



A G E N D A
ORMOND BEACH PLANNING BOARD
Regular Meeting

January 9, 2014

7:00 PM

City Commission Chambers

22 South Beach Street

Ormond Beach, FL

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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 OR COMMITTEE MEETING MAY CONTACT THE CITY CLERK IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES.

I. ROLL CALL

II. ADMINISTRATIVE ITEMS

- A. Election of Chairperson and Vice Chairperson
- B. Adoption of 2014 Rules of Procedures
- C. Adoption of 2014 Planning Board Calendar

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. NOTICE REGARDING ADJOURNMENT

THE PLANNING BOARD WILL NOT HEAR NEW ITEMS 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 THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

VI. APPROVAL OF THE MINUTES: November 14, 2013 and December 13, 2013

VII. PLANNING DIRECTOR'S REPORT

VIII. PUBLIC HEARINGS

A. SE 14-028: Curb Appeal Hardscaping, LLC: Special Exception for Outdoor Activity

This is a request submitted by Ralph Perez of Curb Appeal Hardscaping LLC, for a Special Exception to authorize an outdoor storage, display, and sales of finished hardscape material under certain conditions at 661 South Nova Street. The subject property is a vacant stand alone property approximately 550 linear

feet on the east side of South Nova and north of Hand Avenue/South Nova Street intersection.

- IX. OTHER BUSINESS**
- X. MEMBER COMMENTS**
- XI. ADJOURNMENT**

CITY OF ORMOND BEACH

FLORIDA

PLANNING

MEMORANDUM

TO: Planning Board Members

FROM: S. Laureen Kornel, AICP, Senior Planner

DATE: December 30, 2013

SUBJECT: Planning Board Administrative Items

This is the first meeting of the Planning Board for the year 2014. There are three administrative items on the agenda including the election of the chairperson/vice-chairperson, adoption of the 2014 Calendar, and the rules of procedures. Section 1-15.B.3 of the Land Development Code states at the first meeting of the Board each year, the secretary shall call the meeting to order and shall then call for nominations for chairperson. There have been no changes made to the 2013 Rules of Procedure.

If there are any questions, I can be contacted at 676.3345 or by e-mail at laureen.kornel@ormondbeach.org. Thank you.

2014 Planning Board Public Hearing Schedule

Deadline for Submittal to SPRC	SPRC Meeting: Projects are Determined on/ off Agenda	15 Sets of Site Plans for PB	Post Property (by applicant) 14 Days Prior to Meeting	PB Mail Notification and NJ advertisement by staff	Final Staff Reports and Agenda sent to PB	Planning Board Meeting Date	Packet to City Attorney's Office	City Commission – 1 st Reading	City Commission - 2nd Reading
Nov 26	Dec 10	Nov 19	Dec 26	Dec 24	Dec 30	January 9	Jan 22	Feb 18	Mar 4
Dec 31	Jan 14	Jan 23	Jan 30	Jan 29	Feb 3	February 13	Feb 19	Mar 18	Apr 1
Jan 28	Feb 11	Feb 20	Feb 29	Feb 26	Mar 3	March 13	Mar 19	Apr 16	May 6
Feb 25	Mar 11	Mar 20	Mar 27	Mar 26	Mar 31	April 10	Apr 23	May 20	Jun 3
Mar 25	Apr 8	Apr 17	Apr 24	Apr 23	Apr 28	May 8	May 21	Jun 17	Jul 1
Apr 29	May 13	May 22	May 29	May 28	Jun 2	June 12	Jun 18	Jul 15	Aug 6
May 27	Jun 10	Jun 19	Jun 26	Jun 25	Jun 30	July 10	Jul 23	Aug 19	Sep 2
Jul 1	Jul 15	Jul 24	Jul 31	Jul 30	Aug 4	August 14	Aug 20	Sept 16	Oct 7
Jul 29	Aug 12	Aug 21	Aug 28	Aug 27	Aug 29	September 11	Sep 24	Oct 21	Nov 5
Aug 26	Sep 9	Sep 18	Sep 25	Sep 24	Sep 29	October 9	Oct 22	Nov 18	Dec 2
Sep 30	Oct 14	Oct 23	Oct 30	Oct 29	Nov 3	November 13	Nov 19	Dec 16	Jan 6
Oct 28	Nov 11	Nov 20	Nov 27	Nov 26	Dec 1	December 11	Dec 24	Jan 20	Feb 3

**RULES OF PROCEDURE
OF THE
PLANNING BOARD
FOR THE
CITY OF ORMOND BEACH**

The Planning Board of the City of Ormond Beach, Florida shall be governed by the terms of the Charter, the Code of Ordinances, and the Land Development Code of the City of Ormond Beach, 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 Subsection 1-15:B3 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 any subcommittee 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 1-15:B3 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 1-15:B1, 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.
- 1.6 Schedule of Meetings. Pursuant to Subsection 4-03:C of the Land Development Code, the Board members shall approve a yearly calendar of meetings at its inaugural meeting each year. This schedule of meetings will establish timeframes for application submittal and SPRC review.

SECTION 2. MEETINGS

2.1 Regular Meetings. Regular meetings of the Planning Board shall be held generally on the second Thursday of each month, at 7:00 PM, in the 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 noticing. 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. Invocation
- c. Pledge of Allegiance
- d. Notice Relative to Adjournment
- e. Approval of the Minutes
- f. Planning Director's Report
- g. Public Hearings
- h. Other Business and Discussion Items
- i. Member Comments
- j. 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 make any recommendation on any matter coming before the Board. 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 Florida Statutes, Section 112.312(2); 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 recommendation for denial, approval or approval with conditions. 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, Planning staff's review of the application and appropriate information or evidence and testimony presented at the public hearing.

SECTION 4. ATTENDANCE

Attendance of the Planning 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. 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. A member who locates his permanent residence outside of the zone from which he was appointed shall also be required to tender a resignation from the Board. Failure to tender the resignation, with continuous residency outside the zone from which he was appointed for more than sixty (60) days, shall be presumed to constitute residency outside the zone and the membership shall be terminated by the City Commission. Upon request of the person involved and upon a showing of good cause, the City Commission may extend such time.

SECTION 6. APPLICATIONS

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

SECTION 7. CONDUCT OF HEARINGS

The applicant may appear in person or by agent or by attorney at the hearing. The order of procedure for each hearing shall be as follows:

7.1 The Chairman, the Chairman's designee, shall present a summary explanation of the application;

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

7.3 The applicant or the applicant's agent shall be afforded the opportunity to speak in behalf of the application;

7.4 Any Board member, with permission of the Chairman, may request additional staff input or question the application or his agent;

7.5 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. The Chairman shall ensure that there is sufficient time allocated to the staff, applicant and public to provide comments and to address questions, comments and recommendations raised by the Planning Board members in their discussion of the application;

7.6 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;

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

7.8 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 (Section 7.2);

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

7.10 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 8. DECISIONS

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

8.2 Notification. The Secretary shall send a copy of the Board's recommendations to the City Commission and to the applicant within fifteen (15) days of the date of decision by the Board. A copy of the Board's recommendation shall be inserted in the applicant's file.

SECTION 9. AGENDA

Each matter shall be placed upon the agenda of the Board by the Secretary. The order shall be set by the Chairman with emphasis placed on anticipated audience interest. There may be a cut-off date established by the Board after which no further matters shall be added to the agenda. The agenda of matters to be heard shall be mailed or delivered to each member of the Board at least five (5) days before the regular meeting.

SECTION 10. 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.

SECTION 11. 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 12. 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 13. ROBERT'S RULES OF ORDER

Any point of procedure not otherwise addressed by these Rules shall be governed by the current edition of Robert's Rules of Order, Newly Revised.

PRESENTED IN WRITING at a regular meeting of the Board on January 9, 2014.

M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

November 14, 2013

7:00 PM

City Commission Chambers

22 South Beach Street
Ormond Beach, FL 32174

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, SAID PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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I. ROLL CALL

Members Present

Pat Behnke
Harold Briley
Rita Press
Al Jorczak
Doug Wigley
Doug Thomas
Lewis Heaster

Staff Present

Ric Goss, AICP, Planning Director
Steven Spraker, AICP, Senior Planner
S. Lauren Kornel, AICP, Senior Planner
Becky Weedo, AICP, Senior Planner
Randy Hayes, City Attorney
Meggan Znorowski, Recording Technician

II. INVOCATION

Mr. Wigley led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE

REGARDING

ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING 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 THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. MINUTES

A. October 10, 2013

Mr. Briley moved to approve the minutes as submitted. Mr. Jorczak seconded the motion. Vote was called, and the motion unanimously approved.

VI. PLANNING DIRECTOR'S REPORT

None.

VII. PUBLIC HEARINGS

A. LUPA 14-006: Small Scale Land Use Map Amendment, 55 & 75 North Nova Road

Mr. Steven Spraker, Senior Planner, stated this is an application for a land use amendment for two properties along North Nova Road. Mr. Spraker explained the location, orientation, and characteristics of the subject properties, presented the staff report, and stated staff is recommending approval.

Mr. Heaster stated that with the news of the old hospital site being converted to multi-family, he would suspect that this will be the trend due to the need for commercial to support the multi-family use.

Ms. Behnke asked since there is no plan yet for the property, what is the push to rezone it.

John Trost, Prudential Commercial Real Estate, responded to have a position when they're ready. Mr. Trost explained that they have had some inquiries, but the indication from potential buyers is that the property would need this zoning designation for a retail-type use.

Mr. Briley moved to approve LUPA 14-006 as submitted. Mr. Jorczak seconded the motion. Vote was called, and the motion unanimously approved.

B. RZ 14-007: Zoning Map Amendment 55 & 75 North Nova Road

Mr. Spraker stated this is a request for a zoning map amendment. Mr. Spraker explained the location, orientation, and characteristics of the subject property, presented the staff report, and stated staff is recommending approval of the B-8 zoning district.

Ms. Press asked what the planned business development (PBD) zoning allow the applicant to do that the office professional designation would not.

Mr. Spraker responded that the land use of office professional would not allow them to negotiate retail uses such as retail and restaurant because those uses would be inconsistent with the land use. Mr. Spraker explained the office professional designation is solely for offices; a percentage of retail is allowed as an accessory use, for example, 20%, but a drive-thru restaurant would not be permitted.

Ms. Press asked if they could come back if they have a tenant that needed to and get a PBD.

Mr. Spraker answered that it would be more likely that the applicant would only come back if they needed a parking waiver, waivers of setbacks or landscape buffers, and the like. Mr. Spraker stated more than likely it would not be for use variances, but more likely for dimensional standards.

Ms. Behnke asked if most of the currently existing B-8 is built already.

