

**APOPKA CITY COUNCIL AGENDA**  
February 15, 2017 6:00 PM  
**APOPKA CITY HALL COUNCIL CHAMBERS**  
Agendas are subject to amendment through  
5:00pm on the day prior to City Council Meetings

**CALL TO ORDER**

**INVOCATION - Assistant Pastor Alexander Smith of New Hope Missionary Baptist Church**

**PLEDGE**

**APPROVAL OF MINUTES:**

- [1.](#) City Council workshop January 18, 2017.
- [2.](#) City Council regular meeting January 18, 2017
- [3.](#) City Council/Planning Commission workshop January 25, 2017.
- [4.](#) City Council meeting February 1, 2017.
- [5.](#) City Council special meeting February 6, 2017.

**AGENDA REVIEW**

**PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT**

Public Comment Period:

The Public Comment Period is for City-related issues that may or may not be on today's Agenda. If you are here for a matter that requires a public hearing, please wait for that item to come up on the agenda. If you wish to address the Council, you must fill out an Intent to Speak form and provide it to the City Clerk prior to the start of the meeting. If you wish to speak during the Public Comment Period, please fill out a green-colored Intent-to-Speak form. If you wish to speak on a matter that requires a public hearing, please fill out a white-colored Intent-to-Speak form. Speaker forms may be completed up to 48 hours in advance of the Council meeting. Each speaker will have four minutes to give remarks, regardless of the number of items addressed. Please refer to Resolution No. 2016-16 for further information regarding our Public Participation Policy & Procedures for addressing the City Council.

Presentations:

- [1.](#) Task Force on Violence presentation. Rod Love

Proclamations:

- [1.](#) Future Farmers of America Proclamation presented to FFA Presidents from: Mayor Kilsheimer  
Apopka High, Wekiva High, Apopka Memorial Middle, Wolf Lake Middle,  
and Piedmont Lakes Middle Schools.

**CONSENT (Action Item)**

- [1.](#) Authorize the disposal of surplus equipment/property.
- [2.](#) Approve the sale of alcohol at the Charlie Daniels Concert.
- [3.](#) Approve a legislative appropriation request for State Fiscal Year 2018.
- [4.](#) Authorize the purchase of vehicles for the Police Department.
- [5.](#) Approve the purchase of a directional drilling machine from Vermeer Southeast Sales & Service.
- [6.](#) Approve the annual fuel contract renewal with Petroleum Traders Corporation.

**BUSINESS (Action Item)**

- [1.](#) FINAL DEVELOPMENT PLAN – Quasi-Judicial  
Cooper Palms Commerce Center (Lot 5) – South of Cooper Palms Pkwy, east of S. Bradshaw Rd David Moon
- [2.](#) FINAL DEVELOPMENT PLAN – Quasi-Judicial  
Cooper Palms Commerce Center (Lots 10 and 11) – South of W. 2nd Street, west of S. Hawthorne Avenue David Moon
- [3.](#) PLAT – Emerson North Townhomes - 1701 Ocoee Apopka Road – Quasi-Judicial David Moon
- [4.](#) PLAT – Orchid Estates – South of Kelly Park Road, west of Jason Dwellley Parkway – Quasi-Judicial David Moon

**PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)**

- [1.](#) Ordinance No. 2547 – Second Reading – Annexation – Fisher Plantation Subdivision -Legislative James Hitt

- 2. Ordinance No. 2548 – Second Reading – Vacate Right of Way – West 2nd Street – Quasi-Judicial
- 3. Ordinance No. 2549 – Second Reading – Vacate Right of Way – West 5th Street – Quasi-Judicial
- 4. Ordinance No. 2552 – Second Reading – Small Scale Future Land Use Amendment – Legislative
- 5. Ordinance No. 2553 – Second Reading – Change of Zoning – Quasi-Judicial
- 6. Ordinance No. 2527 – First Reading – Code of Ordinances, Part II, Chapter 78 - Parking – Legislative

James Hitt  
 James Hitt  
 Kyle Wilkes  
 Kyle Wilkes  
 Chief McKinley

**CITY COUNCIL REPORTS**

**MAYOR'S REPORT**

**ADJOURNMENT**

**MEETINGS AND UPCOMING EVENTS**

DATE	TIME	EVENT
February 27, 2017	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden
March 1, 2017	1:30pm –	Council Meeting
March 2, 2017	5:30pm – 9:00pm	Food Truck Round Up
March 9, 2017	5:00pm – 9:00pm	Rotary Club Apopka Fair – Kit Land Nelson Park
March 10, 2017	5:00pm – 11:00pm	Rotary Club Apopka Fair – Kit Land Nelson Park
March 10, 2017	Dusk	Movie in the Park – Moana - Northwest Recreation Complex
March 11, 2017	12:00pm – 11:00pm	Rotary Club Apopka Fair – Kit Land Nelson Park
March 12, 2017	12:00pm – 11:00pm	Rotary Club Apopka Fair – Kit Land Nelson Park
March 15, 2017	7:00pm –	Council Meeting
March 17, 2017	5:00pm – 11:00pm	Charlie Daniels Concert – Northwest Recreation Complex
March 27, 2017	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

**Backup material for agenda item:**

1. City Council workshop January 18, 2017.

**CITY OF APOPKA**

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**Minutes of the City Council/City Boards workshop meeting held on January 18, 2017, at 5:30 p.m., in the City of Apopka Council Chambers.**

**PRESENT:** Mayor Joe Kilsheimer  
Commissioner Diane Velazquez  
Commissioner Kyle Becker  
Commissioner Doug Bankson  
Steve White, CRA  
Melvin Birdsong, Planning Commission  
James Greene, Planning Commission  
Tony Foster, Planning Commission  
Linda Laurendau, Planning Commission  
Rogers M. Simpson, Planning Commission  
John M. Sprinkle, Planning Commission  
City Attorney Cliff Shepard

**ABSENT:** Commissioner Billie Dean  
Jose Molina, Planning Commission  
Nikki Williams, CRA

**PRESS PRESENT:** John Peery - The Apopka Chief  
Teresa Sargeant – The Apopka Chief

**PLEDGE OF ALLEGIANCE:** Mayor Kilsheimer led in the Pledge of Allegiance.

**DISCUSSION**

1. Sunshine Law Review provided by City Attorney, Cliff Shepard.

Clifford Shepard, City Attorney, gave a presentation on Sunshine Law entitled “Let the Sunshine In”, reviewing Public Meetings Law, Chapter 286 of the Florida Statutes. He reviewed public meetings, stating they are to be open to the public and reasonable notice provided, as well as minutes are to be promptly recorded and open to public inspection. A gathering of two or more members of the same board or committee constitutes a meeting. A public meeting is a meeting of a collegial public body at which official acts are taken or business is discussed. Members of a committee/committee/board are not to discuss among themselves any matters that may come before them in a meeting. Any information should be shared during an open, public meeting. A copy of the Power Point presentation will be filed with the minutes.

**ADJOURNMENT** – There being no further business the meeting adjourned at 6:30 p.m.

**ATTEST:**

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Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk

**Backup material for agenda item:**

2. City Council regular meeting January 18, 2017

## CITY OF APOPKA

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**Minutes of the regular City Council meeting held on January 18, 2017, at 7:00 p.m., in the City of Apopka Council Chambers.**

**PRESENT:** Mayor Joe Kilsheimer  
Commissioner Billie Dean  
Commissioner Diane Velazquez  
Commissioner Doug Bankson  
Commissioner Kyle Becker  
City Attorney Cliff Shepard  
City Administrator Glenn Irby

**PRESS PRESENT:** John Peery - The Apopka Chief  
Reggie Connell, The Apopka Voice  
WFTV – Channel 9 News

**INVOCATION:** Mayor Kilsheimer introduced Pastor Jeanne Bowser of Word of Life Church, who gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Kilsheimer said on Monday our Nation remembered the life and works of Dr. Martin Luther King, Jr. He was born January 15, 1929, in Atlanta, Georgia, son of a Baptist minister. He would go on to obtain a doctorate in theology. Dr. King advocated civil disobedience and nonviolent resistance to segregation. In 1955, Dr. King helped organize the first major protest of the Civil Rights Movement, the Montgomery bus boycott. Over the next several years he staged many peaceful protests throughout the Nation and became the voice of the Civil Rights Movement. In 1963, the March on Washington culminated Dr. King's "I Have a Dream" speech and the following year, Civil Rights Act of 1964 became law and the twenty-fourth amendment was ratified abolishing the poll tax. Dr. King became the youngest recipient of the Nobel Peace Prize. Tragically, Dr. King's life came to an abrupt end on April 4, 1968, when he was assassinated in Memphis, Tennessee. He asked everyone to reflect on Dr. King's legacy as he led in the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

1. City Council workshop December 13, 2016.
2. City Council meeting December 21, 2016.
3. City Council meeting January 4, 2017.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve the December 13, 2016, December 21, 2016, and January 4, 2017, City Council minutes. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**AGENDA REVIEW:** There were no changes to the agenda.

**PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT**

**Public Comment:**

Ray Shackelford said he was here to call upon Council to set up a fund balance of at least twenty-five percent to protect the bond rating and fiscal integrity of the city. He asked Council to explore a public/private partnership with Cooper Sportsplex. He requested Council allow a presentation of the Apopka Task Force on Violence. He asked Council to do a budget amendment for the \$103,000 for the Gospel Festival to eliminate recreation fees for Apopka sports teams. He called upon Council to verify all pollutants coming to the wastewater treatment plant.

Rod Love said he spoke at a previous Council meeting asking Council to consider an ordinance that would provide notification to the community as it relates to any potential health hazard. At that time there was discussion regarding the Governor putting in place an executive order. He emphasized the need for transparency and asked the City Council to reconsider invoking an ordinance so there is public notification for potential health crisis. He stated the public is seeing various news reports and said transparency would calm the public.

Mayor Kilsheimer advised they were prepared to talk about the wastewater treatment plant at the end of public comment.

David Rankin spoke regarding questions and concerns about the Florida DEP warning letter. He read prepared comments and questions. He stated a letter from DEP was received by the City dated December 30, 2016 regarding an inspection conducted between November 30, 2016 and December 1, 2016. He said the public needs answers to each of the violations and read off a list of questions based on the violations. He provided a copy of his comments and questions which is on file in the Clerk's office.

Pastor Richard King said he was here due to concerns he has regarding issues at the wastewater plant. He lives across the street from the plant and asked if it was reversible and did it pose a threat, immediate or down the road, to the people of the community.

Michael Heaton said the traffic intersection of Plymouth Sorrento Road and Lester Road is under construction. He stated when the poles were ordered for the traffic lights they were told the coordination with the construction of the road would be taken care of at the same time. He inquired when the lights would be operable. He also spoke of the speed limit on Plymouth Sorrento Road stating traffic is not safe due to vehicles speeding on this road.

Mayor Kilsheimer advised Mr. Irby met with Duke Energy today regarding when they would bring electricity to the poles. He also advised that Plymouth Sorrento Road was maintained by Orange County and they are in charge of the speed limit.

Alexander Smith said he was a resident and thanked the Police Department for their assistance in the Martin Luther King Parade. He stated last year he addressed contamination of water and asked at that time about contamination of well water and who would be responsible for cleaning those wells.

Tamara Sargent-Benitez addressed Council on increased homelessness, drug houses, and crime in the area. She said at least five well known drug houses are within close proximity to here. She stated there were as many as ten homeless people at times in the downtown area. She spoke of the



recent standoff on Binion Road and the reverse 911 call, stating most of the residents in Clear Lake Estates, Maudehelen, and Lake Henniger had no notice of what was going on. She asked that for the security and value of the community that some of these matters be addressed.

Mayor Kilsheimer said the issue of these drug houses are in Orange County, therefore, we have no jurisdiction in that area, even though they do cause issues in Apopka. Mayor Kilsheimer stated Apopka Police Department is working in conjunction with Orange County Sheriff's Office regarding the drug houses, but no further comment could be made.

Suzanne Kidd said she would like to end public comment on a positive note, stating the City was doing some very positive things. She stated we can be very proud of national recognition received this week for the Apopka Youth Works. Mayor Kilsheimer was invited to Washington DC to share the success of this program at the United States Conference of Mayors. She said the fact that the conference saw sufficient value in Apopka's initiative to spot light it as a model for preparing moderate to low income high school students for employment is a testament to this City's deep commitment to providing economic advancement for all segments of Apopka.

Mayor Kilsheimer said since we have a lot of people here interested in the wastewater treatment plant, he asked Glenn Irby, Jay Davoll, and Kevin Burgess to be prepared to speak tonight to address this issue.

Jay Davoll, Public Services Director/City Engineer, showed a layout of the wastewater plant and explained some of the issues. He said they were not prepared this evening to address the entire letter, stating they are meeting with FDEP tomorrow afternoon to go over all of the items. He explained the plant is a series of two plants that were theoretically approved to treat 4.5 million gallons, advising that the plants were originally 4 million gallons. He pointed out plant one, which is a self-contained package plant, and pointed out plant two, showing where the waste comes in to, then splits off between the two plants going through the treatment process. There are two holding ponds for reclaimed water, each holding 8 million gallons. He explained the wastewater plant was initially set up to be able to treat and send out all the wastewater as reclaimed water. The reclaimed water has standards for TSS (Total Suspended Solids) of less than 5 parts per million, turbidity of less than 3 parts per million and a chlorine level of at least 1. When the treated water cannot be sent to reclaimed, it goes into holding ponds that holds a total of 9 million gallons. Pursuant to the City's DEP permit, water from these ponds can be sprayed out to the spray fields. He stated the City is under a consent order and construction for the new wastewater plan has started in order to meet requirements.

Mayor Kilsheimer reiterated that the City is under order by the FDEP to increase the efficiency and the capacity of our wastewater treatment plant. This order was entered in 2015. He said there was a consent order due to the Wekiva Parkway and Protection Act of 2004, which required eleven utilities, including the City of Apopka, to expand and improve the wastewater treatment capacity to comply with stricter standards under the law. The original deadline for increasing and expanding the capacity was 2011. The District Director of the DEP said due to the crash of the economy, the DEP did not stringently enforce the requirements for the expansion and upgrade of treatment plants. In December of 2014, a call was received from the District Director advising with the economy coming back, it was decided to get back on track with this expansion and we entered the consent order to build the expansion.

Mr. Davoll said when the water meets the reclaimed requirements it comes into tanks and is then shipped to various locations throughout the city where reclaimed water is stored in either a tank or lined pond. If the treated water does not meet those requirements, it goes into holding ponds. The preferred choice is to put it back through the treatment plant so it can be sent out as reclaimed water. If this cannot be done, then it is put on the sprayfields. He reiterated they will be meeting with FDEP tomorrow to address these issues.

Mr. Irby advised the City has engaged engineering firms to discuss what could have possibly caused some of the upsets at the plant. He also noted the meeting with FDEP tomorrow, stating the plan going forward it to address and fix these issues.

Mayor Kilsheimer said he spoke with the District Director of FDEP today and asked directly if the City of Apopka has caused any public health concern with these issues of the wastewater treatment. His answer unequivocally was no. Mayor Kilsheimer affirmed the City does not answer to ourselves when it comes to the wastewater treatment. We answer to the Florida Department of Environmental Protection and to the Florida Department of Health. He declared that both organizations have told us there is no public health issue. There also is no connection between issues relating to wastewater and the city's public drinking water supply. In regards to the residential shallow wells: There are monitoring wells on the City of Apopka property that would detect any increase in any of the constituents that are tested for before it gets to any of the resident's wells. He committed that the City will abide by not only the letter, but the spirit of the law, when operating our wastewater treatment plant, not only with the health and safety of the public in mind, but the health and safety of our employees in mind.

In response to Commissioner Dean regarding an independent investigation, Mr. Irby advised we were contracting with a company for that purpose that will be onsite Monday.

**Presentatons:**

**1. Tree Climbing Championship presentation by The Davey Tree Expert Company**

Adam Jackson said he is a resident of Apopka and works for The Davey Tree Expert Company. He reviewed a PowerPoint presentation reviewing events that take place during a Tree Climbing Championship competition. He advised this was previously held at Magnolia Park and they would like to bring the competition to Apopka, requesting to hold it in Kit Land Nelson Park.

**CONSENT (Action Item)**

1. Acceptance of a grant award from the Orange County EMS Council.
2. Authorize the issuance of a blanket purchase order for inventory supplies to H.D. Supply Waterworks, Ltd.
3. Authorize the final extension of the contract for Professional Land Surveying and Mapping Services.
4. Authorize the appointment of Jackson Young to the Police Officers Pension Board.
5. Authorize the renaming of a portion of Recreation Way to Firehouse Lane.
6. Authorize a partial road closure for Marden Road to construct two new roundabouts.

**MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to approve the six items on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.**

**BUSINESS**

1. Final Development Plan/Plat – Magnolia Commerce Center.

Mayor Kilsheimer announced this was a quasi-judicial hearing. Witnesses were sworn in by the clerk.

David Moon, Planning Manager, provided a brief lead-in of the Final Development Plan/Plat for Magnolia Commerce Center. The staff report is on file.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Dean, and seconded by Commissioner Bankson, to approve the Final Development Plan/Plat for Magnolia Commerce Center, as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

2. Replat – Cooper Palms Lots 10 and 11.

Mayor Kilsheimer announced this was a quasi-judicial hearing. Witnesses were sworn in by the clerk.

David Moon provided a brief lead-in for the Cooper Palms Lots 10 and 11 replat. The staff report is on file.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve the Replat for Cooper Palms Lots 10 and 11, as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**PUBLIC HEARINGS/ORDINANCES/RESOLUTION**

1. **Ordinance No. 2543 – Second Reading – Fire and Police Impact Fees.** The City Clerk read the title as follows:

**ORDINANCE NO. 2543**

**AN ORDINANCE OF THE CITY OF APOPKA, ORANGE COUNTY, FLORIDA, RELATING TO FIRE/EMS AND POLICE IMPACT FEES; ADOPTING FIRE/EMS AND POLICE IMPACT FEE STUDIES BASED ON CURRENT AND PROJECTED GROWTH; PROVIDING INTENT AND PURPOSE; PROVIDING FOR EXEMPTIONS, CREDITS, AND OTHER MATTERS PERTINENT TO IMPACT FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.**

Mayor Kilsheimer opened the meeting to a public hearing.

Jeff Welch said since he spoke at the last meeting he has met with Jim Hitt and Glenn Irby and he was here to speak in favor of the impact fees after having the opportunity to discuss this with them.

No one else wishing to speak, Mayor Kilsheimer closed the public hearing.

**MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to adopt Ordinance No. 2543, with the impact fee at 100%. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

2. **Ordinance No. 2544 – Second Reading – Parks and Recreation Impact Fees.** The City Clerk read the title as follows:

**ORDINANCE NO. 2544**

**AN ORDINANCE OF THE CITY OF APOPKA, ORANGE COUNTY, FLORIDA, RELATING TO PARKS AND RECREATION IMPACT FEES; ADOPTING A PARKS AND RECREATION IMPACT FEE STUDY BASED ON CURRENT AND PROJECTED GROWTH; PROVIDING INTENT AND PURPOSE; PROVIDING FOR EXEMPTIONS, CREDITS, AND OTHER MATTERS PERTINENT TO PARKS AND RECREATION IMPACT FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.**

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Becker to adopt Ordinance No. 2544, with the impact fee at 100%. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

3. **Ordinance No. 2545 – Second Reading – Adjust Pension Board Member Terms.** The City Clerk read the title as follows:

**ORDINANCE NO. 2545**

**AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF APOPKA, FLORIDA, AMENDING ARTICLE II, “GENERAL EMPLOYEES’ RETIREMENT SYSTEM” OF CHAPTER 63 THROUGH AMENDMENT OF SECTION 63-23, BOARD OF TRUSTEES; AMENDING ARTICLE III, “FIREFIGHTERS’ RETIREMENT SYSTEM” OF CHAPTER 63 THROUGH AMENDMENT OF SECTION 63-63, BOARD OF TRUSTEES; AMENDING ARTICLE IV, “POLICE OFFICERS’ RETIREMENT**

**SYSTEM” OF CHAPTER 63 THROUGH AMENDMENT OF SECTION 63-103, BOARD OF TRUSTEES; PROVIDING FOR DIRECTION TO THE CITY CLERK, FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.**

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Dean, and seconded by Commissioner Bankson, to adopt Ordinance No. 2545. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

4. **Ordinance No. 2546 – First Reading – Annexation at 1109 S. Park Ave. and 157 Rand Ct.** The City Clerk read the title as follows:

**ORDINANCE NO. 2546**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY APOPKA HOLDINGS, LLC LOCATED AT 1109 S PARK AVENUE AND 157 RAND COURT; PROVIDING FOR DIRECTION TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Kyle Wilkes, Planner, provided a brief lead-in, reviewing the location of the property owned by Apopka Holdings, LLC. The County was provided notification on December 30, 2016.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve Ordinance No. 2546 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

5. **Ordinance No. 2547 – First Reading – Fisher Plantation Subdivision Annexation.** The City Clerk read the title as follows:

**ORDINANCE NO. 2547**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ANNEXING CERTAIN UNINCORPORATED PROPERTY GENERALLY KNOWN AS FISHER PLANTATION, AND MORE PARTICULARLY DESCRIBED HEREIN, INTO THE CORPORATE LIMITS OF THE CITY OF APOPKA; PROVIDING FOR A**

**REFERENDUM FOR APPROVAL BY THE REGISTERED ELECTORS OF THE AREA PROPOSED TO BE ANNEXED; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

James Hitt, Community Development Director, advised the City has received annexation requests from the residents of the Fisher Plantation subdivision. Discussions and meetings with residents and homeowners indicate a majority of the residents support annexation. This annexation of the Fisher Plantation subdivision will be by referendum April 11, 2017. The referendum will be conducted by the Supervisor of Elections office mailing ballots to registered electors of the subdivision. As part of the process, City Council needs to adopt an ordinance proposing the annexation of Fisher Plantation. The ordinance becomes effective 10 days after the referendum, providing there is a majority vote for the annexation.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to approve Ordinance No. 2547 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

6. **Resolution No. 2017-02 – Quality Target Industry (QTI) Program – Qorvo.** The City Clerk read the title as follows:

**RESOLUTION NO. 2017-02**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, RECOMMENDING THAT QORVO FLORIDA, INC. BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO SECTION 288.106, FLORIDA STATUTES; PROVIDING AN APPROPRIATION OF \$60,000 AS LOCAL PARTICIPATION IN THE QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2017-2024; PROVIDING FOR LOCAL FINANCIAL SUPPORT IN THE FORM OF AD VALOREM TAX ABATEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Hitt advised this had been before Council previously. This resolution is providing for a few minor amendments.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez, to approve Resolution No. 2017-02. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

## CITY COUNCIL REPORTS

**MOTION by Commissioner Dean and seconded by Commissioner Bankson to explore a public/private partnership with Cooper Sportsplex regarding recreation services.**

**MOTION by Commissioner Dean, and seconded by Commissioner Becker to table the motion to the next meeting. Motion to table carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker and Bankson voting aye.**

**MOTION by Commissioner Dean, and seconded by Commissioner Becker to allow a presentation of the Task Force on Violence. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker and Bankson voting aye.**

**MOTION by Commissioner Becker, and seconded by Commissioner Bankson to move the April 5, 2017 City Council meeting to March 29, 2017. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker and Bankson voting aye.**

Commissioner Becker said next Monday is the next regularly scheduled board meeting of the Lake Apopka Natural Gas District (LANGD). He stated he will not be able to attend the meeting and he wanted to share his opinions as he feels this upcoming meeting to be very important to the relationship of LANGD and the City of Apopka. He read a prepared statement wherein he said the LANGD Board next week will consider six potential options. In this statement he stated he strongly supported option six. A copy of his statement is on file.

Commissioner Bankson said with respect to Rod Love's suggestion, he felt it may be good to consider an ordinance regarding notification of health and water issues.

Mayor Kilsheimer suggested looking at what other cities have done.

**MAYOR'S REPORT** – Mayor Kilsheimer reported he was invited by the US Conference of Mayors to speak about the success of our Apopka Youth Works program today in Washington, D.C. He will be flying back to Washington D.C. in the morning, as tomorrow at the lunch for the U.S. Conference of Mayors, the City of Apopka will be one of two cities awarded a grant in the amount of \$10,000 for our Apopka Youth Works program for the specific purpose of increasing the financial literacy component. He reported Apopka will be hiring 100 youth for summer employment this year.

**ADJOURNMENT** – There being no further business the meeting adjourned at 8:53 p.m.

ATTEST:

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Joseph E. Kilsheimer, Mayor

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Linda F. Goff, City Clerk

**Backup material for agenda item:**

3. City Council/Planning Commission workshop January 25, 2017.



**MINUTES OF THE CITY COUNCIL AND PLANNING COMMISSION WORKSHOP HELD ON JANUARY 25, 2017, AT 4:00 P.M. AT THE CITY OF APOPKA COMMUNITY CENTER.**

**PRESENT:** Mayor Joseph Kilsheimer  
Commissioner Billie Dean  
Commissioner Diane Velazquez  
Commissioner Doug Bankson  
City Administrator Glenn Irby  
James Greene, Planning Commission  
Melvin Birdsong, Planning Commission  
Tony Foster, Planning Commission  
Linda Laurendeau, Planning Commission  
Jose Molina, Planning Commission  
John Sprinkle, Planning Commission

**PRESS:** Theresa Sargent – The Apopka Chief

**STAFF:** James Hitt, FRA-RA – Community Development Director, David Moon, AICP - Planning Manager, Kyle Wilkes, AICP – Planner II, Elizabeth Florence – Planner, Linda Goff – City Clerk, Robert Sargent – Public Information Officer, Rob Hippler – IT Director, Mike Brown – Desktop Support Engineer, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

Mayor Kilsheimer called the meeting to order and led the Pledge of Allegiance.

**INTRODUCTION:** James Hitt, Community Development Director, introduced Clarion Associates Project Director, Craig Richardson. He explained that Clarion would be working on updating the City’s Land Development Code to bring it up to date in order to better implement with City’s Comprehensive Plan 2030 and Grow Apopka 2025 Vision Plan. The update will also ensure the City’s development regulations are internally consistent, modernized, and more in line with contemporary zoning best practices.

**CLARION ASSOCIATES:**

Mr. Richardson stated that Clarion Associates is a national land-use consulting firm with significant national and Florida experience of updating development codes. They are experts in form, use, and performance-based development codes. They have significant experience with updating codes in mature, built communities. They are national leaders in zoning best practices and sustainable development regulations. The Clarion team provides excellent communicators and skilled facilitators.

Mr. Richardson introduced the Clarion project team of Pete Sullivan, AICP - Senior Associate, David Henning – Associate, and Chris Peterson – Marketing and Special Projects. He stated that he and Mr. Henning are attorneys; however, they are not a law firm. Next, Mr. Richardson introduced Tara Salmieri, AICP, President of PlanActive Studio located in Orlando.

Ms. Salmieri stated her company, PlanActive Studios, is a woman owned company that provides a broad range of technical analysis and tools for each municipality that will inform the community, staff and elected officials of potential conflicts in their regulations, plans and manuals. PlanActive's goal is to provide solutions that are easy to understand while developing implementable strategies to meet the vision and desires of each community.

Mr. Richardson went over the work program and schedule for the project.

**Task 1:** The first task is to review all relevant background materials, including but not limited to, all relevant planning documents, other documents that provide policy direction, the existing Land Development Code (LDC), other relevant regulations, the zoning map, administrative rules

interpretations of the current LDC, examples of approved development permits, and other documents identified by City staff.

After completion of the background review, Clarion meets with City staff; conduct a kick-off meeting that includes stakeholders, such as residents and business owners, as well as elected and appointed officials; and take a tour of the city. Prior to meeting with City staff, Clarion prepared surveys for them to fill out that will provide a framework for input in a consistent fashion.

A project website, [www.apopkazoning.com](http://www.apopkazoning.com), has been set up to provide information about the project, the schedule, and public involvement opportunities. New work products will be placed on the website when available for public review. The website will serve as a tool through which the public can comment on the process and the work products as they are completed.

**Task 2:** Task 2 will be the assessment of the Land Development Code based on the information gathered during Task 1. The LDC assessment will synthesize and refine the key issues; recommend solutions to address the key issues; and provide a detailed outline of the rewritten LDC structure if the key issues and solutions are addressed as recommended. The assessment will consist of a Diagnosis and an Annotated Outline.

The Diagnosis identifies the key issues that need to be addressed in the rewrite. The Annotated Outline provides the community an opportunity to review the overall structure of the proposed revisions before the actual drafting occurs. It will include an article-by-article outline of the rewritten LDC and an explanation of the purpose and nature of each article and major sections in layperson's language.

There will be meetings with the City Council and Planning Commission, as appropriate, to provide a public forum for any questions or comments on the assessment.

**Task 3:** Based on the Assessment and the public input and directions received, a draft of the Land Development Code will be prepared that is user-friendly and includes the agreed upon changes to the code. The draft will follow the Annotated Outline and will be clear, concise and drafted with the goal of efficient administration. It will emphasize the use of graphics, tables, and charts to explain zoning and land use concepts.

Based on the current set of design guidelines, the draft will include a basic set of design standards for single-family development; multi-family development; commercial, office, and mixed use development; big-box development; and industrial development. Additionally, community form standards will be drafted which will apply to greenfield development in specific areas of the city.

There will not be a comprehensive revision to the sign regulations; however, the sign regulations will be reformatted to conform to the rewritten LDC format and to make minor and specific targeted revisions.

Due to the substantial amount of new information in the rewritten LDC, the drafting will be divided into two manageable installments consisting of related provisions. The first installment will include procedures, administration, districts and uses. The second installment will consist of development standards and definitions.

Once each set of consolidated written comments are prepared and Clarion and City staff have reached a consensus about revisions, Clarion will make the changes. The draft will then be made public as the "Public Review Draft."

There will be meetings with the City Council and Planning Commission, as appropriate, to provide a public forum for any questions or comments on each of the installments.

**Task 4:** A focused test of the draft LDC will be conducted through a side-by-side comparison of four examples of recently approved developments with comparable hypothetical development in accordance with the draft LDC. The objective of the comparison is to demonstrate how well the rewritten LDC would produce desired forms of development, or outcomes, or otherwise affect development in terms of land uses, building form, and overall development quality.

There will be meetings with the City Council and Planning Commission, as appropriate, to provide a public forum for any questions or comments on each of the case studies.

**Task 5:** Based on the input from the previous tasks and public meetings, revisions will be made to the draft LDC and a “Public Hearing Draft” of the LDC and a zoning map will be delivered along with an executive summary that explains the structure of the LDC and the changes that have been made.

Public hearings and work sessions will be held with the City Council and Planning Commission to present the public hearing draft and answer any questions.

Once those public hearings are held, any revisions will be made a final LDC and zoning map prepared for staff review and presentation to the City Council for adoption.

**SCHEDULE:** Mr. Sullivan reviewed the schedule of the project and stated that it will take fourteen months to complete.

**GOALS:**

*Making the Land Development Code User-Friendly:* Mr. Richardson stated that they would modernize the code format and structure. Provide flexible provisions and made it easier to interpret and administer. Streamline the approval/review process. Ensure that the provisions are consistent.

This will influence the development regulations by streamlining language and reduce redundancy. Streamline the review procedures. Provide graphics and illustrations for ease of use. Revise definitions and cross-references; and add tables.

*Implementing the Comprehensive Plan 2030 and Grow Apopka 2025 Vision Plan:* Mr. Richardson stated that the amendment would contribute to the revitalization of the downtown and support economic development. It would support the small-town community character and increase walkability. It would protect neighborhoods from incompatible development.

This will influence the development regulations when considering gateway and corridor districts. It will consolidate and modernize permitted and conditional uses. It will remove barriers to development and add neighborhood protection standards. It will refine the zoning district standards and consolidate and refine land uses.

*Modernizing the Development Regulations:* Mr. Richardson stated the revised regulations will be based on contemporary best practices. It will provide for high quality urban design and support environmentally-friendly development.

This will influence the development regulations by refining the design standards. The possibility of adding green building standards and incentives. Reviewing tree protection, open space, and landscape standards

Reviewing the standards for parking, perimeter buffers and lighting. It will also include a review of nonconformity provisions.

**PUBLIC INVOLVEMENT:** Mr. Richardson public involvement will be encouraged by the project website. The website will provide project information and announcements. Upcoming meetings will be posted. Work products will be downloaded for anyone’s review. Additionally, a survey has been posted that allows the public to provide their input on the types of development or code changes they would like to see.

The public will have numerous opportunities to provide input. The survey that is posted on the project website. Attending the various meetings such as the meetings on the individual modules that will be held throughout the drafting process. Any public meeting where the project will be discussed. The public may also provide feedback any time to the website.

**NEXT STEPS:** Mr. Richardson stated the next steps will be have the surveys reviewed by February 14, 2017. Review the surveys and background analysis with City staff. Prepare the Code assessment and present it to the community. Then begin drafting the new code.

In response to questions by Commission Bankson, Mr. Richardson stated the typical length of time for this type of review is 18 months; however, 14 months is doable and should not be a problem. He reiterated that the first step is to prepare a code assessment which will then be forwarded to staff and will include the rationale for each recommended change. The second step will be to use that assessment and draft each code installment that will contain footnotes for each change that will explain the change and the reason for the change. He said that all of the documents will be made electronically available through the project website.

In response to questions by Mr. Molina, Mr. Richardson stated that this review will only include the zoning codes and will address such issues as setbacks from highways. They will not be reviewing or amending any building or environmental codes.

Mayor Kilsheimer stated that the information Mr. Molina was looking for may have to do with what is called “Complete Streets.” These streets are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. Complete Streets make it easy to cross the street, walk to shops, and bicycle to work. They allow buses to run on time and make it safe for people to walk to and from train stations.

Mr. Hitt stated that adopting a “Complete Streets” policy, communities direct their transportation planners and engineers to routinely design and operate the entire right of way to enable safe access for all users, regardless of age, ability, or mode of transportation. This means that every transportation project will make the street network better and safer for drivers, transit users, pedestrians, and bicyclists—making your town a better place to live.

There is no singular design prescription for Complete Streets; each one is unique and responds to its community context. A complete street may include: sidewalks, bike lanes (or wide paved shoulders), special bus lanes, comfortable and accessible public transportation stops, frequent and safe crossing opportunities, median islands, accessible pedestrian signals, curb extensions, narrower travel lanes, roundabouts, and more.

A Complete Street in a rural area will look quite different from a Complete Street in a highly urban area, but both are designed to balance safety and convenience for everyone using the road.

In response to a question by Mayor Kilsheimer, Mr. Richardson stated that the revised Land Development Code will include a mission statement.

Mayor Kilsheimer encouraged the City Council and the Planning Commission members to get the word out about the project and the website because it will have a huge impact on Apopka's future.

In response to a question by Commission Bankson, Mayor Kilsheimer stated the Public Information Officer, Robert Sargent, will be posting notices regarding the upcoming meetings and public hearings.

Mr. Hitt asked that if anyone have any questions or comments to please give him a call or send him an e-mail. He stated he will be happy to meet with them to discuss the project and to hear their input.

Mr. Birdsong expressed his support and gratitude for the project. He said he likes what he sees which is that the City preparing for the future growth that will be coming to Apopka.

**ADJOURNMENT:** The workshop was adjourned at 5:05 p.m.

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Joseph E. Kilsheimer, Mayor

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James Greene, Chairman  
Planning Commission

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James K. Hitt  
Community Development Director

**Backup material for agenda item:**

4. City Council meeting February 1, 2017.

## CITY OF APOPKA

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### **Minutes of the regular City Council meeting held on February 1, 2017, at 1:30 p.m., in the City of Apopka Council Chambers.**

**PRESENT:** Mayor Joe Kilsheimer  
Commissioner Billie Dean  
Commissioner Diane Velazquez  
Commissioner Doug Bankson  
Commissioner Kyle Becker  
City Attorney Cliff Shepard  
City Administrator Glenn Irby

**PRESS PRESENT:** Teresa Sargeant - The Apopka Chief  
Reggie Connell, The Apopka Voice

**INVOCATION:** Mayor Kilsheimer introduced Pastor Jeanne Bowser of Word of Life Church, who gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Kilsheimer said on February 10, 1964, after ten days of debate and voting on 125 amendments, the U.S. House of Representatives passed the Civil Rights Act of 1964 by a vote of 290 to 130. The Bill prohibited racial and ethnic discrimination by any local or state government, or public facility, and also allowed the U. S. Attorney General to bring school desegregation law suits. The Civil Rights Act of 1964 was later passed in the Senate in June 1964, and signed into law on July 2, 1964. He asked everyone to reflect upon the brave actions of social activists and political leaders who fought for racial equality as he led in the Pledge of Allegiance.

**AGENDA REVIEW:** There were no changes to the agenda.

### **PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT**

#### **Public Comment:**

Marvin Guttman said approximately a week ago they received a precautionary boil water notice. He complimented the City on the notice and declared it was very well written. He suggested that notices be placed on the garage doors, as many people enter their homes through the garage rather than the front door.

Ray Shackelford inquired who the promoter for the Old Florida Outdoor Festival was, and what this event would cost the citizens. He expressed concerns with the festival being free to the community in that it has previously been over budget. He inquired if the City gave prior notice to a company in Zellwood regarding the site visit of the wastewater treatment plant by FDEP. He asked if the city was in a public/private partnership with a company in Zellwood to cover the cost of an independent investigation of the wastewater treatment plant and asked what the cost was to the citizens for this investigation. He asked if the City of Apopka started putting the disbursement report online for review by citizens as part of being transparent. He inquired how many local minority, women, and veterans have received projects under this administration. He called for exploration of a public/private partnership with Cooper Sportsplex for recreation programs and

service. He supported Commissioner Bankson's suggestion of a 25% reserve fund balance. He suggested a budget amendment to utilize some of the \$103,000 for the cancelled Gospel Festival to eliminate recreation fees for Apopka youth sports teams.

Rod Love recognized today as the beginning of Black History Month. He said we all take pride in our heritage, but he is most proud of being American. He stated he wanted to be an individual that offers solutions and spoke of extending an offer to Council in 2016 referencing the ability to work together. He said approximately four months previous he brought up the issue of the CRA being citizen driven. He stated the Florida League of Cities has CRA as one of its issues to defend as the State is looking at the disbursements by CRA's. He advised he was hosting a CRA luncheon on February 28, 2017, and 32 CRA's in Orange, Seminole, and Osceola counties have been identified.

Barbara Fox and Wanda Colon are on the board of the Lake Heiniger Estates Homeowners Association. Ms. Fox read a prepared letter regarding the intersection of Binion Road, and Lake View Drive/Lake Heiniger Drive expressing concerns of increased traffic with the additional residential development and the 429 extension. They requested installing either stop signs or a stop light at this intersection to make it safer and to slow down the traffic.

Suzanne Kidd said on today's Business Agenda was a request from Apopka's Qorvo Corporation to have the City waive approximately \$103,000 in impact fees Qorvo is required to pay on the current expansion of their facility. She discussed the staff report where it advised these fees cannot be waived, but any entity can pay them, including the City. She agreed with staff's recommendation that this request be declined. She stated at the December 7, 2016, Council meeting a very significant economic incentive package was approved to entice Qorvo, a global developer and manufacturer of high tech semiconductors, to expand their production and research and development capabilities at their Apopka facility, rather than see it go to Greensboro, NC. She discussed the incentives and stated our willingness to award Qorvo these incentives was a testament to our commitment to grow Apopka's economic base. She stated apparently though, the combined, City, County, and State incentives weren't enough, as they were now back asking the City to give them an avoidance of their impact fee obligation. She stated this was not a needy company, advising they had close to \$7 billion in assets and their 2016 gross profits were \$1.05 billion. She stated if this request is approved, a precedent will be set for future corporate demands for similar City giveaways. She urged Council to reject the request and recognize and act on the urgency of establishing a City policy or guidelines for creating and awarding future economic incentive packages.

### **Proclamation:**

#### **1. Black History Month Proclamation**

Mayor Kilsheimer read a proclamation acknowledging Black History month and presented it to Francina Boykin.

### **Employee Recognition:**

**Five Year Service Award – Susan Bone – City Clerk's Office -Deputy City Clerk – 01/03/2012** - Susan began working for the City on January 3, 2012, as a Project Coordinator in Administration. On October 1, 2014, she transferred to the City Clerk's office and became the Deputy City Clerk, which is her current position. The Commissioners joined Mayor Kilsheimer



in congratulating Susan on her years of service.

**Five Year Service Award – Ariel Carrion – Police/Field Services -Police Officer – 01/03/2012** -Ariel began working for the City on January 3, 2012, as a Police Officer, which is his current position. Ariel was not present and will be presented his award at another time.

**Five Year Service Award – Alexandria Logsdon – Police/Field Services - Police Officer – 01/03/2012** - Alexandria began working for the City on January 3, 2012, as a Police Officer, which is her current position. Alexandria was not present and will be presented her award at another time.

**Five Year Service Award – Paul Michael “Mike” Brown – Information Technology - Computer Support Specialist – 01/23/2012** - Mike began working for the City on January 23, 2012, as a Computer Support Specialist, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Mike on his years of service.

**Ten Year Service Award – Donald “Ryan” Beggs – Fire/EMS - Fire Fighter 1<sup>st</sup> Class – 01/16/2007** - Ryan began working for the City on January 16, 2007, as a Fire Fighter 1<sup>st</sup> Class in Fire Suppression. On October 1, 2014, after receiving his paramedic license, he was transferred to EMS as a Fire Fighter 1<sup>st</sup> Class/Paramedic, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Ryan on his years of service.

**Ten Year Service Award – Christopher “Chris” Howell – Fire/EMS - Fire Fighter 1<sup>st</sup> Class – 01/16/2007** - Chris began working for the City on January 16, 2007, as a Fire Fighter 1<sup>st</sup> Class. On May 15, 2012, after receiving his paramedic license, he was transferred to EMS as a Fire Fighter 1<sup>st</sup> Class/Paramedic, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Chris on his years of service.

**Ten Year Service Award – Darko Bocevski – Recreation/Athletics - Recreation Leader II – 01/19/2007** - Darko began working for the City on January 19, 2007, as a Recreation Leader I. On January 7, 2008, he was promoted to Recreation Leader II, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Darko on his years of service.

**Fifteen Year Service Award – Kenneth “Ken” Gatton – Public Services/Design Engineering - Project Coordinator – 01/07/2002** - Ken began working for the City on January 7, 2002, as a Construction Coordinator. On November 16, 2005, he was promoted to Project Coordinator, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Ken on his years of service.

**CONSENT (Action Item)**

1. Authorize a Private Street Traffic Enforcement Agreement with Breckenridge Landowners Association.
2. Authorize the surplus, appraisal and bid advertisement for the sale of property.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve the two items on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.**

## **BUSINESS**

1. **Impact Fee Assistance request from Qorvo.**

Glenn Irby, City Administrator, said Qorvo approached staff regarding a relief of their impact fees. As written in the staff report, the impact fees have to be paid and cannot be reduced or waived. However, it makes no difference who pays the fees. He advised the individual funds of the City can also pay the impact fees. Unfortunately staff cannot support this due to the benefits that have already been extended to Qorvo.

Commissioner Bankson agreed with staff and said he could not support this request, stating it would set a precedent.

Commissioner Dean said he wanted to go on record that Qorvo be held responsible for payment of the impact fees.

In response to Mayor Kilsheimer's inquiring if the City Council had to take action, City Attorney Shepard advised no action was necessary and with no action the request would fail.

## **PUBLIC HEARINGS/ORDINANCES/RESOLUTION**

1. **Ordinance No. 2546 – Second Reading – Annexation at 1109 S. Park Ave. and 157 Rand Ct.** The City Clerk read the title as follows:

### **ORDINANCE NO. 2546**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY APOPKA HOLDINGS, LLC LOCATED AT 1109 S PARK AVENUE AND 157 RAND COURT; PROVIDING FOR DIRECTION TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to adopt Ordinance No. 2546. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

2. **Ordinance No. 2547 – First Reading – Fisher Plantation Subdivision Annexation.** The City Clerk read the title as follows:

### **ORDINANCE NO. 2547**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ANNEXING CERTAIN UNINCORPORATED PROPERTY**

**GENERALLY KNOWN AS FISHER PLANTATION, AND MORE PARTICULARLY DESCRIBED HEREIN, INTO THE CORPORATE LIMITS OF THE CITY OF APOPKA; PROVIDING FOR A REFERENDUM FOR APPROVAL BY THE REGISTERED ELECTORS OF THE AREA PROPOSED TO BE ANNEXED; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Jim Hitt, Community Development Director, advised this item before Council at their last meeting. In order to meet Florida Statute requirements for a fifteen day notification to Orange County prior to the first reading, this will be advertised and held over for a Second Reading on February 15, 2017.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Becker, and seconded by Commissioner Velazquez, to approve Ordinance No. 2547 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

3. **Ordinance No. 2548 – First Reading – Vacate Right of Way – West 2<sup>nd</sup> Street – The City Clerk read the title as follows:**

**ORDINANCE NO. 2548**

**AN ORDINANCE OF THE CITY OF APOPKA, TO VACATE A PORTION OF RIGHT-OF-WAY OF WEST 2<sup>ND</sup> STREET, WEST OF SOUTH HAWTHORNE AVENUE, AND SOUTHWEST OF THE CSX RAILROAD RIGHT-OF-WAY; NORTH OF UNIMPROVED WEST 3<sup>RD</sup> STREET, SOUTH OF WEST 1<sup>ST</sup> STREET AND EAST OF COOPER PALMS PARKWAY; IN SECTION 09, TOWNSHIP 21, RANGE 28, OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.**

Mayor Kilsheimer advised this was a quasi-judicial hearing. Witnesses were sworn in by the clerk.

Mr. Hitt advised this item and the next item are vacate ordinances. The City has identified this to be a portion of property surrounded by no other roadways and there was no need for the right-of-way. A full vacate of this right-of-way is recommended and it will go to the adjacent property owner.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to approve Ordinance No. 2548 at First Reading and carry it over for a Second Reading.**

**Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

4. **Ordinance No. 2549 – First Reading – Vacate Right of Way – West 5th Street – The City Clerk read the title as follows:**

**ORDINANCE NO. 2549**

**AN ORDINANCE OF THE CITY OF APOPKA, TO VACATE A PORTION OF RIGHT-OF-WAY OF WEST 5<sup>TH</sup> STREET, SOUTH 30 FEET OF THE 80 FOOT RIGHT-OF-WAY OF THE UNIMPROVED WEST 5<sup>TH</sup> STREET LOCATED BETWEEN SOUTH HAWTHORNE AVENUE ON THE WEST AND SOUTH WASHINGTON AVENUE ON THE EAST AND NORTH OF ALONZO WILLIAMS PARK; IN SECTION 09, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.**

Mr. Hitt advised that while going through the FRDAP grant it was realized a portion of the basketball court at Alonzo Williams Park is in the road right-of-way. The standard for local streets is 50 feet and this is an 80 foot wide road right-of-way. Staff is recommending vacating the southern 30 feet, which is the affected area, allowing this to be absorbed into Alonzo Williams Park.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Dean, and seconded by Commissioner Velazquez, to approve Ordinance No. 2549 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

5. **Ordinance No. 2551 – First Reading – Large Scale Future Land Use Amendment – The City Clerk read the title as follows:**

**ORDINANCE NO. 2551**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM OFFICE (MAX 0.3 FAR) AND RESIDENTIAL LOW (0-5 DU/AC) TO MIXED USE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF OCOEE APOPKA ROAD AND NORTH OF KEENE ROAD, COMPRISING 22.4 ACRES, MORE OR LESS AND OWNED BY JOSEPH AND SWANA GATES & OAK ROYAL PROPERTIES, LLC; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

David Moon, Planning Manager, provided a brief lead-in advising this application is a request to change the land-use from Office designation to Mixed-use. The applicant intends to apply for a Mixed-use zoning classification after the application for the future land-use is transported to the Department of State for review. This is a large scale amendment, requiring state review. He advised the request is consistent with the surrounding area. Planning Commission met on January 10, 2017, and determined the proposed change is consistent with the comprehensive plan and recommended approval to transmit the application to the Department of State.

George Kramer, Director of Planning with Littlejohn, said they agree with the recommendations of staff and the Planning Commission. He stated he was present to answer any questions.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez, to approve Ordinance No. 2551 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

6. **Ordinance No. 2552 – First Reading – Small Scale Future Land Use Amendment – The City Clerk read the title as follows:**

**ORDINANCE NO. 2552**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” INDUSTRIAL TO “CITY” INDUSTRIAL (MAX 0.6), FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF E 13<sup>TH</sup> STREET AND WEST OF SHEELER AVENUE, COMPRISING 3 ACRES MORE OR LESS AND OWNED BY ADAMS BROTHERS CONSTRUCTION LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Moon said the applicant owns approximately three acres along the north side of the CSX railroad tracks at Thirteenth Street. The owner also owns the adjacent property and they want to consolidate the land into one development. Their request is to have land-use and zoning consistent with the current and future use of the property. The surrounding property is industrial. Planning Commission found this to be consistent with the comprehensive plan and the character of the surrounding area and recommends approval..

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve Ordinance No. 2552 at First Reading and carry it over for a Second Reading.**

**Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

7. **Ordinance No. 2553 – First Reading – Change of Zoning** – The City Clerk read the title as follows:

**ORDINANCE NO. 2553**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” C-3 (ZIP) TO “CITY” I-1 (RESTRICTED INDUSTRIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF 13<sup>TH</sup> STREET, WEST OF SHEELER AVENUE, COMPRISING 3 ACRES MORE OR LESS, AND OWNED BY ADAMS BROTHERS CONSTRUCTION, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Mr. Moon said the request is to change the zoning on the subject property, advising this was the same site and property owner as the future land-use amendment just presented. The information supports the request.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve Ordinance No. 2553 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

8. **Resolution No. 2017-03 – Canterwood Bonds** - The City Clerk read the title as follows:

**RESOLUTION NO. 2017-03**

**A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF APOPKA, FLORIDA TO ISSUE REVENUE BONDS IN ONE OR MORE SERIES TO MAKE A LOAN TO CANTERWOOD APOPKA REAL ESTATE, LLC, TO ACQUIRE, CONSTRUCT, INSTALL AND EQUIP AN ADULT ASSISTED LIVING FACILITY CONSISTING OF A QUALIFIED RESIDENTIAL RENTAL PROJECT WITHIN THE MEANING OF SECTION 142(d) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; EXPRESSING SUCH INTENT SOLELY FOR PURPOSES OF COMPLIANCE WITH UNITED STATES TREASURY REGULATION SECTION 1.150-(2)(e) TO REIMBURSE WITH THE PROCEEDS OF SUCH BONDS, EXPENDITURES MADE WITH RESPECT TO THE CONSTRUCTION AND EQUIPPING OF SUCH IMPROVEMENTS; PROVIDING FOR THE ISSUANCE BY THE CITY OF BONDS OR OTHER OBLIGATIONS IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$38,000,000 TO PAY THE COST OF SUCH PROJECTS; AND PROVIDING AN EFFECTIVE DATE.**

Mike Williams, Akerman Law Firm, said there were two separate actions, both required by the tax regulation. The Resolution allows Canterwood to spend their own funds and get reimbursed from the bond proceeds when that issue closes. The second matter, the public hearing was published in The Apopka Chief, as required by the code.

Joel Hass, Senior Vice President of MJM and Associates, extended his highest words of appreciation, stating every time he works with the Planning Department, they are working toward the final steps of permitting. He stated at this time they are working on the financing and said he looked forward to working with the City as they continue this process.

Commissioner Becker said the only clarification he would ask for is confirmation the City has no monetary financial risks or any other unintended risks, whether that be operational or reputational risks by entering into this.

City Attorney Shepard confirmed there were no fiscal risks or impact to the City of Apopka.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

**MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to approve Resolution No. 2017-03. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

## CITY COUNCIL REPORTS

Commissioner Dean said there was a motion that was tabled at the last Council meeting and he would like to pull that motion from the table with regards to the City partnering with Cooper Sportsplex. He asked Mr. Cooper to make a statement pertaining to a partnership with the City.

Mayor Kilsheimer asked David Burgoon, Recreation Director, if he had reached out to the Cooper organization.

David Burgoon, Recreation Director, responded in the affirmative, stating they did discuss some options, but have not arrived to a solution. He said they can continue to discuss this in the future and work toward arriving on an agreement.

Mike Cooper said they were all for partnering with the City if they can arrive to an agreement where they can work together. He said they would like to know to what extent the City would like to work with them and at the same time they would like to work with the City. He said this was for the community and this sports facility was doing a lot for the community. He also discussed the possibility of putting in an Olympic size swimming pool in that area, and suggested that perhaps the City, Orange County School Board, and Cooper Sportsplex could work together. He affirmed they were booked every weekend between now and the end of July.

Commissioner Dean said he would like for staff to work with Mr. Cooper and work on a plan.

Commissioner Bankson said there is a focus on health as well and perhaps Florida Hospital could be a player in this as well.

Commissioner Becker said the facility Mr. Cooper has is a beautiful facility. He stated he would like to entertain more detail on what is being proposed.

Mr. Irby suggested City Council give staff direction to start an investigation on this all the way up to costs of different projects they could do at this facility, then bring this information back to Council at a later date.

Mayor Kilsheimer said to come up with the general direction and possibilities, stating there was nothing wrong with having a conversation.

Commissioner Bankson said the swimming facility would be one item to pursue, and another would be hotel facilities due to the location to easily work with Field of Dreams on regional sports events.

### **MAYOR'S REPORT**

Mayor Kilsheimer reported the City does not have a written report on the Wastewater Treatment Plant, but they did have a verbal discussion with the outside engineering firm hired, Woodard and Curran. He reported what they have learned so far is that everything at the Wastewater Treatment Plant is both manageable and correctable. He advised there will be a written report forthcoming. He reiterated the City is committed to operating the Wastewater Treatment Plant with the highest regards for public health, public safety, and employee health and employee safety. He reported that he had another discussion with the Director of the Central District of the DEP this morning and reiterated there has been no harm to public health as a result of anything that has occurred at the Wastewater Treatment Plant.

**ADJOURNMENT** – There being no further business the meeting adjourned at 2:41 p.m.

\_\_\_\_\_  
Joseph E. Kilsheimer, Mayor

ATTEST:

\_\_\_\_\_  
Linda F. Goff, City Clerk



**Backup material for agenda item:**

5. City Council special meeting February 6, 2017.

## CITY OF APOPKA

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### **Minutes of a City Council special meeting held on February 6, 2017, at 9:00 a.m., in the City of Apopka Council Chambers.**

PRESENT: Mayor Joe Kilsheimer  
Commissioner Billie Dean  
Commissioner Diane Velazquez  
Commissioner Doug Bankson  
City Administrator Glenn Irby

ABSENT: Commissioner Kyle Becker

**PLEDGE OF ALLEGIANCE:** Mayor Kilsheimer led in the Pledge of Allegiance.

#### **DISCUSSION:**

Mayor Kilsheimer said this was a special meeting of the Apopka City Council to consider plans for the Lake Avenue Park. He advised our choice for the playground design needs to be submitted to KaBOOM!

Shakenya Jackson, Neighborhood Services Coordinator, advised there was a Design Day meeting held on January 24, 2017. Based on the designs illustrated by the children, KaBOOM! was able to draw up three different concept designs. She said the committee is recommending City Council accept Design A. She stated this design offers many different play opportunities and she reviewed photos of the three designs. She said many of the children requested a zip line and KaBOOM! did find a monorail that was included in each of the designs. They also wanted a rock wall and this was incorporated in Design A. It also has a ripple bridge, spin cup, triple racer slide, a play dozer for the smaller children, music store, and a tire swing. She did contact KaBOOM! to inquire if the tire swing could be changed out and have two swings. She advised this was an option.

Commissioner Velazquez said she attended the Design Day and the three teams there agreed upon Design A. She affirmed she was for Design A as it provided everything the three teams wanted.

