINGS**

2.1 Regular Meetings. Regular meetings of the Board of Adjustment and Appeals shall be held on the first Wednesday of each month, at 7:00 P.M. in City Hall Commission Chambers. If the Chambers are not available, an alternate location shall be noted on the agenda and in all related advertising and notices. The time and place of the regular monthly meeting may be changed by affirmative vote of a majority of the Board.

2.2 Special Meetings. Special meetings of the Board may be called at any time by the Chairman, or at the direction of any three (3) members of the Board. At least seventy-two (72) hours advance notice of the time and place of special meetings shall be given by the Secretary or Chairman to each member of the Board.

2.3 Cancellation of Meetings. Whenever there is no business for the Board, or whenever so many members notify the Secretary of inability to attend that a quorum will not be available, the Chairman may dispense with the regular meeting by instructing the Secretary to give written or oral notice to all members not less than twenty-four (24) hours prior to the time set for the meeting.

2.4 Quorum. A quorum shall consist of four (4) members for the transaction of business.

2.5 Conduct of Meeting. All meetings shall be open to the public. The order of business at regular meetings shall be as follows:

- a. Roll Call
- b. Approval of the Minutes
- c. Unfinished Business, if any
- d. New Business and Hearing of Cases
- e. Board Comments, if any
- f. Adjournment

2.6 Continued Meetings. The Board may continue a regular or special meeting if all business cannot be disposed of on the day set, and no further public notice shall be necessary for resuming such a meeting if the time and place of its resumption is stated at the time of continuance and is not thereafter changed.

2.7 Adjournment. New items will not be heard by the Board after 10:00 PM unless authorized by a majority vote of the Board members present. Items which have not been heard before 10:00 PM may be continued to a date and time certain, or to the next regular meeting, as determined by affirmative vote of the majority of the Board members present.

### **SECTION 3. VOTING**

3.1 Vote. The affirmative vote of a majority of the members present and legally entitled to vote at any meeting shall be necessary to reverse any order, requirement, decision or determination of the Chief Building Official, or to decide in favor of the applicant on any matter. The Chairman shall have one (1) vote on all issues voted upon by the Board.

3.2 Voting Conflict of Interest. No member of the Board shall participate in any matter which would inure to the member's special private gain or loss, which the member knows would inure to the special private gain or loss of any principal by whom the member is retained, or to the parent organization or subsidiary of a corporate principal by which the member is retained; or which the member knows would inure to the special private gain or loss of a relative or business associate of the member without first disclosing the nature of the member's interest in the matter.

Such disclosure, indicating the nature of the conflict, shall be made in a written memorandum filed with the Secretary prior to the meeting in which consideration of the matter will take place, and shall be incorporated in the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the Board, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

In the event that disclosure has not been made prior to the meeting, or that any conflict is unknown prior to the meeting, the disclosure shall be made orally at the meeting when it becomes known that a conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within fifteen (15) days after the oral disclosure with the Secretary and shall be incorporated into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the Board, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

Any member of the Board who, after written notice and public hearing, is found to have violated the provisions listed above, shall have the member's membership on the Board immediately terminated.

3.3 Abstention. All members of the Board shall vote in favor of, or in opposition to, all matters coming before the Board for vote, and such vote shall be recorded in the official records of the Board. However, no member shall vote upon any matter which would inure to the member's special private gain or loss; which the member knows would inure to the special private gain or loss of any principal by whom the member is retained or to the parent organization or subsidiary of a corporate principal by which the member is retained, other than an agency as defined in §112.312(2), *Florida Statutes*; or which the member knows would inure to the special private gain or loss of a relative or business associate of the member. Any member so required to abstain shall, prior to the vote being taken, publicly state to the assembly the nature of the member's interest in the matter from which the member is abstaining from voting and, within fifteen (15) days after the vote occurs,

disclose the nature of the member's interest as a public record in a memorandum filed with the Secretary, who shall incorporate the memorandum in the minutes.

3.4 Policy. It shall be the policy of the Board to provide sufficient findings of fact in making a decision on each issue pending before the Board. All findings of fact shall be based on the applicable standards and regulations contained in the Land Development Code, the information provided by the applicant, City Staff's review of the application and appropriate information or evidence and testimony presented at the public hearing.

#### **SECTION 4. ATTENDANCE**

Attendance of the Board of Adjustment and Appeal Board members shall be subject to the standards contained in the Code of Ordinances, Chapter 2 Administration, Article VI Boards, Commissions, Committees and Other Agencies, Division 1. Generally, Section 2-202, Attendance of Members, as amended.

#### **SECTION 5. APPEALS AND APPLICATIONS**

All appeals and applications shall be filed in the manner provided for in Article I of the *Land Development Code*.

#### **SECTION 6. RESIDENCY REQUIREMENTS**

All Board members must be residents of the City of Ormond Beach. A member who, after appointment or selection to the Board, ceases to be a resident of the city shall promptly tender a resignation, which shall be effective immediately upon its tender. Failure to resign shall result in the person's membership on the Board being terminated by the City Commission.

#### **SECTION 7. APPLICATIONS**

All applications for Board action shall be complete and filed in the manner provided for in the Land Development Code.

#### **SECTION 8. CONDUCT OF HEARINGS**

The applicant, their agent or attorney, must be present, at the public hearing before the Board of Adjustment and Appeal. Failure to be present, or to be represented, will result in the application being tabled until the next regularly scheduled meeting. The applicant shall be billed for any additional advertising costs associated with the failure to be present. If the applicant fails to appear before the Board of Adjustment and Appeal a second time, the Board may deny the application.

The order of procedure for each hearing shall be as follows:

8.1 In order to allow the meeting to proceed in an orderly fashion, the Board, by motion, may limit the time allowed for remarks concerning a specific agenda item to a maximum of thirty (30) minutes for City staff, the designated representative of the applicant and the

designated representative of any organized group and to five (5) minutes for members of organizations and other individual speakers. Additional time shall be allowed to respond to questions from the Board. The Chairman may also direct speakers to limit their comments to issues which have not been previously stated;

8.2 The Chairman or the Chairman's designee, shall request that staff present the application;

8.3 The staff shall present its analysis and recommendations regarding the application;

8.4 The Board, with permission of the Chairman, may question staff regarding the application.

8.5 The applicant or the applicant's agent shall be afforded the opportunity to speak, typically 10 minutes unless extended by the Board, in behalf of the application;

8.6 Any Board member, with permission of the Chairman, may question the applicant or his agent;

8.7 The Chairman shall direct persons wishing to speak in favor of, or in opposition to, the application shall be allowed to do so after signing in and stating their name and address - such presentation shall be made at the podium and be limited to five (5) minutes unless extended by the Board;

8.8 The Chairman shall ensure that there is sufficient time allocated to the applicant to provide comments and to address questions, comments and recommendations raised by the public hearing;

8.9 After public comments, a motion is required to allow Board discussion of the application. Any Board member, with permission of the Chairman, may ask the Applicant, staff, or member of the general public a question regarding the application.

