

**From:** Jeff Ensminger [mailto:jensminger@cfl.rr.com]

**Sent:** Friday, November 06, 2009 11:59 AM

**To:** 'Chris Bowley'

**Subject:** Mulder's Daycare and attached church appears not up to code on parking while other churches and daycares are held to code requirements

Chris,

### **DTA DAYCARE PARKING SPACE REQUIREMENTS:**

Your attached report appears to include an error in the enumeration of *maximum children capacity*, as follows:

“1 space/5 children at maximum permitted capacity @ 75 kids = 15 spaces”

But according to official records obtained from the Florida Department of Children and Families, as of October 27, 2009 DTA Academy has a maximum permitted capacity of 140 children, thus bringing this particular line item of calculations to 28, rather than 15.

With that correction figured in with the other line items of your calculations, the total required parking at 1649 Providence for the daycare is 50 spaces, as shown below:

1 space/state required staff @ reported 8 staff members =	8 spaces
1 space/5 children at maximum permitted capacity @ 140 kids =	28 spaces
1 passenger loading space/ea. 10 children under care @ 140 maximum children under care =	<u>14 spaces</u>
	TOTAL parking spaces required = 50

Also, your count of 57/58 currently available parking spaces appears to be close (I count 56), but *five* of those spaces are regularly reserved for parking the school busses (see attached aerial image), thus leaving a total of only *51 usable parking spaces* for the daycare.

Based on the calculations above:

TOTAL parking spaces required = 50

TOTAL parking spaces available = 51

**NET PARKING SPACES AVAILABLE FOR WEEKDAY USE OTHER THAN DAYCARE = 1**

### **DELTONA UNITED CHURCH OF CHRIST PARKING SPACE REQUIREMENTS:**

Based on the Church's published calendar (see attached PDF document), they regularly hold scheduled events at the church *during the week*, thus requiring parking space during the week, of which there is *only one* available.

According to Deltona ordinance Sec. **110-810. (Off-street parking and loading)**, the church is required to have adequate parking spaces available as follows:

1 space/3 seats in main assembly area, or 33.3 spaces/1,000 sq. ft. GFA in main assembly area if no fixed seating is provided. Seating shall be based on maximum fire code occupancy. Plus parking required for other uses on the site that operate during hours when the main assembly area may be in use.

According to the property appraiser's records the church building where the main assembly area is located has a total of over 7,000 sq ft of ground floor area (GFA). When computed using the city code noted above, the required number of parking spaces for the church is over 233, but currently *only one* is available.

**THE MAYOR’S VICTORY GARDEN PARKING SPACE REQUIREMENTS:**

The city ordinance **110-810** does not specify the parking requirements for a *community garden*, so using the requirements for **Open "free play area"** would indicate a number of required parking spaces equal to *8 per square acre*.

The garden site is reported as being 1 acre, thus requiring *eight parking spaces*, per the ordinance noted above.

**SUMMARY/CONCLUSION:**

		<b>RUNNING BALANCE OF NET PARKING SPACES AVAILABLE</b>
TOTAL parking spaces available at 1649 Providence Blvd. =	<b>56</b>	<b>56</b>
TOTAL parking spaces required for DTA Daycare =	<b>50</b>	<b>6</b>
TOTAL spaces consumed by daycare busses =	<b>5</b>	<b>1</b>
TOTAL parking spaces required for Deltona United Church =	<b>233</b>	<b>(-232)</b>
TOTAL parking spaces required for Mayor’s Victory Garden	<b>8</b>	<b>(-240)</b>

**QUESTIONS FOR CHRIS BOWLEY/CITY OF DELTONA:**

1. There is a [Hispanic church that has been trying to open their doors on Ft. Smith Blvd](#) that is being required to first have adequate PAVED parking spaces, thus preventing the congregation from assembling to practice their religion, so why is it that the church which is directly associated with Mulder's daycare is permitted to assemble without adhering to the same parking codes?
2. There is a Butterfly daycare that has been trying to open their doors not far from Mulder's daycare, but the city's overzealousness in holding them to code is preventing that business from offering jobs or services to the community, so why is Mulder's daycare permitted to operate while inadequate parking exists at its location?
3. In 2005 a hopeful mayoral candidate Dennis Mulder told the voters that "*all the codes should be enforced all the time!*" Four years later, why does Mulder's daycare continue to operate in what appears to be a violation of the codes?
4. Has the city ever verified that the ancillary church building is used by the church or if it is used exclusively by Mulder's daycare?
5. What is the city going to do to bring the subject property into code compliance?