Commissioner Bankson said he would prefer the two swings over the tire swing.

Commissioner Velazquez said during the group meetings, they felt the tire swing would bring more children together playing as opposed to being restricted to two swings.

Mayor Kilsheimer said in research as it relates to play and children, this park will encourage unconstructed play. Unconstructed play is how children learn how to work things out with each other. He felt the tire swing would be a perfect example of unconstructed play.

Commissioner Dean inquired if each of these stations will be installed in a concrete base.

Dr. Jackson responded in the affirmative.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to pick Design A. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, and Bankson voting aye.**

**ADJOURNMENT** – There being no further business the meeting adjourned at 9:12 a.m.

\_\_\_\_\_  
Joseph E. Kilsheimer, Mayor

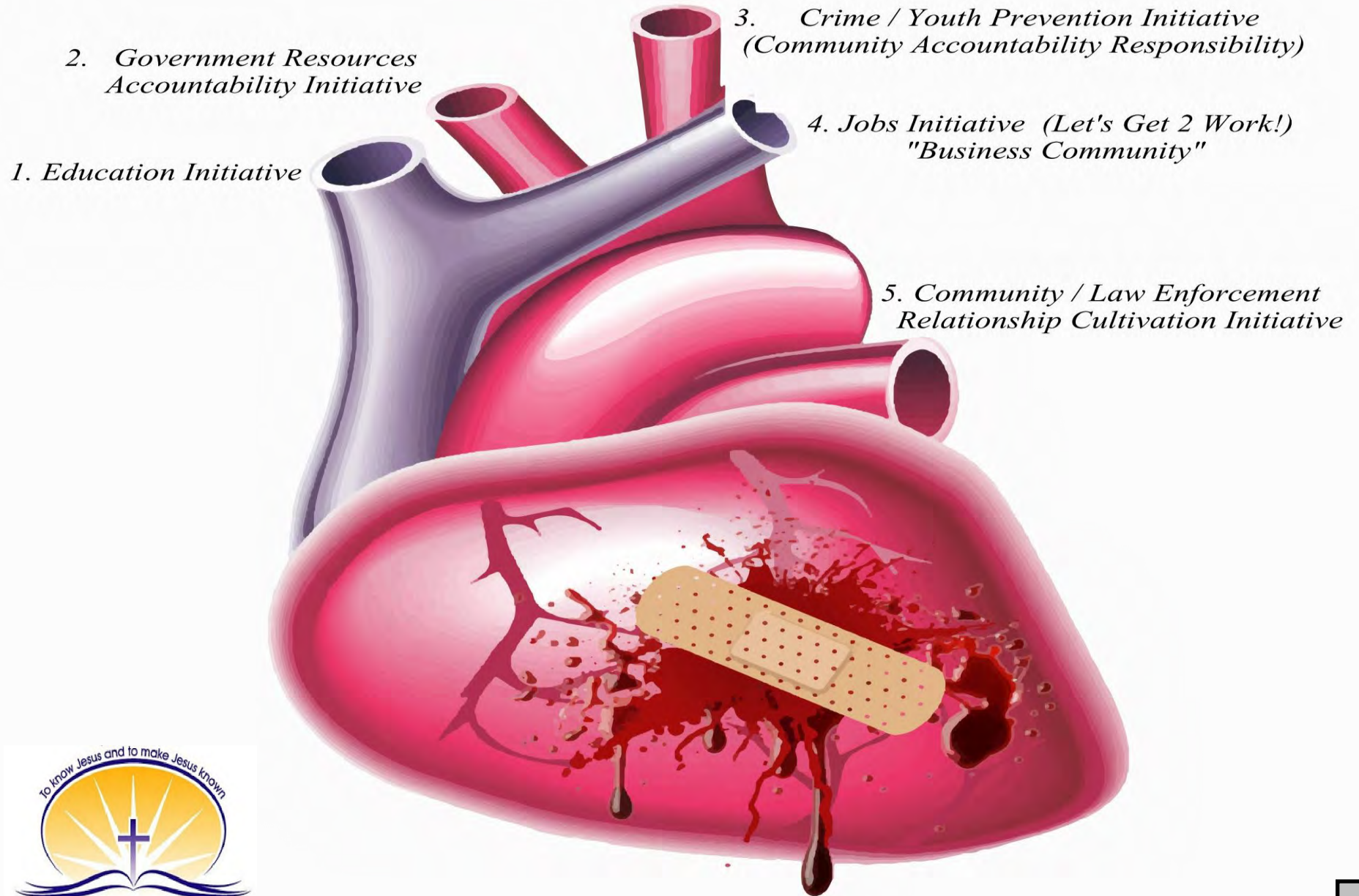
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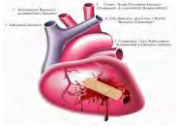
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Linda F. Goff, City Clerk

**Backup material for agenda item:**

1. Task Force on Violence presentation. Rod Love

# 5 Artery High Risk Community Biopsy Apopka Taskforce on Violence Summary Synopsis

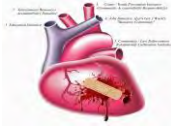




## *Apopka Task Force on Violence Community Biopsy*

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# ***Apopka Task Force on Violence Community Biopsy***

*Apopka Community Taskforce on Violence / Apopka Ministerial Alliance Leadership*

## ***Acknowledgements***

**Chief Strategist: Rod Love** (407) 925-1077 [comsg@comsg.net](mailto:comsg@comsg.net)  
**Task Force Co-Chair** CSG Tech-Solutions  
Business Owner

**Strategist: Randy B. Nelson, Ph.D.** (850) 567-0536 [nelsonr@cookman.edu](mailto:nelsonr@cookman.edu)  
**Task-Force Facilitator Expert** Bethune-Cookman University  
Criminal Justice Program

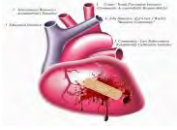
**Strategist: Gregory A. Jackson, Esq.** (321) 287-8807 [gjackson@conroysimberg.com](mailto:gjackson@conroysimberg.com)  
**Task Force Legal Advisor** Conroy Simberg, P. A.

Special Thank you to:

<b>Retired O.C.S O. Captain</b>	~	<b>Task Force Co-Chairman Ken Wilson</b>
<b>Orange County Commissioner</b>	~	<b>Bryan Nelson - Task Force Advisor</b>
<b>Apopka Faith Ministerial Alliance</b>	~	<b>Pastor (s) Bradford, King &amp; Morgan</b>
<b>Apopka Task Members</b>	~	<b>Member List (Available Upon Request)</b>
<b>The Apopka Police Department</b>	~	<b>Chief Michael McKinley</b>
<b>The Orange County Sheriff's Office</b>	~	<b>Sheriff Jerry Demings</b>
<b>The Apopka Community</b>	~	<b>Citizen Participation</b>

<b>Special Recognition:</b>	~	<b>U. S. Attorney Roger Handberg</b>
	~	<b>Bethune-Cookman University</b>
	~	<b>(Criminal Justice Program Faculty &amp; Students)</b>
	~	<b>City Commissioner Kyle Becker</b>
	~	<b>City Commissioner Doug Bankson</b>
	~	<b>City Commissioner Billy Dean</b>
	~	<b>Former O.C. Commissioner Fred Brummer</b>
	~	<b>Andrea Nelson, Esq. - Nelson Law Firm</b>
	~	<b>Orange County Government</b>
	~	<b>(Community Action)</b>
	~	<b>Iberia Bank</b>

<b>Public Awareness Recognition:</b>	~	<b>The Apopka Voice</b>
	~	<b>The Apopka Chief</b>
	~	<b>Channel 9 News (WFTV)</b>
	~	<b>The Orlando Sentinel</b>



*Apopka Task Force on Violence Community Biopsy*

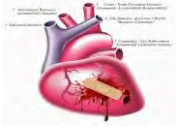
# *Task-Force*

## *Summary*

### *Recommendations*





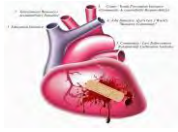


## ***Apopka Task Force on Violence Community Biopsy***

A community often consists of people of different ethnicity, race, religion, caste, gender, health, wealth, and sexual orientation. Although communities may differ depending on the influence of culture and modernization, there are some similarities in the challenges they encounter. Apopka is no different, the community focus groups coordinated by the task force identified problems and potential solutions relative to these challenges. The problems identified include mistrust between law enforcement and the community as well as a lack of jobs, education, self-identity, moral grounding, and spirituality. However, in addressing these challenges, it is important to examine and recognize long-term solutions. Therefore, this report seeks to provide specific recommendations related to education, crime, employment, moral grounding, and self-identity.

As a result of several community focus groups which included community residents, victims of crime, business owners, law enforcement, faith and community leaders. The community focus groups were facilitated by Bethune-Cookman University faculty and students. As a result of the input gathered from the community focus groups a five (5) Artery High-Risk community biopsy was conducted and the following prescriptive recommendations were offered.

- A. Improve Community Safety (reduce crime and delinquency);
- B. Improve relationships between law enforcement and community residents;
- C. Provide an environment and venue conducive to the development of employability skills necessary for gainful employment;
- D. Create jobs; and
- E. Improve educational and vocational opportunities.



## ***Apopka Task Force on Violence Community Biopsy***

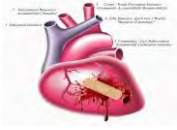
### **EDUCATION INITIATIVE**

The need to allow parents to decide the best educational environment to allow their children to thrive academically must be a major priority. To this end, evidence based best practices and school choice programs should be considered to ensure children residing in impoverished crime ridden communities are afforded quality educational opportunities. A one size fits all approach must give way to innovative strategies in the administration of quality educational services for high-risk students and their unique challenges.

Introduce and implement an educational approach that recognizes the critical importance of **Grades, Behavior and Attendance (GBA)**. Research has shown students who achieve in these areas (GBA) are less likely to become delinquent or drop-out of school. In contrast, students with poor GBA histories are more likely to become delinquent and subsequently penetrate further into the adult criminal justice system. A large segment of the 100,000+ inmates in the Florida Department of Corrections 2+ billion-dollar tax payer supported penal system have prior juvenile delinquent histories.

Expanding the accessibility of community based educational services, i.e., afterschool tutoring and G.E.D. services is an effort to increase positive educational outcomes for youth and young adults residing in high-risk community. The lack of quality educational support services negatively impact student learning outcomes. Students from low income families and communities, similar to some of the high-risk neighborhoods in Apopka and Pine Hills would benefit from expanding educational support opportunities through the utilization of existing underutilized faith and community based institutions. These services would be afterschool tutoring, parental support guidance, mentoring, etc.)

These institutions can serve as a support to students, parents and local schools in the effort to ensure positive educational outcomes. Improving teacher, student, and parent relations is a crucial to improving the effectiveness of education in a community. When teachers and group of students have good relationship, both the teacher and students enjoy teaching and learning more. When schools prove to be chronically failing, parents should have the option to choose better performing schools for their children regardless of whether private or public schools.



## ***Apopka Task Force on Violence Community Biopsy***

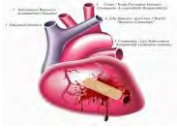
Thus the following should be considered:

1. Examine the feasibility of implementing evidence based school choice opportunities for high-risk youth attending low performing schools;
2. Provide funding for faith and/or community based afterschool tutoring programing;
3. Provide funding for gender specific mentoring services;
4. Increase the utilization of pre K services for qualified children residing in high-risk communities.

### **GOVERNMENT RESOURCES ACCOUNTABILITY**

The equitable distribution of government resources is critical to impacting the lives of residences, especially in high-risk communities. Government accountability includes the following:

1. Provide economic development and home ownership opportunities for the affected community residents through the utilization of the “Community Redevelopment Act” (CRA), which was established to address the “slum” and “blighted” areas through redevelopment strategies that may include infill / affordable housing programs, small business grants, public-private partnerships to create jobs, etc.;
2. Ensure representation of all tax payers inclusive of jurisdictions affected by crime and poverty;
3. Limit the growth and reach of government as it relates to tax increases; and
4. Institute an equitable formula as it relates to infrastructure development irrespective of race and/or socio-economic status.

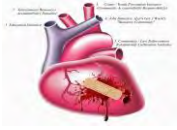


## ***Apopka Task Force on Violence Community Biopsy***

### **CRIME / YOUTH PREVENTION INITIATIVE**

As a result of the Task Force on Violence community workgroups, there were many opinions expressed regarding the issue of violence within the community based on the feedback which is reflected in the community work papers. It was expressed that when adequate resources are directed and focused within the affected communities, the calls for law enforcement services and response to school based on misbehavior were reduced. This is a measurable indicator that provides a return on tax payer dollars which reduced referrals to juvenile justice entities as well as child welfare organizations due to abuse and/or neglect. It is requested that state and local government support the following areas:

1. Juvenile delinquency prevention funding;
2. Adult probation jobs training and coaching community based re-entry indoctrination;
3. Institute a “Neighborhood Accountability Board” (NAB) and Civil Citation Programs;
4. Gang interdiction funding for local programming;
5. Substance abuse counseling services; and
6. Mental Health counseling services.
7. Develop foster home capacity of high risk communities for at-risk behavioral modality youth as an alternative to transitioning into delinquency more costly modalities; and



## *Apopka Task Force on Violence Community Biopsy*

### **JOBS INITIATIVE**

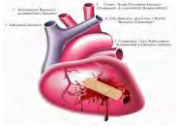
Common themes expressed through out each of the community workshops included poverty, the willingness and acceptance of employment opportunities as an alternative to idled time, susceptibility of the use and/or abuse of illegal substances, and succumbing to negative peer pressure.

There are several reasons given for unemployment, including the lack of vocational skills and soft skills development in addition to the lack of personal motivation. This is true for adults and age appropriate youth.

The following recommendations were offered:

1. Provide community based funding to create job coaching and workforce development services for at-risk youth and young adults, (i.e., - juvenile/adult probation workforce development initiatives that are community based);
2. Provide funding for community based job training and placement assistance;
3. Secure financial support from Career Source to implement community based level job training and coaching; and
4. Funding for youth aging out of foster care specifically for jobs training and placement services.

***“Jobs/Employment changes behavior”***

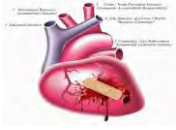


## ***Apopka Task Force on Violence Community Biopsy***

### **COMMUNITY & LAW ENFORCEMENT RELATIONSHIP**

To promote and improve community and law enforcement relationships, the task force is requesting state funding from the Department of Community Affairs to support law enforcement agencies serving the Apopka and Pine Hills Community. This funding will be designated to support citizen driven and community-based entities that will work collaboratively with law enforcement to achieve specific goals and objectives related to developing a culture of communication. This will result in increased community safety, collaboration and decrease in unsolved crimes.

Community policing encourages law enforcements participation as a valuable community stakeholder which establishes a heightened professional familiarity with community residents and promotes a proactive exchange of communication with the public. With community policing, the emphasis is on preventing crime before it happens, not responding to calls for service after a crime occurs. Community policing has numerous benefits to include bringing the community together, deterring crimes, educating the community, increasing commitment to the community, changing perception, and building a culture of trust between community residents and the law enforcement. Open dialogue is critical to the successful implementation of a community policing approach. It allows members of the community to better understand the duty-bound actions of law enforcement which may assist in diminishing the historical view of being negatively profiled, abuse of authority, disrespected, and the sense of being publicly humiliated during lawful stops. This approach is predicated on community residents sense of obligation of abiding by the laws of the land, respecting the legal authority of law enforcement and understanding the overall end objective of any interaction with law enforcement for both parties involved in, ***“Surviving the Stop”***.



## ***Apopka Task Force on Violence Community Biopsy***

### ***Summary Legislative Request:***

The Community Taskforce on Violence and Apopka Ministerial Alliance has taken a position to be responsive in the delivery of services that directly impact their community. It is further believed that faith & community based organizations can better deliver these services with a greater return on investment. Upon reviewing the legislative priorities of the Governor, Florida House and Senate leadership, it is believed this legislative proposal is of local and statewide interest and therefore humbly request the support and assistance to ensure real and measurable outcomes are achieved through this innovative legislative funding request.

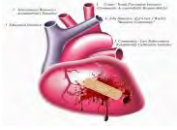
It is requested that legislative support be given to this holistic and first of its kind state legislative budget request (LBR) that has significant statewide interest and implications relative to combating issues that are NOT unique to Central Florida. In an effort to ensure that there is local investment in securing a return on taxpayer investment (ROI), this initiative will also be requesting a twenty (20%) percent match from the two affected local government municipalities based on a pro-rated share of jurisdiction (see below).

### ***State Government Legislative Appropriations Request:***

➤ Department of Juvenile Justice Funding	\$250,000.00
➤ Department of Children & Families Funding	\$250,000.00
➤ Department of Education Funding	\$250,000.00
➤ Department of Elder Affairs Funding	\$250,000.00
➤ Department of Corrections Funding	\$250,000.00
➤ Department of Health Funding	\$250,000.00
Total:	<b>\$1,500,000.00</b>

### ***Local Governments 20% Matching Funds Request:***

➤ City of Apopka	(55%)	\$165,000.00
➤ Orange County Government	(45%)	\$135,000.00
		<b>\$300,000.00</b>



## ***Apopka Task Force on Violence Community Biopsy***

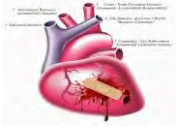
It is requested that the funding allocation from each of the aforementioned agencies be journal transferred (JT'ed) to the Department of Economic Opportunity as the umbrella agency to administer funding for this legislative request. It is understood that each state agency may have different reporting standards and if this request is approved, adherence to each respective agency's reporting standards will be maintained.

In anticipation of the Apopka Task Force's requested legislative appropriation being approved by the Florida State Senate and House, and subsequently approved by the Governor, a high quality and reputable *not-for-profit* organization will serve as the fiscal agent.

This initiative will establish measurable thresholds to determine the ROI, as well as, the performance of a mid and annual year evaluations. Each funded area will also be mandated to participate in at least one (1) quality assurance examination to ensure service delivery best practices are being executed as well as to explore and document unrealized service delivery innovations.

Thank you for your serious consideration of, ***“Making High-Risk Communities Great!”***





*Apopka Task Force on Violence Community Biopsy*

**Task-Force**

**Subject Matter**

**Workpapers**

## Apopka Taskforce on Violence Recommendations

### ***1.) Strengthen the relationship and bond between law enforcement and the community***

A consistent concern expressed during all three (3) of the community focus group sessions was the need to improve the relationship between law enforcement and the community. To this end, it is recommended that specific and targeted training involving community residents and local law enforcement professionals (city and county). It is further recommended that the proposed training be delivered in three distinct but related phases. The three phases are outlined below.

#### *1. Education Initiative*

**Phase 1: Community Residents** - This training is designed to examine and address the mistrust by the community as it relates to law enforcement. The training will examine perceptions and attitudes of the community towards law enforcement from an historical perspective. Training participants will be provided an in-depth overview of the hiring process and training of law enforcement professionals. The training will also explore the goals and objectives of law enforcement in delivering services to the community. Participants will also participate in role playing scenarios depicting the situations law enforcement professionals encounter while serving the community. The purpose of this training component is to provide community residents with a understanding of the role and perspective of law enforcement professionals in ensuring the safety of the community.

**Phase 2: Law Enforcement Professionals** - This training is designed to introduce and provide effective interpersonal communication strategies for law enforcement professionals. The training will include an examination of barriers to effective interpersonal communication as well as de-escalation strategies to resolve or prevent communication conflicts. Training participants will explore the influence of individual cultural rules, values, and beliefs on human interactions and perceptions. The training will also seek to promote the importance of mutual understanding and respect between law enforcement and the community.

**Phase 3: Community Members & Law Enforcement Professionals**- This training is designed to provide community residents and law enforcement professionals with an understanding and awareness of each other's role in ensuring the safety and security of the community. The training will focus on enhancing the mutual accountability and responsibility between law enforcement and the community in order to provide a safe environment for the children and families of Apopka.

**It is further recommended that consideration be given to the utilization of private security resources in documented and persistent high crime areas.** Personnel must be well trained in the area of community engagement and solution oriented services. This strategy may prove to be a cost-effective approach in the effort to increase public safety in high crime and disadvantaged areas. Private security visibility can serve as a deterrent and provide extended eyes and ears in the high-risk communities.

## **2.) Promote jobs**

### **Neighborhood Youth & Adult / Juvenile Probationer Workforce Development Initiative:**

1. Governor Scott has invested tax payer dollars as well as his own political capital in building his reputation as **"Florida's Jobs Governor"**. He has been successful in creating 1 million plus jobs over the past 6 years. We encourage a similar focus on business development and job creation targeted towards high-risk neighborhoods. Various studies show that viable employment curbs violent behavior and we would highly encourage and invite a similar focus of business development and job creation targeted in high-risk neighborhoods. Employment is denoted as a positive risk factor that impacts the susceptibility of criminal and delinquent behavior in impoverished communities. Several factors impacting viable employment opportunities in high-risk communities are presented below.
  - a. High-risk neighborhood youth are in desperate need of soft skills training that would provide critical skill sets. This was a common theme discussed during the taskforce community workshop sessions. Both youth and adults expressed a concern about the increased acts of crime, specifically violent crime.
  - b. Adult and juvenile probation offenders are also a target population residing in high-risk communities and in need of soft skills job training, job coaching and job placement services.
  - c. Community Redevelopment Act (CRA) resources should be utilized to support the various designated areas within the CRA boundaries. CRA support will make available resources such as cost free community center access to hold community meetings, and other related events.

## **3.) Promote and Encourage Educational Achievement**

One of the major themes during the Apopka Taskforce youth focus group forum was the lack of educational support at home and sometimes, at school. Some of the youth also expressed a concern that many of their fellow students exhibited little or no interest in school. Current and past research points to the relationship between the lack of educational achievement and delinquency involvement.

Currently, disadvantaged children and their families have less opportunity to experience complementary learning than their more affluent peers. Thus, they do not experience the rich set of learning opportunities that research suggests is essential to positive learning and developmental outcomes, which further widens the achievement gap. This is also true for family involvement, where we see differential patterns in involvement based on socioeconomic factors as well as educator outreach. The same applies to access and participation in after-school and summer learning programs, where we see differences in participation based on socioeconomic status.

As a means to supporting family engagement and children's learning, it is crucial that programs implement strategies for developing partnerships with families (Henderson & Mapp, 2002). These strategies should be appropriate for the diverse population programs serve and reflect a commitment to outreach (Colombo, 2006; Crawford & Zygouris-Coe, 2006). A systemic approach to supporting the role of families in their children's learning is essential. Parents who are involved early and throughout school years have children who are more likely to enter school ready to succeed and to graduate and go to college. Further, families play a critical role in accessing and sustaining participation in a network of quality learning supports. Many families lack the social and political capital necessary even to know about, let alone make good choices in, learning opportunities for their children. Thus, a systemic approach to family involvement is one that helps families understand the value of continuous learning of all kinds and offers the network of supports necessary for that learning.

To address the issues related to the lack of educational support and achievement among at-risk youth residing in the Apopka community, the following recommendation is offered.

- a. Solicit the support of local faith and community-based agencies to implement afterschool educational programs. Given the fact that these institutions have historically served communities and neighborhoods plagued by crime, delinquency, and educational deficits, they can and should play a more vital role in addressing these issues identified by the taskforce. While it is customary for faith institutions to serve its congregation on Sundays, the need for these institutions to provide educational and youth development support during the week is needed now more than ever before. It is therefore recommended that increased efforts and funding be directed to local faith and community-based organizations to target high-risk youth and neighborhoods within the Apopka community.

#### **4.) Provide Delinquency and Crime Prevention Services (Mentoring, Sports, & Arts)**

The Apopka Violence Prevention Taskforce was created out of a growing community concern for the alarming rise in homicides in Apopka at the beginning of 2016. The issue of crime and violence in specific areas of the Apopka community emerged as a topic of discussion during each of the three (3) community focus groups hosted by the taskforce. According to the information obtained during the focus groups, it was consistently recognized that high levels of crime and violence negatively impacted family stability, community safety, and meaningful employment opportunities. The need to adequately address crime, violence, and delinquency is critical to improving the life choices and chances of youth and young adults residing in Apopka. The notion that there is a singular solution to addressing the multifaceted issues associated with crime and violence is naive. Such a view tends to lead to a Band-Aid approach that ultimately fails due to a lack of understanding the true underlying issues. For this reason, the following multidimensional recommendations obtained from the taskforce are offered.

1. **Provide intentional, targeted, and structured mentoring opportunities for youth and young adults residing in high-risk neighborhoods.** The Social Learning Theory holds that behavior occurs as a result of the interplay between cognitive and environmental factors. Noted scholar Albert Bandura theorized that behavior is learned from the environment through the process of observational learning. Children observe the people around them behaving in various ways.

**It is recommended that consideration be given to implementation of the Situational Environmental Circumstances (SEC) Mentoring Model.** The SEC Mentoring Model is rooted in the Social Learning Theory. The modeling process by which individuals learn through observing others, intentionally or accidentally, serves as the underpinning for the SEC Mentoring Model. The SEC is premised on the fact that the selected mentors (college students) will typically hail from the same or similar environments and family structures as the youth being mentored. This shared life experience makes the mentors uniquely qualified to serve as role models. Providing mentees a model of how a young person should conduct themselves in various settings (school, family, community, etc.) is consistent with the principles of the Social Learning Theory. The SEC Mentoring Model is currently being implemented under the auspices of the Florida High-Risk Youth Delinquent and Dependent Youth Educational Research Project. The project is managed by Florida State University and includes project sites at each of Florida's Historically Black Colleges and Universities, as well as, other higher learning institutions.

2. **Implement structured prevention and intervention programs in the Apopka community. Such programs should include Neighborhood Accountability and Civil Citation Programs.** Identifying and preventing youth who are at greatest risk of system involvement or effectively intervening with youth at the initial stage of juvenile justice system involvement is critical to community safety. Research has

shown the earlier a youth becomes involved in the delinquency the greater the chances of continued system involvement as an adult. The Neighborhood Accountably Program (NAB) focuses on youth who have not been formally identified by law enforcement as a delinquent youth, but who displays behaviors that may place him/her at high-risk of delinquency involvement. In contrast, the Civil Citation Program seeks to intervene with youth who have been identified as delinquent. However, the youth is given the opportunity by law enforcement to avoid being formally processed and entered into the juvenile justice system if the youth completes agreed upon sanctions. Both programs are community-based and require structured community-based services. Many of these institutions have established relationships in the community. Given that faith- and community-based organizations tend to be located in or near high-risk areas, these institutions can be ideal partners in the delivery of prevention and intervention services offered by Neighborhood Accountably and Civil Citation programs.

3. **Increase opportunity and support for youth to participate in extracurricular activities, to include sports and the arts.** Youth that are involved in extracurricular activities are less likely to engage in delinquent behavior. After-school hours are the peak time for juvenile crime and risky behaviors such as alcohol and drug use. Most experts agree that after-school programs offer a healthy and positive alternative. Research has supported the notion that the type of daily activities that one partakes in and the peers around them can affect involvement in delinquency. Structured after-school activities have the presence of organization while creating specific roles that can make adolescents responsible for social control and offer fewer opportunities for delinquency. Such programs also tend to include character development and positive youth development opportunities. (Burton & Marshall, 2005; Landers & Landers, 1978; Osgood et al., 1996).
4. **Increase efforts to engage faith- and community-based organizations in the delivery of the services identified in recommendation #1, #2. And #3 above.** As previously noted, these institutions tend to be located in or near high-risk areas, these institutions which makes them ideal partners in the delivery of prevention, intervention, character development, and extracurricular services.

## 5) ***Community & Government Accountability***

### **Community Accountability:**

High-Risk community residents have expressed concerns about the increased acts of crime. Unfortunately, the psychological affects of the prevalence of violence in high-risk communities is all too often not diagnosed to the extent that post-traumatic stress disorders (PTSD) go untreated thus exacerbating the issues of violence.

To increase **Community Accountability** the follow must be addressed.

- a. High-Risk community residents interested in taking ownership of what happens in their community should receive sustainable supports, such as cost free community center access to hold community meetings, with specific goals and community targeted agenda items to address.
- b. High-Risk communities must embrace and develop a culture of communication and disclosure with reporting what they believe to be law violations to area law enforcement. This law abiding culture of communication must permeate throughout the community at every age, gender, and ethnicity level.

**Government Accountability:**

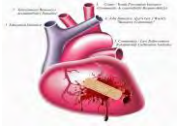
The issue of government accountability for Apopka is both unique and complex in that the lack of such accountability appears to contribute directly to certain problems within the City. The two major issues are.

- a. The first example is the historic case of Dowdell v. City of Apopka, where Charles R. Scott, Senior District Judge with the U. S. District Court for the Middle District of Florida, ruled in the favor of the plaintiffs in a class action lawsuit based on racial discrimination against the City of Apopka. The class of plaintiffs consisted of African-American residents of an area known as South Apopka. Judge Scott found disparities in the distribution of resources to African-American residents. As such, South Apopka residents were not receiving services related to: 1) paving & maintenance of streets; 2) storm water drainage facilities, 3) water distribution system; 4) Sewerage facilities; and 5) park recreational facilities.
- b. The second, is the interlocal agreement between Orange County and City of Apopka regarding annexation. Orange County Government has initiated several community based initiatives to address issues that impact disparity, which again the Task Force contends these disparities contribute to violence, poor education, as well as the lack of jobs and economic development opportunities. Economic development or redevelopment efforts would promote the creation of economic growth opportunities, which in turn would address the root causes of violence in the community. Critical opportunities to promote such economic growth exists with the Apopka Community Redevelopment Agency (CRA), which pursuant to Chapter 163, Part III, was created to address “slum” and “blighted” areas, as well as provides the ability to support community policing programs and promote public-private partnerships to establish opportunities for economic growth in the underserved portions of the City through the use of CRA funds.

The need exists to utilize a triage approach to prioritize the utilization of CRA funding to divert its use away from non-essential items, such as streetscapes, when these resources could be put to better allowable uses to develop small businesses, increase community policing programs, or provide affordable housing options through infill or first time homebuyer assistance programs within the CRA boundaries. As one example, to facilitate greater community pride and participation, which will in turn promote much needed economic development and redevelopment opportunities, the Apopka CRA funds could be used to create an infill housing program that will identify areas where affordable housing may be instituted to provide funding to first-time home buyers or qualified residents for down payment assistance. Infill housing programs can effectively improve the conditions of the residents, as well as attract small businesses and/or corporations into the area to ignite the engine of economic growth and development. Should it be found that the Apopka CRA Plan does not address the specific needs of the community to address the “slum” and “blighted” areas, efforts should be undertaken to amend the CRA Plan as permitted by Chapter 163, Part III.

Lastly, a critical review of fair and competitive government contracting that would provide greater financial opportunity for small area businesses to grow and create jobs within the local community. This is inclusive of allowing local businesses to compete for tax payer dollars thus providing a path forward for women, minority, and veteran owned businesses. *\*Note: Orange County Government has a highly-recognized minority business certification initiative that **does not fund a special set aside** for minority businesses. Despite not having a special fund for minority businesses, Orange County Government has a demonstrated history of small business success that warrants duplication in the Apopka community that would directly impact high-risk communities. An additional benefit to Orange County’s CBE initiative, is that it incentivizes “prime contractors” to partner with “Certified Women, Minority & Veteran owned businesses” by awarding additional points scored on bid solicitations to secure tax-payer government contracts.*





*Apopka Task Force on Violence Community Biopsy*

# *Community Input*

## *Workgroups*

### *Matrix (s)*

*May 24, 2016*

# Community Listening Tour

## May 24, 2016

### Group #1

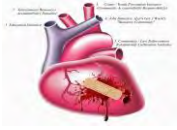
Problem	Solution
❖ Lack of identity, not knowing yourself	<ul style="list-style-type: none"> <li>❖ Reintroduce the Bible</li> <li>❖ Create more connections between the home and the institutions of learning.</li> </ul>
❖ Lack of Respect	<ul style="list-style-type: none"> <li>❖ Educate the community on the effects of selling drugs to the community.</li> <li>❖ Educate the community on the harmful effects of making illegal activities the norm.</li> </ul>
<ul style="list-style-type: none"> <li>❖ Lack of Education               <ul style="list-style-type: none"> <li>○ Ex. Systemic Racism in the schools and in the workforce</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Provide a full education, including those sectors that are not so pretty to the reputation of America.</li> <li>❖ Students need to see themselves in the school system.               <ul style="list-style-type: none"> <li>○ Ex. Inspirational Speakers, Administrators, etc. should be of all types of genders and ethnic backgrounds.</li> </ul> </li> <li>❖ City leadership and community need to do more to help themselves and the children in the community.</li> </ul>
❖ People don't speak out when they see or hear about crime.	<ul style="list-style-type: none"> <li>❖ Be preventive               <ul style="list-style-type: none"> <li>○ Ex. When you see something, say something.</li> </ul> </li> <li>❖ Be more outspoken on crime</li> <li>❖ Look for more opportunities to bring about social justice to counteract the social injustice.</li> <li>❖ Partner with city officials to discover how to bring about the best and lasting change.</li> </ul>
❖ Low employment and skills to be employed	<ul style="list-style-type: none"> <li>❖ Job training</li> <li>❖ Better paying jobs</li> </ul>
❖ Not enough artistic programs: Redefine realism	<ul style="list-style-type: none"> <li>❖ Create more talent oriented programs               <ul style="list-style-type: none"> <li>○ Ex. Art, Acting, Production, etc.</li> </ul> </li> </ul>
❖ Lack of spiritual involvement in schools	❖ Address many issues with the inclusion of how the Bible disciplines issues.
❖ Child Care too expensive	❖ Grants for child care
❖ Education too costly	❖ Development of more scholarships
❖ Working relationship between government and community	<ul style="list-style-type: none"> <li>❖ More politicians volunteering</li> <li>❖ Removal of barriers regarding socioeconomics</li> </ul>
❖ Work together to fix issues in the community.	<ul style="list-style-type: none"> <li>❖ Help one another</li> <li>❖ Support one another</li> </ul>
❖ Inability to use facilities	❖ Lower cost of local and community buildings
❖ Diversity	❖ Employ more ethnically diverse persons in the community
❖ Community Residents	<ul style="list-style-type: none"> <li>❖ Residents say something and do something against crime</li> <li>❖ Look inward for agents of change.</li> <li>❖ Outsource opportunities of change.</li> </ul>

**Community Listening Tour**  
**May 24, 2016**  
**Group #2**

Problem	Solution
<ul style="list-style-type: none"> <li>● Toxic Culture in Community            Toxic: Distrust b/w Police &amp; Community            Fear Of Retaliation            Ex: Witnesses not speaking on Crime</li> </ul>	<ul style="list-style-type: none"> <li>● Change of Mindset of Youth            - Teach Empathy, Remorse, &amp; Respect in Elementary school</li> <li>● More Community gatherings b/w Law Enforcement &amp; Citizens</li> <li>● Enforced prosecution to make citizens feel more safe and to prevent others from committing the same crime</li> </ul>
<ul style="list-style-type: none"> <li>○ Lack of Self Identification of individuals who commit crimes</li> </ul>	<ul style="list-style-type: none"> <li>○ Educate them on who they are, where they came from &amp; their purpose</li> </ul>
<ul style="list-style-type: none"> <li>▪ Violence</li> </ul>	<ul style="list-style-type: none"> <li>▪ Schools have workshops to interact with other schools in a positive manner</li> </ul>
<ul style="list-style-type: none"> <li>❖ Parental Discipline</li> </ul>	<ul style="list-style-type: none"> <li>❖ Clear understanding of the difference between Abuse and Discipline</li> </ul>
<ul style="list-style-type: none"> <li>✓ No Understanding of Faith and God</li> </ul>	<ul style="list-style-type: none"> <li>✓ More Church Involvement</li> <li>✓ Community Leaders reaching out more often (Once a month)</li> <li>✓ Religious Leaders of churches engage with the school system to build relationships</li> <li>✓ God as a behavior modification</li> <li>✓ Tangible guidance</li> </ul>
<ul style="list-style-type: none"> <li>➤ No Job opportunities</li> </ul>	<ul style="list-style-type: none"> <li>➤ More resources need to be available</li> <li>➤ Identify specific children with behavioral challenges and open up opportunities for them specifically (mentoring, jobs, etc)</li> </ul>
<ul style="list-style-type: none"> <li>➤ Not enough Guidance</li> </ul>	<ul style="list-style-type: none"> <li>➤ More mentoring programs</li> <li>➤ More leaders willing to help &amp; implement values to these youths</li> <li>➤ More male involvement</li> </ul>

**Community Listening Tour**  
**May 24, 2016**  
**Group #3**

PROBLEMS	SOLUTIONS
❖ STANDING ON THE SIDES OF THE STREETS	❖ JOBS ❖ EDUCATION ❖ HOUSING ❖ CORDINATING RESOURCES
❖ BEING AFRAID OF POLICE OFFICERS	❖ BUILDING RELATIONSHIPS WITH POLICE
❖ ACTIVITIES FOR YOUTH	❖ ACTIVITIES FOR THE YOUTH THAT ARE ACCOMPANIED BY
❖ PARENTING (BEING EDUCATED)	❖ CLASSES EDUCATING PARENTS ON SOCIETIES PROBLEMS (VALUES)
❖ COMMUNITY OUTREACH	❖ MORE ACTIVE EVENTS
❖ YOUTH EMPLOYMENT	❖ MORE JOB OPPORTUNITIES
❖ UNSOLVED MURDERS	❖ BUY INTO COMMUNITY
❖ LOW STANDARDS	❖ BIBLE BASE
❖ LACK OR IDENTITY	❖ UNDERSTANDING WHO YOU ARE



*Apopka Task Force on Violence Community Biopsy*

# *Community Input*

## *Workgroups*

### *Matrix (s)*

*June 23, 2016*

**Apopka Youth Focus Group  
Education/Employment  
Group #1**

Problem	Solution
<ul style="list-style-type: none"> <li>❖ Lack of Community Involvement</li> </ul>	<ul style="list-style-type: none"> <li>❖ Build more community centers around the area and make them accessible to the youth in community.               <ul style="list-style-type: none"> <li>• Volunteering</li> <li>• Give a Voice to voiceless by dealing with social injustice.</li> <li>• Food Bags</li> <li>• Toy Drives</li> <li>• Annual Carnival</li> <li>• Tutoring Programs</li> <li>• Library with access to books for all</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>❖ Crime in Community               <ul style="list-style-type: none"> <li>• Jobless</li> <li>• School Drop-outs</li> <li>• Idle-time and nothing to do</li> <li>• Lack of Supporting adults</li> <li>• Drug and Gang Violence</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Summer Camps</li> <li>❖ Mentoring Programs</li> <li>❖ Engage youth at early age</li> </ul>
<ul style="list-style-type: none"> <li>❖ Negative View of Youth (All of the youth stated that overall they feel as though the community and its leaders sees youth in a negative light, 4/4)</li> </ul>	<ul style="list-style-type: none"> <li>❖ Volunteering</li> <li>❖ Community Activities</li> <li>❖ Put programs in to place and keep them around so youth can stay active.</li> <li>❖ Share responsibility in the good as much, if not more, than the negative.</li> <li>❖ Show more positive images of the youth.</li> </ul>
<ul style="list-style-type: none"> <li>❖ Teachers don't want to teach               <ul style="list-style-type: none"> <li>• Lack of understanding</li> <li>• Negative attitudes that don't help the learning environment.</li> <li>- One student explained how in her school in the past school year 50 teachers quit.</li> <li>- Ratio of students who do care about school vs. those who don't: 20-30% to 70-80%</li> <li>- Ratio of teachers who care about teaching vs. those who don't: 80%-20%</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Provide more time for tutoring</li> <li>❖ Better attitude</li> <li>❖ More understanding</li> <li>❖ Engage in tactful ways to make students want to learn.</li> <li>❖ Teacher – student and student-student learning exercises.</li> <li>❖ Lessons for each learning style: Visual, kinesthetic, and auditory.</li> </ul>
<ul style="list-style-type: none"> <li>❖ Classroom               <ul style="list-style-type: none"> <li>• Negative peer influence</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Build Self-Esteem</li> <li>❖ Have teachers show that they care about their students.</li> <li>❖ Programs/ events that stress the importance of planning for the future.</li> <li>❖ Counselors initiate students to take Honors and AP courses, when they see that students have the potential and tools to succeed.</li> <li>❖ Provide benefits and rewards for being in AP/Honors like when notable events occur.</li> </ul>

<ul style="list-style-type: none"> <li>❖ Stereotypes in the media <ul style="list-style-type: none"> <li>• Hyper-masculinity due to disadvantaged communities (minorities)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Publish and show more positive images of minority young males and young males overall in the community.</li> <li>❖ Positive Reinforcement (Comment by adult onlooker of the group)</li> <li>❖ Provide more ways to highlight masculinity.</li> </ul>
<ul style="list-style-type: none"> <li>❖ Lack of family involvement <ul style="list-style-type: none"> <li>• Little to no expectations</li> <li>• Negative siblings</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Family is important in youth being successful or not being success.</li> <li>❖ Build self-motivation in youth</li> <li>❖ Mentors to serve as role models and parental figures</li> <li>❖ Parent/ Family Therapy: Learn better to do better</li> <li>❖ Positive siblings make for a positive influence</li> <li>❖ Negative siblings teach younger siblings to have self determination to do better</li> </ul>
<ul style="list-style-type: none"> <li>❖ Minorities are targeted most as it relates to crime and juvenile justice. <ul style="list-style-type: none"> <li>• Students stated that at about a 69% chance minorities are more likely arrested or the target of an arrest.</li> <li>• Lack of education due to many being drop outs.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Change stereotypes</li> <li>❖ Change the environment of youth and younger siblings</li> <li>❖ Educate the poor</li> <li>❖ Educate those who dropped out or think about dropping out.</li> <li>❖ Establish a means of sustainable and legal income</li> <li>❖ Teach time management skills</li> </ul>
<ul style="list-style-type: none"> <li>❖ Employment <ul style="list-style-type: none"> <li>• Lack of Experience</li> <li>• College vs. High School expectations among co-workers and employers</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>❖ Volunteering opportunities to build a skill set</li> <li>❖ Mandate a learning Strategies course: <ul style="list-style-type: none"> <li>• Mock Interviews</li> <li>• Resume building</li> </ul> </li> </ul>

**Apopka Youth Focus Group  
Education/Employment  
Group #2**

<b>Community</b>	
Question	Answer
<p>Does the community/neighborhood in which you live impact your chances of success?</p> <p>What things help youth be successful, and what things make it harder for them to be successful?</p> <p>If communities make it hard for students to be successful, what can or should be done about it?</p>	<ul style="list-style-type: none"> <li>❖ Completely true</li> <li>❖ Wealth plays a factor as well as schooling playing a role in education and essentially being more successful</li> </ul>
<p>Is there a lot, a little or a medium amount of crime in your neighborhood?</p> <p>What are some things that cause crime in your neighborhood?</p> <p>What can be done to address the crime issue?</p>	<ul style="list-style-type: none"> <li>❖ Neighborhood doesn't have a crime but school has a lot of drugs and gang affiliation</li> <li>❖ More involvement with students that cause the problems to bring awareness of the situation</li> </ul>
<p>How do you feel youth are viewed in your neighborhood? Positively?</p> <p>Negatively? Is there a stereotype, and if so, what is the stereotype?</p> <p>If people's perception of youth is negative, what can we do to improve the image of youth?</p>	<ul style="list-style-type: none"> <li>❖ Worked at Apopka middle &amp; the community problems were brought in the school and was reflected in student's behavior</li> <li>❖ Black students are automatically stereo typed and are already labeled "bad" students which causes them to be belittled</li> <li>❖ Empower them as teachers and administrators instead of putting them down</li> <li>❖ Choices/decisions determine success; environment doesn't define success</li> </ul>

<b>Family</b>	
<p>In what way does the family impact youths' chance of success? Why?</p> <p>What can be done to assist families in helping youth become successful and productive adults?</p> <p>Are certain youth more affected by family-related issues than other youth?</p> <p>If so, how, and how can these issues be addressed?</p>	<ul style="list-style-type: none"> <li>❖ Caring family plays an important role</li> <li>❖ Assistance doesn't guarantee the guidance needed for children because some parents do abuse it</li> <li>❖ More opportunities could be given to parents for children</li> </ul>
<p>What impact do older and younger sibling(s) (brothers(s)/sister(s)) have on the success of</p>	<ul style="list-style-type: none"> <li>❖ Looking up to elder's siblings is motivation and has a impact</li> </ul>



<p>youth?</p> <p>If siblings make it hard for some youth to be successful, what can or should be done about it?</p>	<ul style="list-style-type: none"> <li>❖ Empowerment and letting them know they can be different</li> </ul>
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## Crime and Juvenile Justice System

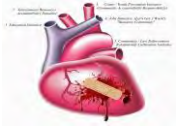
<p>Are certain youth more likely to be arrested for crimes than others? If so, why?</p> <p>What can be done to address this issue?</p>	<ul style="list-style-type: none"> <li>❖ People of color are targeted, stereotypes causes targeting to different races</li> <li>❖ Creating a trusting relationship between law enforcement and community</li> </ul>
<p>Do you feel that police; judges, probation officers etc. treat youth differently? If so, what group is treated differently, how and why?</p> <p>If you think some individuals are treated differently than others, do you have suggestions about how to solve this problem? What suggestions do you have?</p>	<ul style="list-style-type: none"> <li>❖ Apopka is divided and needs to be recognized to correct problems. South Apopka is high with crime for several factors</li> <li>❖ White individuals will be let off easily</li> </ul>

## Education

<p>What are some of the school-related (teachers, rules, peers, principal etc.) issues you feel have a positive or negative impact on the educational success of Black male youth?</p> <p>If there are things that help students in school, what should be done to expand those things? If there are things that have a negative impact on student success at school, what are solutions?</p>	<ul style="list-style-type: none"> <li>❖ In school aid for students is important, guidance and more one on one time with young black males</li> </ul>
<p>If you were a teacher what would you do differently to improve the academic success of students?</p>	<ul style="list-style-type: none"> <li>❖ It's personally hard as a teacher because students weren't motivated and I couldn't figure out how to effectively help that issue</li> <li>- Create trusting and strong influential relationships</li> <li>- It's hard for teachers because of testing and so many students</li> </ul>
<p>According to Orange County delinquency records, certain groups (i.e. -males) represent the largest proportion youth arrest at school. Why do you think this is?</p> <p>What could be done to address this trend?</p>	<ul style="list-style-type: none"> <li>❖ Bad things are happening because of at home situations and stereotypes</li> <li>❖ Reputation from other family members can cause targets</li> </ul>
<p>What influence (positive or negative) do peers have on the success of students at school?</p>	<ul style="list-style-type: none"> <li>❖ Dominoes effect of success, but a negative effect can influence others as well but ambition can reverse the</li> </ul>

<p>What are ways we can increase positive peer influences and decrease negative peer influences?</p>	<ul style="list-style-type: none"> <li>❖ Help from sources</li> <li>- Install individuality and not being envious/jealous of others success</li> </ul>
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<h2>Employment</h2>	
<p>What are the best and worst types of jobs that students have in your community?</p>	<ul style="list-style-type: none"> <li>❖ 8<sup>th</sup> grade boys are doing construction work wanting to make money, one young man is already planning to move out because of household issues</li> <li>❖ They look down on formal(office) jobs</li> <li>❖ They uphold labor intensive jobs</li> <li>❖ Some races feel discouraged because of stereotype for job types</li> </ul>
<p>Have you ever gone to an agency or program that said they would help you get a job? Do you remember the name?</p> <p>How did it turn out? If the agency or program ended up getting you a job, why do you think it was successful?</p>	<ul style="list-style-type: none"> <li>❖ Hope community center, works as a counselor for community</li> <li>❖ They had faith in me</li> <li>❖ See a lot of potential in community youth and it motivated the leaders</li> <li>❖ Learned a lot and gained first hand insight from job</li> </ul>



*Apopka Task Force on Violence Community Biopsy*

# *Community Input*

## *Workgroups*

### *Matrix (s)*

*July 14, 2016*

**Apopka Final Community Focus Group**  
**Violence in the Community**  
**July 14, 2016**  
**Group #1 (Bellamy)**

What do you think contributes to the violence in your community?	What can be done to address the problem(s)?
<ul style="list-style-type: none"> <li>• Fear of one another</li> </ul>	<ul style="list-style-type: none"> <li>• Community Interaction; Create opportunities for communities to come together</li> </ul>
<ul style="list-style-type: none"> <li>• Younger generation doesn't have respect</li> </ul>	<ul style="list-style-type: none"> <li>• "Correct teaching of bible"</li> <li>• More church involvement and guidance</li> <li>• Better Influence from parents to teach the kids how to act</li> </ul>
<ul style="list-style-type: none"> <li>• Lack of education &amp; Self-Identity</li> </ul>	<ul style="list-style-type: none"> <li>• True education and interpretation of bible</li> <li>• Teacher improvement</li> </ul>
<ul style="list-style-type: none"> <li>• Low Expectations</li> </ul>	<ul style="list-style-type: none"> <li>• Don't judge a book by its cover</li> </ul>
<ul style="list-style-type: none"> <li>• Social economic poverty</li> </ul>	<ul style="list-style-type: none"> <li>• Open opportunities to curve issues</li> <li>• Vocational training/skill sets</li> </ul>
<ul style="list-style-type: none"> <li>• Lack of self-respect</li> </ul>	<ul style="list-style-type: none"> <li>• Knowing who we are biblically</li> <li>• Teach self-respect in household</li> </ul>
<ul style="list-style-type: none"> <li>• Lack of self-esteem</li> </ul>	<ul style="list-style-type: none"> <li>• Encouragement and recognition when doing good</li> <li>• Empowerment and involvement</li> </ul>

<ul style="list-style-type: none"> <li>• Racism</li> </ul>	<ul style="list-style-type: none"> <li>• Face the fact that white people are racist and this country was built on a racist foundation</li> </ul>
<ul style="list-style-type: none"> <li>• Gang Violence</li> </ul>	<ul style="list-style-type: none"> <li>• Mentoring</li> <li>• Community Involvement</li> </ul>
<ul style="list-style-type: none"> <li>• Parental responsibility</li> </ul>	<ul style="list-style-type: none"> <li>• Parents need to be more involved</li> <li>• Open doors for churches on other days other than Sunday</li> </ul>
<ul style="list-style-type: none"> <li>• Young men not knowing what it takes to be a man</li> </ul>	<ul style="list-style-type: none"> <li>• Mother needs to stop degrading father in child's presence</li> <li>• Promote household togetherness</li> </ul>

**Problems with no solutions because of time limit:**

Lack of opportunities; Faith Based Responsibility; Women Empowerment; Lack of communication; Job training;

**Apopka Final Community Focus Group**  
**Violence in the Community**  
**July 14, 2016**  
**Group #2**

Problem	Solution
❖ Parent Accountability	<ul style="list-style-type: none"> <li>❖ County fine parents for not holding child accountable when the laws/ rules are broken</li> <li>❖ Counseling Services provided for families to teach accountability and proper family structure.</li> </ul>
<ul style="list-style-type: none"> <li>❖ Community Doesn't know God</li> <li>❖ Not enough church involvement</li> </ul>	<ul style="list-style-type: none"> <li>❖ Teach Children the laws of God</li> <li>❖ Religious leadership needs to come out for community forums and functions even if they are not given public recognition.</li> </ul>
<ul style="list-style-type: none"> <li>❖ Community Has Divorced the Police</li> <li>❖ Police Acceptance</li> </ul>	<ul style="list-style-type: none"> <li>❖ Reconnect the relationship between community and police.</li> <li>❖ Trust needs to be re-established between both parties.</li> <li>❖ Community provide more helpful tips when calling in a report or crime.</li> <li>❖ Clarify relationship and expectations</li> <li>❖ Put the unity back into community</li> </ul>
<ul style="list-style-type: none"> <li>❖ Community Taught too early to fear police (e.g. Child is misbehaving in the store and the mother, seeing the off duty police officer in their uniform, tells the child that if they do not behave the police will come get them and take them to jail.)</li> <li>❖ Reactive when it comes to crime</li> </ul>	<ul style="list-style-type: none"> <li>❖ Invested Interest</li> <li>❖ Understand that Law Enforcement are people too.</li> <li>❖ Community Policing</li> <li>❖ More Police Ambassadors</li> <li>❖ Have a designated Community Ambassador</li> <li>❖ Be proactive when it comes to crime.</li> </ul>
❖ Hate for one another in the community	❖ Teach Love and Respect
❖ Parents lack education and that leads to their lack of ability to educate the youth.	❖ Better established education for the community.
❖ Breakdown of relationships	<ul style="list-style-type: none"> <li>❖ Work on relationships: <ul style="list-style-type: none"> <li>- Men</li> <li>- Women</li> <li>- Parents and children</li> <li>- Mentor and mentee</li> <li>- Teacher and student</li> </ul> </li> </ul>
❖ Some members of society have too much time on their hands due to there not being much to do in the community.	❖ Community Programs
<ul style="list-style-type: none"> <li>❖ Employment <ul style="list-style-type: none"> <li>• Lack of Good Jobs</li> <li>• Better Salaries</li> <li>• Adjusted Salaries</li> </ul> </li> </ul>	❖ Better Jobs

**Apopka Final Community Focus Group  
Violence in the Community  
July 14, 2016  
Group #3 (Chris)**

Problem	Solution
Unemployment	<ul style="list-style-type: none"> <li>❖ Small Business</li> <li>❖ Knowledge of self</li> <li>❖ Job Training</li> <li>❖ Re-Entry level program</li> <li>❖ Unity ( within the people)</li> <li>❖ Economic Development</li> </ul>
Lack of Education	<ul style="list-style-type: none"> <li>❖ Parental Support</li> <li>❖ Resources ( Tax Increments)</li> <li>❖ Home School</li> <li>❖ Truth &amp; Education System</li> <li>❖ Better Teachers</li> <li>❖ Financial ( Incentive for teachers)</li> </ul>
Low Community Participation	<ul style="list-style-type: none"> <li>❖ Community Involvement</li> <li>❖ Activities</li> </ul>
Easy access to Drugs & Guns	<ul style="list-style-type: none"> <li>❖ More Law Enforcement</li> <li>❖ Laws of God in the church</li> <li>❖ Sports</li> </ul>
Access of Social Media & Music	<ul style="list-style-type: none"> <li>❖ Classes that promotes responsibility and understanding of what is allowed on Social Media and Music.</li> </ul>
Lack of Role Models	<ul style="list-style-type: none"> <li>❖ Mentoring Programs</li> <li>❖ Church ( outreach)</li> </ul>

# APOPKA COMMUNITY

*2. Government Resources  
Accountability Initiative*  
**PRINT MEDIA PUBLIC  
NEWS SERVICE  
DOCUMENTED  
UNITED STATES OF AMERICA  
DOMESTIC HEALTH CRISIS**

*3. Crime / Youth Prevention Initiative  
(Community Accountability Responsibility)*  
*1. Education Initiative*  
*4. Job Training Initiative (Let's Get 2 Work!)  
"Business Community"*  
*5. Community / Law Enforcement  
Relationship Enhancement Initiative*

**CRIME / VIOLENCE**

**HUMAN TRAGEDIES**

**UNMET POTENTIAL**

# Apopka, Florida

09 December 2016: Stealing (<http://www.wftv.com/news/local/thieves-break-into-apopka-vet-offices-steal-parasite-meds-police-say/474660864>)

2. 03 December 2016: Shooting (<http://www.fox35orlando.com/home/221283419-story>)  
*Accountability Initiative*

02 December 2016: Murder (<http://www.orlandosentinel.com/news/breaking-news/os-demarquis-prince-charged-attempted-murder-20161202-story.html>)  
*Business Community"*

## *1. Education Initiative*

03 November 2016: Shooting (<http://www.wftv.com/news/local/police-apopka-man-gunned-down-burned-car-found-mile-from-scene-/463488087>)

02 October 2016: Shooting (<http://www.orlandosentinel.com/news/os-man-shot-in-orlando-drug-deal-20161002-story.html>)  
*Relationship Cultivation Initiative*

29 September 2016: Burglary (<http://www.wftv.com/news/local/burglary-suspect-arrested-after-hiding-in-attic-for-8-hours-at-apopka-home/451863737>)

10 September 2016: Sexual abuse (<http://www.orlandosentinel.com/news/breaking-news/os-apopka-matthew-tibbetts-20160910-story.html>)

13 August 2016: Standoff between deputies and a gunman.  
(<http://www.orlandosentinel.com/news/breaking-news/os-apopka-cvs-possible-gunman-20160813-story.html>)

05 July 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-apopka-drive-by-shooting-obt-20160705-story.html>)

26 June 2016: Shooting (<http://www.wesh.com/article/2-women-hurt-in-apopka-drive-by-shooting-1/4450449>)

08 June 2016: Shooting (<http://www.patheos.com/blogs/friendlyatheist/2016/06/08/florida-pastor-with-a-violent-past-shoots-and-kills-his-wife-while-cleaning-his-gun-he-claims/>)

16 May 2016: Robbery and Shooting (<http://www.wesh.com/article/apopka-man-shot-during-robbery-attempt-in-his-back-yard/4449544>)

04 May 2016: Stabbing (<http://www.wesh.com/article/1-killed-3-hurt-in-apopka-stabbing/4441973>)



24 April 2016: Vandalism (<http://www.clickorlando.com/news/apopka-neighborhood-says-car-break-ins-vandalism-are-hate-crime>)

26 March 2016: Shooting (<http://theapokavoice.com/apopka-shooting-in-eight-days/>)

21 March 2016: Shooting

([http://www.mynews13.com/content/news/cfnews13/news/article.html/content/news/articles/cfn/2016/3/21/deadly\\_apopka\\_shooti.html?cid=twitter\\_MyNews13](http://www.mynews13.com/content/news/cfnews13/news/article.html/content/news/articles/cfn/2016/3/21/deadly_apopka_shooti.html?cid=twitter_MyNews13))

19 March 2016: Shooting (<http://www.wesh.com/article/15-year-old-girl-shot-and-killed-in-apopka-police-say/4448234>)

13 March 2016: Shooting

([http://orl.baynews9.com/content/news/baynews9/news/article.html/content/news/articles/cfn/2016/3/12/police\\_1\\_dead\\_in\\_apo.html](http://orl.baynews9.com/content/news/baynews9/news/article.html/content/news/articles/cfn/2016/3/12/police_1_dead_in_apo.html))

06 Feb 2016: Shooting (<http://www.wftv.com/news/local/apopka-police-investigating-after-4-shooting-victims-check-in-to-hospital/64506732>)



# PINE HILLS COMMUNITY

## PRINT MEDIA PUBLIC NEWS SERVICE DOCUMENTED UNITED STATES OF AMERICA DOMESTIC HEALTH CRISIS

CRIME / VIOLENCE

HUMAN TRAGEDIES

UNMET POTENTIAL

# Pine Hills, Florida:

15 Dec 2016: Shooting (<http://www.wftv.com/news/local/man-sought-in-killing-of-orange-county-pregnant-woman-deputies-say/475905913>)

12 Dec 2016: Shooting in front of a convenience store.

2. (<http://www.orlandosentinel.com/news/breaking-news/os-man-killed-four-hurt-pine-hills-20161212-story.html>)

07 Dec 2016: A woman shot dead. (<http://www.clickorlando.com/news/woman-shot-in-pine-hills-taken-to-the-hospital-officials-say>)

15 Nov 2016: Robbery and shooting (<http://www.orlandosentinel.com/news/breaking-news/os-pine-hills-physician-shot-20161115-story.html>)

29 Oct 2016: Stabbing (<http://www.orlandosentinel.com/news/breaking-news/os-woman-stabbed-ex-boyfriend-20161029-story.html>)

28 Oct 2016: A person gunned down in a barbershop. (<http://www.wftv.com/news/local/1-killed-1-injured-in-shooting-at-pine-hills-barber-shop-/461017137>)

22 Oct 2016: Shooting (<http://www.clickorlando.com/news/2-people-shot-pine-hills>)

09 Aug 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-forest-grove-shooting-ocso-a-23-year-old-man-was-shot-about-530-p-m--tuesday-20160809-story.html>)

08 Aug 2016: Drive-by shooting (<http://www.orlandosentinel.com/news/breaking-news/os-perrine-drive-shooting-20160808-story.html>)

02 Aug 2016: Multiple shootings. (<http://www.fox35orlando.com/home/184294393-story>)

14 Jul 2016: Kidnapping. (<http://www.wesh.com/article/21-year-old-man-found-dead-after-being-kidnapped-outside-gas-station-1/4450849>)

04 Jul 2016: Shooting. (<http://www.wesh.com/news/woman-shot-while-driving-to-work-sheriffs-office-says/40350560>)

17 Jun 2016: Shooting. (<http://www.orlandosentinel.com/news/breaking-news/os-two-teens-killed-pine-hills-shooting-20160617-story.html>)

10 Jun 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-three-shot-pine-hills-drive-by-20160610-story.html>)

26 May 2016: Shootings (<http://www.orlandosentinel.com/news/breaking-news/os-two-shot-bolling-drive-orange-20160526-story.html>)

18 April 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-orange-county-violent-weekend-20160418-story.html>)

17 April 2016: Shooting (<http://www.wftv.com/news/local/man-fatally-shot-at-7-eleven-near-pine-hills/222260938>)

16 April 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-one-shot-hyland-oaks-20160415-story.html>)

09 April 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-teen-shot-back-pine-hills-20160409-story.html>)

09 April 2016: Axe Attack (<http://www.sun-sentinel.com/news/os-john-stubbs-ax-killing-20160409-story.html>)

04 April 2016: Multiple shootings. (<http://www.wesh.com/article/9-shot-within-48-hour-period-in-pine-hills-1/4448598>)

19 March 2016: Shooting (<http://www.wftv.com/news/local/man-shot-outside-apartment-near-pine-hills/169467671>)

07 March 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-mr-gyros-deputies-shooting-video-20160307-story.html>)

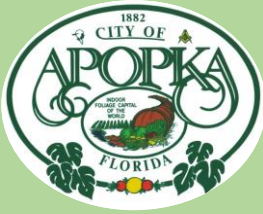
23 February 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-pine-hills-home-invasion-shooting-20160223-story.html>)

15 Feb 2016: Shooting (<http://www.orlandosentinel.com/news/breaking-news/os-two-dead-santa-barbara-pine-hills-20160215-story.html>)

25 January 2016: Shootout ([http://www.seattletimes.com/seattle-news/crime/man-wounded-in-shootout-other-gunman-escapes/?utm\\_source=RSS&utm\\_medium=Referral&utm\\_campaign=RSS\\_all](http://www.seattletimes.com/seattle-news/crime/man-wounded-in-shootout-other-gunman-escapes/?utm_source=RSS&utm_medium=Referral&utm_campaign=RSS_all))

**Backup material for agenda item:**

1. Authorize the disposal of surplus equipment/property.



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER:

MEETING OF: February 15, 2017  
 FROM: Administration  
 EXHIBITS: Surplus Forms

**SUBJECT: SURPLUS PROPERTY**

**REQUEST: AUTHORIZE THE DISPOSAL OF SURPLUS EQUIPMENT/PROPERTY AND REMOVAL OF ASSET PROPERTY FROM THE CITY ASSET LIST.**

**SUMMARY:**

Staff requests City Council approval to dispose of surplus capital equipment/property which has no useful benefit to the daily operation of the city. This request is per Administrative Policy 122.1.1.II: "The disposal of capital asset property which is obsolete, or for which the continued use would be uneconomical or inefficient, shall be in accordance with Florida Statute 274 and must be approved by the City Council". The asset property includes the disposal of items by auction, donation, or elimination. The attached form identifies a vehicle which is no longer functional or has usefulness to the city.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION ACTION:**

Authorize the disposal of said equipment/property.

