

**COMMUNITY, ENVIRONMENTAL & DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION PUBLIC HEARING REPORT
AUGUST 22, 2017**

This packet contains the following public hearings to be heard by the Board of County Commissioners on Tuesday, August 22, 2017.

<u>Name of Request</u>	<u>Case Number</u>	<u>Type of Hearing</u>
Development Review Committee Appeal Appellant: R. Wayne Harrod, The Harrod Group, Inc., River Isle Preliminary Subdivision Plan (PSP); District 5	DRCD-17-06-186	Appeal
David E. Axel, Axel Real Estate, Lake Pickett Cluster Parcels 1, 2, & 3 Preliminary Subdivision Plan (PSP); District 5	PSP-16-08-289	Preliminary Subdivision Plan
James G. Willard, Shutts & Bowen, LLP, Wincey Groves – Hamlin West Planned Development (PD) / Wincey Groves Subdivision Preliminary Subdivision Plan (PSP); District 1	PSP-16-03-102	Preliminary Subdivision Plan
Marc Stehli, Poulos & Bennett, LLC, Hickory Nut Estates Planned Development / Hickory Nut Estates Preliminary Subdivision Plan (PSP) (Continued from March 21, 2017, June 20, 2017 and August 1, 2017); District 1	PSP-16-06-222	Preliminary Subdivision Plan
Timothy Green, Green Consulting Group, Inc., Dora Woods Estates Preliminary Subdivision Plan (PSP) (aka Tangerine Woods and Brooks Meadows); District 2	CDR-15-12-393	Substantial Change



Interoffice Memorandum

DATE: August 3, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

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

CONTACT PERSON: John Smogor, Chairman
Development Review Committee
Planning Division
(407) 836-5616

SUBJECT: August 22, 2017 – Public Hearing
Applicant: Timothy Green, Green Consulting Group, Inc.
Dora Woods Estates PSP (aka Tangerine Woods and Brooks
Meadows) Case # CDR-15-12-393

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of July 12, 2017 to recommend approval of a substantial change to the Dora Woods Estates (aka Tangerine Woods and Brooks Meadows) Preliminary Subdivision Plan (PSP) to subdivide 8.68 acres in order to construct four (4) single-family detached residential dwelling units.

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 Dora Woods Estates PSP (aka Tangerine Woods and Brooks Meadows) dated "Received May 18, 2017", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 2

JVW/JS/sfv
Attachments

CASE # CDR-15-12-393

Commission District # 2

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of July 12, 2017 to recommend approval of a substantial change to the Dora Woods Estates (aka Tangerine Woods and Brooks Meadows) Preliminary Subdivision Plan (PSP) to subdivide 8.68 acres in order to construct four (4) single-family detached residential dwelling units.

2. PROJECT ANALYSIS

- A. Location: South of Earlwood Avenue / East of Franklin Road
- B. Parcel ID: 07-20-27-0000-00-016; 07-20-27-8575-00-002;
07-20-27-0000-00-063
- C. Total Acres: 8.68 (proposed Brooks Meadows) / 10.06 (gross)
- D. Water Supply: Individual Well or Aqua Utilities
- E. Sewer System: Septic Tank
- F. Schools: Zellwood ES – Capacity: 569 / Enrolled: 662
Wolf Lake MS – Capacity: 1,091 / Enrolled 1,306
Apopka HS – Capacity: 3,231 / Enrolled 3,144
- G. School Population: 2
- H. Parks: Trimble Park - 0.5 Mile
- I. Proposed Uses: Four (4) Single-Family Detached Residential Dwelling Units
- J. Site Data: Maximum Building Height:
35' (2-stories)
Minimum Living Area: 2,500'
Building Setbacks:
35' front
10' side
50' rear
25' corner lot
- K. Fire Station: Station 20 - 3200 Washington Street

- L. Transportation: Based on the Concurrency Management System database dated January 6, 2016, capacity is available to be encumbered for this project. 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 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.

3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of Rural Settlement 1/1 (RS 1/1) and is located within the Tangerine Rural Settlement. The RS 1/1 designation allows for a residential density of up to 1.0 dwelling unit per acre. The proposed use is consistent with the Comprehensive Plan.