Respectfully,

**Jeff "Gus" Ensminger**

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**From:** Chris Bowley [mailto:CBowley@deltonafl.gov]  
**Sent:** Thursday, November 05, 2009 7:31 PM  
**To:** Jeff Ensminger  
**Cc:** Traci Provini  
**Subject:** RE: Public Record Requests

Hello, Jeff. Traci forwarded my original message on to you. The off-setting hours of operation were reported to exist on the subject site at 1649 Providence Bv. It is also reported that the DTA Academy building at the rear of the site includes a Church office (unverified). In calling the DTA Academy today, they report that their hours of operation are from 6:00 AM to 6:30 PM on Monday through Friday, with no operations on Saturday or Sunday. Please call 386.860.4408 to verify, if needed.

A call to the Deltona United Church of Christ next door was unanswered. So, I looked at their on-line calendar for verification (see link below). It appears that most of their activities occur on the weekends and in the evenings, opposite the day care hours, as reported. I visited the site today and there are 57/58 parking spaces, one has a directional arrow on it. Three (3) are handicap spaces, as required. Please see the attached parking calculations, based on our Code. I don't know yet how many children and staff are served by the day care. It's reported that there are eight (8) staff and less than 100 children served. So I provided spaces for 10 staff members and 100 children. As calculated, there are approximately 40 spaces required in a maximum scenario (2) of which are handicap (1 space per 25). This leaves a surplus of roughly 17-18 spaces.

<http://www.deltona-ucc.org/Calendar.dsp>

Hope that this helps,  
**Chris Bowley, AICP**  
*Director of Planning & Development Services*  
*City of Deltona*  
*2345 Providence Boulevard*  
*Deltona, Florida 32725*  
*386.878.8602*  
*386.878.8601 fax*  
[cbowley@deltonafl.gov](mailto:cbowley@deltonafl.gov)

**From:** Jeff Ensminger [mailto:jensminger@cfl.rr.com]  
**Sent:** Thursday, November 05, 2009 9:12 AM  
**To:** Chris Bowley  
**Subject:** RE: Public Record Requests

Chris,

Traci has referred me to you to obtain a copy of the requested public records, as noted in the email dialogue below.

Let me know when I can pick this up.

Please provide me with a copy of the report cited by Traci Provini, which documents the off-setting hours of operation for the church and daycare located at 1649 Providence Blvd.

Traci wrote: "THE DAY CARE AND THE CHURCH OPERATE ON OFF-SETTING HOURS OF OPERATION, AS REPORTED."

Thanks,

Jeff

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**From:** Traci Provini [mailto:TProvini@deltonafl.gov]  
**Sent:** Thursday, November 05, 2009 8:55 AM  
**To:** Jeff Ensminger  
**Cc:** Chris Bowley  
**Subject:** RE: Public Record Requests

Good Morning,

The information comes from several places according to our Planning Director, Chris Bowley.

1. The Property Appraiser
2. The Land Development code
3. Field Verification

I would suggest that if you have further questions on this, you may want to reach out to him, however, just be sure to keep me in the loop since it is a public record request.

Thanks,

*Traci Provini, Acting Deputy City Clerk*

City of Deltona  
386-878-8505  
386-878-8501 fax  
[tprovini@deltonfl.gov](mailto:tprovini@deltonfl.gov)

**From:** Jeff Ensminger [mailto:jensminger@cfl.rr.com]  
**Sent:** Tuesday, November 03, 2009 4:38 PM  
**To:** Traci Provini  
**Subject:** RE: Public Record Requests

Phew!

Thanks!

