

*Board of County Commissioners*

# Public Hearings

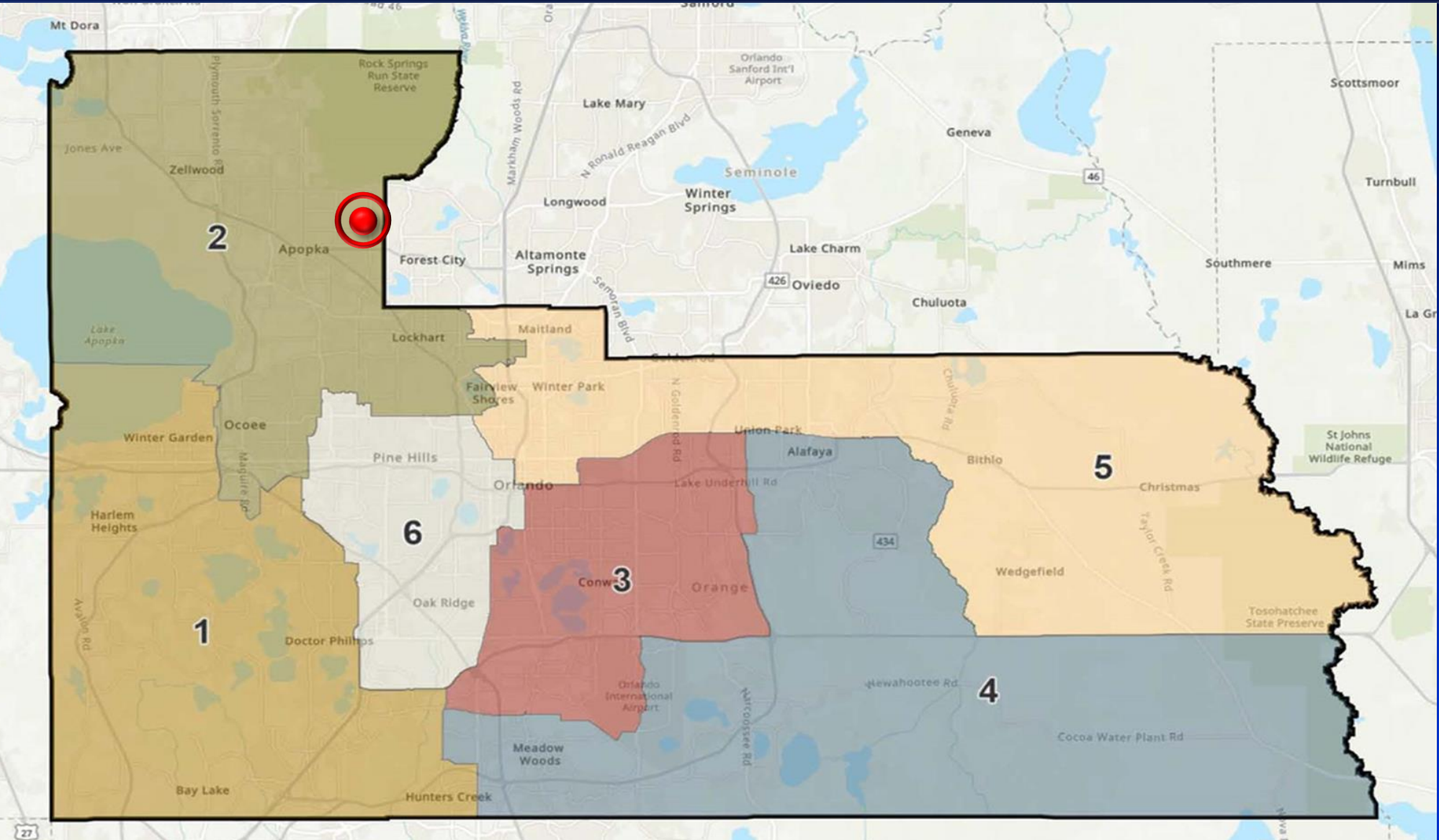
**November 18, 2025**



# Wekiwa Springs Road – DRC Appeal

1

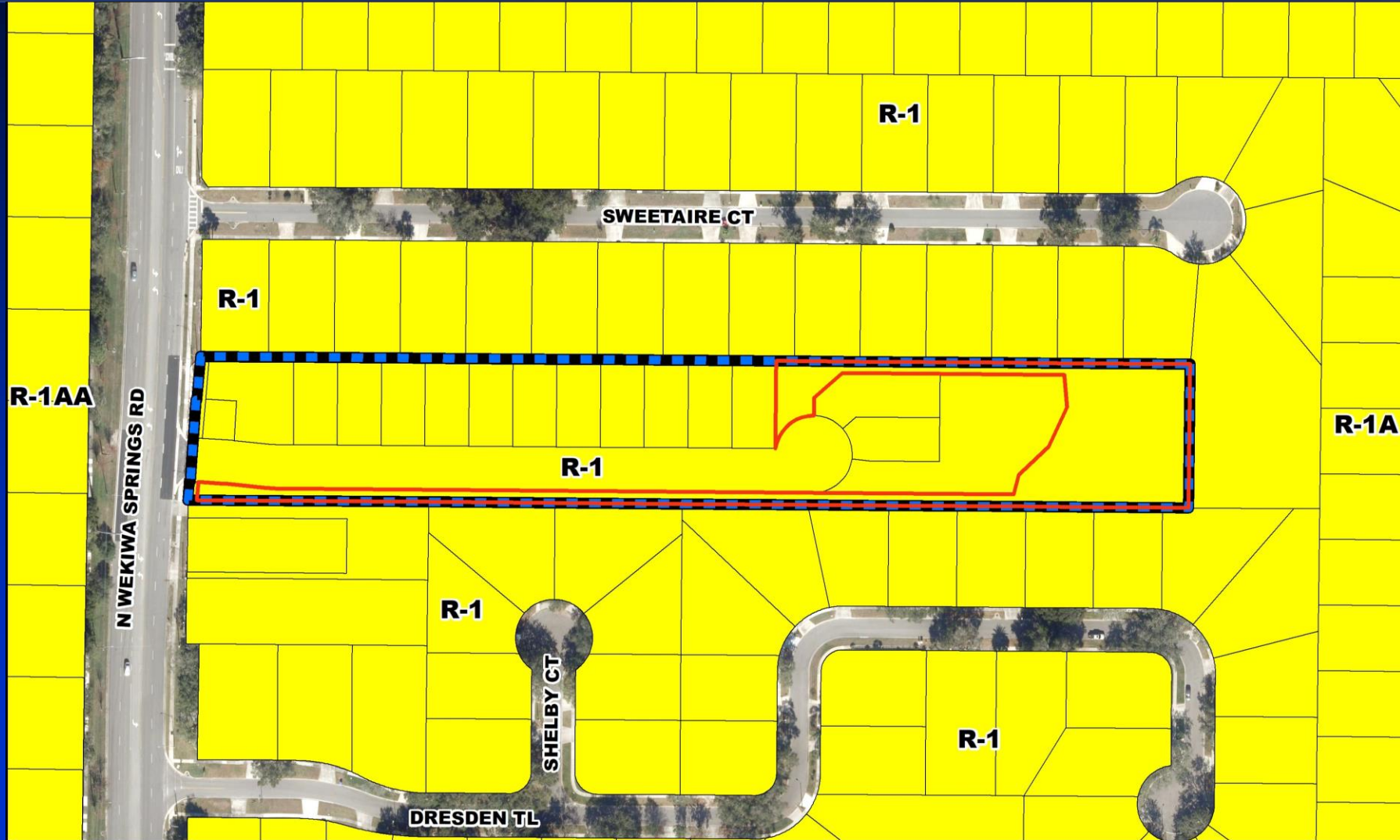
<b>Case:</b>	DRCA-25-09-226
<b>Applicant:</b>	Jose Chaves, StoryBook Development Services, LLC
<b>District:</b>	2
<b>Acerage:</b>	4.27 gross acres (affected area)
<b>Location:</b>	Generally located north of Votaw Road and east of North Wekiwa Springs Road
<b>Request:</b>	An appeal of the September 24, 2025, decision of the Development Review Committee (DRC), to uphold the Zoning Manager's decision regarding the Notice of Violation (NOV) issued under FIR-25-08-0508 for a violation of Chapter 15, Article VIII.



