

ORDINANCE NO. 2025 - 09

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, AMENDING TAYLOR RIDGE PLANNED DEVELOPMENT (PD), ON PROPERTY LOCATED AT 1298 SOUTH BLUE LAKE AVENUE; APPROVING AN AMENDMENT TO A PLANNED DEVELOPMENT PLAN ORIGINALLY CONSISTING OF APPROXIMATELY 26.011 +/- ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Applicant, Michael Woods, Esquire, on behalf of the owners, has filed for an amendment to the Taylor Ridge Planned Development (PD) originally consisting of approximately 26.011 +/- acres of land located at 1298 S Blue Lake Avenue, which is more particularly described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, the Taylor Ridge Planned Development was approved by the City Commission on February 5, 2024 (Ordinance No. 2024-07); and

WHEREAS, the applicant is proposing an amendment to the Taylor Ridge PD in order to revise the tree mitigation language; and

WHEREAS, said amendment is consistent with both the Comprehensive Plan and the purpose and intent of Section 33-32 and Section 33-135 of the Code of Ordinances of the City of DeLand (the "Code"); and

WHEREAS, the Applicant has submitted an application for the approval of a development plan in order to change certain development standards for the property described in Exhibit "A" (hereinafter the "Property" or the "Project"); and

WHEREAS, the proposed development plan meets or exceeds the minimum conditions and standards for the PD District with respect to minimum development size, perimeter setbacks, comprehensive plan consistency, internal compatibility, external compatibility, open spaces, sidewalks, environmental constraints, internal access and circulation, external transportation access, off-street parking, public facilities and unified control; and

WHEREAS, the proposed development plan is consistent with the Transitional Residential Development land use designation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. The City Commission has held a public hearing to approve the amendment to the Taylor Ridge Planned Development Agreement originally consisting of approximately 26.011 +/- acres of land located at 1298 South Blue Lake Avenue.

Section 2. Pursuant to the determination made at public hearing, the City Commission hereby amends the Comprehensive Zoning Map of the City to include the land described in Exhibit "A" as Taylor Ridge PD, Planned Development District.

Section 3. The zoning of the Property as PD, Planned Development District, is made pursuant to Section 33-32 of the Code and the development of the Property shall take place in accordance with that Section and in substantial compliance with the Development Plan Agreement, Maps and other supporting documentation which were previously submitted for the Taylor Ridge PD, Planned Development District, as well as the documentation submitted along with the current application, all of

which has been filed and will be retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

Section 4. The approved Development Plan and Development Agreement for Taylor Ridge PD, Planned Development District, shall be amended as per the attached Exhibit "B" which by this reference made a part hereof.

Section 5. The failure of the approved Development Plan to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with any law governing said permitting requirements, conditions, terms or restrictions, as same may be amended or enacted from time to time in the future. All current land development regulations of the City are applicable to the PD District except to the extent that they conflict with a specific provision of the approved Development Plan.

Section 6. At the time of development, the Applicant shall comply with all relevant building codes and development standards contained in the City's Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan shall supersede comparable standards contained in the Code of Ordinances.

Section 7. Pursuant to Article 5 of the City's Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

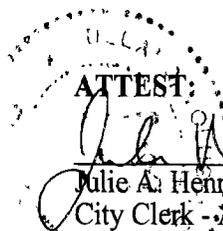
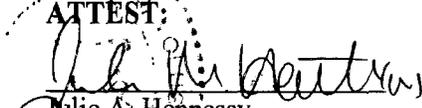
Section 8. The Planning Director is hereby directed to change the Comprehensive Zoning Map of the City of DeLand to conform with the change of zoning enacted in this Ordinance.

Section 9. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 10. This Ordinance shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this 21st day of July, 2025.


Christopher M. Cloudman
Mayor - Commissioner


ATTEST:

Julie A. Hennessy
City Clerk - Auditor

Passed on first reading: June 16, 2025
Adopted on second reading: July 21, 2025

APPROVED AS TO FORM AND LEGALITY:


Darren J. Elkind
City Attorney

"EXHIBIT A"

LEGAL DESCRIPTION

Parcel 1:

The South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, lying North of Taylor Road, Section 22, Township 17 South, Range 30 East, Volusia County, Florida, Less and Except Road Right of Ways.

also described as:

All of Blocks 1 and 2, and that portion of Blocks 3 and 4, lying North of Taylor Road, Carroll and Marshall Addition to Deland, according to the map thereof as recorded in Map Book 9, Page 22, Public Records of Volusia County, Florida, Less and Except Road Right of Ways.