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**From:** Traci Provini [mailto:TProvini@deltonafl.gov]  
**Sent:** Tuesday, November 03, 2009 4:36 PM  
**To:** Jeff Ensminger  
**Subject:** RE: Public Record Requests

LOL, sorry for the caps, not yelling at you! I'll try and get you the documentation to which the info came from!

Traci

**From:** Jeff Ensminger [mailto:jensminger@cfl.rr.com]  
**Sent:** Tuesday, November 03, 2009 4:34 PM  
**To:** Traci Provini  
**Subject:** RE: Public Record Requests

Traci,

Please don't be upset at me for my inquiry (judging from your use of all caps to shout your response) – I mean no offense to you. If I am directing my inquiries to the wrong dept or person, please let me know so I do not continue to upset you with future inquiries.

Please provide me with a copy of the report you speak of, which documents the hours of operation for the church and daycare.

Thanks,

Jeff

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**From:** Traci Provini [mailto:TProvini@deltonafl.gov]  
**Sent:** Tuesday, November 03, 2009 4:18 PM  
**To:** Jeff Ensminger  
**Subject:** RE: Public Record Requests

THIS IS A SHARED PARKING FACILITY WITH THE ADJACENT CHURCH, WHICH ALSO OPERATES AN OFFICE IN THE SAME BUILDING AS THE DAY CARE. THERE ARE ROUGHLY 45-50 PARKING SPACES ON-SITE. IN OTHER WORDS, THERE ARE MORE SPACES FOR THE DAY CARE FACILITY THAN ARE NEEDED. THE DAY CARE AND THE CHURCH OPERATE ON OFF-SETTING HOURS OF OPERATION, AS REPORTED.

TRACI

**From:** Jeff Ensminger [mailto:jensminger@cfl.rr.com]  
**Sent:** Tuesday, November 03, 2009 3:38 PM  
**To:** Traci Provini  
**Subject:** RE: Public Record Requests

Traci,

Thanks!

That brings me to a new question:

How many parking places are required by city code for the *CHURCH* located at 1649 Providence?

Thanks,

Jeff

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**From:** Traci Provini [mailto:TProvini@deltonafl.gov]  
**Sent:** Tuesday, November 03, 2009 3:25 PM  
**To:** Jeff Ensminger  
**Subject:** FW: Public Record Requests

Jeff,

I have some of the responses listed below in red and am working on the others.

Traci

**From:** Jeff Ensminger [mailto:jensminger@cfl.rr.com]  
**Sent:** Tuesday, November 03, 2009 10:54 AM  
**To:** Traci Provini  
**Subject:** RE: Public Record Requests

All four are still outstanding, plus there is an outstanding request for all work orders dated between June 14, 2009, and June 18, 2009

thanks

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**From:** Traci Provini [mailto:TProvini@deltonafl.gov]  
**Sent:** Tuesday, November 03, 2009 10:15 AM  
**To:** Jeff Ensminger  
**Subject:** Public Record Requests

Jeff,

In looking at your requests I want to see where we stand on these, please let me know what is still outstanding:

1. Work orders for 1649 Providence Blvd
2. Sign Permit for 1709 Providence Blvd: **No sign permit and none required.**
3. Parking places are required by city code for the daycare located at 1649 Providence: **The amount required is 25 spaces with 1 handicap**
4. Work orders requested thru Mr. Whitcomb, Mr. Denny, and Mr. Moore, **I know that you just revised this one yesterday and I am working on this one.**

*Traci Provini, Acting Deputy City Clerk*

City of Deltona  
386-878-8505  
386-878-8501 fax  
[tprovini@deltonfl.gov](mailto:tprovini@deltonfl.gov)