4. ZONING

R-CE (Country Estate District)

5. REQUESTED ACTION:

Approval subject to the following conditions:

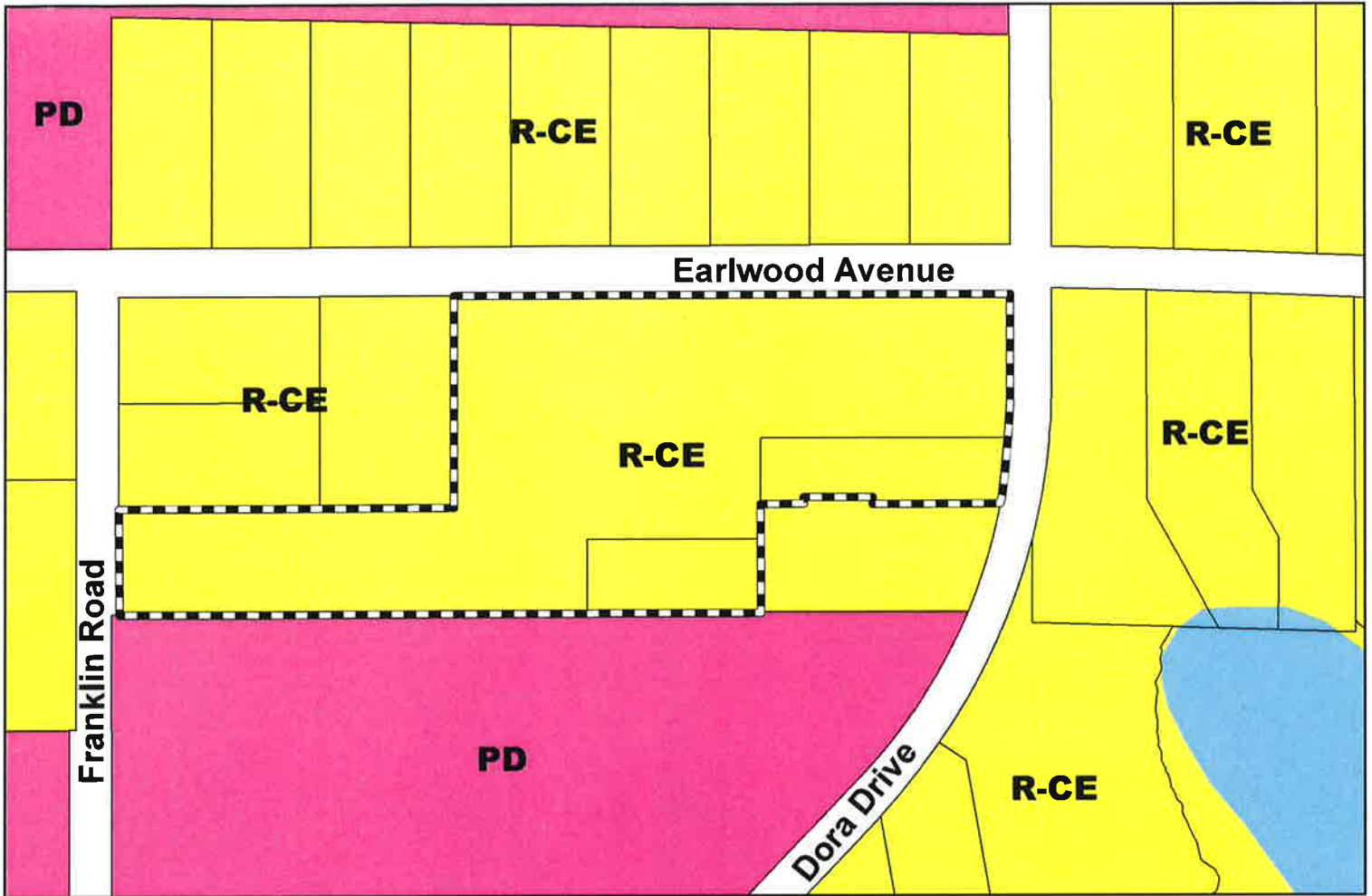
1. Development shall conform to the Dora Woods Estates Preliminary Subdivision Plan dated "Received May 18, 2017," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which 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 May 18, 2017," 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 at the public hearing where this development was approved, 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. 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 or 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 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. Unless otherwise allowed by County Code, the property shall be re-platted prior to the issuance of any vertical building permits.
7. Prior to commencement of any earthwork or construction, 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.
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. 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.
10. The Dora Woods Estates PSP, shall comply with Orange County Subdivision Rules and Regulations Section 34-206(d), as may be amended. Rural fire protection. Multifamily, commercial and industrial / warehousing developments outside the urban service area, where no central water system is available, shall provide either an on-site stored water supply that complies with codes and standards or an alternate method of fire protection that is approved by the county fire official. When required by the county fire official, certain high-risk development shall provide fire hydrants and other urban fire protection features. Prior to installation, plans shall be submitted to the Office of the Fire Marshal for review and permitting. An inspection shall be conducted by the Office of the Fire Marshal prior to issuance of a certificate of occupancy.
11. 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 preapplication/sufficiency review meeting prior to formal submittal of the plat to the County.