8.10 After Board discussion, a motion is required to approve, approve with conditions, or deny an application.

8.11 The Chairman will state the name of the Board member making the motion and the name of the Board member who seconded the motion.

8.12 The recording secretary will perform a roll call vote of each Board member for or against the proposed motion.

8.13 After the vote, the Chairman shall announce a summary of the vote.

8.14 After the vote, the Chairman shall close the public hearing

8.15 Arguments between the parties shall not be permitted - all remarks shall be addressed to the Chair;

8.16 Where there is no opposition to an application, the Chairman, by consensus of the Board and upon confirmation that all Board members have read the staff report, may waive the staff analysis;

8.17 Members shall at all times speak directly into the microphones to facilitate the recording of the meetings; and

8.18 Copies of any and all letters, exhibits, or any information not otherwise provided prior to the meeting are required to be presented to the recording secretary for inclusion in the Board minutes.

## **SECTION 9. DECISIONS**

9.1 Time. Decisions by the Board shall be made in the form of a motion upon completion of the hearing.

9.2 Applicant's Rights. The Chairman shall inform the applicant of his or her right to appeal an unfavorable decision to the Circuit Court within thirty (30) days, and of his or her need to implement a successful decision by obtaining the necessary permits within twelve (12) months. In cases in which work requiring a variance began prior to consideration by the Board, and a request for a variance is denied, the Chairman shall inform the applicant that the City will take action to have offending structure(s) removed unless the City Commission decides otherwise, upon application for consideration by the applicant.

9.3 Notification. The Secretary shall send a copy of the Board's Order to the appellant or applicant within thirty (30) days of the date of decision by the Board. A copy of the Board's Order shall be inserted in the applicant's file and a copy of all Orders sent shall be attached to the Chairman's copy of the minutes.

9.4 Follow-up. The Planning Director or designee should keep the Board advised of all subsequent actions taken by the City and/or by the applicant in cases in which the Board has rendered a final decision.

## **SECTION 10. AGENDA**

Each appeal shall be placed upon the agenda of the Board by the Secretary. The order shall be by the time of filing with the first application submitted appearing as the first case. There may be a cut-off date established by the Board after which no further cases shall be added to the agenda. If more than ten (10) cases appear on the agenda, the Secretary may first confer with the Chairman before a decision is made concerning the number of cases to be heard. The agenda of cases to be heard shall be mailed to each member of the Board and each alternate five (5) days before the regular meeting.

## **SECTION 11. RECONSIDERATION, REHEARINGS AND REAPPLICATIONS**

11.1 Reconsideration. Once a motion has been adopted, the Board may reconsider that matter at the same meeting, provided a motion to reconsider is made by a member who voted with the prevailing side.

11.2 Rehearing.

11.2.1 Any aggrieved party may apply for a rehearing before the Board by filing a written statement setting forth what fact(s) or principle(s) of law which the party believes was overlooked by the Board.

11.2.2 The application for a rehearing must be filed in the same manner as was the original application and within thirty (30) days of the date of the Board's Order. All filing fees and notice requirements shall apply as for an original application.

11.2.3 The matter will be placed on the first available agenda and, before any debate or argument, the Chairman will entertain a motion for or against rehearing the case. The motion will be considered without argument or debate other than by the Board, by the applicant or his agent or attorney, and by the City. All debate and argument shall be limited to matters allegedly overlooked in the original hearing of the case. No new evidence whatsoever will be considered.

11.2.4 If a motion to grant the rehearing is approved, the case shall proceed as an original hearing. If the rehearing request is denied, the Board's original ruling shall be final as of the date of denial of the motion for rehearing.

11.2.5 No more than one request for rehearing shall be entertained in any case.

11.3 Reapplication. Upon denial of any application, and exhaustion of all appeals therefrom, no reapplication to the Board may be made unless:

11.3.1 There is an allegation in the application demonstrating that there has been a substantial change in facts or conditions, any such allegation being supported by a statement setting forth the specific nature of the change; and

11.3.2 At least six (6) months has expired since the action of the Board, or the denial of any appeal therefrom, whichever is last to occur.

## **SECTION 12. AMENDMENTS**

These Rules of Procedures may be amended or modified by an affirmative vote of not less than four (4) members of the Board, provided that such amendment be presented in writing at a regular meeting and action taken thereon at a subsequent regular meeting.

## **SECTION 13. MOTIONS**

Every motion shall require an affirmative vote of the majority of the Board members present and voting. Prior to polling the board, the Chairman shall announce the movant and the second.

**SECTION 14. ROBERTS RULES OF ORDER**

Any point of procedure not otherwise addressed by these Rules shall be governed by *Roberts Rules of Order, Newly Revised*.

**PRESENTED IN WRITING** at a regular meeting of the Board on February 6, 2013.

**APPROVED** at a regular meeting of the Board on\_\_\_\_\_.

**DATED:** February 6, 2013.

| <b>BOARD OF ADJUSTMENT AND APPEALS - 2013 CALENDAR (WEDNESDAY)</b> |                            |                            |
|--|----------------------------|----------------------------|
| <b>Submittal Deadlines</b>   | <b>Legal Notification*</b> | <b>Board Meeting Date</b>  |
| December 6, 2011   | December 23, 2011          | Wednesday, January 9       |
| January 6  | January 20                 | Wednesday, February 6      |
| February 3   | February 17                | Wednesday, March 6         |
| March 1  | March 17                   | Wednesday, April 3         |
| April 1  | April 14                   | Wednesday, May 1           |
| May 1  | May 19                     | Wednesday, June 5          |
| June 7   | June 21                    | Wednesday, July 10         |
| July 1   | July 21                    | Wednesday, August 7        |
| August 1   | August 16                  | Wednesday, September 4     |
| September 2  | September 13               | Wednesday, October 2       |
| October 1  | October 18                 | Wednesday, November 6      |
| November 1   | November 15                | Wednesday, December 4      |
| December 2   | December 20                | Wednesday, January 8, 2014 |

Note: Legal Notification consists of a legal ad in the newspaper, certified letters to abutting property owners and posting the property with a public notice sign. City staff will prepare the legal ad, the certified letters, and post the property as part of the application fee.