Mr. Spraker responded yes, it is primarily built.

Ms. Behnke asked what conditional uses are permitted for B-8.

Mr. Briley read from the various conditional and permitted uses from the staff report including sexually oriented businesses.

Ms. Behnke asked if a sexually oriented business could apply for this location.

Mr. Spraker responded that it was unlikely that a sexually oriented business would meet the standards for the subject location.

Mr. Briley stated that given the current situation, a sexually oriented business would not be allowed next to a church.

Mr. Spraker responded correct. Mr. Spraker stated that there are certain standards that the sexually oriented business use would have to accommodate. Mr. Spraker added that this site is not vacant, but rather the applicant is looking to redevelop the site. Mr. Spraker explained that given the development patterns of this area such as Olive Grove, Madison Glen, and the large parcel that is likely going to develop into residential, these areas are going to be used to serve those residential developments. Therefore, it makes sense to have restaurants and other retail in close proximity to the multi-family.

Mr. Briley asked what criteria a sexually oriented business would have to meet in the B-8 zoning district.

Mr. Spraker responded that he would defer to the Planning Director with regards to the sexually oriented business criteria.

Mr. Richard Goss, Planning Director, stated that when the sexually oriented business criteria were constructed, all of the sensitive land uses were looked at. There are buffers between sexually oriented business and parks, churches, bars, etc. Mr. Goss stated this site with a church beside it would not be eligible.

Mr. Spraker stated there are several parks within close proximity to the subject property so a sexually oriented business would not be permitted.

Mr. Heaster moved to approve RZ 14-007 as submitted. Mr. Briley seconded the motion. Vote was called, and the motion unanimously approved.

C. LUPA 13-131 Land Use Map Amendment, 1500 San Marco Drive a/k/a 390 Williamson Boulevard (San Marco Apartments)

Ms. Lauren Kornel stated this is a land use map amendment for 1500 San Marco Drive also known as 390 Williamson Blvd. Ms. Kornel explained the location, orientation, and characteristics of the subject property, presented the staff report, and stated staff is recommending approval.

Ms. Press asked why the professional office designation was given versus a residential designation.

Ms. Kornel responded that staff did consider using the High Density Residential (HDR), which in name seems like it would be most appropriate except the Floor Area Ratio (FAR) in this case is .4, which does not fit under the HDR, which is when staff looked to Office Professional, which has a .5 FAR and would be more appropriate. Ms. Kornel explained that even though the title is Office Professional, that designation has the multi-use category which is consistent with what the County land use is.

After discussion about HDR, FAR, and inconsistencies with the density and FAR, Ms. Kornel stated staff is discussing a Comprehensive Plan Amendment to correct inconsistencies with the land use categories.

Ms. Press asked if the San Marco Apartments were destroyed completely by a hurricane, would they meet all the standards to rebuild as they exist now.

Ms. Kornel responded yes. In-fact, the Office Professional is the most appropriate because it allows for the most consistent designation with what it had in the county in terms of the density and FAR, and is a decrease in impact.

Mr. Goss stated the City has a Comprehensive Plan policy that states when a property is annexed it needs to be given a similar land use and zoning as what the property had in the county; meaning they cannot be made non-conforming. Mr. Goss explained the differences with the land use and subsequent zoning classifications with regards to density and FAR.

Ms. Press asked if the Crowne is in the county.

Mr. Goss responded yes, but it is scheduled for annexation and the first reading is November 19, 2013, which will have a similar issue because staff would like to give it the HDR land use with R-6 zoning, but the maximum FAR is at 12 and it is actually 12.5 units an acre. Therefore it may be given a Planned Residential Development and use their existing plan as the dimensional standards. Mr. Goss stated it all goes back to not creating non-conformities because there is no incentive if your property becomes non-conforming. Mr. Goss continued that staff should be bringing an amendment to the Comprehensive Plan within the next 6 months with regards to the densities, heights, and floor areas.

Ms. Press asked what the impact will be once those changes are made.

Mr. Goss responded that staff has not even begun the analysis, but with regards to HDR it will only affect about 8 properties. Mr. Goss continued that staff will have these types of answers when that item is presented to the Board in a workshop first before the actual amendment to the Comprehensive Plan.

Mr. Wigley asked if it doesn't fit, then why do it other than the tax revenue. Mr. Wigley stated these properties developed in the county because they don't want to be in the city.

Mr. Goss responded that it is not that these properties did not want to be in the City, the problem was the City's boundary wasn't there at the time these properties wanted service, but it was within the City's service boundary for water. Mr. Goss explained if the City boundary would have been adjacent to these properties at that time they would have been in the City years ago.

Mr. Wigley stated the City has leap-frogged over other parcels in the past to annex.

Mr. Goss stated that the Board should keep in mind that this area in question is a huge enclave. Mr. Goss explained that staff has been working to reduce this enclave and has an agreement with the County to do so contiguously.

Mr. Briley moved to approve LUPA 13-131 as submitted. Ms. Press seconded the motion. Vote was called, and the motion unanimously approved.

D. LDC 14-008: Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definitions of Terms and Words, and Chapter 3, Performance Standards, Article II, Environmental Protection Standards, Section 3-20 Floodplain Management and Protection

Ms. Weedo, Senior Planner stated this is an administrative amendment to the Land Development Code related to Floodplain Management, which is being brought in order to become consistent with federal regulations. Ms. Weedo presented the staff report, and stated staff is recommending approval.

Mr. Jorczak asked what the impact of this is on the City's insurance rates.

Ms. Weedo replied that it keeps the City from being suspended from the National Flood Insurance Program, in which the City has a Community Rating System of 6, which provide a 20% discount on flood insurance policies for those in special flood hazard areas.

Mr. Briley moved to approve LUPA 14-008 as submitted. Ms. Press seconded the motion. Vote was called, and the motion unanimously approved.

VIII. OTHER BUSINESS

None.

IX. MEMBER COMMENTS

Ms. Press asked for an update on Buddy LaCour's property.

Mr. Goss stated that he and Mr. Spraker met with Mr. LaCour and Parker Mychenburg over a concept. Mr. Goss explained there were not a lot of drawings or dimensions. Mr. Goss continued that the meeting was more to bounce ideas off of staff as there is not yet an application.

X. ADJOURNMENT

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Ric Goss, AICP, Planning Director

ATTEST:

Doug Thomas, Chair

Minutes transcribed by Meggan Znorowski.

M I N U T E S
ORMOND BEACH PLANNING BOARD
Regular Meeting

December 12, 2013

7:00 PM

City Commission Chambers

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I. ROLL CALL

Members Present

Pat Behnke
Harold Briley
Rita Press
Al Jorczak
Doug Wigley
Doug Thomas
Lewis Heaster (excused)

Staff Present

S. Lauren Kornel, AICP, Senior Planner
Becky Weedo, AICP, Senior Planner
Ann-Margaret Emery, Deputy City Attorney
Meggan Znorowski, Recording Technician

II. INVOCATION

Mr. Jorczak led the invocation.

III. PLEDGE OF ALLEGIANCE

IV. NOTICE REGARDING ADJOURNMENT

NEW ITEMS WILL NOT BE HEARD BY THE PLANNING 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 THE FOLLOWING THURSDAY OR TO THE NEXT REGULAR MEETING, AS DETERMINED BY AFFIRMATIVE VOTE OF THE MAJORITY OF THE BOARD MEMBERS PRESENT (PER PLANNING BOARD RULES OF PROCEDURE, SECTION 2.7).

V. MINUTES

A. November 14, 2013

Pulled from the agenda.

VI. PLANNING DIRECTOR'S REPORT

None.

VII. PUBLIC HEARINGS

A. LUPA 14-014: Large Scale Land Use Map Amendment, 550 Williamson Boulevard.

Ms. Lauren Kornel, Senior Planner, City of Ormond Beach, stated this is a large scale map amendment for 550 Williamson Boulevard, The Crowne at Ormond Beach to change the land use from County UHI to City HDR as a result of annexation. Ms. Kornel explained the location, orientation, and characteristics of the property, and presented the staff report. Ms. Kornel stated staff is recommending approval.

Ms. Press stated she understands why this property is being handled this way, but would prefer to see more consistency with the assigned land uses in the Williamson Blvd. area given that the Crowne at Ormond Beach and San Marco apartment complexes are both multi-family.

Ms. Kornel responded that the reason for the Office/Professional designation on San Marco was due to the Floor Area Ratio (FAR) exceeding the 0.3. Ms. Kornel continued that is a matter that staff intends to address in the new year.

Mr. Jim Morris, 750 Oak Heights Court, Port Orange, stated on behalf of the applicant that the purpose of this classification is to keep the property conforming, and asked that the Board recommend approval.

Mr. Briley moved to approve LUPA 14-014 as submitted. Mr. Jorczak seconded the motion. Vote was called, and the motion unanimously approved.

B. RZ 14-019: Zoning Map Amendment 550 Williamson Boulevard

Ms. Kornel stated this is a zoning map amendment for 550 Williamson Boulevard from County R-7 to City PRD as a result of annexation. Ms. Kornel explained the location, orientation, and characteristics of the property, and presented the staff report. Ms. Kornel stated staff is recommending approval.

Mr. Morris thanked staff for working with the property owner, and stated that they hired an engineer to determine if the property met with the City's code and found that there were slight inconsistencies with the city's Land Development Code. Mr. Morris explained that those slight inconsistencies may seem not so big when some is built, but if a portion of the developemnt is damaged or needs repair, it can become a huge problem. Mr. Morris continued that from the perspective of the property owner, they certainly want to be conforming, and the annexation agreement that was executed provides them with that right. Mr. Morris explained that if the need arises for repair, the desire is to avoid applications for variances so that work can be done expeditiously .

Mr. Heaster moved to approve RZ 14-019 as submitted. Mr. Briley seconded the motion. Vote was called, and the motion unanimously approved.

C. MM 14-011 Capital Improvements Element (CIE) Update

Ms. Kornel stated this is an update to the schedules in the City's Comprehensive Plan. Mr. Kornel presented the staff report, and stated staff is recommending approval.

Mr. Jorczak asked who establishes the Levels of Service (LOS) for the CIPs.

Ms. Kornel responded the City based on demographics and other criteria.

Ms. Weedo added that the City sets the LOS standards, which is a policy, and the City adopted into the Comprehensive Plan. Ms. Weedo explained that because the City had established a Comprehensive Plan, the City still abides by the Comprehensive Plan policies.

Mr. Jorczak asked if there is a penalty if the City does not meet the LOS.

Ms. Weedo responded that there isn't the concurrency management review that there used be as 9J-5 was repealed in its entirety, but the City carries on the policies that were formally adopted.

