



Legislation Text

File #: 24-1035, **Version:** 1

Interoffice Memorandum

DATE: July 3, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

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

CONTACT: Renée H. Parker, LEP, Manager, Environmental Protection Officer

PHONE: (407) 836-1420

DIVISION: Environmental Protection Division

ACTION REQUESTED:

Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Conservation Area Impact Permit CAI-23-06-030 for Suzzane M. Litton, Charles Pham, and Kenneth and Kris S. Viles. District 4 (Environmental Protection Division)

PROJECT: Suzzane M. Litton, Charles Pham, and Kenneth and Kris S. Viles, Conservation Area Impact Permit Application No. CAI-23-06-030 (Hancock Lone Palm North)

PURPOSE: The applicants, Suzzane M. Litton, Charles Pham, and Kenneth and Kris S. Viles, are requesting a Conservation Area Impact (CAI) Permit to construct a townhome development project with associated infrastructure. The project site is known as Hancock Lone Palm North and is located on Hancock Lone Palm Road, Orlando, FL 32828. The Parcel ID Nos. are 24-22-31-0000-00-045, 24-22-31-0000-00-059, 24-22-31-0000-00-061, 24-22-31-0000-00-062, and 24-22-31-0000-00-069. The subject properties are in District 4.

The project area consists of five parcels, with existing single-family homes and commercial uses. The natural resources on the five properties consist of three Class III surface waters (SW-1, SW-2, and SW-3; totaling 0.783 acre combined) and one Class I wetland (W-1; totaling 3.87 acres onsite and continues offsite). W-1 is a forested system of moderate to moderately high quality, comprised of mostly native tree canopy and subcanopy. SW-1, SW-2, and SW-3 are ponds that are low to moderate in habitat quality and consist of some appropriate native vegetation, with some opportunistic emergent species and algae tolerant of and associated with water quality degradation.

The project is located within the Econlockhatchee River Protection Area and is therefore subject to Chapter 15, Article XI, Econlockhatchee River Protection Ordinance. Pursuant to Section 15-442(f), upland buffers averaging fifty (50) feet in width with a minimum of twenty-five (25) feet in width are required for Class I and II conservation areas. There are 1.25 acres of required upland buffer associated with W-1. The upland buffer along W-1 is forested and comprised of native tree species. The understory contains mainly native vegetation with minimal nuisance/exotic species.

The applicant proposes to impact all of SW-1, SW-2 and SW-3, and 0.43-acre of the required upland buffer adjacent to W-1. No direct impacts to W-1 are proposed. The project is being reviewed under the prior version of Article X, Wetland Conservation Areas, adopted in 1987, since the application was received in June 2023 when that Code was in effect and the applicants were provided direction for their development plan under that Code.

Environmental Protection Division (EPD) staff has evaluated the proposed impacts and site plan with the review criteria in Orange County Code, Chapter 15, Articles X and XI. Pursuant to Section 15-362(5), where wetlands serve a significant and productive environmental function, the public health, safety and welfare require that any alteration or development affecting such lands should be so designed and regulated so as to minimize or eliminate any impact upon the beneficial environmental productivity of such lands, consistent with the development rights of property owners. The applicants have made plan revisions and have reduced the amount of impacts to the W-1 upland buffer from 0.63-acre in the original request to 0.43-acre in the final plans. The reduction was accomplished by relocating parking areas, eliminating a small park, and by utilizing a retaining wall along the proposed stormwater pond rather than a wider backslope. The applicants have proposed a remaining upland buffer 0.82-acre in size.

The proposed mitigation plan includes the purchase of 0.53 credit from the TM-Econ Mitigation Bank, Phases 1-3. In addition, conservation area signage and permanent fencing will be placed along the remaining upland buffer. As a method to further protect the remaining onsite wetlands, the applicants have also agreed to place the remaining onsite portion of W-1 (+/- 3.87 acres), and remainder of the upland buffer (excluding a 5-foot wall maintenance easement) into a conservation easement. EPD has determined that the mitigation is appropriate and sufficient to offset adverse impacts to wetlands that will occur as a result of the proposed project.

In accordance with Chapter 15, Article XI, Section 15-442(a), the applicant conducted a survey of the property for the presence of imperiled species. No imperiled species were identified within the project area. The project is not expected to result in adverse effects to imperiled species.

There are no current enforcement actions taken by EPD or any history of violations on the subject properties.