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**MINUTES**  
**BOARD OF ADJUSTMENT**

**December 5, 2012**

**7:00 p.m.**

**Commission Chambers**  
22 South Beach Street  
Ormond Beach, Florida

**I. ROLL CALL**

Members Present

Tony Perricelli  
Dennis McNamara  
Sue Parkerson  
Norman Lane  
Jean Jenner  
Ryck Hundredmark (Excused)

Staff Present

Steven Spraker, AICP, Senior Planner  
Ann-Margret Emery, Deputy City Attorney  
Meggan Znorowski, Minutes Technician

**II. APPROVAL OF THE MINUTES**

**Mr. Lane moved to approve the November 7, 2012 Minutes as submitted. Mr. Jenner seconded the motion. Vote was called: Mr. Perricelli abstained; Ms. Parkerson abstained; Mr. Jenner for; Mr. Lane for; Mr. McNamara for. The motion carried.**

**III. NEW BUSINESS**

**A. Case No. 13V-14: 305 Thackery Road, rear yard variance**

Mr. Steven Spraker, Senior Planner, Planning Department, City of Ormond Beach, stated this is an application for an 8' by 23' screen room addition requesting a 11' foot variance for a 9' setback. Mr. Spraker explained that this property was platted in the 1950s and constructed in 1959 in Volusia County, and at some point was annexed into the City; the lot size does not meet the minimum lot size for the assigned zoning district as a function of being developed in the County and annexed into the City. Mr. Spraker continued that the building has unique characteristics in how it is angled, and due to that there will be a greater setback of 16' on the one side. Mr. Spraker stated the applicant obtained written statements from the abutting neighbors stating they had no objections. Mr. Spraker continued that he spoke to the neighbor behind the applicant who was extremely supportive of the application and felt that it would be an improvement and a chance for the property owner to more fully enjoy their property. Mr. Spraker stated staff is recommending approval.

Sonia Robey, 305 Thackery Road, stated she would like to have the variance approved so she can more fully enjoy her backyard.

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Mr. Lane asked if Ms. Robey considered moving the addition to the beginning of the patio.

Ms. Robey responded that she did, but the issue is that the washer and dryer is on the other side which vents to the outer wall, which would require moving that as well as the only water spigot outside for watering is also in that area so the addition is located 6" to the side of the spigot.

**Mr. Jenner moved to approve the variance as submitted. Mr. Perricelli seconded the motion. Vote was called, and the motion unanimously approved.**

**B. Case No. 13V-17: 1520 W. Granada Blvd., front yard variance**

Mr. Spraker stated this is an application for a variance at 1520 West Granada Boulevard which is an existing gas station at the corner of Granada Boulevard and Williamson Boulevard. Mr. Spraker explained that over the years as Granada Boulevard has been expanded, the property has lost right-of-way and the existing canopy is at a 0' setback; the applicant is required to redo their underground gas tanks, and as part of that they would like to take down the existing canopy in order to facilitate the replacement and relocate the canopy in the same position at the end of the gas tank replacement project. Mr. Spraker continued that this property is located within the Greenbelt Gateway Corridor which requires landscaping and a greater setback; staff reviewed the project and could not find another location for the canopy that allowed reasonable use of the property. Mr. Spraker stated the only other option would be to not allow a canopy. Mr. Spraker stated staff is recommending approval.

Mr. Lane inquired about the taking mentioned in the staff report.

Mr. Spraker responded FDOT would attempt to have a cure plan to try to relocate the canopy if there was a taking or potential buy the site. Mr. Spraker explained Florida Hospital relocating on Williamson Boulevard has put pressure on the intersection of Granada Boulevard and Williamson Boulevard; the preliminary study by FDOT shows double rights going from Granada Boulevard heading east onto southbound Williamson Boulevard, which would require additional right-of-way along the applicant's frontage. Mr. Spraker stated the studies are 5-10 years out, but it is something to be aware of.

Mr. Perricelli stated after reviewing the packet it is a tight site, and he doesn't see how the canopy could go anywhere else, but where it is currently.

Mr. McNamara asked if they could perform the construction a stage at a time and keep the existing canopy.

Mr. Spraker replied that the applicant desires to have a newer canopy given the age of the canopy and the construction, which would follow some of the architectural design standards.

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Mr. Perricelli stated if this was new construction, the site would not be large enough to accommodate this use pursuant to today's codes.

Mr. Spraker agreed without a rezoning and waivers.

Jason Schultz, applicant, stated the canopy structure is 28 years old and they want to replace it; if they have to move the canopy if the FDOT does another taking, it would inhibit them from even operating on this site.

**Mr. Jenner moved to approve the variance as submitted. Mr. Perricelli seconded the motion. Vote was called, and the motion unanimously approved.**

#### **IV. OTHER BUSINESS**

##### **2013 BOAA Meeting Dates**

Mr. Spraker asked the Board if they would be willing to move the meeting to 5:30, the second Tuesday of the month followed by the Planning Board due to staff resources and to relieve some duplication of staff; it is purely at the Board's discretion.

It was the decision of the Board to keep the meetings on the first Wednesday of the month at 7:00 PM.

#### **V. ADJOURNMENT**

As there was no other business, the meeting was adjourned at 7:22 p.m.

Respectfully submitted,

\_\_\_\_\_  
Steven Spraker, AICP, Senior Planner

ATTEST:

\_\_\_\_\_  
Dennis McNamara, Chair

*Minutes prepared by Meggan Znorowski.*

Pursuant to section 286-0105, Florida Statutes, if any person decides to appeal any decision made by the board of adjustment with respect to any matter considered at

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this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

All persons appealing to the board of adjustment must be present, or represented at the public hearing scheduled for the consideration of his request. Failure to be present or to be represented, results in the automatic refusal by this board to grant permission for any variance. In order to allow the meeting to proceed in an orderly fashion, the board, by motion, may limit the time allowed for remarks concerning a specific agenda item to a maximum of thirty (30) minutes for city staff, the designated representative of the applicant and the designated representative of any organized group and to five (5) minutes for members of organizations and other individual speakers. Additional time shall be allowed to respond to questions from the board.

Persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance and who wish to attend city commission meetings or any other board of committee meeting may contact the city clerk in writing, or may call 677-0311 for information regarding available aids and services.

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# STAFF REPORT

## City of Ormond Beach Department of Planning

**DATE:** January 25, 2013

**SUBJECT:** 1387 West Granada Boulevard

**APPLICANT:** Peter Solti, on behalf of the property owner, Tony Pearson

**FILE NUMBER:** V13-37

**PROJECT PLANNER:** Steven Spraker, AICP, Senior Planner

### **INTRODUCTION:**

This is a request from of Peter Solti, on behalf of the property owner, Tony Pearson, to demolish the existing single-family house and construct a new 2,000 square foot office building at 1387 West Granada Boulevard. The property is located at 1387 West Granada Boulevard and is zoned as B-10 (Suburban Boulevard). The applicant is seeking two variances: **(1)** Chapter 2, Article II of the Land Development Code, Section 2-31.B.9.c., requires a 20' side yard building setback. The applicant is seeking a side yard setback of 10' along the west side of the property, requiring a side yard variance of 10' from the required 20' setback. **(2)** Chapter 3, Article III of the Land Development Code, Section 3-26 requires one parking space for each 200 square feet of gross floor area or ten parking spaces for the proposed 2,000 square foot office. The applicant is requesting a variance of one parking space to the requirement of ten parking spaces.

### **BACKGROUND:**

The subject property currently has a single-family residence that was constructed in 1978, per the Volusia County Property Appraiser website. The single-family residence is a non-conforming use in the B-10 (Suburban Boulevard) zoning district. Since 2002, there have been multiple attempts to convert the single-family residence into an office use. Issues have included landscape buffers, required parking spaces, handicapped access, access aisle width and building architecture. The current application is the first to propose demolition of the existing structure and rebuilding of a new office building.

The property is designated as "Office/Professional" on the City's Future Land Use Map (FLUM) and is zoned B-10 (Suburban Boulevard) on the City's Official Zoning Map. The surrounding uses are as follows:

|              | Current Land Uses                         | Future Land Use Designation                  | Zoning                                       |
|--------------|---|--|--|
| <b>North</b> | Single-Family residences (Volusia County) | VC – Urban Low Density                       | VC - R-4 (Urban Single-Family Residential)   |
| <b>South</b> | Lowe’s and Offices                        | “Office Professional” & “General Commercial” | B-10 (Suburban Boulevard) & B-8 (Commercial) |
| <b>East</b>  | Offices                                   | “Office Professional”                        | B-1 (Professional Office/Hospital)           |
| <b>West</b>  | The Vineyard                              | “Office Professional”                        | B-10 (Suburban Boulevard)                    |

**Site aerial:**



**Existing site picture:**



## **ANALYSIS:**

The variance requests are based upon the size of the lot. The subject property is 109' wide by 133' deep or 14,497 square feet. The B-10 zoning district has a minimum lot size of 1.5 acres with the intent to provide a boulevard design with large landscaping areas along the roadway and increased building setbacks. The applicant seeks to eliminate a non-conforming use (single-family residence) and construct a general office building which is a permitted use in the zoning district.

The project is required to be reviewed by the Site Plan Review Committee (SPRC) and the applicant has presented a conceptual design. The project has the following site plan characteristics:

1. A 6' high masonry wall is required where a commercial use abuts a single-family residence. The property to the rear of the subject property is a residence in unincorporated Volusia County.
2. There is no sewer within the immediate area and the applicant shall be permitted to install a septic system.
3. The property is within the Greenbelt and Gateway Preservation District that requires a 25' front landscape buffer and 40' building setback. The proposed site plan conforms to required Greenbelt landscape and building setbacks.
4. The project meets or exceeds the landscape buffer requirements.
5. The project will meet a required building architecture style.
6. The proposed building is 2,000 square feet and requires 10 parking spaces. The applicant is proposing 9 parking spaces.
7. The proposed building encroaches into the western property line building setback. The B-10 zoning district requires a 20' setback and 10' is proposed.
8. A Florida Department of Transportation (FDOT) permit is required for the driveway connection to Granada Boulevard.

On January 3, 2013, the applicant conducted a neighborhood meeting as required by the Land Development Code where a commercial development abuts a residential district. As part of the notification process, all property owners within 600' of the property were notified. At the meeting, two individuals attended. One individual was the home directly behind the project and the other was with the property to the west, the Vineyard. The property owner to the rear desired to verify that a wall would be constructed. Neither individual raised any objection to the project.

## **CONCLUSION:**

Chapter 1, Article II, Section 1-16.D.2, of the Land Development Code states, "The Board of Adjustment and Appeals shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved and are not the result of the actions of the applicant. If the basis for

the request is the unique quality of the site, the Board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the Board shall base its findings on the cumulative effect of granting the variance to all who may apply.”

**Variance 1: Potential Alternatives, Side Yard Setback Encroachment:**

1. Grant the applicant’s request for a 10’ variance for the proposed building with a resulting 10’ setback from the required 20’ front yard setback.
2. Deny the request and require a 20’ side yard setback for the proposed building.

The Board must consider the following criteria established in Chapter 1, Article II, Section 1-16.D.4, of the Land Development Code for the variance application:

1. **Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.**

Argument for the variance: The special condition is that the limited lot size of 14,497 square feet. The lot size 50,843 square feet less than the required lot size of the B-10 zoning district. There is no opportunity to combine the subject property with other surrounding lots.

Argument against the variance: None. The limited lot size is a constraint for site development.

2. **The special conditions and circumstances do not result from the actions of the applicant.**

Argument for the variance: The special conditions and circumstances are not the actions of the applicant. The lot size occurred with the platting of the lot.

Argument against the variance: None. The special conditions and circumstances are not the actions of the applicant.