Mr. Thomas stated the City is policing itself.

Mr. Jorczak moved to approve MM 14-011 as submitted. Mr. Briley seconded the motion. Vote was called, and the motion unanimously approved.

D. LUPA 14-003: Small Scale Land Use Map Amendment 1451-1459 North US Highway 1

Ms. Weedo stated this is a small scale land use map amendment for 1451-1459 North US Highway 1 from County Commercial to Ormond Beach Low Intensity Commercial as a result of annexation. Ms. Weedo explained the location, orientation, and characteristics of the subjection property. Ms. Weedo presented the staff report, and stated staff is recommending approval.

Mr. Briley moved to approve LUPA 14-003 as submitted. Mr. Wigley seconded the motion. Vote was called, and the motion unanimously approved.

E. RZ 14-004: Zoning Map Amendment 1451-1459 North US Highway 1

Ms. Weedo stated this is a zoning map amendment for 1451-1459 North US Highway 1 from County B-4 to Ormond Beach B-8 as a result of annexation. Ms. Weedo explained the location, orientation, and characteristics of the subjection property. Ms. Weedo presented the staff report, and stated staff is recommending approval.

Mr. Jorczak moved to approve RZ 14-004 as submitted. Mr. Press seconded the motion. Vote was called: Mr. Wigley for; Ms. Behnke for; Mr. Briley for; Mr. Jorczak for; Ms. Press for; Mr. Thomas abstained.

VIII. OTHER BUSINESS

None.

IX. MEMBER COMMENTS

Condolences were extended to Mr. Thomas for the loss of his mother and to Betty Ruger for the loss of her husband.

X. ADJOURNMENT

The meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Ric Goss, AICP, Planning Director

ATTEST:

Doug Thomas, Chair

Minutes transcribed by Meggan Znorowski.

STAFF REPORT

City of Ormond Beach

Department of Planning

DATE: December 9, 2013

SUBJECT: Curb Appeal Hardscaping, LLC: Special Exception for Outdoor Activity

APPLICANT: Ralph Perez

NUMBER: 14-28

PROJECT PLANNER: Richard Goss, AICP, Planning Director

INTRODUCTION: As homeowners discover and enjoy more time entertaining outside and are adapting their environment to let the comfort of the indoors flow outdoors, the popularity of outdoor lifestyle design centers grows in proportion. Outdoor design centers are increasingly popular at landscape and hardscape material suppliers across the country, making their mark as a go-to source for contractors and homeowners alike. But what is an outdoor design center? Outdoor design centers come in all shapes and sizes. It can be a space within a hardscape materials supplier (Lowe's) or retailer that showcases how landscape and hardscape products can be used to create a variety of outdoor living settings. As residential lifestyles continue to appreciate outdoor entertaining, design centers are increasingly expanding and diversifying the finished products that homeowners desire in order to make outdoor "living rooms."

Consequently, this is a request submitted by Ralph Perez of Curb Appeal Hardscaping LLC, for a Special Exception to authorize an outdoor activity use. The outdoor activity application requests the permanent outdoor storage, display, and sales of finished hardscape material under certain conditions at the 661 South Nova Street. The subject property is a vacant stand alone property located approximately 550 linear feet on the east side of South Nova and north of the Hand Avenue/South Nova Street intersection.

BACKGROUND: The applicant owns and operates two outdoor hardscape design center stores. The applicant desires to open a store in Ormond Beach that would sell finished hardscape materials similar to their store which is located at 2036 South Ridgewood Avenue in South Daytona. The store is located in the City's Downtown District. The property has approximately 118 linear feet of frontage on South Nova Road and is located approximately 550 feet from the intersection of South Nova Road and Hand Avenue. The property is approximately .6474 acres and is zoned as B-8 (Commercial).

Within the B-8 zoning district, outdoor activity requires a Special Exception. The issue of outdoor activity has been an item of discussion by the Planning Board and the City Commission in 2012. It was decided by City Commission at the recommendation of the Planning Board to continue requiring a Special Exception for outdoor activity.

Exhibit 1 is an aerial picture of the site while Table 2 provides the existing uses and land use/zoning designations surrounding the subject property.

Exhibit 1: Site Aerial: Surrounding Uses



Table 2: Surrounding Land Uses with Land Use and Zoning Designations:

Direction	Use	Future Land Use Designation	Zoning
Northwest	Office Building	“General Commercial	B8 (Commercial)
Southeast	Peoples Meats	“General Commercial”	B8 (Commercial)
Northeast	SF Residential homes	“Low Density Residential”	R-3 (Single Family Medium Density)
Southwest	Prince Peace of Church and Housing	“Public Institutional” & Medium Density Residential	R-3 (Single Family Medium Density) & R-5 (Multifamily Medium Density)

PROJECT DESCRIPTION: The applicant requests the outdoor storage, display, and sales of finished hardscape merchandise. **There is no other site or building construction or outdoor activity proposed with this application.** Staff views the application as very similar to the Lowe’s request at 1340 West Granada as it relates to the outdoor storage duration. The applicant proposes the following conditions:

1. The product storage would be year round;
2. There would be no impedance to pedestrian traffic or means of ingress/egress;
3. The outdoor display of merchandise would be displayed 24-7. Cameras, lighting, and the weight of the finished product to be stored outside according to the owner have been factors that prevent pilferage.
4. Decorative stone base/wrought iron fence with pavers as a ground floor base will be provided. Principal storage is to the rear. Front storage is limited to a few items. No bulk or raw materials are proposed at this site.

Below are pictures depicting the desired display of outdoor merchandise:



ANALYSIS: There are multiple Land Development Code sections related to the outdoor storage, display and sales of merchandise. Section 1-22 of the Land Development Code defines outdoor activity as “the display of merchandise offered for sale or any activity, such as live entertainment, outside the building walls of a completely enclosed building.” Within the B-8 zoning district outdoor activity is regulated as a Special Exception with review/recommendation by the Planning Board and a final decision by the City Commission. The Special Exception requires review of the criteria of the following Land Development Code Sections:

1. Section 2-57.O.1, Outdoor Activity (applies to specific use);
2. Section 2-56: General criteria and Special Exception review criteria (applies to all Special Exception requests);
3. Section 1-15.E: Planned Developments and Special Exceptions (Planning Board criteria for all Special Exceptions); and
4. Section 1-18.E: Criteria for Issuance of Development Order (City Commission criteria for all Special Exceptions).

The following other Sections of the Land Development Code are applicable to permanent outdoor storage, display, and sales of merchandise.

Section 2-50.U, Outdoor Activities, of the Land Development Code allows the outdoor sale of merchandise through a special event permit four times per year for fourteen days (56 days) with certain conditions. The conditions include that the outdoor sale of

merchandise is limited to what is sold inside the business. If the Special Exception is approved, the property would still be eligible for the outdoor activities events of the accessory use section of the Land Development Code for 56 days per year.

Section 2-50-V, Outdoor Storage, Parking, or Use of Personal Property, of the Land Development Code states the following:

2. Commercial

- a. Outdoor storage of any type is prohibited in all commercial zoning districts unless a development order is received from the City Commission as a Special Exception or Planned Development or a Special Event permit is obtained.

1. Section 2-57.O.1, Outdoor Activity Criteria:

Section 2-57.O.1 of the Land Development Code outlines the criteria for outdoor activity:

O-

1. OUTDOOR ACTIVITY

- 1. If located adjacent to a residential use, appropriate screening and buffering shall be provided to minimize noise and glare impact to the maximum extent feasible.**

The proposed outdoor activity is minimal and there is no noise or glare impact to any residential uses.

- 2. A site plan displaying the area for activity and pedestrian movement shall be required.**

The applicant has provided a site plan that delineates the area for permanent outdoor storage, display, and sales of merchandise. The location of the proposed merchandise has no impact of pedestrian movement.

- 3. Outdoor music shall provide a sound study demonstrating compliance with the adopted maximum decibel levels.**

There is no outdoor music proposed and this criterion is not applicable.

2. Section 2-56: Special Exception Criteria

Section 2-56 of the Land Development Code outlines the general criteria for all Special Exception approvals:

- A. Off-street parking loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district.**

The Special Exception request involves a vacant single unit retail property. There are no changes proposed to the parking areas and there will be no adverse impacts regarding parking.

- B. Required yards, screening or buffering, and landscaping shall be consistent with the district in general, the specific needs of the abutting land uses, Chapter 3, Article 1, and other applicable provisions of this Code.**

The Special Exception application is limited to the display of outdoor merchandise. There are no proposed changes to the existing site landscaping since the use is permitted.

- C. *Size, location, or number of conditional or Special Exceptions in an area shall be limited so as to maintain the overall character of the district in which said conditional or Special Exceptions are located.***

There have been several applications for Special Exceptions regarding outdoor activity that include the following:

1. Lowe's at 1340 West Granada Boulevard – outdoor product display.
2. Kickstart Saloon at 906 North US1 – Special Event activities.
3. Caffeine's at 49 West Granada Boulevard – outdoor music.
4. Rivergrille at 950 North US1 – outdoor music.
5. Tropic Casual at 294 South Yonge Street – outdoor product display

The requested Special Exception will have a positive impact upon the character of the Nova Road corridor.

- D. *Hours of operation may be limited and the City may require additional information on structural design and site arrangement, to assure the compatibility of the development with existing and proposed uses in the surrounding area.***

The hours of the outdoor storage and display are 24-7. Security lighting, cameras and the fact that the product is too heavy to be removed are factors that will address security. The Planning Board and City Commission previously approved 24-7 outside storage for Lowe's.

- E. *The Special Exception shall not generate hazardous waste or require use of hazardous materials in its operation without use of City-approved mitigative techniques.***

This Special Exception request will not generate hazardous waste.

- F. *All development proposed as a Special Exception within or adjacent to a historic district shall be reviewed based on applicable criteria stated herein for residential, commercial or mixed use development and shall also comply with appearance and design guidelines for historic structures.***

The project is not located within, or adjacent to, a historic district and this criteria does not apply to the project development.

- G. *Outdoor lighting shall have no spillover onto adjacent property or rights-of-way beyond the building site property line and the lumens shall not exceed two (2) foot-candles at the property line.***

The site lighting plan is not proposed for amendment and the applications solely for the permanent outdoor storage, display, and sales of merchandise.