12. A current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of Construction Plan submittal.
13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 13, 2008 shall apply:
 - a. At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
 - b. In line with the Tangerine Development Standards, a waiver from Section 34-152(c) is granted to allow access from existing external streets in lieu of access from an internal subdivision.
 - c. Due to the number of large lots and soil conditions and in order to save the trees, a waiver from Section 34-131 (d) (3) is granted to allow retention areas to be part of the residential lots in lieu of providing retention areas in a separate tract.



Subject Property



Subject Property

Zoning

ZONING: R-CE (Country Estate District)

APPLICANT: Timothy Green
Green Consulting Group, Inc.

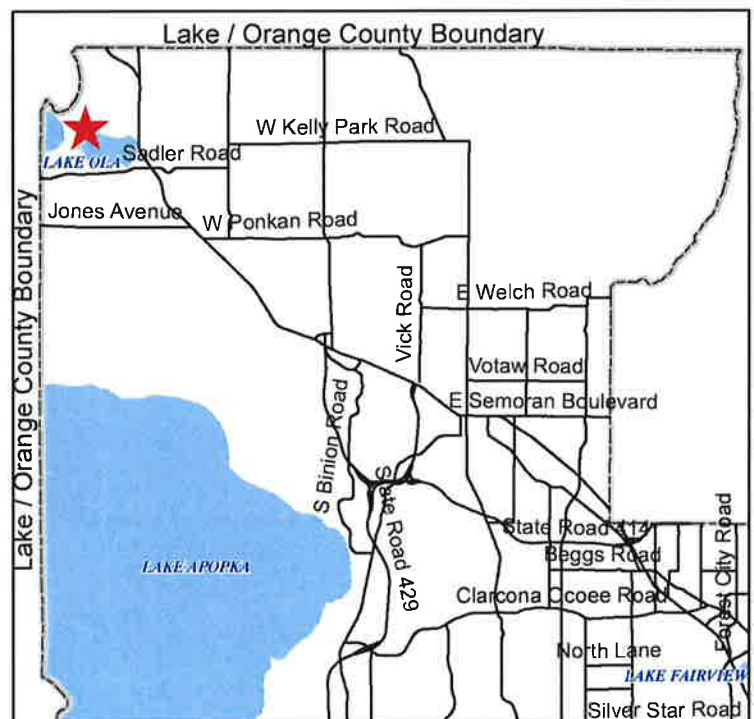
LOCATION: South of Earlwood Avenue /
East of Franklin Road

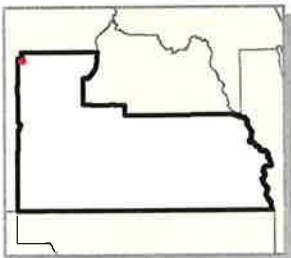
TRACT SIZE: 8.68 acres

DISTRICT: #2

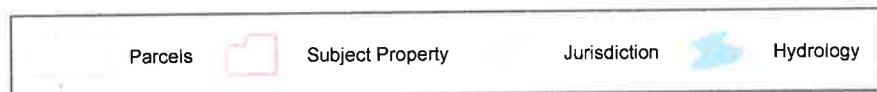
S/T/R: 07/20/27

1 inch = 250 feet





Dora Woods Estates PSP (aka Tangerine Woods and Brooks Meadows)



1 : 2,400
1 in : 200 ft