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief



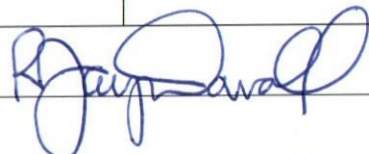
## Asset Management Surplus Form

### Administrative Policy 122.1.1: Capital Assets of \$1,000 or more

Complete the form below if city owned equipment is sold, transferred, or disposed of. This form, once signed by the City Administrator and approved by City Council, grants approval to dispose of equipment and serves to update the fixed asset inventory database. Departments should obtain, and keep on file, a copy of this written approval authorizing the disposal of equipment.

Department/Division: Public Services Name: Elizabeth Hyatt Title: Admin. Asst. to Director

ITEM	ASSET TAG or SERIAL #	Condition Reason	Disposed Missing	Scrapped	Auctioned Sold	Donated	Description of Disposal [where items were placed]
1999 Ford Explorer unit 18-0648	1FTYR10V6XUB43757	Age & associated maintenance costs			X		George Gideon Auctioneers, Inc

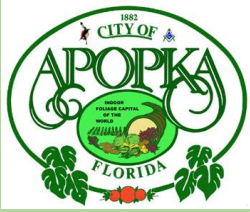
Department Director Approval:   
 City Administrator Approval: \_\_\_\_\_

Date: 2/8/2017  
 Date: \_\_\_\_\_

**Backup material for agenda item:**

2. Approve the sale of alcohol at the Charlie Daniels Concert.





# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER:

MEETING OF: February 15, 2017  
 FROM: Recreation  
 EXHIBITS:

**SUBJECT: ALCOHOL SALES AT THE CHARLIE DANIELS CONCERT**

**Request: APPROVAL FOR THE SALE OF ALCOHOL AT THE CHARLIE DANIELS CONCERT ON MARCH 17, 2017**

**SUMMARY:**

The event is a concert put on by Get Off The Bus, LLC taking place at the Apopka Amphitheater. Charlie Daniels is the headlining artist. The concert will include food vendors, retail vendors, and live music. The event will take place from 6pm-11pm on March 17, 2017.

On September 3, 2014, City Council adopted Ordinance No. 2376 which requires City Council approval for the sale, consumption and carrying of alcoholic beverages on City-owned property during events or programs.

**FUNDING SOURCE:**

N/A

**RECOMMENDATION ACTION:**

Approve the sale of alcohol at the Charlie Daniels concert on March 17, 2017.

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**Backup material for agenda item:**

3. Approve a legislative appropriation request for State Fiscal Year 2018.



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS

MEETING OF: February 15, 2017  
 FROM: Administration  
 EXHIBITS: None

**SUBJECT: LEGISLATIVE APPROPRIATION REQUEST FOR STATE FISCAL YEAR 2018**

**REQUEST: OFFER TO MATCH UP TO 20% OF PROJECT COST IF FUNDED BY STATE**

**SUMMARY:**

Each year local government is asked to submit projects to appropriate state legislative members. This year the City of Apopka would like to submit two such projects for consideration.

1. Replacement of aging water pipe at an estimated cost of \$2.5 million,
2. Deepening of Potable Water Wells at the Zellwood Plant at an estimated cost of \$700,000.

Total cost of requests for an appropriation by the Legislature is estimated to be \$3.2 million.

Because the State will be dealing with a relatively tight budget this year, the City is led to believe appropriations funding may be tight as well. To increase the City's chances of receiving an appropriation, staff recommends the Council allow wording within the application for funding that it is willing to match 20% of the cost of the projects. The match for both projects would amount to \$640,000 and would be added to next year's Water fund budget should the appropriations be granted by the state. It is necessary to advise there are never guarantees on being awarded an appropriation, and if none is awarded this year, these monies would remain in the Water fund reserves.

**FUNDING SOURCE:**

Water Fund Reserves

**RECOMMENDATION ACTION:**

Direct staff to indicate within the application for State Appropriations the City will provide a match of 20% of anticipated cost or \$640,000.

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**Backup material for agenda item:**

4. Authorize the purchase of vehicles for the Police Department.



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER:

MEETING OF: February 15, 2017  
 FROM: Police Department  
 EXHIBITS:

**SUBJECT: CAPITAL EQUIPMENT PURCHASE**

**REQUEST: AUTHORIZE THE PURCHASE OF NEW VEHICLES FOR THE POLICE DEPARTMENT**

**SUMMARY:**

The request is for Council approval for the Police Department to purchase various patrol, staff, and investigative vehicles approved in the current budget. This request will allow the replacement of police vehicles that have reached the end of useful and cost effective service. The vehicles being replaced will be surplus in accordance with the city’s asset disposal policies.

Description	Dealer	Quantity	Cost	Extended Cost	Budgeted Amount
Ford Interceptor Sedan	Duval Ford LLC	14	\$ 23,909	\$334,726	\$504,000
Ford Interceptor SUV	Duval Ford LLC	4	\$ 26,654	\$106,616	\$154,000
Ford Interceptor SUV ADMIN	Duval Ford LLC	2	\$ 27,045	\$ 54,090	\$ 76,000
Ford Transit T150 Cargo Van	Duval Ford LLC	1	\$ 21,748	\$ 21,748	\$ 40,000
Ford Escape	Hub City Ford	2	\$ 22,118	\$ 44,236	\$ 66,000
Chevrolet Colorado	Alan Jay Chevrolet	1	\$ 26,932	\$ 26,932	\$ 32,000
Nissan Altima	DeLand Nissan	1	\$ 22,624	\$ 22,624	\$ 32,000
<b>Total</b>		<b>25</b>		<b>\$610,972</b>	<b>\$904,000</b>

The vehicles will be purchased from the above vendors via the Florida Sheriff’s Association Cooperative Competitive Bid (valid through 9/30/2017). The remaining \$293,028 will be expended among the various classes of vehicles at Dana Safety Supply, Orlando Office (Tallahassee Contract #1489 valid through 12/31/2017), and Public Safety USA, subsidiary of Signal Technologies Enterprises, Orlando Office (City of Miami Contract 516388 valid through 01/24/2018), for the installation of emergency equipment and graphics after vehicle delivery.

**FUNDING SOURCE:**

Funding is included in the FY16/17 Budget. This also includes the purchase of five vehicles as part of the COPS grant hiring program, approved in the current budget.

**RECOMMENDATION ACTION:**

Authorize the purchase of Police Department vehicles in the amount of \$610,972 and approve the associated installation of emergency equipment by the identified vendors utilizing the related competitive bid contracts.

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**DISTRIBUTION**

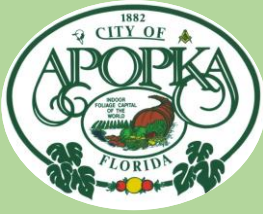
Mayor Kilsheimer  
Commissioners  
City Administrator  
Community Development Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Services Director  
Recreation Director  
City Clerk  
Fire Chief

**Backup material for agenda item:**

5. Approve the purchase of a directional drilling machine from Vermeer Southeast Sales & Service.



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER:

MEETING OF: February 15, 2017  
 FROM: Public Services  
 EXHIBITS:

**SUBJECT: DIRECTIONAL DRILLING MACHINE AND APPURTENANCES FOR THE PUBLIC SERVICES DEPARTMENT**

**REQUEST: APPROVE THE PURCHASE OF A VERMEER D23X30 DIRECTIONAL DRILLING MACHINE AND APPURTENANCES FROM VERMEER SOUTHEAST SALES & SERVICE, INC.**

**SUMMARY:**

Staff obtained a proposal from Vermeer Southeast Sales & Service Inc. for the purchase of a new Vermeer D23x30 directional drilling machine to replace the existing Vermeer directional drilling machine in the Public Services Department. Staff is requesting approval to purchase the new Vermeer machine in lieu of soliciting bids. Purchasing a new Vermeer machine will reduce the need for additional training for the operating staff due to their existing familiarity and proficiencies in the operation of this manufacturer’s equipment. Additionally the items would be covered under a warranty, allowing for the parts and service to be available locally and reducing any down time in the event of equipment failure.

The use of the directional drilling equipment is utilized for trenchless installation of utilities including new water, sewer, and reclaimed water mains. This technology eliminates the need for a third party contractor and produces minimal property restoration following construction in developed areas.

Funding for this purchase is approved in the Utility Construction Division budget. This purchase exceeds the approved budget by \$2,537, however, savings were experienced in previous purchases of heavy equipment and will be used, in part, to complete this purchase. Staff requests approval to purchase the Vermeer D23x30 directional drilling machine from Vermeer Southeast Sales & Service, Inc. in the amount of \$252,537.

**FUNDING SOURCE:**

Fund 401- Utility Operating Fund

**RECOMMENDATION ACTION:**

Approve the purchase of the Vermeer D23x30 directional drilling machine from Vermeer Southeast Sales & Service, Inc. in the amount of \$252,537.

**DISTRIBUTION**

- |                                |                  |                          |
|--------------------------------|------------------|--------------------------|
| Mayor Kilsheimer               | Finance Director | Public Services Director |
| Commissioners                  | HR Director      | Recreation Director      |
| City Administrator             | IT Director      | City Clerk               |
| Community Development Director | Police Chief     | Fire Chief               |



**Backup material for agenda item:**

6. Approve the annual fuel contract renewal with Petroleum Traders Corporation.



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER:

MEETING OF: February 15, 2017  
 FROM: Public Services  
 EXHIBITS:

**SUBJECT: GASOLINE AND DIESEL FUEL PURCHASE AND DELIVERY CONTRACT**

**REQUEST: APPROVE THE ANNUAL FUEL CONTRACT RENEWAL WITH PETROLEUM TRADERS CORPORATION.**

**SUMMARY:**

On March 18, 2015, the City Council approved a contract for the purchase and delivery of gasoline and diesel fuel. The contract term was for one year with the possibility of three (3) additional one-year extensions. The first extension will expire April 1, 2017.

Staff recommends a one-year extension of the existing contract. There is no change in the pricing.

**FUNDING SOURCE:**

Divisions budget annually for fuel usage.

**RECOMMENDATION ACTION:**

Approve the annual fuel contract renewal with Petroleum Traders Corporation.

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**Backup material for agenda item:**

1. FINAL DEVELOPMENT PLAN – Quasi-Judicial  
Cooper Palms Commerce Center (Lot 5) – South of Cooper Palms Pkwy, east of S. Bradshaw Rd David Moon



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Final Dev. Plan

MEETING OF: February 15, 2017  
 FROM: Community Development  
 EXHIBITS: Vicinity/Aerial Maps  
 Final Dev. Plan

**SUBJECT: COOPER PALMS COMMERCE FACILITY (LOT 5) FINAL DEVELOPMENT PLAN**

**REQUEST: APPROVAE THE COOPER PALMS FACILITY (LOT 5) FINAL DEVELOPMENT PLAN; AND ISSUE FINAL DEVELOPMENT ORDER**

**SUMMARY:**

OWNER: Property Industrial Enterprises, LLC

APPLICANT: Michael R. Cooper; Property Industrial Enterprises, LLC

ENGINEER: Hossein Tehraini, P.E.

LOCATION: South of Cooper Palms Parkway, east of South Bradshaw Road

PARCEL ID #: 09-21-28-0868-01-260; 09-21-28-0868-01-250; 09-21-28-0868-01-240; 09-21-28-0868-01-230; 09-21-28-1675-00-110; 09-21-28-1675-00-120

FLUM: Industrial

ZONING: I-1

EXISTING USE: Vacant Land

PROPOSED USE: Industrial Warehouses\Commercial Services

TRACT SIZE: .82 +/- acres

**FUNDING SOURCE:**

N/A

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North	Industrial	I-1	Cooper Palms Sports Complex
East	Industrial	I-1	Vacant land
South	Industrial	I-1	Retention Pond
West	Industrial	I-1	Cooper Palms Commerce Park

**ADDITIONAL COMMENTS:** The Cooper Palms Commerce Center (Lot 5) site plan proposes an industrial warehousing building with 10,800 sq. ft. gross floor area. A total of 25 parking spaces are provided. Per City Code, each a minimum of 17 parking spaces must be provided.

**PUBLIC HEARING SCHEDULE:**

February 14, 2017 - Planning Commission (5:30 pm)  
 February 15, 2017 - City Council (6:00 pm)

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**RECOMMENDATION ACTION:**

The **Development Review Committee** finds the Final Development Plan consistent with the Comprehensive Plan and Land Development Code and recommends approval of the Cooper Palms Commerce Center (Lot5) Final Development Plant, subject to the findings of this staff report. The applicant, Mike Cooper, has requested an expeditious review of the site plan because businesses are ready to move to Apopka and occupy the new building.

**Planning Commission:** A public hearing will be held on Tuesday, February 14, 2017, by the Planning Commission to review this final development plan application. The recommendation made by the Planning Commission will be brought to the City Council hearing on Wednesday, February 15<sup>th</sup>.

**Recommended Motion:** Approve the Cooper Palms Commerce Facility Lot 5 Final Development Plan and Issue the Final Development Order.

**Note:** This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

**Application:** Cooper Palms Commerce Facility (Lot 5) – Final Development Plan  
**Owner:** Property Industrial Enterprises, LLC  
**Parcel I.D. No's:** 09-21-28-0868-01-260; 09-21-28-0868-01-250; 09-21-28-0868-01-240;  
09-21-28-0868-01-230; 09-21-28-1675-00-110; 09-21-28-1675-00-120  
**Location:** South of West 2nd Street and west of South Hawthorne Avenue  
**Total Acres:** 0.82 +/- Acres



### VICINITY MAP



**CITY COUNCIL – FEBRUARY 15, 2017**  
**COOPER PALMS COMMERCE FACILITY LOT 5 - FDP**  
**PAGE 4**

**Application:** Cooper Palms Commerce Facility (Lot 5) – Final Development Plan  
**Owner:** Property Industrial Enterprises, LLC  
**Parcel I.D. No's:** 09-21-28-0868-01-260; 09-21-28-0868-01-250; 09-21-28-0868-01-240;  
09-21-28-0868-01-230; 09-21-28-1675-00-110; 09-21-28-1675-00-120  
**Location:** South of Cooper Palms Parkway, east of Bradshaw Road  
**Total Acres:** +/- 0.82 Acres



**AERIAL MAP**



**BOUNDARY SURVEY**

Legal Description (per title commitment)

Lots 6 through 17 and 29 through 40, Block A, Bradshaw and Thompson's Addition to Apopka City, according to the plat thereof as recorded in Plat Book B, Page 25, of the Public Records of Orange County, Florida, together with the West 30 feet of vacated road abutting lots 6, 17, 29, and 40.

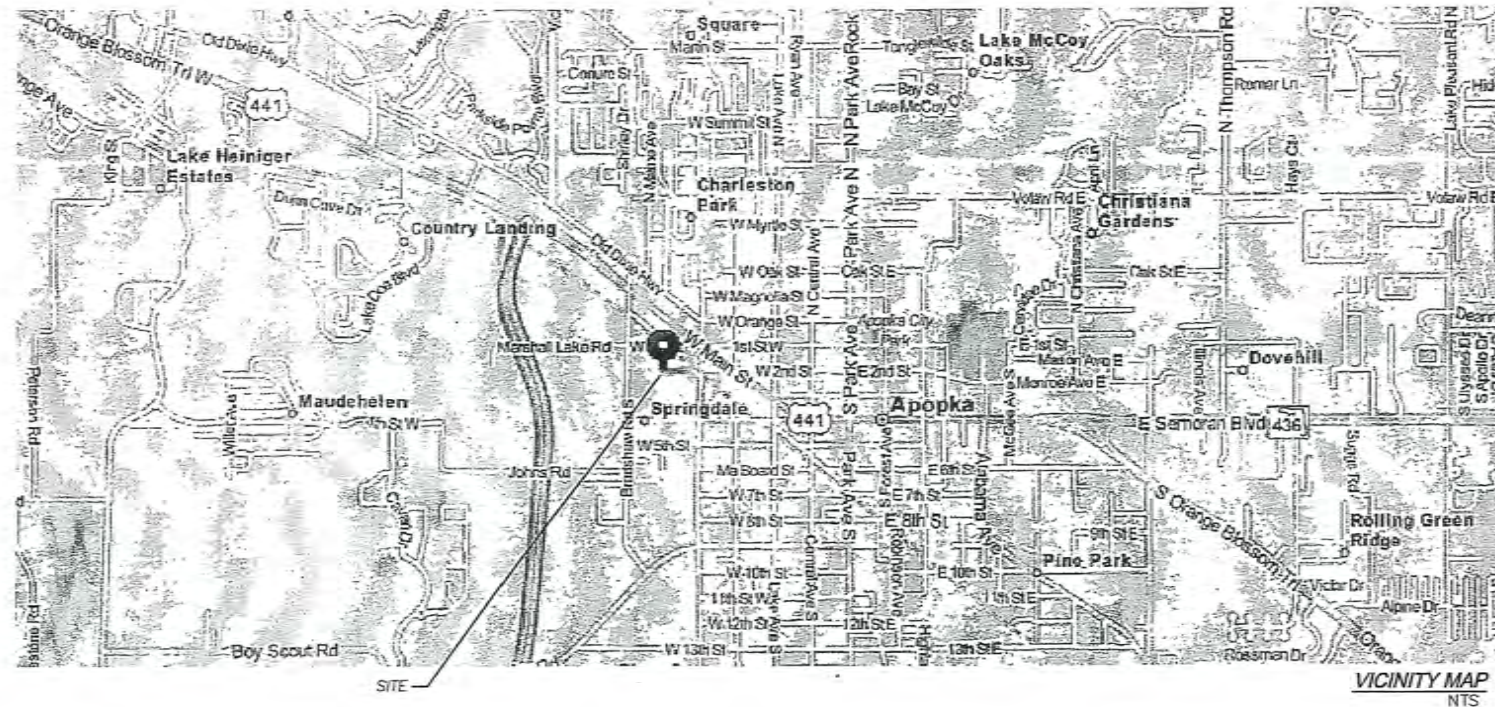
Legal Description (per title commitment)

Lots 5, 18, 19, 20, 27, 28, 41, 43, 44, 45 and 46, Block A, Bradshaw and Thompson's Addition to Apopka City, according to the plat thereof as recorded in Plat Book B, Page 25, Less railroad right-of-way

Together with the East (1/2) of New Hampshire Avenue, also known as Evergreen Avenue West of said Lots 5, 18, 25, and 41, Block A vacated by Resolution recorded January 22, 1968, in Book 1689 Page 948, Public Records of Orange County, Florida.

And together with that part of Second Street of said Lot 18 and 19 and North of said Lots 27 and 28, Block A vacated by Resolution recorded October 2, 1965 in Book 171 Page 372, Public Records of Orange County, Florida;

And together with the east Third Street South of said Lots 41 and 42, Block A and North of Lots 51 and 52, Block A vacated by Resolution recorded May 23, 1967 in Book 16 Page 176, Public Records of Orange County, Florida.



**A FINAL DEVELOPMENT PLAN FOR: COOPER CONST-OFFICE-WAREHOUSE**  
**COOPER PALMS COMMERCE FACILITY**  
**CITY OF APOPKA**

JAN. 6, 2017

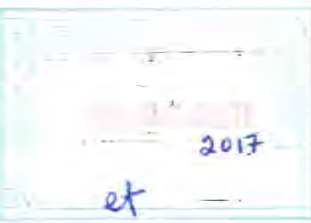
OWNER OF RECORD

PROPERTY IND ENTERPRISE LLC  
 564 COOPER COMMERC DR  
 APOPKA, FL 32703  
 407-889-2510

PARCEL ID#: LOT #5; 09-21-28-1675-00-050

REF FINAL DEVELOPMENT PLANS, APPROVED 7/3/13

SITE PLAN INDEX OF DRAWINGS	
DRAWING NO.	DRAWING DESCRIPTION
1	COVER SHEET
S-1	SITE PLAN
L-1	LANDSCAPE PLAN
I-1	IRRIGATION PLAN



Plan Notes

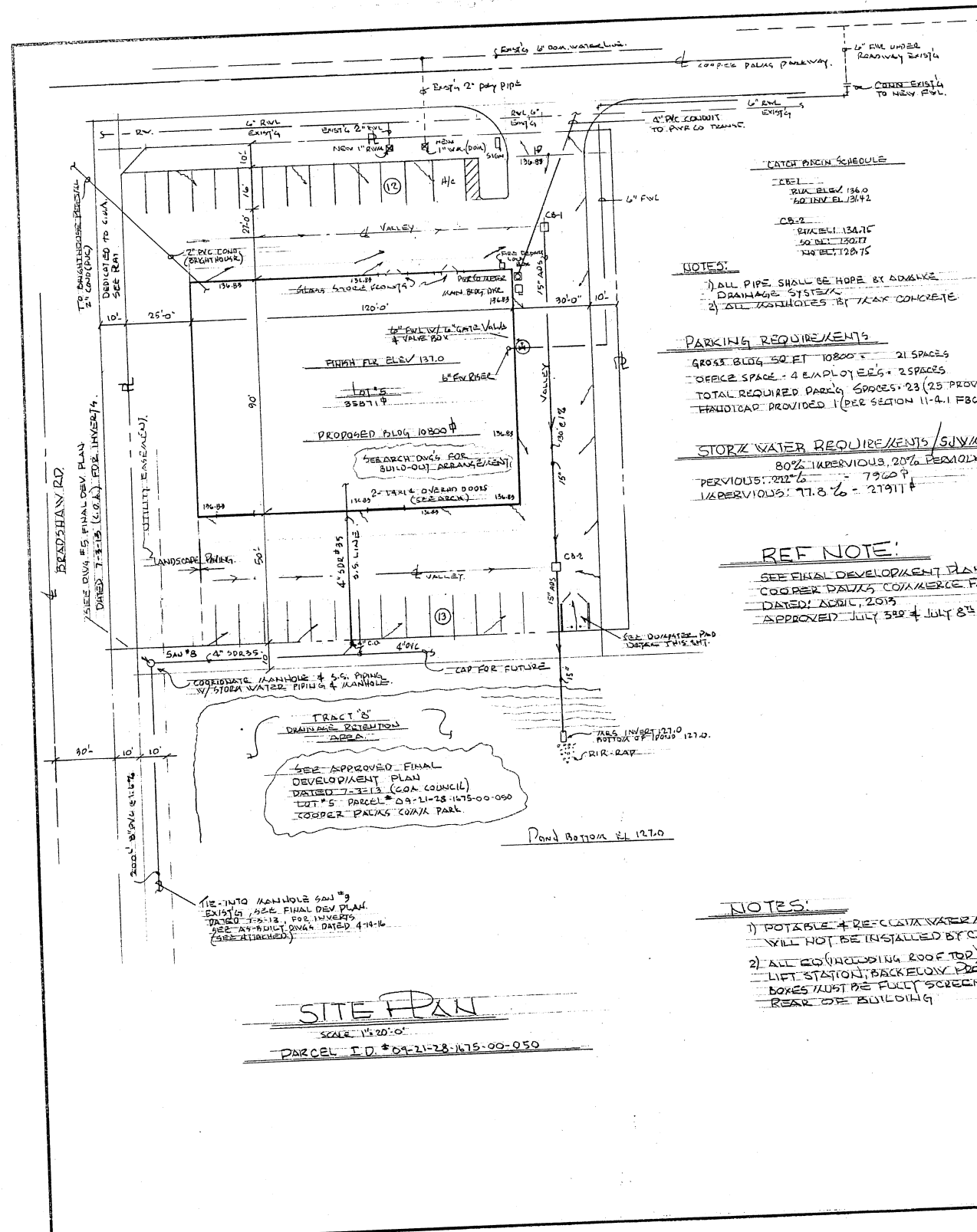
No.	Revision/Issue	Date

COOPER CONST CO  
 564 COOPER COMM DR  
 APOPKA, FL 32703  
 407-889-2510

Project Name and Address  
**COOPER PALMS COMMERCE PARK**  
 APOPKA, FL

Project	Sheet
Date 1-6-17	1
Scale AS SHOWN	1 OF 13





SITE DATA TABLE	
PARCEL ID NUMBER	09-21-28-1475-00-050
FUTURE LAND USE	INDUSTRIAL
ZONING	PUD
ACREAGE/SQUARE FOOTAGE	.82AC 35811 sq ft
OVERLAY DISTRICT	
ADJACENT LAND USE	North: PUD East: PUD South: PUD West: PUD
ADJACENT ZONING	North: PUD East: PUD South: PUD West: PUD
BUILDING HEIGHT	Proposed: 25' Max: 75'
FLOOR AREA RATIO	Proposed: 250' Max: 250'
BUILDING SETBACKS	Proposed: Front: 25' Side: 10' Rear: 10' Corner: 25' Required: Front: 25' Side: 10' Rear: 10' Corner: 25'
PARKING SPACES	Provided: 25 Required: 23 1/2
TREE BANK MITIGATION FEE	N/A (NO TREES)
NUMBER OF EMPLOYEES	4
WAVES REQUEST	Yes: No: NONE
VARIANCE REQUEST	Yes: No: NONE

CATCH BASIN SCHEDULE	
CB-1	RUC: 136.0 60 IN. EL: 134.2
CB-2	RUC: 134.7 60 IN. EL: 130.7 148 BELT: 128.75

- NOTES:**
- 1) ALL PIPE SHALL BE HOPE BY ADVANCE
  - 2) DRAINAGE SYSTEM
  - 3) ALL HOLES BY TACK CONCRETE

**PARKING REQUIREMENTS**

GROSS BLDG SQ FT 10800 = 21 SPACES  
 OFFICE SPACE - 4 EMPLOYEES = 2 SPACES  
 TOTAL REQUIRED PARKG SPACES = 23 (25 PROVIDED)  
 HANDICAP PROVIDED 1 (PER SECTION 11-4-1 FBC)

**STORZ WATER REQUIREMENTS / S/W/D**

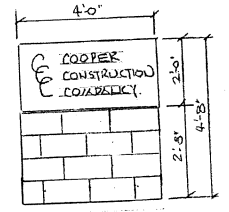
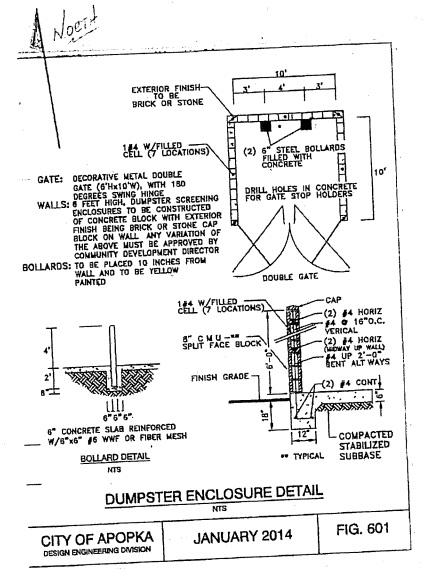
80% IMPERVIOUS, 20% PERVIOUS  
 PERVIOUS: 7960 sq ft  
 IMPERVIOUS: 77.8% = 27911 sq ft

**REF NOTE:**

SEE FINAL DEVELOPMENT PLAN FOR:  
 COOPER PARKS COMMERCE FACILITY  
 DATED: APRIL 2013  
 APPROVED: JULY 31ST & JULY 8TH 2013

- NOTES:**
- 1) POTABLE & REF-COOL WATER METERS WILL NOT BE INSTALLED BY CONTRACTOR
  - 2) ALL ROOF (INCLUDING ROOF TOP) WATER MAINS, LIFT STATION, BACKFLOW PREVENTER & UTILITY BOXES MUST BE FULLY SCREENED, INCLUDING REAR OF BUILDING

**SITE PLAN**  
 SCALE: 1" = 20'-0"  
 PARCEL I.D. #09-21-28-1475-00-050



**FINAL DEVELOPMENT PLAN FOR COOPER CONST CO, LLC**  
**COOPER PARKS COMMERCE FACILITY - LOT #5**

CITY OF APOPKA  
 APRIL 2013

- DWG INDEX**
- 1-1 SITE PLAN
  - 1-2 LANDSCAPE PLAN
  - 1-3 IRRIGATION PLAN

**OWNER OF RECORD:**  
 PROPERTY IND ENTERPRIZE-LLC  
 564 COOPER COMMERCE CENTER DR  
 APOPKA FL 32703  
 407-889-2510

**BOUNDARY SURVEY ATTACHED**

REVISIONS	BY
1	MR
2	MR

COOPER CONSTRUCTION CO, LLC  
 370 COOPER PARKS PARKWAY  
 APOPKA, FL 32703

COOPER PARKS COMMERCE PARK  
 APOPKA, FL 32703

Date: 12-24-16  
 Scale: AS NOTED  
 Drawn: MR  
 Job: 17-003  
 Sheet: 5-1  
 Of: 5 Sheets

**Backup material for agenda item:**

2. FINAL DEVELOPMENT PLAN – Quasi-Judicial  
Cooper Palms Commerce Center (Lots 10 and 11) – South of W. 2nd Street, west of S. Hawthorne Avenue David Moon



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Final Dev. Plan

MEETING OF: February 15, 2017  
 FROM: Community Development  
 EXHIBITS: Vicinity/Aerial Maps  
 Final Dev. Plan

**SUBJECT: COOPER PALMS COMMERCE PARK (LOTS 10 & 11) FINAL DEVELOPMENT PLAN**

**REQUEST: APPROVAE THE COOPER PALMS PARK (LOTS 10 & 11) FINAL DEVELOPMENT PLAN; AND ISSUE FINAL DEVELOPMENT ORDER**

**SUMMARY:**

OWNER: Property Industrial Enterprises, LLC  
 APPLICANT: Michael R. Cooper; Property Industrial Enterprises, LLC  
 ENGINEER: Hossein Tehraini, P.E.  
 LOCATION: South of Cooper Palms Parkway, east of South Bradshaw Road  
 PARCEL ID #: 09-21-28-0868-01-260; 09-21-28-0868-01-250; 09-21-28-0868-01-240;  
 09-21-28-0868-01-230; 09-21-28-1675-00-110; 09-21-28-1675-00-120  
 FLUM: Industrial  
 ZONING: I-1  
 EXISTING USE: Vacant Land  
 PROPOSED USE: Industrial Warehouses\Commercial Services  
 TRACT SIZE: 2.81 +/- acres

**FUNDING SOURCE:**

N/A

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Industrial	IND-4	CSX Railroad
East (City)	Commercial	C-2	Church
South (County)	Low Medium Density	R-2	Single Family Residential
West (City)	Industrial	I-1	Industrial Warehouse

**ADDITIONAL COMMENTS:** The Cooper Palms Commerce Park (Lots 10 and 11) proposes two industrial warehousing buildings each approximately 6,800 sq. ft. gross floor area. Lot 10 is 60,694 sq. ft. and Lot 11 62,110 sq. ft. Lot 10 provides 25 parking spaces and Lot 11 20 parking spaces. Per City Code, each site will need a minimum of 15 parking spaces.

Development Condition: Prior to issuance of a certificate of occupancy for a building on Lots 10 and 11, the property owner must provide a cross access easement over the portion of the vacated 2<sup>nd</sup> Street that allows owner of Lot 8 and the other owners of Coopers Commerce Park to travel upon the road.

**PUBLIC HEARING SCHEDULE:**

February 14, 2017 - Planning Commission (5:30 pm)

February 15, 2017 - City Council (6:00 pm)

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**RECOMMENDATION ACTION:**

The **Development Review Committee** finds the Final Development Plan consistent with the Comprehensive Plan and Land Development Code and recommends approval of the Cooper Palms Commerce Park (Lots 10 & 11) Final Development Plan, subject to the findings of this staff report.

**Planning Commission:** A public hearing will be held on Tuesday, February 14, 2017, by the Planning Commission to review this final development plan application. The recommendation made by the Planning Commission will be brought to the City Council hearing on Wednesday, February 15<sup>th</sup>.

**Recommended Motion:** Approve the Cooper Palms Commerce Park (Lot 10 and 11) Final Development Plan and Issue the Final Development Order.

**Note:** This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

**CITY COUNCIL – FEBRUARY 15, 2017**  
**COOPER PALMS COMMERCE PARK LOTS 10 & 11 - FDP**  
**PAGE 3**

**Application:** Cooper Palms Commerce Park (Lots 10 and 11) – Final Development Plan  
**Owner:** Property Industrial Enterprises, LLC  
**Parcel I.D. No’s:** 09-21-28-0868-01-260; 09-21-28-0868-01-250; 09-21-28-0868-01-240;  
09-21-28-0868-01-230; 09-21-28-1675-00-110 and 09-21-28-1675-00-120  
**Location:** South of West 2nd Street and west of South Hawthorne Avenue  
**Total Acres:** 2.81 +/- Acres



### VICINITY MAP



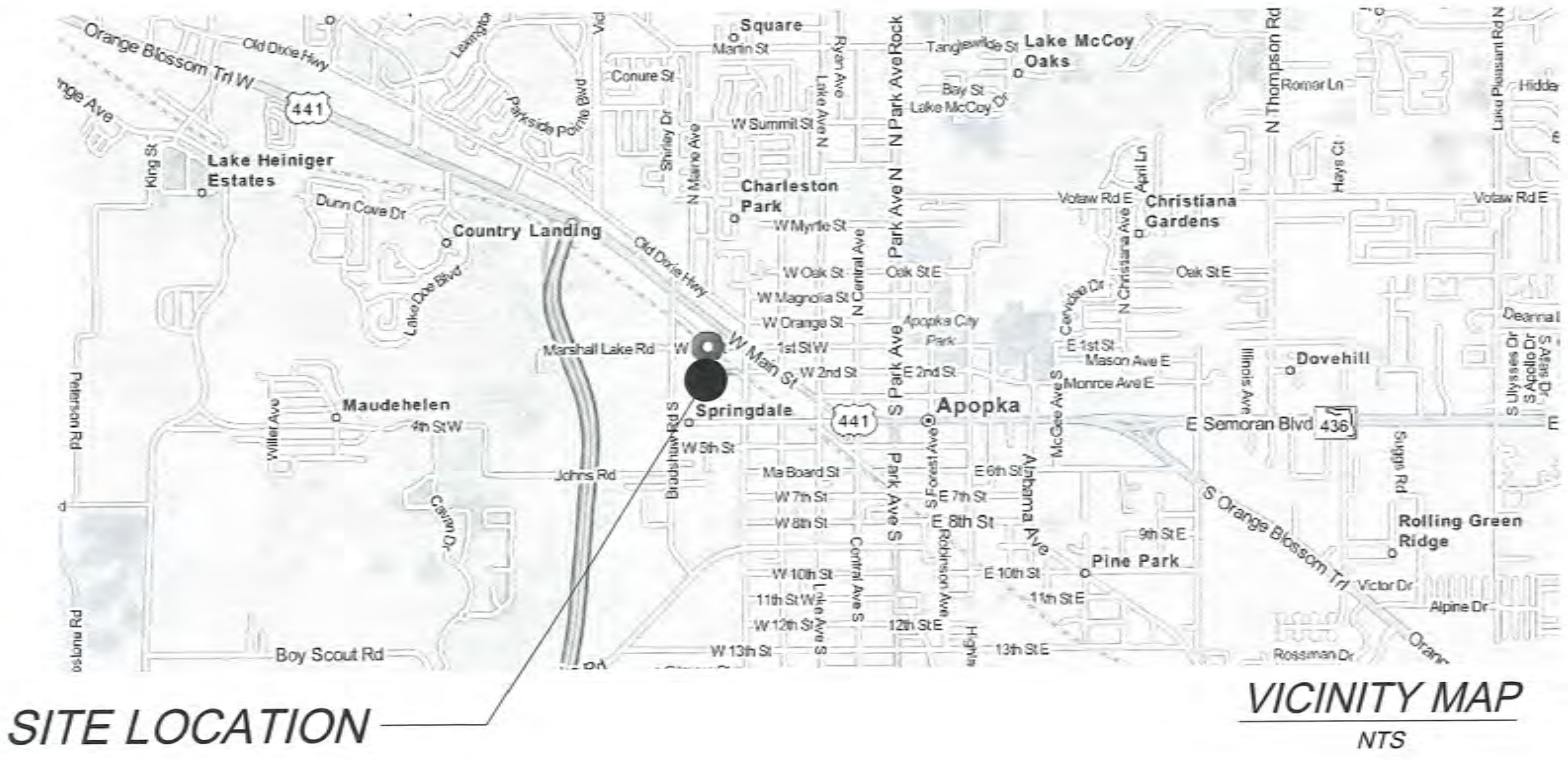
**Application:** Cooper Palms Commerce Park (Lots 10 and 11) – Final Development Plan  
**Owner:** Property Industrial Enterprises, LLC  
**Parcel I.D. No's:** 09-21-28-0868-01-260; 09-21-28-0868-01-250; 09-21-28-0868-01-240;  
09-21-28-0868-01-230; 09-21-28-1675-00-110 and 09-21-28-1675-00-120  
**Location:** South of West 2nd Street and west of South Hawthorne Avenue  
**Total Acres:** 2.81 +/- Acres



### AERIAL MAP



SITE PLAN INDEX OF DRAWINGS	
DRAWING NO.	DRAWING DESCRIPTION
1	COVER
2	LEGEND AND SITE DATA
3	GENERAL NOTES
4	SITE PLAN
5	STORMWATER & UTILITY PLAN
6	DRAINAGE BASIN MAP (PRE-DEVELOPMENT)
7	DRAINAGE BASIN MAP (POST-DEVELOPMENT)
8	RETENTION POND DETAILS
9	POLLUTION PREVENTION PLAN
10	UTILITY DETAILS
11	UTILITY DETAILS
L-1	LANDSCAPE PLAN



Plan Notes

COVER

# A FINAL DEVELOPMENT PLAN FOR: COOPER PALMS COMMERCE PARK (PHASE-2)

- PARCEL ID: 09-21-28-1675-00-050
- PARCEL ID: 09-21-28-1675-00-060
- PARCEL ID: 09-21-28-1677-07-000
- PARCEL ID: 09-21-28-1675-00-002
- PARCEL ID: 09-21-28-1677-00-002
- PARCEL ID: 09-21-28-1677-09-000
- PARCEL ID: 09-21-28-1675-00-110
- PARCEL ID: 09-21-28-1675-00-120



2017  
By: et

**CITY OF APOPKA  
JANUARY, 2017**

103

No.	Revision/Issue	Date

ENGINEER OF RECORD  
**ALI TEHRANI, P.E.**  
FLORIDA P.E. LICENSE NO. 48235  
621 Sherwood Dr.  
Altamonte Springs, FL 32751  
Ph. (407) 948-0811

PROJECT NAME  
**COOPER PALMS  
COMMERCE PARK**  
564 Cooper Commerce Dr., Suite 500  
Apopka, FL 32703

DWG	PAGE
Page 1-3	1
Date January 3, 2017	1 of 11
Scale As Shown	

# ABBREVIATIONS

<b>A</b>	AB ANCHOR BOLT ABD ABANDON(ED) AC ACRE(S) AC-FT ACRE FOOT/FEET ACP ASBESTOS CEMENT PIPE ADDL ADDITIONAL ADT AVERAGE DAILY TRAFFIC AL ALUMINUM AU BEFORE NOON APPROX APPROXIMATE ARV AIR RELEASE VALVE ARVY AIR RELEASE VACUUM VALVE ASPH ASPHALT ASSY ASSEMBLY AVE AVENUE AVG AVERAGE	<b>F</b>	FG FINISHED GRADE FH FIRE HYDRANT FIG FIGURE FIN FINISHED FLR FLOOR FLEX FLEXIBLE FLG FLANGE FM FORCE MAIN FND FOUND FT FEET/FOOT FTG FOOTING	<b>P</b>	PRC POINT OF REVERSE CURVATURE PRESS PRESSURE PROJ PROJECT PROP PROPOSED PRV PRESSURE REDUCING VALVE PRVC POINT OF REVERSE VERTICAL CURVE PSF POUNDS PER SQUARE FOOT PSI POUNDS PER SQUARE INCH PT POINT OF TANGENCY PV PLUG VALVE PVC POLYVINYL CHLORIDE PVMT PAVEMENT PWR POWER
<b>B</b>	BFP BACKFLOW PREVENTER BL BASELINE BLDG BUILDING BLVD BOULEVARD BM BENCH MARK BNDY BOUNDARY BO BLOWOFF BOC BANK OF CURB B/W BOTTOM OF WALL BV BUTTERFLY VALVE BVC BEGIN VERTICAL CURVE	<b>G</b>	GA GAUGE GAL GALLON CALV GALVANIZED GM GAS MAIN GPD GALLONS PER DAY GPM GALLONS PER HOUR GPM GALLONS PER MINUTE GVS GATE VALVE GV&B GATE VALVE AND BOX GW GUY WIRE	<b>Q</b>	Q FLOW RATE
<b>C</b>	CB CATCH BASIN C/C CENTER TO CENTER CF CUBIC FEET CFM CUBIC FEET PER MINUTE CFS CUBIC FEET PER SECOND C&G CURB AND GUTTER CI CAST IRON CIP CAST IRON PIPE CJ CONSTRUCTION JOINT C/L CENTER LINE CLP CONCRETE LIGHT POLE CLR CLEAR/CLEARANCE CLASS CLASS CM CONCRETE MONUMENT CMP CORRUGATED METAL PIPE CO COUNTY CD CLEANOUT COL COLUMN CONC CONCRETE CONST CONSTRUCT(ION) CONT CONTINUOUS COORD COORDINATE(S) COR CORNER CPP CONCRETE POWER POLE CS CONTROL STRUCTURE CTR CENTER CATV CABLE TELEVISION CULV CULVERT CV CHECK VALVE CY CUBIC YARD	<b>H</b>	HDPE HIGH DENSITY POLYETHYLENE PIPE HORIZ HORIZONTAL HP HORSEPOWER HGT HEIGHT HW HEADWALL HWL HIGH WATER LEVEL HWY HIGHWAY HYD HYDRANT	<b>R</b>	R RADIUS RCP REINFORCED CONCRETE PIPE RD ROAD RED REDUCER REF REFERENCE REINF REINFORCE(D) REQ'D REQUIRED REV REVISE/REVISION RPBP REDUCED PRESSURE BACKFLOW PREVENTOR RPM REVOLUTIONS PER MINUTE RR RAILROAD RV RELIEF VALVE R/W RIGHT-OF-WAY RWM REUSE WATER MAIN
<b>D</b>	DBL DOUBLE DBH DIAMETER AT BREAST HEIGHT DEG DEGREE DEPT DEPARTMENT DET DETAIL DH-WL DESIGN HIGH WATER LEVEL DIA DIAMETER DIM DIMENSION DIP DUCTILE IRON PIPE DISCH DISCHARGE DIST DISTANCE DMH DROP MANHOLE DN DOWN DRN DRAIN DWG DRAWING	<b>I</b>	I-4 INTERSTATE HIGHWAY IA INTERSECTION ANGLE ID INSIDE DIAMETER IN INCHES INL INLET PIPE IP IRON PIPE IR IRON ROD INT INTERSECT/INTERSECTION INV INVERT	<b>S</b>	S SOUTH SAN SANITARY SEWER SCH SCHEDULE SE SOUTHEAST SEC SECONDS SECT SECTION SF SQUARE FEET SH SHEET S/L SETBACK LINE SPEC SPECIFICATIONS SQ SQUARE SQ IN SQUARE INCHES SQ YD SQUARE YARDS SR STATE ROAD SS STAINLESS STEEL ST STREET STA STATION STD STANDARD STL STEEL STR STRUCTURE STS STORM SEWER TTS TOWNSHIP TYP TYPICAL
<b>E</b>	E EAST EA EACH EG EXISTING GRADE ELEC ELECTRIC ELEV ELEVATION ELLIP ELLIPSE/ELLIPTICAL ENC ENCASEMENT ENG ENGINEER(ING) ECP EDGE OF PAVEMENT EQUIP EQUIPMENT EQUIV EQUIVALENT ESMT EASEMENT EST ESTIMATE EVC END VERTICAL CURVE EXIST EXISTING EXP EXPAND/EXPANSION EXT EXTEND/EXTENSION	<b>J</b>	JB JUNCTION BOX JCT JUNCTION JT JOINT	<b>T</b>	T TANGENT T&B TOP AND BOTTOM TBM TEMPORARY BENCH MARK TC TIME OF CONCENTRATION TDH TOTAL DYNAMIC HEAD TE TEMPORARY TOB TOP OF BANK TOC TOP OF CURB TOS TOE OF SLOPE T/W TOP OF WALL TS TOP OF SLOPE TWP TOWNSHIP TYP TYPICAL
<b>F</b>	FD FLOOR DRAIN FDC FIRE DEPARTMENT CONNECTION FDOT FLORIDA DEPARTMENT OF TRANSPORTATION FF FINISHED FLOOR	<b>L</b>	LAT LATITUDE LATL LATERAL LB POUND LF LINEAR FEET/FOOT LG LONGITUDE LP LIGHT POLE LS LIFT STATION LT LEFT LWL LOW WATER LEVEL	<b>U</b>	UD UNDERDRAIN UG UNDERGROUND UTC UNDERGROUND TELEPHONE CABLE
		<b>M</b>	MAINT MAINTENANCE MATL MATERIAL MAX MAXIMUM MECH MECHANICAL MES MITERED END SECTION MFR MANUFACTURER MGD MILLION GALLONS PER DAY MH MANHOLE MHWL MEAN HIGH WATER LEVEL MIN MINIMUM MISC MISCELLANEOUS MJ MECHANICAL JOINT MLWL MEAN LOW WATER LEVEL MON MONUMENT MPH MILES PER HOUR MSL MEAN SEA LEVEL	<b>V</b>	V VALVE BOX VC VERTICAL CURVE VCP VITRIFIED CLAY PIPE VERT VERTICAL VPI VERTICAL POINT OF CURVE VPI VERTICAL POINT OF INTERSECTION VPT VERTICAL POINT OF TANGENCY
		<b>N</b>	N NORTH NA NOT APPLICABLE NCL NORMAL CONTROL LEVEL NE NORTHEAST NG NATURAL GROUND NIC NOT IN CONTRACT NO OR # NUMBER NTS NOT TO SCALE NW NORTHWEST NWL NORMAL WATER LEVEL	<b>W</b>	W WEST W WITH WM WATER MAIN W/O WITHOUT WPP WOOD POWER POLE WSWT WET SEASON WATER TABLE WV WATER VALVE WVF WELDED WIRE FABRIC WVM WELDED WIRE MESH
		<b>O</b>	OC ON CENTER OD OUTSIDE DIAMETER OPNG OPENING OPP OPPOSITE OVD OVERHEAD	<b>Y</b>	Y YARD YR YEAR
		<b>P</b>	PC POINT OF CURVATURE PCC POINT OF COMPOUND CURVATURE PEP POLYETHYLENE PIPE PI POINT OF INTERSECTION PIV POST INDICATOR VALVE PL PROPERTY LINE P/L POINT OF BEGINNING POS POINT OF SERVICE PP POWER POLE	<b>Misc.</b>	& AND @ AT Δ DELTA

# LEGEND

BARBED WIRE FENCE	
CENTER LINE	
CHAIN LINK FENCE	
CONTOURS	
EASEMENT LINE	
GUARD RAIL	
LOT LINES	
PROPERTY LINE	
RIGHT-OF-WAY	
RETAINING WALL	
SHORELINE	
WETLAND LIMITS	
STOCKADE FENCE	
TREE LINE	
EROSION CONTROL	
BUFFER / SETBACK	
100 LINEAR FEET SANITARY 12" PVC PIPE @ 0.30% SLOPE	
CLEANOUT	
DBL SEWER LATERAL	
SINGLE SEWER LATERAL	
2" PVC PIPE FORCE MAIN	
MANHOLE	
100 LINEAR FEET STORM 24" RCP @ 0.21% SLOPE	
6" PVC UNDERDRAIN	
DRAINAGE FLOW ARROW	
CURB INLET	
MANHOLE	
MITERED END SECTION	
SLOPE DIRECTIONAL FOR PONDS	
SPOT GRADE	
STORM INLET	
STORM STRUCTURE ID	
6" PVC WATER MAIN	
6" PVC REUSE WATER MAIN	
FIRE DEPT. CONNECTION	
BACKFLOW PREVENTER	
DOUBLE WATER SERVICE	
SINGLE WATER SERVICE	
GATE VALVE	
FIRE HYDRANT	
WATER METER	
REDUCER	
BLOWOFF	
BENCH MARK	
BOUNDARY CORNER	
CONCRETE	
LIGHT POLE	
ROAD SIGN	
EDGE OF PAVEMENT	
W/O CURB	
GUY POLE	
GAS MAIN	
CABLE TV	
ELECT. BURIED CABLE	
TELEPHONE CABLE	
CURB & PAVEMENT	
OVERHEAD WIRE	
DETAIL REFERENCE	
FF ELEVATION & FHA LOT GRADING TYPE	
HANDICAP PARKING	
PAVEMENT MARKINGS	

# SITE DATA

**OWNER**  
PROPERTY INDUSTRIAL ENTERPRISES, LLC  
564 COOPER COMMERCE DR., SUITE 500  
APOPKA, FL 32703  
(407) 889-2210

**ENGINEER**  
ALI TEHRANI, P.E.  
621 SHERWOOD DR  
ALTAMONTE SPRINGS, FL 32751  
(407) 948-0811  
FLORIDA PE #48235

**SURVEYOR**  
NETO WHITTAKER SURVEYING, LLC  
562 W. SPRING TREE WAY  
LAKE MARY, FL 32746  
(407) 484-0103

**SITE DATA**

PARCEL ID#:	09-21-28-1675-01-000
PARCEL ID#:	09-21-28-1675-00-080
PARCEL ID#:	09-21-28-1675-00-050
PARCEL ID#:	09-21-28-1675-00-060
PARCEL ID#:	09-21-28-1677-07-000
PARCEL ID#:	09-21-28-1675-00-002
PARCEL ID#:	09-21-28-1677-00-002
PARCEL ID#:	09-21-28-1677-09-000
PARCEL ID#:	09-21-28-1675-00-110
PARCEL ID#:	09-21-28-1675-00-120

TOTAL AREA 864,669.95 (SF) / 19.850 (AC)  
CURRENT ZONING I-1  
PROPOSED ZONING I-1

**FUTURE LAND USE**  
INDUSTRIAL

**PROPOSED USE**  
INDUSTRIAL WAREHOUSE/OFFICE COMPLEX

**PROPOSED IMPROVEMENTS**  
THE MASTER INFRASTRUCTURE IMPROVEMENTS SHALL INCLUDE UTILITY (DRINKING WATER, SANITARY SEWER, RECLAIMED WATER AND STORM WATER) AND OTHER INFRASTRUCTURE TO SERVE THE TOTAL PROJECT.