EPD has evaluated the CAI permit application and required documentation and has made a finding that the request is consistent with Orange County Code, Chapter 15, Article X (previous version adopted in 1987), Wetland Conservation Areas Ordinance and Article XI, Econlockhatchee River Protection Ordinance and recommends approval.

BUDGET: N/A

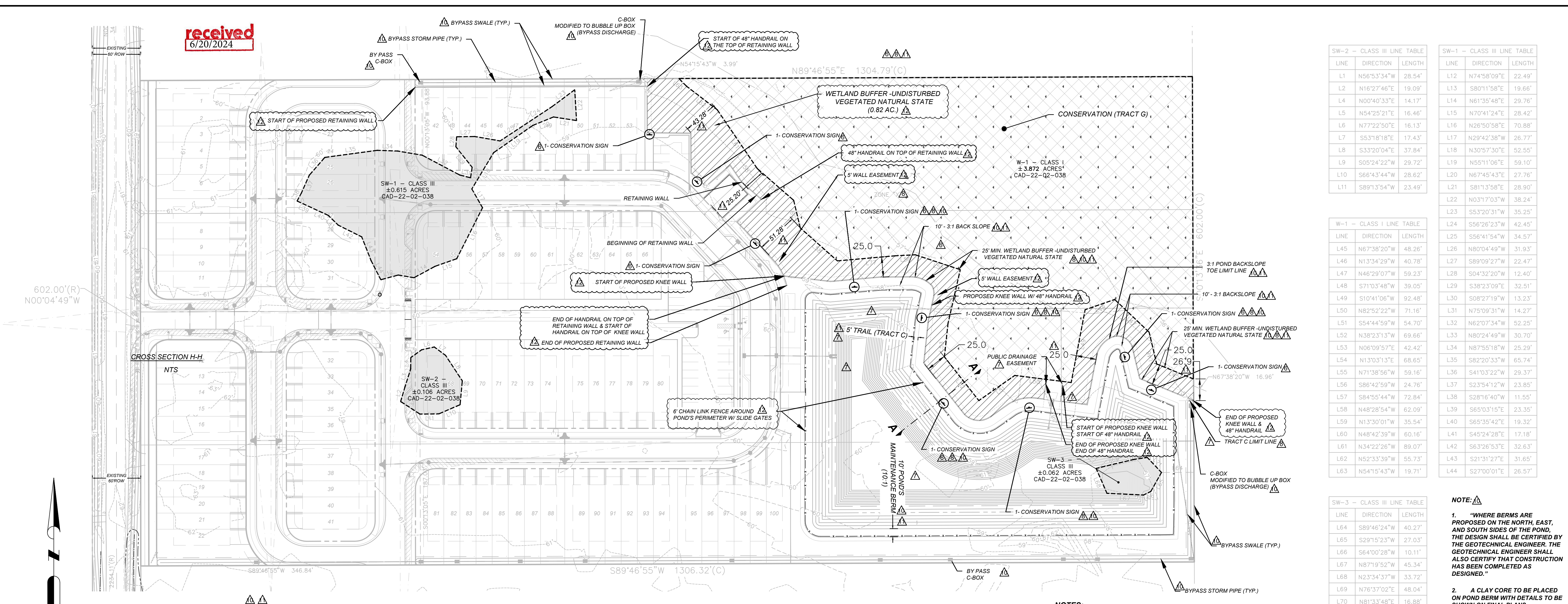
SW-1, to be impacted



W-1, to be preserved



received
6/20/2024



SW-2 - CLASS III LINE TABLE

LINE	DIRECTION	LENGTH
L1	N56°53'34"W	28.54'
L2	N16°27'46"E	19.09'
L4	N00°40'33"E	14.17'
L5	N54°25'21"E	16.46'
L6	N77°22'50"E	16.13'
L7	S53°18'18"E	17.43'
L8	S33°20'04"E	37.84'
L9	S05°24'22"W	29.72'
L10	S66°43'44"W	28.62'
L11	S89°13'54"W	23.49'
L12	N74°58'09"E	22.49'
L13	S80°11'58"E	19.66'
L14	N61°35'48"E	29.76'
L15	N70°41'24"E	28.42'
L16	N26°50'58"E	70.88'
L17	N29°42'38"W	26.77'
L18	N30°57'30"E	52.55'
L19	N55°11'06"E	59.10'
L20	N67°45'43"E	27.76'
L21	S81°13'58"E	28.90'
L22	N03°17'03"W	38.24'
L23	S53°20'31"W	35.25'