3. Section 1-15.E: Planning Board Criteria and Section 1-18.E: City Commission Criteria

Sections 1-15.E. and 1-18.E of the Land Development Code establish the Planning Board and City Commission Development Order criteria. The Land Development Code states that the following criteria shall be considered:

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

The Land Development Code does not prohibit outdoor activity. Section 2-50.U allows retailers temporary outdoor activity four times per year for 14 days for each event. Within the B-8 zoning district, the outdoor activity use is allowed through a Special Exception with the criteria focusing on impacts to residential uses and the provision of an exhibit demonstrating the limits of the activity. Approving this request is not expected to create negative impacts to residential uses due to the natural buffer to the rear of the property. The request will not adversely affect the public health, safety, welfare or quality of life.

- 2. The proposed development is consistent with the Comprehensive Plan.**

The site has a Future Land Use designation of "General Commercial", which is consistent with the proposed use. The Future Land Use Element states that the "Commercial" land use category is designed for, "To provide for the sales of retail goods and services, high density multi-family, professional offices and services, and restaurants, depending on the range of population to be served and the availability of transit." The retail sales of merchandise, either inside or outside of the building, is consistent with the "General Commercial" land use category.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The proposed application for outdoor storage, display, and sales of merchandise will not adversely impact environmentally sensitive lands or natural resources and is an existing developed site.

- 4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The proposed application for outdoor storage, display, and sales of merchandise will not depreciate the value of surrounding property if the merchandise is displayed per the proposed plan.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

Public facilities currently serve the site and there would be no impact to the existing infrastructure.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

The Special Exception would have no impact to traffic patterns or vehicle movement.

7. The proposed development is functional in the use of space and aesthetically acceptable.

There is no development proposed with the outdoor activity application.

8. The proposed development provides for the safety of occupants and visitors.

There are no changes to the site and there is safe movement on the site for occupants and visitors.

9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.

The outdoor improvements (paved floor and decorative fence) are aesthetic improvements. A wooded area to the rear will remain so that the outside activity will be buffered from the residential homes to the east.

10. The testimony provided at public hearings.

This application has not been reviewed in a public forum and no testimony has been provided.

RECOMMENDATION: It is expected that the application will be reviewed by the City Commission on February 18, 2014. It is recommended that the Planning Board **APPROVE** the application for the outdoor storage, display, and sales of merchandise per the attached site plan exhibit and conditions listed below for the Ormond Beach Curb Appeal Hardscaping Design Center store located at 294 located at 661 South Nova Street:

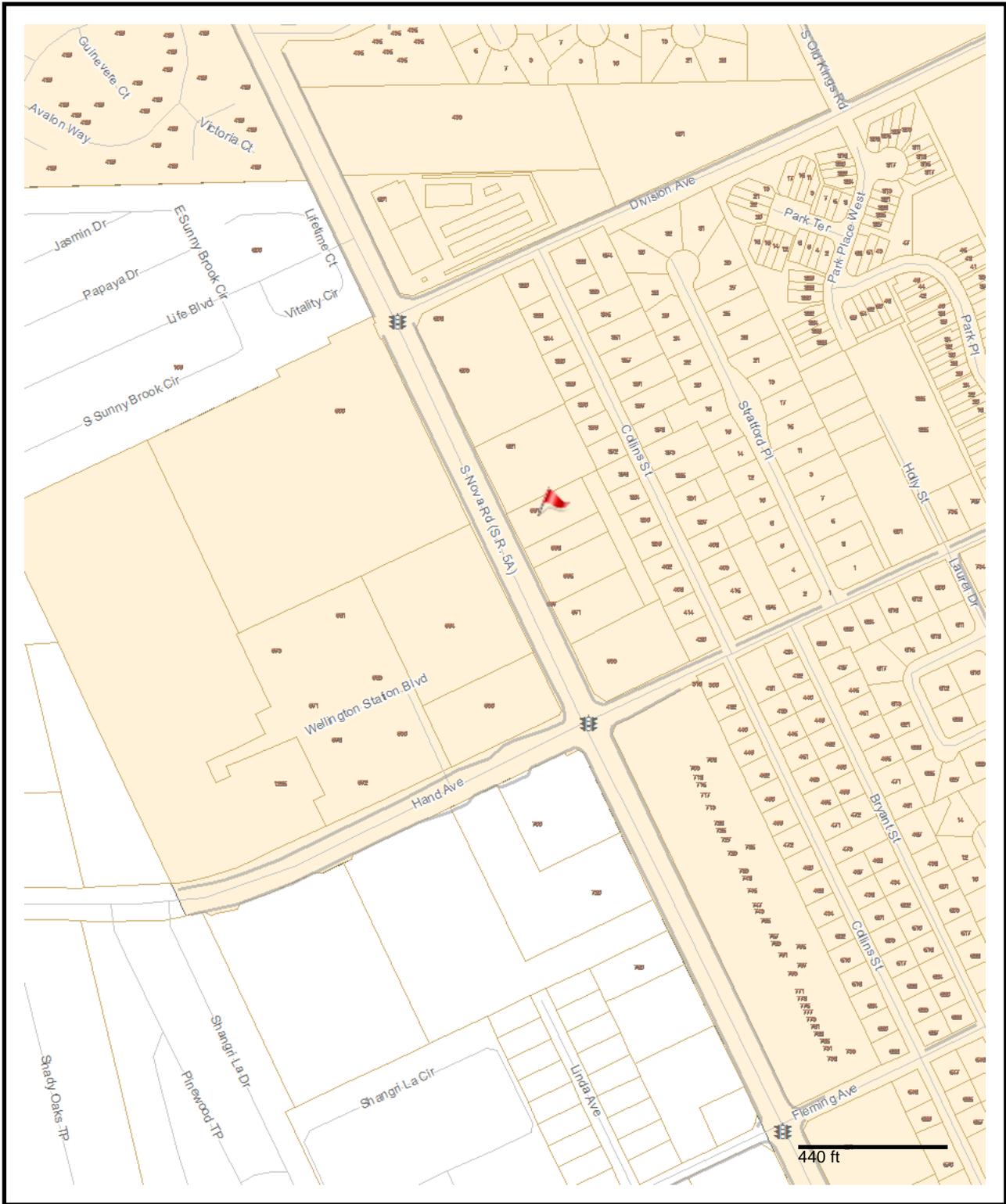
Proposed Conditions:

1. The permanent outdoor storage, display, and sales of merchandise shall be year round;
2. There would be no impedance to pedestrian traffic or means of egress;
1. The outdoor display of merchandise would be 24-7 subject to the security considerations taken at the store in South Daytona;
3. Outdoor finished product can only be stored, displayed, or sold within the delineated areas shown on the site plan exhibit;
4. No outside storage of bulk materials such as rocks, stones, mulch or other raw materials.
2. Delineated outdoor display areas shall be defined by the paver area;
3. A wrought iron fence shall be constructed similar to the fence as depicted in the pictures and detailed in the plans on the perimeter of the outdoor storage area;
5. Finished product cannot encroach outside the defined area.
6. If within any one (1) year period, there are two (2) demonstrated code violations of the outdoor storage, display, and sales of merchandise per the site plan attached, as proven through the Special Master code enforcement system, the right to permanent outdoor storage, display, and sales of merchandise under the Special Exception development order shall be automatically revoked without further action of the City Commission. Upon the issuance of a second notice of code enforcement violation by either a Neighborhood Improvement Officer or Police Officer the ability to have until the finding of the Special Master hearings are complete. If the Special Master determines that a second violation has occurred, the ability to have outdoor music shall thereafter be deemed to have been revoked. If the Special Master determines that no violation occurred, the applicant shall be permitted to resume the permanent outdoor storage, display, and sales of merchandise.

Exhibits:

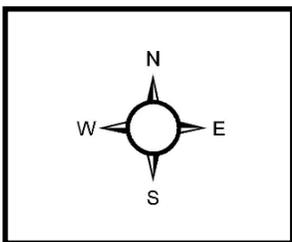
Exhibit 1: Site Maps and Pictures

Exhibit 2: Applicant Provide Information



LOCATION MAP
661 South Nova Road

The City of Ormond Beach
 Planning Department
 Prepared by: Richard Goss 12.16. 2013



Aerial Map



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

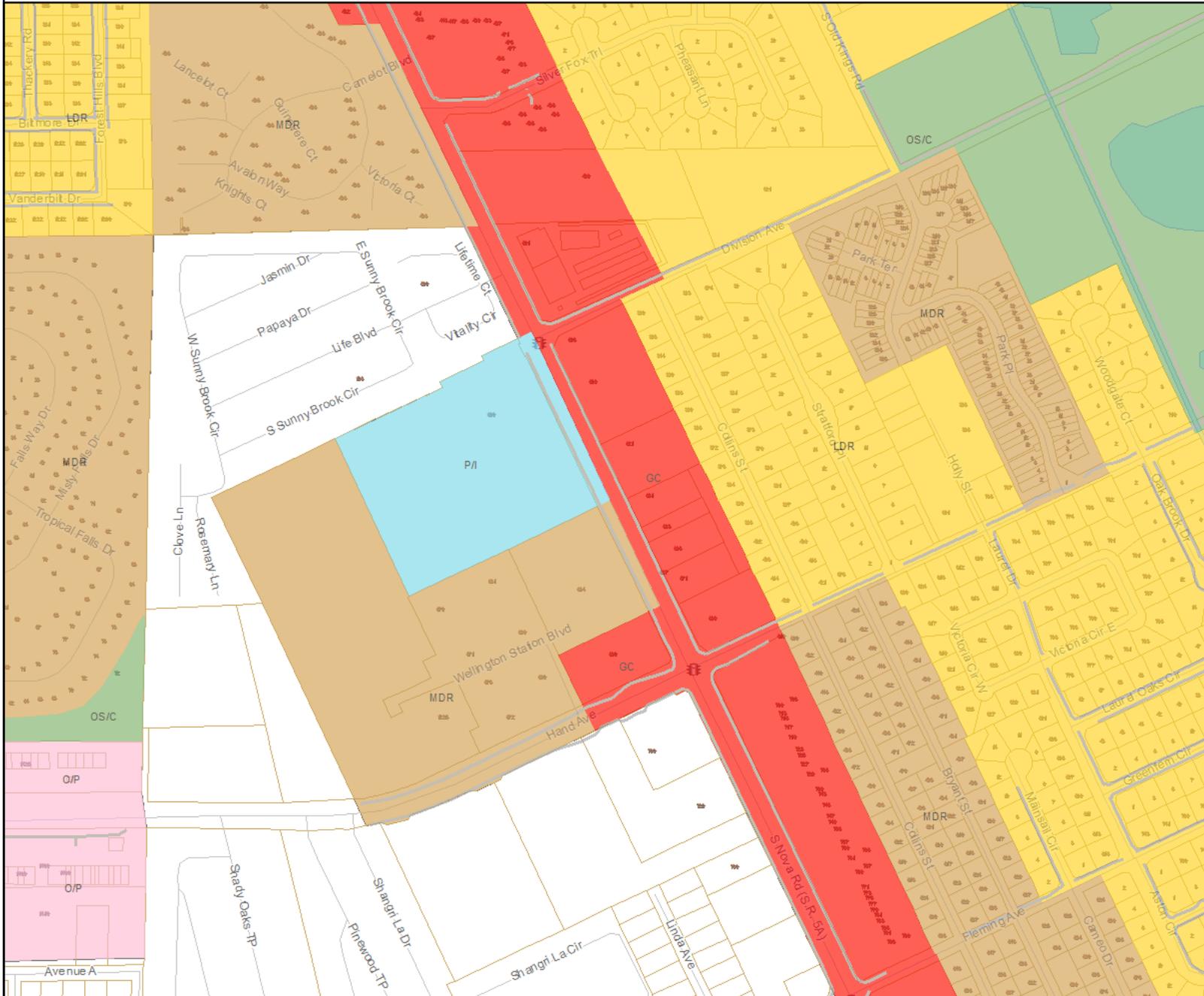
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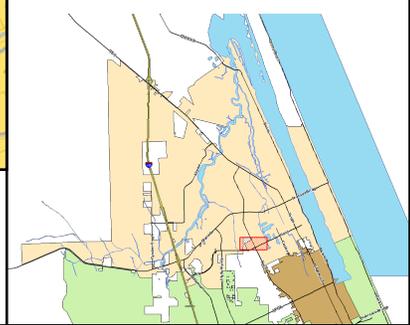