**STORMWATER**  
THE MASTER STORMWATER SYSTEM HAS BEEN SIZED TO MEET THE APOPKA BASIN RULE AND THE WEKIVA RECHARGE REQUIREMENTS OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT. ADDITIONALLY THE POST-DEVELOPMENT PEAK DISCHARGE RATE FOR THE MEAN ANNUAL AND THE 25 YEAR - 24 HOUR STORM EVENTS WILL BE EQUAL OR LESS THAN THE PRE-DEVELOPMENT DISCHARGE RATE. THE POND IS SIZED BASED ON 80% IMPERVIOUS & 20% PERVIOUS AREA PER EACH INDIVIDUAL LOT.

TOTAL SITE AREA = 864,669.95 (SF) / 19.850 (AC)  
PERVIOUS AREA (37.86%) = 327,350.09 (SF) / 7.515 (AC)  
IMPERVIOUS AREA (62.14%) = 537,314.86 (SF) / 12.335 (AC)

**DEVELOPMENT OF INDIVIDUAL PARCELS/LOTS**  
SUBSEQUENT PARCEL DEVELOPMENT SHALL BE REQUIRED TO MEET ALL CITY OF APOPKA LAND DEVELOPMENT CODE REQUIREMENTS IN EFFECT AT THE TIME OF PERMANENT ISSUANCE. NO OUTSIDE STORAGE AREA IS TO BE PERMITTED WITH THESE IMPROVEMENTS. BUILDING ELEVATION PLANS MUST BE SUBMITTED AT THE TIME OF BUILDING PERMIT APPLICATION FOR EACH LOT. THE DEVELOPER IS ENCOURAGED TO SUBMIT BUILDING ELEVATIONS TO THE CITY PRIOR TO SUBMITTAL OF A BUILDING APPLICATION.

**FLOOD ZONE**  
ZONE "A" 100-YR. MARSHALL LAKE FLOOD PLAIN = 71.20 (NGVD-29)

LEGEND AND SITE DATA

No.	Revision/Issue	Date

ENGINEER OF RECORD  
**ALI TEHRANI, P.E.**  
FLORIDA P.E. LICENSE NO.48235  
621 Sherwood Dr.  
Altamonte Springs, FL 32751  
Ph. (407) 948-0811

PROJECT NAME  
**COOPER PALMS  
COMMERCE PARK**  
564 Cooper Commerce Dr., Suite 500  
Apopka, FL 32703

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# GENERAL NOTES

- CONTRACTOR IS ADVISED THAT PRIOR TO BEGINNING ANY WORK ONSITE, THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) REQUIRES THE FILING OF A NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER THE NPDES CONSTRUCTION GENERAL PERMIT. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO FILE THE NOI AND FORWARD COPIES TO TEHRANI CONSULTING ENGINEERING AND THE LOCAL MS4 OPERATOR, IF APPLICABLE. CONTACT FDEP NPDES STORMWATER NOTICES CENTER AT 866-336-6312 FOR MORE INFORMATION.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE THAT ALL REQUIRED PERMITS ARE OBTAINED AND ARE ONSITE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- FOR STORMWATER POLLUTION PREVENTION PLAN, NOTES AND CONTRACTOR'S CERTIFICATION, SEE PAGE 8.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR MAINTAINING A SAFE AND SECURE CONSTRUCTION SITE. CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH FEDERAL, STATE AND LOCAL SAFETY CODES AND REQUIREMENTS TO INSURE THAT WORKERS, AND ALL OTHER AFFECTED PERSONS, MATERIALS, ONSITE AND OFFSITE MATERIALS, ONSITE AND OFFSITE PROPERTY, ARE SAFE. CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO INSURE THE SITE IS SECURE AND NOT ACCESSIBLE TO UNAUTHORIZED PERSONS.
- PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY TEHRANI CONSULTING ENGINEERING OF ANY DISCREPANCIES FOUND BETWEEN THESE PLANS AND THE FIELD CONDITIONS.
- 48 HOURS PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE FOLLOWING:

APOPKA PUBLIC WORKS	(407) 703-1731
APOPKA BUILDING DEPARTMENT	(407) 703-1713
BELLSOUTH TELEPHONE	(888) 757-6500
DUKE ENERGY	(407) 629-1010
BRIGHT HOUSE NETWORKS	(407) 291-2500
TEHRANI CONSULTING ENG.	(407) 948-0811

- CONTRACTOR SHALL BE EXTREMELY CAUTIOUS WHEN WORKING NEAR TREES THAT ARE TO BE SAVED. IF THERE IS A QUESTION AS TO WHETHER A PARTICULAR AREA SHOULD BE CLEARED, THE CONTRACTOR SHALL CONTACT THE OWNER FOR FURTHER INSTRUCTIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SURVEY MONUMENTS. DISTURBED MONUMENTS SHALL BE RESTORED AT CONTRACTOR'S EXPENSE, BY A FLORIDA LICENSED LAND SURVEYOR SELECTED BY THE OWNER.
- THE TOPOGRAPHIC SURVEY INFORMATION SHOWN WAS PROVIDED BY NIETO WHITTAKER SURVEYING, LLC. AND IS NOT CERTIFIED BY TEHRANI CONSULTING ENGINEERING.
- ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT. ALL CURB RADII ARE 5' UNLESS OTHERWISE NOTED.
- ALL PAVEMENT MARKERS, STRIPING, SIGNAGE, AND OTHER TRAFFIC CONTROL DEVICES SHALL BE INSTALLED BY CONTRACTOR PER ALL MUNICIPAL AND FLORIDA DEPARTMENT OF TRANSPORTATION STANDARDS.
- REGULATORY STRIPPING AND SIGNS SHALL BE IN PLACE PRIOR TO FINAL INSPECTION OF PAVING AND DRAINAGE IMPROVEMENTS.
- ALL DISTURBED AREAS, SIGNAGE, AND LIGHTING SHALL BE RETURNED TO PRE-CONSTRUCTION CONDITIONS OR BETTER.
- ALL EQUIPMENT, INCLUDING ROOFTOP AND UTILITY BOXES, MUST BE FULLY SCREENED FROM VIEW OF RIGHTS-OF-WAY AND ADJACENT PROPERTIES.

# PAVING AND GRADING NOTES

- SITE GRADING, PAVING, AND DRAINAGE MATERIALS AND CONSTRUCTION SHALL CONFORM TO CITY OF APOPKA DEVELOPMENT STANDARDS AND SPECIFICATIONS AND FDOT ROADWAY DESIGN STANDARD AND SPECIFICATIONS.
- FOR GEOTECHNICAL RECOMMENDATIONS AND FINDING, REFER TO THE GEOTECHNICAL INVESTIGATION PREPARED BY YOVAISH ENGINEERING SCIENCES, INC. UPDATED GEOTECHNICAL RECOMMENDATIONS AND FINDINGS, REFER TO THE GEOTECHNICAL INVESTIGATIONS PREPARED BY YOVAISH ENGINEERING SCIENCES, INC.
- ELEVATIONS AT CURB ARE EDGE OF PAVEMENT; TOP OF CURB SHALL BE 6" ABOVE EDGE OF PAVEMENT.
- CONTRACTOR IS RESPONSIBLE FOR GRADING ALL PARKING AND DRIVEWAYS TO DRAIN POSITIVELY. INTERSECTIONS SHALL BE TRANSITIONED TO PROVIDE SMOOTH DRIVING SURFACE WHILE MAINTAINING POSITIVE DRAINAGE. SHOULD AREAS OF POOR DRAINAGE RESULT FROM THE ADJUSTMENTS DESCRIBED, THE CONTRACTOR SHALL NOTIFY THE SITE SUPERINTENDENT AND THE ENGINEER PRIOR TO PLACING BASE SO THAT RECOMMENDATIONS FOR CORRECTION MAY BE MADE.
- MINIMUM GRADE OF SODDED AREA SHALL BE 1%.
- A SMOOTH FINISHED TRANSITION SHALL BE MADE AT ALL CURB TERMINATIONS (TYPICAL 2 FOOT TAPER) UNLESS OTHERWISE NOTED.
- AFTER THE COMPLETION OF THE STORMWATER FEATURES, INSPECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT PERMIT.
- THE FOLLOWING CONSTRUCTION PROCEDURES ARE RECOMMENDED FOR THE DRY POND(S), PER ST. JOHNS RIVER WATER MANAGEMENT DISTRICT:
  - INITIALLY CONSTRUCT THE RETENTION BASIN TO ROUGH GRADE BY UNDER-EXCAVATING THE BASIN BOTTOM AND SIDES BY APPROXIMATELY 12-INCHES.
  - AFTER THE DRAINAGE AREA CONTRIBUTING TO THE BASIN HAS BEEN FULLY STABILIZED, THE INTERIOR SIDE SLOPES AND BASIN BOTTOM SHOULD BE EXCAVATED TO FINAL DESIGN SPECIFICATIONS. THE EXCESS SOIL AND UNDESIRABLE MATERIAL SHOULD BE CAREFULLY EXCAVATED AND REMOVED, SO THAT ALL ACCUMULATED SILTS, CLAYS, ORGANICS, AND OTHER FINE MATERIAL SHOULD BE DISPOSED OF BEYOND THE LIMITS OF THE DRAINAGE AREA OF THE BASIN.
  - ONCE THE BASIN HAS BEEN EXCAVATED TO FINAL GRADE, THE ENTIRE BASIN BOTTOM SHOULD BE DEEP RAKED AND LOOSENEED FOR OPTIMAL INFILTRATION.
  - FINALLY, THE BASIN SHOULD BE STABILIZED WITH PERSISTENT MATERIAL OR PERMANENT VEGETATIVE COVER. TO PROVIDE PROPER TREATMENT OF THE RUNOFF IN VERY PERMEABLE SOILS, PERMANENT VEGETATIVE COVER MUST BE UTILIZED WHEN U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE (SCS) HYDROLOGIC GROUP "A" SOILS UNDERLIE THE RETENTION BASIN.
- PRIOR TO FINAL ACCEPTANCE THE CONTRACTOR SHALL PROVIDE TEHRANI CONSULTING ENGINEERING WITH COMPLETE STORMWATER AS-BUILTS INCLUDING CONTROL STRUCTURES, INLETS AND PIPES, SPREADER SWALES (IF ANY), AND POND CONTOURS, DIMENSIONS, AND SLOPES.
- ALL DISTURBED AREAS ONSITE AND OFFSITE SHALL BE RETURNED TO ORIGINAL CONDITIONS OR BETTER, SOD ALL DISTURBED AREAS.
- ALL HIGH-DENSITY POLYETHYLENE (HDPE) PIPE USED FOR STORM DRAIN APPLICATIONS SHALL CONFORM TO THE REQUIREMENTS OF AASHTO M294 CURRENT EDITION AND BE CERTIFIED THROUGH THE PLASTIC PIPE INSTITUTE (PPI) THIRD PARTY CERTIFICATION PROGRAM. ALL HDPE PIPE DELIVERED AND USED SHALL BEAR THE THIRD PARTY ADMINISTERED PPI SEAL. ALL HDPE JOINTS SHALL BE WATER TIGHT AND CERTIFIED TO MEET A MINIMUM LAB TEST OF 10.8 PSI PER ASTM D3212.

# UTILITY NOTES

- ALL CONSTRUCTION SHALL CONFORM TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND CITY OF APOPKA STANDARDS AND SPECIFICATIONS. IN CASE OF A CONFLICT THE MOST STRINGENT RULE SHALL APPLY.
- GRAVITY SEWER MAIN PIPE SHALL BE PVC EXCEPT AS NOTED AND SHALL MEET ASTM D3034 (SDR 35), JOINTS SHALL CONFORM TO ASTM D3212 AND F477.
- GRAVITY SEWER MAIN SHALL BE TESTED PER CITY OF APOPKA STANDARDS, PIPE SHALL BE LAMPED FOR ALIGNMENT, SLOPE TRUENESS, INFILTRATION, STANDING WATER, AND CLEANLINESS BY A CITY OF APOPKA INSPECTOR AND TEHRANI CONSULTING ENGINEERING REPRESENTATIVE. LEAKAGE TESTING SHALL ALSO BE PERFORMED IF REQUIRED BY CITY OF APOPKA.
- THE ENGINEER AND CITY OF APOPKA INSPECTOR SHALL BE NOTIFIED AT LEAST 5 DAYS PRIOR TO ANY TESTING. FAILURE TO DO SO WILL RESULT IN RETESTING AT THE CONTRACTOR'S EXPENSE.
- COMPLETE AS-BUILT DRAWINGS PREPARED BY A PROFESSIONAL LAND SURVEYOR SHALL BE PROVIDED TO THE ENGINEER IMMEDIATELY AFTER COMPLETION OF THE WATER AND SEWER IMPROVEMENTS. AS-BUILTS SHALL INCLUDE MANHOLE LOCATION WITH TOP AND INVERT ELEVATION, LOCATION OF VALVES, FITTINGS, AND OTHER APPURTENANCES, LENGTHS OF PIPE, TOP OF WATER MAIN ELEVATIONS, SIZE AND MATERIAL OF PIPE, SEPARATION DISTANCES AT PIPE CROSSINGS AND SHALL MEET CITY OF APOPKA REQUIREMENTS.
- CONTRACTOR SHALL NOTIFY UTILITIES AND SUNSHINE PRIOR TO CONSTRUCTION FOR FLAGGING / LOCATION OF EXISTING UTILITY LINES, EXISTING UTILITY LOCATIONS SHOWN ARE ONLY APPROXIMATE.
- ALL SEWER PIPE SHALL BE BURIED WITH IDENTIFICATION TAPE ABOVE THE TOP OF THE PIPE. THE TAPE SHALL INDICATE THE PRESENCE OF GRAVITY SEWERS PLAINLY ON THE TAPE FACE. INDICATOR TAPE SHALL BE DETECTABLE BY STANDARD METAL DETECTION EQUIPMENT.
- ALL WATER MAINS SHALL BE INSTALLED WITH CONTINUOUS, INSULATED 10 GAUGE COPPER WIRE INSTALLED DIRECTLY ON TOP OF THE PIPE FOR LOCATION PURPOSES. ALL PIPE AND PIPE FITTINGS SHALL BE COLOR CODED OR MARKED IN ACCORDANCE WITH SUBPARAGRAPH 62-555.320 (21) (B) 3, F.A.C., USING BLUE AS A PREDOMINANT COLOR.
- WHERE WATER AND GRAVITY SANITARY SEWER MAINS CROSS WITH LESS THAN 18 INCHES VERTICAL CLEARANCE OR THE SEWER MAIN IS ABOVE THE WATER MAIN, THE SANITARY SEWER WILL BE 20 FEET OF PVC PIPE UPGRADED TO WATER MAIN STANDARDS AND PRESSURE TESTED.
- WHERE WATER MAINS AND STORM SEWER PIPES CROSS WITH LESS THAN 18 INCHES VERTICAL CLEARANCE, THE WATER MAIN SHALL BE 20 FEET OF DUCTILE IRON PIPE CENTERED ON THE POINT OF CROSSING.
- WHEN A WATER MAIN PARALLELS A GRAVITY SANITARY SEWER MAIN, A SEPARATION (MEASURED EDGE TO EDGE) OF AT LEAST TEN FEET SHOULD BE MAINTAINED. WHERE THIS SEPARATION IS NOT MET, ONE OF THE FOLLOWINGS MUST OCCUR:
  - THE WATER MAIN IS LAID IN A SEPARATE TRENCH OR ON AN UNDISTURBED EARTH SHELF LOCATED ON ONE SIDE OF THE SEWER AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST 18 INCHES ABOVE THE TOP OF THE SEWER, OR;
  - IF BOTH SANITARY SEWER AND POTABLE WATER MAINS ARE PROPOSED AND THE ABOVE (A) IS NOT MET, THE SANITARY SEWER PIPES SHALL BE UPGRADED TO THE EQUIVALENT PIPE MATERIAL AS THE WATER MAIN AND PRESSURE TESTED.
  - IF THE SANITARY SEWER IS EXISTING AND THE POTABLE WATER MAIN IS PROPOSED, THE WATER MAIN SHALL, AT A MINIMUM, BE UPGRADED TO DUCTILE IRON PIPE, CONSTRUCTED IN SEPARATE TRENCHES, LAID AT A HIGHER ELEVATION THAN THE SANITARY SEWER, AND UTILIZE STAGGERED JOINTS.
- HORIZONTAL SEPARATION OF 10 FEET (EDGE TO EDGE) MINIMUM AND VERTICAL SEPARATION OF 18 INCHES MINIMUM SHALL BE MAINTAINED BETWEEN FORCE MAINS AND WATER MAINS. SEPARATION REQUIREMENTS BETWEEN FORCE MAINS AND POTABLE WATER MAINS MUST BE MAINTAINED UNLESS APPROVED IN ADVANCE BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION.
- THE CONTRACTOR SHALL BE SEPARATELY RESPONSIBLE FOR APPROPRIATE CONSTRUCTION, DISINFECTION AND TESTING BEYOND THE WATER METER TO ASSURE POTABILITY AT THE POINT OF USE.
- POTABLE WATER PIPES SHALL BE HYDROSTATICALLY TESTED IN ACCORDANCE WITH SPECIFICATION NUMBERS C600 AND C905/M23 FOR DUCTILE IRON AND PVC PIPES RESPECTIVELY AND WITNESSED BY CITY INSPECTOR AND TEHRANI CONSULTING ENGINEERING REPRESENTATIVE. CHLORINATION AND BACTERIOLOGICAL TESTING SHALL BE PERFORMED PER AWWA C651 AND WITNESSED BY CITY OF APOPKA INSPECTOR.
- POTABLE WATER PIPES MUST BE MANUFACTURED IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS:
  - DUCTILE IRON PIPE (3 INCHES TO 54 INCHES) - AWWA C160/C151;
  - PVC (WITH NATIONAL SANITATION FOUNDATIONS SEAL)
    - AWWA C900/ASTM 1784 (4 INCHES TO 12 INCHES) WITH DR18 MINIMUM;
    - AWWA C905 (14 INCHES TO 36 INCHES);
    - ASTM 1785 OR AWWA C905 (LESS THAN 4 INCHES) SCHEDULES 40, 80, AND 120 OR ASTM 2241 (SDR 21 MINIMUM);
  - POLYETHYLENE PIPE - AWWA C901 WITH VALVES AND FITTINGS (AWWA C800); AND
- IF CONNECTION TO THE WATER MAIN WILL RESULT IN A DEPRESSURIZATION OF THE EXISTING SYSTEM BELOW 20 POUNDS PER SQUARE INCH, ONE OF THE FOLLOWING MUST OCCUR:
  - PRECAUTIONARY BOIL WATER NOTICES MUST BE ISSUED IN CASE OF PLANNED DISTRIBUTION INTERRUPTIONS, WHICH ARE DEEMED AN IMMINENT PUBLIC HEALTH THREAT BY THE FDEP CENTRAL DISTRICT OR WILL AFFECT THE BACTERIOLOGICAL QUALITY OF THE DRINKING WATER UNLESS THE PUBLIC WATER SYSTEM CAN DEMONSTRATE, BY SOUND ENGINEERING JUDGEMENT, THAT THE INTEGRITY OF THE WATER SYSTEM HAS BEEN MAINTAINED; OR
  - IN CASES OF BRIEF INTERRUPTION IN SERVICE, ADVISORIES (NOT BOIL WATER NOTICES) SHOULD BE ISSUED IF TEMPORARY CHANGES IN WATER QUALITY ARE EXPECTED TO OCCUR AND NOT DEEMED AN IMMINENT PUBLIC HEALTH RISK.
- ALL AIR/VACUUM RELIEF VALVES MUST END IN A DOWN-TURNED ELBOW WITH AT LEAST 12 INCHES ABOVE THE SURROUNDING GRADE UNLESS THE WET SEASON WATER TABLE CAN BE SHOWN TO BE BELOW THE VAULT BOTTOM.
- FILLING OF PROPOSED WATER MAINS FROM EXISTING WATER MAINS WILL BE DONE IN ACCORDANCE WITH AWWA SPECIFICATION C651.
- PROPOSED GATE VALVES AT POINTS OF CONNECTION SHALL BE CLOSED AND REMAIN LOCKED UNTIL LINE IS CLEARED. CITY OF APOPKA PUBLIC UTILITIES SHALL LOCK VALVE AND RETAIN KEY. VALVE SHALL BE OPERATED BY CITY OF APOPKA PERSONNEL ONLY.
- MAINTAIN A MINIMUM OF 3 FEET OF COVER OVER ALL PROPOSED PIPES, EXCEPT AS SPECIFICALLY SHOWN ON THESE PLANS. WATER MAINS SHALL BE SUFFICIENTLY DEEP TO PROVIDE CLEARANCE WITH STORM AND SANITARY SEWER LINES.
- ON-SITE WATER DISTRIBUTION SYSTEM SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.

# Plan Notes

# GENERAL NOTES

No.	Revision/Issue	Date

ENGINEER OF RECORD  
**ALI TEHRANI, P.E.**  
 FLORIDA P.E. LICENSE NO. 48235  
 621 Sherwood Dr.  
 Altamonte Springs, FL 32751  
 Ph. (407) 948-0811

PROJECT NAME  
**COOPER PALMS  
 COMMERCE PARK**  
 564 Cooper Commerce Dr., Suite 500  
 Apopka, FL 32703

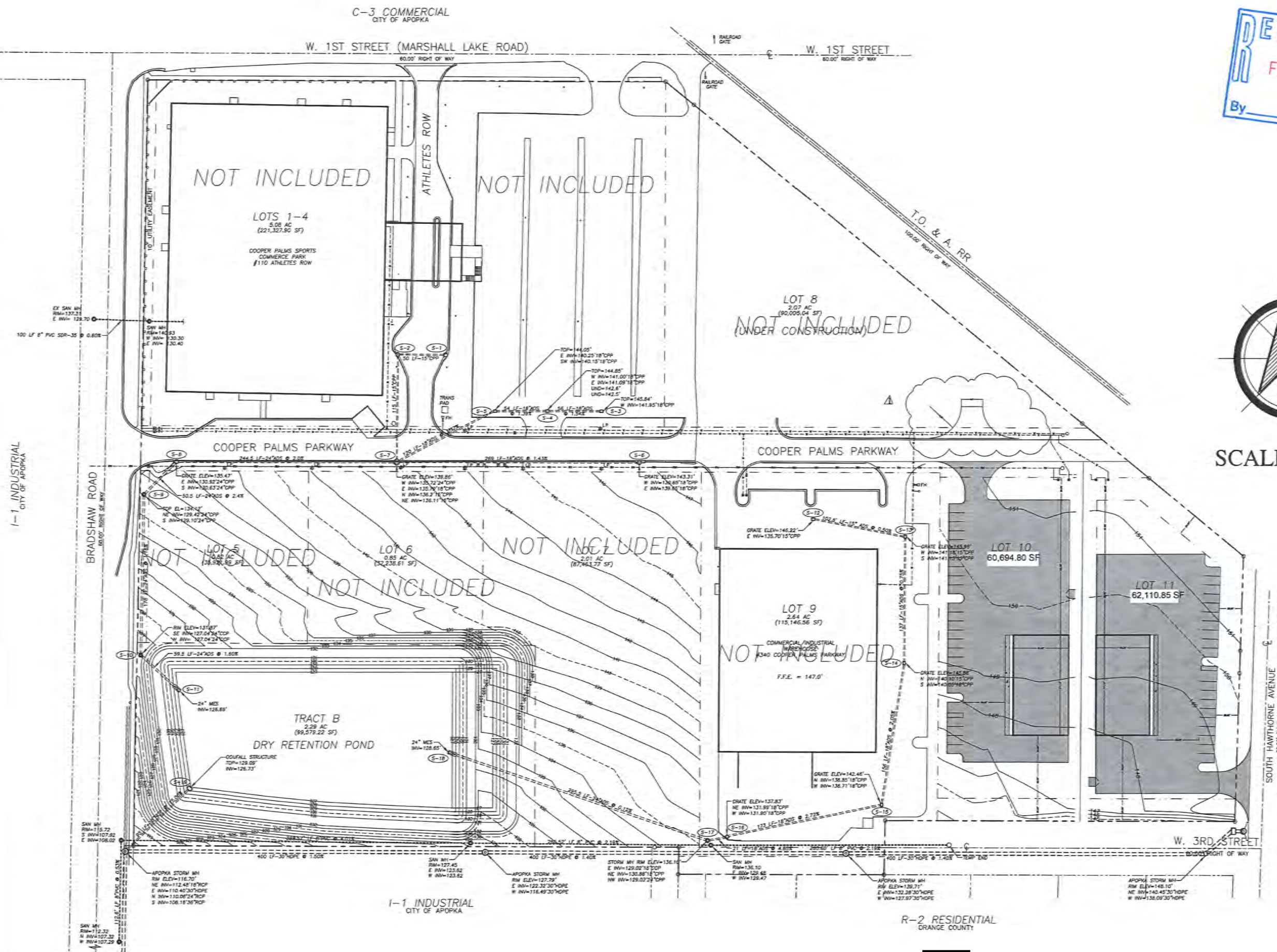
DWG Page 1-3	SHEET <b>3</b>
Date January 3, 2017	
Scale As Shown	



SITE PLAN



SCALE: 1" = 50'



No.	Revision/Issue	Date
1	CITY COMMENTS	2/17

ENGINEER OF RECORD  
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PROJECT NAME  
**COOPER PALMS  
 COMMERCE PARK**  
 564 Cooper Commerce Dr., Suite 500  
 Apopka, FL 32703

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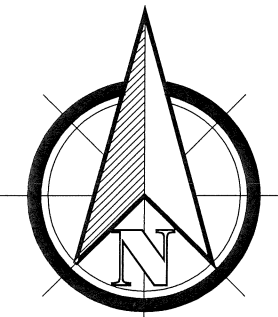
C-3 COMMERCIAL  
CITY OF APOPKA

COOPER PALMS COMMERCE PARK  
STORMWATER/DRAINAGE STRUCTURES

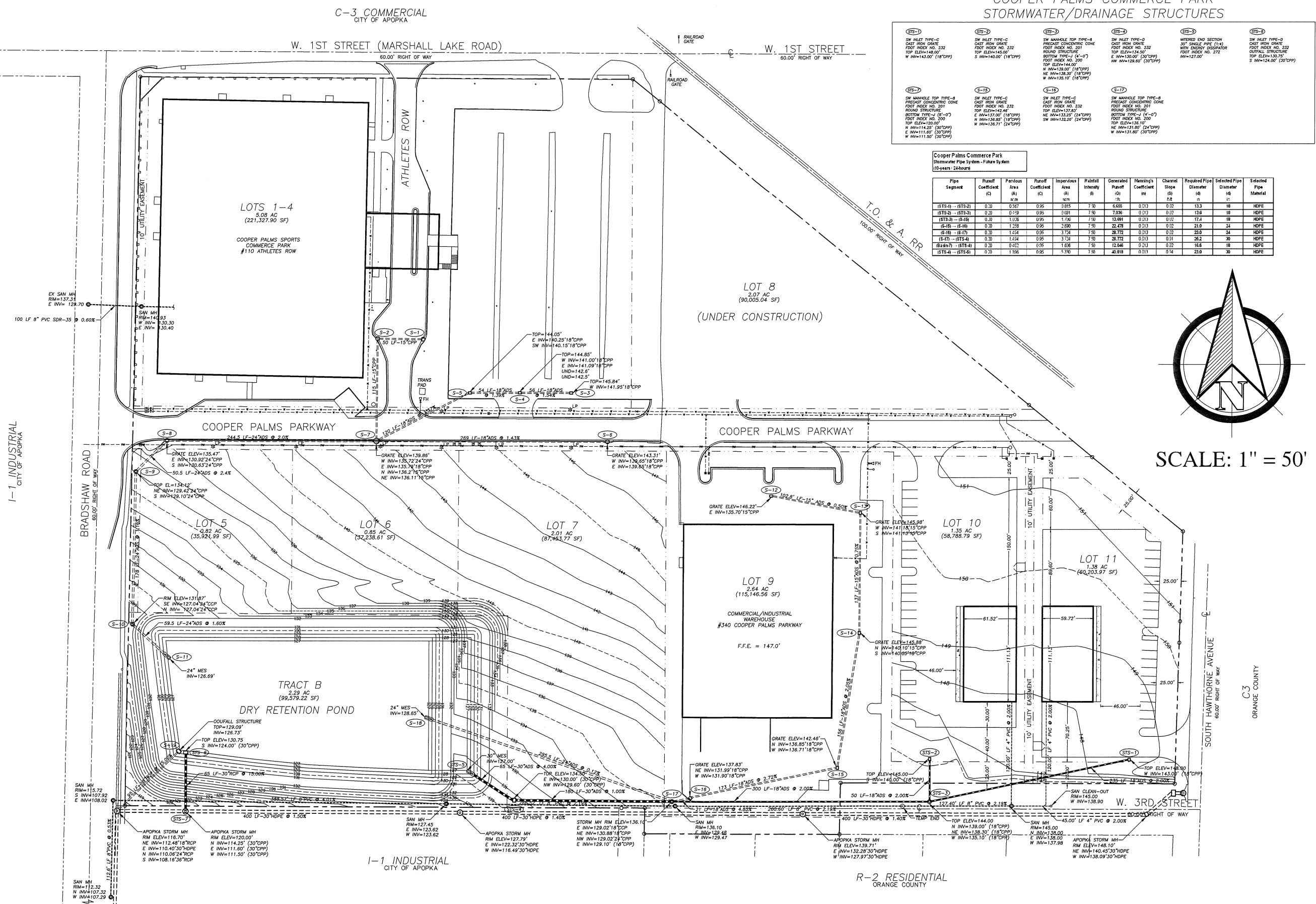
<b>STS-1</b> SW INLET TYPE-C CAST IRON GRATE FOOT INDEX NO. 232 TOP ELEV=148.00' W INV=143.00' (18"CPP)	<b>STS-2</b> SW INLET TYPE-C CAST IRON GRATE FOOT INDEX NO. 232 TOP ELEV=145.00' S INV=140.00' (18"CPP)	<b>STS-3</b> SW MANHOLE TOP TYPE-B PRECAST CONCRETE CONE FOOT INDEX NO. 201 ROUND STRUCTURE BOTTOM TYPE-(4'-0") FOOT INDEX NO. 200 TOP ELEV=144.00' N INV=139.00' (18"CPP) NE INV=138.50' (18"CPP) W INV=135.10' (18"CPP)	<b>STS-4</b> SW INLET TYPE-D CAST IRON GRATE FOOT INDEX NO. 232 TOP ELEV=134.50' E INV=130.00' (30"CPP) NW INV=129.60' (30"CPP)	<b>STS-5</b> MITERED END SECTION 30" SINGLE PIPE (1'-4") WITH ENDOFF ORISATOR FOOT INDEX NO. 272 TOP ELEV=130.75' INV=127.00'	<b>STS-6</b> SW INLET TYPE-D CAST IRON GRATE FOOT INDEX NO. 232 OUTFALL STRUCTURE TOP ELEV=130.75' S INV=124.00' (30"CPP)
--	--	---	---	---	---

Cooper Palms Commerce Park  
Stormwater Pipe System - Future System  
100-year / 24-hour

Pipe Segment	Runoff Coefficient (C)	Parious Area (A) (Ac)	Runoff Coefficient (C)	Impervious Area (A) (Ac)	Rainfall Intensity (I) (in/hr)	Generated Runoff (Q) (cfs)	Manning's Coefficient (n)	Channel Slope (S) (ft/ft)	Required Pipe Diameter (D) (in)	Selected Pipe Diameter (D) (in)	Selected Pipe Material
(STS-1) - (STS-2)	0.30	0.567	0.95	1.815	7.50	6.655	0.13	0.02	13.3	18	HDPE
(STS-2) - (STS-3)	0.20	0.759	0.95	3.181	7.50	7.036	0.13	0.02	13.6	18	HDPE
(STS-3) - (STS-4)	0.30	1.026	0.95	1.706	7.50	13.491	0.13	0.02	17.4	18	HDPE
(STS-4) - (STS-5)	0.30	1.268	0.95	3.300	7.50	22.478	0.13	0.02	21.0	24	HDPE
(STS-5) - (STS-6)	0.30	1.254	0.95	3.754	7.50	28.772	0.13	0.02	23.0	24	HDPE
(STS-6) - (STS-7)	0.30	1.244	0.95	3.734	7.50	28.772	0.13	0.02	23.0	24	HDPE
(STS-7) - (STS-8)	0.30	0.402	0.95	1.808	7.50	12.846	0.13	0.02	16.6	18	HDPE
(STS-8) - (STS-9)	0.20	1.156	0.95	1.130	7.50	40.818	0.13	0.02	23.0	30	HDPE



SCALE: 1" = 50'



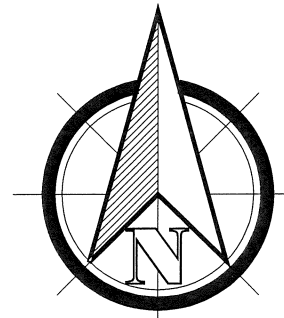
STORMWATER & UTILITY PLAN

No.	Revision/Issue	Date

ENGINEER OF RECORD  
**ALI TEHRANI, P.E.**  
FLORIDA P.E. LICENSE NO. 48235  
621 Sherwood Dr.  
Altamonte Springs, FL 32751  
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PROJECT NAME  
**COOPER PALMS COMMERCE PARK**  
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SCALE: 1" = 50'

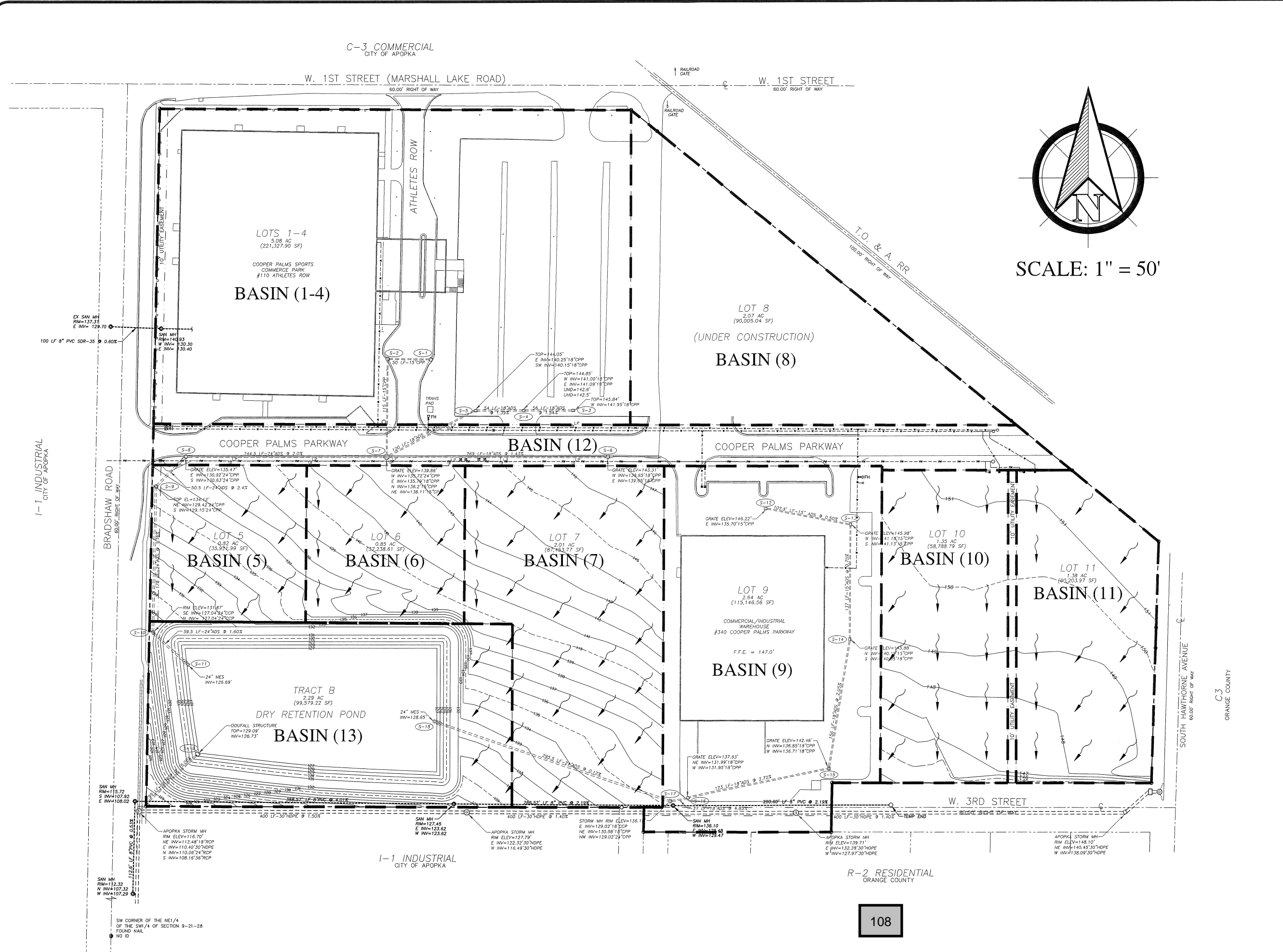
**DRAINAGE BASIN MAP  
(PRE-DEVELOPMENT)**

No.	Revision/Issue	Date

ENGINEER OF RECORD  
**ALI TEHRANI, P.E.**  
 FLORIDA P.E. LICENSE NO. 48235  
 621 Sherwood Dr.  
 Altamonte Springs, FL 32751  
 Ph. (407) 948-0811

PROJECT NAME  
**COOPER PALMS  
 COMMERCE PARK**  
 564 Cooper Commerce Dr., Suite 500  
 Apopka, FL 32703

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Date January 3, 2017	<b>6</b>
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W. 1ST STREET (MARSHALL LAKE ROAD)

W. 1ST STREET

North Segment of the Commerce Park									
Drainage Basin	Pervious Area			Impervious Area			Total Area		
	(SF)	(AC)	(%)	(SF)	(AC)	(%)	(SF)	(AC)	(%)
Basin (4)	55,776.03	1.2676	24.57	166,551.87	3.8120	75.03	222,327.90	5.0796	103.00
Basin (8)	19,801.02	0.4525	20.00	72,004.07	1.6200	35.00	91,805.09	2.0725	100.00
Basin (12)	14,024.35	0.3219	21.41	41,568.71	0.9400	44.50	55,593.06	1.2619	100.00

South Segment of the Commerce Park									
Drainage Basin	Pervious Area			Impervious Area			Total Area		
	(SF)	(AC)	(%)	(SF)	(AC)	(%)	(SF)	(AC)	(%)
Basin (5)	7,184.40	0.1643	20.00	26,721.51	0.5972	30.00	33,905.91	0.7615	100.00
Basin (6)	7,427.72	0.1700	20.00	22,769.89	0.5106	30.00	30,197.61	0.6803	100.00
Basin (7)	5,583.94	0.1264	20.00	17,153.38	0.3854	30.00	22,737.32	0.5118	100.00
Basin (9)	27,209.64	0.6204	20.00	87,308.91	1.9400	35.00	114,518.55	2.5800	100.00
Basin (10)	21,807.20	0.5024	20.00	68,138.51	1.5200	35.00	90,045.71	2.0200	100.00
Basin (11)	20,824.80	0.4713	20.00	62,423.56	1.4000	30.00	83,248.36	1.8713	100.00
Basin (13)	48,228.72	1.1051	20.00	141,000.00	3.1500	60.00	189,228.72	4.2551	100.00



SCALE: 1" = 50'

DRAINAGE BASIN MAP  
(POST-DEVELOPMENT)

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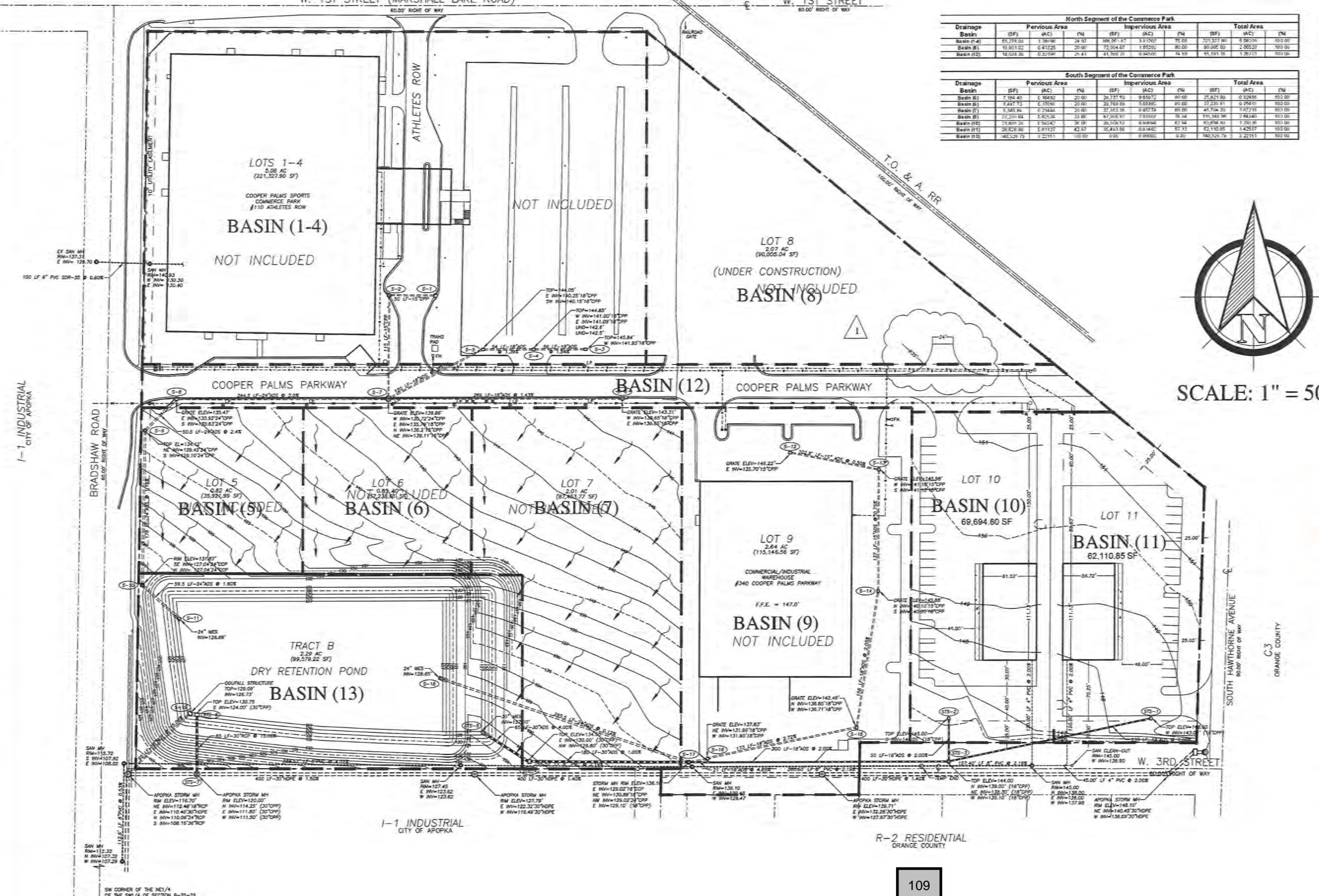
By \_\_\_\_\_

No.	Revision/Issue	Date
1	City Comments	2/17

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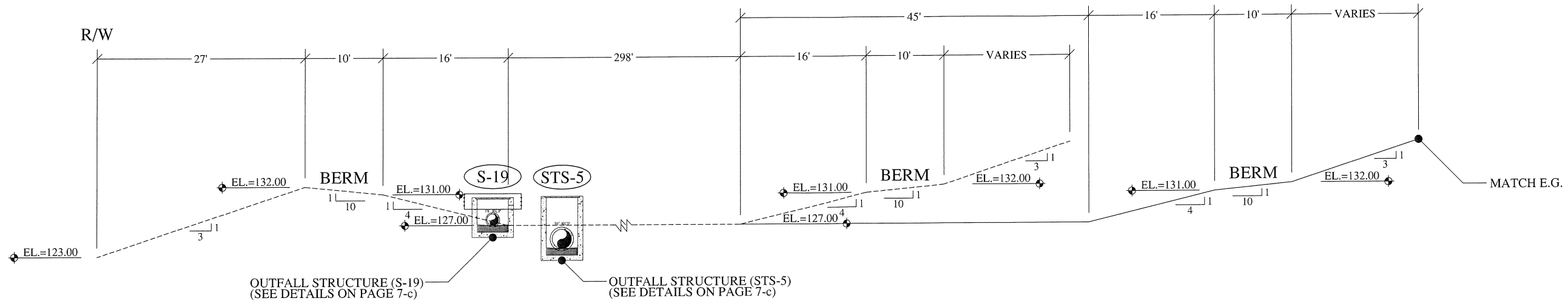
PROJECT NAME  
**COOPER PALMS COMMERCE PARK**  
564 Cooper Commerce Dr., Suite 500  
Apopka, FL 32703

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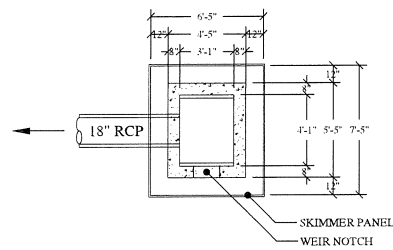
WEST

EAST



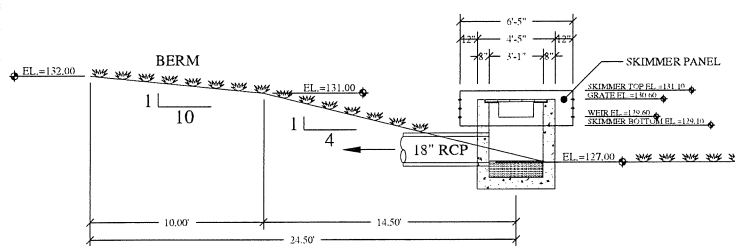
**DRY RETENTION POND  
SECTIONAL VIEW (TYP.)**

N.T.S.



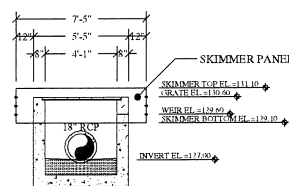
**OUTFALL STRUCTURE (S-19)  
PLAN VIEW (TYP.)**

N.T.S.



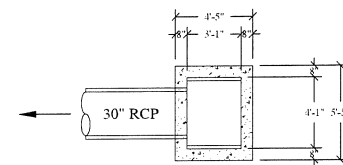
**OUTFALL STRUCTURE (S-19)  
PROFILE VIEW (TYP.)**

N.T.S.



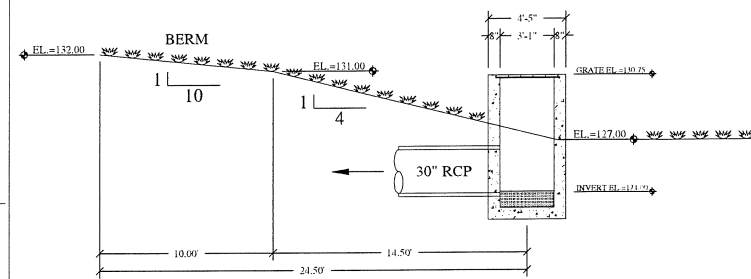
**OUTFALL STRUCTURE (S-19)  
SECTIONAL VIEW (TYP.)**

N.T.S.



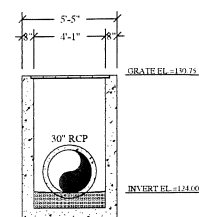
**OUTFALL STRUCTURE (STS-5)  
PLAN VIEW (TYP.)**

N.T.S.



**OUTFALL STRUCTURE (STS-5)  
PROFILE VIEW (TYP.)**

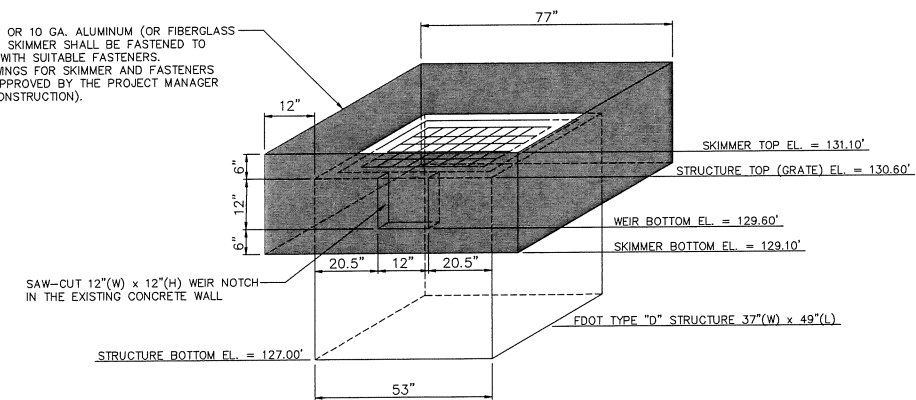
N.T.S.



**OUTFALL STRUCTURE (STS-5)  
SECTIONAL VIEW (TYP.)**

N.T.S.

3/16" THICK OR 10 GA. ALUMINUM (OR FIBERGLASS EQUIVALENT) SKIMMER SHALL BE FASTENED TO STRUCTURE WITH SUITABLE FASTENERS. (SHOP DRAWINGS FOR SKIMMER AND FASTENERS SHALL BE APPROVED BY THE PROJECT MANAGER PRIOR TO CONSTRUCTION).



**OUTFALL STRUCTURE (S-19)  
ISOMETRIC VIEW (TYP.)**

N.T.S.

RETENTION POND DETAILS

No.	Revision/Issue	Date

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POLLUTION PREVENTION PLAN

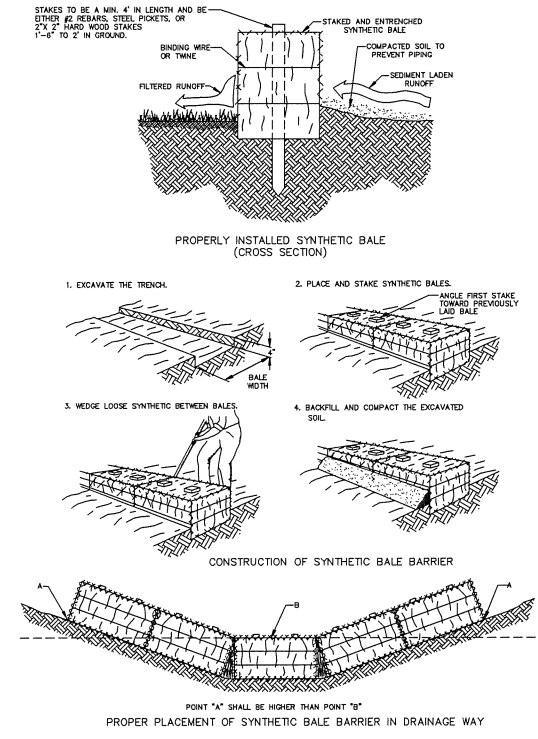


FIGURE 1  
SYNTHETIC BALE BARRIER  
N.T.S.

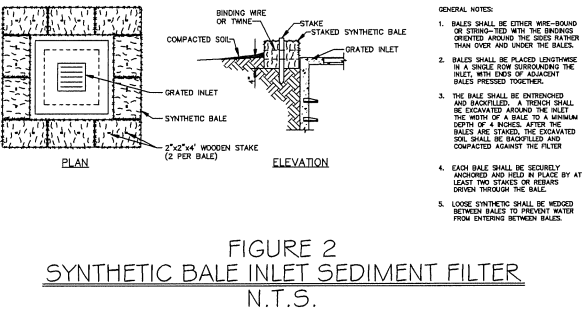


FIGURE 2  
SYNTHETIC BALE INLET SEDIMENT FILTER  
N.T.S.

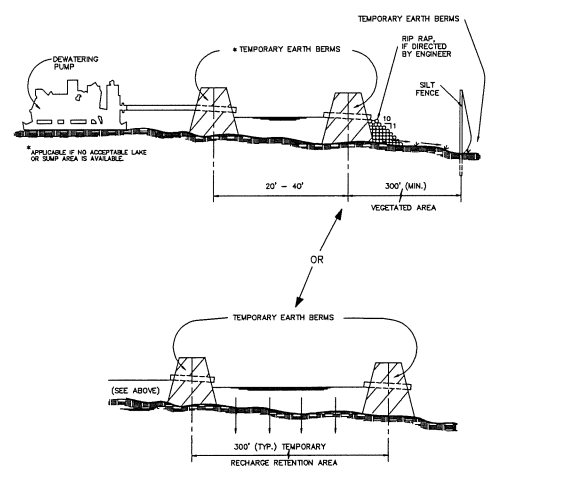


FIGURE 3  
TYPICAL DEWATERING DISCHARGE PLAN  
N.T.S.

THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL EROSION CONTROL MEASURES SHOWN ON THE PLANS. THE EROSION CONTROL SYSTEM DESCRIBED WITHIN THE CONSTRUCTION DOCUMENTS SHOULD BE CONSIDERED TO REPRESENT THE MINIMUM ACCEPTABLE STANDARDS FOR THIS PROJECT. ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED DEPENDENT UPON THE STAGE OF CONSTRUCTION, THE SEVERITY OF THE RAINFALL EVENT AND/OR AS DEEMED NECESSARY AS A RESULT OF ON-SITE INSPECTIONS.