Parcel 2:

The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, Section 22, Township 17 South, Range 30 East, Volusia County, Florida, Less Road Right of Way.

CONTAINING: 26.011 acres, more or less

EXHIBIT "B"**FIRST AMENDMENT TO TAYLOR RIDGE****PLANNED DEVELOPMENT AGREEMENT**

This First Amendment to the Taylor Ridge Planned Development Agreement (the "First Amendment") is made this 21st day of July, 2025 between the **CITY OF DELAND**, a Florida municipal corporation (hereafter, the "City"), whose mailing address is 120 S. Florida Avenue, DeLand, FL 32720, **TLC BLUE LAKE, LLC**, a Florida limited liability company with a mailing address of 605 Commonwealth Ave., Orlando, FL 32803 (hereafter, "TLC").

WHEREAS, the City and TLC previously entered into that certain Planned Development Agreement (the "PD Agreement") dated on or about February 5, 2024 and recorded in Official Records Book 8526, Page 3905 of the Public Records of Volusia County, Florida in connection with the rezoning of 26.011 +/- acres known as the "Taylor Ridge PD"; and

WHEREAS, TLC desires to modify the language regarding the required mitigation for the removal of trees designated by an arborist as poor and unable to be restored to viability, which are located on the property; and

WHEREAS, TLC desires to modify the language regarding the required mitigation for the removal of non-specimen, non-historic trees; and

WHEREAS, the application of TLC to amend the Taylor Ridge PD was duly and properly filed with the City on March 7, 2025 and the application was reviewed by the City's Community Development Department and determined to be consistent with the City's Comprehensive Plan; and

WHEREAS, Public Hearings on this First Amendment to the Taylor Ridge PD Agreement were held by the Planning Board on May 14, 2025 and the City Commission on

June 16, 2025 and July 21, 2025 after due public notice was provided in accordance with the City's Land Development Regulations Ordinance No. 2013-11, as amended.

NOW THEREFORE, the City and TLC acknowledge and agree that the Taylor Ridge PD is hereby amended to reflect the following changes, revisions and amendments to the Taylor Ridge PD Agreement and amended Planned Development Plan:

1. Paragraph I (8) of the Development Agreement for the Taylor Ridge PD is added to as follows (changes shown in ~~strikethrough~~/underline format):

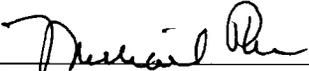
8. As a result of the high percentage of trees designated by an arborist as poor and unable to be restored to viability identified in the statistical tree survey, mitigation of non-specimen protected trees designated by an arborist (and as agreed upon by the City Forester) as poor and unable to be restored to viability shall be based on a calculation of 10% of the DBH of the removed trees. Mitigation for healthy non-specimen, healthy specimen and historic trees shall be as provided by the Land Development Code.

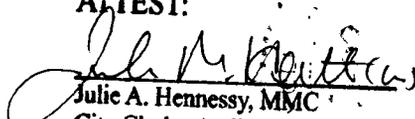
IN WITNESS WHEREOF, the City and TLC have caused this First Amendment to the Taylor Ridge Planned Development Agreement to be duly executed by their authorized representatives as of the last date entered below.

(Signatures on Following Pages)

ATTEST:

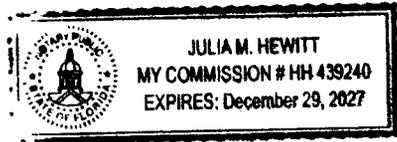
City Commission of DeLand Florida


Michael Pleus
City Manager


Christopher M. Cloudman
Mayor
ATTEST:

Julie A. Hennessy, MMC
City Clerk - Auditor

STATE OF FLORIDA
CITY OF DELAND

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 1st day of July, 2025 by Michael Pleus and Christopher M. Cloudman, as City Manager and Mayor, City of DeLand, respectively, on behalf of the City of DeLand, and who are personally known to me.



NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name:

Julia M. Hewitt

Commission No.: HH 439240

My Commission Expires: 12/29/27

WITNESSES

Print Name

Sign Name

TAN TRAN

Print Name

Sign Name

TLC BLUE LAKE, LLC,
a Florida limited liability company

By:

ANDREW J. OROSZ

Authorized Representative

Date:

7/14/2025

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of physical presence
or online notarization this 14th day of July, 2025, by ANDREW J. OROSZ, as
Authorized Representative for and on behalf of **TLC BLUE LAKE, LLC**. He is personally
known to me or has produced _____ as identification.

Seal

Notary Public

Type or Print Name:

Anna K. Almenar G.

Commission No.

My Commission Expires:

June 6, 2027

