

**City of DeBary
CITY COUNCIL WORKSHOP**

Saturday

May 3, 2008

8:00 AM

Florence K. Little Town Hall

12 Colomba Road

DeBary, Florida 32713

MINUTES

I. Call to Order

Mayor Coleman called the workshop to order at 8:00 a.m.

II. Roll Call

Members Present: Mayor George Coleman, Vice Mayor Christopher Carson (late), Council Member Norman Erickson, Council Member Jack Lenzen, and Council Member Leonard Marks

Others Present: City Manager Maryann Courson, City Clerk Stacy Tebo, Assistant City Attorney Dan Langley, and Volusia County Fire Department Deputy Chief Kathy Weaver

III. Discussion Regarding Special Exception Amendment Request from Highbanks Marina to Incorporate New Fire Protection Standards

Council Member Marks asked Deputy Chief Weaver of the Volusia County Fire Department if she agreed with Fire Inspector Karen Munson's report. She answered that she felt comfortable with Ms. Munson's assessment, as well as the report submitted by Fire Engineer Andrew Valente. Council Member Marks asked Deputy Chief Weaver to explain the advantages of installing a dry hydrant system. She responded that there is an unlimited supply of water from the river. Council Member Marks said it was his understanding that they would not be pulling from the river.

Council Member Erickson asked how long the ten-foot rule has been in existence. Deputy Chief Weaver stated that the 2008 new version specifies ten feet, but the fire code does not currently require it, and as such, they cannot enforce it at the present time.

Council Member Lenzen stated that they are talking about two different issues because the ten-foot rule is related to zoning, rather than the fire code.

Mayor Coleman noted that the campground looks very different than it did when the code enforcement case began; that it has really improved; and that he saw them installing a new fence.

Council Member Erickson said he had some suggested changes to the resolution. He said that he would like the sunset provision to specify two years because ten years is not temporary. He also noted several changes to verbiage throughout the document.

Council Member Erickson expressed concern regarding the Hold Harmless Agreement if the property were to change hands in the future. Mr. Langley said if he did not include it already, he would ensure the verbiage is inserted for any future owners of the property. He added that they would record the agreement, so any future owners would be put on notice that it exists. Council Member Erickson questioned the number of structures that are less than seven feet apart. Ms. Courson stated that Exhibit B lists the structures that would be exempt from the setback standards, but that before the hearing on May 7th, they would clarify the exact number.

Mayor Coleman said he would like the individual tenants of the units that do not meet the setback requirement to sign agreements, as well as the property owner.

The Council discussed various options for the sunset provision.

Council Member Lenzen stated he has not heard testimony from anyone in the campground complaining that units were placed too close together, and that the only people complaining about it are the neighbors in the adjacent subdivision. He said that the City inherited the problem; that there needs to be a settlement so that everyone can move on; that they should not impose a time frame on it; that the situation does not harm the City as a whole; and that he would approve the resolution with the deletion of the sunset provision.

Mayor Coleman said he would like the thirty-foot setback respected and the fire hydrants installed as soon as possible.

Mr. Langley explained the hold harmless agreement to Council Member Marks. He noted that the agreements could be interpreted in various ways by different judges.

Mr. Langley asked the Council if they wished to require an as-built survey or a sketch that is drawn to scale, in lieu of the plot plan submitted by the park owner.

The Council discussed the buffer areas with Mr. Langley.

Mayor Coleman informed the Council that he had to leave the workshop to attend a memorial service.

Mr. Langley asked the Council if they would like to require landscaping on the east property buffer. There was consensus not to require landscaping.

Mr. Langley said he would make the changes to the resolution and email it to the Council by Monday afternoon. He added that he would leave the ten-year sunset in the resolution because he did not hear a consensus on any other time frame.

IV. Adjournment. The workshop adjourned at 9:45 a.m.

**APPROVED May 21, 2008
CITY OF DeBARY
CITY COUNCIL
George Coleman, Mayor**

**ATTEST:
Stacy Tebo, City Clerk**