



Interoffice Memorandum

February 12, 2024

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

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

CONTACT PERSON: Joseph C. Kunkel, P.E., DRC Chairman
Development Review Committee
Public Works Department
(407) 836-7971

SUBJECT: March 5, 2024 – Public Hearing
Applicant(s): Solange Dao, P.E., DAO Consultants, Inc.
Project Name: Wedgefield 10 Lot Addition - Block 40 Preliminary
Subdivision Plan
Project No.: CDR-22-05-162 / District 5

This public hearing is to consider a recommendation from the Development Review Committee (DRC) meeting of December 20, 2023, to approve the Wedgefield 10 Lot Addition - Block 40 Preliminary Subdivision Plan, to subdivide 2.13 acres, generally located south of East Colonial Drive, west of State Road 520, and north of State Road 528, to construct four (4) single-family residential dwelling units. The original property was subdivided in 1995 for 10 single-family lots and one Tract designated future development. This request further subdivides the future development Tract.

This item was continued from the February 6, 2024 Board public hearing.

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 and approve Wedgefield 10 Lot Addition - Block 40 Preliminary Subdivision Plan (CDR-22-05-162) dated "Received January 3, 2024", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 5

TW/JCK/rb
Attachment

CASE # CDR-22-05-162

Commission District # 5

1. GENERAL INFORMATION

Applicant:	Solange C. Dao, P.E., DAO Consultants, Inc.
Owner:	Cheray Williams
Project Name:	Wedgefield 10 Lot Addition - Block 40 PSP
Hearing Type:	Substantial Change
Request:	To reconfigure Lot A into four lots.

2. PROJECT INFORMATION

A. Overview:	The Wedgefield 10 Lot Addition – Block 40 Preliminary Subdivision Plan (PSP) is located in Wedgefield in east Orange County. This PSP was originally approved October 10, 1995, for 10 single-family lots and one Tract (“Tract A”). Tract A was not assigned a use. Through this request, the applicant is seeking to further subdivide Tract A into four single-family lots. The number of lots and proposed lot sizes are consistent with the underlying Low Density Residential (LDR) Future Land Use Map (FLUM) Designation and R-1A (Single-Family Dwelling District) zoning. The proposed minimum living area is consistent with Condition of Approval #4 dated October 10, 1995, which requires the single-family homes to have a minimum 1,400 square foot living area.
B. Location:	North of Maxim Parkway / South of Macon Parkway / East of Bancroft Boulevard
C. Parcel ID(s):	01-23-32-1167-00-001 (affected parcel)
D. Total Acres:	4.4 acres (overall PSP) / 2.13 acres (affected parcel)
E. Water Supply:	Pluris Wedgefield
F. Sewer System:	Pluris Wedgefield

G. Schools:	K-8 School Enrollment: 960 / Capacity: 1,054 East River High School Name Enrollment: 1,975/ Capacity: 3,003
H. School Population:	2
I. Parks:	Wedgefield Park – 0 miles
J. Proposed Use:	4 Single-Family Residential Dwelling Units
K. Site Data:	Maximum Building Height: 35' Minimum Living Area: 1,400 SF Minimum Lot Width: 7,500 SF Building Setbacks: 25' Front 7.5' Side 30' Rear 15' Side Street
L. Fire Station:	Fire station 86 – 3202 Babbitt Avenue
M. Public Notification:	The notification area for this public hearing extended beyond 600 feet. Chapter 30-40(c)(3)(a) of Orange County Code requires the owners of the property within three hundred (300) feet of the subject property to be notified at least 10 days prior to the date of the hearing. Two hundred and twenty-five (225) notices were mailed to those property owners in the mailing area.
N. Community Meeting Summary:	A community meeting was not required for this case.
O. Transportation:	Based on the Concurrency Management (CMS) database dated May 2, 2022, capacity exists within the project's impact area. This information is dated and subject to change. 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 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. Existing/Valid transportation capacity entitlements not found. This development will require transportation capacity via a Capacity Encumbrance Letter (CEL) Application.

P. Environmental Protection Division: EPD staff has reviewed the proposed request but did not identify any issues or concerns.

Q. Comprehensive Plan: The subject property is designated on the Future Land Use Map (FLUM) as LDR (Low Density Residential). The subject property is currently designated R-1A (Single-Family Dwelling District) on the zoning map, which is consistent with the FLUM designation.