FIGURE 4  
EROSION & SEDIMENTATION CONTROL NOTES  
N.T.S.

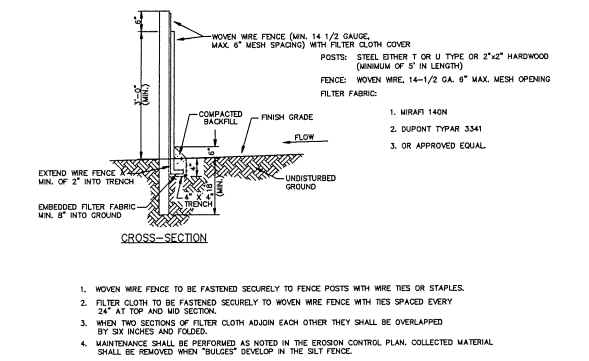
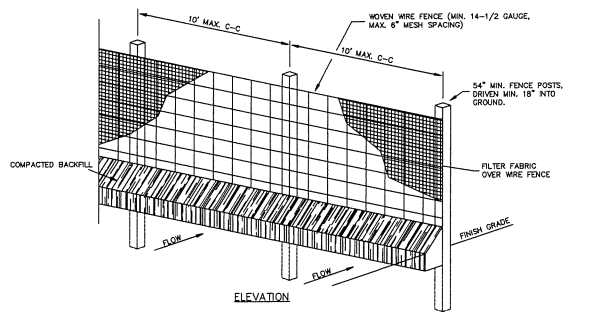


FIGURE 5  
SEDIMENTATION / SILT FENCE  
N.T.S.

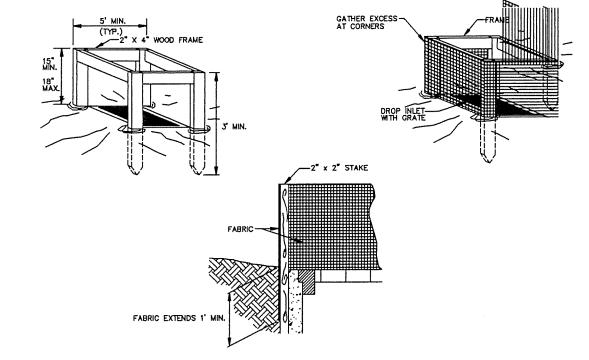


FIGURE 6  
SILT FENCE INLET PROTECTION  
N.T.S.

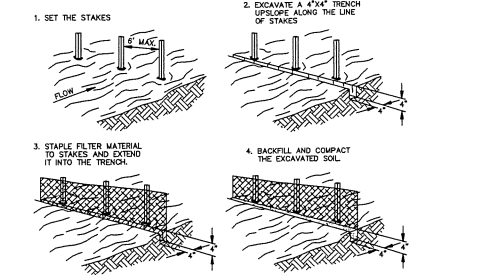


FIGURE 7  
SILT FENCE BARRIER  
N.T.S.

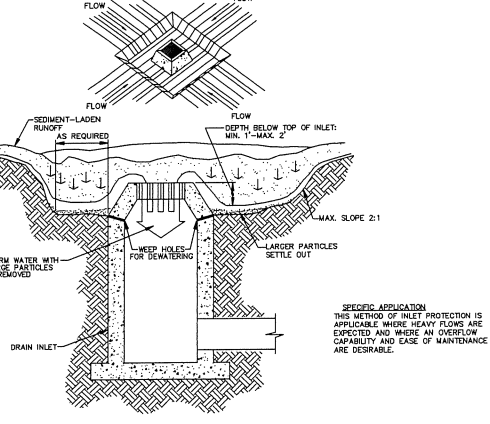


FIGURE 8  
EXCAVATED INLET SEDIMENT TRAP  
N.T.S.

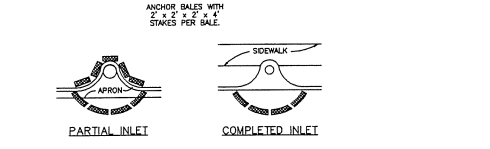


FIGURE 9  
PROTECTION AROUND INLETS OR SIMILAR STRUCTURES  
N.T.S.

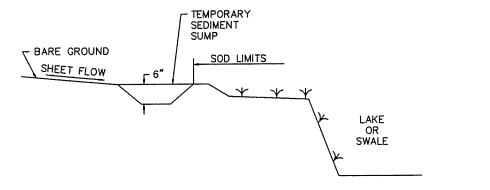


FIGURE 10  
TEMPORARY SEDIMENT SUMP  
N.T.S.

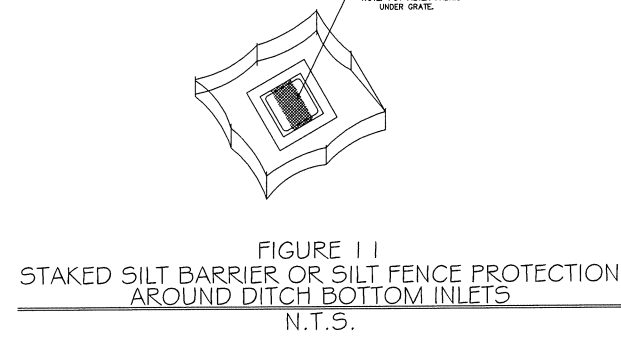


FIGURE 11  
STAKED SILT BARRIER OR SILT FENCE PROTECTION AROUND DITCH BOTTOM INLETS  
N.T.S.

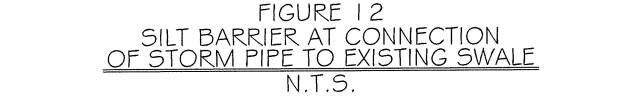


FIGURE 12  
SILT BARRIER AT CONNECTION OF STORM PIPE TO EXISTING SWALE  
N.T.S.

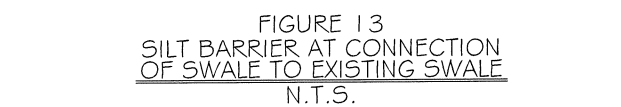


FIGURE 13  
SILT BARRIER AT CONNECTION OF SWALE TO EXISTING SWALE  
N.T.S.

BEST MANAGEMENT PRACTICES

This plan has been prepared to ensure compliance with the Rules of the Florida Department of Environmental Protection, Chapter 17-25, F.A.C., and the St. John's River Water Management District, Chapter 402-4, F.A.C. The plan shall have the following uses:

1. Protection of preserved/conserved upland habitats during construction.
2. General erosion control.
3. Protection of surface water quality during and after construction.
4. Control of wind erosion.

The various techniques or actions identified under each section indicate the appropriate situation when the technique should be employed. Also identified is a cross-reference to a diagram or figure representing the technique.

It should be noted that the measures identified on this plan are only suggested BMPs. The contractor shall provide pollution prevention and erosion control measures as specified in FOOT Note #110 and as necessary for each specific application.

**SECTION 1 - PROTECTION OF PRESERVED/CONSERVED UPLAND HABITATS**  
N/A.

**SECTION 2 - GENERAL EROSION CONTROL**

- 2.1. General erosion control BMPs shall be employed to minimize soil erosion and potential lake slope cavities. While the various techniques required will be site and plan specific, they should be applied as soon as possible during construction activities.
- 2.2. Cleared site development areas not continuously scheduled for construction activities shall be covered with hay or mulch and periodically watered sufficient to stabilize the temporary ground cover.
- 2.3. Slopes of banks of retention/sediment ponds shall be constructed not steeper than 4H:1V from top of bank to two feet below normal water level.
- 2.4. All grass slopes constructed steeper than 4H:1V shall be sodded as soon as practical after their construction.
- 2.5. Sod shall be placed for a 3-foot wide strip adjoining all curbs and around all inlets as shown in Figure 9. Sod shall be placed before and between, shown in Figure 9, are installed.
- 2.6. Where required to prevent erosion from sheet flow across bare ground from entering a lake or swale, a temporary sediment sump shall be constructed, as shown in Figure 11. The temporary sediment sump shall remain in place until vegetation is established on the ground draining to the sump.

**SECTION 3 - PROTECTION OF SURFACE WATER QUALITY DURING AND AFTER CONSTRUCTION**

- 3.1. Surface water quality shall be maintained by employing the following BMPs in the construction planning and construction of all improvements.
  - 3.1.1. Where practical, stormwater shall be conveyed by swales. Swales shall be constructed as shown in Figure 14.
  - 3.1.2. Bottom control measures shall be employed to minimize turbidity of surface waters located downstream of any construction activity. While the various measures required will be site specific, they shall be employed as needed in accordance with the following:
    - a. In general, erosion shall be controlled at the lowest practical upstream location.
    - b. Stormwater inlets shall be protected during construction as shown in Figures 2 and 10. Protection measures shall be employed as soon as practical during the various stages of inlet construction. Silt barriers shall remain in place until sodding around inlets is complete.
    - c. Heavy construction equipment parking and maintenance areas shall be designed to prevent soil, grease, and lubricants from entering site drainage features including stormwater collection and treatment systems. Contractors shall provide silt fences, silt curtains, silt screens around, and sediment traps within such areas as required to contain spills of oil, grease or lubricants. Contractors shall treat washable and spillable materials with water to clean up spills as soon as possible after occurrence.
  - 3.1.3. Silt barriers, any spill which accumulates behind the barriers, and any oil spill which accumulates behind the barriers shall be removed promptly after the end of the maintenance period specified for the barriers.

**SECTION 4 - CONTROL OF WIND EROSION**

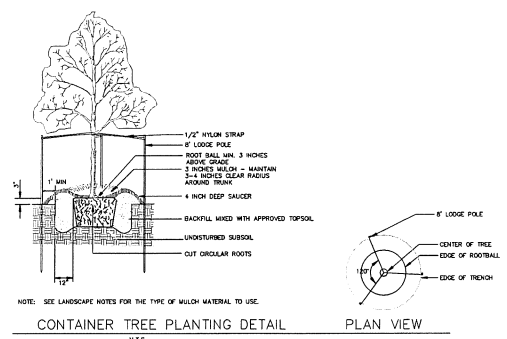
- 4.1. Wind erosion shall be controlled by employing the following methods as necessary and appropriate:
  - a. Bare earth areas shall be watered during construction as necessary to minimize the transport of fugitive dust. It may be necessary to limit construction vehicle speed if bare earth has not been effectively watered. In no case shall fugitive dust be allowed to leave the site under construction.
  - b. As soon as practical after completion of construction, bare earth areas shall be revegetated.
  - c. At any time both during and after site construction that existing and/or vegetation are not effective in controlling wind erosion and/or transport of fugitive dust, other methods to the necessary for dust control shall be employed. These methods may include erection of wind control fences. If required, dust control fences shall be constructed in accordance with the plan for a silt fence shown in Figure 7 except the minimum height shall be 4 feet.

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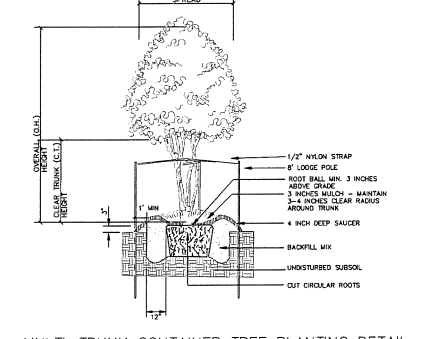
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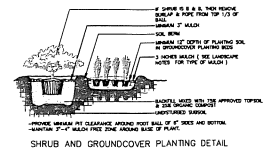
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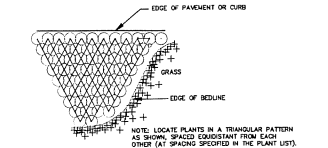
CONTAINER TREE PLANTING DETAIL  
N.T.S.



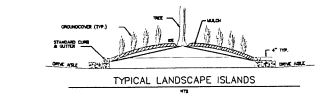
MULTI-TRUNK CONTAINER TREE PLANTING DETAIL  
N.T.S.



SHRUB AND GROUND COVER PLANTING DETAIL  
N.T.S.



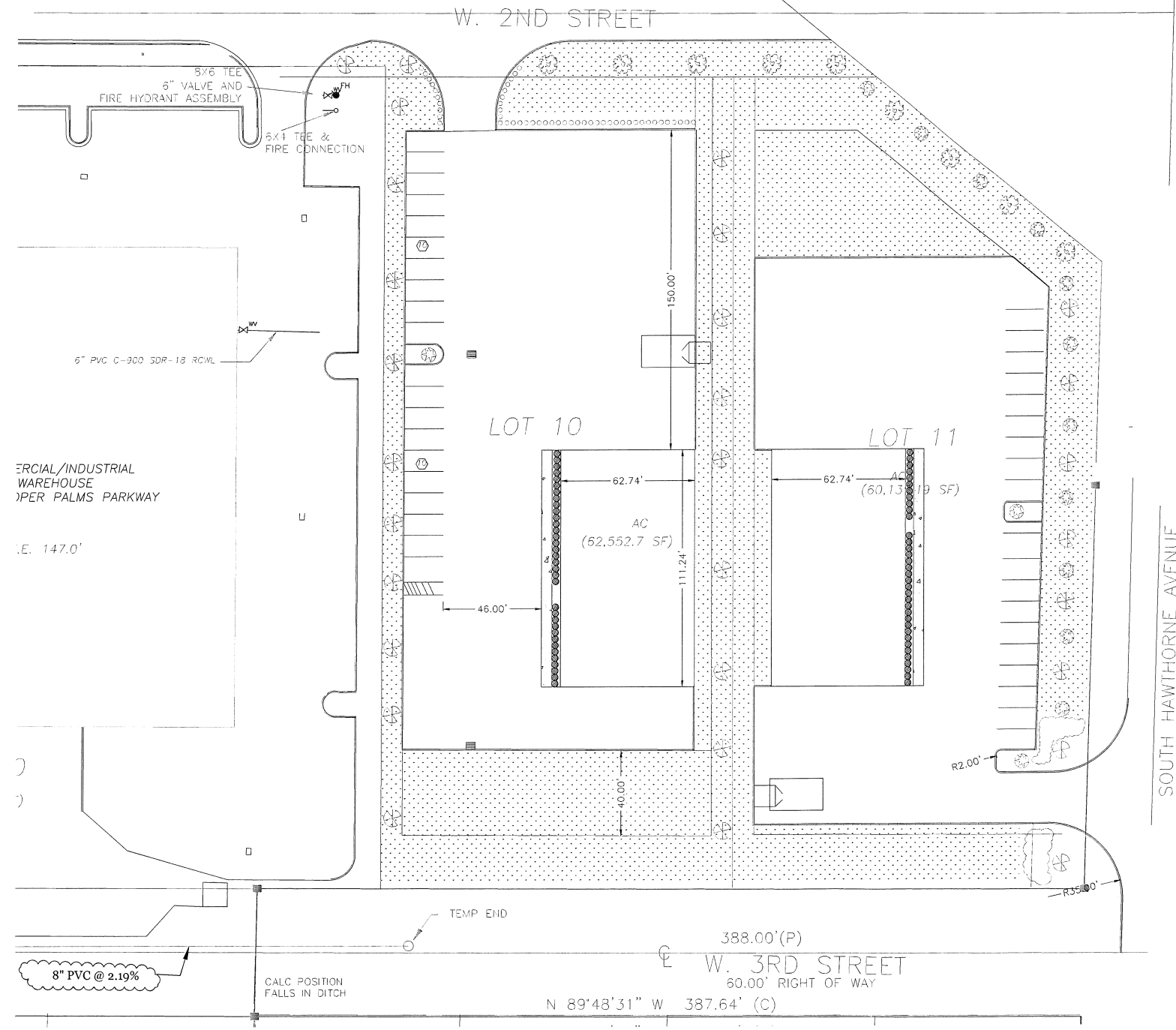
SHRUB/GROUND COVER SPACING PLAN  
N.T.S.



TYPICAL LANDSCAPE ISLANDS  
N.T.S.

LANDSCAPE NOTES:

- The Landscape Contractor shall review architectural/engineering plans and become thoroughly familiar with surface and subsurface utilities.
- The work shall be coordinated with other trades to prevent conflicts. Coordinate the planting with the irrigation work to assure availability and proper location of irrigation lines and plants.
- The Landscape Contractor shall be responsible for all materials and all work as called for on the Landscape Plans and in the Landscape Specifications. In the event of variation between quantities shown on plant list and the plans, the plant list shall control. The Landscape Contractor shall verify all quantities and report any discrepancies at the time of bidding.
- Except as otherwise specified, the Landscape Contractor's work shall conform to accepted horticultural practices as used in the trade.
- Every possible safeguard shall be taken to protect building surfaces, equipment and furnishings. The Landscape Contractor shall be responsible for any damage or injury to person or property which may occur as a result of negligence in the execution of the work.
- No planting shall be performed by personnel familiar with planting procedure and under the supervision of a qualified planting foreman.
- All plant material shall be graded Florida No. 1 or better as outlined under Grades and Standards for Nursery Plants, Part I and II, published by the Florida Department of Agriculture and Consumer Services or to the standards as given in the latest "American Standard for Nursery Stock," American National Standards Institute.
- The minimum acceptable size of all plants, measured after pruning, with branches in normal positions, shall conform to the measurements specified on the plant list or as indicated on the landscape drawing. Height and spread dimensions refer to main body of the plant and not extreme branch tip to tip. The caliper of tree trunks is to be taken 6" inches above the root ball.
- The Landscape Architect or Owner shall have the right, at any stage of the operations, to reject any and all work and materials which, in his opinion, do not meet with the requirements of these specifications.
- Plants shall be protected upon arrival at the site, by being thoroughly watered and properly maintained until planted.
- The Landscape Contractor shall be responsible for proper watering of all plants. All plants shall be thoroughly watered at time of planting and kept adequately watered until time of acceptance. It shall be the Landscape Contractor's responsibility to assure that plants are not over watered.
- It shall be the Landscape Contractor's responsibility to prevent plants from falling or being blown over, to re-secure and repair all plants which lean or fall and to replace all plants which are damaged due to lack of proper staking or staking. The Landscape Contractor shall be liable for any damage caused by instability of any plant material.
- All trees and all palms shall be guyed or staked or braced. The Landscape Contractor shall determine which shall or multi-trunk trees need to be guyed and staked and provide detail prepared by the Landscape Architect. It shall be the responsibility of the Landscape Contractor to remove guys and stakes from the trees at job site after a period of 1 year.
- Plants blown over by high winds, within the guaranteed period, shall not be cause for additional expense to the Owner, but shall be the responsibility of the Landscape Contractor. Damaged plants shall be replaced by the Landscape Contractor at no additional cost to the Owner.
- The Landscape Contractor shall prune, shape and remove dead foliage/limbs from existing plant material to remain. Confirm with the Landscape Architect or Owner the extent of work required at time of bidding.
- Soil shall be ARGENTINE BAHIA AND certified to be free of the imported fire ant. Soil shall have a clean growth of acceptable grass, reasonably free of weeds and not less than 1 1/2" of soil firmly adhering to roots. It shall be the responsibility of the Landscape Contractor to measure and determine the exact amount required. This amount shall be verified with the Owner or Landscape Architect before installation.
- All plant beds shall be top dressed with a minimum of 2" shredded organic mulch (or approved sawdust). All trees are to be mulch.
- The Landscape Contractor shall insure that his work does not interrupt established or projected drainage patterns.
- The Landscape Contractor shall insure adequate vertical drainage in all plant beds, planters, and top dress. Vertical drilling through any compacted fill to native soil shall be accomplished to insure drainage. If well drained fill is necessary to assure positive drainage, this issue shall be brought up by the Landscape Contractor at time of bidding.
- All tree pits shall be excavated to size and depth in accordance with the USDA Standard for Nursery Stock 290.1, unless shown otherwise on the drawings, and backfilled with the specified planting soil. The Landscape Contractor shall test fill all tree pits with water before planting to assure proper drainage penetration is available.
- The Landscape Contractor shall be responsible for determining and evaluating which plant material are suitable for transplanting and shall verify this with the Landscape Architect or Owner. The Landscape Contractor shall take all reasonable, horticulturally acceptable measures to assure the successful transplanting of determined plant materials. The Landscape Contractor shall be responsible for replacing any relocated plant material, which die in such measures are not taken, as determined by the Landscape Architect or Owner. Replacement plants shall be of identical species and size if required.
- Maintenance shall commence after each plant is planted and the maintenance period shall continue until the job or specific phase of the job is accepted by the Landscape Architect or Owner. Extreme care shall be taken to protect the Owner or his representatives in general maintenance procedures.
- Plant maintenance shall include watering, pruning, weeding, cultivating, mulching, tightening, and repositioning of sick or dead plants, resetting plants to proper grades or upright positions and restoration of the planting surface and all other care needed for proper growth of the plants.
- During the maintenance period and up to the date of final acceptance, the Landscape Contractor shall do all seasonal watering and/or feeding of trees and shrubs. Upon completion of an planting, an inspection for acceptance of work will be held. The Landscape Contractor shall notify the Landscape Architect or Owner for scheduling of the inspection 10 days prior to the anticipated date, at the time of the inspection, if all of the materials are acceptable, a written notice will be given by the Landscape Architect or Owner to the Landscape Contractor stating the date when the Maintenance Period ends.
- At the end of the guarantee period, any plant required under this contract that is dead or not in satisfactory growth, as determined by the Owner or the Landscape Architect, shall be removed and replaced. Replacement plants shall meet an extended guarantee, as noted, above, from time of replacement. All replacements shall be planted of the same kind and size as specified on the plant list. They shall be the responsibility of the Landscape Contractor.
- All plant materials shall be guaranteed for one (1) year from the time of final inspection and interim acceptance shall be given and in satisfactory growth for each specific kind of plant at the end of the guarantee period.
- Topsoil shall be ASTM D 9238, natural, friable, fine to very fine soil possessing characteristics of representative topsoil in the vicinity that produces heavy growth. Topsoil shall have a pH range of 5.5 to 7.4 percent, free from rocks, objectionable weeds, sticks, clogs, dirt clods, stones larger than 1-inch in diameter, clumps, roots, trash, twigs, twigs, or any other material which may be harmful to plant growth or hinder planting operations. Top soil shall contain a minimum of three percent organic material.



COMMERCIAL/INDUSTRIAL WAREHOUSE PER PALMS PARKWAY

E. 147.0'

LANDSCAPE PLAN

CERTIFIED SHOP DRAWINGS FOR PERMANENT IRRIGATION 1"=30'-0" SYSTEM TO BE SUBMITTED PRIOR TO INSTALLATION  
NOTE: IRRIGATION RISER ARE NOT ALLOWED

- ALL SOIL SHALL BE ARGENTINE BAHIA.
- ALL GREEN AREAS OF TREES, PLANTS, AND SOIL TO BE IRRIGATED ACCORDINGLY.
- ALL PLANTS TO BE NO. 1 OR BETTER AND MEET ALL CITY OF APOPKA CODES AND ORDINANCES.
- ALL TREES SHALL RECEIVE THE NECESSARY IRRIGATION UNTIL THE ROOT SYSTEM AND TREE INSERT CAN SUSTAIN ITS OWN GROWTH THROUGH NATURE AND IRRIGATION SYSTEMS.
- ALL PLANTS AND BEDS SHALL RECEIVE MULCH ACCORDINGLY.
- ALL TREES SHALL BE STAKED/STAKED TO WITHSTAND NATURAL WIND FORCES. TYPE OF STAKE SHALL BE OF A TYPE NOT TO INJURE THE TREE TRUNK.

LANDSCAPE AND IRRIGATION DESIGN  
I CERTIFY THAT THE LANDSCAPE & IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE W/ C.O.A. ORDINANCE 2069 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

Plan Notes

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4		
3		
2		
1		
No.	Revision/Issue	Date

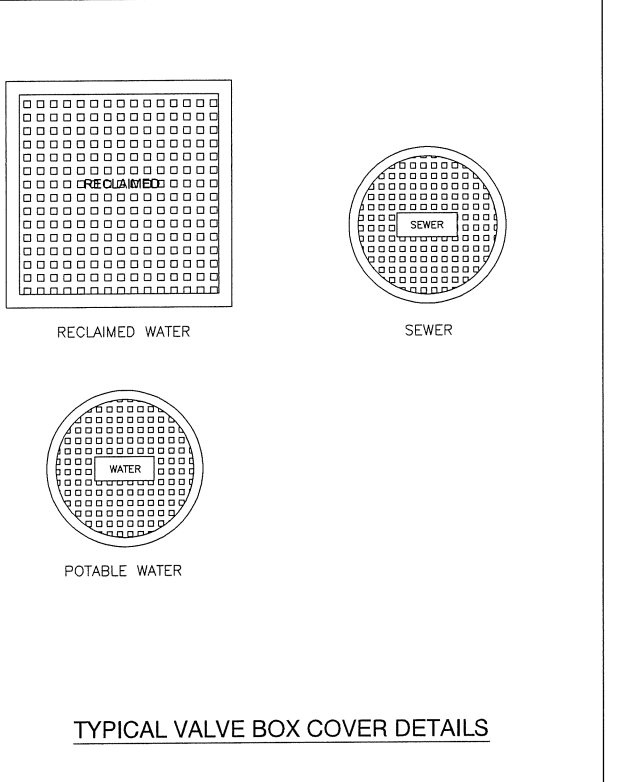
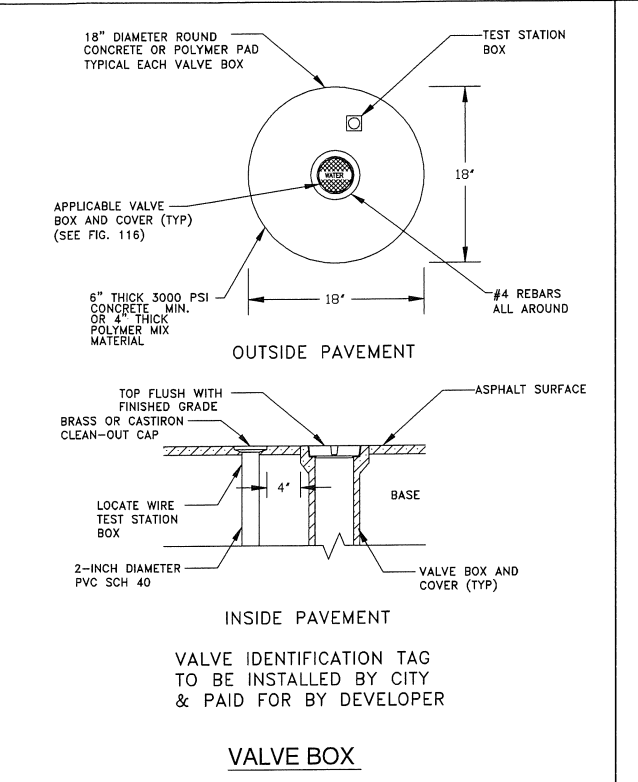
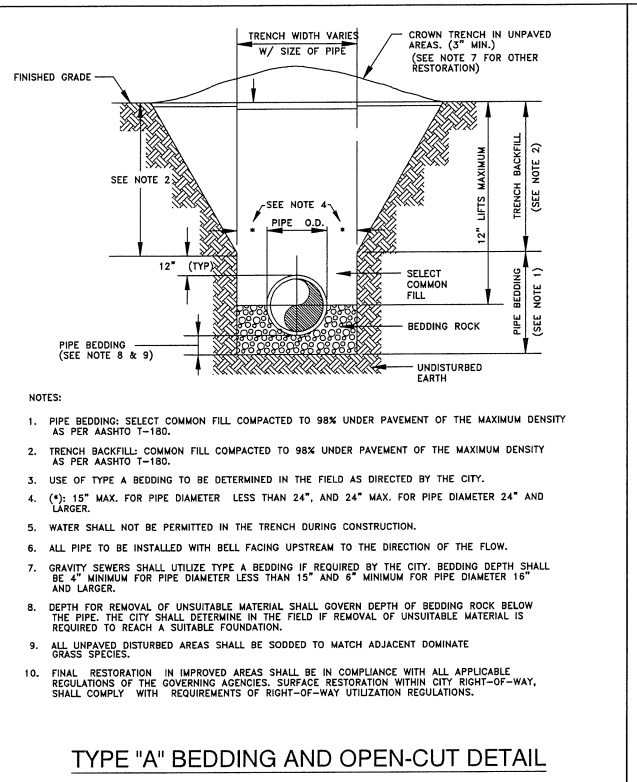
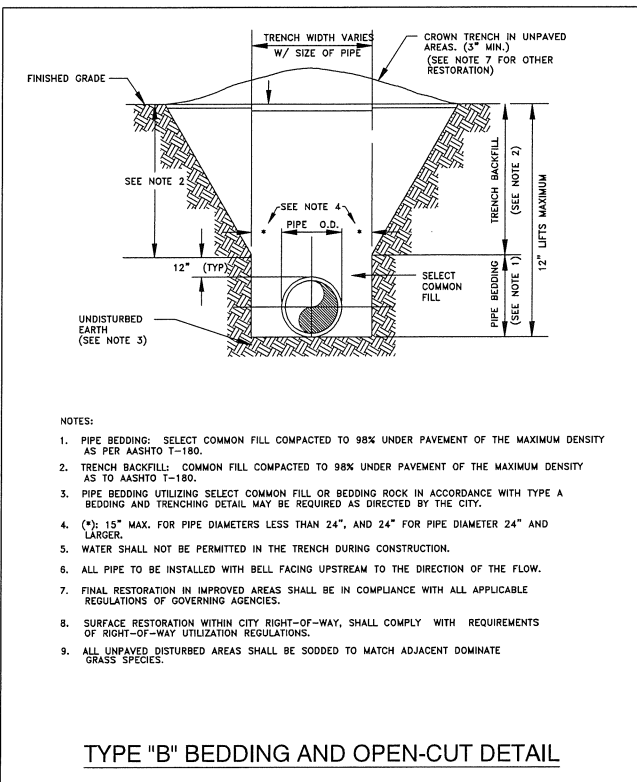
ALI TEHRANI P.E.  
621 SHERWOOD DR  
Altamonte Springs, Florida 32751  
(407)-948-0811  
Florida PE #48235

Project Name and Address  
COOPER PALM COMMERCE PARK  
LOT 10 & 11  
APOPKA, FL

Project	Sheet
Date	1-2-17
Scale	AS SHOWN



UTILITY DETAILS

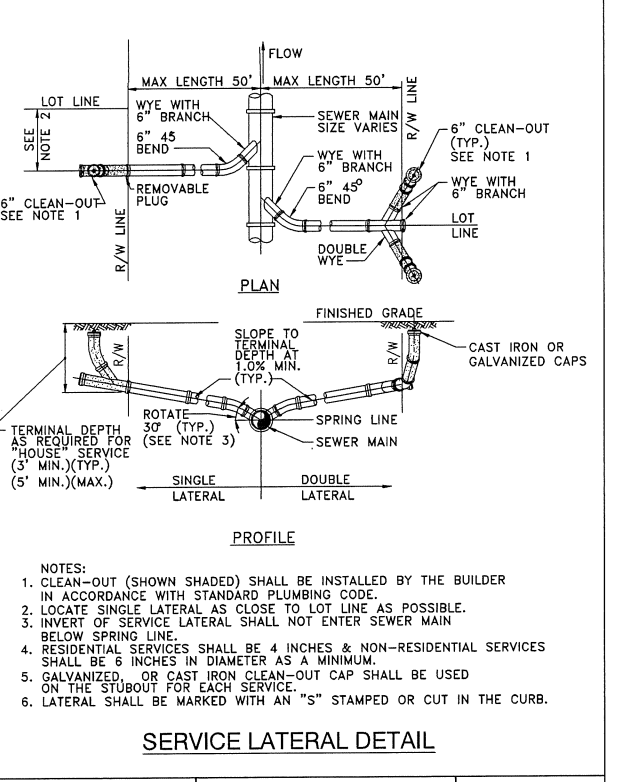
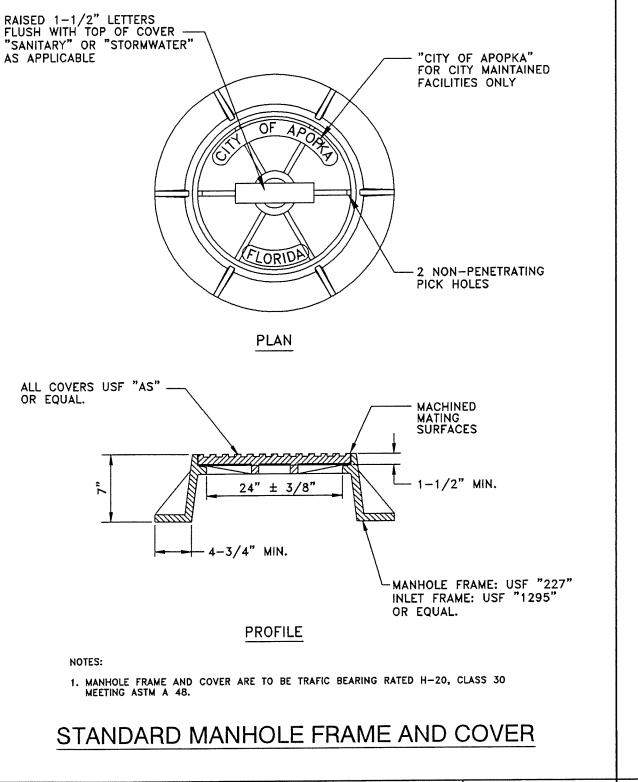
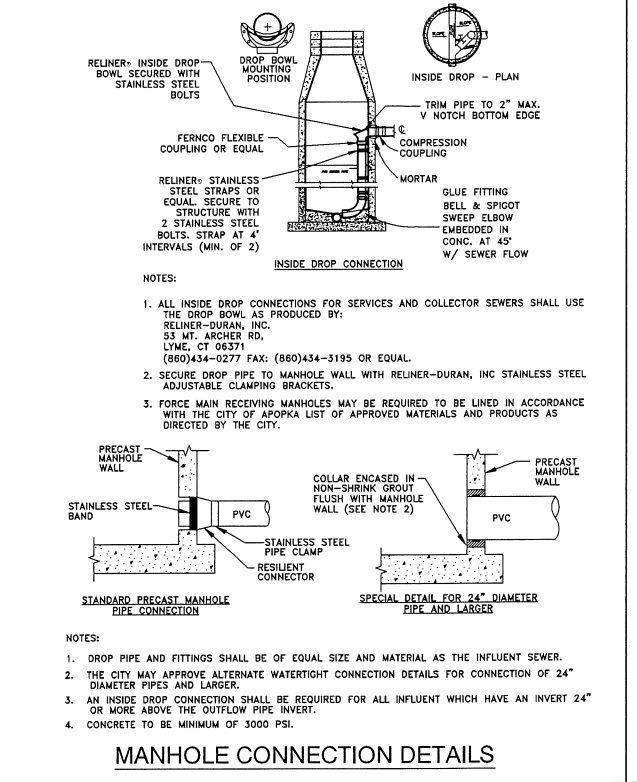
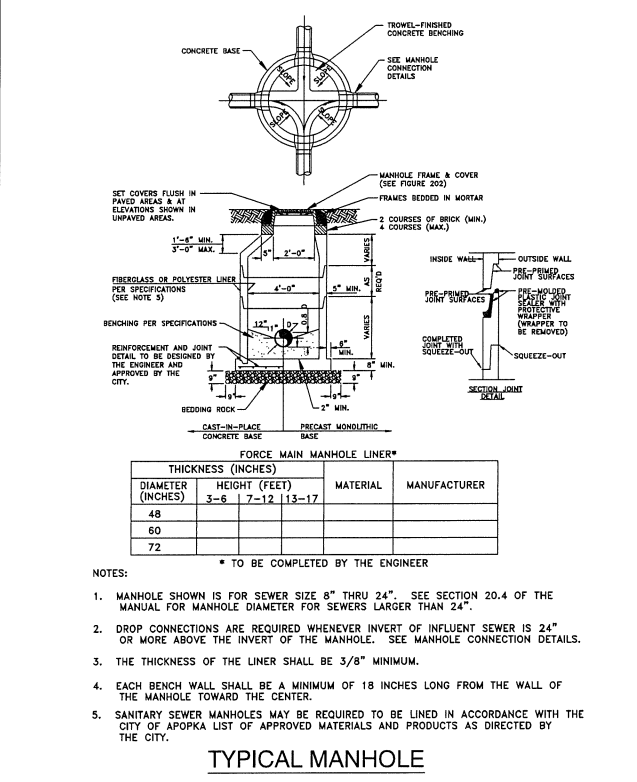


CITY OF APOPKA JANUARY 2016 FIG. 100

CITY OF APOPKA JANUARY 2016 FIG. 101

CITY OF APOPKA JANUARY 2016 FIG. 109

CITY OF APOPKA JANUARY 2016 FIG. 116



CITY OF APOPKA JANUARY 2016 FIG. 200

CITY OF APOPKA JANUARY 2016 FIG. 201

CITY OF APOPKA JANUARY 2016 FIG. 202

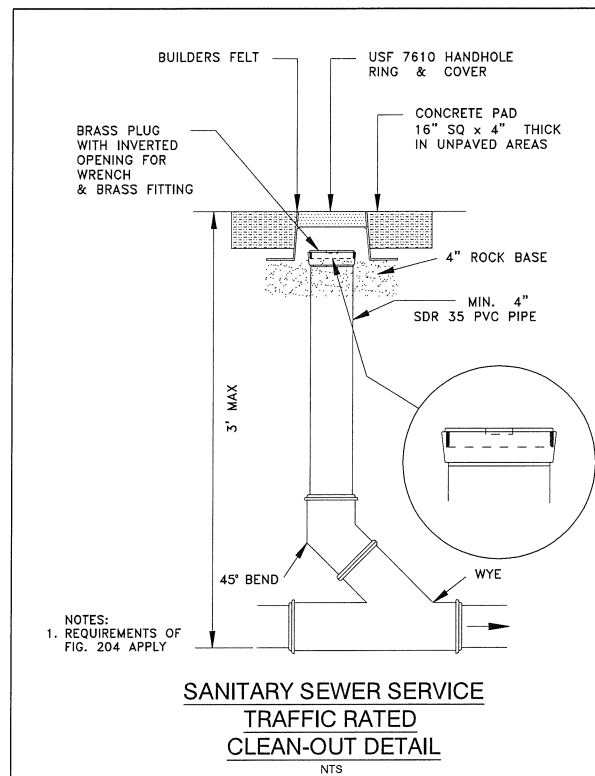
CITY OF APOPKA JANUARY 2016 FIG. 204

No.	Revision/Issue	Date

ENGINEER OF RECORD  
**ALI TEHRANI, P.E.**  
 FLORIDA P.E. LICENSE NO.48235  
 621 Sherwood Dr.  
 Altamonte Springs, FL 32751  
 Ph. (407) 948-0811

PROJECT NAME  
**COOPER PALMS  
 COMMERCE PARK**  
 564 Cooper Commerce Dr., Suite 500  
 Apopka, FL 32703

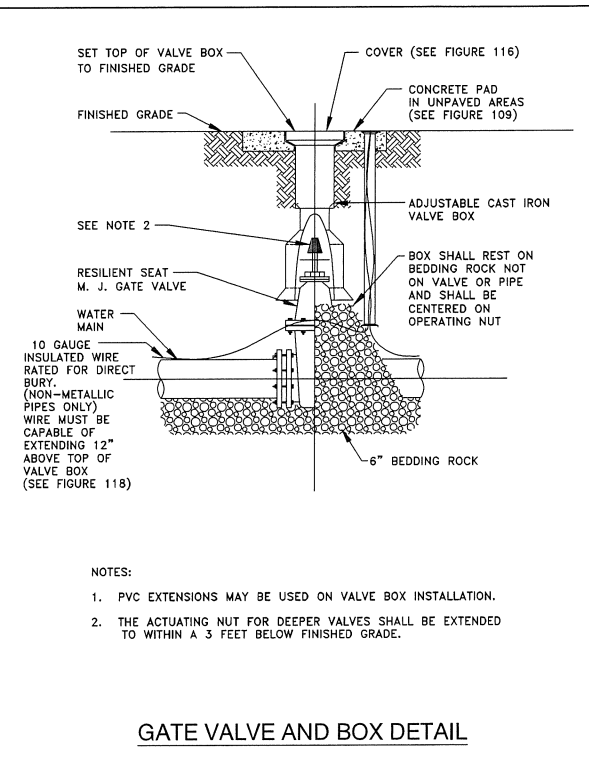
DWG Page 10	PAGE
Date January 3, 2017	10
Scale As Shown	10 of 11



NOTES:  
1. REQUIREMENTS OF FIG. 204 APPLY

**SANITARY SEWER SERVICE TRAFFIC RATED CLEAN-OUT DETAIL**

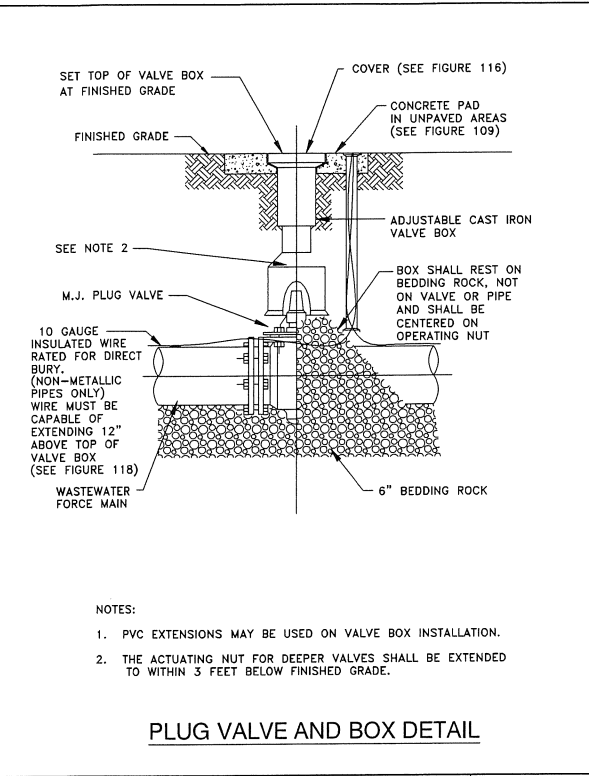
CITY OF APOPKA DESIGN ENGINEERING DIVISION JANUARY 2016 FIG. 205



NOTES:  
1. PVC EXTENSIONS MAY BE USED ON VALVE BOX INSTALLATION.  
2. THE ACTUATING NUT FOR DEEPER VALVES SHALL BE EXTENDED TO WITHIN A 3 FEET BELOW FINISHED GRADE.

**GATE VALVE AND BOX DETAIL**

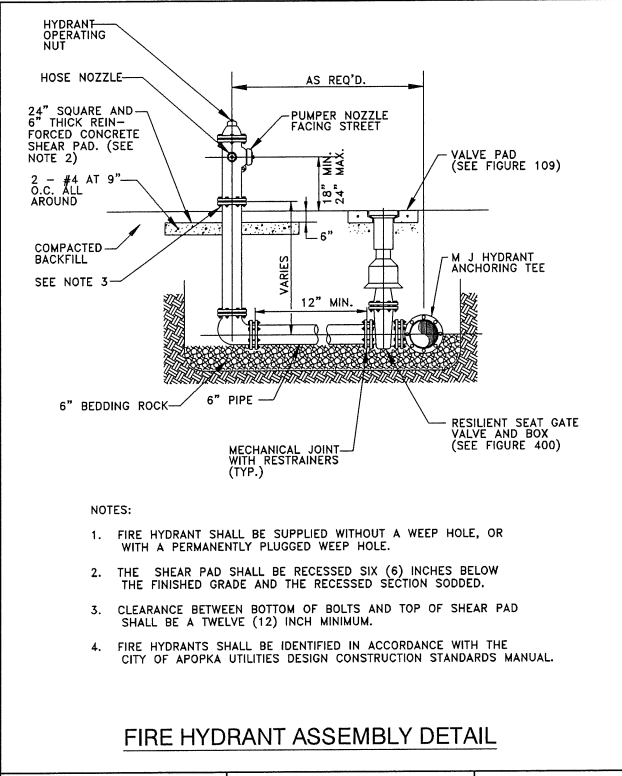
CITY OF APOPKA DESIGN ENGINEERING DIVISION JANUARY 2016 FIG. 400



NOTES:  
1. PVC EXTENSIONS MAY BE USED ON VALVE BOX INSTALLATION.  
2. THE ACTUATING NUT FOR DEEPER VALVES SHALL BE EXTENDED TO WITHIN 3 FEET BELOW FINISHED GRADE.

**PLUG VALVE AND BOX DETAIL**

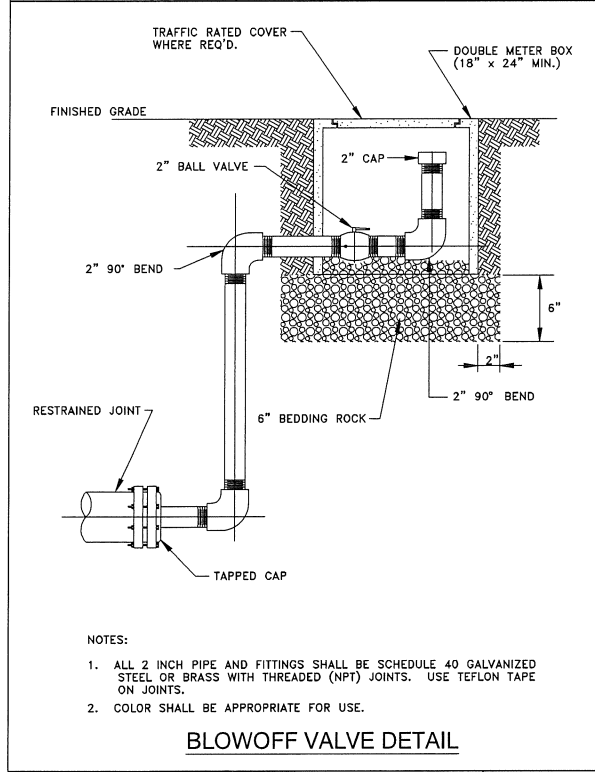
CITY OF APOPKA DESIGN ENGINEERING DIVISION JANUARY 2016 FIG. 400 A



NOTES:  
1. FIRE HYDRANT SHALL BE SUPPLIED WITHOUT A WEEP HOLE, OR WITH A PERMANENTLY PLUGGED WEEP HOLE.  
2. THE SHEAR PAD SHALL BE RECESSED SIX (6) INCHES BELOW THE FINISHED GRADE AND THE RECESSED SECTION SODDED.  
3. CLEARANCE BETWEEN BOTTOM OF BOLTS AND TOP OF SHEAR PAD SHALL BE A TWELVE (12) INCH MINIMUM.  
4. FIRE HYDRANTS SHALL BE IDENTIFIED IN ACCORDANCE WITH THE CITY OF APOPKA UTILITIES DESIGN CONSTRUCTION STANDARDS MANUAL.

**FIRE HYDRANT ASSEMBLY DETAIL**

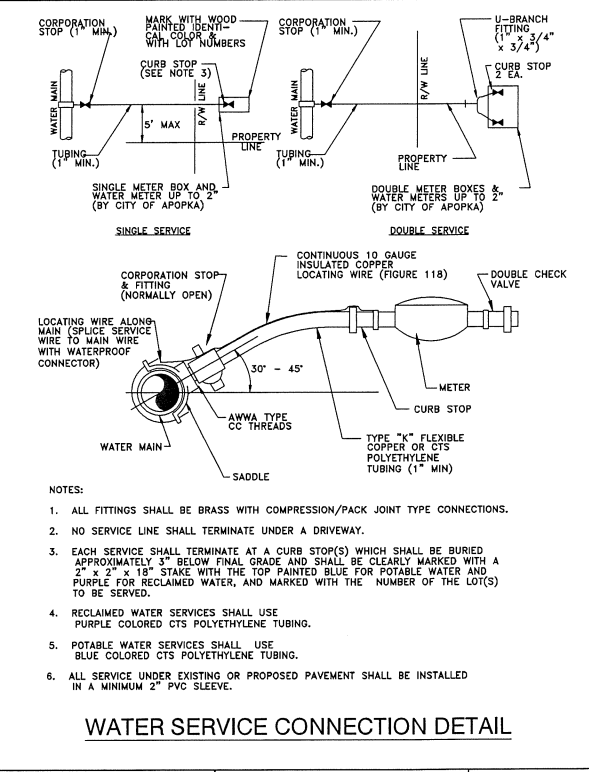
CITY OF APOPKA DESIGN ENGINEERING DIVISION JANUARY 2016 FIG. 402



NOTES:  
1. ALL 2 INCH PIPE AND FITTINGS SHALL BE SCHEDULE 40 GALVANIZED STEEL OR BRASS WITH THREADED (NPT) JOINTS. USE TEFLON TAPE ON JOINTS.  
2. COLOR SHALL BE APPROPRIATE FOR USE.

**BLOWOFF VALVE DETAIL**

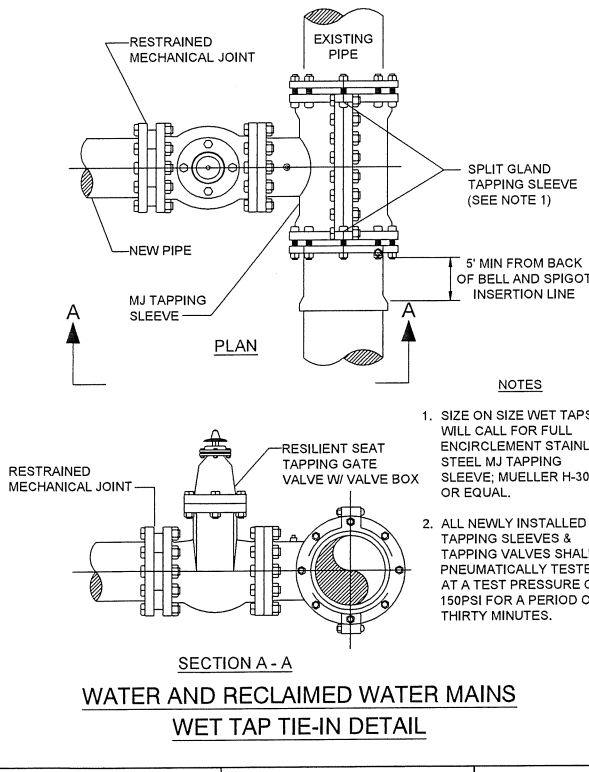
CITY OF APOPKA DESIGN ENGINEERING DIVISION JANUARY 2016 FIG. 403



NOTES:  
1. ALL FITTINGS SHALL BE BRASS WITH COMPRESSION/PACK JOINT TYPE CONNECTIONS.  
2. NO SERVICE LINE SHALL TERMINATE UNDER A DRIVEWAY.  
3. EACH SERVICE SHALL TERMINATE AT A CURB STOP(S) WHICH SHALL BE BURIED APPROXIMATELY 3" BELOW FINAL GRADE AND SHALL BE CLEARLY MARKED WITH A 2" x 2" x 18" STAKE WITH THE TOP PAINTED BLUE FOR POTABLE WATER AND PURPLE FOR RECLAIMED WATER, AND MARKED WITH THE NUMBER OF THE LOT(S) TO BE SERVED.  
4. RECLAIMED WATER SERVICES SHALL USE PURPLE COLORED CTS POLYETHYLENE TUBING.  
5. POTABLE WATER SERVICES SHALL USE BLUE COLORED CTS POLYETHYLENE TUBING.  
6. ALL SERVICE UNDER EXISTING OR PROPOSED PAVEMENT SHALL BE INSTALLED IN A MINIMUM 2" PVC SLEEVE.

**WATER SERVICE CONNECTION DETAIL**

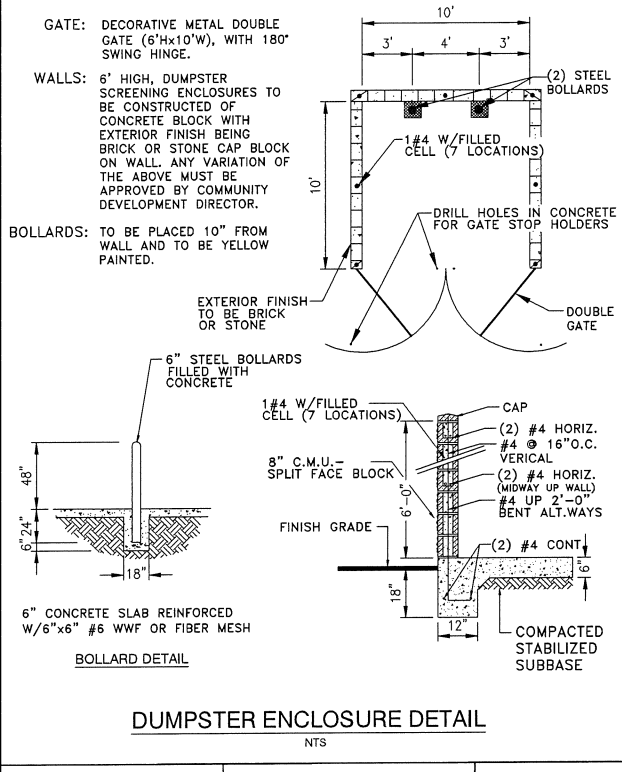
CITY OF APOPKA DESIGN ENGINEERING DIVISION JANUARY 2016 FIG. 405



NOTES:  
1. SIZE ON SIZE WET TAPS WILL CALL FOR FULL ENCIRCLEMENT STAINLESS STEEL MJ TAPPING SLEEVE; MUELLER H-304, OR EQUAL.  
2. ALL NEWLY INSTALLED TAPPING SLEEVES & TAPPING VALVES SHALL BE PNEUMATICALLY TESTED AT A TEST PRESSURE OF 150PSI FOR A PERIOD OF THIRTY MINUTES.

**SECTION A - A WATER AND RECLAIMED WATER MAINS WET TAP TIE-IN DETAIL**

CITY OF APOPKA DESIGN ENGINEERING DIVISION JANUARY 2016 FIG. 406



NOTES:  
1. GATE: DECORATIVE METAL DOUBLE GATE (6'Hx10'W), WITH 180° SWING HINGE.  
2. WALLS: 6' HIGH, DUMPSTER SCREENING ENCLOSURES TO BE CONSTRUCTED OF CONCRETE BLOCK WITH EXTERIOR FINISH BEING BRICK OR STONE CAP BLOCK ON WALL. ANY VARIATION OF THE ABOVE MUST BE APPROVED BY COMMUNITY DEVELOPMENT DIRECTOR.  
3. BOLLARDS: TO BE PLACED 10" FROM WALL AND TO BE YELLOW PAINTED.  
4. EXTERIOR FINISH TO BE BRICK OR STONE.  
5. 6" STEEL BOLLARDS FILLED WITH CONCRETE.  
6. 1#4 W/FILLED CELL (7 LOCATIONS).  
7. (2) #4 HORIZ. #4 @ 16" O.C. VERTICAL.  
8. (2) #4 HORIZ. (MIDWAY UP WALL) #4 UP 2'-0" BENT ALT.WAYS.  
9. (2) #4 CONT.  
10. FINISH GRADE.  
11. 8" C.M.U. - SPLIT FACE BLOCK.  
12. 6" CONCRETE SLAB REINFORCED W/6"x6" #6 WWF OR FIBER MESH.  
13. COMPACTED STABILIZED SUBBASE.

