



Interoffice Memorandum

DATE: July 5, 2017

17-01-1A-0113 RDVD



DATE: July 5, 2017

TO: Katie A. Smith, Deputy Clerk of the
Board of County Commissioners,
County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor,
Agenda Development Office

FROM: Sapho F. Vatel, Development Coordinator *sfv*
Planning Division

CONTACT PERSON(S): **Sapho F. Vatel, MPA**
Development Coordinator
Planning Division 407-836-5686
sapho.vatel@ocfl.net

SUBJECT: Request for Board of County Commissioners
Public Hearing

Project Name: Appeal of a Development Review Committee
Determination - River Isle PSP
Case # DRCD-17-06-186

Type of Hearing: Development Review Committee (DRC) Appeal

Appellant: R. Wayne Harrod
The Harrod Group, Inc.
PO Box 940925
Maitland, Florida 32794-0925

Commission District: 5

General Location: West of Rouse Road, South of the Orange
County / Seminole County line

Parcel ID #(s) 04-22-31-0000-00-013; 04-22-31-0000-00-001

of Posters: 1

Use: Single-Family Residential

LEGISLATIVE FILE # 17-934

*August 22, 2017
@ 2pm*

Size / Acreage: 15.15 acres

BCC Public Hearing
Required by: Orange County Code Sec. 34-29(b)

Clerk's Advertising
Requirements: No advertising required for appeals

Spanish Contact Person: Para más información referente a esta vista pública, favor de comunicarse con la División de Planificación (Planning Division) al número 407-836-8181.

Material Provided:

1. Appeal Letter
2. Development Review Committee (DRC) approved meeting minutes dated June 14, 2017
3. Location map
4. Site plan sheet

SPECIAL INSTRUCTIONS TO CLERK (IF ANY):

This request is an appeal of the June 14, 2017 determination of the Development Review Committee (DRC) that the River Isle Preliminary Subdivision Plan (PSP) dated "Received July 3, 2014" has expired.

Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Please notify Lisette Egipciano and Sapho Vatel of the scheduled date and time. The Planning Division will notify the applicant.

Attachments (appeal letter, meeting minutes, location map, and site plan sheet)

THE HARROD GROUP, INC.

Licensed Real Estate Broker - Developer

P.O. Box 940925
Maitland, FL 32794-0925
Phone: 407-628-4833
Fax: 407-862-3632
Email: harrodrw@gmail.com

June 26, 2017

HAND DELIVERED

Sapho F. Vatel, MPA
Development Coordinator
Orange County Planning Division
201 S. Rosalind Avenue
Orlando, Florida 32801

RE: Submittals for Appeal Application to BCC for River Isle PSP

Dear Sapho:

It was a pleasure speaking with you this morning.

Please find enclosed the following submittals:

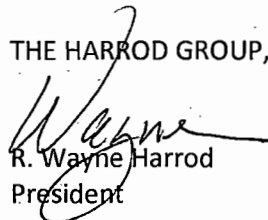
- Check in the amount of \$741.00 made payable to OC BCC
- Location Map
- Site Plan (including site data and note sheet)
- Legal Description

I am respectfully requesting the earliest possible date to appeal the DRC's recommendation of denial to the Orange County Board of County Commissioners. If there is anything further I can provide, please do not hesitate to let me know. Thank you for your assistance this morning. It was very helpful.

Have a great day.

Sincerely,

THE HARROD GROUP, INC.



R. Wayne Harrod
President

RWH/ldh
Enclosures

**APPROVED MEETING MINUTES
JUNE 14, 2017**

EXTENSION REQUEST

EXT-17-05-175- DISTRICT 5

QUADRANGLE DRI - EXTENSION REQUEST - EXECUTIVE ORDER #(S) 16-230, 16-274, & 17-16

New Expiration Date: December 22, 2019

ALL PROJECTS

**1. DRCD-17-06-186 – DISTRICT 5
RIVER ISLE PSP**

Present for discussion were Dan O'Keefe, John Miklos, and Wayne Harrod. Also present were residents Michael Dugre, Frank Arnall, and John Frederick, and Joel Prinsell, County Attorney's Office. Eric Raasch presented this case to DRC.

The applicant has requested that DRC make a determination regarding whether the PSP is still valid or has expired.

