



Interoffice Memorandum

DATE: January 7, 2020

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director *JVW*
Planning, Environmental and Development
Services Department

CONTACT PERSON: Eric Raasch, DRC Chairman *ER*
Development Review Committee
Planning Division
(407) 836-5523

SUBJECT: January 28, 2020 – Public Hearing
Applicant: Carl Jacobs, PMJS Development Solutions, LLC
Bridges Estates Preliminary Subdivision Plan
Case # PSP-18-12-419

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of November 20, 2019, to approve the Bridges Estates Preliminary Subdivision Plan (PSP) to subdivide 10.67 acres in order to construct eight single-family detached residential dwelling units.

The request also includes the following waivers from Orange County Code:

- 1) A waiver from Section 34-152(c), to allow for a twenty (20) foot direct access to Tract D open space from Windermere Road, a paved roadway exterior to the subdivision, in lieu of each lot and tract interior to each lot and tract interior to the subdivision shall have a minimum access width of twenty (20) feet to a dedicated public paved street, except in gated communities covered by Article VIII of this chapter.
- 2) A waiver from Section 34-209, to allow for a minimum five (5) foot high fence and ten (10) foot wide landscape buffer to be provided along the road frontage of Tracts E & F (excluding the wetland buffer) to separate the residential subdivision from all adjacent roadways whose average daily traffic volumes are projected to exceed eight thousand (8,000) vehicles within five (5) years of the date of approval of the preliminary subdivision plan, in lieu of a six-foot high masonry wall.

The required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, and copies of these and the PSP may be found in the Planning Division for further reference.

ACTION REQUESTED: **Make a finding of consistency with the Comprehensive Plan (CP) and approve the Bridges Estates Preliminary Subdivision Plan dated “Received December 2, 2019”, subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

JVW/EPR/lme
Attachments

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Commission District # 1

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of November 20, 2019, to approve the Bridges Estates Preliminary Subdivision Plan (PSP) to subdivide 10.67 acres in order to construct eight single-family detached residential dwelling units.

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2. PROJECT ANALYSIS

- | | |
|-----------------------|--|
| A. Location: | North of Haley Drive / Northeast of Windermere Road |
| B. Parcel ID: | 06-23-28-0000-00-037 |
| C. Total Acres: | 10.67 gross acres |
| D. Water Supply: | Orange County Utilities |
| E. Sewer System: | Septic |
| F. Schools: | Windermere ES Capacity: 726 / Enrolled: 713
Bridgewater MS Capacity: 1,040 / Enrolled: 2,678
Windermere HS Capacity: 2,753 / Enrolled: 3,374 |
| G. School Population: | 4 |
| H. Parks: | George Bailey Park – 1 Mile |
| I. Proposed Use: | 8 Single-Family Detached Residential Dwelling Units |

J. Site Data: Maximum Building Height: 35'
 Minimum Living Area: 1,500 Square Feet
 Minimum Lot Width: 130'
 Building Setbacks:
 35' Front
 10' Side
 15' Side Street
 50' Rear
 50' NHWE

K. Fire Station: 34 – 4000 Winter Garden Vineland Road

L. Transportation: Based on the concurrency management system database dated January 23, 2019, Main Street is currently operating at a level of service F from Chase Road to 6th Avenue and 6th Avenue to Boat Canal. This information is dated and subject to change. An approved Capacity Encumbrance Letter will be required prior to obtaining a building permit.

3. COMPREHENSIVE PLAN

The subject property is located within the West Windermere Rural Settlement and has an underlying Future Land Use Map (FLUM) designation of Rural Settlement 1/1 (RS 1/1). The Subject Property is designated R-CE-C (Country Estate District - Cluster) on the Zoning Map, which is consistent with the FLUM Designation.