3. **Literal interpretation of the provisions of these zoning regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant.**

Argument for the variance: The application proposes the redevelopment of a non-conforming use and is seeking to construct a permitted use of the B-10 zoning district. Literal application of the building setback would create a hardship on the applicant and deprive them from a reasonable use of the property.

Argument against the variance: None. The small lot size limits the potential building footprint. The 20’ side yard setback was designed for large lots (minimum of 1.5 acres) and restricts the redevelopment potential of the subject property.

4. **No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure.**

Argument for the variance: Staff and the applicant have analyzed several development scenarios and the proposed design is the best design to minimized variances and make reasonable use of the property. There are no other practical alternatives.

Argument against the variance: None. There is no alternative location for the building based on the Greenbelt and landscape buffers.

5. **The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship.**

Argument for the variance: The variance is not sought solely to reduce the cost of the construction of the project.

Argument against the variance: None. The variance is not sought to reduce the construction cost of the project.

6. **The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.**

Argument for the variance: The request will not increase congestion, fire danger or public hazards.

Argument against the variance: None. The variance will not create any hazards to the public.

7. **The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.**

Argument for the variance: The subject property is one of the last single-family residences left in this corridor of Granada Boulevard. The single-family use is non-conforming and inconsistent with the adopted land use and zoning for the property. The redevelopment of the property is in harmony with the intent of the Land Development Code, would not negatively impact surrounding properties, and would increase the property values in this area of Granada Boulevard.

Argument against the variance: None. The variance will not diminish property values or negatively impact adjoining properties.

8. **Granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district.**

Argument for the variance: The purpose of the variance process is to confer rights that are denied to a particular applicant because of a special condition or

unique circumstance for their property. Staff believes that this request is appropriate based on the existing developed site.

Argument against the variance: None. The proposed redevelopment is consistent with the Comprehensive Plan and Land Development Code.

Variance 2: Potential Alternatives, Parking Space:

1. Grant the applicant's request to waive one parking space from the required ten parking spaces. The project would project a total of nine parking spaces, including one handicapped parking space.
2. Deny the request and require ten parking spaces. The provision of the tenth space would require an encroachment into either the Greenbelt landscape buffer or rear landscape buffer.

The Board must consider the following criteria established in Chapter 1, Article II, Section 1-16.D.4, of the Land Development Code for the variance application:

1. **Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.**

Argument for the variance: The special condition is that the limited lot size of 14,497 square feet. The lot size 50,843 square feet less than the required lot size of the B-10 zoning district. The limited lot depth of 133 feet constrains the ability to provide parking.

Argument against the variance: None. The limited lot size is a constraint for site development.

2. **The special conditions and circumstances do not result from the actions of the applicant.**

Argument for the variance: The special conditions and circumstances are not the actions of the applicant. The lot size occurred with the platting of the lot.

Argument against the variance: None. The special conditions and circumstances are not the actions of the applicant.

3. **Literal interpretation of the provisions of these zoning regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant.**

Argument for the variance: The application proposes the redevelopment of a non-conforming use and is seeking to construct a permitted use of the B-10 zoning district. Literal application of the parking requirements would impact the redevelopment of this site.

Argument against the variance: None. The small lot size limits the ability to provide ten parking spaces.

4. **No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure.**

Argument for the variance: Staff and the applicant have analyzed several development scenarios and the proposed design is the best design to minimize variances and make a reasonable use of the property. One alternative choice is to impact the Greenbelt area and the other is to impact the landscape buffer to the rear of the property. The proposed use a general office and staff believes that nine parking spaces would be adequate for their use.

Argument against the variance: None. There are no other reasonable alternatives.

5. **The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship.**

Argument for the variance: The variance is not sought solely to reduce the cost of the construction of the project.

Argument against the variance: None. The variance is not sought to reduce the construction cost of the project.

6. **The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.**

Argument for the variance: The request will not increase congestion, fire danger or public hazards.

Argument against the variance: None. The variance will not create any hazards to the public.

7. **The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.**

Argument for the variance: The subject property is one of the last single-family residences left in this corridor of Granada Boulevard. The single-family use is non-conforming and inconsistent with the adopted land use and zoning for the property. The redevelopment of the property is in harmony with the intent of the Land Development Code, would not negatively impact surrounding properties, and would increase the property values in this area of Granada Boulevard.

Argument against the variance: None. The variance will not diminish property values or negatively impact adjoining properties.

8. **Granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district.**

Argument for the variance: The purpose of the variance process is to confer rights that are denied to a particular applicant because of a special condition or unique circumstance for their property. Staff believes that this request is appropriate based on the existing developed site.

Argument against the variance: None. The proposed redevelopment is consistent with the Comprehensive Plan and Land Development Code.