SW-1 - CLASS III LINE TABLE

LINE	DIRECTION	LENGTH
L24	S56°26'23"W	42.45'
L25	S56°41'54"W	34.57'
L26	N67°38'20"W	48.26'
L27	N80°04'49"W	31.93'
L28	N13°34'29"W	40.78'
L29	S89°09'27"W	22.47'
L30	S04°32'20"W	12.40'
L31	S08°23'09"E	32.51'
L32	S08°27'19"W	13.23'
L33	N80°24'49"W	30.70'
L34	N87°55'18"W	25.29'
L35	S82°20'33"W	65.74'
L36	S41°03'22"W	29.37'
L37	S23°54'12"W	23.85'
L38	S28°16'40"W	11.55'
L39	S65°03'15"E	23.35'
L40	S65°35'42"E	19.32'
L41	S45°24'28"E	17.18'
L42	S63°22'53"E	32.63'
L43	S21°31'27"E	31.65'
L44	S27°00'01"E	26.57'

SW-3 - CLASS III LINE TABLE

LINE	DIRECTION	LENGTH
L64	S89°46'24"W	40.27'
L65	S29°15'23"W	27.03'
L66	S64°00'28"W	10.11'
L67	N87°19'52"W	45.34'
L68	N23°34'37"W	33.72'
L69	N76°37'02"E	48.04'
L70	N81°33'48"E	16.88'
L71	S43°29'10"E	25.64'

NOTE:
1. "WHERE BERMS ARE PROPOSED ON THE NORTH, EAST, AND SOUTH SIDES OF THE POND, THE DESIGN SHALL BE CERTIFIED BY THE GEOTECHNICAL ENGINEER. THE GEOTECHNICAL ENGINEER SHALL ALSO CERTIFY THAT CONSTRUCTION HAS BEEN COMPLETED AS DESIGNED."
2. A CLAY CORE TO BE PLACED ON POND BERM WITH DETAILS TO BE SHOWN ON FINAL PLANS.

