

## **NSB Planning and Zoning Meeting June 3, 2019**

All members were present and note that this was Susan Neylon's first meeting as the newest member. The minutes from the previous month's meeting were not approved but will be voted on at the next meeting as all members had not reviewed them.

1. **V-3-19: 2111 SOUTH ATLANTIC AVE/ WALTERS.** The owner requested a variance to allow a non-conforming swimming pool in their south front yard and reduce the southernmost setback from 10 ft. to two (2) ft. The owner was to meet five criteria but had not done so.

**Motion to approve the request for a variance was unanimously denied.**

2. **A-2-19: 285 SOUTH WALKER DRIVE.** The owner requested an annexation, Comprehensive Plan amendment, and rezoning of this property **from** Volusia County Future Land Use (FLU) designations of UMI (Urban Medium Intensity), and Volusia County zoning designation of R-4, Urban Single-Family Residential **to** City FLU designations of MDR (Medium Density Residential) and City zoning designation of R-2.

**Motion to request annexation, amendment change, and rezoning was passed unanimously.**

3. **A-3-19: 2440 Selleck Avenue** – The owner requested an annexation, Comprehensive Plan amendment, and rezoning of this property from Volusia County Future Land Use (FLU) designations of Rural and Volusia County zoning designation of RR, Rural Residential to City FLU designation of Rural and City zoning designation for RE (Residential Estate).

**Motion to request annexation, amendment change, and rezoning was passed unanimously.**

4. **S-11-17: TURNBULL CROSSINGS FINAL PLAT.** The manager for Turnbull Crossings requested Final Plat approval for a proposed residential subdivision, and associated infrastructure improvements, for a total of 25 single family lots (one acre each) within a 30.8 acre undeveloped and wooded area. Each will have its own water and septic but the septic and tree preservation were the two main topics of discussion. Since there is no access to sewer or water for 100 feet, the developer has the right to utilize both septic system and wells. Attorney Glen Storch added that only advanced septic systems will be allowed and that tree preservation will be tweaked per public discussion. Ralph Hertlein from Promenade Park in Venetian Bay stated that trees need to be specified as to who is responsible and be specific regarding preservation as neither his HOA nor the City have not taken responsibility due to lack of specificity.

Randy Herman asked about septic systems and if the homeowner will have choices. Board member Steven Danskine stated that without proper maintenance of the advanced septic systems, they will be no better than the current septic systems.

Per the City, the County Health Department will have the final approval on what septic system can be used.

**Motion to request the Final Plat approval was passed unanimously.**

5. **CPA-2-19: HISTORICAL AND ARCHAEOLOGICAL PRESERVATION ELEMENT XIII.** A request was made by the Planning Department upon review of the Comprehensive Plan to update Chapter XIII, Historical and Archaeological Preservation Element. There was much discussion about the definition of "historic property" and which ones would fall under the historic ordinance. City staff answered that the definitions can be found in the text provided. It was noted that Bob Mathren, senior planner, and Amye King, City Historic Preservation Officer, are both knowledgeable in regard to this area if questions arise. Staff will be looking for participation on the revisions to the Element from the public when the changes are reviewed by the City Commission for final approval..

**Motion to request the approval of changes to this Chapter in the Comprehensive Plan was passed unanimously.**

6. **CPA-6-19: PUBLIC SCHOOLS FACILITIES ELEMENT XIV.** A request was made by the Planning Department upon review of the Comprehensive Plan to update Chapter XIV, the Public Schools Element. There was some discussion about charter schools and how they account for predictions on school enrollment. A recent report on public school enrollment suggests that New Smyrna Beach will not have to increase its capacity for quite a while.

**Motion to request approval of changes to this Chapter in the Comprehensive Plan was passed unanimously.**

7. **ZT-6-19: B-3 ZONING UPDATE.** The proposed LDR amendment discussed in a May workshop hopes to lower the barrier to commercial occupancy along the US 1 Corridor. The proposed exemption includes a requirement that existing landscaped areas be maintained in accordance with current standards. This led to a lot of discussion by board members as the change would specifically exempt parking and landscaping requirements if the new business has the "same" footprint as the original business site. Members Sandra Smith and Susan Neylon voiced similar opinions in that they didn't want it to be too easy for applicants not to improve their properties. To mitigate this, City Staff suggested that they should avoid language suggesting review on a "case by case" basis.

**Motion to request approval of the amendment passed by a 4 to 2 vote with Smith and Neylon casting the "no" votes. All comments and decision will be provided at the CC's meeting of 6/23.**

The June Activity Report with map can be found here:  
[June 2019 Development Activity Report with map locations](#)