



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Decision Letter

Board of County Commissioners

Tuesday, March 10, 2020

2:00 PM

County Commission Chambers

20-232

Substantial Change

Kathy Hattaway, Poulos & Bennett, LLC, Spring Grove - Jaffers Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-10-353, amend plan; District 1

Consideration: A PD substantial change to transfer 1.44 gross acres to the Serenade at Ovation PD (LUP-18-10-354) and revise development tables based on removal of that property. No change in the development program is proposed; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located south of Flemings Road, west of Avalon Road, and east of the Lake County Line; Orange County, Florida (legal property description on file in Planning Division)

Modify Condition of Approval #6:

6. The project shall comply with the terms and conditions of that certain Adequate Public Facilities Right-of-Way Agreement for Village I, Spring Grove, recorded at Official Records Document #20190734332 #20160429794, Public Records of Orange County, Florida, as may be amended.

Modify Condition of Approval #7:

7. Pursuant to the BCC's acceptance of the Village I Term Sheet on November 13, 2018, this project shall comply with the terms and conditions of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time.

Modify Condition of Approval #10.I.:

10.I. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter in accordance with Section 12.1 of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time, and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request, subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report, as amended; further, modify Conditions of Approval #6, #7, and #10.I.; and further, approve the Second Amendment to Adequate Public Facilities Agreement for Horizon West - Village I - West Neighborhood Spring Grove - Jaffers by and between Spring Grove LLC, M/I Homes of Orlando LLC and Orange County. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin



THE FOREGOING DECISION HAS BEEN FILED WITH ME THIS 17TH DAY OF MARCH 2020.

Jenica Vaupel

DEPUTY CLERK
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

Note: This document constitutes the final decision of the Board of County Commissioners on this matter. If, upon the Board's subsequent review and approval of its minutes, an error affecting this final decision is discovered, a corrected final decision will be prepared, filed, and distributed.
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