



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

Ordinance Review Committee

Thursday, December 3, 2015

6:00 PM

First Floor Conference Room

1. CALL TO ORDER:

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

2. ROLL CALL:

Also present: Chris Bowley, Planning and Development Services; Dale Baker, Deputy City Manager; and Commissioner Mitch Honaker.

Present: 4 - Vice Chair Sonjia Kihlmire
Member Joseph Cerrato
Member Cherri Taylor
Member Melissa Roberts

Excused: 1 - Member Thomas Walsh

Absent: 2 - Chair Kelly Latham
Member Rossana Sepulveda

3. APPROVAL OF MINUTES & AGENDA:

A. Minutes of November 5, 2015

Motion by Member Cerrato, seconded by Member Roberts, to approve the Minutes of November 5, 2015, as written.

For: 4 - Vice Chair Kihlmire, Member Cerrato, Member Taylor and Member Roberts

4. PRESENTATIONS/AWARDS/REPORTS:

5. PUBLIC FORUM:

Commission Honaker spoke to the Committee about the history regarding the organization of the Committee and thanked them for serving on the Committee. Discussion ensued regarding upcoming City events, such as his Town Hall Meeting, December 9, Christmas Parade, December 5, and the Light Up City Hall, December 8.

6. OLD BUSINESS:

A. Ordinance No. 09-2015, Amending Section 110-806, Fences, Walls And Hedges

Member Cerrato discussed considering front yard setback requirements from sidewalks. Member Kilhmire asked if there are easements on the lots to consider. Mr. Bowley stated that on the Deltona Lakes platted lots there are easements on all sides of the lots. Mr. Baker suggested that the only distance setback requirement be in the front yard and not side yard as currently listed; fences can be constructed on the property line.

Discussion regarding visibility angles, fence angles, locations of driveways, shapes of lots and other fence setbacks occurred. Mr. Bowley recommended that each member of the Committee either submit their changes in writing or elect one person to compile all of the member's suggestions into one document in a strike through underline format. Member Roberts volunteered to compile the committee's suggestions. Member Cerrato asked if the front yard height could be exceeded with a permit. Mr. Bowley explained that, as the proposed ordinance is written, the Planning and Development Director can administratively approve the request on a case by case basis. Several members discussed the practicality of the approval. Member Cerrato stated that the ordinance should be written so that it is enforceable. Discussion amongst members and staff occurred regarding the different types of lot grades and the affects on the finished fence height and adding verbiage to account for the grading differences on adjacent properties. The Committe will revisit the revised ordinance draft at the next meeting.

B. Discussion: Sec. 110-828. - Off-street parking and loading. (Regulations)

Mr. Bowley provided the Committee with a background surrounding the item. He stated that review of the section would allow a driveway extension, consisting of mulch and wood timber, would allow residents the ability to extend their driveway without constructing a concrete diveway extension. Discussion ocured amongst staff and the Committee regarding time limits on parking in the right of way, parking of boats on driveways, lot design restrictions, storing of boats, and potential fire hazards. Mr. Bowley noted that there is not a proposed draft ordinance for the committee to review, but one will be drafted, based on recommendations from the Committee.

C. Discussion: Mobile Vending

Mr. Bowley stated a brief explanation regarding the Mobile Vending section of the code provided for review. He explained that the draft changes to the ordinance surrounds itinerant merchants that currently setup in parking lots or sidewalks with permission from the commercial business owner. Mr. Baker explained that currently, if commercial businesses allow them to use their property, they can only check to see if they have a business tax license. He stated that the State became involved with a majority of the merchants, due to them not having the State's proper licensing. Member Cerrato asked if the merchants have all of the required licenses. Mr. Baker stated that one of the proposed changes to the ordinance is to require that the merchants be enclosed and without tables and chairs. Discussion occurred amongst members and staff regarding food trucks in the surrounding area and that food truck events do not have chairs or tables accompanying the trucks. Member Cerrato asked why some of the the proposed changes suggest requirements specific to churches. Mr. Baker stated that the majority of the churches are zoned residential and the ordinance is written specific to commercially zoned properties. Discussion occurred regarding specific sale times of

merchants on church property. Mr. Bowley requested that the committee send recommendations to staff and then staff will distribute to the entire committee. Member Cerrato asked why there is a requirement stating they must have access to a public bathroom. Mr. Baker replied that it is a requirement by the State. He stated that the ordinance is drafted from research within other municipalities.

Member Cerrato asked Mr. Bowley if he could contact the members that are absent from tonight's meeting and request their changes so they have the opportunity to include their thoughts. Member Roberts asked if staff can send their changes to everyone. Mr. Baker offered to answer any questions.

7. NEW BUSINESS:

8. STAFF COMMENTS:

Member Taylor asked if the ordinance regarding condemned houses would come before the committee. Mr. Baker stated the ordinance is complete and the process is already moving forward. He provided an explanation of the status of the houses and stated that letters were mailed today to the owners of those condemned houses.

9. BOARD/COMMITTEE MEMBERS COMMENTS:

10. ADJOURNMENT:

The meeting was adjourned at 7:24 pm.

Kelly Latham, CHAIRMAN

Kathrine Kyp, SECRETARY