**DUMPSTER ENCLOSURE DETAIL**

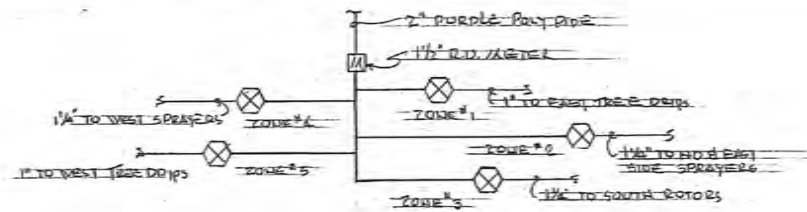
CITY OF APOPKA DESIGN ENGINEERING DIVISION JANUARY 2016 FIG. 601

No.	Revision/Issue	Date

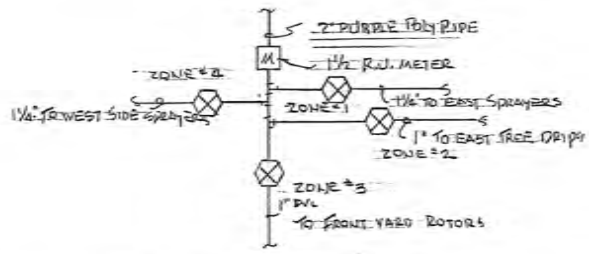
ENGINEER OF RECORD  
**ALI TEHRANI, P.E.**  
FLORIDA P.E. LICENSE NO. 48235  
621 Sherwood Dr.  
Altamonte Springs, FL 32751  
Ph. (407) 948-0811

PROJECT NAME  
**COOPER PALMS COMMERCE PARK**  
564 Cooper Commerce Dr., Suite 500  
Apopka, FL 32703

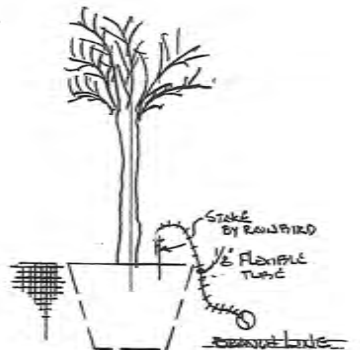
DWG	PAGE
Page 11	11
Date	January 3, 2017
Scale	As Shown
	11 of 11



IRRIGATION CONTROL VALVE DIAGRAM  
SCALE: NONE

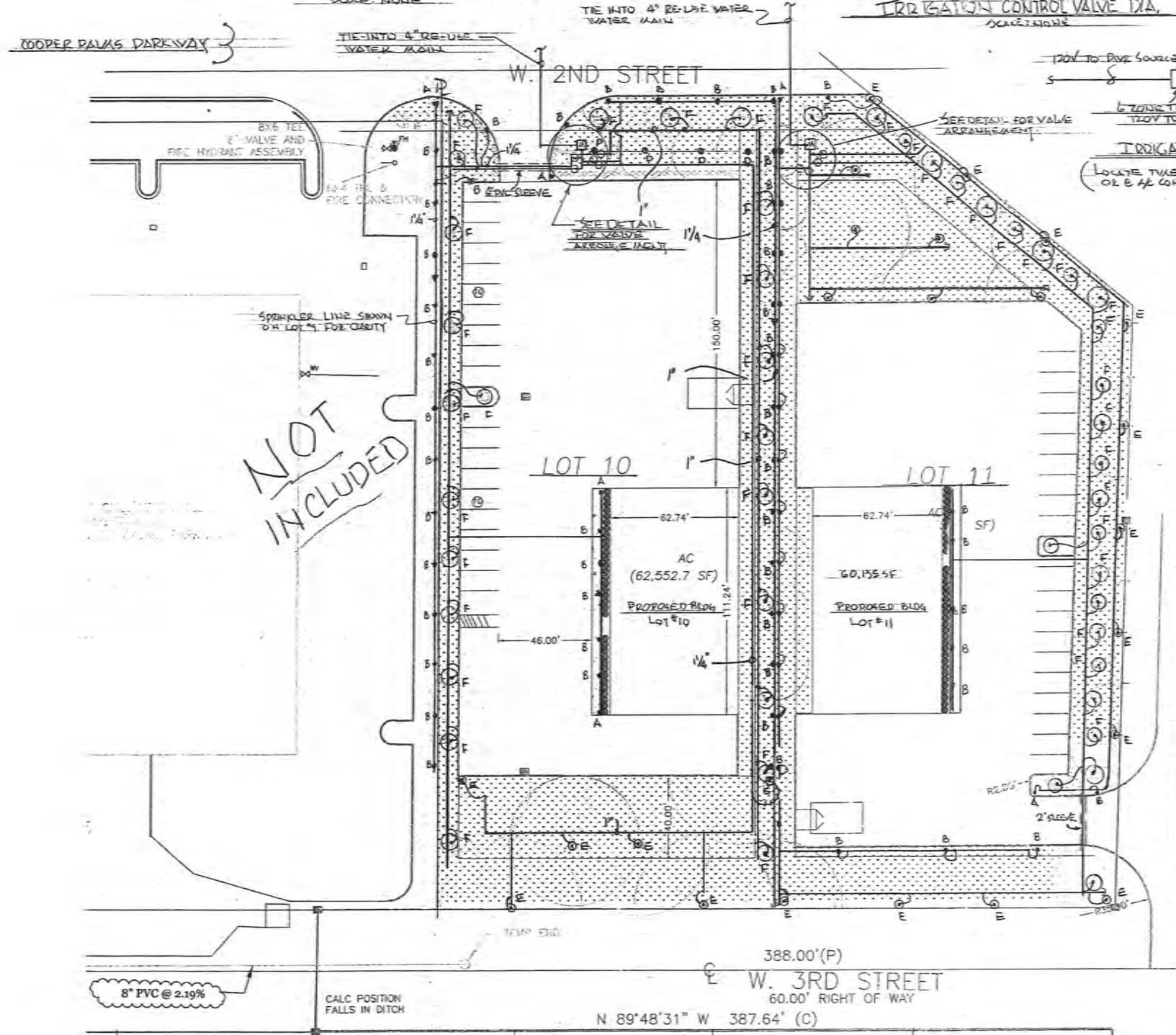


IRRIGATION CONTROL VALVE DIA.  
SCALE: NONE



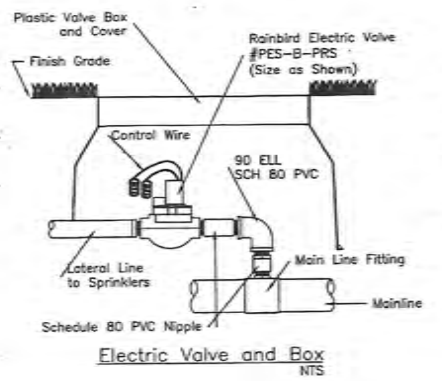
TREE IRRIGATION DETAIL

TREE IRRIGATION TO BE RECODE WHEN TREES CAN SUSTAIN THEIR OWN GROWTH THROUGH NATURAL RAINFALL.



IRRIGATION PLAN  
SCALE: NONE

IRRIGATION FIXER  
LOCATE FIXER IN MECH/ELECTRICAL OR EAC CONDENSER UNIT.



- LEGEND:
- A - 1/2" SPRAY HEAD, 6" POP-UP
  - B - 1/2" SPRAY HEAD, 6" POP-UP
  - C - 1/2" SPRAY HEAD, 6" POP-UP
  - D - FULL SPRAY HEAD, 6" POP-UP
  - E - ROTOR TYPE, ADJUSTABLE, 35' RANGE
  - F - TREE BUBBLER, 1/8" TUBE, DIRECT FED
  - G - SHRUB HEAD, 6" POP-UP
  - X - ELECTRIC (24V) ZONE CONTR VALVE

- NOTES:
- 1) ALL PVC SHALL BE THE PURPLE REUSE TYPE.
  - 2) ALL VALVE BOXES SHALL HAVE PURPLE LIDS TO INDICATE THE PRESENCE OF RE-USE WATER.
  - 3) ALL EQUIPMENT SHALL BE INSTALLED AS PER ALL LOCAL, COUNTY, STATE, AND FEDERAL CODES. PROVIDE AND INSTALL ALL REQUIRED REUSE SIGNS.
  - 4) REFER TO THE LANDSCAPE PLANS WHEN TREKING TO AVOID TREES AND SHRUBS. HAND DIG AROUND ANY EXISTING TREES. DO NOT CUT ANY ROOTS OVER 2" IN DIAMETER.
  - 5) ALL MAINLINE PIPING SHALL BE BURIED TO A MINIMUM DEPTH OF 18" OF COVER. ALL LATERAL PIPING SHALL BE BURIED TO A MINIMUM DEPTH OF 12" OF COVER.
  - 6) ADJUST ALL NOZZLES TO REDUCE WATER WASTE ON HARD SURFACES & BLDG WALLS. THROTTLE ALL VALVES ON SHRUB LINES AS REQUIRED TO PREVENT FOGGING. USE ADJUSTABLE NOZZLES WHERE REQUIRED TO AVOID ANY WATER ON BUILDING WINDOWS.
  - 7) NO RISERS SHALL BE USED ON THIS SITE.
  - 8) ANY PIPING SHOWN OUTSIDE THE PROPERTY LINE OR RUNNING OUTSIDE A LANDSCAPE AREA IS SHOWN THERE FOR CLARITY ONLY. ALL LINES SHALL BE INSTALLED ON THE PROPERTY AND INSIDE THE LANDSCAPE AREAS OR INSIDE A SCL 40 SLEEVE.
  - 9) THE EXACT HEIGHT OF ANY 12" POP-UP THAT IS SHOWN IN A SHRUB BED SHALL BE DETERMINED BY THE OWNER'S REPRESENTATIVE IN THE FIELD.
  - 10) THE CONTRACTOR SHALL EXERCISE CARE SO AS NOT TO DAMAGE ANY EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE IMMEDIATE REPAIRS AND COST OF ANY DAMAGE CAUSED BY THEIR WORK.
  - 11) ALL WORK SHALL BE GUARANTEED FOR ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE AGAINST DEFECTS IN EQUIPMENT AND WORKMANSHIP. (OR AS OUTLINED IN THE WRITTEN SPECIFICATIONS)
  - 12) 48 HOURS BEFORE DIGGING, CALL 1-800-432-4770 (FLORIDA STATE ONE CALL CENTER)
  - 13) PROVIDE RAIN SENSOR MTD ON BLDG WHERE AS RAIN FALL CAN BE DETECTED WITHOUT INTERFERENCE FROM OVER HANGS, ETC.
  - 14) ROUTE CONTROLLER WIRING IN SAME TRENCH WITH WATER LINES.
  - 15) ALL IRRIGATION LINES TO BE 4" UNLESS OTHERWISE NOTED.
  - 16) FIELD ROUTE ALL IRRIGATION LINES ACCORDINGLY, UNLESS OTHERWISE NOTED.
  - 17) ALL TREES, SHRUBS AND SOD ARE PROVIDED WITH IRRIGATION (WATER).

I CERTIFY THAT THE LANDSCAPE & IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH D.A. ORDINANCE 2069 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

MICHAEL A. COOPER, DEVELOPER



**Plan Notes**

COOPER PALMS COMMERCE PARK  
COOPER PALMS PARKWAY  
APOPKA FLORIDA 32705

COOPER CONSTRUCTION CO INC  
564 COOPER COMMERCE DR  
APOPKA FL 32705

No.	Revision/Issue	Date

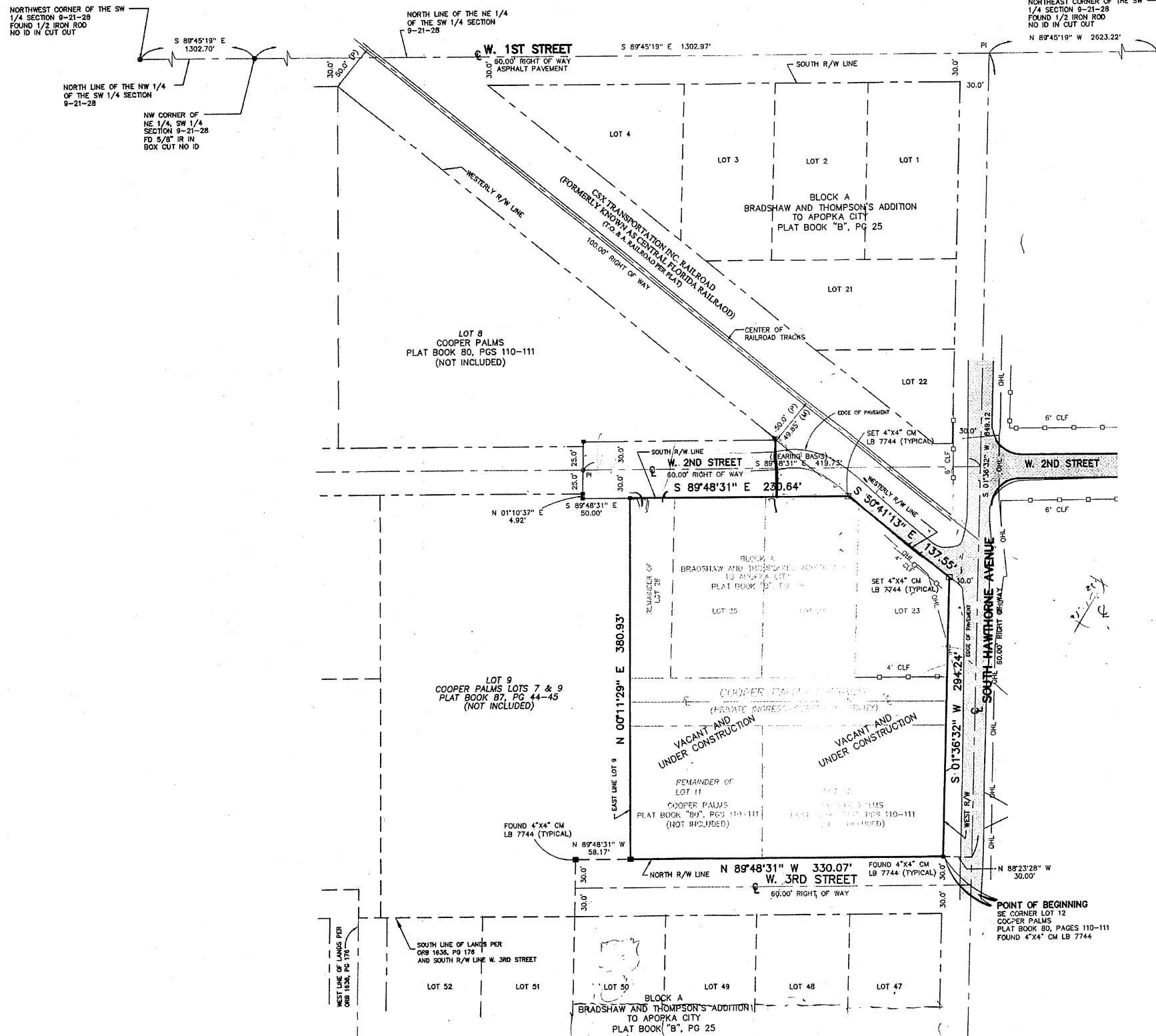
ALI TEHRANI P.E.  
621 SHERWOOD DR  
Altamonte Springs, Florida 32751  
(407)-948-0811  
Florida PE #48235

Project Name and Address  
COOPER PALMS COMMERCE PARK  
APOPKA, FL

Project	Sheet
Date	I-1
Scale	AS SHOWN

**IRRIGATION NOTE:**  
ALL TREES, SHRUBS, AND SOD TO BE IRRIGATED IN ACCORDANCE WITH CITY OF APOPKA STANDARDS & ORDINANCE, REF. 2069, ADOPTED MAY 21, 2008.

# BOUNDARY SURVEY PROPOSED COOPER PALMS LOTS 10 & 11



**DESCRIPTION (PER SURVEYOR):**  
 Lot 12 and a portion of Lot 11 Cooper Palms as recorded in Plat Book 80, pages 110 and 111 of the Public Records of Orange County, Florida and Lots 23 through 25, and a portion of Lot 26 Block "A" Bradshaw and Thompson's Addition to Apopka City as recorded in Plat Book "B", Page 25 of the Public Records of Orange County, Florida being more particularly described as follows:

Begin at the Southeast corner of Lot 12 Cooper Palms as recorded in Plat Book 80, pages 110 and 111 of the Public Records of Orange County, Florida, said point lying at the Point of Intersection of the west right-of-way line of South Hawthorne Avenue (a 60.00 foot right-of-way) and the North right-of-way line of W. 3rd Street (a 60.00 foot right-of-way); thence run N 89°48'31" W along the North Right-of-Way line of W. 3rd Street for a distance of 330.07 feet to the East line of Lot 9 Cooper Palm's Lots 7 and 8 as recorded in Plat Book 87, Pages 44 through 45 of the Public Records of Orange County, Florida; thence run N 00°11'29" E along said right-of-way line for a distance of 380.93 feet to a point on the South Right-of-Way line of W. 2nd Street; thence run S 89°48'31" E along said South Right-of-Way line for a distance of 230.64 feet to a point on the Westerly Right-of-Way line of CSX Transportation Inc. Railroad (formerly known as Central Florida Railroad); thence leaving said South Right-of-Way line for a distance of 230.64 feet to a point on the Westerly Right-of-Way line of CSX Transportation Inc. Railroad (formerly known as Central Florida Railroad); thence leaving said South Right-of-Way line for a distance of 137.55 feet to a point on the West Right-of-Way line of South Hawthorne Avenue; thence leaving said Westerly Right-of-Way run S 01°36'32" E along said West Right-of-Way line for a distance of 294.24 feet to the Point of Beginning. Containing 2.819 acres, more or less.

- SURVEYORS NOTES:**
- Not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.
  - Adjacent properties have not been abstracted for title matters and are subject to assessments and matters of record.
  - Bearings shown hereon are based on the centerline of W. 2nd Street as being S 89°48'31" E, an assumed datum.
  - This is not an AIA/Asm Land Title Survey.
  - This site is presently under construction.
  - No interior improvements located per client agreement. Additionally, no underground utilities, foundations, installations or improvements have been located by this firm as per client agreement.
  - No zoning classification, setbacks or requirements have been provided by the title company to the surveyor or has been researched by the surveyor or this firm.
  - Total area surveyed is 2.819 acres or 122808.11 square feet more or less.
  - Ownership of fences along property lines is not to be determined by this survey.
  - The state of Florida may own or claim ownership of those lands lying below the "ordinary high water line" or within any wetland limits.


ABBREVIATIONS		SYMBOLS	
BFP = BACKFLOW PREVENTOR	PG = PLAT	○ SET 5/8" IRON ROD/CAP, LB #7744	
CM = CONCRETE MONUMENT	PP = PERMANENT CONTROL POINT	● IRON ROD AND CAP FOUND (NUMBER AS INDICATED)	
CLF = CHAIN LINK FENCE	POL = POINT ON LINE MONUMENT	■ 4" x 4" CONCRETE MONUMENT FOUND (LB#7744 UNLESS NOTED OTHERWISE)	
CONC = CONCRETE MONUMENT	PRM = PERMANENT REFERENCE MONUMENT	○ LIGHT POLE	
C = CENTERLINE		⊕ UTILITY POLE (WOOD)	
(C) = DEED	(P) = PLAT	⊕ FENCE (TYPE AS INDICATED)	
EP = EDGE OF PAVEMENT	PL = PLAT BOOK		
ELEV = ELEVATION	R/W = RIGHT-OF-WAY		
FD = FOUND	REC = RECOVERED		
IR = IRON PIPE	TBM = TEMPORARY SITE BENCHMARK		
LB = LOCKED BUSINESS	W = WATER METER		
NOVD = NATIONAL GEODETIC	TRF = TRUSTEES OF THE INTERNAL IMPROVEMENT FUND		
OR = OVERHEAD LINE	CLF = CHAIN LINK FENCE		
ORB = OFFICIAL RECORD BOOK			

I hereby affirm that this survey represented hereon is true and correct to the best of my knowledge and belief. It has been prepared in accordance with the Standards of Practice set in Chapter 5J-17, F.A.C., pursuant to Chapters 177 and 472, Florida Statutes and unless it bears the signature and the original raised seal of a Florida Licensed Surveyor and Mapper, this drawing, sketch, plat or map is for informational purposes only and is not valid.

*Ralph A. Nieto*  
 RALPH A. NIETO P.S.M. 6025 PRINT DATE:

PREPARED FOR:  
**PROPERTY INDUSTRIAL ENTERPRISES LLC.**  
 LOTS 11 AND 12 COOPER PALMS P.B. 80 PGS 110-111 AND  
 LOTS 23-25 BRADSHAW AND THOMPSON'S ADDITION, APOPKA, FL.

FIELD BY:	DLW	DATE:	10/20/16
BY:	AC	ORDER NO.:	NW16-311
SCALE:	1"=60'	SHEET	1 OF 1
NO.	DATE	REVISIONS	BY

 Nieto-Whittaker Surveying LLC  
 562 W. Springtree Way, Lake Mary, FL 32746  
 PH: (407) 484-0103 Fax: (407) 302-6776  
 LB No. 7744

# COOPER PALMS LOTS 10 & 11

A REPLAT OF LOT 12 & A PORTION OF LOT 11 COOPER PALMS AS RECORDED IN PLAT BOOK 80, PAGES 110 AND 111 AND A REPLAT OF LOTS 23, 24 & 25 AND A PORTION OF LOT 26 BLOCK "A" BRADSHAW AND THOMPSON'S ADDITION TO APOPKA CITY, PLAT BOOK "B", PAGE 25 LYING IN SECTION 9, TOWNSHIP 21 SOUTH, RANGE 28 EAST, CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 1 OF 2

PLAT BOOK PAGE

COOPER PALMS LOTS 10 & 11

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the limited liability corporation named below, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates

IN WITNESS WHEREOF, has caused these presents to be signed and attested to by the officers named below and its corporate seal to be fixed hereto on.....

PROPERTY INDUSTRIAL ENTERPRISES LLC.  
517 COOPER OAKS COURT  
APOPKA, FL. 32703

By.....  
MICHAEL R. COOPER, Managing Member

Signed and sealed in the presence of:

PRINTED NAME: PRINTED NAME:

STATE OF.....FLORIDA.....COUNTY OF.....ORANGE.....

THIS IS TO CERTIFY, That on..... before me, an officer duly authorized to take acknowledgements in the State and County aforesaid, personally appeared...MICHAEL R. COOPER...MANAGING MEMBER... of the above named limited liability corporation incorporated under the laws of the State of...FLORIDA... to me known to be the individuals and officers described in and who executed the foregoing Dedication and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized; and that the said Dedication is the act and deed of said limited liability corporation.

IN WITNESS WHEREOF, I have hereto set my hand and seal on the above date.

NOTARY PUBLIC  
PRINTED NAME:  
My Commission Expires.....

### QUALIFICATION AND STATEMENT OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and Registered Land Surveyor, does hereby certify that on AUGUST 21, 2015, he completed the survey of the said lands shown in the foregoing plat and said survey was made under his responsible direction and that permanent reference monuments have been placed as required by Chapter 177, Florida Statutes; and that said land is located in the City of Apopka, Florida.

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name: Ralph A. Nieto  
PSM #6025  
Nieto-Whittaker Surveying, LLC  
552 W. Springtree Way, Lake Mary, FL 32746  
Licensed Business #7744

### CERTIFICATE OF REVIEWING SURVEYOR

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177 of the Florida Statutes and that said plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Signed: \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Registration No. \_\_\_\_\_

### CERTIFICATE OF APPROVAL BY APOPKA PLANNING COMMISSION

THIS IS TO CERTIFY that on \_\_\_\_\_ the foregoing plat was approved by:

Signed: \_\_\_\_\_  
printed name:  
Chairman

### CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY that on \_\_\_\_\_ the foregoing plat was approved

Signed: \_\_\_\_\_ Attest: \_\_\_\_\_  
Mayor, City of Apopka City Clerk

### CERTIFICATE OF APPROVAL BY CITY ENGINEER

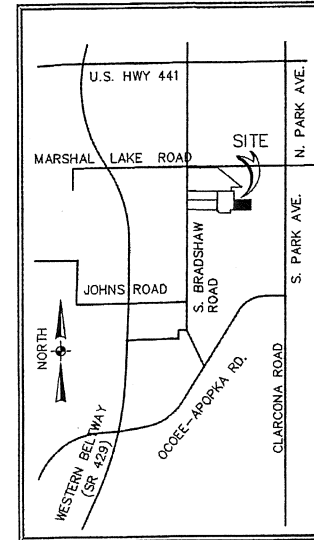
THIS IS TO CERTIFY that on \_\_\_\_\_ the foregoing plat was examined and approved by:

City Engineer: \_\_\_\_\_ Date: \_\_\_\_\_

### CERTIFICATE OF APPROVAL BY COUNTY COMPTROLLER

I HEREBY CERTIFY, That the foregoing plat was recorded in the Orange County Records on \_\_\_\_\_ as File no. \_\_\_\_\_ County Comptroller in and for Orange County, Florida

By.....D.C.



LOCATION MAP  
NOT TO SCALE

### DESCRIPTION (PER SURVEYOR):

Lot 12 and a portion of Lot 11 Cooper Palms as recorded in Plat Book 80, pages 110 and 11 of the Public Records of Orange County, Florida and Lots 23 through 25, and a portion of Lot 26 Block "A" Bradshaw and Thompson's Addition to Apopka City as recorded in Plat Book "B", Page 25 of the Public Records of Orange County, Florida being more particularly described as follows:

Begin at the Southeast corner of Lot 12 Cooper Palms as recorded in Plat Book 80, pages 110 and 111 of the Public Records of Orange County, Florida, said point lying at the Point of Intersection of the west right-of-way line of South Hawthorne Avenue (a 60.00 foot right-of-way) and the North right-of-way line of W. 3rd Street (a 60.00 foot right-of-way); thence run N 89°48'31" W along the North Right-of-Way line of W. 3rd Street for a distance of 330.07 feet to the East line of Lot 9 Cooper Palm's Lots 7 and 8 as recorded in Plat Book 87, Pages 44 through 45 of the Public Records of Orange County, Florida; thence run N 00°11'29" E along said right-of-way line for a distance of 380.93 feet to a point on the South Right-of-Way line of W. 2nd Street; thence run S 89°48'31" E along said South Right-of-Way line for a distance of 230.64 feet to a point on the Westerly Right-of-Way line of CSX Transportation Inc. Railroad (formerly known as Central Florida Railroad); thence leaving said South Right-of-Way line run S 50°41'13" E along said Westerly Right-of-Way line for a distance of 137.55 feet to a point on the West Right-of-Way line of South Hawthorne Avenue; thence leaving said Westerly Right-of-Way run S 01°36'32" E along said West Right-of-Way line for a distance of 294.24 feet to the Point of Beginning.

Containing 2.819 acres, more or less.

### GENERAL NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF W. 2ND STREET AS BEING S 89°48'31" E, AN ASSUMED DATUM.
- ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES; THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION. -FS177.091(28)
- ALL DRAINAGE EASEMENTS RESERVED OR NOTED ON THIS PLAT ARE PRIVATE UNLESS NOTED OTHERWISE.
- THE PROPERTY AS DEPICTED HEREON IS HEREBY SUBJECT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS, AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AT OFFICIAL RECORDS BOOK \_\_\_\_\_ PAGE \_\_\_\_\_
- THE POTABLE WATER, SEWER, RECLAIMED WATER, STORMWATER AND ROADWAY ARE TO BE OWNED, OPERATED AND MAINTAINED BY THE COOPER PALMS PROPERTY OWNERS ASSOCIATION, INC.
- DEVELOPMENT RIGHTS OF THE JURISDICTIONAL WETLAND AREAS SHALL BE DEDICATED TO THE CITY OF APOPKA WITH OWNERSHIP AND MAINTENANCE BY THE COOPER PALMS PROPERTY OWNERS ASSOCIATION, INC.

ABBREVIATIONS	
(C)	= CALCULATED
CM	= CONCRETE MONUMENT
CLF	= CHAIN LINK FENCE
CONC	= CONCRETE
CL	= CENTERLINE
(D)	= DEED
EP	= EDGE OF PAVEMENT
ELEV	= ELEVATION
FND	= FOUND
IR	= IRON ROD
IP	= IRON PIPE
LB	= LICENSED BUSINESS
(M)	= MEASURED
NO ID	= NO IDENTIFICATION
ORB	= OFFICIAL RECORD BOOK
(P)	= PLAT
PB	= PLAT BOOK
PC	= POINT OF CURVATURE
PI	= POINT OF INTERSECTION
PG	= PAGE
PCP	= PERMANENT CONTROL POINT
POL	= POINT ON LINE
PRM	= PERMANENT REFERENCE MONUMENT
PRC	= POINT OF REVERSE CURVATURE
PT	= POINT OF TANGENCY
RP	= RADIUS POINT
R/W	= RIGHT-OF-WAY
REC	= RECOVERED

SYMBOLS	
SYMBOLS SHOWN ARE NOT TO SCALE	
●	FOUND IRON ROD AND CAP (NUMBER AS INDICATED)
■	FOUND 4"x4" CONCRETE MONUMENT (STAMPED "LB 7744" UNLESS NOTED OTHERWISE)
□	SET 4"x4" CONCRETE MONUMENT (LB#7744)
○	SET NAIL AND DISK STAMPED "LB 7744"
↔	CHANGE IN DIRECTION OR LOT CORNER INDICATED BY "TICK" MARK
SECTION 9-21-28 = SECTION 9, TOWNSHIP 21 SOUTH, RANGE 28 EAST	

"NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN ON CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY."



Nieto-Whittaker Surveying LLC  
562 W. Springtree Way, Lake Mary, FL 32746  
PH: (407) 484-0103 FAX: (407) 302-6776  
LB No. 7744

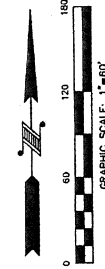
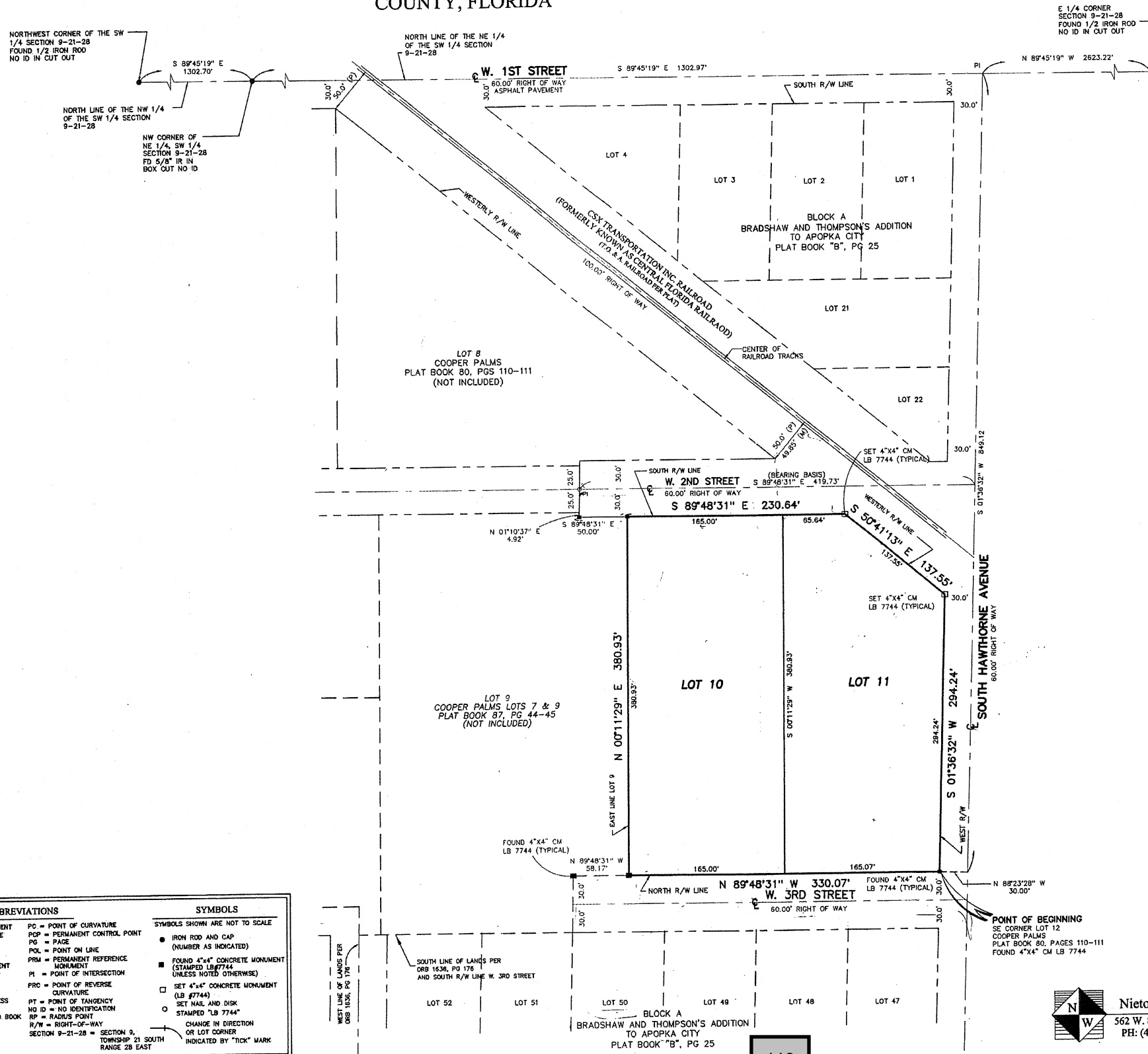
# COOPER PALMS LOTS 10 & 11

SHEET 2 OF 2

PLAT BOOK

PAGE

A REPLAT OF LOT 12 & A PORTION OF LOT 11 COOPER PALMS AS RECORDED IN PLAT BOOK 80, PAGES 110 AND 111 AND A REPLAT OF LOTS 23, 24 & 25 AND A PORTION OF LOT 26 BLOCK "A" BRADSHAW AND THOMPSON'S ADDITION TO APOPKA CITY, PLAT BOOK "B", PAGE 25 LYING IN SECTION 9, TOWNSHIP 21 SOUTH, RANGE 28 EAST, CITY OF APOPKA, ORANGE COUNTY, FLORIDA



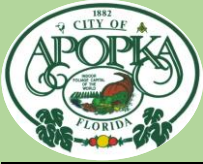
ABBREVIATIONS		SYMBOLS	
CM = CONCRETE MONUMENT	PC = POINT OF CURVATURE	SYMBOLS SHOWN ARE NOT TO SCALE	
CLF = CHAIN LINK FENCE	PCP = PERMANENT CONTROL POINT	●	IRON ROD AND CAP (NUMBER AS INDICATED)
CONC = CONCRETE	PS = PILE	■	FOUND 4"x4" CONCRETE MONUMENT (STAMPED LB 7744 UNLESS NOTED OTHERWISE)
C = CENTERLINE	POL = POINT ON LINE	□	SET 4"x4" CONCRETE MONUMENT (LB 7744)
(D) = DEED	PRM = PERMANENT REFERENCE MONUMENT	○	SET NAIL AND DISK (STAMPED "LB 7744")
EP = EDGE OF PAVEMENT	PI = POINT OF INTERSECTION	○	CHANGE IN DIRECTION OR LOT CORNER INDICATED BY "TICK" MARK
ELEV = ELEVATION	PRC = POINT OF REVERSE CURVATURE		
FD = FOUND	PT = POINT OF TANGENCY		
IR = IRON ROD	NO ID = NO IDENTIFICATION		
IP = IRON PIPE	RP = RADIUS POINT		
LB = LICENSED BUSINESS	R/W = RIGHT-OF-WAY		
(M) = MEASURED	SECTION 9, TOWNSHIP 21 SOUTH, RANGE 28 EAST		
ORB = OFFICIAL RECORD BOOK			
(P) = PLAT			
PB = PLAT BOOK			

**Nieto-Whittaker Surveying LLC**  
 562 W. Springtree Way, Lake Mary, FL 32746  
 PH: (407) 484-0103 FAX: (407) 302-6776  
 LB No. 7744

**Backup material for agenda item:**

3. PLAT – Emerson North Townhomes - 1701 Ocoee Apopka Road – Quasi-Judicial

David Moon



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Plat

MEETING OF: February 15, 2017  
 FROM: Community Development  
 EXHIBITS: Vicinity & Aerial Maps  
 Final Plat

**SUBJECT: EMERSON NORTH TOWNHOMES – PLAT**

**REQUEST: APPROVAL OF THE EMERSON NORTH TOWNHOMES PLAT**

**SUMMARY:**

OWNER/APPLICANT: Pulte Group c/o Doug Hoffman  
 ENGINEER: Donald W. McIntosh Associates, Inc. c/o John T. Townsend, P.E.  
 LOCATION: 1701 Ocoee Apopka Road (South of S.R. 414 and West of Marden Road)  
 ZONING: Mixed-EC  
 FUTURE LAND USE: Mixed Use (0-15 du/ac)  
 EXISTING USE: Planted Pine Trees  
 PROPOSED USE: Residential Townhomes Community (136) units & future public right-of-way  
 TRACT SIZE: 21.42 +/- (17.1 acres in residential community; 4.24 acres for East Harmon Road ROW)  
 DENSITY: 7.95 Units/Acre (136 units/17.1 acres)

**RELATIONSHIP TO ADJACENT PROPERTIES:**

Direction	Future Land Use	Zoning	Present Use
North (City)	Central Florida Expressway	R-O-W	S.R. 414
East (City)	Mixed Use	R-3	Vacant Land/Planted Pines Trees
South (City)	Mixed Use	Mixed-EC	Emerson Park/Single family houses and townhomes
West (City)	Central Florida Expressway	R-O-W	Vacant Land/Retention Pond

**FUNDING SOURCE:**

N/A

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief



**ADDITIONAL COMMENTS:** City Council approved a Final Development on December 7, 2017. The Plat is consistent with the approved Preliminary and Final Development Plans. At a public hearing held on August 9, 2016, the Planning Commission recommended to approve the Preliminary Development Plan. Final Development Plans are not reviewed by the Planning Commission if it reviewed the Preliminary Development Plan. After review of the Plat, the Development Review Committee found the Plat to be consistent with the Final Development Plan and Land Development Code.

**PROJECT SUMMARY:** The Emerson North Townhomes development is a two phase project proposing 136 townhome units with 3.12 +/- acres of active and passive recreation and open space within a 17.1 +/- acre site. Comprising a total of 21.42 acres, the Final Development Plan reserves the northern eighty feet of the northern project line for a future public right-of-way. A developer's agreement establishes a process for the dedication of the right-of-way to the City and addresses fair-share compensation of the right-of-way dedication and road construction. Proposed design plans for the Harmon Road East Extension include aesthetic brick pavers at intersections and a concept landscape plan. Final details of the roadside and median landscaping and materials will be addressed by the end of January 2017.

**SCHOOL CAPACITY REPORT:** Except for any plat application that addresses only the northern public right-of-way to be dedicated to the City of Apopka, a plat or building permit involving a residential structure shall not be released for recording with the County Comptroller until such time that a concurrency mitigation agreement has been approved by Orange County Public Schools (OCPS).

**ORANGE COUNTY NOTIFICATION:** The County was notified at the time of the land use amendment and rezoning applications for this property. Coordination occurred with County planning staff regarding impact on adjacent parcels. Orange County also receives a copy of the Development Review Committee agenda.

**PUBLIC HEARING SCHEDULE:**

February 14, 2017 – Planning Commission (5:30 pm)

February 15, 2017 – City Council (6:00 pm)

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**RECOMMENDATION ACTION:**

The **Development Review Committee** finds the Plat to be consistent with the approved Final Development Plan and Land Development Code, recommending approval of the Emerson North Townhomes Plat.

The **Planning Commission** will hold a hearing on February 14, 2017. Staff will bring the Planning Commission recommendation to City Council on February 15<sup>th</sup>. Applicant has requested to proceed as expeditiously as possible to commence site construction as well as construction of Harmon Road East.

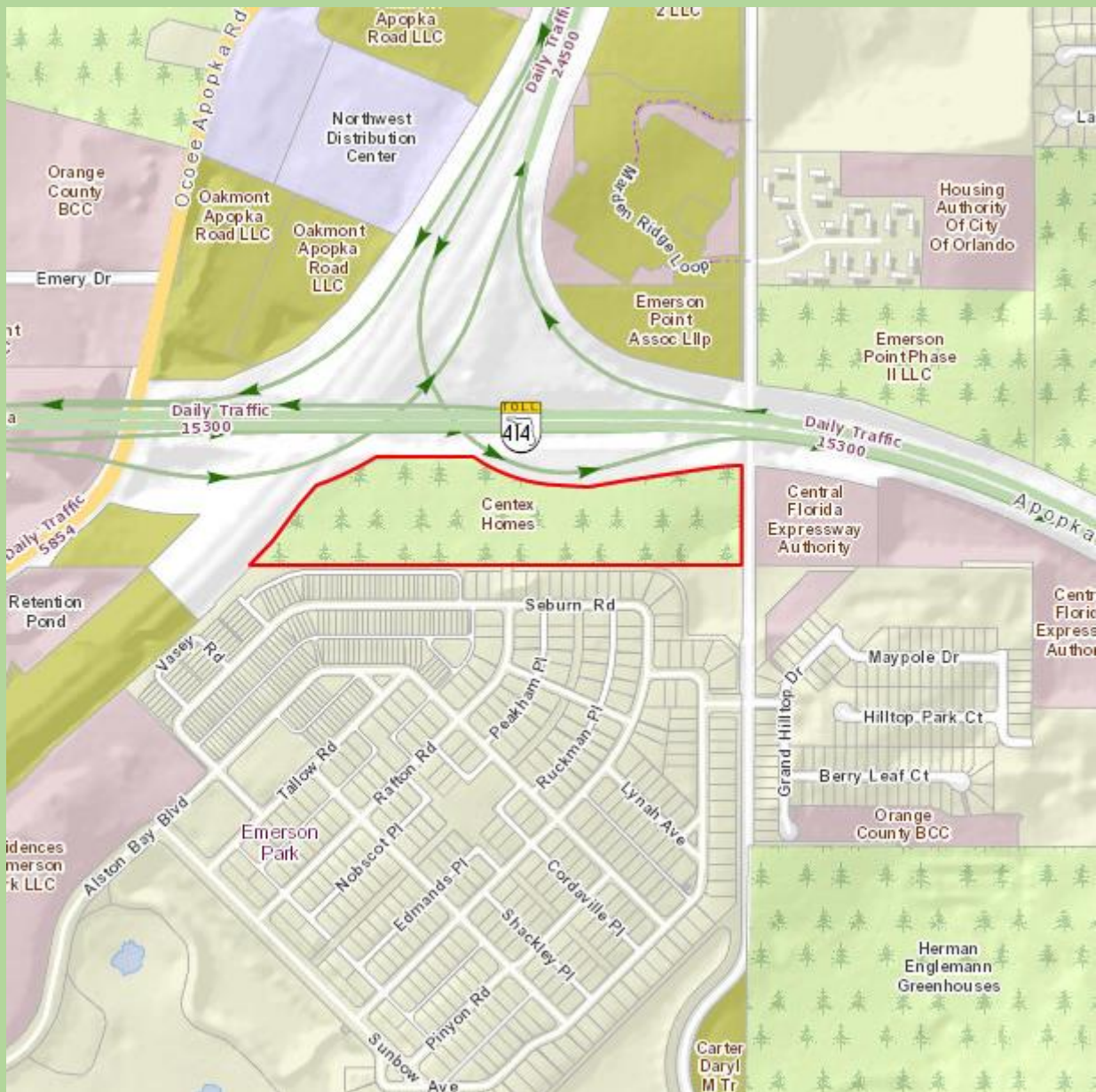
**City Council Recommended Motion:** Approve the Emerson North Townhomes Plat subject to the recommendation of the Planning Commission and the findings of the staff report.

**Note:** This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.



**EMERSON NORTH TOWNHOMES**  
21.42 +/- Acres (17.1 acres residential\4.24 future R.O.W)  
Proposed Number of Units: 136  
Parcel ID#: 20-21-28-0000-00-001

### VICINITY MAP



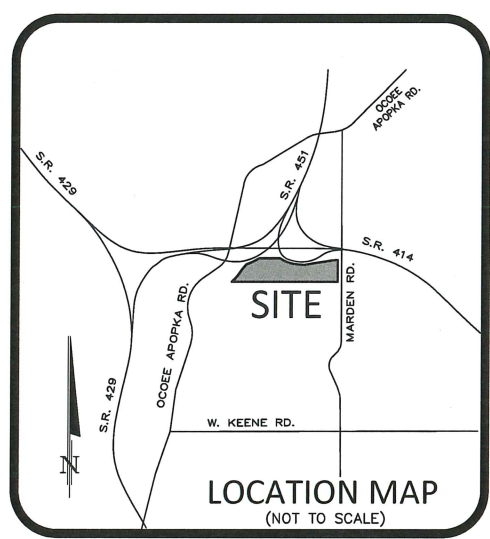


## AERIAL MAP



# EMERSON NORTH TOWNHOMES

A PORTION OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST,  
CITY OF APOPKA, ORANGE COUNTY, FLORIDA



**DESCRIPTION:**

That part of Section 20, Township 21 South, Range 28 East, Orange County, Florida, being described as follows:

BEGIN at the Northeast corner of EMERSON PARK, according to the plat thereof as recorded in Plat Book 88, Pages 1 through 17 of the Public Records of Orange County, Florida; thence S89°59'58"W, along the North line of said EMERSON PARK, 2304.25 feet to the Northwest corner of said EMERSON PARK and the Easterly limited access Right-of-Way line of State Road 451, according to the Orlando-Orange County Expressway Authority Right-of-Way Map of Maitland Boulevard Extension of State Road 429/414 Systems Interchange, prepared by URS Corporation dated 12/15/10, and a point on a non-tangent curve concave Northwesterly, having a radius of 7809.44 feet and a chord bearing of N43°17'35"E; thence run along said Easterly limited access right-of-way line of State Road 451 the following courses: Northeastly, along the arc of said curve through a central angle of 01°10'58"; for a distance of 161.22 feet to a non-tangent line; thence N36°21'34"E, 205.20 feet to a point on a non-tangent curve concave Northwesterly, having a radius of 7789.44 feet and a chord bearing of N40°45'40"E; thence Northeastly, along the arc of said curve through a central angle of 00°52'54"; for a distance of 119.86 feet to the Southerly limited access Right-of-Way of State Road 414, according to aforesaid Orlando-Orange County Expressway Authority Right-of-Way Map of Maitland Boulevard Extension of State Road 429/414 Systems Interchange and a point on a non-tangent curve concave Northwesterly, having a radius of 1430.00 feet and a chord bearing of N64°35'56"E; thence run along said Southerly limited access Right-of-Way line the following courses: Northeastly, along the arc of said curve through a central angle of 12°34'34" for a distance of 313.88 feet to a non-tangent line; thence S89°55'15"E, 453.46 feet to a point on a non-tangent curve concave Northerly, having a radius of 749.49 feet and a chord bearing of S71°21'09"E; thence Easterly, along the arc of said curve through a central angle of 31°42'43" for a distance of 414.83 feet to a non-tangent line; thence S86°44'15"E, 152.54 feet; thence N80°21'42"E, 174.31 feet; thence N81°41'03"E, 401.05 feet to a point on a non-tangent curve concave Southerly having a radius of 1223.14 feet and a chord bearing of N85°11'53"E; thence Easterly along the arc of said curve through a central angle of 07°01'56" for a distance of 150.12 feet to the West line of lands described in Document Number 20160580138 of said Public Records; thence departing said Southerly limited access Right-of-Way line, run along said West line the following seven (7) courses and distances: S03°56'49"W, 42.30 feet to the point of curvature of a curve concave Westerly having a radius of 60.00 feet and a chord bearing of S19°52'47"W; thence Southerly along the arc of said curve through a central angle of 31°51'56" for a distance of 33.37 feet to the point of tangency; thence S35°48'45"W, 30.76 feet; to the point of curvature of a curve concave Easterly having a radius of 77.00 feet and a chord bearing of S03°00'32"W; thence Southerly along the arc of said curve through a central angle of 65°36'26" for a distance of 88.17 feet to the point of tangency; thence S29°47'41"E, 36.62 feet to the point of curvature of a curve concave Southwesterly having a radius of 65.00 feet and a chord bearing of S23°43'10"E; thence Southeasterly along the arc of said curve through a central angle of 12°09'01" for a distance of 13.78 feet to the point of compound curvature of a curve concave Westerly having a radius of 285.00 feet and a chord bearing of S11°12'22"E; thence Southerly along the arc of said curve through a central angle of 12°52'36" for a distance of 64.05 feet to a non-tangent line and the West Right-of-way line of Marden Road, as described in Deed Book 543, Page 3 of said Public Records, thence S00°15'48"W, along said West Right-of-way line, 178.70 feet to the POINT OF BEGINNING.

Containing 21.289 acres more or less.

- NOTES:**
- Bearings based on the East line of the Northeast 1/4 of Section 20, Township 21 South, Range 28 East, as being N00°15'48"E (an assumed meridian).
  - All lines intersecting curves are non radial unless noted as (R) = Radial.
  - The land described in the foregoing caption is subject to the covenants, conditions and restrictions set forth in that certain Community Declaration for Emerson North Townhomes, Document # \_\_\_\_\_ recorded among the Public Records of Orange County, Florida, as amended or supplemented (the "Declaration").
  - Per Chapter 177.091 (28) Florida Statutes: All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.
  - Tract A (Open Space) constitutes Common Area and shall be conveyed to, owned and maintained by the Emerson North Townhomes Homeowners Association, Inc.
  - Tract B and Tract C (Stormwater Management Area) constitutes Common Area and shall be conveyed to, owned and maintained by the Emerson North Townhomes Homeowners Association, Inc. Tract B and Tract C are subject to a perpetual non-exclusive Drainage Easement in favor of the City of Apopka, over the entire tract.
  - Tract D and Tract E (Recreational, Open Space and Wall) constitutes Common Area and shall be conveyed to, owned and maintained by the Emerson North Townhomes Homeowners Association, Inc.
  - Tract F (Signage) is dedicated to the City of Apopka by this plat. Tract F will be maintained by the Emerson North Townhomes Homeowners Association, Inc. until such time as a sign is constructed in Tract F by the City of Apopka.
  - Tract G (Right-of-Way) is dedicated to the City of Apopka by this plat.
  - Tract H (Recreational and Open Space) constitutes Common Area and shall be conveyed to, owned and maintained by the Emerson North Townhomes Homeowners Association, Inc.
  - TRACT I (Private Roadway) shall be conveyed to, owned and maintained by the Emerson North Townhomes Homeowners Association, Inc. TRACT I is subject to a perpetual non-exclusive Drainage and Utility Easement in favor of the City of Apopka, over the entire tract.
  - Tract J (Recreational, Open Space, Drainage and Utilities) constitutes Common Area and shall be conveyed to, owned and maintained by the Emerson North Townhomes Homeowners Association, Inc.
  - There is a perpetual non-exclusive 10.00' Utility Easement on the front and street side of Lots and Tracts and a 7.50' Drainage and Utility Easement along the rear of all lots and a 5.00' Drainage and Utility Easement along the side of all end lots, as shown hereon.
  - All Utility Easements shown hereon are dedicated to the non-exclusive use of the City of Apopka and utility providers for the purpose of constructing, operating, maintaining and replacing their respective facilities servicing the lands described in the foregoing caption.
  - All Drainage Easements shown hereon are dedicated to the non-exclusive use of the Emerson North Townhomes Homeowners Association, Inc. and the City of Apopka and shall be maintained in accordance with the terms and conditions of the Declaration. Drainage Easements dedicated to the City of Apopka are only for emergency access and maintenance purposes in the event inadequate maintenance of the stormwater drainage system servicing the lands describe in the foregoing caption creates a hazard to the public health, safety and general welfare.
  - There is a perpetual non-exclusive 5.00' Landscape Easement located directly behind and abutting the Utility Easements on the front of all Lots, as shown hereon. As more particularly set forth in the Declaration, this easement is dedicated to the Emerson North Townhomes Homeowners Association, Inc. for the protection and maintenance of street trees by the Association.
  - The Wall Easement located within Lots 1 through 8, as shown hereon, is dedicated to the Emerson North Townhomes Homeowners Association, Inc.
  - Lands described hereon are subject to the right of any entity holding a City of Apopka franchise to access the neighborhood to provide services herein and utilize the streets and easements for their respective purposes.
  - There are 136 lots and 10 tracts in this subdivision.

**LEGEND**  
(FOR ALL SHEETS)

Δ=	CENTRAL ANGLE
R=	RADIUS
L=	ARC LENGTH
CB=	CHORD BEARING
CL=	CHORD LENGTH
C=	CENTERLINE
C#	CURVE NUMBER (SEE TABLE)
L#	LINE NUMBER (SEE TABLE)
#	NUMBER
CCR	CERTIFIED CORNER RECORD
CLF	CHAIN LINK FENCE
CM	CONCRETE MONUMENT
C.R.	COUNTY ROAD
DB	DEED BOOK
DE	DRAINAGE EASEMENT
DAE	DRAINAGE AND ACCESS EASEMENT
D&UE	DRAINAGE AND UTILITY EASEMENT
FND	FOUND
IP	IRON PIPE
IRC	IRON ROD AND CAP
LB	LICENSED BUSINESS
LE	LANDSCAPE EASEMENT
LS	LICENSED SURVEYOR
NO ID	NO IDENTIFICATION NUMBER
N&D	NAIL AND DISK
NT	NON-TANGENT
(NR)	NON-RADIAL
NTS	NOT TO SCALE
ORB	OFFICIAL RECORD BOOK
PB	PLAT BOOK
PC	POINT OF CURVATURE
PC-C	POINT OF CURVATURE
PCC	POINT OF COMPOUND CURVATURE
P.D.	PLANNED DEVELOPMENT
PDE	PRIVATE DRAINAGE EASEMENT
PG	PAGE
POS	PAGES
POL	POINT ON LINE
PRC	POINT OF REVERSE CURVATURE
PRM	PERMANENT REFERENCE MONUMENT
PT	POINT OF TANGENCY
(R)	RADIAL
R/W	RIGHT-OF-WAY
SEC 20-21-28	SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST
SMA	STORMWATER MANAGEMENT AREA
S.R.	STATE ROAD
UE	UTILITY EASEMENT
WE	WALL EASEMENT

DENOTES PERMANENT REFERENCE CONTROL POINT (SET NAIL AND DISK STAMPED "PCP LB68" PER CHAPTER 177, FLORIDA STATUTES. (UNLESS OTHERWISE NOTED))  
 DENOTES PERMANENT REFERENCE MONUMENT (SET 4"x4" CONCRETE MONUMENT WITH DISK STAMPED "PRM LB68" PER CHAPTER 177, FLORIDA STATUTES. (UNLESS OTHERWISE NOTED))

SECTION LINE  
 RIGHT-OF-WAY LINE  
 LIMITED ACCESS RIGHT-OF-WAY LINE  
 SHEET MATCH LINE

PREPARED BY:  
**DONALD W. McINTOSH ASSOCIATES, INC.**  
 ENGINEERS PLANNERS SURVEYORS  
 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
 CERTIFICATE OF AUTHORIZATION NUMBER LB68

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

**EMERSON NORTH TOWNHOMES DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, That the general partnership named below, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes herein expressed and dedicates Tract G (Right-of-Way) and Tract F (Signage) to the City of Apopka. Recording of this plat shall act as conveyance to the City of Apopka and no further instrument shall be necessary to vest fee simple title or such rights to the City of Apopka.

In witness whereof, the undersigned has caused these presents to be signed and acknowledged by the officer named below on date:

CENTEX HOMES, a Nevada general partnership

By: CENTEX REAL ESTATE CORPORATION, A Nevada corporation, its Managing General Partner

By: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 Print Title: \_\_\_\_\_

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
 signature  
 \_\_\_\_\_  
 printed name

\_\_\_\_\_  
 signature  
 \_\_\_\_\_  
 printed name

STATE OF FLORIDA  
 COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2017, by \_\_\_\_\_ as \_\_\_\_\_ of Centex Real Estate Corporation, a Nevada corporation, as Managing General Partner of Centex Homes, a Nevada general partnership, on behalf of the general partnership. He/She is \_\_\_\_\_ personally known to me or \_\_\_\_\_ produced \_\_\_\_\_ as identification, and did not take an oath. In witness whereof, I have hereunto set my hand and seal on the above date.