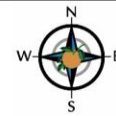


# Zoning Map

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 Subdivision Boundary  Subject Site

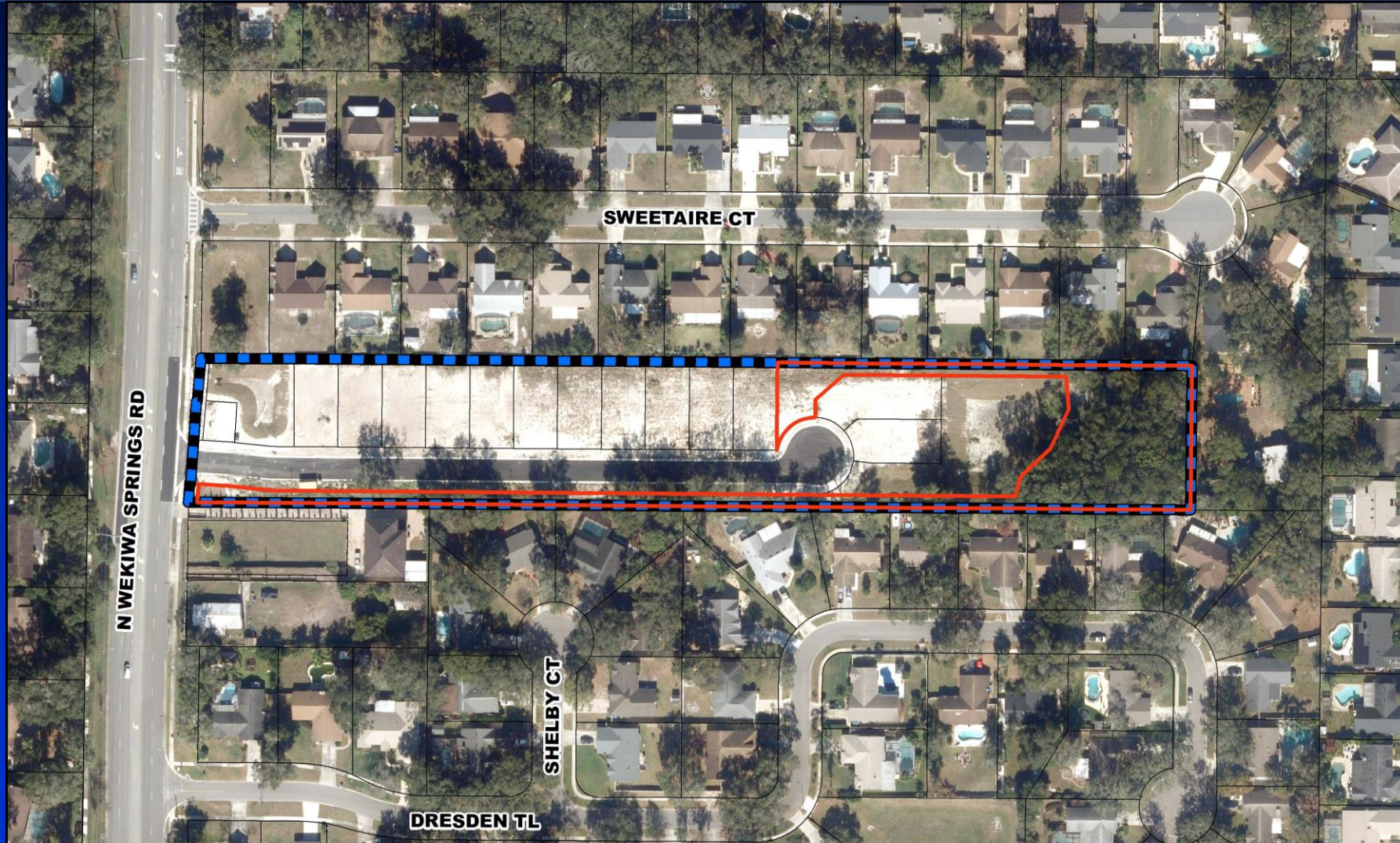






# Aerial Map - 2025

4



 Subdivision Boundary  Subject Site

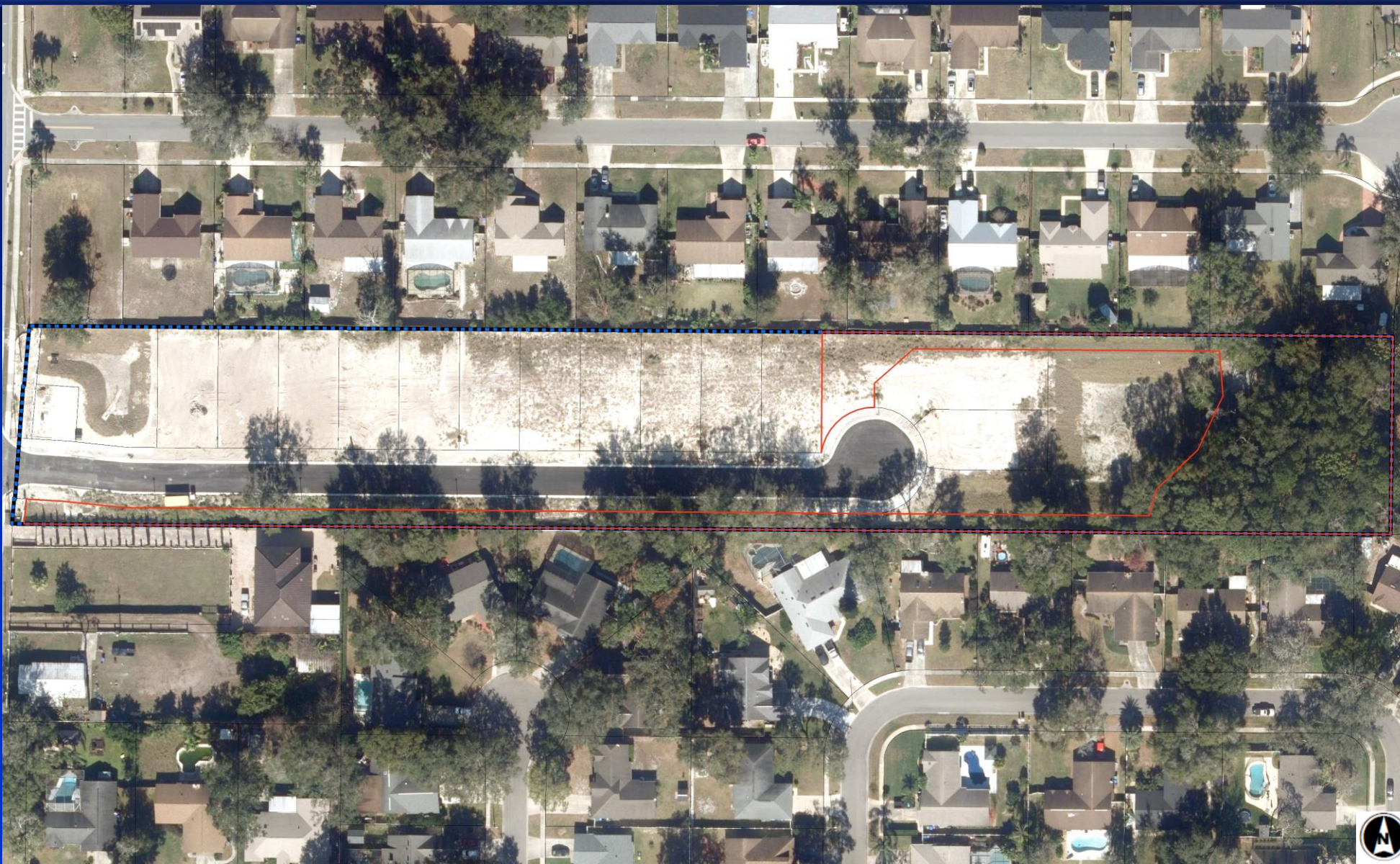






# Close-Up Aerial - 2025

5





- **2018:** The Wekiva Springs Road Preliminary Subdivision Plan was approved, which included 13 lots and 2 tracts and as a new cul-de-sac road named Huanier Court. The plan included 1098 inches of preserved trees.
- **2021:** Construction began. The approved plan showed 1098 inches of preserved trees, consistent with the approved PSP.
- **Sometime between 2021-2025:** 20 trees, totaling 233 inches in diameter were removed from the site.

- **August 2023:** An amendment was submitted to the PSP to update the tract table and eliminate a portion of the south side sidewalk along the right-of way.
  - The plans continued to show the trees as preserved.
  - Zoning requested an updated tree survey. In a response letter, the applicant stated that no additional changes were proposed to the tree mitigation plan and that no additional trees were being removed, preserved, and/or proposed as part of the application.
  - The amendments were approved by the DRC in April of 2024.
- **March 2024:** New Tree Protection & Removal ordinance becomes effective.