R. Zoning: R-1A (Single-Family Dwelling District)

3. REQUESTED ACTION:

Development Review Committee (DRC) Recommendation – (December 20, 2023)

Make a finding of consistency with the Comprehensive Plan and approve the substantial change to the Wedgefield 10 Lot Addition - Block 40 PSP dated "Received January 3, 2024", subject to the following conditions:

1. Development shall conform to the Wedgefield 10 Lot Addition - Block 40 Preliminary Subdivision Plan dated "Received January 3, 2024," 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 Board, or by action of the Board. 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 January 3, 2024," 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 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, or any other development order, 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 PD Land Use Plan shall 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. If applicable, an Acknowledgement of contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.

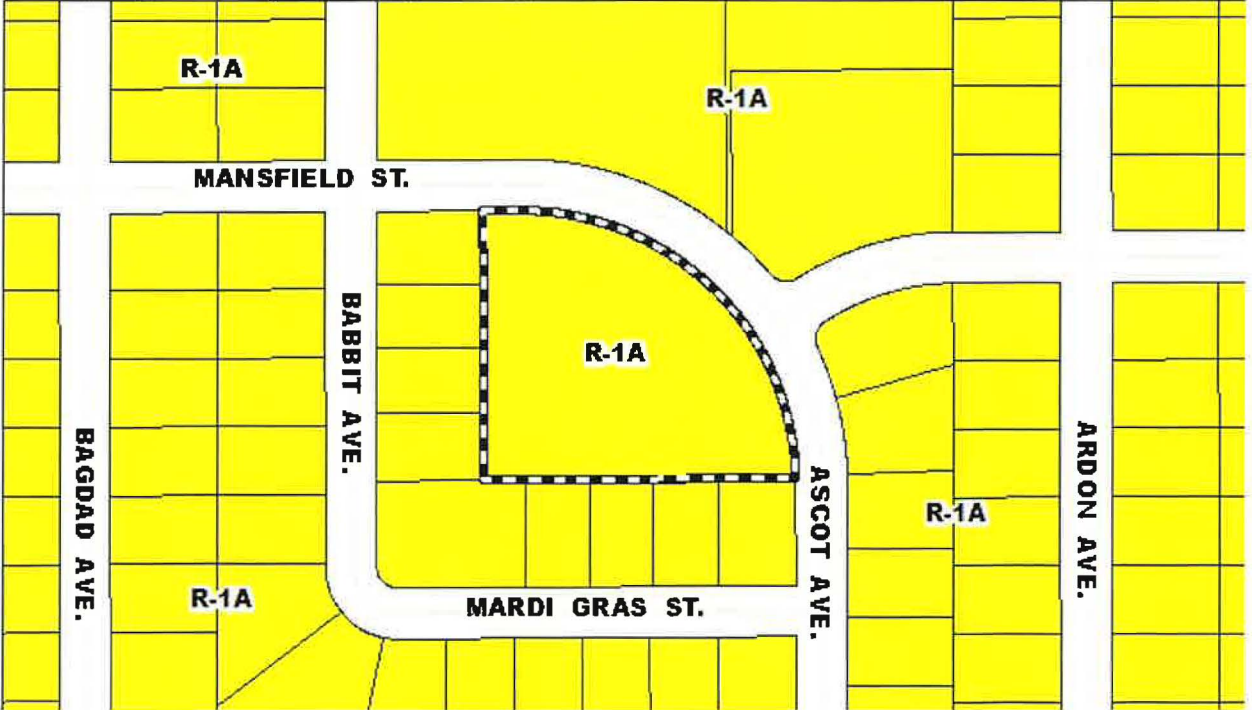
7. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
8. New streets that are extensions of or in alignment with existing streets shall bear the same names as those borne by such existing streets.
9. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
10. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code.
11. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.
12. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and ponds have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.
13. A mandatory pre-application/sufficiency review meeting for the replat 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.

14. 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.
15. Associated offsite infrastructure including, but not limited to, roadway improvements and public utilities, must be submitted as an E-Project along with the required surety per OC Code Chapters 21-202 and 21-208, and be issued a Certificate of Completion prior to replatting.
16. Authorization from Ranger Drainage District allowing connection to the drainage system, and from Pluris Wedgefield, LLC allowing connection to the sanitary sewer system, is required prior to site plan construction approval.
17. Except as amended, modified, and / or superseded, the following Board Conditions of Approval, dated October 10, 1995 shall apply:
 - a. If open cuts for utility connections along Babbitt Avenue and Mardi Gras Street are necessary those streets shall be resurfaced.
 - b. Prior to construction plan approval, documentation with supporting calculations shall be submitted which demonstrates that the existing stormwater management system is acceptable to the St. John's River Water Management District and Ranger Drainage District to accommodate the proposed improvements.
 - c. Minimum 1400 square feet of living area.