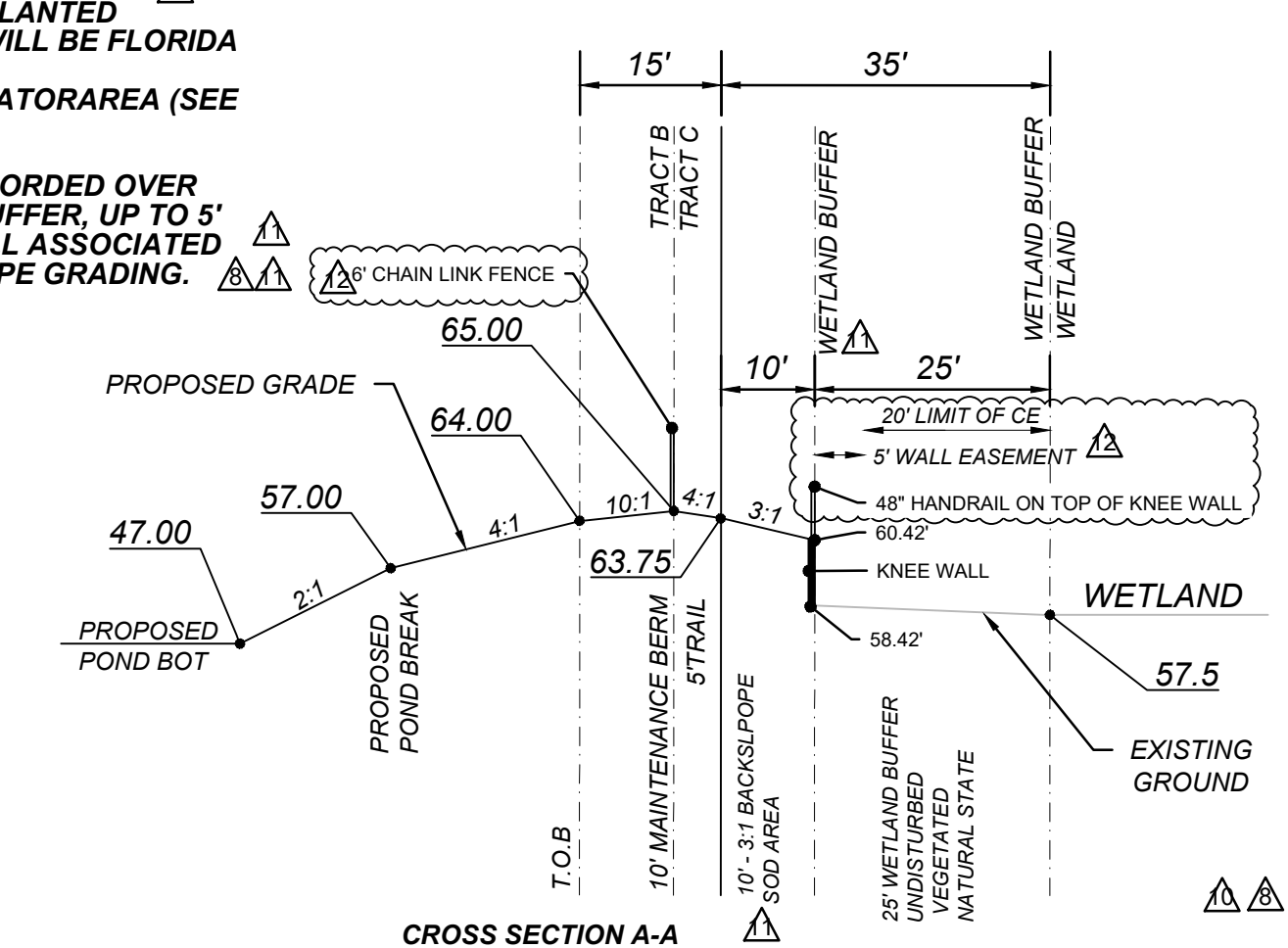
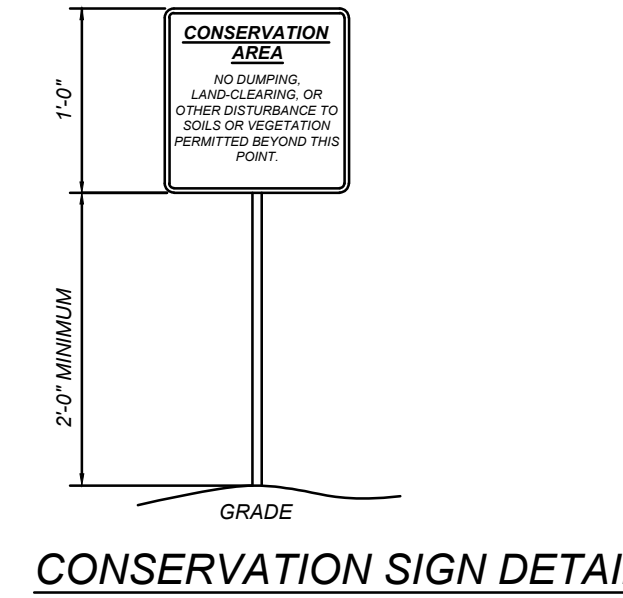
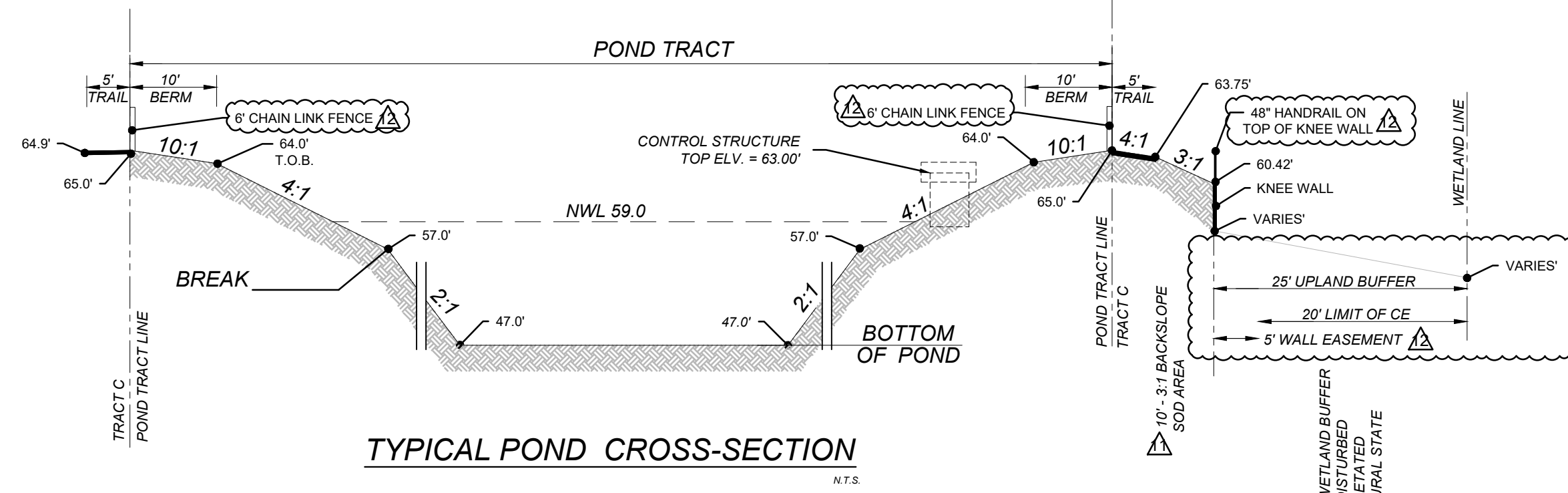
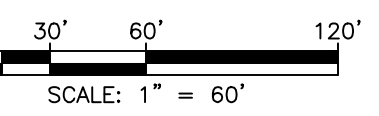
- NOTES:
- MINIMUM 25' BUFFER HAS BEEN PROVIDED ON ALL WETLANDS.
 - 50' WETLAND BUFFER PER CODE WOULD BE 1.25 AC.
 - SEE LANDSCAPE PLANS FOR THE ROW OF SHRUBS LOCATED AT (7). PLEASE NOTE THAT ALL PLANTED MATERIALS WITHIN THE UPLAND BUFFER WILL BE FLORIDA NATIVE SPECIES ONLY.
 - BOTTOM OF THE POND OUTPUT DISSIPATOR AREA (SEE LANDSCAPE PLANS SHEET L101)
 - A CONSERVATION EASEMENT WILL BE RECORDED OVER WETLAND 1 AND ITS ADJACENT UPLAND BUFFER, UP TO 5' WATERWARD OF THE REQUIRED STEM WALL ASSOCIATED WITH THE STORMWATER POND'S BACKSLOPE GRADING.