**ATTACHED FILES:**

**AERIAL VIEW OF PARKING AREA:**



**DTAAcademyRequiredParking-ChurchCalendar.pdf:**

**Deltona United Church of Christ**  
We Welcome All

**OCTOBER 2009**  
**Church Calendar**

Welcome

Who We Are

Pastor

Calendar

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2 J. Jablonski memorial service 11:00A.M.	3 Nimble Fingers 8:30-4:30
4 Deacon's Fund Offering Neighbors in Need Mrk 10:2-16	5	6 Quilters 1:00	7	8 Council Reports due by 9:00 A.M.	9	10 Rummage Sale 9:00-2:00
11 Pastor Appreciation luncheon Mrk 10:17-31	12	13 Quilters 1:00	14	15 Women's Fellowship 12-2	16	17 10am Council Meeting/ 10:00 A.M.
18 Drama Sunday Mrk 10:35-41	19	20 Quilters 1:00	21	22	23	24 Church Picnic at Campbell Park
25 Koins for Kristina Offering Mrk 10:46-52	26 Feeding @ DeLand UMC	27 Quilters 1:00	28 New Testmaent Bible study meal at 6:30; Bible study at 7:30	29	30	31 Reformation/ Reconcilaitation Day

Mrk 10:46-52	Feeding @ DeLand UMC	1:00	meal at 6:30, Bible study at 7:30		Reconciliation Day
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## WHAT GOES ON AT DELTONA UNITED CHURCH OF CHRIST

# Sunday S

### THROUGH THE WEEK

Sunday school will begin on Sep

The first topic of the church y

Sunday:

10:00am DUCC Worship

1:00pm CFC Worship

Monday:

7:30pm CFC Bible Study

8:00pm A. A. (FIF Conference Rm)

Tuesday:

10:00am CFC Prayer (Sanctuary)

12:00pm Woodcarvers (1<sup>st</sup>/3<sup>rd</sup> Fell.)

5:30pm Worship Planning Meeting

6:00pm DUCC Hand Bell Choir

6:30pm Cub Scouts (FIF Conf. Rm)

7:00pm Boy Scouts (DeSousa Fellowship Hall)

Wednesday:

7:00pm DUCC Music Rehearsal

Thursday:

6:30pm CFC Worship

Friday:

7:30pm CFC Choir Practice

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In the brief allotment of space I would like to say that we have received reminders of

our 'doing' of our being a " , " in terms of Abraham, Moses, Jesus, Mohammed, Buddha.

It may seem strange in theory but obviously it is very hard in practice to remember that we basically are to care for each other, to love God and love our neighbor a self. The world's major religions certainly adhere to this idea. Now if you and I can catch up, if you and I can remember our reminders... if you and I can continue to grow and to not "place a period where God put a comma", who knows what could be accomplished.

I suspect that the comma becomes an invitation then to join with others as we seek to fulfill our lives, in today's matrix. Because "GOD IS STILL SPEAKING" you and I need each other. We need to discuss, to interpret, to support in finding what love of God and love of neighbor means. Keep in mind that neighbor is a created of God, and hence an image of God.

I suspect that the comma becomes a reminder that as people of God, as followers of God, and for those of us who see God best in Jesus, need to follow the actions of Jesus in today's world.

#### REV. JIM'S OFFICE HOURS

I want like to try the following for office hours:

Monday -1 P.M. to 4 P.M.

Tuesday 3 P. M. to 7 P.M. ( although the worship committee meets at 5:30 P.M.)

If you have other suggestions please let me know or leave word in the office. I have not set these in stone but I feel you should have a time when you can contact me or see me in person other than Sunday. If another time is more convient OR if you desire a pastoral visit please contact me, or leave word at the office.

was simply loving God, and loving neighbor as se Torah.)

While that is oversimplified, it certainly is the ess God's chosen. Following were prophets, and jud 'rightwise' in their covenant with Yahweh.

The people tried the patience of God, but God ren

And so now, without the reminders, under the opp Israel seeks a sign that the chosen people of God has always been faithful/ is still faithful. Israel m anointed one, a messiah, to lead them from oppre But it is a long wait.

Let that remain our time line for this month as we that covenant within the unshared testament for J shared testament as in Hebrews it is said:

*"And the Holy Spirit also testifies to us saying, with them after those days, says the Lord: I will write them on their minds," he also added, " I will deeds no more." (Heb*

And as such followers of Jesus see the covenant

1. God as dependable and always with the fo
2. The followers have a collective responsibility believe God expects of them.
3. The covenant is reviewed through the Euch Supper).