NOTARY PUBLIC

My commission expires: \_\_\_\_\_  
 Commission #: \_\_\_\_\_

**QUALIFICATION STATEMENT OF SURVEYOR AND MAPPER**

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor, does hereby certify that this plat was prepared under my direction and supervision and that this plat complies with all the survey requirements of Chapter 177, Florida Statutes; and that said land is located in the City of Apopka, Florida.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Rocky L. Carson  
 Florida Registered Surveyor and Mapper  
 Certificate No. 4285

DONALD W. McINTOSH ASSOCIATES, INC.  
 Certificate of Authorization Number LB 68  
 2200 Park Avenue North, Winter Park, FL 32789

**CERTIFICATE OF APPROVAL BY APOPKA PLANNING COMMISSION**

THIS IS TO CERTIFY, That on \_\_\_\_\_ the foregoing plat was approved by the Apopka Planning Commission of the City of Apopka.

\_\_\_\_\_  
 Chairman Date

**CERTIFICATE OF APPROVAL BY MUNICIPALITY**

THIS IS TO CERTIFY, That on \_\_\_\_\_, the City Council of the City of Apopka approved the foregoing plat.

Attest:

\_\_\_\_\_  
 Joe Klatsheimer, Mayor City Clerk

**CERTIFICATE OF APPROVAL BY CITY ENGINEER**

Examined and Approved: \_\_\_\_\_ Date \_\_\_\_\_  
 City Engineer: R. Jay Davoli

**CERTIFICATE OF COUNTY COMPTROLLER**

I HEREBY CERTIFY, That the foregoing plat was recorded in the Orange County Official Records on \_\_\_\_\_, as File No. \_\_\_\_\_ County Comptroller in and for Orange County, Florida

By: \_\_\_\_\_

**CERTIFICATE OF REVIEW BY CITY SURVEYOR**

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to chapter 177 Part I of the Florida Statutes and that said plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
 Printed Name: Ralph A. Nieto, PSM  
 Nieto, Whittaker Surveying, LLC  
 Registration No. 6025

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# EMERSON NORTH TOWNHOMES

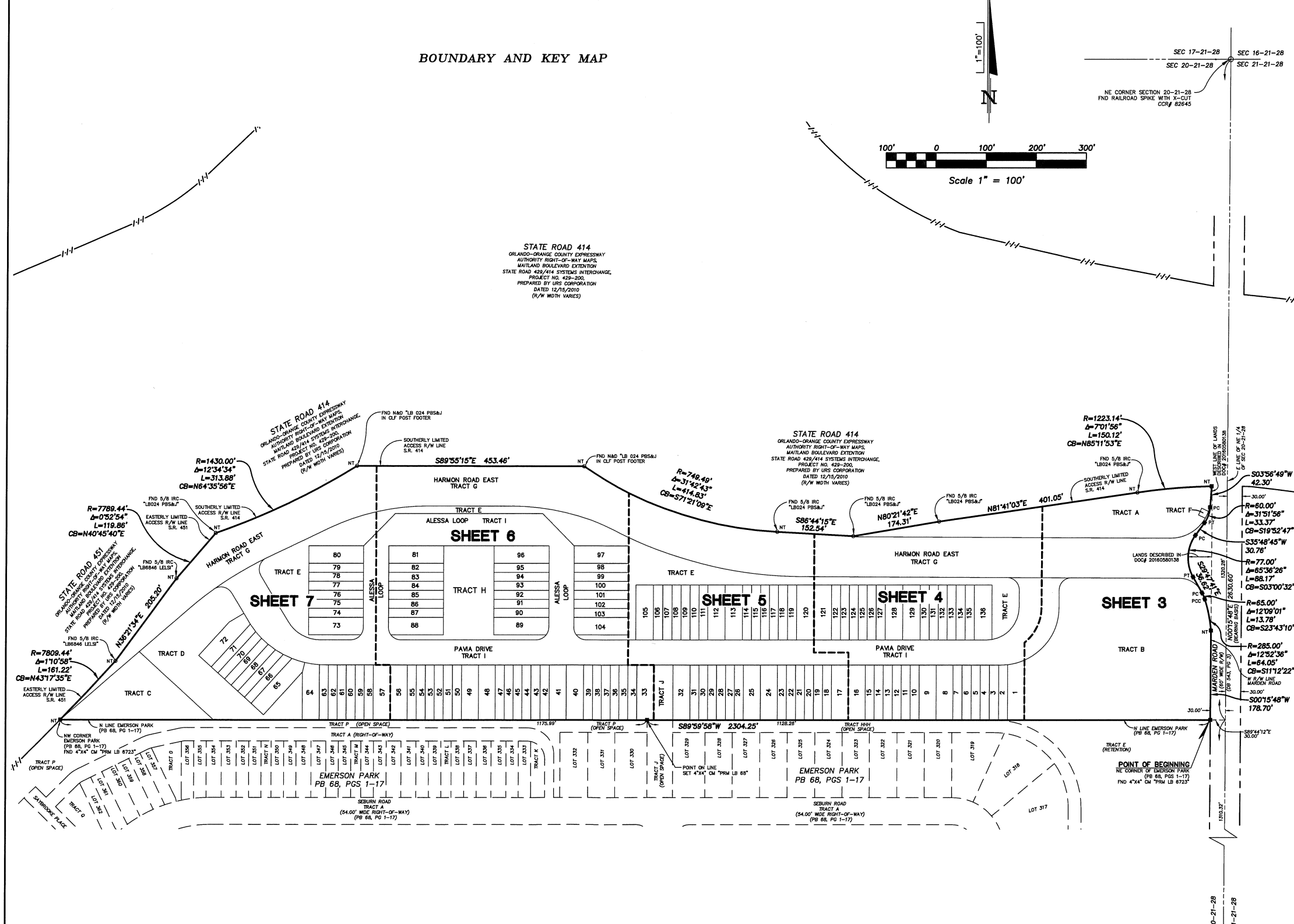
A PORTION OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST,  
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 2 OF 7

PLAT BOOK

PAGE

## BOUNDARY AND KEY MAP



STATE ROAD 414  
ORLANDO-ORANGE COUNTY EXPRESSWAY  
AUTHORITY RIGHT-OF-WAY MAPS  
MAYLAND BOULEVARD EXTENSION  
STATE ROAD 429/414 SYSTEMS INTERCHANGE  
PROJECT NO. 429-200  
PREPARED BY URS CORPORATION  
DATED 12/15/2010  
(R/W WIDTH VARIES)

STATE ROAD 414  
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PREPARED BY:  
**DONALD W. McINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NUMBER LB68

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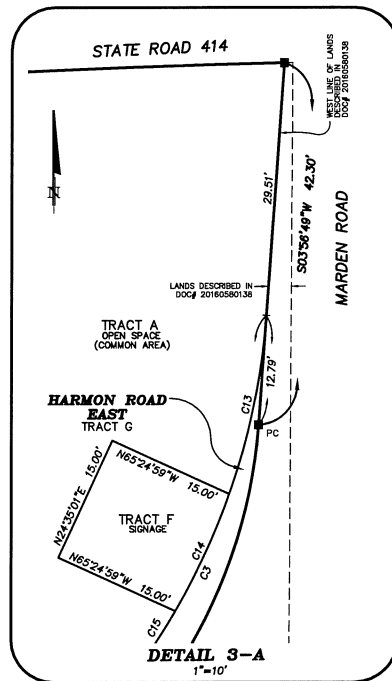
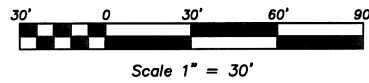
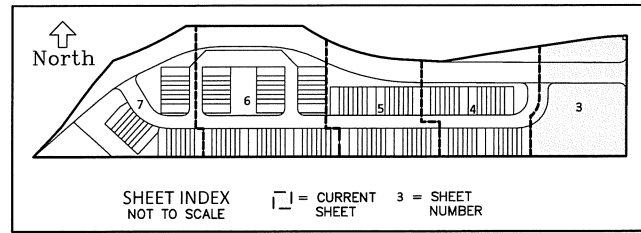
# EMERSON NORTH TOWNHOMES

A PORTION OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 28 EAST,  
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 3 OF 7

PLAT BOOK

PAGE



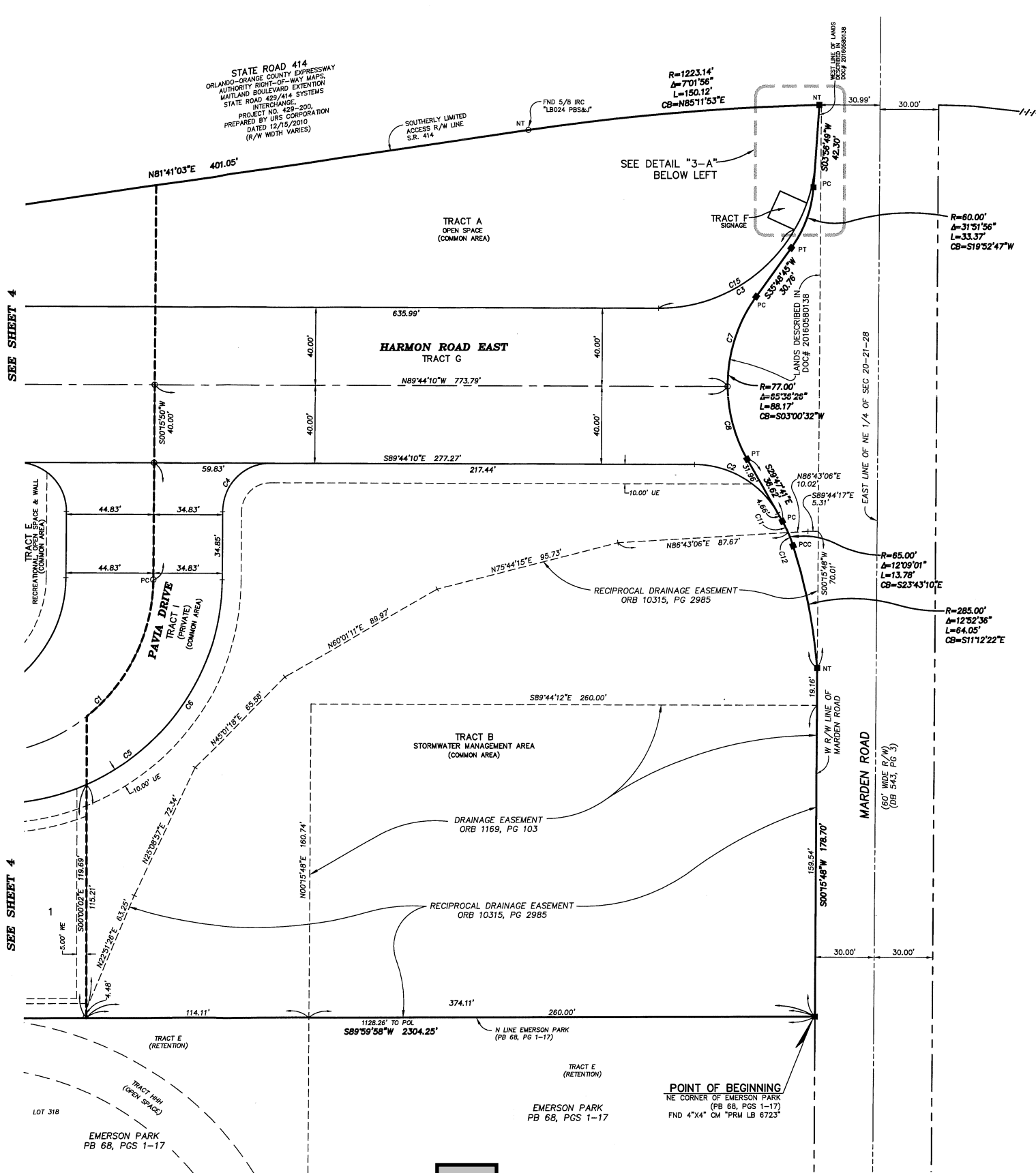
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C2	50.00'	59°56'29"	52.31'	N59°45'55"W
C3	80.00'	86°19'01"	120.52'	S47°06'20"W
C4	25.00'	90°00'00"	39.27'	S45°15'50"W
C5	115.00'	89°44'08"	180.11'	N45°07'54"E
C6	115.00'	66°02'46"	132.56'	N33°17'13"E
C7	77.00'	36°29'48"	49.05'	S17°33'51"W
C8	77.00'	29°06'38"	39.12'	S15°14'22"E
C11	65.00'	5°46'25"	6.55'	N26°54'29"W
C12	65.00'	6°22'36"	7.23'	N20°49'58"W
C13	80.00'	15°15'28"	21.30'	S11°34'32"W
C14	80.00'	10°45'32"	15.02'	S24°35'01"W
C15	80.00'	60°18'03"	84.20'	S60°06'48"W

10:25AM

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 ENGINEERS                      PLANNERS                      SURVEYORS  
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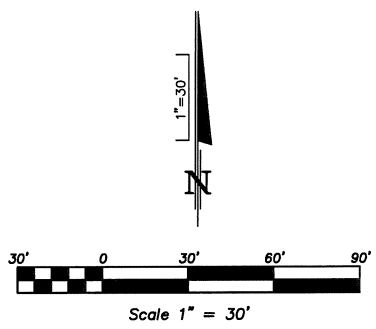
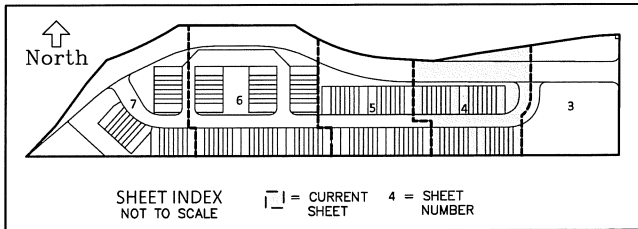
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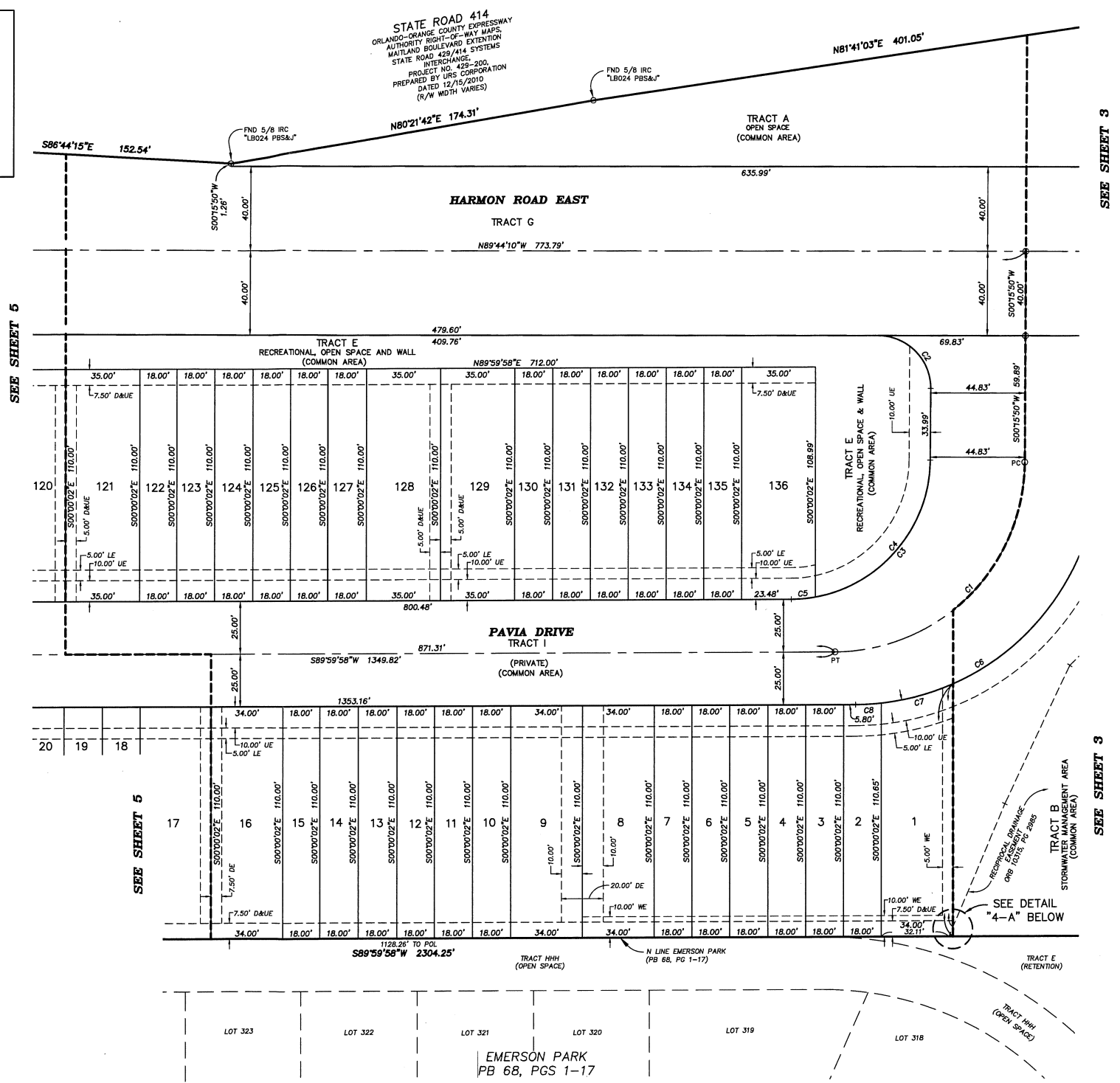
SHEET 4 OF 7

PLAT BOOK

PAGE



CURVE TABLE				
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C2	25.00'	90°00'00"	39.27'	N44°44'10"W
C3	66.00'	89°44'08"	103.37'	N45°07'54"E
C4	66.00'	79°41'04"	84.57'	N40°06'22"E
C5	66.00'	10°03'03"	11.58'	N84°58'26"E
C6	115.00'	89°44'08"	180.11'	N45°07'54"E
C7	115.00'	17°35'50"	35.32'	N75°08'31"E
C8	115.00'	6°05'32"	12.23'	N86°57'12"E

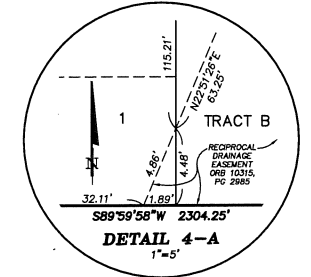


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CERTIFICATE OF AUTHORIZATION NUMBER LB58

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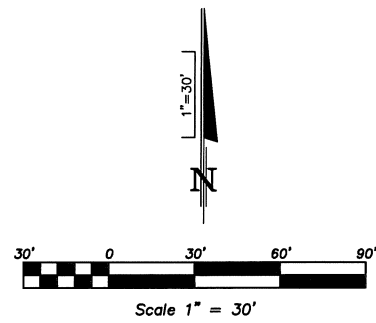
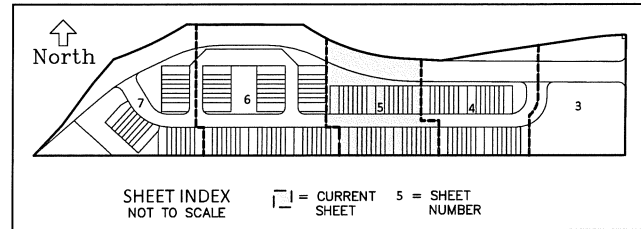
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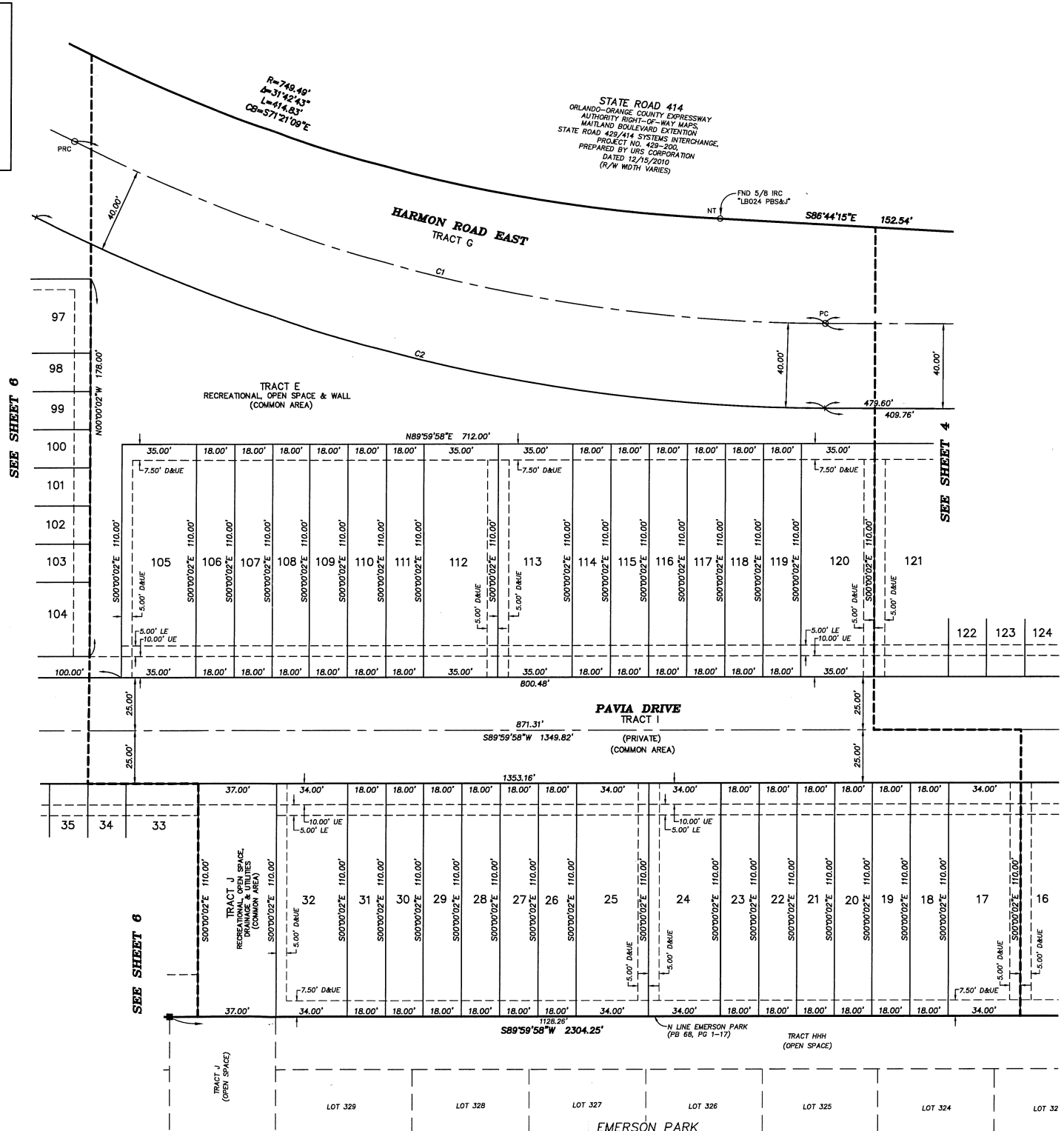
SHEET 5 OF 7

PLAT BOOK

PAGE



CURVE TABLE					
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C1	789.49'	26°44'39"	368.51'	365.18'	S76°21'50"E
C2	829.49'	26°44'39"	367.18'	363.68'	S76°21'50"E



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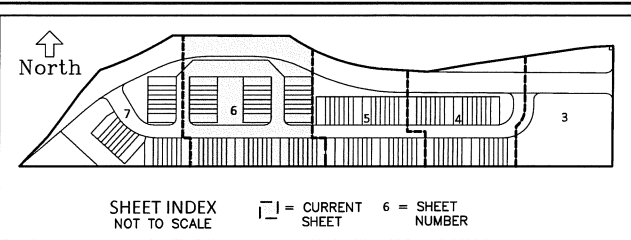
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# EMERSON NORTH TOWNHOMES

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CITY OF APOPKA, ORANGE COUNTY, FLORIDA

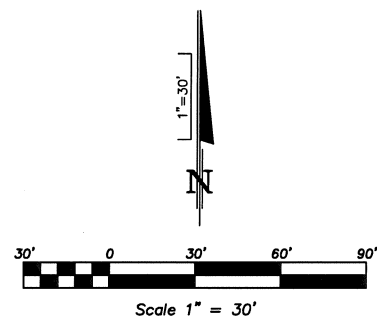
SHEET 6 OF 7

PLAT BOOK PAGE

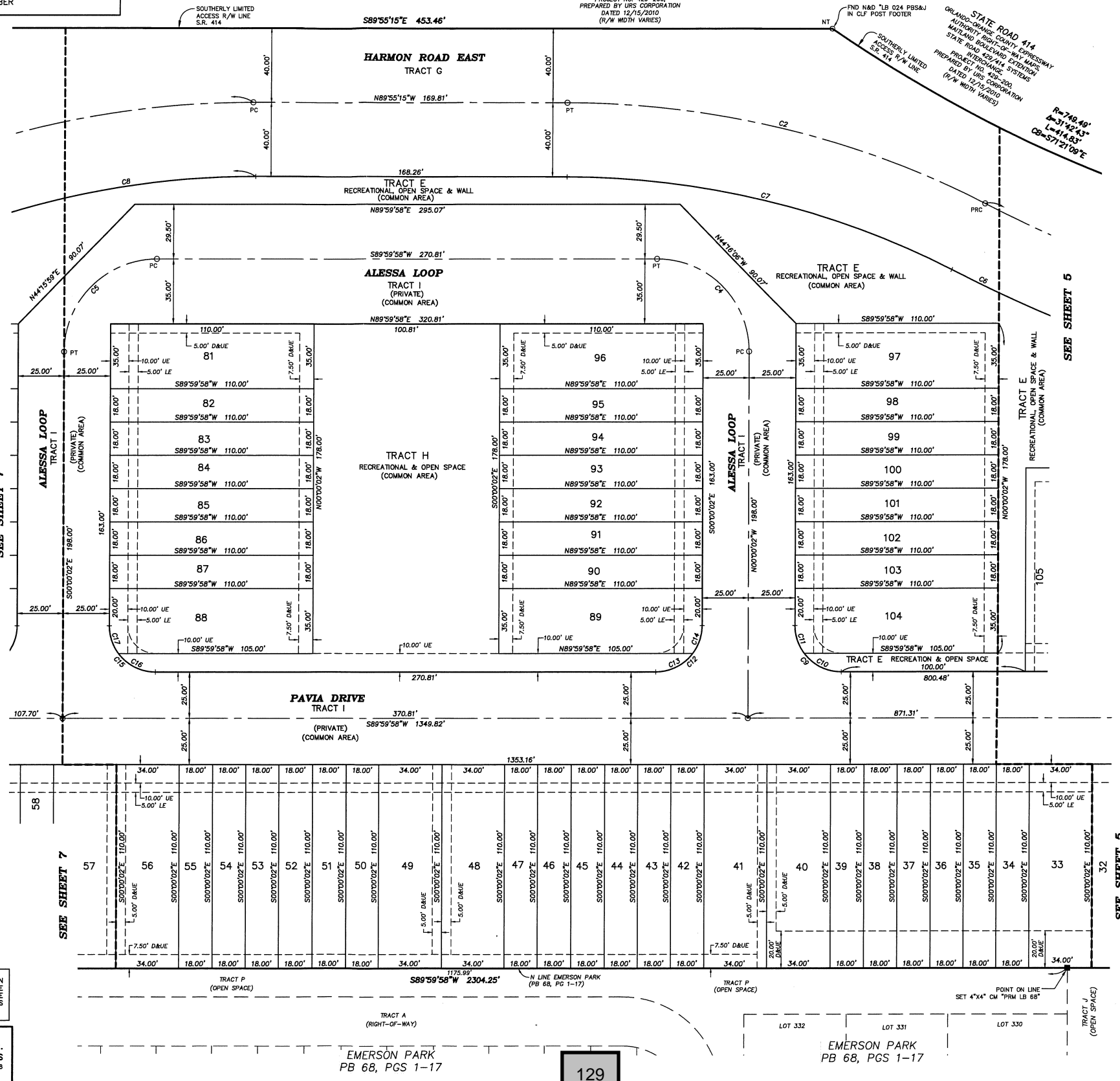
STATE ROAD 414  
ORLANDO-ORANGE COUNTY EXPRESSWAY  
AUTHORITY RIGHT-OF-WAY MARKS  
MAITLAND BOULEVARD EXTENSION  
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STATE ROAD 429/414 SYSTEMS  
INTERCHANGE  
PROJECT NO. 429-200  
PREPARED BY URS CORPORATION  
DATED 12/15/2010  
(R/W WIDTH VARIES)

R=749.49'  
L=3142.43'  
CB=57121.09°E



CURVE TABLE				
NUMBER	RADIUS	DELTA	LENGTH	CHORD BEARING
C2	500.00'	26°55'44"	235.00'	232.84' N76°27'23"W
C4	50.00'	90°00'00"	78.54'	70.71' N45°00'02"W
C5	50.00'	90°00'00"	78.54'	70.71' S44°59'58"W
C6	829.49'	26°44'39"	387.18'	383.68' S76°21'50"E
C7	460.00'	26°55'44"	216.20'	214.21' N76°27'23"W
C8	460.00'	25°28'49"	204.57'	202.89' S77°20'20"W
C9	25.00'	90°00'00"	39.27'	35.36' S45°00'02"E
C10	25.00'	53°07'48"	23.18'	22.36' S63°26'08"E
C11	25.00'	36°52'12"	16.09'	15.81' S18°28'08"E
C12	25.00'	90°00'00"	39.27'	35.36' N44°59'58"E
C13	25.00'	53°07'48"	23.18'	22.36' N63°26'03"E
C14	25.00'	36°52'12"	16.09'	15.81' N18°28'03"E
C15	25.00'	90°00'00"	39.27'	35.36' S45°00'02"E
C16	25.00'	53°07'48"	23.18'	22.36' S63°26'08"E
C17	25.00'	36°52'12"	16.09'	15.81' S18°28'08"E



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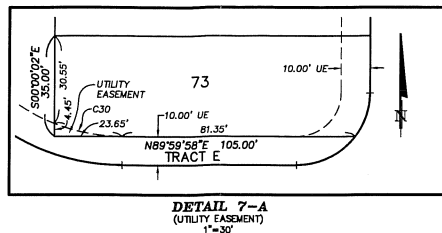
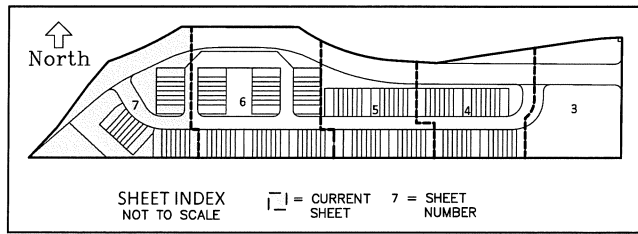
# EMERSON NORTH TOWNHOMES

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CITY OF APOPKA, ORANGE COUNTY, FLORIDA

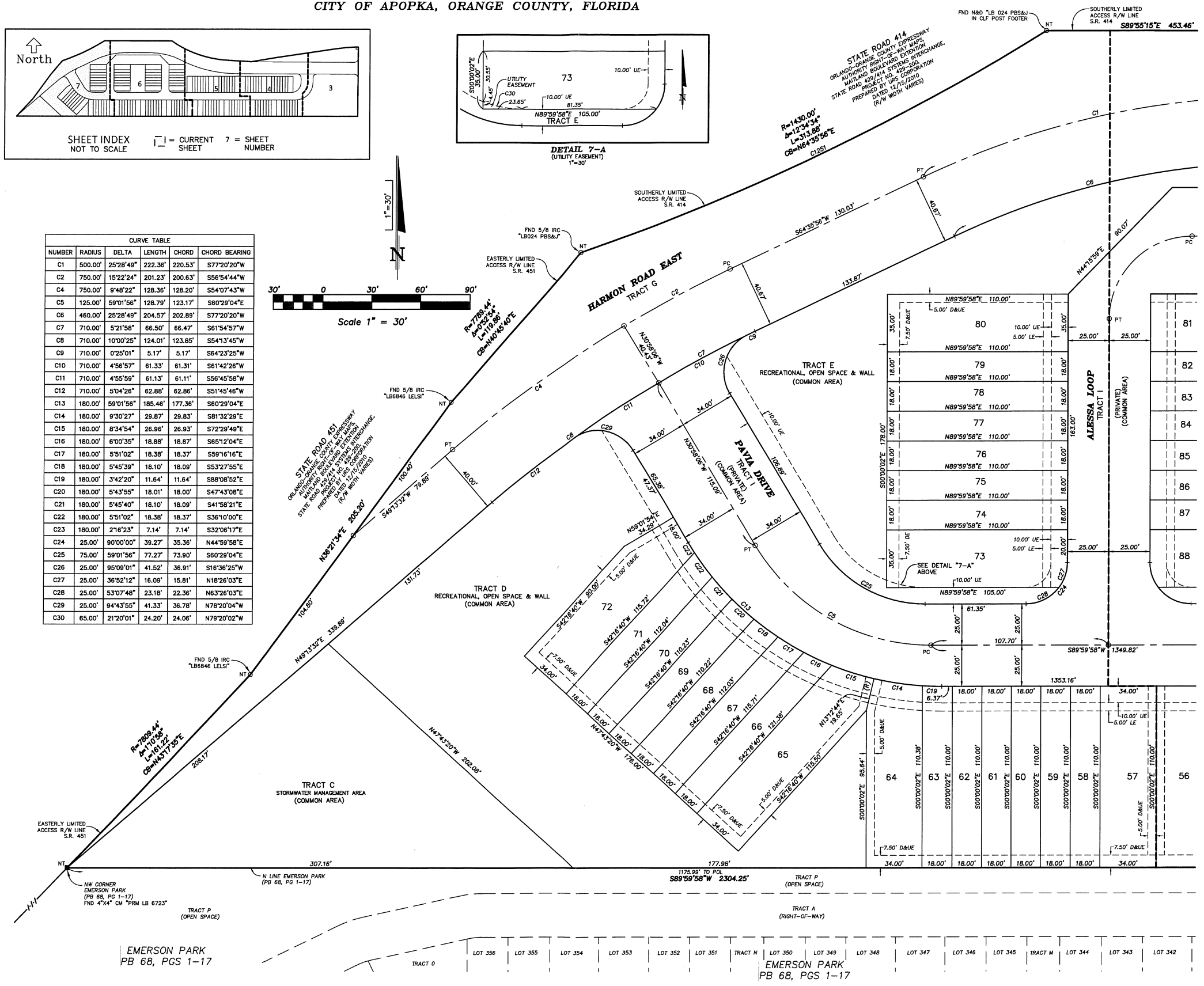
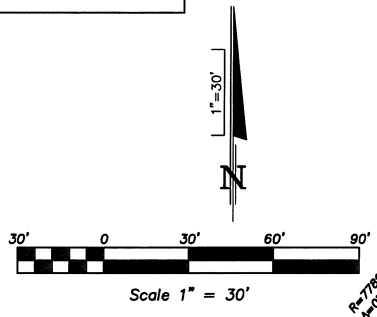
SHEET 7 OF 7

PLAT BOOK

PAGE



CURVE TABLE				
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C2	750.00'	15°22'24"	201.23'	S56°54'44"W
C4	750.00'	9°48'22"	128.36'	S54°07'43"W
C5	125.00'	59°01'56"	128.79'	S60°29'04"E
C6	460.00'	25°28'49"	204.57'	S77°20'20"W
C7	710.00'	5°21'58"	66.50'	S61°54'57"W
C8	710.00'	10°00'25"	124.01'	S54°13'45"W
C9	710.00'	0°25'01"	5.17'	S64°23'25"W
C10	710.00'	4°56'57"	61.33'	S61°42'26"W
C11	710.00'	4°55'59"	61.13'	S56°45'58"W
C12	710.00'	6°04'26"	62.88'	S51°45'46"W
C13	180.00'	59°01'56"	185.46'	S60°29'04"E
C14	180.00'	9°30'27"	29.87'	S81°32'29"E
C15	180.00'	8°34'54"	26.96'	S72°29'49"E
C16	180.00'	6°00'35"	18.88'	S65°12'04"E
C17	180.00'	5°51'02"	18.38'	S59°16'16"E
C18	180.00'	5°45'39"	18.10'	S53°27'55"E
C19	180.00'	3°42'20"	11.64'	S88°08'52"E
C20	180.00'	5°43'55"	18.01'	S47°43'08"E
C24	25.00'	90°00'00"	39.27'	N44°59'58"E
C25	75.00'	59°01'56"	77.27'	S60°29'04"E
C26	25.00'	95°09'01"	41.52'	S16°36'25"W
C27	25.00'	36°52'12"	16.09'	N18°26'03"E
C28	25.00'	53°07'48"	23.18'	N63°26'03"E
C29	25.00'	94°43'55"	41.33'	N78°20'04"W
C30	65.00'	21°20'01"	24.20'	N79°20'02"W



SEE SHEET 6

SEE SHEET 6

PREPARED BY:  
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ENGINEERS PLANNERS SURVEYORS  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
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**Backup material for agenda item:**

4. PLAT – Orchid Estates – South of Kelly Park Road, west of Jason Dwelley Parkway – Quasi-Judicial

David Moon



# CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA  
 PUBLIC HEARING  
 SPECIAL REPORTS  
 OTHER: Plat

MEETING OF: February 15, 2017  
FROM: Community Development  
EXHIBITS: Vicinity & Aerial Maps  
Final Plat

---

**SUBJECT:** ORCHID ESTATES – PLAT

**REQUEST:** APPROVE THE ORCHID ESTATES PLAT

---

**SUMMARY:**

OWNER/APPLICANT: JTD Land at Orchid Estates, LLC  
ENGINEER: Engineering & Environmental Design, Inc., c/o Larry T. Ray P.E.  
LOCATION: South of Kelly Park Road, west of Jason Dwelley Parkway  
PARCEL ID NUMBERS: 18-20-28-0000-00-055; 18-20-28-0000-00-059; 18-20-28-0000-00-117 Portion  
EXISTING USE: Vacant  
FUTURE LAND USE: Residential Very Low Suburban (0-2 du/ac)  
CURRENT ZONING: Planned Unit Development  
PROPOSED AMENDMENT: 112 single family lots  
TRACT SIZE: Combined total Acreage: 60.82 +/- Total Acres

---

**FUNDING SOURCE:**

N/A

---

**DISTRIBUTION**

Mayor Kilsheimer  
Commissioners  
City Administrator  
Community Development Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Services Director  
Recreation Director  
City Clerk  
Fire Chief

**ADDITIONAL COMMENTS:** The Orchid Estates Plat proposes 112 single family residential lots and is consistent with the amended Master Plan\ Preliminary Development Plan approved by City Council on October 19, 2016. The Orchid Estates Subdivision is located within a Planned Unit Development Zoning District and will consist of a minimum 70 feet wide lots with a minimum lot size of 7,500 S.F. and a minimum living area of 1,500 S.F.

**Access:** Ingress/egress for the development will occur from internal public roads connecting at one location – Sandpiper Road. All subdivision roads are owned and maintained by the homeowners association.

**Stormwater:** The stormwater management system includes on-site retention areas designed to meet the City’s Land Development Code requirements.

**School Capacity Report:** This residential project is exempt from school concurrency because development applications were submitted to the City prior to the effective date of the school concurrency program. School impact fees will be collected with each building permit application.

**Recreation Space:** The developer is providing a total of 19.17 +/- acres of passive (Tract “F”) and active (Tract “B”) recreational areas which includes a tot lot and common open space areas.

**Environmental:** The developer must obtain a habitat management plan and gopher tortoise relocation permit application to the Florida Fish and Wildlife Commission prior to commencing any site construction activity.

**Orange County Notification:** The JPA requires the City to notify the County any public hearing or advisory board consideration of a Subdivision Plan that is adjacent to Unincorporated Orange County. The County has been notified via DRC agenda.

**Buffer/Tree Program:** A 17.2 acre site (Tract “F”) was reserved for open space to preserve trees, and the City exempted the PUD\ Master Plan from the arbor preservation requirements.

**PUBLIC HEARING SCHEDULE:**

Planning Commission – February 14, 2017 5:30 p.m.  
City Council – February 15, 2017 6:00 p.m.

---

**RECOMMENDED ACTION:**

The **Development Review Committee** finds the Orchid Estates Plat to be consistent with the Comprehensive Plan, Land Development Code, and Master Plan\ Preliminary Development Plan and recommends the approval of the Orchid Estates- Plat, subject to submittal of a School Concurrency with Orange County School Board.

The **Planning Commission** will hold a hearing on February 14, 2017. Staff will bring the Planning Commission recommendation to City Council on February 15<sup>th</sup>.

**Recommended Motion:** Approve the Orchid Estates Plat.

**Note:** This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

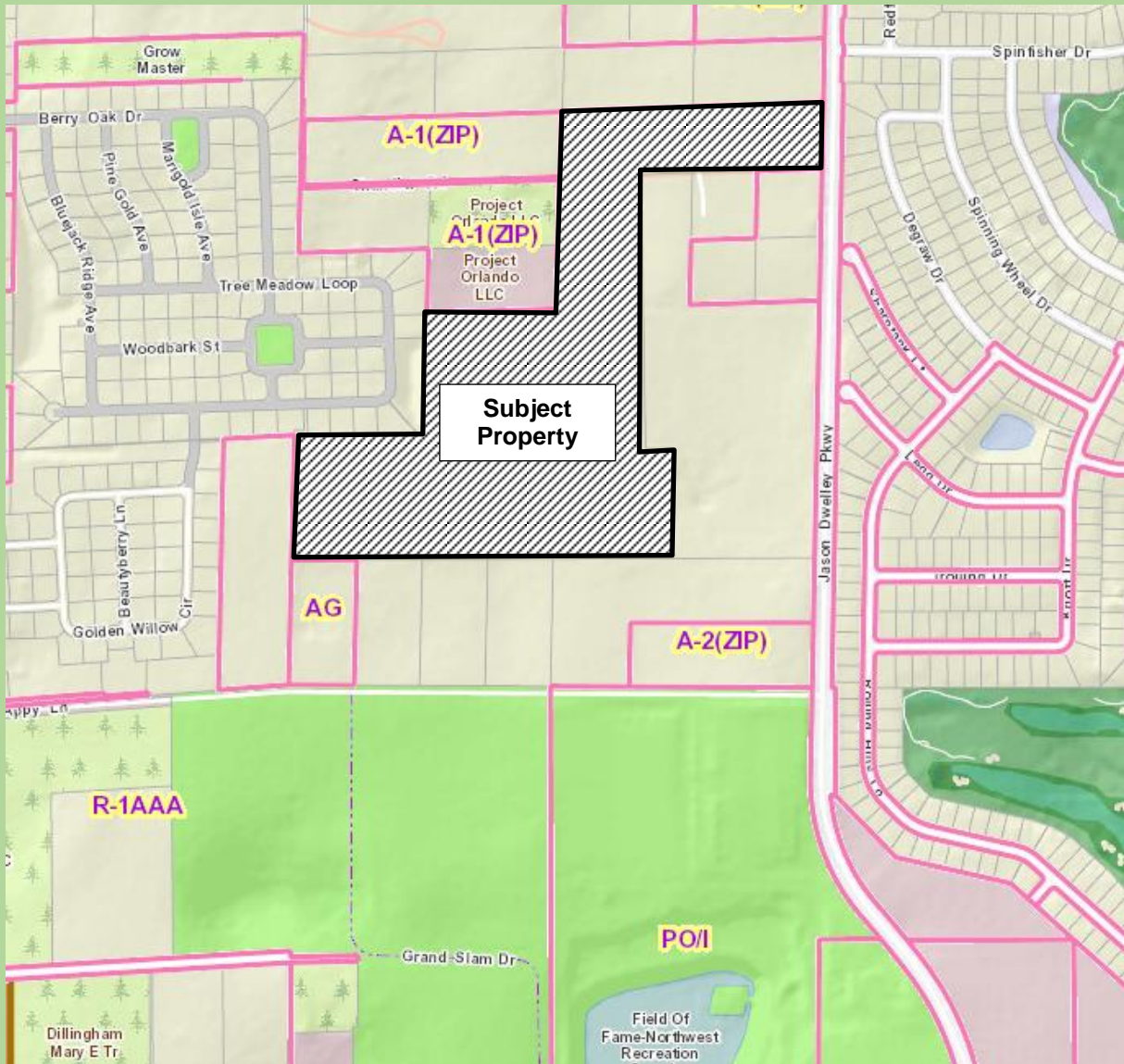


**Orchid Estates Subdivision**  
**60.82 +/- Acres**

**Proposed: 112 units**

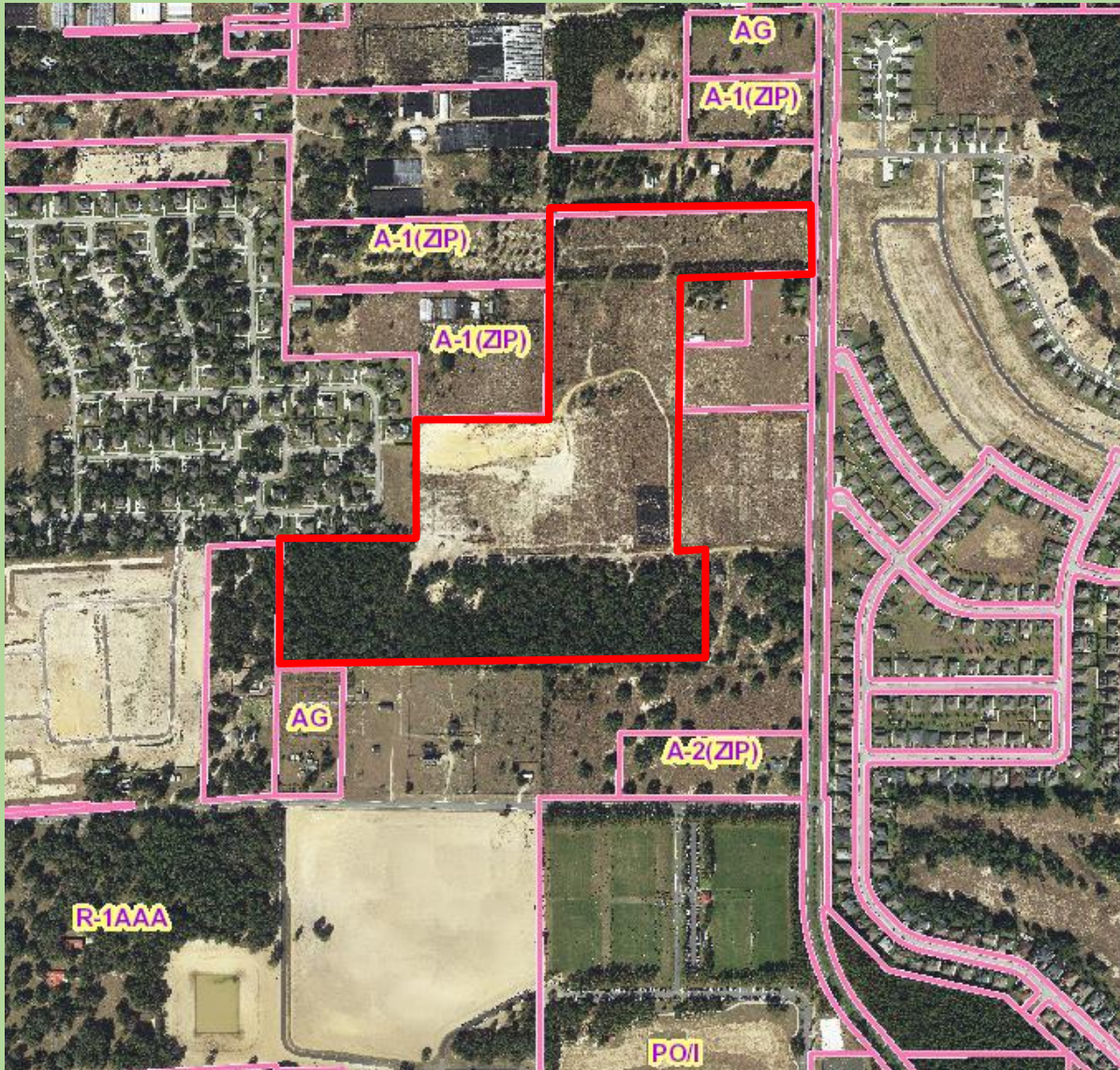
**Parcel ID #s: 18-20-28-0000-00-055; 18-20-28-0000-00-059;  
18-20-28-0000-00-117 Portion**

**VICINITY MAP**





## AERIAL MAP



# ORCHID ESTATES

A PORTION OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST,  
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 1 OF 5  
(51287021)

PLAT BOOK PAGE

## ORCHID ESTATES DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That JTD LAND AT ORCHID ESTATES, LLC, a Florida limited liability company, being the owner in fee simple of the lands described in the foregoing caption of this plat located in Orange County, Florida, hereby dedicates said lands and plot for the uses and purposes therein expressed and dedicates the streets, drainage easements, and utility easements shown thereon to the perpetual use of the public. Tract D is hereby dedicated to the City of Apopka, Florida.

IN WITNESS WHEREOF, Owner has caused these presents to be signed and witnessed by the Authorized Representative named below on the \_\_\_\_ day of \_\_\_\_\_ 2016.

By: JTD LAND AT ORCHID ESTATES, LLC, a Florida limited liability company

By: Craig C. Harris  
Signature: \_\_\_\_\_ Notary: \_\_\_\_\_

TITLE:

Signed and sealed in the presence of:

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 2016, by \_\_\_\_\_ as \_\_\_\_\_ on behalf of \_\_\_\_\_ executed the foregoing dedication and severally acknowledges the execution thereof to be his/his free act and deed for the uses and purposes therein expressed, and is personally known to me or has produced \_\_\_\_\_ as identification.

Notary Public \_\_\_\_\_

Printed Name, Notary Public State of Florida \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Commission Number \_\_\_\_\_

### CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and Registered Land Surveyor & Mapper, does hereby certify that I completed the survey of the lands therein described and this Plat was prepared under my direction and supervision; that permanent reference monuments have been placed as shown thereon and this plat complies with all of the survey requirements of Chapter 177, Florida Statutes; and that said land is located in Orange County, Florida.

Signature: James L. Petersen Dated: 03/16/2016  
Southeastern Surveying & Mapping Corporation  
6500 All American Boulevard  
Orlando, Florida 32810-4350 Registration No. 4791  
Certificate No. LB 2108

### CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, that on \_\_\_\_\_ the \_\_\_\_\_ approved the foregoing plat.

ATTEST: \_\_\_\_\_ MAYOR

\_\_\_\_\_ CITY CLERK

### CERTIFICATE OF APPROVAL BY CITY ENGINEER

Examined and Approved: \_\_\_\_\_ City Engineer Date \_\_\_\_\_

### CERTIFICATE OF APPROVAL BY APOPKA PLANNING COMMISSION

THIS IS TO CERTIFY, that on \_\_\_\_\_ the Apopka Planning Commission approved the foregoing plat.  
\_\_\_\_\_ Chairman

### CERTIFICATE OF REVIEW BY CITY SURVEYOR

Reviewed for conformity to Florida Statute 177  
City Surveyor \_\_\_\_\_ Date \_\_\_\_\_

### CERTIFICATE OF COUNTY COMPTROLLER

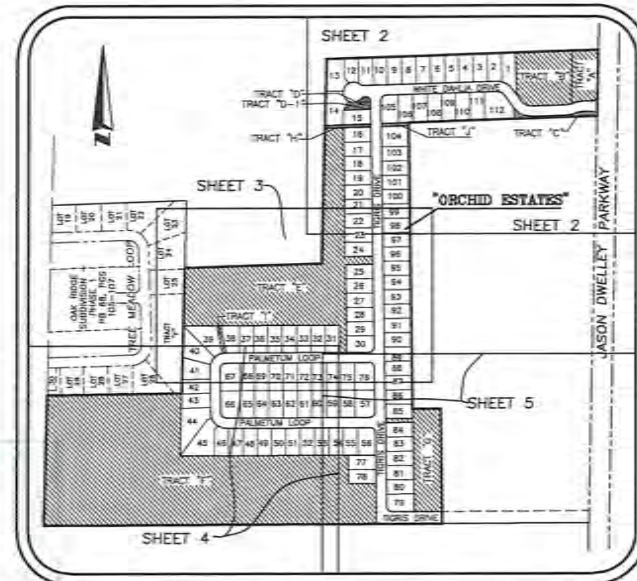
I HEREBY CERTIFY, that the foregoing plat was recorded in the Orange County Official Records on \_\_\_\_\_ as File No. \_\_\_\_\_  
County Comptroller in and for Orange County, Florida  
By: \_\_\_\_\_

### DESCRIPTION:

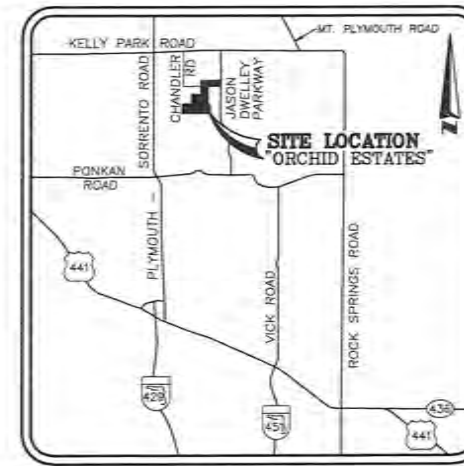
A parcel of land lying in the Southeast 1/4 and the Northeast 1/4 of Section 18, Township 20 South, Range 28 East, City of Apopka, Orange County, Florida, being more particularly described as follows:

Begin at the Northeast corner of the Southeast 1/4 of said Section 18; thence along the North line of said Southeast 1/4, South 88°08'31" West 922.44 feet; thence, departing said North line, South 00°55'14" East 1,401.57 feet; thence North 89°02'58" East 135.50 feet; thence South 00°55'14" East 562.93 feet to the South line of the North 3/4 of said Southeast 1/4; thence, along said South line, South 89°46'29" West 1,948.05 feet to the West line of said Southeast 1/4; thence, along said West line, North 01°19'12" East 638.00 feet to the South line of Oak Ridge Subdivision - Phase 1, as recorded in Plat Book 88, Pages 105 through 107, inclusive, Public Records of Orange County, Florida; thence, along said South line, North 88°14'04" East 851.33 feet to the East line of said Oak Ridge Subdivision - Phase 1; thence, along said East line, North 01°16'48" East 613.45 feet; thence North 88°09'06" East 670.06 feet to a point on the East line of the Northwest 1/4 of said Southeast 1/4; thence, along said East line, North 01°11'56" East 675.00 feet to the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of said Section 18; thence, along the West line of the Southeast 1/4 of said Section 18, North 01°12'14" East 324.74 feet; thence, departing said West line, North 88°08'14" East 1,329.47 feet to the East line of the Northeast 1/4 of said Section 18; thence, along said East line, South 01°05'15" West 324.81 feet to the POINT OF BEGINNING.

Containing: 60.80 acres more or less.