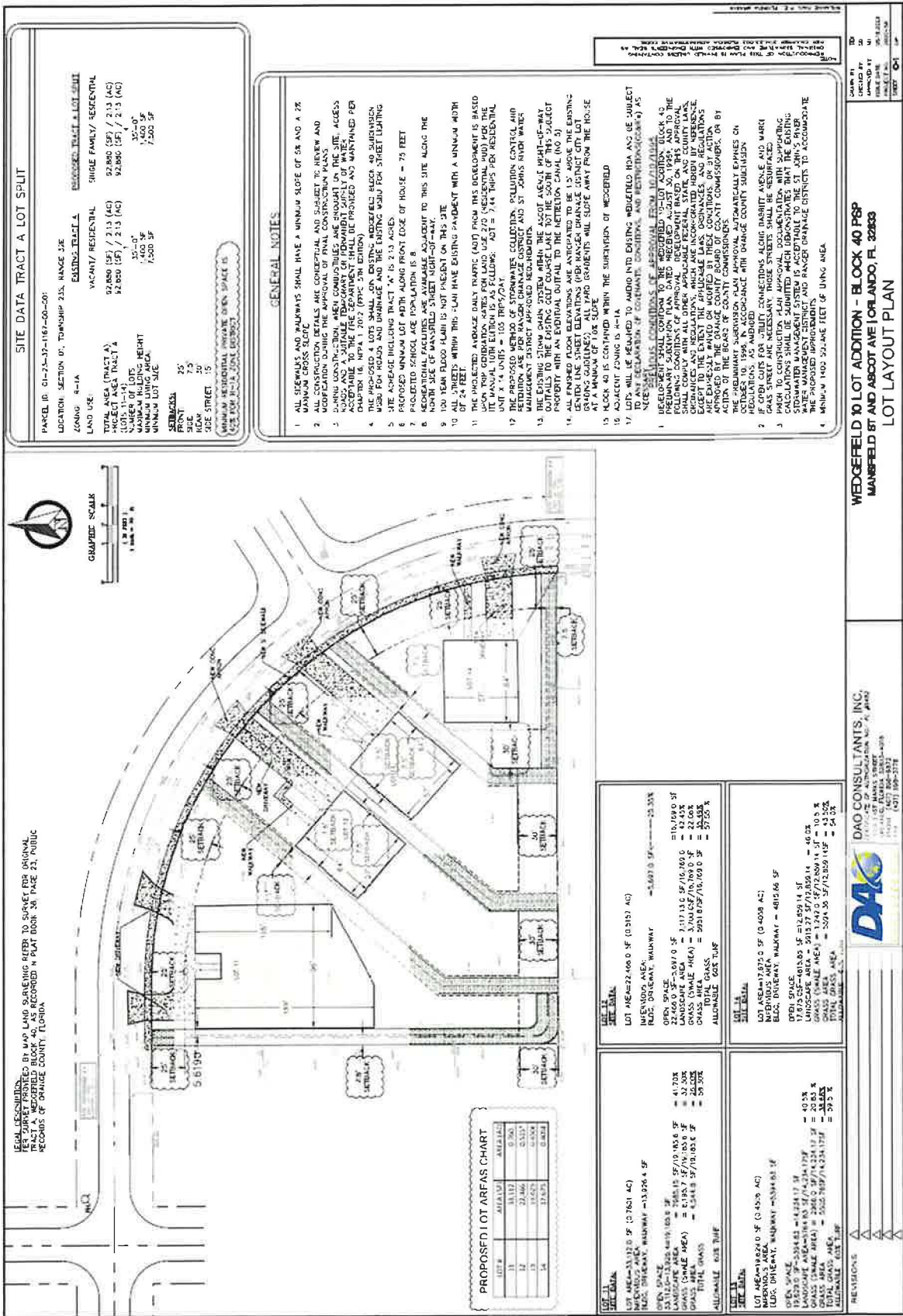
FUTURE LAND USE
Low Density Residential (LDR)



ZONING
R-1A (Single-Family Dwelling District)