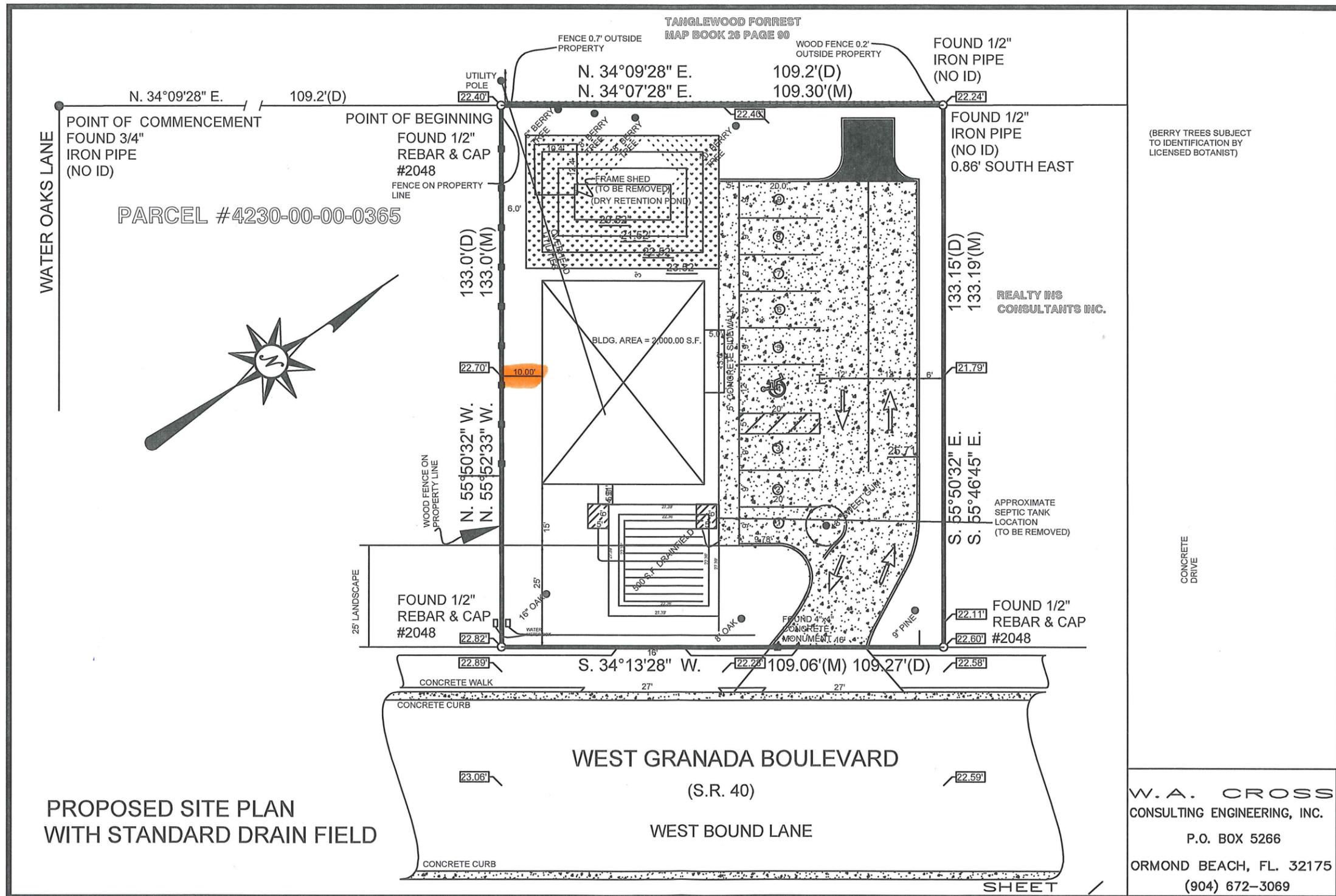
**RECOMMENDATION:**

The subject property has had many redevelopment scenarios since 2002. The current application is the first to demolish the existing structure and redevelop the property. The proposed application is a substantial improvement to a non-conforming site and use. The project is consistent with the Comprehensive Plan and Land Development Code and the requested variances are based on the small lot size. It is recommended that the Board of Adjustment and Appeals **APPROVE** two variances as follows:

| <b>Land Development Code Section</b>         | <b>Required Standard</b> | <b>Requested Standard</b> | <b>Variance Requested</b> |
|--|--------------------------|---------------------------|---------------------------|
| Chapter 2, Article II<br>Section 2-31.B.9.c. | 20'                      | 10'                       | 10'                       |
| Chapter 3, Article III<br>Section 3-26       | 10 parking spaces        | 9 parking spaces          | 1 parking space           |

# Exhibit A

## Variance Exhibit



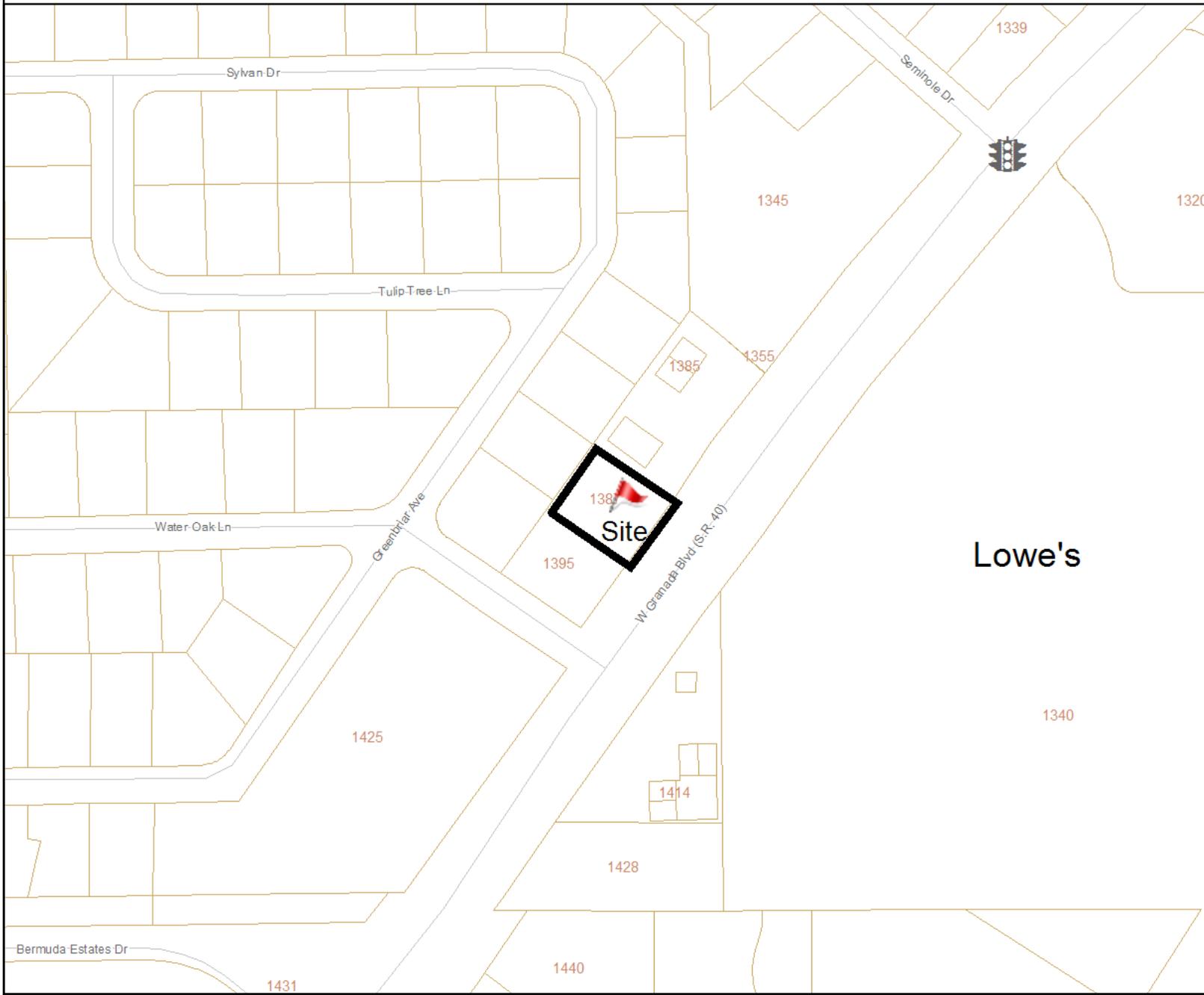
| Required Setback | Setback Requested | Variance Requested |
|------------------|-------------------|--------------------|
| 20'              | 10'               | 10'                |

| Required Parking Spaces | Parking Spaces Requested | Variance Requested |
|-------------------------|--------------------------|--------------------|
| 10                      | 9                        | 1                  |