The River Isle PSP was originally approved by the Board of County Commissioners (BCC) on March 19, 1991. On August 20, 1991, the BCC overturned a Development Review Committee (DRC) decision and approved a non-substantial change to the River Isle PSP to add one (1) lot, relocate the pump station and permit tennis courts on site. On January 9, 1992, DRC approved an extension to the River Isle PSP to expire on March 19, 1993. On January 14, 1993, DRC recommended denial of a second one-year extension of the River Isle PSP to March 19, 1994. On February 11, 1993, DRC reconsidered and upheld the previous denial of the one-year extension. On March 9, 1993, the BCC accepted a request by the applicant to withdraw the appeal of the DRC decision to deny extending the expiration date of the PSP. The applicant requested a change determination to use a diversion structure, which was denied by DRC on October 14, 1993.

On August 24, 1995, the DRC considered a one-year extension request for the PSP and a change determination concerning the relocation of the lift station for the project. DRC determined that the PSP had not expired since the construction plans were submitted and then rejected, and approved a non-substantial change to relocate the lift station.

On December 4, 2013, DRC considered a discussion item regarding the validity of the PSP. DRC determined that at the time of original approval (March 19, 1991), Section 34-72 of Orange County Code provided that a PSP was automatically voided if construction plans were not submitted within one year, and provided that the Board or its designee could grant a time extension upon the developer's written request. Based on the August 24, 1995 DRC action, DRC determined that the PSP had never expired, due to the fact that construction plans had been submitted and rejected, consistent with Section 34-72 of Orange County Code.

**APPROVED MEETING MINUTES
JUNE 14, 2017**

On May 28, 2014, DRC approved a non-substantial change to the PSP to remove parcel identification number 04-22-31-0000-00-004 (property west of the Little Econ River) from the PSP. This decision was appealed by Mr. Michael A. Dugre to the BCC, which upheld DRC's determination and approved the non-substantial change and imposed standard conditions of approval on August 19, 2014.

Concerned residents in the area have opined that when the BCC added standard conditions of approval to the appeal of the 2014 non-substantial change, new condition #1 required the project to comply with current code, and thereby restarted the clock for the applicant to obtain construction plans to preserve the life of the PSP. Further, these residents feel that since construction plans were not approved within two years of the non-substantial change, the PSP expired on August 19, 2016. The applicant feels otherwise, and correspondence from both the residents and the applicant supporting their positions has been attached to this summary report.

Discussion ensued from both the applicant as to why they believe the PSP to be valid and the residents as to why they believe the PSP has expired.

MOTION by John Smogor (stepped out of Chair), seconded by Susan McCune, TO MAKE A FINDING THAT THE RIVER ISLE PSP IS STILL VALID.

Motion failed 2 to 3 (Utilities, Public Works, and Zoning voting in the negative).

MOTION by Carol Knox, seconded by Joe Kunkel, TO MAKE A FINDING THAT THE RIVER ISLE PSP HAS EXPIRED, based upon the Board placing the standard condition of approval #1 which requires the project to comply with current code.

Motion passed 3 to 2 (Chair and Planning voting in the negative).

MOTION CARRIED.

**2. CDR-17-03-095 – DISTRICT 1
ORANGEWOOD N-1 PD / WESTWOOD N-1 PSP**

Present for discussion were Mark Kidwell, Cecilia Bonifey, Jose Chaves, and A. Kurt Ardaman. Pedro Medina, the Project Manager presented the TRG Summary Report to DRC.

A change determination was requested to the previously approved Westwood N-1 PSP, to reconfigure internal lot lines within Lots 1 -3.

The applicant was requested to revise the plan to correct the title.

MOTION by Joe Kunkel, seconded by Lindy Wolfe, TO APPROVE A NON-SUBSTANTIAL CHANGE TO THE WESTWOOD N-1 PSP, subject to submittal and approval of a revised plan.