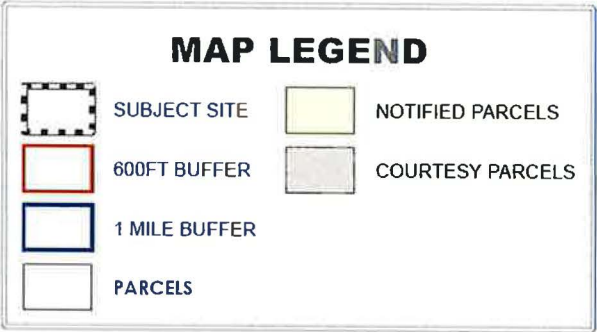
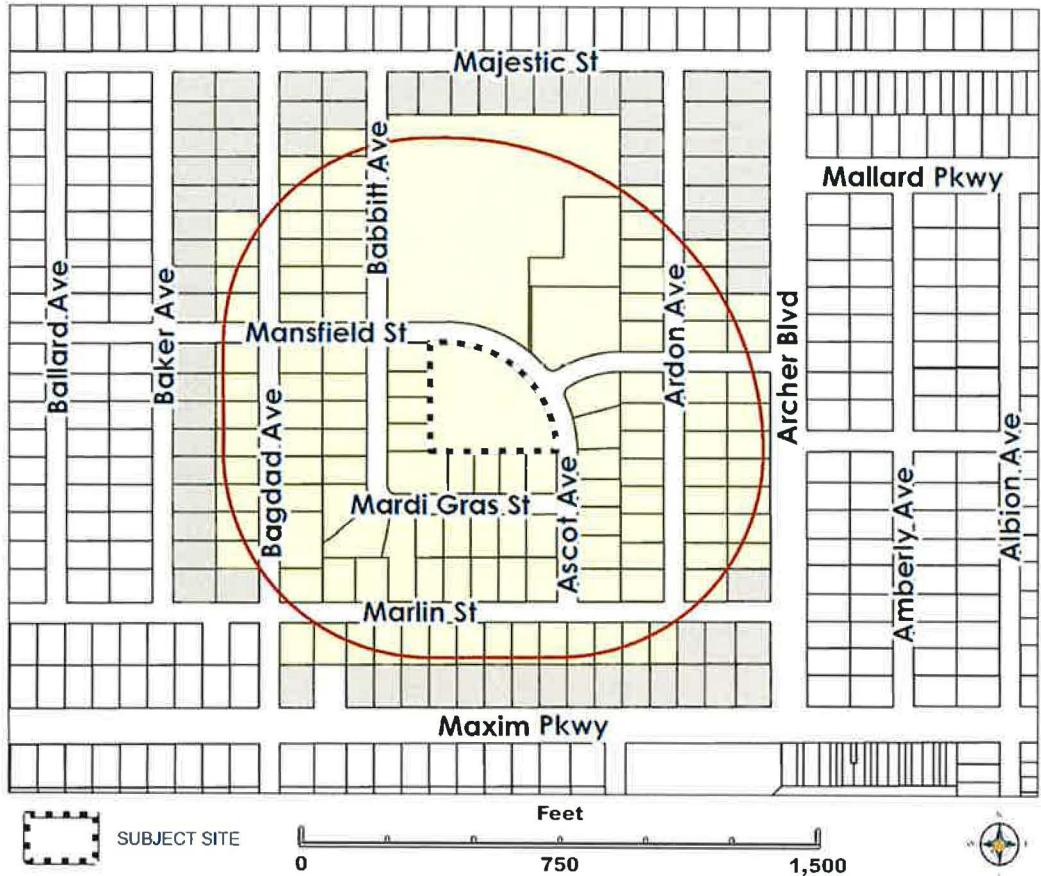
Site Plan Sheet



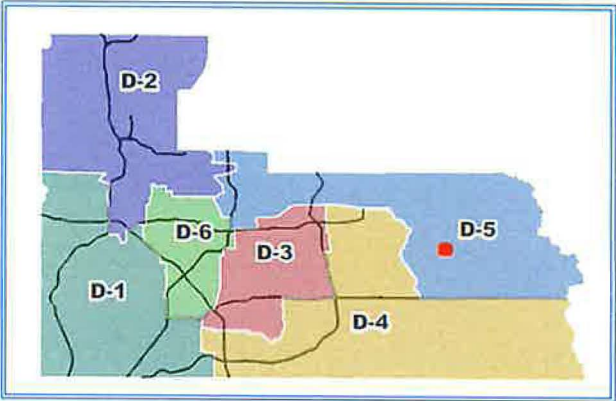


Public Notification Map

CDR-22-05-162



BUFFER DISTANCE: 600
OF NOTICES: 225



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Notification Map

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: March 5, 2024