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# Annexing boundary may ease conflicts

## Volusia leaders won't challenge Deltona for now as they review a city proposal to limit growth.

By Lisa Emmerich  
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March 11, 2005

DELAND -- The cold war between Volusia County and Deltona officials thawed further on Thursday when County Council members delayed voting whether to push ahead with a battle over a 5,000-acre annexation into the city until they can review a new city proposal to restrict growth during the next decade.

Council members said they were pleased with Deltona Mayor John Masiarczyk's idea to outline a boundary on the east side of the city that would limit annexation beyond the line unless county leaders agreed to the city's expansion. The plan also would require County Council members to agree not to contest any annexations within the margin.

But council members didn't comment on the specifics of the new map, and they chose to take more time to consider the plan, moving discussion to the March 24 agenda.

The line, revealed Thursday, could push city limits east of State Road 415, a thoroughfare long considered the unofficial border for urban growth in the area. But it doesn't go as far as some residents feared and leaves out at least one key parcel whose owners already have applied for inclusion into the city.

The distinction between being within Deltona or remaining part of the unincorporated county carries huge financial implications for landowners. The city is eager for commercial development while the county has shown more concern for protecting the environment and slowing growth in rural areas.

County Council member Jack Hayman said he was pleased that city officials were revealing growth plans.

"I think we're in unison and agreement," he said about creating a plan for annexations. "This is the beginning of the smart growth. . . . This city has a chance to shine."

Council member Joie Alexander said she was happy to use the boundaries as a jumping-off point but added that she wouldn't be easily convinced to give up the right to challenge annexations for 10 years.

Circuit Court Judge Edwin Sanders shocked county officials last week when he issued a ruling agreeing with Deltona's position that its annexation of a 5,000-acre tract of land owned by the Leffler family was legal under state laws that require annexations to be reasonably compact and substantially contiguous to

existing city limits.

Proposals for the Leffler land have included turning it into an upscale fly-in community and a Celebration-like retail and residential hub.

Council members had shown signs of relaxing their stance on Deltona's growth last month when they dropped several battles over smaller annexations into the city, including one over a planned equestrian village called D Ranch. And county and city leaders have increasingly expressed willingness to work together to plan growth in the area instead of relying on costly and time-consuming court battles.

Landowner Mark Pell, whose land sits both inside and outside current city limits but within the proposed growth perimeter, called the boundary a "nice clean line" that would help diffuse Deltona's reputation for seeking rampant growth. But he said a lot of money is invested in land excluded by the plan.

"I bet there are people crying," he said. "Somebody's not happy down there, I'm sure."

One of those people who stands to lose out is Daryl Carter, whose 3,000 acres of undeveloped land sits just outside the proposed confines. But Carter, who purchased the land for nearly \$12 million earlier this year, said he is looking at the boundary as a challenge rather than a problem.

"It hasn't been formally adopted yet, and I'm sure they're going to accept a lot of public comment," he said. "So I'm not going to overreact. I would think they would want to be very deliberate about any decision they make where they're going to cast something in stone for 10 years."

And Deltona city commissioners haven't had their say in the mayor's plan, although Masiarczyk said the boundary is in line with past discussions.

Commissioner Doug Horn said he is concerned about how far south and north the line goes.

"I don't think that line is the exact right line," he said. "I think there is a whole lot of talking that needs to be done. Our commission has to get together and decide whether or not we like the idea."

Environmental activists had mixed reactions to the proposal. Denise McCabe, president of the Osteen Preservation Society, said she is glad the city set forth a border but worries that the margins are too inclusive.

"It's a place to start," McCabe said. "But I'm not happy with this map. I really don't want to see Deltona cross over State Road 415."

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