4. ZONING

R-CE-C (Country Estate District - Cluster)

5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Bridge Estates Preliminary Subdivision Plan dated "Received December 2, 2019," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received December 2, 2019," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this preliminary subdivision plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a Cluster Plan be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the

review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

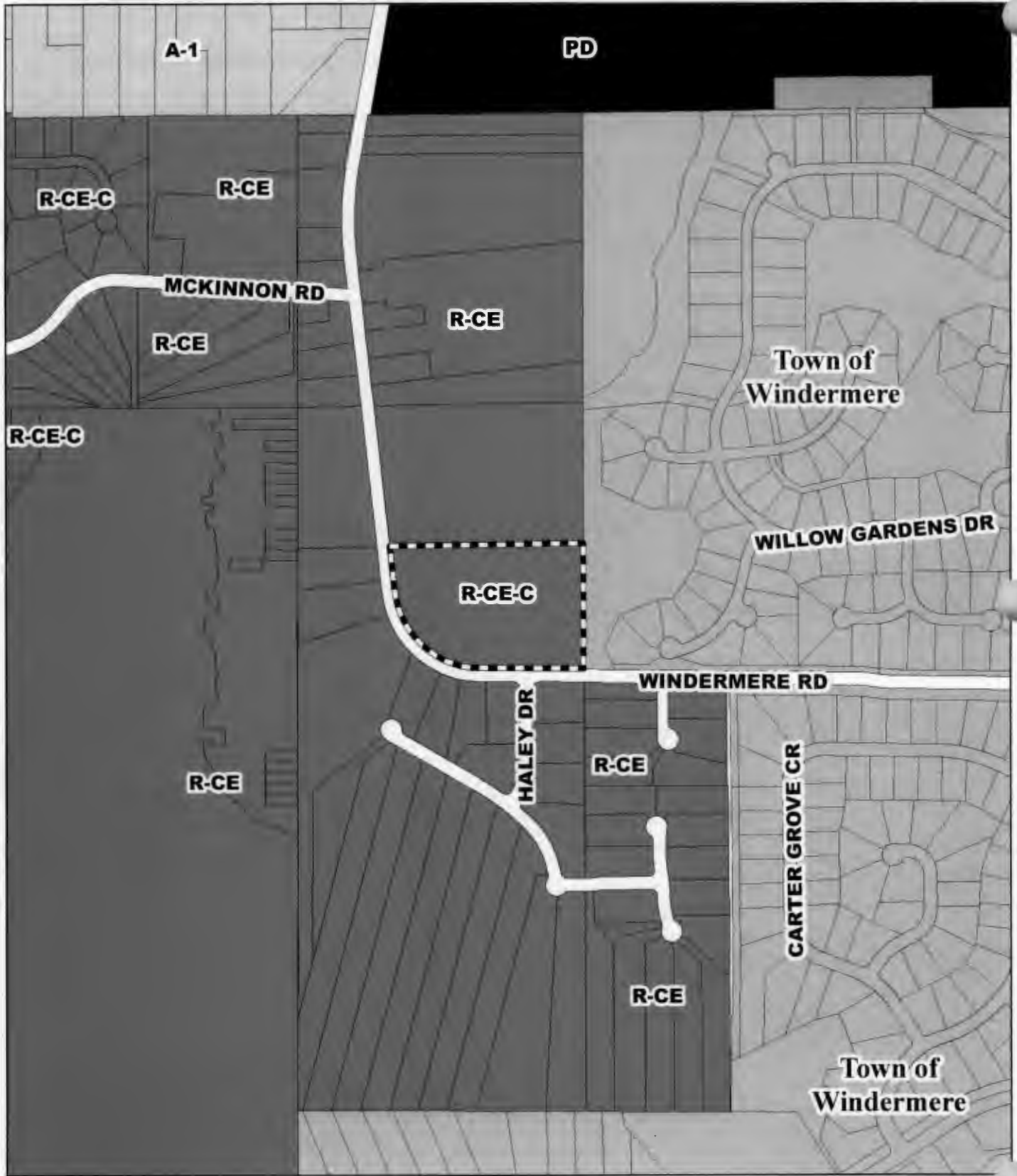
6. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision 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.
7. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
9. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
10. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
11. The Windermere Water and Navigation Control District has an established Municipal Service Taxing Unit (MSTU) for the purpose of funding lake management services. To the extent this project is part of the taxing district, this project shall be required to be a participant.

12. Prior to issuance of any certificate of completion, all storm drain inlets shall have metal medallion inlet markers installed. Text on the marker shall read "No Dumping, Only Rain in the Drain." Specification detail will be provided within all plan sets. Contact the National Pollutant Discharge Elimination System (NPDES) Supervisor at the Orange County Environmental Protection Division for details.
13. The developer shall obtain water service from Orange County Utilities subject to County rate resolutions and ordinances.
14. A Master Utility Plan (MUP) for the Cluster Plan shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. Construction plans within this Cluster Plan shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval.
15. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
16. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
17. A mandatory pre-application/sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.
18. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Construction Plan submittal and must be approved prior to Construction Plan approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
19. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel, and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and

luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.

20. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.
21. Approval of this plan does not constitute approval of permits for the installation of domestic septic systems. Any person desiring to construct any of these systems shall apply to the Department of Health. The waste disposal system design shall be configured to accommodate the most stringent of requirements of the Department of Health and the Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal regarding, but not limited to: setbacks, lot size, soils, distance to potable water supply wells, elevations and other applicable code requirements. The septic systems shall only be used to treat domestic waste.
22. If fire department access cannot be reached within 50 ft. of an exterior door to the interior of the building, an approved automatic fire sprinkler system shall be required, allowing an increase to 150 ft.
23. The following waivers from Orange County Code are granted:
 - a. A waiver from Section 34-152(c), to allow for a twenty (20) foot direct access to Tract D open space from Windermere Road, a paved roadway exterior to the subdivision, in lieu of each lot and tract interior to each lot and tract interior to the subdivision shall have a minimum access width of twenty (20) feet to a dedicated public paved street, except in gated communities covered by Article VIII of this chapter.
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24. A six-foot high masonry wall along the eastern property line shall be constructed with the infrastructure.



 Subject Property



1 inch = 600 feet

GENERAL NOTES

- 1. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE PROJECT ENGINEER PRIOR TO CONSTRUCTION OF ANY DEVELOPMENT HAZARD WITHIN THESE PLANS AND DESIGNATED FIELD CONDITIONS.
2. CONTRACTOR SHALL MAINTAIN ACCESS TO EXISTING UTILITIES AND ADJACENT PROPERTIES.
3. CONTRACTOR SHALL MAINTAIN FREE/UNOBSTRUCTED ACCESS AROUND ALL BUILDINGS DURING CONSTRUCTION.

EROSION CONTROL NOTES

- 1. EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO THE START OF CONSTRUCTION AND AS THE FIRST STEP IN CONSTRUCTION. THESE MEASURES MUST BE MAINTAINED THROUGHOUT CONSTRUCTION AND VEGETATION MUST BE RE-ESTABLISHED AS SOON AS POSSIBLE.
2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND VEGETATION MUST BE RE-ESTABLISHED AS SOON AS POSSIBLE.
3. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
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GRADING NOTES

- 1. ALL UNIVERSAL CONSTRUCTION METHODS AND DESIGN FOR ROADWAYS, DRIVEWAYS, SIDEWALKS, AND OTHER AREAS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS AND LOCAL MUNICIPALITY CODE.
2. THE SITE SHALL BE GRADED/FINISHED PRIOR TO THE START OF CONSTRUCTION.
3. THE STRUCTURE AND FINISH GRADES SHALL BE AS SHOWN ON THESE PLANS AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

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Table with 3 columns: EROSION CONTROL, GRADING, SEWERING. Contains various notes and specifications for each category.

Table titled 'DRAINAGE STRUCTURE SPECIFICATION/SCHEDULE'. Columns include: EROSION CONTROL, GRADING, SEWERING, and various notes.

DEVELOPMENT PLAN - SITE NOTES

- 1. SEE REQUIREMENTS PER CHAPTER 24, ARTICLE 18 OF THE ORANGE COUNTY CODE.
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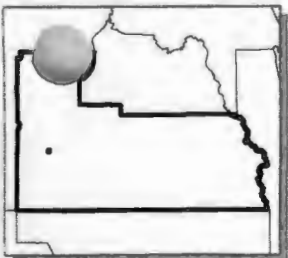
GENERAL NOTES

Table with 3 columns: REV, DATE, DESCRIPTION. Contains revision information for the drawing.

ELEMENT HOME BUILDERS, INC
RESERVE AT WINDERMERE
(ORLANDO, FLORIDA)

PMJS DEVELOPMENT SOLUTIONS LLC

DATE: 01-11-2024
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN



Bridges Estates PSP Case #PSP-18-12-419



Parcels	Subject Property	Jurisdiction	Hydrology
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1 : 1,800
1 in : 150 ft