# Exhibit B

- Maps and Pictures

# 1387 West Granada Boulevard Location Map



-  Golf Courses
-  Address Points
-  Traffic Signals
-  Airport and Railroad
-  AIRPORT
-  RAILROAD
-  City Streets
-  DIRT
-  MAJOR
-  PAVED
-  Water Features
-  Property Lines

196 ft



GIS data is provided on an "as is" basis. The accuracy or reliability of the data is not guaranteed or warranted in any way. The City of Ormond Beach specifically disclaims any warranty either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance of the data is with the end user. In no event will the City, its staff or it's representatives be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the City has been advised of the possibility of such damages.





**Existing house to be demolished**



**Existing house to be demolished**

World • United States • FL • Volusia Co. • Ormond Beach



**SITE**



© 2013 Microsoft Corporation. Pictometry Birds Eye © 2012 Pictometry International Corp

# Exhibit C

## Applicant Provided Information



**CITY OF ORMOND BEACH**

v5.3

Planning Department  
22 South Beach Street, Ormond Beach, FL 32174  
Tel: (386) 676-3238  
www.ormondbeach.org      comdev@ormondbeach.org

**VARIANCE - APPLICATION**

*For Planning Department Use*

Application Number

13-37

Date Submitted

12.10.12

12-7-2012

**VARIANCE TYPE**

Please select appropriate application type

Commercial

**FEES**

|                            | <u>Application</u> | <u>Advisory Board</u> | <u>Commission</u> | <u>Total*</u>     |
|----------------------------|--------------------|-----------------------|-------------------|-------------------|
| Residential and Commercial | 350                | 354                   | N/A               | 704 paid 12/10/12 |
| After-the-Fact             | 700                | 354                   | N/A               | 1054              |

\*The total is calculated as the Application plus approximate Advisory Board and Commission Public Notification Fees. Depending on the actual costs, Staff shall refund any remaining balance or require additional payment.

**APPLICANT INFORMATION**

This application is being submitted by  Property Owner  Agent, on behalf of Property Owner

Name Peter Solti

Address 44 Coquina Ridge Way

City, State, Zip Code Ormond Beach, Florida, 32174

Telephone 386-677-6771

Email Address solticonstruction@gmail.com

If this application is being submitted by person other than the property owner, please provide the following Property Owner Information.

**PROPERTY OWNER INFORMATION**

Name | Anthony Pearson  
Address | 1400 Hand Ave, Suite R  
City, State, Zip Code | Ormond Beach, Florida, 32174  
Telephone | 386-627-1327  
Email Address | tony.pearson.cfst@statefarm.com

If the property owner does not reside on the property for which the application refers, please provide the following Property Details.

**PROPERTY DETAILS**

Address | 1387 W. Granada Blvd.  
Zip Code | 32174  
Parcel I.D. | 4230-00-00-0366  
Legal Description | Lot 366 Tanglewood Forrest Sub. MB. 26, Pg. 90 PRVC. FL

**REQUEST**

For the Board of Adjustment and Appeals to grant a variance, there must be special conditions or circumstances existing which are peculiar to a particular piece of land, structure or building. The variance should not request special privilege denied to other lands, buildings or structures, and must prove deprivation of rights commonly enjoyed by other property owners in the subject property area that results in an unnecessary hardship. The request should be the minimum possible to make reasonable use of the land and, if granted, should not be injurious to the area or materially diminish the value of the surrounding properties, alter the essential characteristics of the neighborhood or otherwise be detrimental to the public welfare or create a public nuisance. A purely financial hardship does not, except under extreme circumstances, constitute sufficient grounds for hardship.

Request | We request permission to build a new 2000 sq.ft. office building with a side setback of 10' in lieu of 20' and parking for 9 cars in lieu of 10 parking spaces. The property size is substandard due to previous zoning requirements.

**ABUTTING PROPERTY OWNERS**

Please provide abutting property owner signatures or provide letters indicating position toward the request.

| Signature | Street Address | For                      | Against                  |
|-----------|----------------|--------------------------|--------------------------|
|           |                | <input type="checkbox"/> | <input type="checkbox"/> |
|           |                | <input type="checkbox"/> | <input type="checkbox"/> |
|           |                | <input type="checkbox"/> | <input type="checkbox"/> |

**CRITERIA: CONFORMING**

Section 1-16.D.3 of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 8 criteria. Additional pages, photographs, surveys, plot plans or other materials may be attached as exhibits.

**NOTE:** If the existing structure or property is nonconforming, complete the nonconforming criteria (page 4).

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:

Ample building size and prescribed parking requirements for said property is not attainable due to the previous zoning requirements by the city. Property is land locked.

2. The special conditions and circumstances do not result from the actions of the applicant:

Conditions now require significant sized retention pond and larger drain field for septic systems, than in the past.

3. Literal interpretation of the provisions of these zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant:

In order to adhere to present zoning requirements, Owner would need to construct an impractical small and unusable building.

4. No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure:

Property is contiguous to developed property, and Owner is not capable of obtaining additional property.

**CRITERIA: CONFORMING (continued)**

5. The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship:

The owner would prefer to build a larger building for future growth, but this location is paramount for said business.

6. The proposed variance will not substantially increase congestion on surrounding streets, or the danger of fire or other hazard to the public:

Building shall be used by office workers utilizing sales and service over the phone and internet.