Land Use



- Sidewalks
- Golf Courses
- Future Landuse
- Rural Estate/Agriculture (REA)
- Rural Residential (RR)
- Suburban Low Density Residential (SLDR)
- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Office/Professional (O/P)
- Low Intensity Commercial (LIC)
- Tourist Commercial (TC)
- General Commercial (GC)
- Heavy Commercial (HC)
- Public/Institutional (P/I)
- Activity Center (AC)
- Light Industrial/Utilities (LIU)
- Industrial/Utilities (I/U)
- Recreation/Open Space (R/O/S)
- Open Space/Conservation (O/S/C)
- Address Points
- ⚡ Traffic Signals
- Airport and Railroad
- AIRPORT
- RAILROAD
- City Streets
- DIRT
- MAJOR
- PAVED
- Water Features
- Property Lines
- City Limits
- ORMOND BEACH
- HOLLY HILL
- DAYTONA BEACH

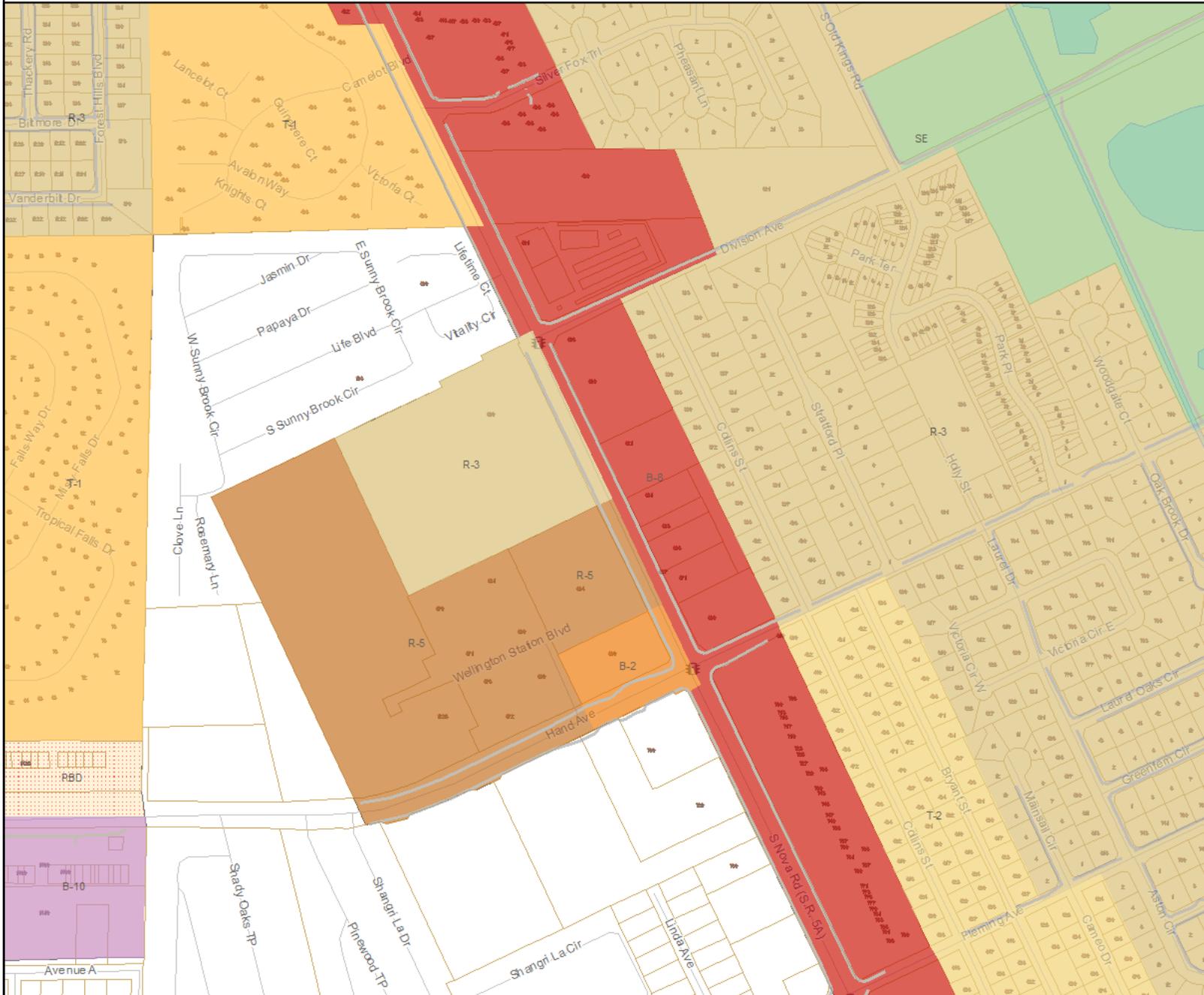
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Zoning



- Sidewalks
 - Golf Courses
 - Zoning
 - B-1 Professional Office-Hospital
 - B-2 Neighborhood Commercial
 - B-4 Central Business
 - B-5 Service Commercial
 - B-6 Oceanfront Tourist Commercial
 - B-7 Highway Tourist Commercial
 - B-8 Commercial
 - B-9 Boulevard
 - B-10 Suburban Boulevard
 - I-1 Light Industrial
 - R-1 Residential Estate
 - R-2 Single-Family Low Density
 - R-2.5 Single-Family Low-Medium Density
 - R-3 Single-Family Medium Density
 - R-4 Single-Family Cluster and Townhouse
 - R-5 Multi-Family Medium Density
 - R-6 Multi-Family Medium-High Density
 - T-1 Manufactured Home Community
 - T-2 Manufactured Home
 - NP Neighborhood Preservation
 - PBD Planned Business Development
 - PID Planned Industrial Development
 - PMHC Planned Manufactured Home Community
 - PMUD Planned Mixed Use Development
 - PRD Planned Residential Development
 - REA Rural Estate/Agricultural
 - RR Rural Residential
 - SE Special Environmental
 - SR Suburban Residential
- Address Points
- ⚡ Traffic Signals
 - ✈ Airport and Railroad
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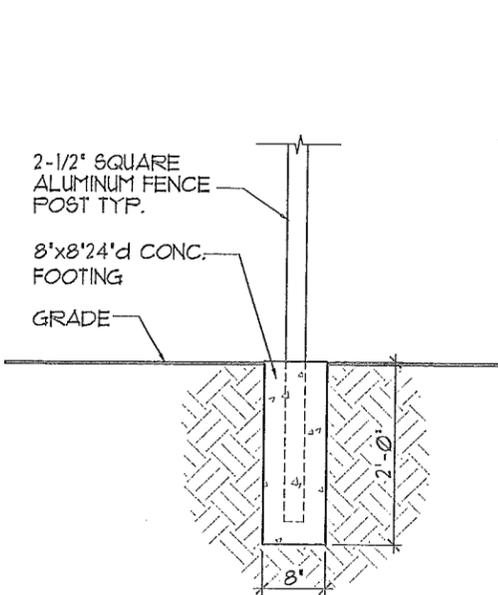
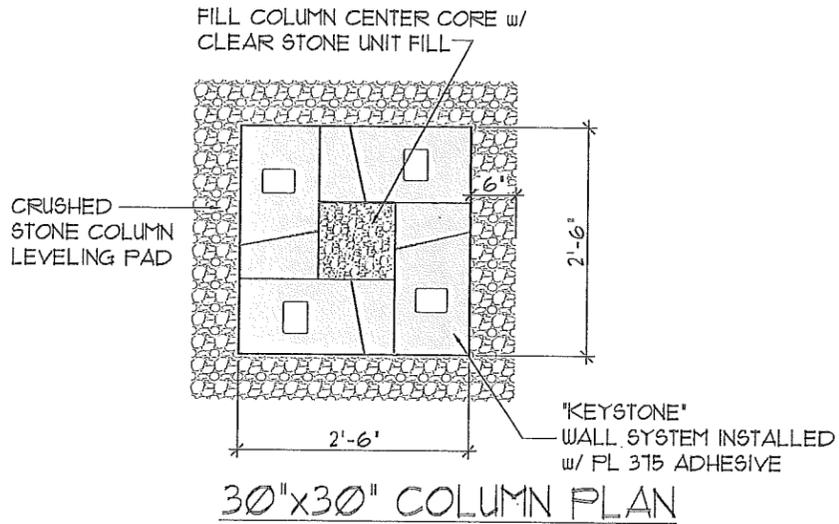
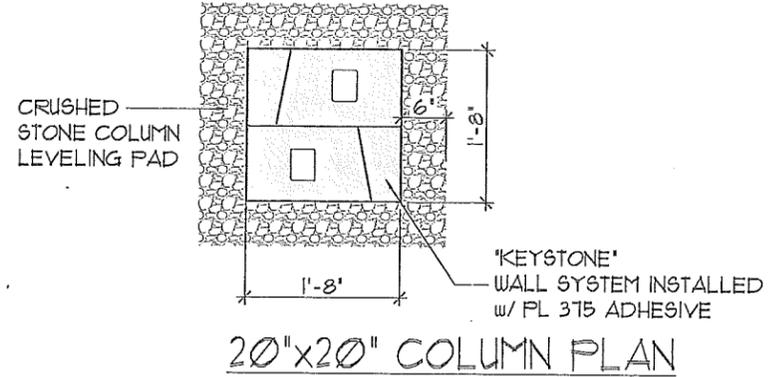
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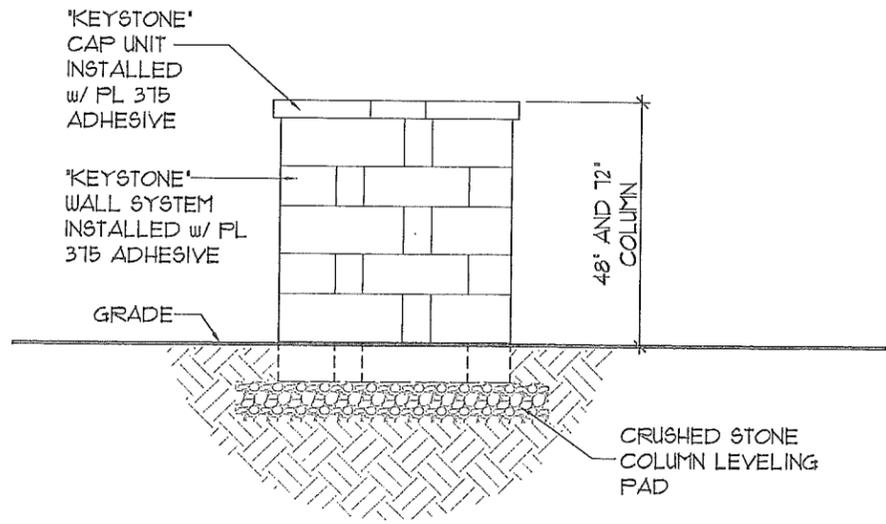
THIS PROJECT CONFORMS TO
THE FOLLOWING CODES
2010 FLORIDA BUILDING CODE, BUILDING