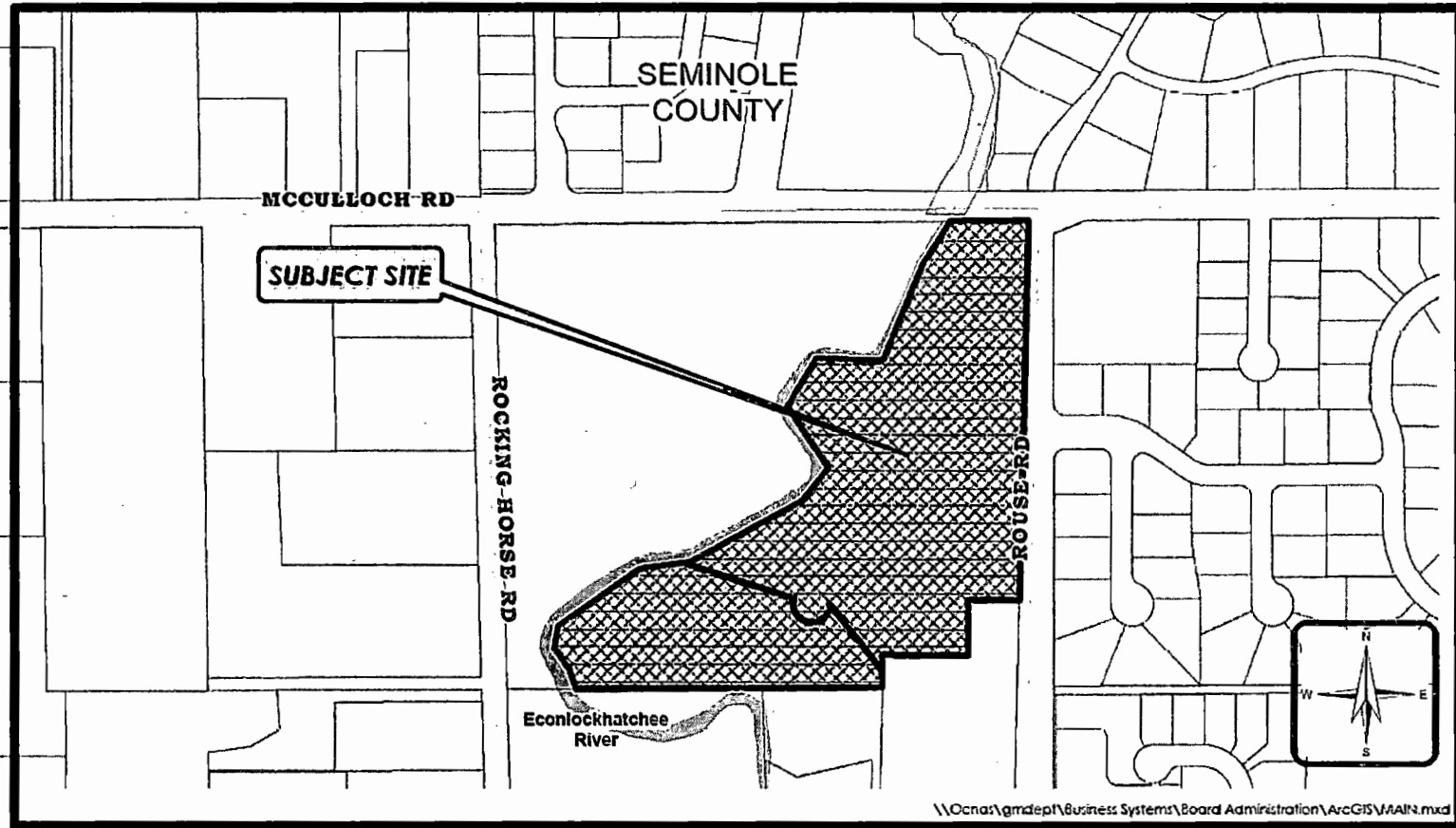
MOTION CARRIED.



LOCATION MAP




DRCD-17-06-186

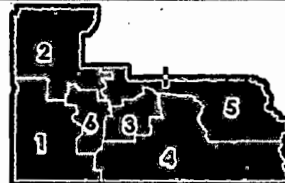
River Isle PSP



\\Ocnar\gmdpt\Business Systems\Board Administration\ArcGIS\VAAL\2.mxd

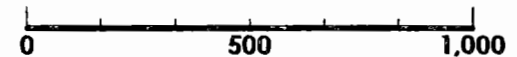
MAP LEGEND

-  SUBJECT
-  HYDROLOGY
-  PARCELS



1 inch = 334 feet

Feet



For questions regarding this
map, please call Sapho Vatel at
407.836.5686

NORTHWEST 1/4 OF NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 22 SOUTH, RANGE 31 EAST
LESS THE SOUTH 250' OF THE EAST 348.5 FEET; AND LESS THE NORTH 30'; AND LESS
THE EAST 30'; AND LESS THE WEST 30', AND LESS

RIVER WALK
P.U.D.