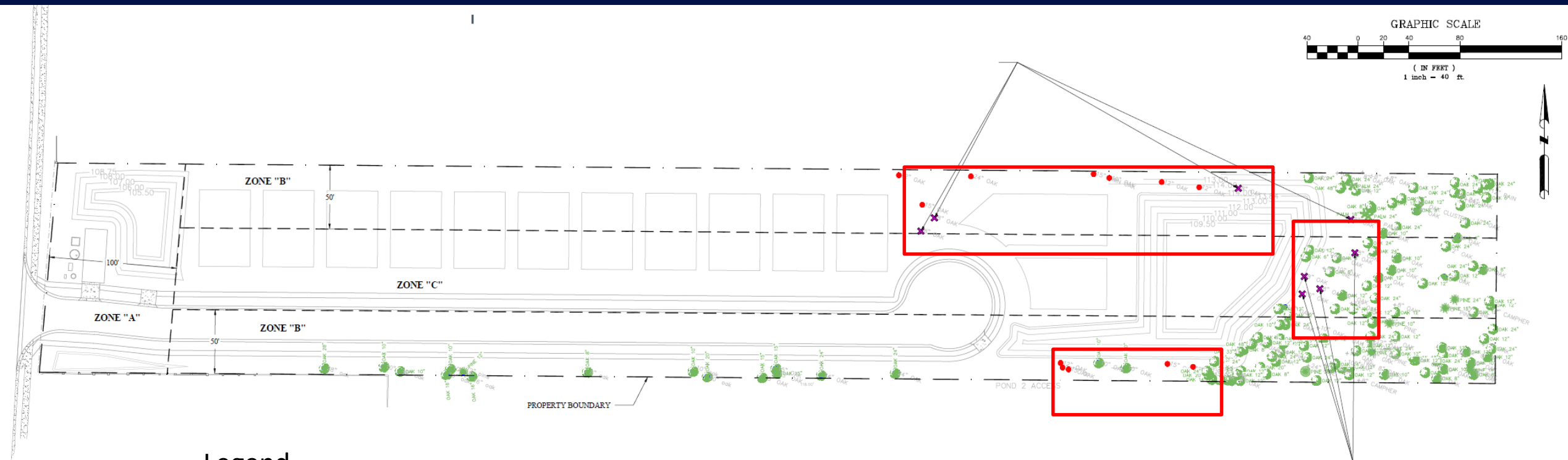


- **August 2025:**
  - A field inspection noted 20 protected trees were removed despite being shown for preservation on the approved plans.
  - A violation was issued. Since the trees removed were not shown to be removed on the original PSP or the amended PSP, they must be mitigated under the current code.
- **September 2025:** The applicant appealed the violation to the DRC. The DRC reached a unanimous consensus to uphold the Zoning Manager's decision regarding the enforcement action.



# Site Plan showing trees removed

9



## Legend

EXISTING TREE:  
(PER SURVEY DATED 08/20/2025)



EXISTING TREE:  
(PER SURVEY DATED 06/08/2017)



UN-PERMITTED REMOVED TREE\*\*:



UN-PERMITTED REMOVED  
TREE, EXEMPT UNDER OLD  
CODE

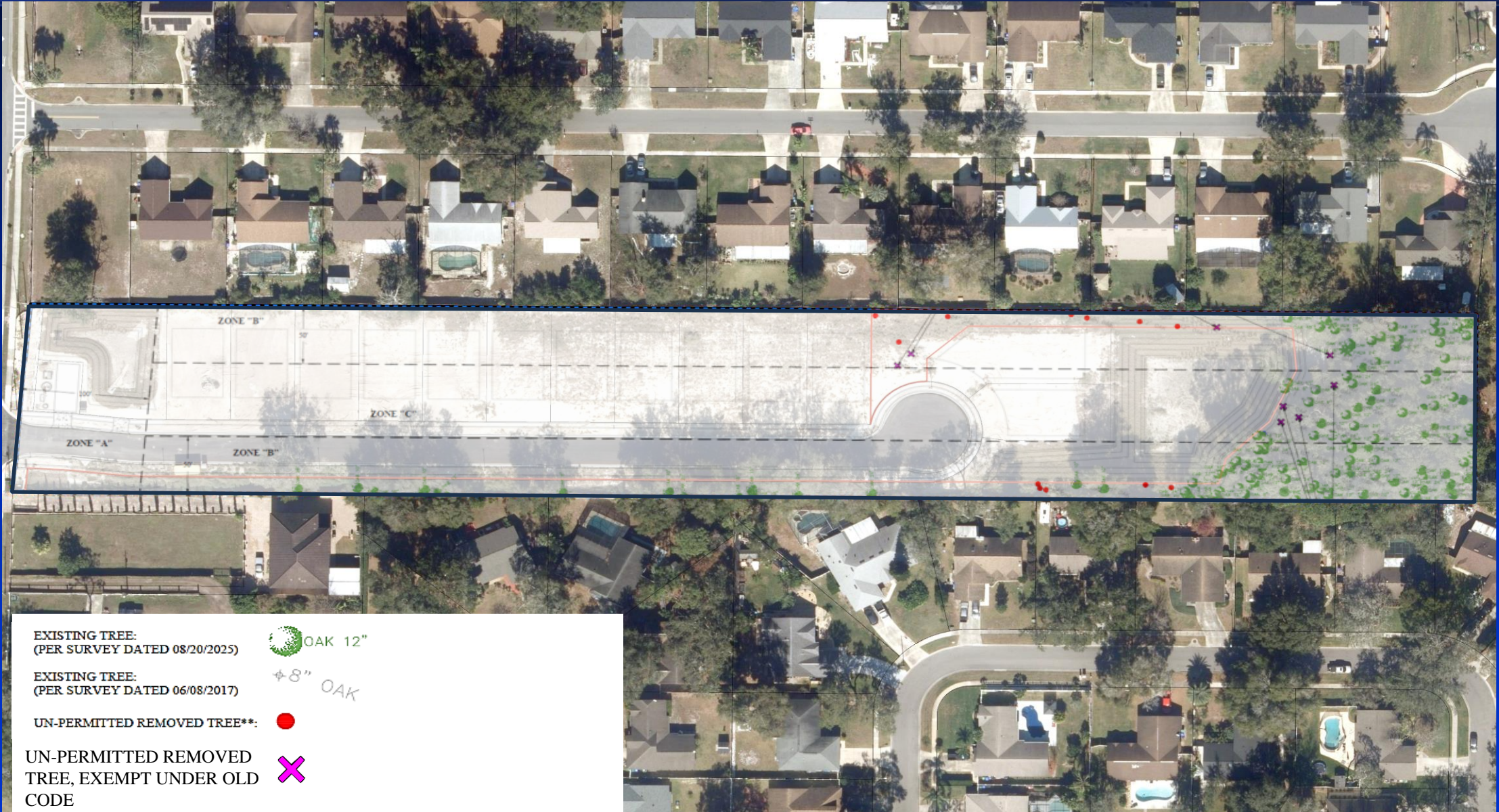






# Site Plan showing trees removed

10



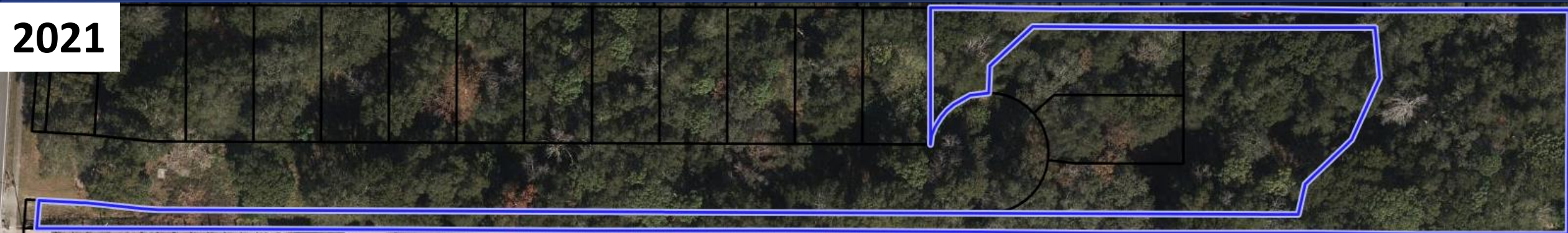




# Aerial Imagery 2021 - 2025

11

2021



2022



2025







# Site Photograph

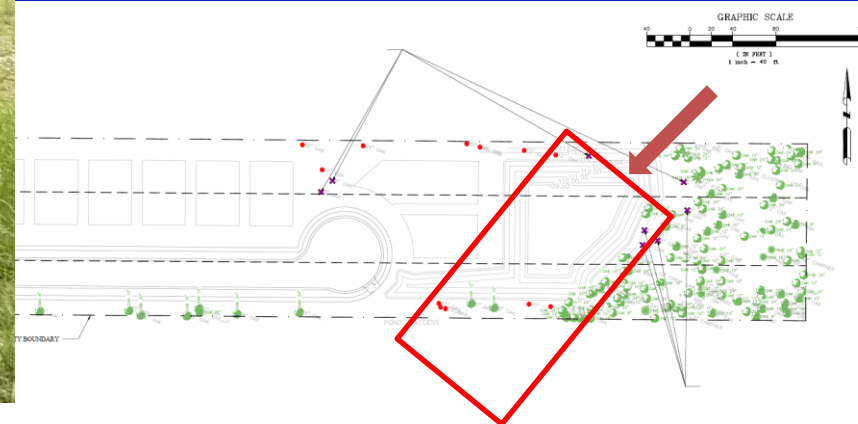