SHEET NO.	3
OF SHEETS	3

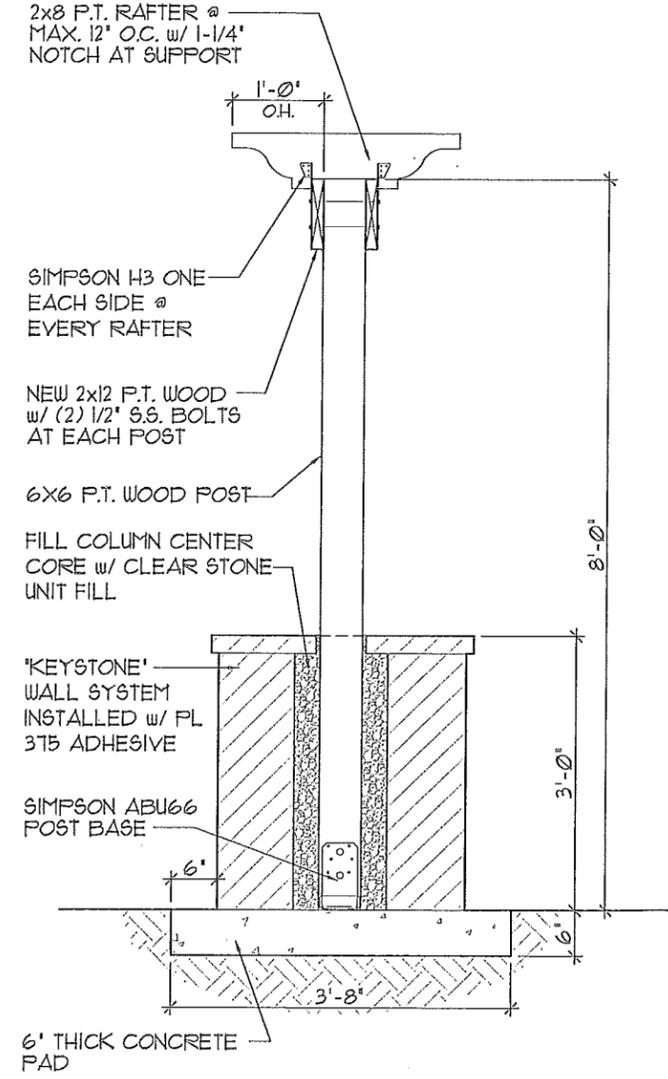
DRAWN:	OG
DATE:	7.16.12
CHECKED:	BFB
CHECKED:	
PROJECT #:	11000
CAD FILE:	



TYP. FENCE POST
SCALE: 1/2" = 1'-0"



TYP. COLUMN ELEVATION
SCALE: 1/2" = 1'-0"



ARBOR DETAIL
SCALE: 1/2" = 1'-0"

CURB APPEAL HARDSCAPING SITE IMPROVEMENTS

BENJAMIN P. BUTERA A.I.A.

SI W GRANADA BLVD ORMOND BEACH, FL 32174 BUTERADDESIGNS.COM P 386 676 7789 F 386 676 3022 AAC2000445

REVISIONS

ARCHITECT'S SEAL

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CITY OF ORMOND BEACH

Planning Department

22 South Beach Street, Ormond Beach, FL 32174

Tel: (386) 676-3238

www.ormondbeach.org

comdev@ormondbeach.org

14-28

Y3 2013 RECEIVED

DEC 09 13

By: GAW

PUBLIC HEARING- APPLICATION

For Planning Department Use

Application Number

[Empty box]

Date Submitted

12/5/2013

APPLICATION TYPE AND FEES

	Application	Advertising Deposit for Advisory Board	Advertising Deposit for Commission	Total*
<input type="checkbox"/> Annexation				No Fees
<input type="checkbox"/> Annexation Agreement	100	--	--	100
<input type="checkbox"/> Land Development Code (LDC) Amendment	1000	300	300	1600
<input type="checkbox"/> Large-Scale Comprehensive Plan Amendment (Map)	2500	700	1400	4600
<input type="checkbox"/> Official Zoning Map Amendment, 10.01 acres or more	1000	700	1400	3100
<input type="checkbox"/> Official Zoning Map Amendment, 10 acres or less	1000	300	600	1900
<input type="checkbox"/> Planned Development, 10.01 acres or more	2000	800	1500	4300
<input type="checkbox"/> Planned Development, 10 acres or less	2000	300	600	2900
<input type="checkbox"/> Planned Development Amendment - Major	1000	800	1500	3300
<input type="checkbox"/> Small-Scale Comprehensive Plan Amendment (Map)	2000	400	800	3200
<input checked="" type="checkbox"/> Special Exception - New Construction/Redevelopment	850	400	400	1650
<input type="checkbox"/> Special Exception - Downtown CRA Redevelopment	400	400	400	1200
<input type="checkbox"/> Street Vacation	500	--	1500	2000
<input type="checkbox"/> Other	TBD	TBD	TBD	TBD

* The Land Development Code requires the applicant to pay the full costs of public advertising. The deposit is the average of past applications. Applicants shall receive a refund where costs paid are greater than advertising costs and will be if advertising costs are greater than the deposit paid.

APPLICANT INFORMATION

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

Name: RAYL PEREZ / CURB APPEAL LANDSCAPING LLC.

Full Address: 2241 NOTTINGHAM RD. S. DAYTONA. FL 32119.

Telephone: 386-562-5778 Email: RAYL@CURBAPPEALDAYTONA.COM

** If this application is being submitted by a person other than the property owner, please provide the following Property Owner Information as well as a notarized letter designating you as agent.

PROPERTY OWNER INFORMATION***

Name: WANDA N. WAKBA.

Full Address: 2415 HALIFAX DR. DAYTONA BEACH. FL 32118

Telephone: 386-290-2636 Email: [Empty box]

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

PROPERTY DETAILS

Full Address

6661 SINOA Rd Ormond Beach, FL 32174

Legal Description

n 113 FT OF S 690 FT OF LOT 22 B1K S HAND Tract
PITCH GRANT EXC 850 FT + EXC ST MBP PG 1 PER OF
4334 PG 3465 PER OF S4

PROJECT COORDINATOR

Name

CURB APPEAL Landscaping LLC / RALPH PEREZ

Full Address

2241 NOTTINGHAM Rd. S. DAYTONA FL 32119.

Telephone

386-562 3738

Email

Ralph@CurbAppealDaytona.com

PROJECT INFORMATION

Name

CURB APPEAL Landscaping LLC.

Description

Product Display, Pottery, Garden Decor, Retail Sales.

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 required information is not provided, my application will be continued to the next regularly scheduled hearing.

Signature: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me, this 9th day of Dec, 2013, by Ralph Perez
as owner (title*) for Curb Appeal (name of corporation*),
who provided _____ as identification, or who is personally known to me.

Notary Public, State of Florida
My Commission Expires _____



* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.



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

PUBLIC HEARING - GUIDANCE NOTES

PURPOSE

Applications for Comprehensive Plan, Land Development Code, and Zoning Map amendments; Annexations; Planned Developments; Special Exceptions; or Plats follow the procedures for Public Hearing. The application type determines which of the corresponding Boards and/or Committee the application will be heard before.

Site Plan Review Committee (SPRC): The SPRC is comprised of City Staff who review applications for conformance to the City's Land Development Code and Comprehensive Plan. The SPRC has the authority to approve permitted and conditional uses under 10,000 square feet and industrial development. For all other applications, the SPRC provides recommendations. The SPRC meets every Wednesday, 9:00 am. Applicants may meet with the SPRC by signing up in the Planning Department every Wednesday, 8:00 am for 20 minute slots.

Development Review Board (DRB): The DRB meets on the fourth Thursday of each month at 7:00 pm in the City Hall Commission Chambers. A calendar which establishes the deadlines for applications to the Development Review Board is adopted annually. The DRB is responsible for reviewing Special Exceptions and Preliminary Plats and providing recommendations to the City Commission.

Planning Board: The Planning Board meets on the second Thursday of each month at 7:00 pm in the City Hall Commission Chambers. A calendar which establishes the deadlines for applications to the Planning Board is adopted annually. The Board is tasked with reviewing amendments to the Comprehensive Plan, Land Development Code, Rezoning and Planned Developments, and providing recommendations to the City Commission.

City Commission: The City Commission is comprised of 5 elected officials, the Mayor and 1 member from each of the City's 4 Commission Zones. The Commission meets on the first and third Tuesday of each month at 7:00 pm in the City Hall Commission Chambers. The City Commission considers the recommendation of the applicable advisory board, the Planning Department, other governmental agencies, utility corporations and citizens.

