



Interoffice Memorandum

Received on January 6, 2026
No Advertising Required
No Abutters Required

January 6, 2026

TO: Jennifer Lara Klimetz, Manager,
Clerk of the Board of County Commissioners,
County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor,
Agenda Development Office

FROM: Lisette M. Egipciaco, *JME*
Senior Development Coordinator
DRC Office

CONTACT PERSON(S): **Lisette M. Egipciaco**
Senior Development Coordinator
DRC Office
407-836-5684
lisette.egipciaco@ocfl.net

SUBJECT: Request for Board of County Commissioners
Public Hearing

Project Name: 9757 Carillon Park Drive
Case # DRCA-25-06-143

Type of Hearing: Development Review Committee (DRC) Appeal

Appellant: Mike Stewart, Board President
Keene's Pointe Community Association, Inc.
9757 Carillon Park Drive
Windermere, Florida 34786

Commission District: 1

General Location: North & East of Winter Garden Vineland Road
/ West of Lake Tibet

Parcel ID #(s) 29-23-28-4074-18-000, 20-23-28-4076-18-000,
20-23-28-4076-18-002, 29-23-28-4083-18-000,
29-23-28-4075-18-004, 31-23-28-4079-18-003

of Posters: 0

Use: Single-Family Residential Subdivision

Size / Acreage: 807 total gross acres

BCC Public Hearing
Required by: Orange County Code Sec. 15-281(c)

Clerk's Advertising
Requirements: No advertising required for appeals

Spanish Contact Person: Para más información referente a esta vista pública, favor de comunicarse con la División de Planificación (Planning Division) al número 407-836-8181.

Advertising Language:

This request is an appeal of the December 3, 2025, decision of the Development Review Committee (DRC), 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.

Material(s) Provided:

(1) Appeal Letter

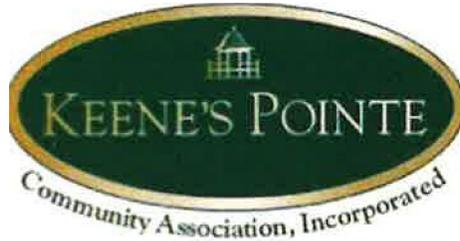
Special Instructions to Clerk (if any):

Please schedule this request for the March 10, 2026 Board agenda. Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Please notify Lisette Egipciaco of the scheduled date and time. The DRC Office will notify the appellant.

Attachment(s) (appeal letter)

Appeal Letter



January 2, 2025

Board of County Commissioners c/o Nicolas Thalmueller,
DRC Chairman

Subject: Appeal of DRC Decision Regarding Tree Removal Permit Denial- TRP-25-04-068/Disputed Violation and Resident Safety Concerns

Dear Mr. Thalmueller,

On behalf of the Keene's Pointe Community Association, we submit this formal appeal to the Board of County Commissioners regarding the DRC's denial of our tree removal permit application and appeal referenced above and the Notice of Violation (NOV) issued concerning the alleged unauthorized removal of two trees.

As previously stated in our appeal to DRC, the Association did not authorize or direct the removal of Tree #193 before it was removed. The removal of this tree occurred without the knowledge, consent, or approval of the Keene's Pointe Community Association nor any of its designated agents or contractors. The Association will not accept liability for actions taken without our approval and expressly reserves all rights to contest any penalties or mitigation requirements imposed as a result. Tree #335 was removed by the Homeowner as our Arborist at the time (Earth Advisors) advised it was at 40% health as submitted in the arborist report dated August 8, 2025 regardless of the statute referenced (see attached report from Earth Advisors, Inc.).

Additionally, the decision to deny the removal of all 130 trees is deeply concerning. According to Section 15-301(a) of the Orange County Code, tree removal is permitted when at least two qualifying conditions are met. Given the number of trees and the known concerns related to health, proximity to structures, and impacts to community infrastructure, it is implausible that none meet the criteria.

On July 9, 2025, the Association appealed to the DRC. No action was taken at that meeting. In fact, pictures were presented by the County depicting the very infrastructure damage and safety hazards the Association is trying to resolve by removing the trees (see

pictures attached). In the meeting (although not listed in the minutes), the County was asked to have a discussion with Keene's Pointe Association, but they did not respond to our invitations and requests to talk.

On December 3, 2025, a second hearing was held with the DRC. Our appeal was denied on the basis that the Association did not provide additional reports and plans. This would have required the Association spend additional resident dollars to produce construction plans that are interdependent on the trees being removed first to complete (per the engineer) and a tree risk report, when the information was provided in the arborist report, included in the permit, which listed infrastructure damage or tree health decline for each one of the 130 trees.

Critically, many of the trees listed for removal present substantial safety risks to Keene's Pointe residents and property. These risks include:

- Structural instability due to disease, damage, or decline.
- Interference with sidewalks, driveways, and underground utilities, as well as the buckling of the roads and sidewalks causing an immense safety hazard to pedestrians and vehicles, particularly as we are trying to repave these roads.
- Proximity to homes, creating a direct threat during high-wind or storm events.

The County brought up alternatives to hardscape repairs in order to avoid removal of the trees. However, consulted arborists and engineers have confirmed these options are not viable for Keene's Pointe, a community that is over 25 years old, with overcrowded Oak trees in small right of ways (see attached email from Kimley-Horn).

To date, the Association has already spent millions of dollars in repairs to ensure safe sidewalks and roads for residents. Our fiduciary responsibility as an association is to protect the community's assets.

Should the County's refusal to grant the permit result in injury, damage, or increased liability to the Association, we reserve the right to take all appropriate legal action, including but not limited to seeking injunctive relief or indemnification.

Sincerely,

Mike Stewart, Board President
On Behalf of the Keene's Pointe Community Association

Keenespointehoa@gmail.com, 407-909-9099

Cc: Dan O' Keefe, Esq.