LEGEND

DESCRIPTION	AREA
WETLAND PRESERVATION AREA	3.872 AC.
33.37' AVERAGE WIDTH OF: WETLAND BUFFER (UNDISTURBED VEGETATED NATURAL STATE)	0.82 AC.
WETLAND IMPACT	0.783 AC.

WETLAND IMPACT TABLE

AREA	IMPACTED AREA (AC.)	PRESERVED AREA (AC.)	TOTAL AREA (AC.)
WETLAND (W-1)	0.00	3.872	3.872
WETLAND (SW-1)	0.615	0.00	0.615
WETLAND (SW-2)	0.106	0.00	0.106
WETLAND (SW-3)	0.062	0.00	0.062
PROPOSED WETLAND BUFFER - UNDISTURBED VEGETATED NATURAL STATE (33.37' AVERAGE WIDTH)	-----	0.82	0.82
REQUIRED WETLAND BUFFER - UNDISTURBED VEGETATED NATURAL STATE (50.0' AVERAGE WIDTH)	0.43	0.82	1.25



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DSE
DAVE SCHMITT
ENGINEERING, INC.
12301 Lake Underhill Road Suite 241
ORLANDO, FL 32828
407-207-9088 FAX 407-207-9089
Certification of Authorization #27471

REVISIONS

DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION
03-12-2024	BC	REVISION PER COUNTY COMMENTS	03-12-2024	BC	REVISION PER COUNTY COMMENTS
02-20-2024	BC	REVISION PER COUNTY COMMENTS	01-08-2024	BC	REVISION PER COUNTY COMMENTS
05-22-2024	BC	REVISION PER COUNTY COMMENTS	11-27-2023	BC	REVISION PER COUNTY COMMENTS
04-24-2024	BC	REVISION PER COUNTY COMMENTS	09-12-2023	BC	REVISION PER COUNTY COMMENTS

DAVE M. SCHMITT
FLORIDA REG. NUMBER
07-25-2023 48274

ENVIRONMENTAL CONSIDERATION PLAN

HANCOCK LONE PALM NORTH
ORANGE COUNTY, FLORIDA

DATE: NOV. 2022
PROJECT NO.: AE-10
DRAWN BY: BC
CHECKED BY: DMS
SCALE: 1" = 60'
SHEET: 16 OF 16

Conservation Area Impact Permit Request



Conservation Area Impact Permit Request

CAI-23-06-030, District #4

Applicants: Suzzane M. Litton,
Charles Pham, &
Kenneth & Kris S. Viles

Address: Hancock Lone Palm Rd

Parcel IDs: 24-22-31-0000-00-045
24-22-31-0000-00-059
24-22-31-0000-00-061
24-22-31-0000-00-062
24-22-31-0000-00-069

Project Site 

Project Location 