APPLICATION REQUIREMENTS

The following items are required on or before the application deadline:

1. The application fee (including estimated notification fees) made payable to the City of Ormond Beach;
2. The application form, read and signed by the applicant and notarized by a Florida Public Notary;
3. An original deed or copy certified by the Clerk of the Circuit Court to the subject property;
4. A survey of the property (not older than 5 years), signed and sealed by a Florida registered land surveyor;

See Supporting Documents on the following page for additional items that should be submitted or are required during this process.

ADDITIONAL REQUIREMENTS

1. If the application is regarding Planned Developments, Special Exceptions and/or Plats, a complete Application for Site Plan Review is required. Please refer to the Site Plan Review Committee Application and Checklist for further information.
2. A pre-application meeting. For Planned Developments, Special Exceptions and/or Plats, a pre-application meeting should be held prior to submittal of the application.
2. For all applications, a description of the request and other supporting documents which clarify and support the request. All applicants should consider the applicable review criteria, as established in the Land Development Code.

PUBLIC NOTIFICATION

All applications, except Plats, must follow the legal notification requirements outlined. The following types of legal notification are generally required for public hearings, as outlined in the City's Land Development Code and Florida Statutes:

1. A certified letter shall be mailed to all property owners, by the City, within 300 feet of the subject property (as identified in the current tax rolls), notifying them of the nature of the application and the time, date and place of the advisory board and City Commission hearings;
2. A legal advertisement shall be published in the local newspaper by the City notifying the public of the nature of the application and the time, date and place of the advisory board and City Commission hearings; and
3. The applicant shall post the property with signs prior to the advisory board (Planning Board or Development Review Board) and City Commission hearings.

POSTING OF PROPERTY

Applicants must place a 4-foot sign on the property describing the request, to be installed 14 days prior to the public hearing and contain the following language in a minimum of 6 inches in height:

For Special Exceptions: A public hearing for a Special Exception on this property will be held by the Development Review Board of the City of Ormond Beach on _____ at 7:00 PM in the Commission Chambers at City Hall, 22 South Beach Street. Interested parties can contact the City of Ormond Beach Planning Department at (386) 676-3238 for further information.

For Rezonings: A public hearing for a Rezoning on this property, from _____ to _____, will be held by the Planning Board of the City of Ormond Beach on _____ at 7:00 PM in the Commission Chambers at City Hall, 22 South Beach Street. Interested parties can contact the City of Ormond Beach Planning Department at (386) 676-3238 for further information.

One sign shall be posted for each 200 linear feet of property frontage. Signs shall be placed on all road frontages and set back 10 feet from the property line. A dated photograph or photograph with notarized affidavit shall be submitted to the Planning Department prior to the hearing, as evidence of posting.

12/09/2013

To Whom it May Concern,

We are a local family owned and operated outdoor design center opening our third location in Volusia county. We will be located at 661 South Nova Road across from the Prince of Peace Catholic Church. We are looking forward to opening in Ormond Beach as our customers have expressed a need for our products and concept. Our South Daytona location was opened 18 months ago and has grown to the largest pottery and garden decor retail store in the state. We have customers that travel from all over the state of Florida and parts of Georgia for our very unique high end pottery and garden decor at lower than average prices. We are also a state licensed hardscaping contractor specializing in concrete and natural stone pavers for driveways, patios, and pool decks. We know that we will be an asset to the city of Ormond Beach, just as we have become in the heart of the redevelopment district in South Daytona. We had taken a similar concept in South Daytona where we used a building that had been vacant for over three years (just as our new location in Ormond Beach has), we increase the curb appeal tremendously by adding a paver showroom with columns, decorative fencing and beautiful pottery vignettes visible to Nova Road. We are a very clean and organized retail location that never stores palletes or construction debris. Our customers are always amazed when entering our locations, stating how unique, neat and organized we are. Please feel free to stop by our South Daytona location at 2036 South Ridgewood Avenue South Daytona. We look forward to expanding into Ormond Beach and we know we will fill the need for a high end Outdoor Design Center and garden decor store in the beautiful city of Ormond Beach.

Thank you for hearing this matter,

Ralph Perez 
President, Curb Appeal Hardscaping LLC
386-562-3738 Cell

621

Caring Physician
Robbins, M.D.
Wolfe, M.D.
Wolfe, M.D.

PUBLIC NOTICE

A PUBLIC HEARING FOR A

SPECIAL EXCEPTION

ON THIS PROPERTY WILL BE HELD ON

JANUARY 9, 2014

**AT 7:00 PM IN THE COMMISSION CHAMBERS
AT CITY HALL, 22 SOUTH BEACH STREET.**

**INTERESTED PARTIES CAN CONTACT THE CITY
OF ORMOND BEACH PLANNING DEPARTMENT
(386-676-3238) FOR FURTHER INFORMATION.**

CITY OF ORMOND BEACH, FLORIDA



W&W

Paver & Pottery Display



CHIMENAS N POTTERY
PAVER SPECIALS

Outdoor Design
Center
CURB APPEAL
386-562-3738

Madden's
ACE
Hardware

*Outdoor Design
Center*



386-562-3738

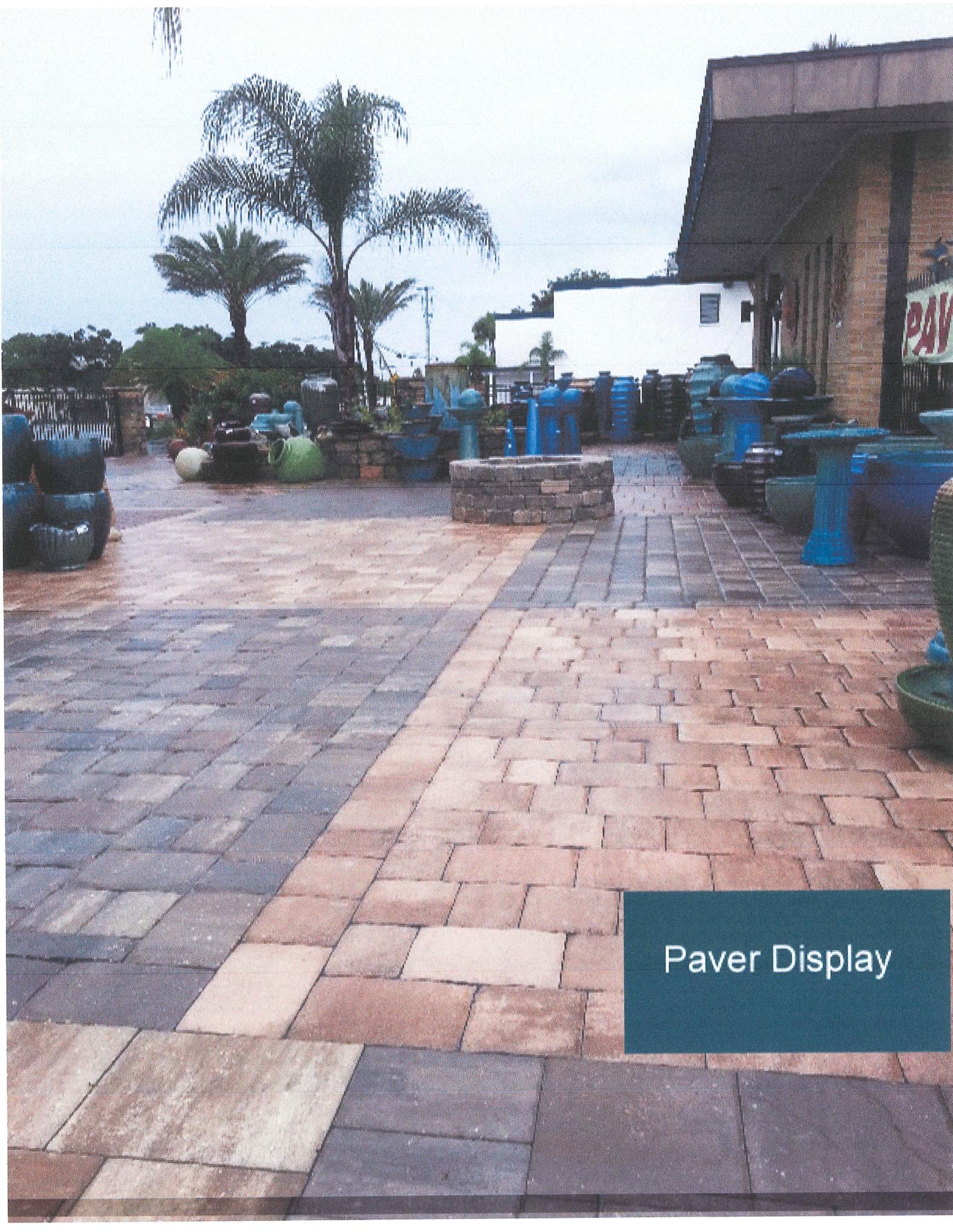
**CHIMENEAS N POTTERY
PAVER SPECIALS**

Signage Art Design

Garden Design
Center
306-602-7728
CHIMENEAS & POTTERY
PAVER SPECIALS

Modern's
ACE
hardware

2036 S Ridgewood Ave. South Daytona
Redevelopment District



Paver Display

Clean Classy Display





Pottery Vignettes



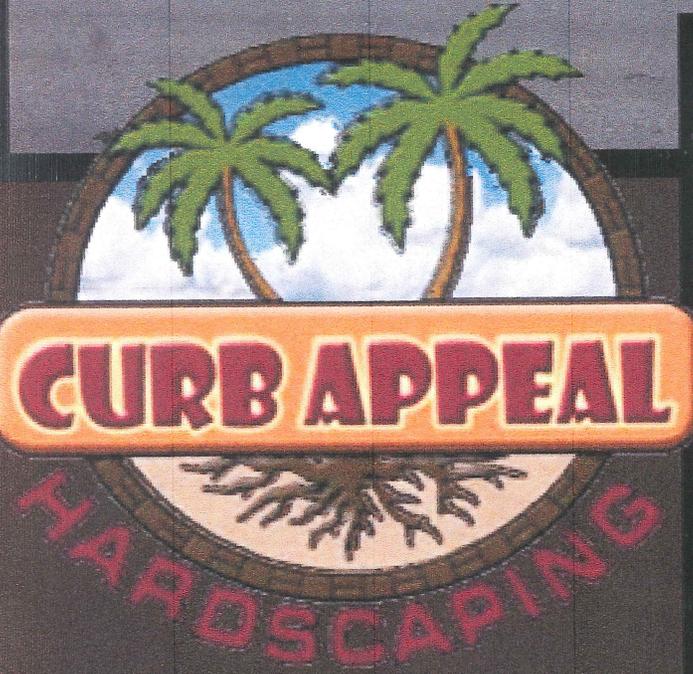
Street View of Existing South
Daytona Location- US1 Corridor



