

Revised Lake Pickett Cluster Conditions of Approval

Revise the DRC Recommended Conditions of Approval as follows:

- Approve the project as gated community. Strike conditions #9d and #9h, and approve condition #6 which reads as follows: “This project shall be a gated community and comply with the requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time.”
- Replace DRC recommended condition #8 with:
 8. The following additional conditions of approval with respect to Lake Pickett Road shall apply:
 - a. Applicant will construct eastbound left turn lanes on Lake Pickett Road at both project entrances at the time of development of the first phase, such turn lanes to be designed in accordance with Florida Greenbook standards.
 - b. At the time of such turn lane construction, Applicant will mill and resurface the approximate eighty-five foot (85') gap between the eastern limits of the Heartwood PSP (PSP 17-01-012) turn lane taper and the project's east entrance turn lane taper, as well as the approximate five hundred foot (500') gap between the turn lane tapers at the project's east and west entrances.
 - c. Applicant will, at Orange County's discretion, either install or fund at a rate of One Dollar Twenty Five Cents (\$1.25) per linear foot (“Rumble Striping Payment”), profiled thermoplastic pavement markings (“Rumble Striping”) for both edgelines and centerlines within the limits of resurfacing. Centerline striping will include reflective pavement markings (“RPM's”)
 - d. At the time of development of each project entrance, Applicant shall install lighting of the project entry features and roadway lighting sufficient to light the entrance intersections to an initial average horizontal illumination level of 1.0 foot candle. The roadway lighting may be within the Applicant's property or within the Orange County right-of-way. If the lighting is installed within the County right-of-way, the maintenance cost for the lighting shall be included in the HOA's lighting maintenance contract with the utility company.
 - e. Applicant shall pay Fifty Thousand Dollars (\$50,000) toward the cost of any additional safety improvements that the County may determine are necessary on Lake Pickett Road within the project Limits, which limits shall extend from the eastern edge of the improvements to be made as per Heartwood PSP (PSP 17-01-012) to 100 feet past the taper for the east project entrance (“Safety Improvement Payment”). The Safety Improvement Payment shall be due prior to issuance of the first building permit.
 - f. In consideration of the Applicant constructing the above improvements, making the Rumble Striping Payment (if applicable) and making the Safety Improvement Payment, Applicant shall not be required to construct or pay for any additional improvements to Lake Pickett Road, either within or outside the project Limits, including but not limited to, the paving of shoulders along the right-of-way or application of friction course materials beyond the \$50,000 cap, except as

otherwise may be required by the Orange County subdivision regulations regarding adequate ingress and egress to and from the project.

g. The parties acknowledge that there is a pending Orange County roadway resurfacing project for the segment of Lake Pickett Road from Chuluota Road to Fort Christmas Road, which project may include the application of friction course materials and the construction of paved shoulders at Orange County's expense. The Applicant and Orange County shall work cooperatively to facilitate the roadway resurfacing project within the Project Limits; provided that such cooperation shall not result in additional expense to Applicant beyond the \$50,000 cap.

Reinstate and Revise Condition jj from the BCC Conditions of Approval dated August 22, 2017 as new condition #9ff: "ff. Recorded covenants and restrictions for this subdivision will include a provision that authorizes the Home Owners Association ("HOA") to maintain and repair failing septic tanks at the HOA's expense and grants access to the County and other appropriate agencies to inspect septic systems."

Add new condition #9(gg): "gg. Florida Department of Health and Orange County septic tank regulations applicable to the project at the time of construction of each septic tank shall be complied with."