

## Interoffice Memorandum

**DATE:** March 16, 2026

**TO:** Mayor Jerry L. Demings and County Commissioners

**THROUGH:** N/A

**FROM:** Tanya Wilson, AICP, Director Planning, Environmental, and Development Services Department



**CONTACT:** Nicolas Thalmueller, AICP, DRC Chairman

**PHONE:** (407) 836-5523

**DIVISION:** Development Review Committee Office

### **ACTION REQUESTED:**

Uphold the Development Review Committee (DRC) action of December 3, 2025, to uphold the Zoning Manager's decision regarding the Tree Removal Permit (TRP) TRP-25-04-068 and the Notice of Violation (NOV) issued under FIR-25-05-0295 for a violation of Chapter 15, Article VIII. District 1.

**PROJECT:** Keene's Pointe Community Association, Inc., DRC Appeal (DRCA-25-06-143)

**PURPOSE:** *This item was continued from the March 10, 2026 BCC Public Hearing at the request of the appellant.* Development Review Committee (DRC) Appeal Case # DRCA-25-06-143, generally located north and east of Winter Garden Vineland Road and west of Lake Tibet in District 1, is an appeal to the Board of County Commissioners (BCC).

The Keene's Pointe Community Association is appealing the denial of a Tree Removal Permit (TRP-25-04-068) and a Notice of Violation (NOV) related to unauthorized tree removal within private rights-of-way throughout the Keene's Pointe gated community. The permit application requested removal of 130 Live Oak trees to facilitate roadway repair and repaving. Following site inspections conducted on April 30, 2025, County zoning staff determined that the requested removals did not meet the criteria for approval under County Code Section 15-301(a), as the properties are fully developed, feasible alternatives to removal exist, and the applicant did not provide sufficient supporting documentation. The permit was denied on May 13, 2025.

During the site visit, staff also identified that two Live Oak trees (16- and 17-inch DBH)

had been removed without a permit. A Field Investigation Report and NOV were issued with penalties totaling \$3,498, pursuant to County Code.

The appeal was heard at the July 9, 2025 DRC meeting and no action was taken. It was determined that the applicant team should coordinate with County staff to provide a utility survey, plans for the proposed road and infrastructure improvements, and a more detailed tree risk assessment report for each requested tree. Additionally, the applicant was asked to provide documentation regarding the health of the trees that were removed in relation to the violation that was issued for the removal of trees without a permit under FIR-25-05-0295.

The appeal was heard again at the December 3, 2025 DRC Meeting and the DRC upheld both the denial of the Tree Removal Permit and the Notice of Violation, citing the applicant's failure to provide requested documentation and the availability of alternative infrastructure repair methods that could mitigate impacts without removing trees.

**BUDGET: N/A**