Product Display & Showroom Floor



Before



After

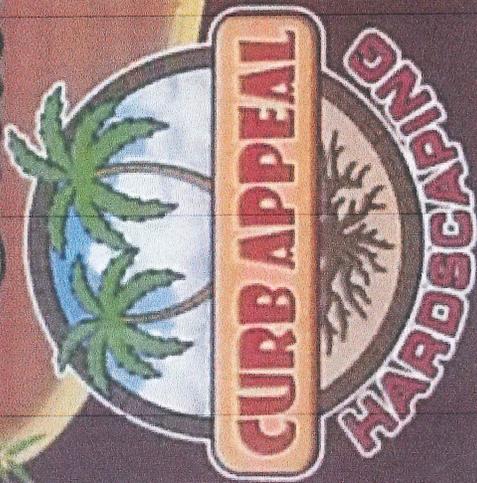


Outdoor Design Center
 CLEARANCE! 386-562-3738
**CHIMENEAS N POTTERY
 PAVER SPECIALS**

Madden's
ACE
 Hardware

Paver & Pottery Display

*Outdoor Design
Center*



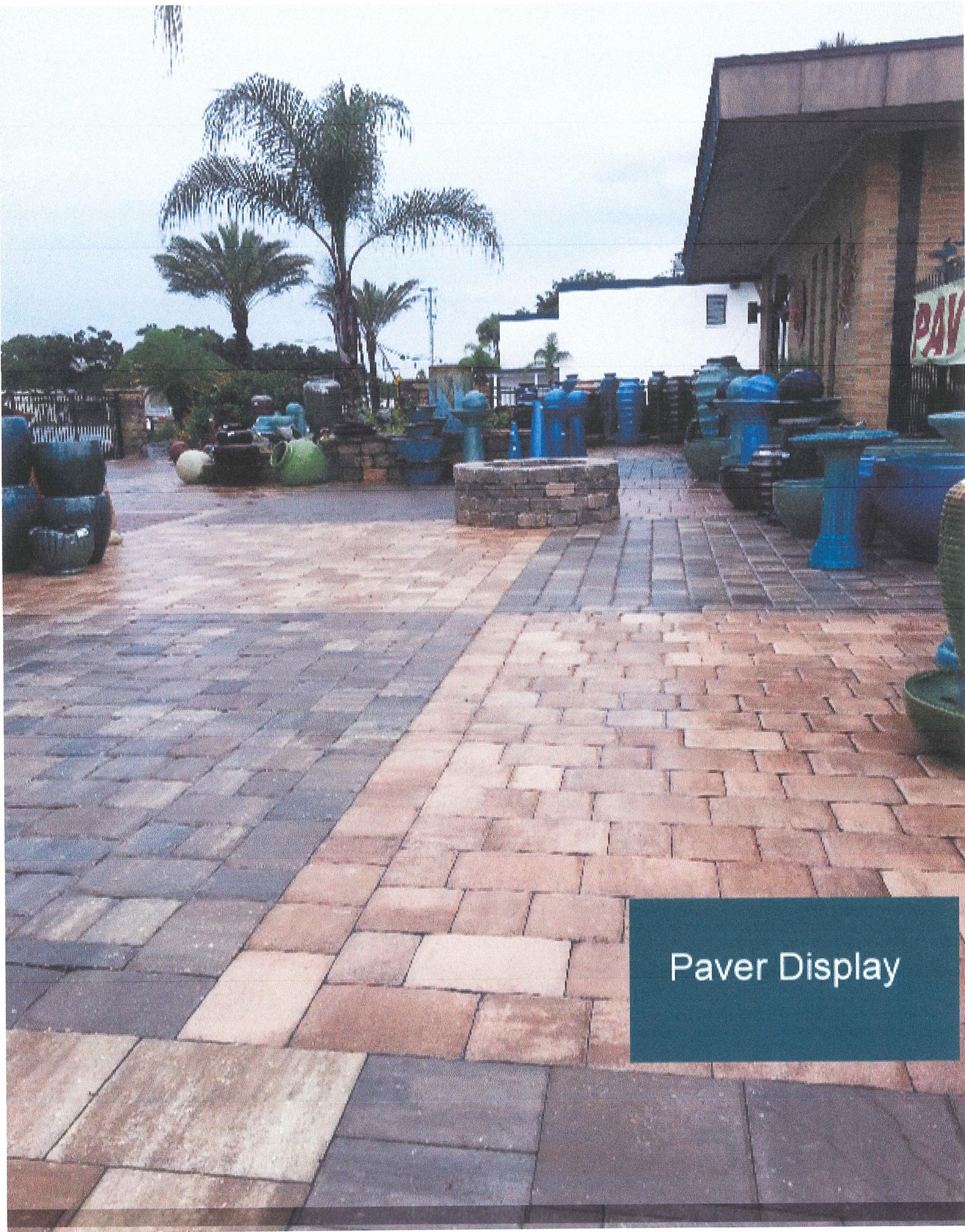
386-562-3738

**CHIMENEAS N POTTERY
PAVER SPECIALS**

Signage Art Design



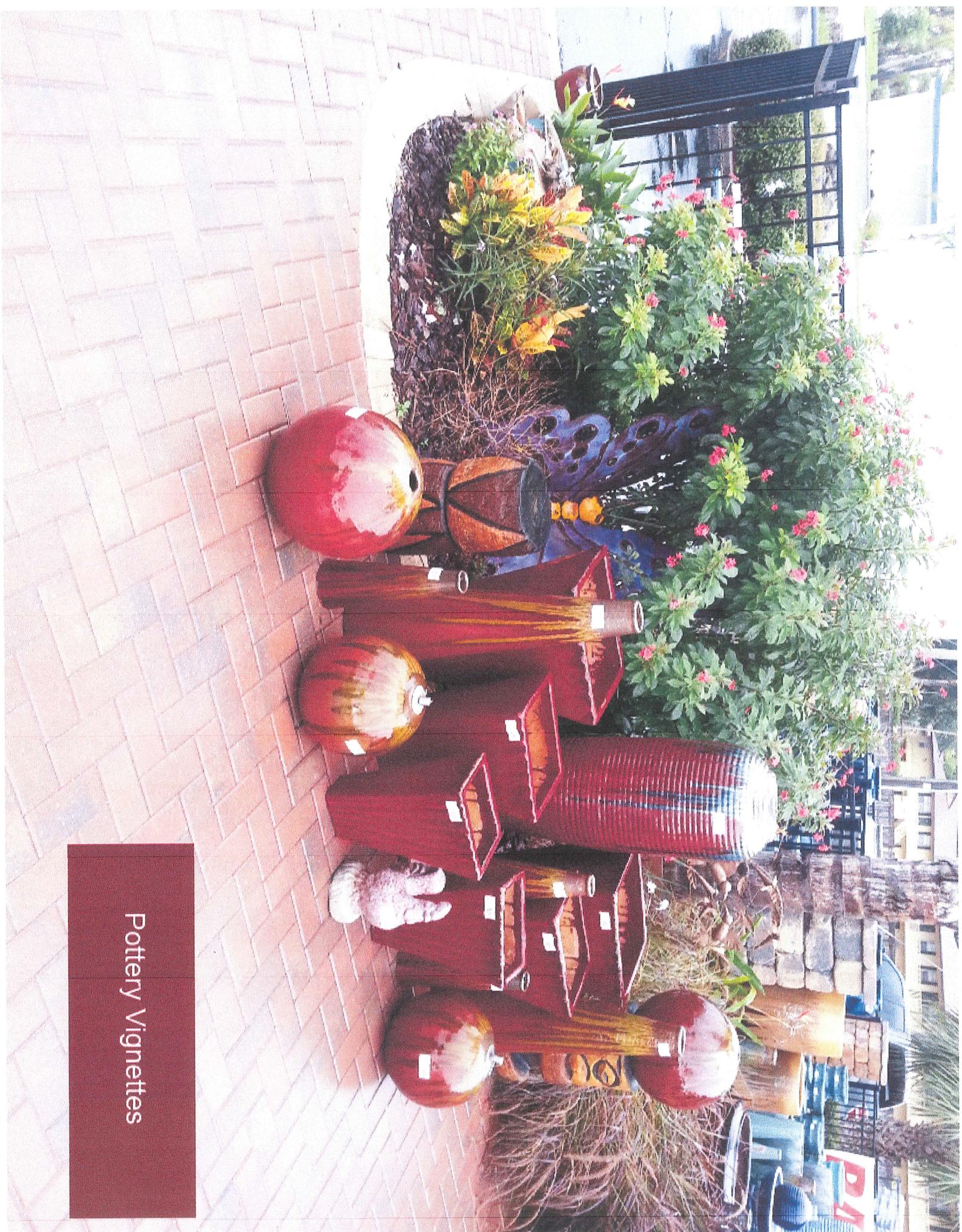
2036 S Ridgewood Ave. South Daytona
Redevelopment District



Paver Display

Clean Classy Display





Pottery Vignettes



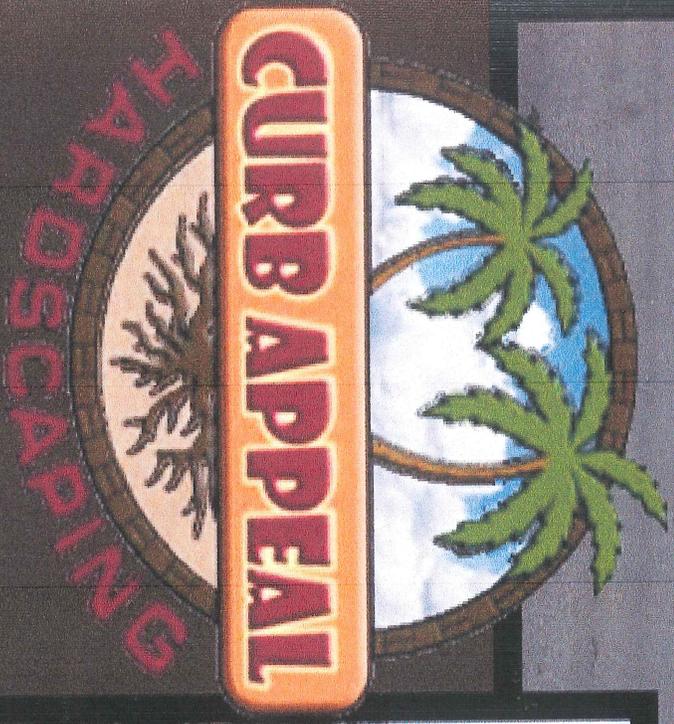
Street View of Existing South
Daytona Location- US1 Corridor



Product Display & Showroom Floor



Before



After