12

Property facing southwest towards neighboring properties



5 trees removed in this area:

- Two 15" Oaks
- Three 12" Oaks







# Site Photograph

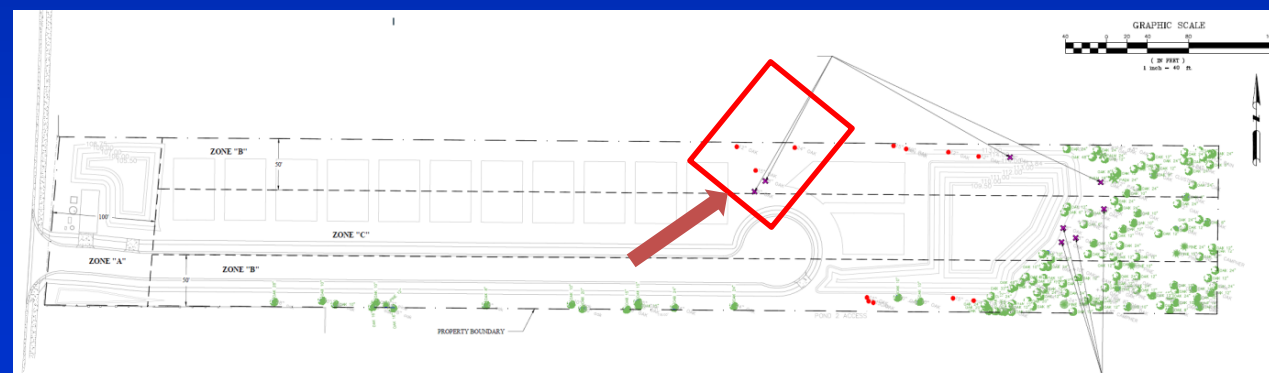
Facing northeast toward neighboring properties

13



5 trees removed in this area:

- 24" Oak
- 15" Oak
- 12" Oak
- Two 8" Oaks







# Site Photograph

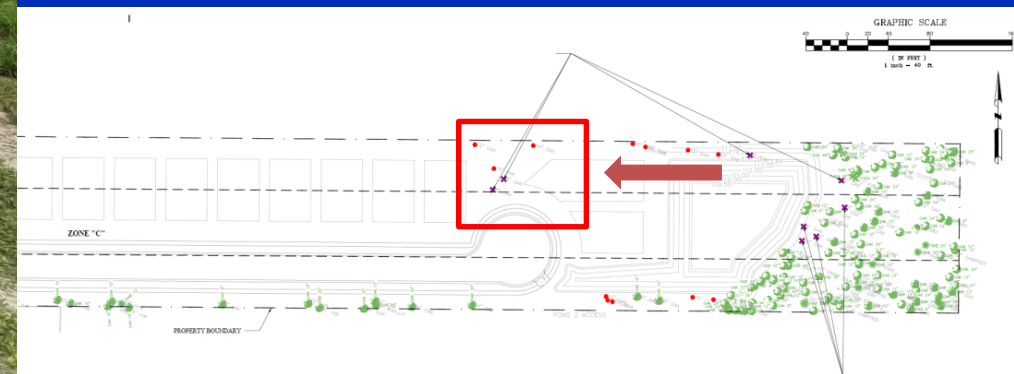
## Facing west

14



**5 trees removed in this area:**

- 24" Oak
- 15" Oak
- 12" Oak
- Two 8" Oaks







# Site Photograph

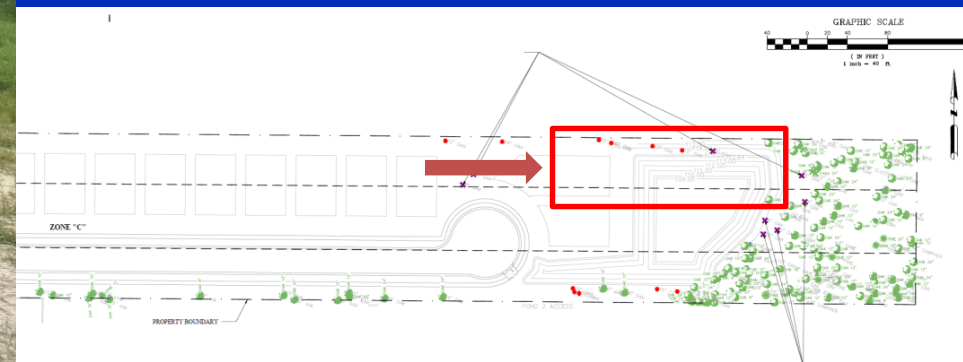
Facing east toward stormwater pond

15



6 trees removed in this area:

- 20" Oak
- 15" Oak
- Two 12" Oaks
- Two 8" Oaks







# Site Photograph

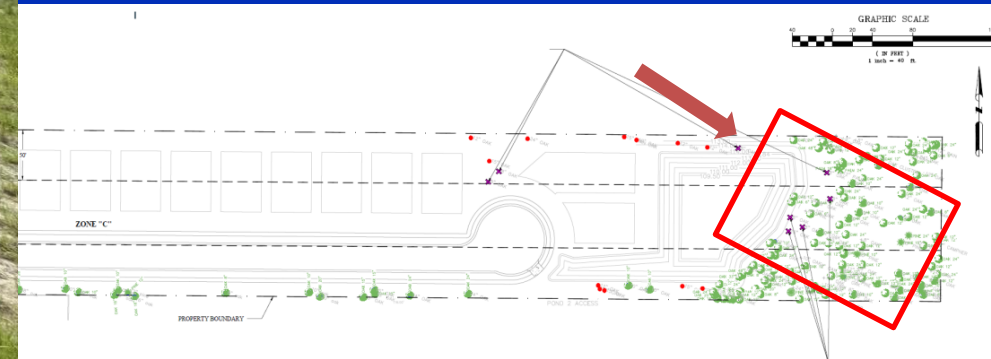
## Facing southeast

16



5 trees removed in this area:

- 10" Oak
- Four 8" Oaks







# Relevant Code Sections

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## Sec. 15-284. - Enforcement and penalty.

- (b) Corrective action for violation. Where a violation of this article has occurred, remedial action must be taken to restore the property consistent with a permit for restoration approved by the zoning manager or authorization of the impacts in compliance with the article, if associated with a development project. Remedial action must be taken within sixty (60) days of receipt of a notice of violation or as approved by the zoning manager. At a minimum, a restoration plan shall include payment of the required permit application fee, required tree replacement, and required mitigation for any other damage to the property. Restoration plans must meet the specifications for replacement consistent with section 15-307. Failure to comply with required remedial action may be prosecuted in accordance with Chapter 11 of this Code.
- (c) Penalty for violation... A violation determined to impact a tree shall be subject to one (1) or more administrative penalties as follows:...
  - Three hundred eighteen dollars (\$318.00) per DBH inch for impacts to any permit identified preserved tree;



# Relevant Code Sections

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- Sec. 15-279.(a)(9): A development with a valid preliminary subdivision plan, development plan or development order approved prior to November 6, 2001, that specifically authorized impacts to trees and required mitigation subject to the provisions of this article or its previously adopted versions. However, any amendments to an approved preliminary subdivision plan, development plan, or development order submitted after March 15, 2024, that may impact trees not originally contemplated will be subject to the requirements of this article.





# Summary

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- 20 trees removed (233 inches) without approval.
  - Any inches removed must be replaced at a 3:1 ratio.
  - The penalty is \$74,094, or tree replacement/replanting of 699 inches on site, or a mixture of both to satisfy violation.
- The current code applies because the trees removed were not previously approved under the old code. In order to remedy the violation, the subdivision permit must be amended to reflect the removals, and the new code would subsequently apply.
- Restoration plan required to be reviewed and approved by Zoning Manager.
  - The plan requires tree replacement and fees.
  - The code doesn't explicitly state that previously approved mitigation credit can be counted toward violation.
  - Consistently not counted in other restoration plans.



## Requested Action

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**Make a finding to UPHOLD the DRC action of September 24, 2025, to uphold the Zoning Manager's decision regarding the Notice of Violation (NOV) issued under FIR-25-08-0508.**

**District 2**