UNPLATTED
ZONED A-1

RIVER WALK
R.D.

SEMINOLE COUNTY
ORANGE COUNTY

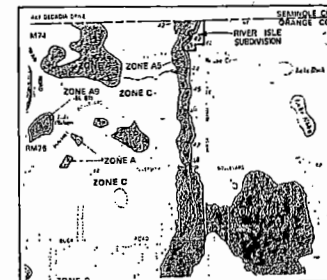
ALL LANDS WEST OF THE CENTERLINE OF THE
LITTLE ECHOLOCKHATCHEE RIVER ARE NOT
INCLUDED IN THE PSP ON THE EAST SIDE OF
THE RIVER.

UNPLATTED

McROUSE
SUBDIVISION
(PROPOSED)

TYPICAL 40' B/W ROADWAY SECTION

FLOOD ZONE MAP.



LEGEND AND SUPPORTING DATA

4. TITLE: CONSTRUCTION PLAN FOR NORTH CLE GARRETTSON
DATE: SEPTEMBER 18, 1979
5. OVERSEER/LOCATION:
THE HARRISON GROUP, INC.
250 VENTURES DRIVE
BIRMINGHAM 1, AL 35201
PHONE (205) 252-4623
6. ENGINEER/LOCATION:
J. C. CASH DESIGN GROUP, INC.
1000 N. HUNTER ROAD
CUTR RD
GRANDT, N. ALABAMA
7. TOTAL ACRES: 15.15 ACRES ±
8. EXISTING ZONING: R-1A
9. MAP/LOT SIZE: 13.00 A.P.
10.00 A.P. (POWER RIGHT)
10. SUBJECT PROPERTY TO BE 100% FREIGHTALINE USE (EAST OF POWER)
11. DENSITY: 5.16 UNITS PER ACRE
12. MINIMUM LANEWAY: 120 FT.
13. MAXIMUM BUILDING HEIGHT: 20 FEET
14. PLATTED OR ZONATION: MO A.D.L.

LOT DESIGN

1. TOTAL NUMBER OF LOTS 18
2. TOTAL NUMBER OF DWELLING UNITS 18
3. SCHOOL AGE POPULATION 18
4. SETBACKS

FRONT	30.0 FEET
REAR	30.0 FEET
SIDE	7.5 FEET
(SIDE) WIDTH	0.0 FEET
5. (SEE NOTE TO THE COLLECTOR FIELD ALSO SEE PAGE 1)

[illegible]

- PHYSICAL/ENVIRONMENTAL CONDITIONS:
1. BOUNDARY AND TOPOGRAPHY INFORMATION SHOWN HEREON IS BY THE CIVIL DESIGN CORP., INC.
ON THE SOLE BASIS OF:
2. THE FOLLOWING DATA: 2007 AERIAL PHOTOGRAPHY, DEPARTMENT OF AGRICULTURE SOIL
CONSERVATION SERVICE SOIL SURVEY OF CHAVUE COUNTY,
FLORIDA
3. ON-DEVELOPMENT: OAK AND PINE FOREST
- REQUIRED IMPROVEMENTS:
1. PROPOSED TRAFFIC GENERATION: HAS AFFECT THE MANUAL.
2. STREET LIGHT PLACEMENT TO BE PROVIDED FOR BY A MAINTENANCE SERVICE TRUCKS LAST
3. DRAINAGE POOL MAINTENANCE TO BE PROVIDED FOR BY THE PROPERTY OWNERS ASSOCIATION
4. CROWN WASH TO BE MAINTAINED BY PROPERTY OWNERS ASSOCIATION
5. POISSON WASH TO BE PROVIDED BY CHAVUE COUNTY
6. SHORTLY AFTER DEVELOPMENT, PROPOSED 100% WASTE WATER TREATMENT PLANT
7. DRAINAGE SERVICES TO BE PROVIDED BY JOHN KIRBY, WILLOWDALE COMPANY
8. FIRE PROTECTION TO BE PROVIDED BY CHAVUE COUNTY
9. ELECTRIC SERVICE TO PROVIDED BY FLORIDA POWER CORPORATION

NOTE: LANDSCAPE EASEMENT TO BE DEDICATED TO AND MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.