7. The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site:

Building shall conform to present day Ormond Beach architectural and building requirements, as opposed to refurbishing an existing dated building.

8. Granting this variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same zoning district:

Other properties along West Granada Boulevard have required a variance for zoning issues, due to the undersized parcels.

**CRITERIA: NONCONFORMING**

Section 1-16.D.4 of the Land Development Code establishes separate criteria for the expansion of an existing nonconforming structure or portion of that structure. The Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 6 criteria. Additional pages, photographs, surveys, plot plans or any other materials may be attached as exhibits.

1. The property where the structure is located meets the minimum lot area standard for the zoning district, as specified in Chapter 2, Article II:

NOT APPLICABLE

**CRITERIA: NONCONFORMING (continued)**

- 2. There are no other ways of altering the structure that will not result in increasing the nonconforming cubic content of the structure:

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- 3. The proposed expansion will be consistent with the use of the structure and surrounding structures, given the use is permitted by right, conditional use or special exception in the zoning district within which the structure is located:

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- 4. The proposed expansion effectively "squares-off" an existing building, or does not extend beyond the furthest point of an adjacent building on the site:

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- 5. The proposed expansion is in scale with adjacent buildings:

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- 6. The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise:

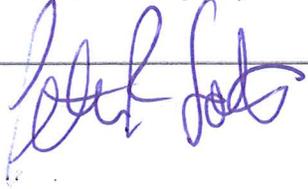
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**CERTIFICATION**

By submitting this application, I hereby certify that the information provided above is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and review process for this application. I hereby authorize City of Ormond Beach Staff to place legal notice on my property and to take pictures pertaining to my request. I am aware of the required pre-application meeting and am aware that if all the submittal requirements are not provided, my application will be continued to the next regularly scheduled meeting.

Signed By:  Date: 2012-12-07

**Corporation**

**STATE OF FLORIDA)**  
**COUNTY OF VOLUSIA) SS**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_, in their capacity as the \_\_\_\_\_, of \_\_\_\_\_ who is personally known to me or has provided identification.

\_\_\_\_\_  
Notary Public  
State of Florida  
My Commission Expires:

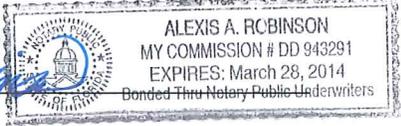
ATTEST: \_\_\_\_\_

**Individual**

**STATE OF FLORIDA)**  
**COUNTY OF VOLUSIA) SS**

The foregoing instrument was acknowledged before me this 10 day of December, 2012, by Peter Robert Solti, who provided 5930-676-47-228-0 as identification or is personally known to me.

  
Notary Public  
State of Florida  
My Commission Expires:







 State Farm<sup>®</sup>

**Tony Pearson**

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To: solti construction

11/28/12

City of Ormond Beach  
Building Department  
22 South Beach Street  
Ormond Beach, FL 32174

Subject: Variance for property located at  
1387 W. Granada Blvd Ormond Beach, FL

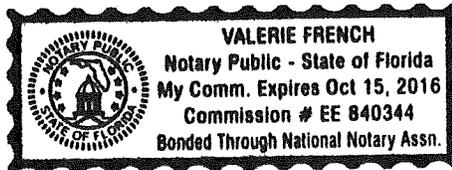
I hereby appoint Pete Solti of Solti Construction, Inc. to represent me in applying for a variance for said property located at 1387 W. Granada Blvd., Ormond Beach, Florida 32174.

Respectfully,

*Tony Pearson*

Tony Pearson

*Notarized November 29, 2012 by Valerie French*



TANGLEWOOD FORREST  
MAP BOOK 26 PAGE 90

N. 34°09'28" E. 109.2'(D)

N. 34°09'28" E. 109.2'(D)  
N. 34°07'28" E. 109.30'(M)

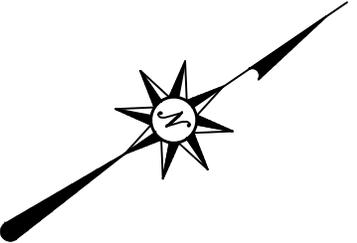
FOUND 1/2" IRON PIPE (NO ID)

WATER OAKS LANE

POINT OF COMMENCEMENT  
FOUND 3/4" IRON PIPE (NO ID)

POINT OF BEGINNING  
FOUND 1/2" REBAR & CAP #2048  
FENCE ON PROPERTY LINE

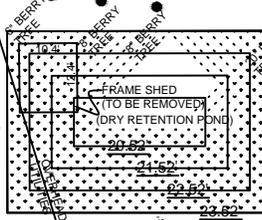
PARCEL #4230-00-00-0365



UTILITY POLE 22.40'

WOOD FENCE 0.2' OUTSIDE PROPERTY

FOUND 1/2" IRON PIPE (NO ID)  
0.86' SOUTH EAST



133.0'(D)  
133.0'(M)

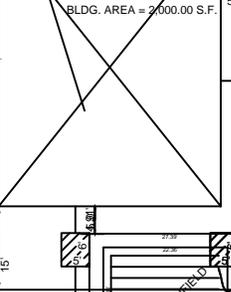
133.15'(D)  
133.19'(M)

REALTY INS CONSULTANTS INC.

22.70'

N. 55°50'32" W.  
N. 55°52'33" W.

WOOD FENCE ON PROPERTY LINE



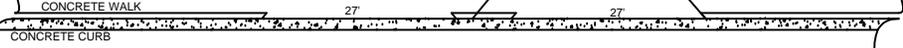
S. 55°50'32" E.  
S. 55°46'45" E.

APPROXIMATE SEPTIC TANK LOCATION (TO BE REMOVED)

FOUND 1/2" REBAR & CAP #2048

FOUND 1/2" REBAR & CAP #2048

S. 34°13'28" W. 109.06'(M) 109.27'(D)



WEST GRANADA BOULEVARD (S.R. 40)

WEST BOUND LANE

PROPOSED SITE PLAN WITH STANDARD DRAIN FIELD

(BERRY TREES SUBJECT TO IDENTIFICATION BY LICENSED BOTANIST)

CONCRETE DRIVE

W.A. CROSS  
CONSULTING ENGINEERING, INC.  
P.O. BOX 5266  
ORMOND BEACH, FL. 32175  
(904) 672-3069

SHEET