So we await the waiting period. We must patientl coming and the coming of Jesus.

Shalom,

Jim

# Deltona United Church of Christ

We Welcome All

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*That they all may be one; as thou, Father, art in me,  
also may be one in us: that the world may believe that  
John 17:21*

**1649 Providence Blvd.  
Deltona, Florida 32725  
On the corner of Providence & Tivoli  
Next door to the new Victory Garden  
[office@deltona-ucc.org](mailto:office@deltona-ucc.org)  
Phone :386-574-1821  
FAX :386-574-7554**

Service Times: Sunday: 10:00 A.M.

Style of Worship: We offer a Blended style of worship that incorporates both Traditional and Contemporary styles of worship.

Worship Music: Worship Music is Blended as well. We offer Traditional Hymns as well as Contemporary music with visual displays.

Deltona United Church of Christ: Prides itself on being a **judgement free zone**.



*That they all may be one, as thou, Father, art in me,  
also may be one in us: that the world may believe that*  
**John 17:21**

**1649 Providence Blvd.  
Deltona, Florida 32725  
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Deltona United Church of Christ: Prides itself on being a **judgement free zone**.

Communion: Communion is served on the 1st Sunday of the Month. Communion is served by a Deacon in your seat and all will partake

Dress: Please feel free to come casually dressed.

Children: Nursery/Cry Room is available. It is wired for sound and has a big picture window if parents want to sit in there with their children. "young disciples" time which encourages child interaction.

Parking: You may park anywhere in the parking lot, grassy area or on Galiano Street next to the church. The parking lot contains spaces with disabilities who have the proper vehicle decals.

Church Entrance: You may enter the church via the double doors on the lower building.

Persons with Disabilities: The entry, seating, coffee hour, restrooms and altar are all accessible for those with disabilities.

Languages: Services are completely in English.

## NOVEMBER 2009

### Church Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 Mark 12:8-4 <b>ALL SAINTS</b> COMMUNION	2 DTA coffee and donut time.	3 Quilters 1:00-2:30	4 Bible Study and meal 6:30. Study at 7:30	5	6	7 Salute toUSO in Daytona  Meet at church for ride
8 VETERANS DAY CELEBRATION Mark 12:38-44	9	10 Quilters 1:00	11 ALL Church planning meeting 6:00 p.m.	12 Council Reports due by 12:00 noon	13	14
15 I Samuel 1:4-20	16	17 Quilters 1:00	18 Bible Study 6:30	19 Women's Fellowship 12-2	20	21 10am Council Meeting/ 10:00 A.M.
22 REIGN OF CHRIST SUNDAY Drama Sunday JOHN 18:33-37	23	24 Quilters 1:00	25 Bible Study 6:30?	26 THAKSGIVING DAY	27	28 HANGING of the GREENS
29 1ST SUNDAY OF ADVENT Koins for Kristina Offering	30 NO FEEDING AT DELAND	Quilters 1:00	New Testmaent Bible study meal at 6 :30; Bible study at 7:30			

**CHRIS BOWLEY REPORT:**

1 space/state required staff @ proposed 8 staff members = 8 spaces  
 1 space/5 children at maximum permitted capacity @ 75 kids = 15 spaces  
 1 passenger loading space/ea. 10 children under care, minimum 4 spaces = 7 spaces  
 25 spaces (1 is HC)

1 space/state required staff @ proposed 10 staff members = 10 spaces  
1 space/5 children at maximum permitted capacity @ 100 kids = 20 spaces  
1 passenger loading space/ea. 10 children under care, minimum 4 spaces = 10 spaces  
40 spaces (2 are HC)

SHARED PARKING FACILITY WITH THE ADJACENT CHURCH; WHICH MAY ALSO OPERATE AN OFFICE IN THE SAME BUILDING AS THE DAY CARE. THE DAY CARE AND THE CHURCH OPERATE ON OFF-SETTING HOURS OF OPERATION, AS REPORTED. THERE ARE 57-58 PARKING SPACES ON-SITE.