RECEIVED JULY 3, 2014
By 112982 at 11:32 am, Jul 03, 2014

SURVEYOR'S NOTE:

THE MYTLAND JURISDICTIONAL LINE SHOWN HEREON WAS DETERMINED AND MARKED IN WIN FIELD BY REPRESENTATIVES OF BRENDAVE, CHUBIS AND ASSOCIATES. SAID MYTLAND LINE POSITION WAS DETERMINED FROM AN ACTUAL FIELD SURVEY IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 21.00-4 (MINIMUM TECHNICAL STANDARDS).

SUBSTANTIAL CHANGE
DEC 4-25-91
River Isle

PRELIMINARY SUBDIVISION PLAN

FOR

THE HARROD GROUP, INC.

ORANGE COUNTY,

SHEET 2 of 3

EXHIBIT

LEGEND

15 LOT NUMBER

	PROPOSED ASPHALTIC PAVEMENT
	EXIST CONTOUR
	PROPOSED CONTOUR
	SOILS BOUNDARY
	SOIL TYPE
	SETBACK LINE
	EXIST. WATER MAIN
	PROPOSED WATER MAIN
	PROPOSED GATE VALVE
	PROPOSED FIRE HYDRANT
	EXISTING FIRE HYDRANT
	DRAINAGE FLOW DIRECTION
	STORMWATER PIPE
	STORMWATER MANHOLE
	PROPOSED STORMWATER CURD INLET

NOTE: Mc CULLOCH ROAD TO REMAIN AS IS, AT THIS TIME. OWNER RETAINS THE RIGHT TO ASK FOR VACATION OF Mc CULLOCH ROAD RIGHT - OF - WAY.

SECTION 'B-B'

ENTRANCE ROAD SECTION

1. 1" ASPHALTIC CONCRETE SURFACE COURSE TYPE S-II
2. 8" SOL. CEMENT BASE, PRIME
3. 12" COMPACTED SUB-GRADE TO 92% MAX. AASHTO T-160
4. 6" STABILIZED SUB-GRADE TO 50 p.s.i. P.D.V. (UNDER CURB)
5. 3" MIAMI CURB
6. 1'-4" P.D.O.T. TYPE "A" MEDIAN CURB

NEAREST WALKER ON INTERNAL SIDEWAYS

NEAREST WALKER ON 30' FEET WALKWAY, ON INTERNAL STREET TO 42' WIDTH

TRACT 1 - ESTATEMENT AGREEMENT - OPERATION AND MAINTENANCE TO BE THE RESPONSIBILITY OF PROPERTY OWNERS ASSOCIATION

TRACT 3 - LANDSCAPE AREAS TO OWNED AND MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION

TRACT 5 - BENTLEY PIKE STATION - TO BE DEDICATED TO CHARGE COUNTY

TRACT 6 - PROPERTY OWNED (FACIGATION AREA - TO BE MAINTAINED BY PROPERTY OWNERS ASSOCIATION

FLOOD PLAIN DATA: PER THE MAP - CHARGE COUNTY COMMUNITY PANEL NO. 109TH FLOOD, DATED DECEMBER 18, 2000

100 YEAR FLOOD ELEVATION IS 43 FEET ABOVE AT THE SOUTH PROPERTY LINE -

100 YEAR FLOOD ELEVATION IS 45 FEET ABOVE AT THE NORTH PROPERTY LINE

MACALSON ROAD RIGHT OF WAY, LYING EAST OF THE LITTLE SCHOLARSHIPS ROAD AND WEST OF FLOOD ROAD TO BE VACATED

THE CIVIL DESIGN GROUP INC.
ENGINEERS • SURVEYORS • PLANNERS
401 SOUTH ROSALIND AVENUE SUITE 200
ORLANDO, FLORIDA

DWG	DESIGN BY CNO	CHECKED BY RGM	APPROVED BY H.M. GARY, P.E.
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PRELIMINARY SUBDIVISION PLAN

FOR

THE HARROD GROUP, INC.

ORANGE COUNTY,

SHEET 2 OF 3

EXHIBIT