

REGULAR PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS – CITY HALL  
1000 CITY CENTER CIRCLE  
PORT ORANGE, FLORIDA  
FEBRUARY 28, 2019

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Chairman Jordan at 5:30pm.

Pledge of Allegiance

Silent Invocation

Roll Call

Present: John Junco  
Maria Mills-Benat  
Darrel “Bo” Bofamy  
Lance Green  
Newton White  
Thomas Jordan, Chairman

Absent: Joe Fazzie (unexcused)

Also Present: Shannon Balmer, Assistant City Attorney  
Shelby Field, Assistant City Clerk

## DISCUSSION/ACTION

### 4. Consideration of Minutes

*Motion to approve the meeting minutes from January 24, 2019 with an amendment to show the applicant would preserve the 6.3 acres in case no. 18-20000007 was made by Commissioner Green and Seconded by Commissioner Bofamy. Motion carried unanimously by roll call vote.*

### 5. CASE NO. 19-90000001 VARIANCE/4832 HALIFAX DRIVE

A request by the Applicant for variances from the LDC to: 1) reduce the minimum lot width to 20-feet in lieu of the required +/- 82 feet for property zoned Neighborhood Preservation (NP); and 2) allow for a dock side setback to be 5-feet in lieu of the required 10-feet from a side property line.

Staff Contact: Briana-Conlan King (386) [506-5676/brking@port-orange.org](mailto:506-5676/brking@port-orange.org)  
Shannon Balmer, Assistant City Attorney, read the requirements established by City Council regarding the variance process.

*Briana Conlan-King, Community Development Planner, discussed the details of the plan and answered questions from the Commissioners. Two letters of opposition were entered into the record.*

*Christina Wyatt-Vaeth, applicant, explained her requests for variances to subdivide her lot and answered questions from Commissioners. Ms. Wyatt-Vaeth entered two letters of support into the record. Ms. Wyatt-Vaeth addressed miscommunication between staff and herself about the dock side setback. Penelope Cruz, Planning Manager, clarified that the second dock setback variance is created because of the first lot width variance requested. Commissioner White suggested looking into ways to share the existing dock between two future lot owners through a private easement or agreement.*

*Motion to approve was made by Commissioner Green and seconded by Commissioner White.  
Motion denied unanimously by roll call vote.*

6. CASE NO. 19-40000001

FIRST AMENDMENT TO THE CATFISH COMMONS PLANNED COMMERCIAL DEVELOPMENT MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN

4085 Ridgewood Avenue and 4108 Halifax Drive

A request by the applicant to amend the Catfish Commons Planned Commercial Development (PCD) Commercial Development Master Development Agreement (MDA) and Conceptual Development Plan (CDP) to allow: 1) a mobile retail unit to be positioned at 4085 Ridgewood Avenue; 2) allow a residential unit above the entry feature at 4108 Halifax Drive to serve as a residence for any business owner/manager of a business within the PCD; and 3) to waive fees associated with future amendments to the MDA or CDP for the PCD property.

Staff Contact: Gwen Perney (386) [506-5673/gperney@port-orange.org](mailto:506-5673/gperney@port-orange.org)

*Gwen Perney, Community Development Planner, discussed the details of the plan and answered questions from the Commissioners.*

*Brendan Galbreath, Applicant, addressed the Commissioners comments and concerns with the mobile retail unit.*

*Commissioner Junco motioned to approve case 19-40000001 seconded by Commissioner Mills-Benat.*

*Commissioner White motioned to amend the motion to include language to limit to retail, no second (motion died)*

*Commissioner White motioned to amend the motion to include the definition for retail as*

*defined by the Land Development Code  
Seconded by Commissioner Junco. Motion  
carried 4-2 by roll call vote with Commissioner  
Jordan and Commissioner Green voting no.*

*Vote on original motion as amended passed 6-0  
by roll call vote.*

7. CASE NO. 19-40000002

FIFTH AMENDMENT TO THE WESTPORT STORAGE AND OFFICE BUILDING PLANNED  
COMMERCIAL DEVELOPMENT MASTER DEVELOPMENT AGREEMENT  
East side of S. Williamson Blvd., south of Taylor Road

A request by the Applicant for the Fifth Amendment to the Westport Storage and Office Park  
Planned Commercial Development (PCD) Master Development Agreement to amend the list of  
the permitted uses allowed in the PCD.

Staff Contact: Penelope Cruz (386) [506-5671/pcruz@port-orange.org](mailto:506-5671/pcruz@port-orange.org)

*Penelope Cruz, Planning Manager, discussed the details of the plan and answered questions  
from the Commissioners.*

*Motion to approve was made by Vice Chairman  
Mills-Benat and seconded by Commissioner  
Green. Motion carried unanimously by roll call  
vote.*

8. CASE NO. 19-25000001

LDC TEXT AMENDMENT/CHAPTER 9

An amendment to Chapter 9 of the Land Development Code to update the tree survey and  
mitigation requirements based on recommendations by the Environmental Advisory Board.

Staff Contact: Briana Conlan-King (386) [506-5676/brking@port-orange.org](mailto:506-5676/brking@port-orange.org)

*Tim Burman, Community Development Director, discussed the details of the amendment and  
answered questions from Commissioners.*

*Savannah Weaver, City Council Candidate, spoke in support of the amendment and the efforts  
of the Environmental Advisory Board to preserve the trees.*

*Motion to approve was made by Vice Chairman  
Mills-Benat and seconded by Commissioner  
White. Motion carried unanimously by roll call  
vote.*

**C. OTHER BUSINESS**

9. Commissioner Comments

Commissioner Bofamy is very happy with how the landscaping looks at the Arby's being built on Dunlawton Avenue.

Commissioner White thanked City staff for all the hard work they do.

Commissioner Green questioned Mr. Burman on the site plan for new golf homes at Cypress Head mentioned in the January Development Activity Report. Mr. Burman explained that the extension on the site plan has been approved but building permits have not been issued. Commissioner Green also inquired about the proposed cell tower plan between Williamson Blvd. and Townwest Blvd. Mr. Burman responded that the City is currently waiting on information from the applicant regarding the location needs analysis. Commissioner Green asked if anything is being done with the lights along Dunlawton Avenue. Mr. Burman responded yes.

10. Staff Comments – there were none.

D. PUBLIC COMMENTS – there were none.

E. ADJOURNMENT – 7:09pm



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Chairman Thomas Jordan