

Planning and Zoning Board Meeting March 2, 2020

All board members were present. The minutes of December 9, 2019 and January 13, 2020 were approved as corrected.

Public Participation:

Joseph Dlubac, resident of Venetian Bay, addressed the board on the issue of lack of accessibility of emergency vehicles in some areas of Venetian Bay when vehicles are parked on both sides of the 20' wide streets. He asked about the possibility of allowing parking only on one side of the street. Mr. Fields responded that it is illegal to park cars directly across from each other on the street and that residents should call the police if this occurs.

New Business:

A-16-19: 1076 Dillon Circle (located on the east side of Dillon Circle north of Bay Drive).

The request was for voluntary annexation, Comprehensive Plan Amendment and rezoning for a 2.29-acre plot. The owner requested changes from Volusia County Future Land Use (FLU) designation of Rural, and Volusia County zoning designation of MH-8, (Rural Mobile Home Estate) with an A, (Airport Height Notification Zone) designation **to** a City Future Land Use designation of Rural, and City zoning designation of RA, (Rural Agricultural Estate) with an A, (Airport Height Notification Zone) designation.

Motion to approve these requests was unanimous.

A-1-20: 2835 Pioneer Trail (located west of Sugar Mill Dr. and east of Club House Blvd.). The request was for voluntary annexation, Comprehensive Plan amendment and rezoning for this 1.05-acre property. The owner requested a change from Volusia County Future Land Use (FLU) designation of Urban Low Intensity, and Volusia County zoning designation of A-3, Transitional Agriculture with an A, (Airport Height Notification Zone) designation **to** a City FLU designation of Low Density Residential and comparable City zoning designation.

Motion to approve these requests was unanimous.

The following properties, are owned by the same individual who made identical requests for all three properties; however, they were presented and voted on as separate items.

A-2-20: 420 Old Mission Rd. (0.405-acres located south of SR 44 and north of Mission Dr.)

A-3-20: 406 Old Mission Rd. (0.2172-acres located south of SR 44 and North of Mission Dr.)

A-4-20: 408 Old Mission Rd. (0.1187-acres located south of SR 44 and north of Mission Dr.)

The request was for the voluntary annexation, Comprehensive Plan amendment and rezoning of these properties. The owner requested a change from Volusia County Future Land Use (FLU) designation of Urban Medium Intensity, and Volusia County zoning designation of R-4, Urban Single Family Residential with an A (Airport Height Notification Zone) designation **to** a City FLU designation of Medium Density Residential, and City zoning designation of R-2, Single Family Residential with an A (Airport Height Notification Zone) designation.

Motions to approve these requests were unanimous.

A-5-20: 680 Williams Road (located north of Pioneer Tr.). The request was for voluntary annexation, Comprehensive Plan amendment and rezoning for this 10-acre property. The owner requested a change from Volusia County Future Land Use (FLU) designation of rural and Volusia County zoning designation of A-2, (Rural Agriculture) with an A (Airport Overlay Zone) designation to a comparable City FLU designation and City zoning.

Motion to approve these requests was unanimous.

ZT-1-20: Kennel Definition and Special Exception Criteria. The applicant is proposing to amend Section 504.00 of the City's Land Development Regulations to add a Special Exception Use of "Kennel" to the B-3 Highway Service Business District. The applicant is also proposing to clarify and broaden the definition of "Kennel" in Section 201.00 of the City's LDR so that an approved kennel would allow pet daycare, training, grooming, overnight boarding, and outdoor dog runs/play area.

The applicant is requesting the LDR amendments because he is seeking to open a kennel at **1301 Canal St. (Gator's Roadside Grill)** which is proposed to include overnight boarding of approximately 50 domesticated pets, mostly cats and dogs, with an outdoor dog run/play area. The outdoor play area shall not be used between the hours of 9:00 pm and 7:00 am. No kennel shall be located within 200 feet of any residence or other building where people are permitted to live. Owners would need to comply with Section 18-315 of the Code of Ordinances, a noise ordinance pertaining to animals.

The first step in the process is to amend the LDR to create a Special Exception use for "Kennel" in the B-3 zoning district, and to amend the Kennel definition to allow a range of pet services. If approved by the City Commission, the applicant would then need to apply for a Special Exemption to allow a kennel at the 1301 Canal St. location.

Board members made several comments.

- Board member Neylon suggested that a kennel should be located further than 200 feet from a residence and suggested 500 feet.
- Board member Arvidson asked if there would be a limit to the number of dogs in a proposed kennel. The proposed site is .75 acres. No limit was specified in the proposal.
- Board members Smith, Neylon and Arvidson all expressed concern with noise issues and adherence to the current noise ordinance.
- Danskine asked if the applicant would consider landscaping to buffer noise.

Motion to approve Zoning Text Amendments to Sections 504.00 and Section 201.00 of the City's Land Development Regulations (LDR) was approved by a vote of 4 to 3 with Arvidson, Neylon and Smith voting No.