



Orange County Government

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

Decision Letter

Board of County Commissioners

Tuesday, January 10, 2017

2:00 PM

County Commission Chambers

17-011

Preliminary Subdivision Plan

Eric Warren, Poulos and Bennett, Springhill PD / Horizon West Village H
Parcel 45 PSP - Case # PSP-16-05-173; District 1

Consideration: Springhill PD / Horizon West Village H Parcel 45 Preliminary Subdivision Plan, Case # PSP-16-05-173, submitted in accordance with Section 34-69 Orange County Code (Subdivision Regulations); and Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207; This Preliminary Subdivision Plan (PSP) is a request to subdivide 24.95 acres in order to construct 88 single-family attached residential dwelling units. This project is proposing to be a gated community under Orange County Code Sections 34-280, 34-290, and 34-291.

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

1. A waiver from Orange County Code Section 34-152(c) to allow lots 1-53 to front a mew, park open space, etc. in lieu of the 20 foot access to be a dedicated public street. Legal access to these lots will be through an ingress/egress easement and/or alley tract.
2. A waiver from Orange County Code Sections 38-1382(h)(4) and 38-1384(i)(3) to allow blocks with townhome lots less than fifty (50) feet in width, to have rear vehicular access from a public right-of-way when the block and lots are designed to front an open space or mews as described in Section 38-1382(h)(6); in lieu of the requirement that any block containing any lots with a width of fifty (50) feet or less be accessed from a rear alley easement.
3. A waiver from Orange County Code Section 1387.1(a)(12) to allow lots 54-88 to be accessed from right-of-way. These lots will face the mew and have rear access from the right-of-way.
4. A waiver from Orange County Code Section 34-209 to allow a 36" high masonry wall with 36" high picket metal fence on top in lieu of a 6' high masonry wall adjacent to Avalon Road.
5. A waiver from Orange County Code Section 38-1382(h)(4) to allow alley tracts in lieu of easements.
6. A waiver from Orange County Code Section 38-1384(G)(2) to allow alley tracts in lieu of easements.
7. A waiver from Orange County Code Section 38-1384(i) to allow alley tracts in lieu of easements.
8. A waiver from Orange County Code Section 38-1388(e)(6) to allow alley tracts in lieu of easements.
9. A waiver from Section 34-280(b)(1) of the Orange County Land Development Code ("LDC") to allow a gated community on property designated as Village Planned Development in the Orange County Comprehensive Policy Plan ("CPP").

Location: District 1; property generally located South of Seidel Road / East of Avalon Road;

Orange County, Florida (legal property description on file in Planning Division)

Deletion of Condition of Approval #29:

~~29. A waiver from Orange County Code Section 34-280(b) (1) of the Orange County Land Development Code ("LDC") is granted to allow a gated community on property designated as Village Planned Development in the Orange County Comprehensive Policy Plan ("CPP").~~

Deletion of Condition of Approval #14:

~~14. This project shall be a gated community and shall comply with the minimum 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.~~

New Conditions of Approval #30 and #31 were added yet in keeping with the sequential ordering, the new Conditions of Approval will be #28 and #29.

New Condition of Approval # 28:

28. 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.

New Condition of Approval # 29:

29. 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.

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to make a finding of consistency with the Comprehensive Plan; and approve the request as amended subject to the conditions of approval listed in the Development Review Committee staff report; and further, approve the deletion of conditions of approval #14 and #29; and further, approve new conditions of approval #28 and #29. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin



THE FOREGOING DECISION HAS BEEN FILED
WITH ME THIS 20TH DAY OF JANUARY 2017.



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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