SHEET LAYOUT  
NOT TO SCALE



VICINITY MAP  
NOT TO SCALE

### GENERAL NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST BEING N 88°08'31"E.
- THERE IS A 5 FOOT WIDE LANDSCAPE EASEMENT BEHIND THE FRONT UTILITY EASEMENT. THIS EASEMENT IS FOR THE PROTECTION OF LOT STREET TREES BY THE HOMEOWNERS ASSOCIATION. DRAINAGE AND UTILITY EASEMENTS UNLESS OTHERWISE INDICATED, ARE AS FOLLOWS:  
10' ALONG FRONT LOT LINES  
7.5' ALONG REAR LOT LINES  
5' ALONG SIDE LOT LINES  
ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES. PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICE SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- ALL LOT LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.
- THIS PLAT CONTAINS 112 LOTS AND 11 TRACTS.
- TRACTS "A" AND "E" ARE STORMWATER RETENTION TRACTS AND WILL BE OWNED AND MAINTAINED BY THE ORCHID ESTATES HOMEOWNERS ASSOCIATION (WITH A BLANKET EASEMENT TO THE CITY OF APOPKA FOR THE OPERATION AND MAINTENANCE OF THE STORMWATER PIPING AND STRUCTURES LOCATED WITHIN THESE TRACTS).
- TRACTS "B", "D-1", "F", AND "G" ARE OPEN SPACE, AND WILL BE OWNED AND MAINTAINED BY ORCHID ESTATES HOMEOWNERS ASSOCIATION.
- THERE IS A 10 FOOT WIDE WALL EASEMENT ALONG THE EAST SIDE OF TRACT "A", AS SHOWN ON THE PLAT. THE MAINTENANCE OF THIS EASEMENT WALL WILL BE PROVIDED BY THE ORCHID ESTATES HOMEOWNERS ASSOCIATION.
- TRACT "C" IS RESERVED FOR LANDSCAPING AND ENTRANCE FEATURES, AND WILL BE OWNED AND MAINTAINED BY ORCHID ESTATES HOMEOWNERS ASSOCIATION.
- TRACT "F" BETWEEN LOTS 38 AND LOT 39 IS A 20.00 FOOT WIDE EASEMENT FOR DRAINAGE, ACCESS AND MAINTENANCE OF DRAINAGE CULVERT RUNNING ALONG THE LOT LINES AND WILL BE OWNED AND MAINTAINED BY THE ORCHID ESTATES HOMEOWNERS ASSOCIATION (WITH A BLANKET ACCESS EASEMENT TO THE CITY OF APOPKA FOR MAINTENANCE).
- TRACTS "H" AND "J" ARE 15.00 FEET INGRESS AND EGRESS EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 2642, PAGES 308 THROUGH 310, AND OFFICIAL RECORDS BOOK 4540, PAGES 3251 THROUGH 3256, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND WILL BE OWNED AND MAINTAINED BY ORCHID ESTATES HOMEOWNERS ASSOCIATION.
- LIFT STATION TRACT "D" IS TO BE DEDICATED TO THE CITY OF APOPKA, FLORIDA (WITH A 5 FOOT WALL EASEMENT TO THE CITY OF APOPKA FOR MAINTENANCE).
- NO FENCES, LANDSCAPING OR OTHER OBSTRUCTIONS WILL BE PLACED INSIDE OF ANY WATER, SEWER, RECLAIMED OR STORMWATER UTILITY MAIN EASEMENTS.
- A 30 FOOT INGRESS/EGRESS EASEMENT ACROSS TRACT "C" IS TO BE PROVIDED FOR THE PURPOSE OF PROVIDING ACCESS TO WHITE DAHLIA DRIVE FOR THOSE PARCELS LOCATED SOUTH

### LEGEND & ABBREVIATIONS:

- = DESIGNATES A PERMANENT REFERENCE MONUMENT, BEING A SET 4"x4" CONCRETE MONUMENT WITH BRASS DISC STAMPED "P.R.M. LB2108", UNLESS OTHERWISE NOTED.
- o = DESIGNATES A PERMANENT CONTROL POINT, BEING A SET PK NAIL & DISK STAMPED "PCP LB2108", UNLESS OTHERWISE NOTED.
- Δ = CENTRAL ANGLE/Delta
- R = RADIUS
- L = LENGTH
- C = CHORD DISTANCE
- CB = CHORD BEARING
- ESM/T = EASEMENT
- FND. = FOUND
- GIS = GEODETIC INFORMATION SYSTEM
- LB = LICENSED BUSINESS
- (NR) = NON-RADIAL
- ORB = OFFICIAL RECORDS
- (R) = RADIAL
- C/L = CENTER LINE
- R/W = RIGHT OF WAY
- CT. = COURT
- NE = NORTHEAST
- SE = SOUTHEAST
- NW = NORTHWEST
- SW = SOUTHWEST
- SEC. = SECTION
- TWP. = TOWNSHIP
- RGE. = RANGE
- PC = POINT OF CURVATURE
- PG.(S) = PAGE/PAGES
- PI = POINT OF INTERSECTION
- POC = POINT ON CURVE
- PT = POINT OF TANGENCY
- CI = CURVE NUMBER
- L1 = LINE NUMBER
- NT = NON-TANGENT
- PRC = POINT OF REVERSE CURVATURE

### NOTICE

This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.



SOUTHEASTERN SURVEYING & MAPPING CORP.  
6500 All American Boulevard  
Orlando, Florida 32810-4350  
(407) 282-8585 Fax: (407) 282-2141  
email: info@seasurveysurveying.com



# ORCHID ESTATES

A PORTION OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST,  
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

(51287021)

PLAT  
BOOK

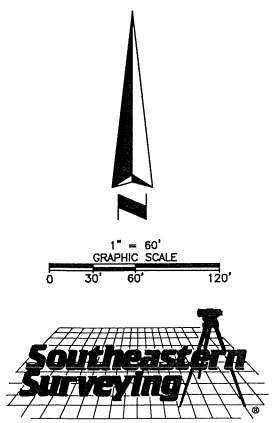
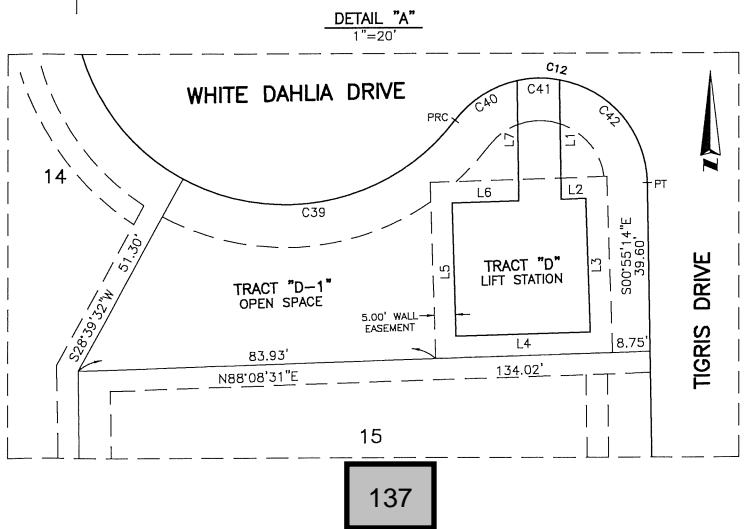
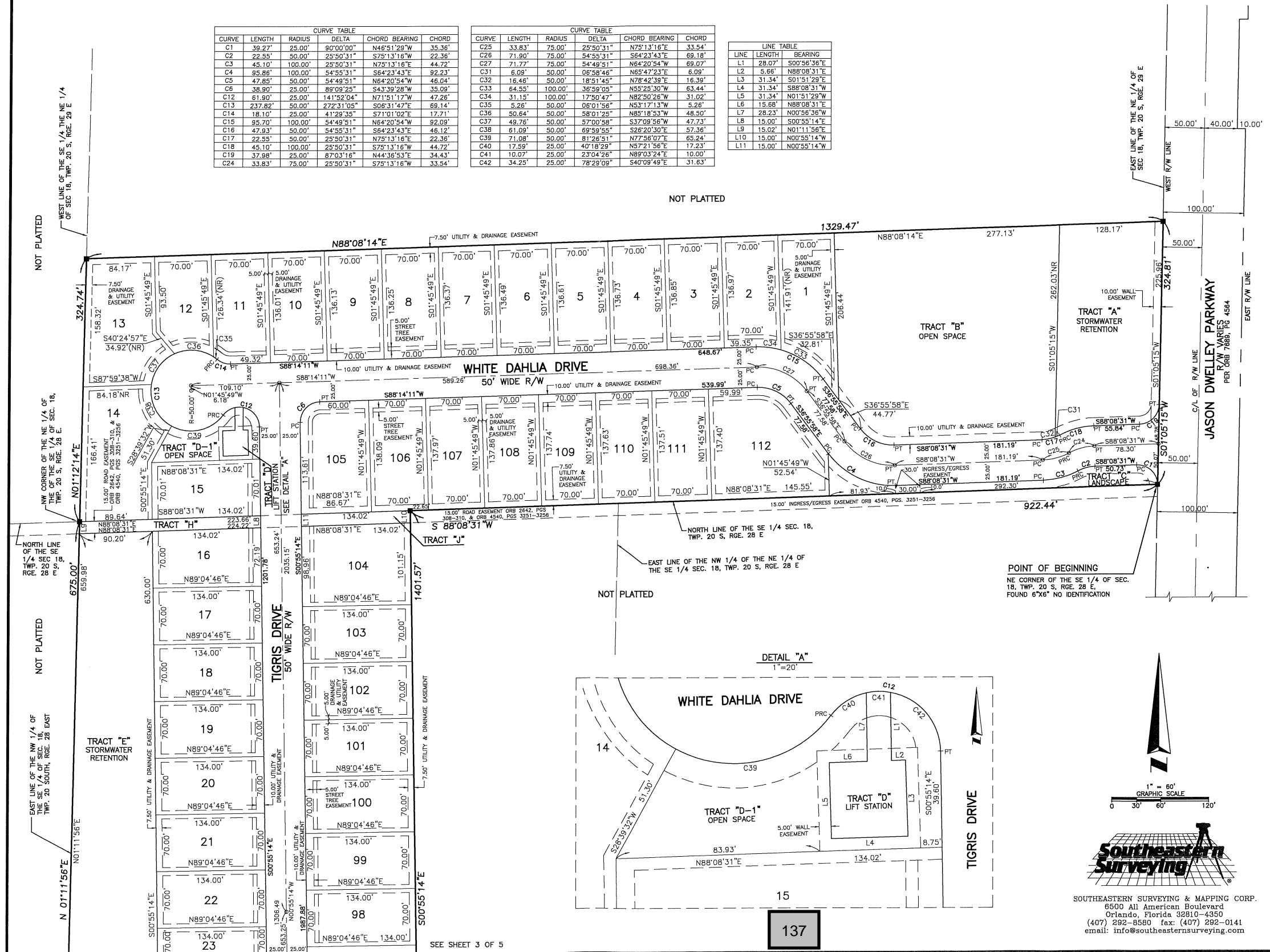
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SHEET 2 OF 5

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	39.27'	25.00'	90°00'00"	N46°51'29"W	35.36'
C2	22.55'	50.00'	25°50'31"	S75°13'16"E	22.36'
C3	45.10'	100.00'	25°50'31"	N75°13'16"E	44.72'
C4	95.86'	100.00'	54°55'31"	S64°23'43"E	92.23'
C5	47.85'	50.00'	54°49'51"	N64°20'54"W	46.04'
C6	38.90'	25.00'	89°09'25"	S43°39'28"W	35.09'
C12	61.90'	25.00'	141°52'04"	N71°51'17"W	47.26'
C13	237.82'	50.00'	272°31'05"	S06°31'47"E	69.14'
C14	181.10'	25.00'	41°23'35"	S71°01'02"E	17.71'
C15	95.70'	100.00'	54°49'51"	N64°20'54"W	92.09'
C16	47.93'	50.00'	54°55'31"	S64°23'43"E	46.12'
C17	22.55'	50.00'	25°50'31"	N75°13'16"E	22.36'
C18	45.10'	100.00'	25°50'31"	S75°13'16"E	44.72'
C19	37.98'	25.00'	87°03'16"	N44°36'53"E	34.43'
C24	33.83'	75.00'	25°50'31"	S75°13'16"E	33.54'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C25	33.83'	75.00'	25°50'31"	N75°13'16"E	33.54'
C26	71.90'	75.00'	25°50'31"	S64°23'43"E	69.18'
C27	71.77'	75.00'	54°49'51"	N64°20'54"W	69.07'
C31	6.09'	50.00'	06°58'46"	N65°47'23"E	6.09'
C32	16.46'	50.00'	18°51'45"	N78°42'39"E	16.39'
C33	64.55'	100.00'	36°59'05"	N55°25'30"W	63.44'
C34	31.15'	100.00'	17°50'47"	N82°50'26"W	31.02'
C35	5.26'	50.00'	06°01'56"	N53°17'13"W	5.26'
C36	50.64'	50.00'	58°01'29"	N81°18'37"W	48.50'
C37	49.76'	50.00'	57°00'58"	S37°09'56"W	47.73'
C38	61.00'	50.00'	69°59'55"	S28°20'30"E	57.36'
C39	71.08'	50.00'	81°26'51"	N77°56'07"E	65.24'
C40	17.59'	25.00'	40°18'29"	N57°21'56"E	17.23'
C41	10.07'	25.00'	23°04'26"	N89°03'24"E	10.00'
C42	34.25'	25.00'	78°29'09"	S40°09'49"E	31.63'

LINE TABLE		
LINE	LENGTH	BEARING
L1	28.07'	S00°56'36"E
L2	5.66'	N88°08'31"E
L3	31.34'	S01°51'29"E
L4	31.34'	S88°08'31"W
L5	31.34'	N01°51'29"W
L6	15.68'	N88°08'31"E
L7	28.23'	N00°56'36"W
L8	15.00'	S00°55'14"E
L9	15.02'	N01°11'56"E
L10	15.00'	N00°55'14"W
L11	15.00'	N00°55'14"W



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SEE SHEET 3 OF 5

# ORCHID ESTATES

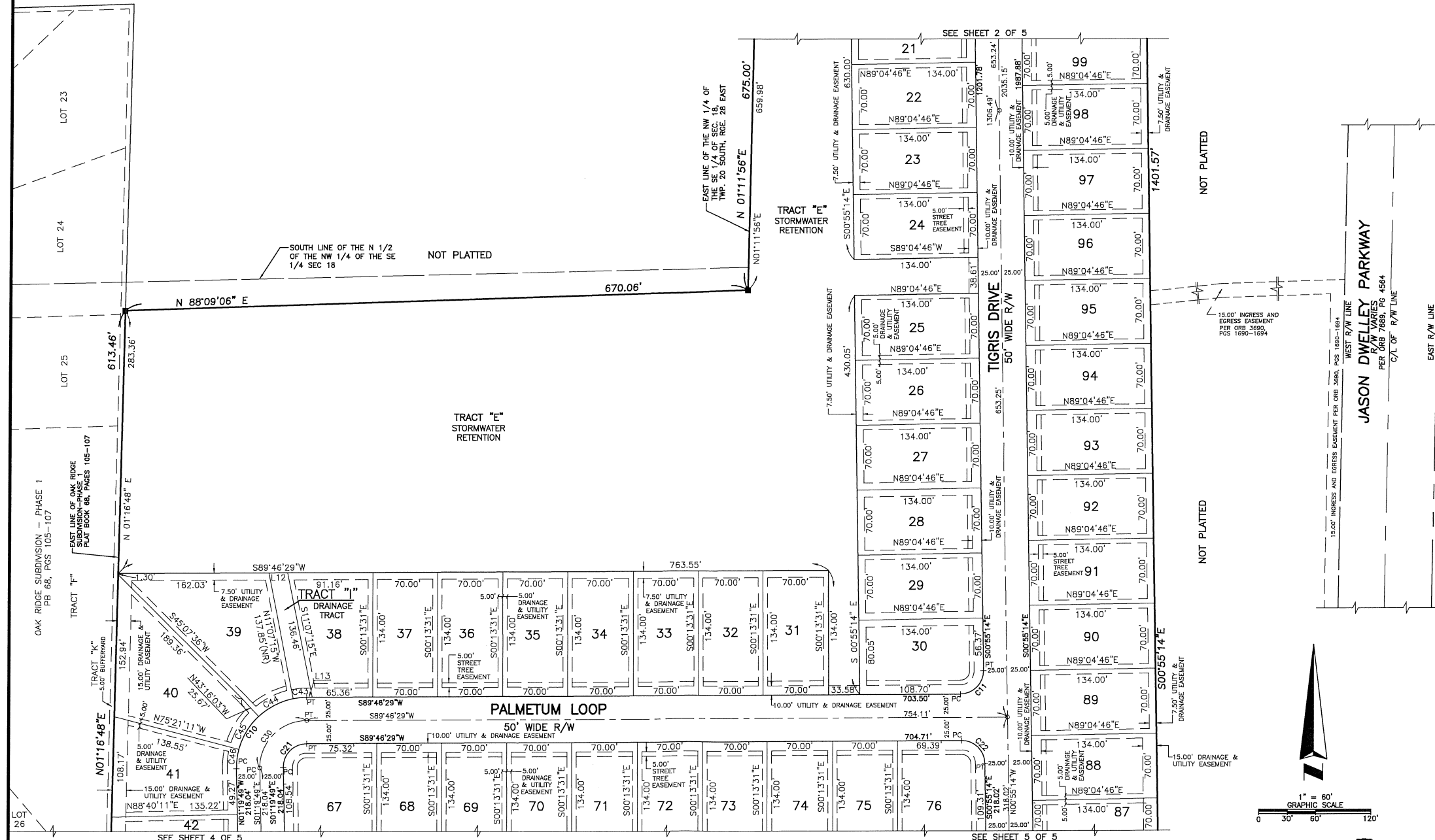
A PORTION OF SECTION 18, TOWNSHIP 20 SOUTH, RANGE 28 EAST,  
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

(51287021)

PLAT  
BOOK

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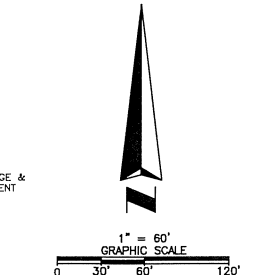
SHEET 3 OF 5



CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C10	119.26'	75.00'	91°06'18"	S44°13'21"W	107.08'
C11	39.57'	25.00'	90°41'44"	N44°25'38"E	35.97'
C21	39.75'	25.00'	91°06'18"	S44°13'20"W	35.69'
C30	79.50'	50.00'	91°06'18"	S44°13'20"W	71.39'
C43	14.34'	75.00'	10°57'24"	S84°17'48"W	14.32'
C44	42.00'	75.00'	32°05'09"	S62°46'32"W	41.45'
C45	42.00'	75.00'	32°05'09"	S30°41'23"W	41.45'
C46	20.91'	75.00'	15°58'38"	S05°39'30"W	20.85'

LINE	LENGTH	BEARING
L12	20.37'	N89°46'29"E
L13	8.85'	S89°46'29"W

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SEE SHEET 1 OF 5 FOR  
NOTES & LEGEND

# ORCHID ESTATES

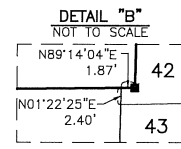
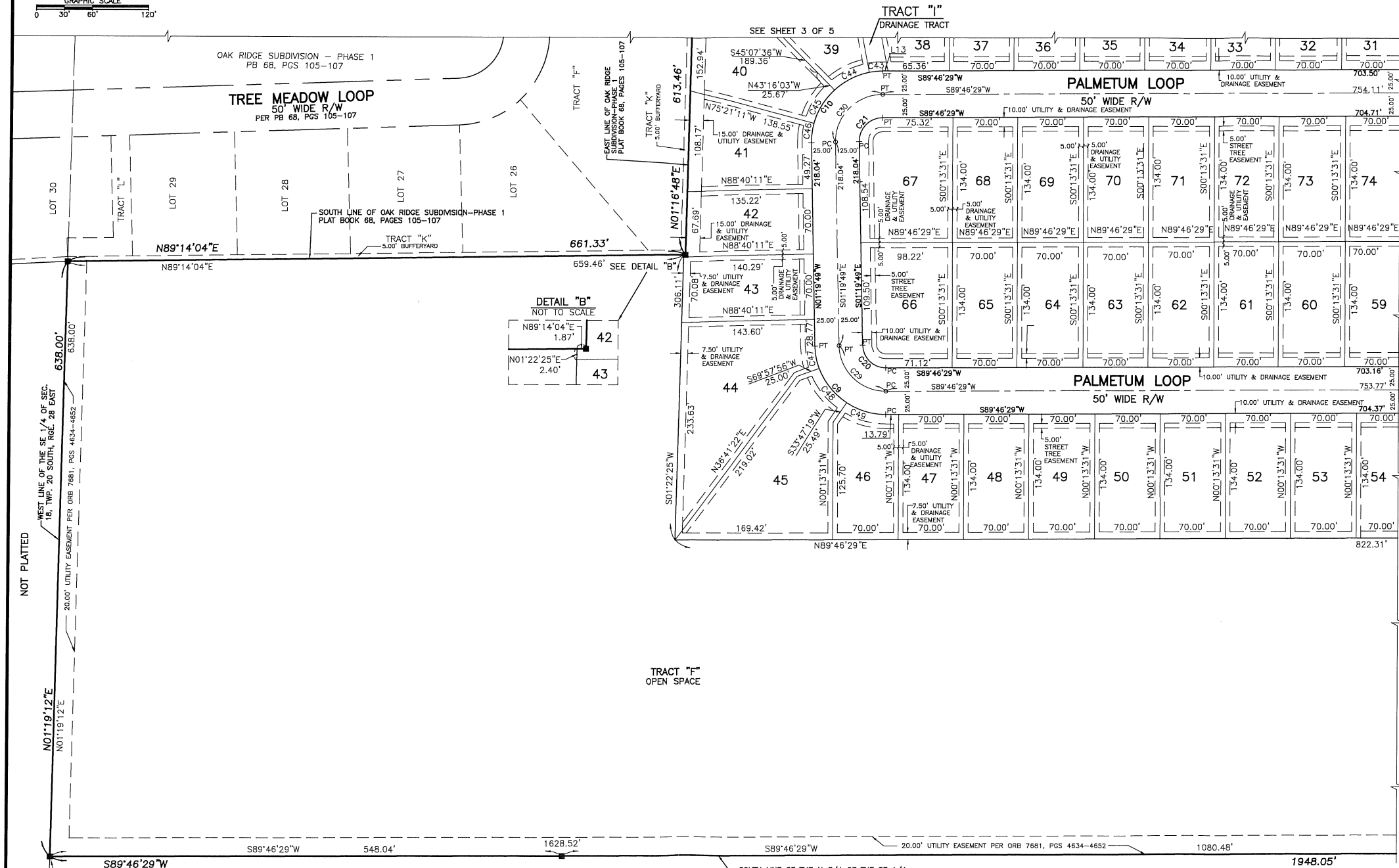
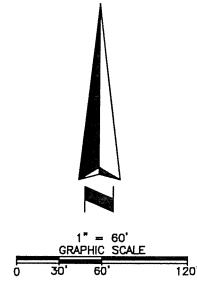
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(51287021)

PLAT  
BOOK

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SHEET 4 OF 5



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C9	116.36'	75.00'	88°53'42"	S45°46'40"E	105.04'
C10	119.26'	75.00'	91°06'18"	S44°13'21"W	107.08'
C20	38.79'	25.00'	88°53'42"	S45°46'40"E	35.01'
C21	39.75'	25.00'	91°06'18"	S44°13'20"W	35.69'
C29	77.58'	50.00'	88°53'42"	S45°46'40"E	70.03'
C30	79.50'	50.00'	91°06'18"	S44°13'20"W	71.39'
C43	14.34'	75.00'	10°57'24"	S84°17'48"W	14.32'
C44	42.00'	75.00'	32°05'09"	S62°46'32"W	41.45'
C45	42.00'	75.00'	32°05'09"	S30°41'23"W	41.45'
C46	20.91'	75.00'	15°58'38"	S06°39'30"W	20.85'
C47	24.48'	75.00'	18°42'16"	S10°40'56"E	24.38'
C48	47.36'	75.00'	36°10'37"	S38°07'23"E	46.57'
C49	44.52'	75.00'	34°00'49"	S73°13'06"E	43.87'

LINE TABLE		
LINE	LENGTH	BEARING
L13	5.85'	S89°46'29"W

SEE SHEET 1 OF 5 FOR  
NOTES & LEGEND



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# ORCHID ESTATES

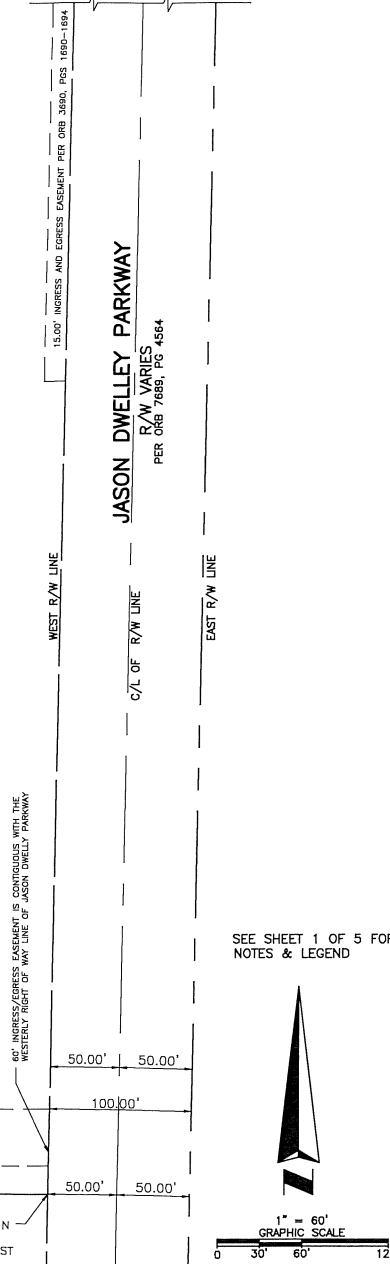
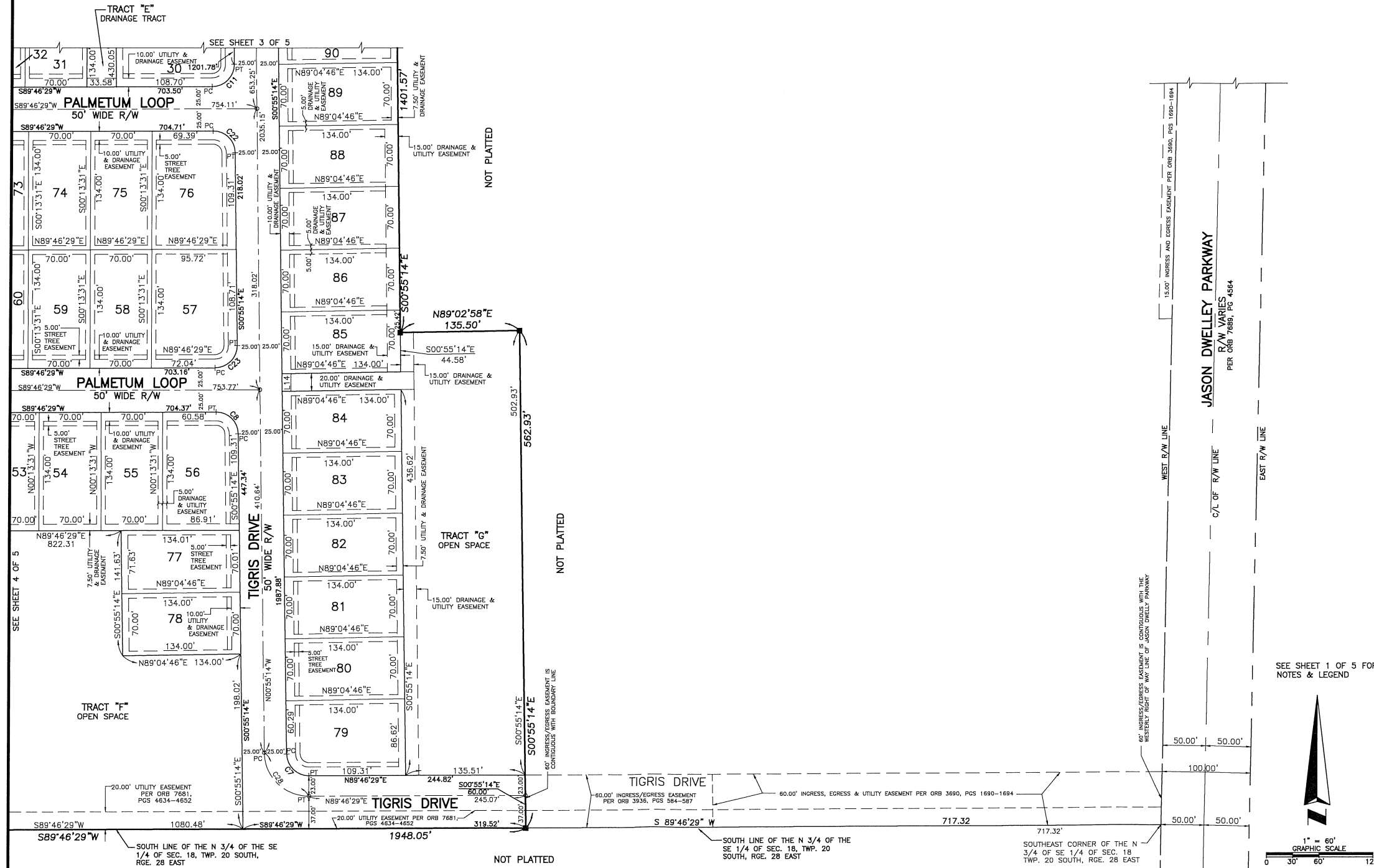
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(51287021)

PLAT  
BOOK

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SHEET 5 OF 5



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C7	38.97'	25.00'	89°18'16"	S45°34'22"W	35.14'
C8	38.97'	25.00'	89°18'16"	N45°34'22"W	35.14'
C22	38.97'	25.00'	89°18'16"	N45°34'22"W	35.14'
C23	39.57'	25.00'	90°41'44"	N44°25'38"E	35.57'
C28	77.93'	50.00'	89°18'16"	S45°34'22"E	70.28'

LINE TABLE		
LINE	LENGTH	BEARING
L14	20.02'	S00°55'14"E

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**Backup material for agenda item:**

1. Ordinance No. 2547 – Second Reading – Annexation – Fisher Plantation Subdivision -Legislative James Hitt



**RECOMMENDATION ACTION:**

The **City Council**, at its meeting on January 18, 2017, and February 1, 2017, accepted the First Reading of Ordinance No. 2547 and held it over for Second Reading and Adoption.

Adopt Ordinance No. 2547.

**ORDINANCE NO. 2547**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ANNEXING CERTAIN UNINCORPORATED PROPERTY GENERALLY KNOWN AS FISHER PLANTATION, AND MORE PARTICULARLY DESCRIBED HEREIN, INTO THE CORPORATE LIMITS OF THE CITY OF APOPKA; PROVIDING FOR A REFERENDUM FOR APPROVAL BY THE REGISTERED ELECTORS OF THE AREA PROPOSED TO BE ANNEXED; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Apopka has undertaken a study regarding the annexation of Fisher Plantation; and

**WHEREAS**, the City Council has determined that the total area to be annexed is contiguous to the City of Apopka boundary, is reasonably compact and is not included within the boundary of another municipality; and

**WHEREAS**, the City Council further determined that the area to be annexed is developed for urban purposes; and

**WHEREAS**, the City of Apopka is prepared to provide urban services to the area to be annexed; and

**WHEREAS**, this enabling ordinance and backup will be transmitted to the Board of County Commissioners for Orange County; and

**WHEREAS**, all prerequisites to annexation have been met.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA:**

**SECTION I: ANNEXATION OF UNINCORPORATED PROPERTY:** The corporate limits of the City of Apopka are hereby extended, amended and modified so as to annex and include the area referred to as Fisher Plantation, generally located northwest corner of Schopke Road and Lester-Schopke Road, more particularly described in Exhibit "A" (attached hereto and incorporated herein by this reference) and depicted in the map in Exhibit "B" (attached hereto and incorporated herein by this reference).

**SECTION II: REFERENCE BY REGISTERED ELECTORS:** This ordinance proposing to annex the property herein described to the corporate limits to the City of Apopka shall be submitted to a vote of the registered electors of the area herein proposed to be annexed. The referendum for the annexation shall be held April 11, 2017, with a mail ballot in a form substantially similar to that set forth in Exhibit "C" (attached hereto and incorporated herein by this reference). Such election shall be held in conformity with the laws and ordinances now in effect and in conformance with the provisions of Chapter 171, Florida Statutes.



**SECTION III: SEVERABILITY:** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereof.

**SECTION IV: EFFECTIVE DATE:** This ordinance shall become effective April 21, 2017 provided there is a majority vote for annexation within the area proposed herein to be annexed.

**SECTION V: DIRECTIONS TO THE CITY CLERK:** Immediately upon the effective date of this Ordinance, the City Clerk shall file a certified copy of this Ordinance, along with the certified referendum election results, with the Clerk of the Circuit Court in and for Orange County; the Orange County Property Appraiser; and the Department of State of the State of Florida.

**PASSED AND ORDAINED** this 15<sup>th</sup> day of February 2017, by the City Council of the City of Apopka, Florida.

READ FIRST TIME: January 18, 2017 &  
February 1, 2017

READ SECOND TIME  
AND ADOPTED: February 15, 2017

---

Joseph E. Kilsheimer, Mayor

ATTEST:

---

Linda G. Goff, City Clerk

APPROVED AS TO FORM:

---

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: January 8, 2017  
January 27, 2017  
February 3, 2017

## FISHER PLANTATION ANNEXATION

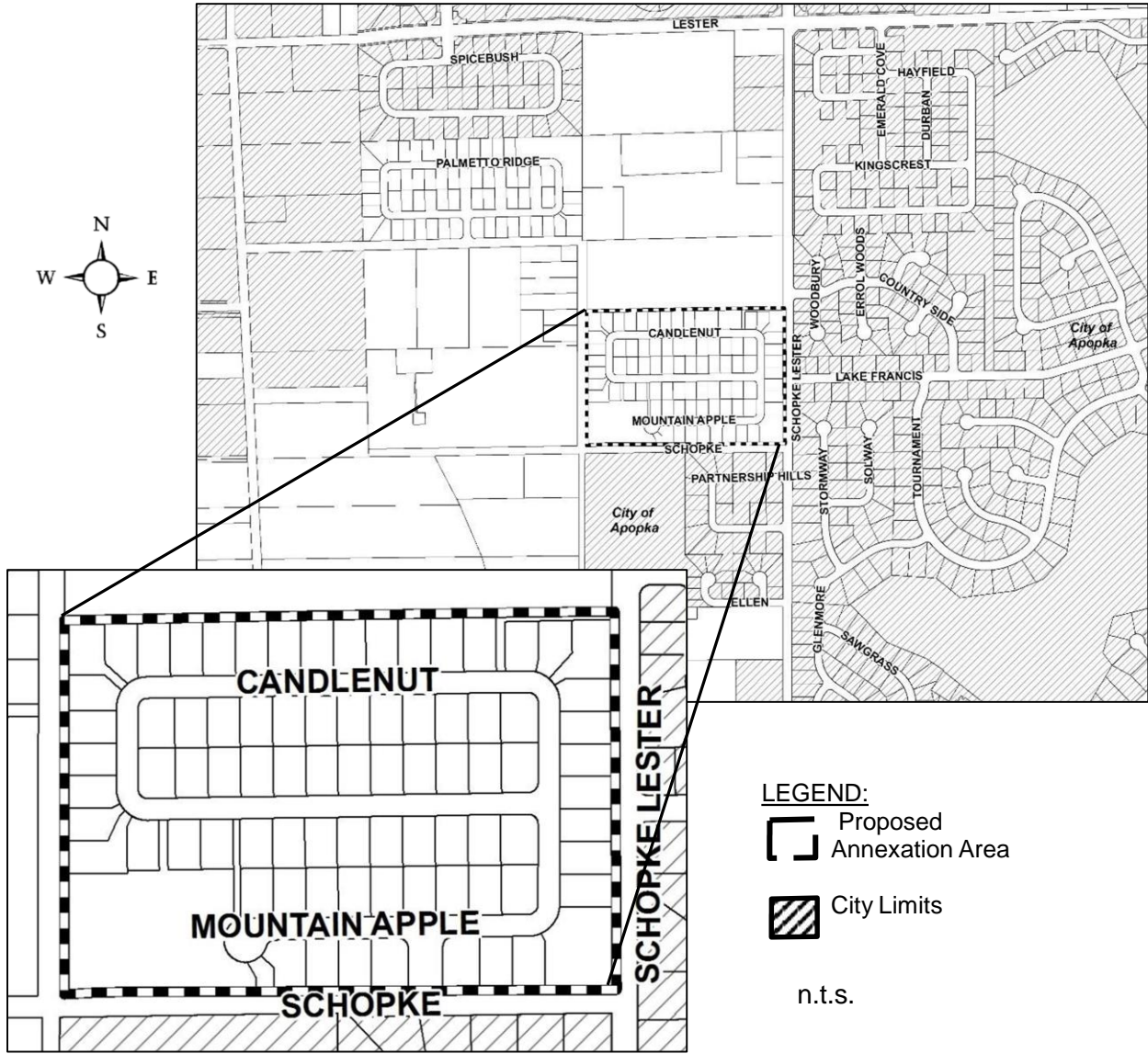
### Legal Description including acreage:

That part of the Northeast  $\frac{1}{4}$  of Section 31, Township 20 South, Range 28 East, Orange County, Florida, being described as follows:

Commence at the Southeast corner of said Northeast  $\frac{1}{4}$ , as a point of reference; thence run N88° 39' 44"W, along the South line thereof, 1350.00 feet to the intersection of the South line of the Northeast  $\frac{1}{4}$  with the West right-of-way line of Schopke-Lester Road; Thence run N02° 14' 02"E, along said West right-of-way line of Schopke Road; Thence run N88° 39' 44"W, along said North line, 1259.99 feet to the East right-of-way line of Schopke Road; Thence run N02° 13' 57"E, along said East line, 864.39 feet: Thence run S88° 39' 44"E, parallel with the South line of the Northeast  $\frac{1}{4}$ , 1260.01 feet to the aforesaid West right-of-way line of Schopke-Lester Road; Thence run S02° 14' 02"W, along said West line, 864.39 feet to the point of beginning.

Containing 25 acres +/-

# Fisher Plantation Annexation – Vicinity Map



SAMPLE BALLOT • PAPELETA DE MUESTRA

SAMPLE BALLOT • PAPELETA DE MUESTRA

SAMPLE BALLOT • PAPELETA DE MUESTRA

Official Special Annexation Referendum Election Ballot  
April 11, 2017  
Apopka, Florida

9904-0001

Papeleta Oficial Para la Elección Referendum Anexion Especial  
11 de abril de 2017  
Apopka, Florida

99040001



- Instructions: To vote, fill in the oval completely (●) next to your choice. Use black ballpoint pen.
- If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.
- Instrucciones: Para votar, llene completamente el óvalo (●) al lado de su selección. Use bolígrafo de tinta negra.
- Si comete un error, pida una nueva papeleta. No lo taches, o puede que su voto no cuente.

**Fisher Plantation Subdivision  
Annexation Referendum**

The Apopka City Council has adopted Ordinance Number 2547 calling for annexation into the City of Apopka certain land located adjacent to the City and generally in the Fisher Plantation subdivision. The annexation will not occur unless a majority of registered electors in the area to be annexed casting ballots approve annexation.

- For annexation of property described in Ordinance Number 2547 of the City of Apopka.  
Estoy de acuerdo con la anexión de las propiedades descritas en la Ordenanza Numero 2547 de la Ciudad de Apopka.
- Against annexation of property described in Ordinance Number 2547 of the City of Apopka.  
Estoy en contra de la anexión de las propiedades descritas en la Ordenanza Numero 2547 de la Ciudad de Apopka.

**Subdivisión de Fisher Plantation  
Referéndum de Anexión**

El Consejo Municipal de la Ciudad de Apopka ha aprobado la Ordenanza Numero 2547 que propone la anexión a la Ciudad de Apopka ciertos terrenos adyacentes a la Ciudad en la subdivisión de Fisher Plantation. La anexión no procederá a menos que una mayoría de votantes inscritos del área ha ser anexada emitan su voto y aprueben la anexión.

SAMPLE BALLOT • PAPELETA DE MUESTRA

**Backup material for agenda item:**

2. Ordinance No. 2548 – Second Reading – Vacate Right of Way – West 2nd Street – Quasi-Judicial

James Hitt



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Ordinance

MEETING OF: February 15, 2017  
 FROM: Community Development  
 EXHIBIT(S): Ordinance No. 2548

**SUBJECT: ORDINANCE NO. 2548 – VACATING A PORTION OF A PLATTED RIGHT-OF-WAY - WEST 2<sup>ND</sup> STREET**

**REQUEST: SECOND READING & ADOPTION OF ORDINANCE NO. 2548 – VACATE A PORTION OF A PLATTED RIGHT OF WAY - WEST 2<sup>ND</sup> STREET.**

**SUMMARY:**

OWNER/APPLICANT: City of Apopka

LOCATION: West of S. Hawthorne Ave. and southwest of the CSX Railroad right-of-way; north of unimproved W. 3<sup>rd</sup> Street, south of W. 1<sup>st</sup> Street and east of Cooper Palms Parkway.

EXISTING USE: Vacant Land

AREA TO BE VACATED: 0.33 acres +/-

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Industrial	I-1	Vacant Industrial
East (City)	Commercial	C-2 and C-3	CSX and S. Hawthorne Ave.
South (City)	Industrial	I-1	Vacant Industrial – Cooper Palms Commerce Park, Lots 10 & 11
West (City)	Industrial	I-1	ROW (Cooper Palms Pkwy)

**FUNDING SOURCE:**

N/A

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**ADDITIONAL COMMENTS:** The City is seeking to vacate a portion of W. 2<sup>nd</sup> Street that is an existing public right of way that was established within the Bradshaw and Thompson’s Addition plat. Due to recent land acquisitions by Property Industrial Enterprises, LLC, it now owns all lands abutting the north, south and west sides of the right-of-way and has no public access to it. The CSX Railroad owns the rail right-of-way directly adjacent to the northeast. More so, the road to the west --- Cooper Palms Parkway – is a private street and the CSX railroad right-of-way terminates the eastern end of this segment of W. 2<sup>nd</sup> Street, isolating the public road right-of-way and leaving it disconnected to any other public roadway. No public use or benefit remains by leaving the right-of-way for a public purpose.

The Public Services Department has evaluated the site and has no objection to the right-of-way being vacated. The City has letters on file from all utility providers indicating no objections to the proposed vacate. The current right of way was established through a plat, and no longer provides access to legal lots of record, and therefore the Development Review Committee is recommending the vacate. Any use of the land by the adjacent property owners would require a replat. A replat must be approved by the City Council.

**PUBLIC HEARING SCHEDULE:**

February 1, 2017 - City Council - 1<sup>st</sup> Reading (1:30 p.m.)  
February 15, 2017 - City Council - 2<sup>nd</sup> Reading (6:00 p.m.)

**DULY ADVERTISED:**

January 20, 2017 - Public Hearing Notice  
February 3, 2017 - Ordinance Heading Ad

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**RECOMMENDATION ACTION:**

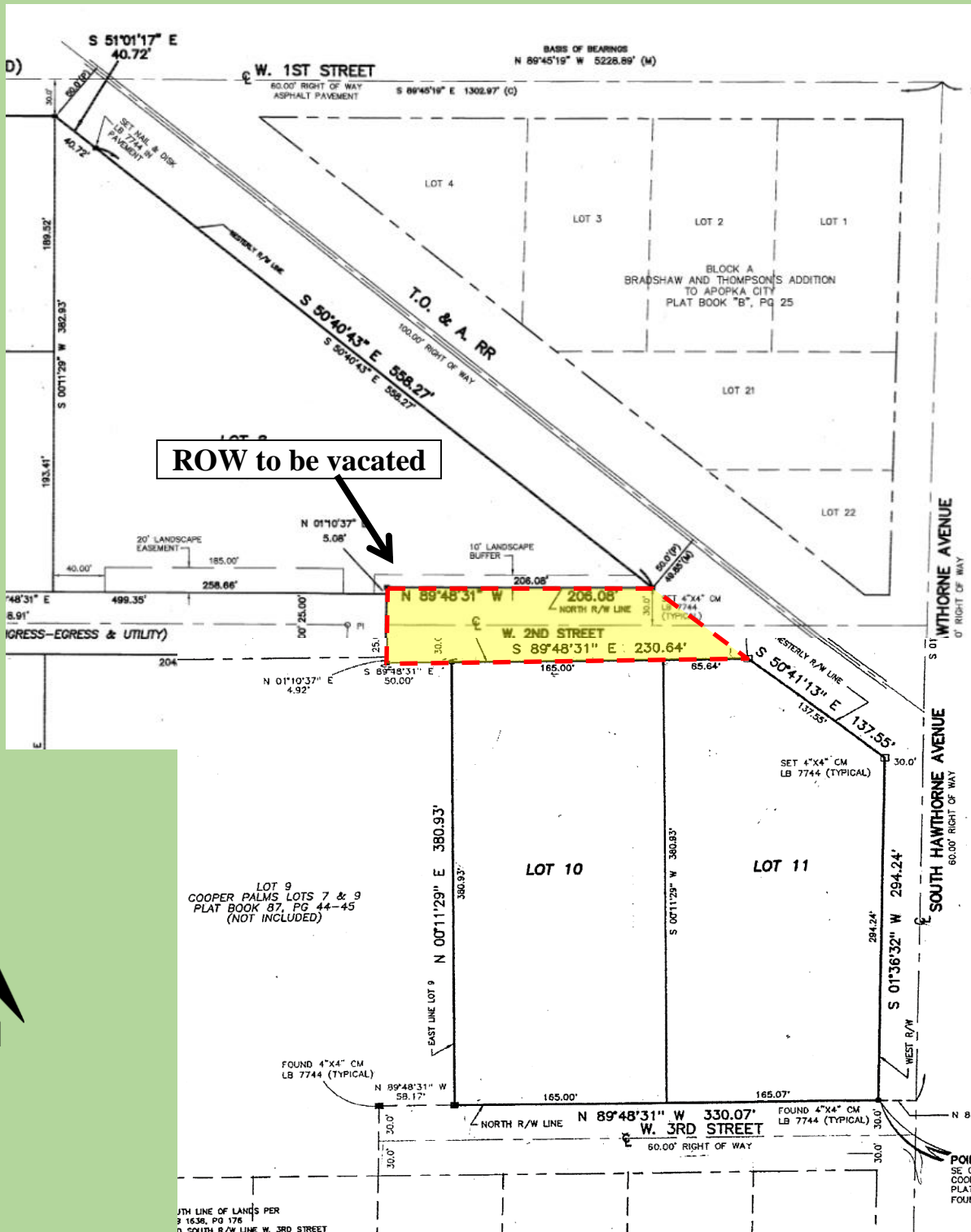
The **Development Review Committee** recommends approval of the request by the City of Apopka to vacate a portion of the West 2<sup>nd</sup> Street platted right of way as described in the legal description, subject to the recording of a replat.

The **City Council**, at its meeting on February 1, 2017, accepted the First Reading of Ordinance No. 2548 and held it over for Second Reading and Adoption on February 15, 2017.

Adopt Ordinance No. 2548.

CITY COUNCIL – FEBRUARY 15, 2017  
W. 2<sup>ND</sup> STREET VACATE  
PAGE 3

**Applicant:** City of Apopka  
**Proposed Vacate:** That portion of West 2<sup>nd</sup> Street west of S. Hawthorne Ave. and SW of the CSX Railroad right-of-way, north of the unimproved W. 3<sup>rd</sup> Street, and south of W. 1<sup>st</sup> Street.  
**Total Acres:** 0.33 +/- Acre



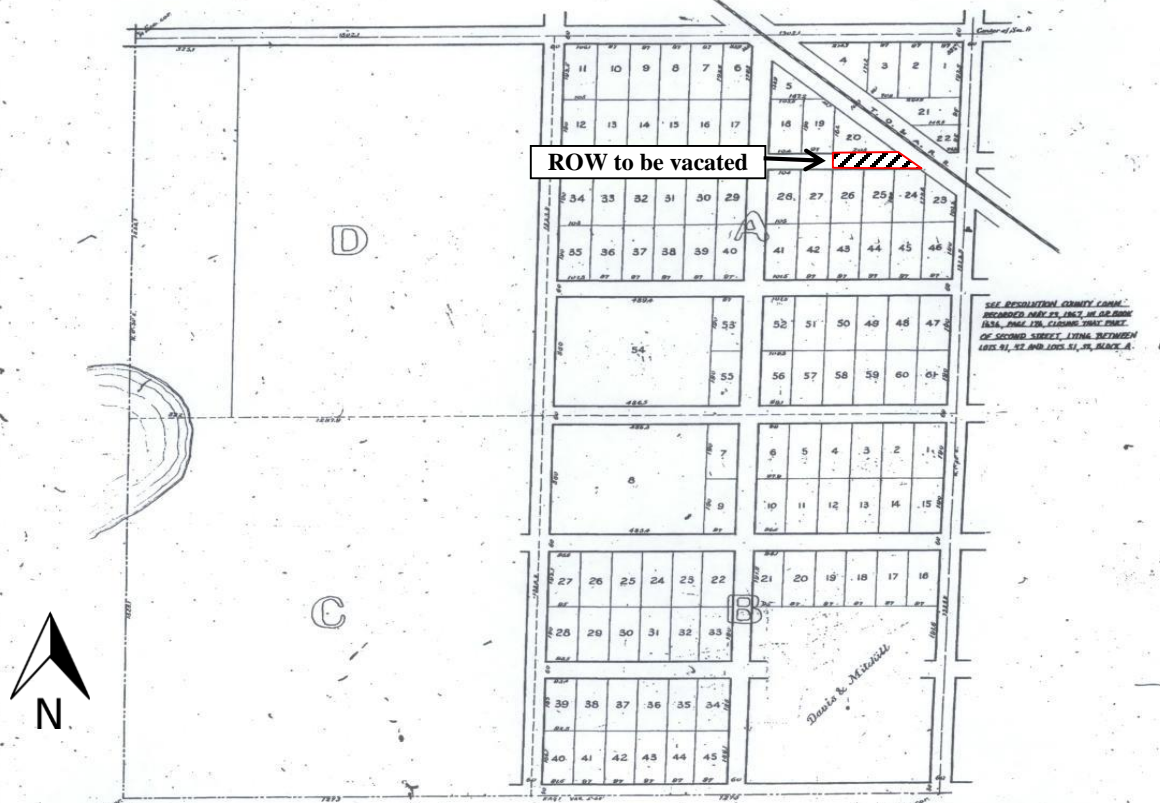


See: 20110624027 /  
PB 76 PGS 108 - 109  
Recorded: 12/1/2011

RESOLUTION Bd. of COUNTY COMM. VACATING  
UNIMBED STREET BETWEEN LOTS 28 & 33 AND  
LOTS 34 & 39, INC. BLOCK "B" RECORDED IN  
DEED BOOK 847, PAGE 445, OCT. 27, 1960.  
SEE SUNSET HEIGHTS PLAT FILED APR. 13, 1954  
PLAT BOOK T PAGE 66 REPLACING LOTS 34 THRU 45  
(LESS 5 50 FT. OF LOTS 40 TO 43 "LESS 5 50 FT. OF  
W 66.5 FT. OF LOT 44.) BLK. B.

B 25

SPRINGDALE  
12/23/21



RESOLUTION CLOSING, VACATING ALL THAT PART  
OF 7<sup>TH</sup> STREET LYING EAST OF BRADSHAW ROAD  
AND WEST OF HAWTHORNE STREET, LYING IN SEC.  
9 TWP 21S R6 28E IN PLAT BOOKS 8 PG. 25 AND  
M. P. 48. RECORDED IN O.R. BOOK 8799 PAGE 1316.  
SEE RESOLUTION COUNTY COMM. RECORDED  
10/10/06 IN O.R. BOOK PAGE 87 VACATING  
LOTS 24 THRU 31 AND NORTH 1/2 OF VACATED  
STREET SOUTH OF LOTS 28 THRU 31 BLOCK

**Bradshaw and Thompson's Addition**  
**of Popka City**  
Being the S 20 1/2 of Sec. 9 - T. 21 S. - R. 28 E.  
Scale 500 P. to 1 in.

Surveyed by J. P. Shephard, D. Co. Surv., Sept. 4, 1896  
Drawn and colored by A. C. Albrecht

SEE BENTON'S REALTY SUBDIVISION PLAT 18 PAGE 99 A REPLAT OF LOTS 24-31 BLOCK "B"

*Filed and Recorded Oct 20, 1966*  
*J. J. Bradshaw PC*

SEE RESOLUTION COUNTY COMM.  
RECORDED MAY 23, 1967, IN O.R. BOOK  
1054, PAGE 126, CLOSING THAT PART  
OF SECOND STREET LYING BETWEEN  
LOTS 51, 52 AND LOTS 51, 52, BLOCK A.

See Resolution County Comm. recorded Jan. 23, 1968, in O.R. Book 1699  
Page 206, closing all that part of New Hampshire Street (also known as  
Corydon Street) lying between First Street & South St., Block A.

**ORDINANCE NO. 2548**

**AN ORDINANCE OF THE CITY OF APOPKA, TO VACATE A PORTION OF RIGHT OF WAY OF WEST 2<sup>ND</sup> STREET, WEST OF SOUTH HAWTHORNE AVENUE. AND SOUTHWEST OF THE CSX RAILROAD RIGHT-OF-WAY; NORTH OF UNIMPROVED WEST 3<sup>RD</sup> STREET, SOUTH OF WEST 1<sup>ST</sup> STREET AND EAST OF COOPER PALMS PARKWAY.; IN SECTION 09, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to provisions of Florida Statutes, Section 336.10, a Petition has been filed by the City of Apopka., to vacate, abandon, discontinue, renounce and disclaim a section of alleyway, as shown in Exhibit "A"; and

**WHEREAS**, Century Link (f/k/a Embarq), Bright House Network (f/k/a Time Warner Cable), Duke Energy (f/k/a Progress Energy), and Lake Apopka Natural Gas District have no objection to the abandonment of a portion of the existing utility easement; and

**WHEREAS**, the City Council has determined that under the proposed circumstances there exists no public need for this existing right-of-way; and

**WHEREAS**, after public notice in accordance with Florida Statute 336.10, the City Council has determined that it is not contrary to public interest to vacate and abandon said existing easement.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Apopka, Florida, as follows:

**Section 1.** That the following lands, and graphically depicted by the attached Exhibit "A," shall be officially closed, discontinued, and vacated:

**LEGAL DESCRIPTION:**

That portion of the W. 2<sup>nd</sup> Street road right-of-way located west of S. Hawthorne Ave. and southwest of the westerly right-of-way of the CSX Railroad, east of Cooper Farms Parkway Tract A, and north of the unimproved W. 3<sup>rd</sup> Street, further described as follows:

Beginning at the northeast corner of Lot 9 of the Cooper Palms Lots 7-9 Plat Book 87, Page 44-45, proceed S 89°48'31" W 50 feet to the SW corner of the 2<sup>nd</sup> Street right-of-way; thence N 01°10'37" E 60 feet to the NE corner of the W. 2<sup>nd</sup> Street right-of-way; thence N 89°48'31"E 206.08 feet to the CSX Railroad westerly right-of-way line; thence southeasterly approximately 94 feet along said westerly CSX Railroad right-of-way line; thence S 89°48'31" W 230.64 feet to the point of beginning.

CONTAINING: +/- 0.33 Acres MORE OR LESS

**Section II. NOTICE.** That notice of the adoption of this Ordinance be published and the Ordinance be filed with the Clerk of the Circuit Court of Orange County, Florida, and duly recorded among the Public Records of Orange County, Florida.

**ORDINANCE NO. 2548**  
**PAGE 2**

**Section III. SEVERABILITY.** That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this Ordinance.

**Section IV. CONFLICT.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section V. EFFECTIVE DATE.** That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: February 1, 2017

READ SECOND TIME  
AND ADOPTED: February 15, 2017

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Joseph E. Kilsheimer Mayor

ATTEST:

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Linda F. Goff, City Clerk

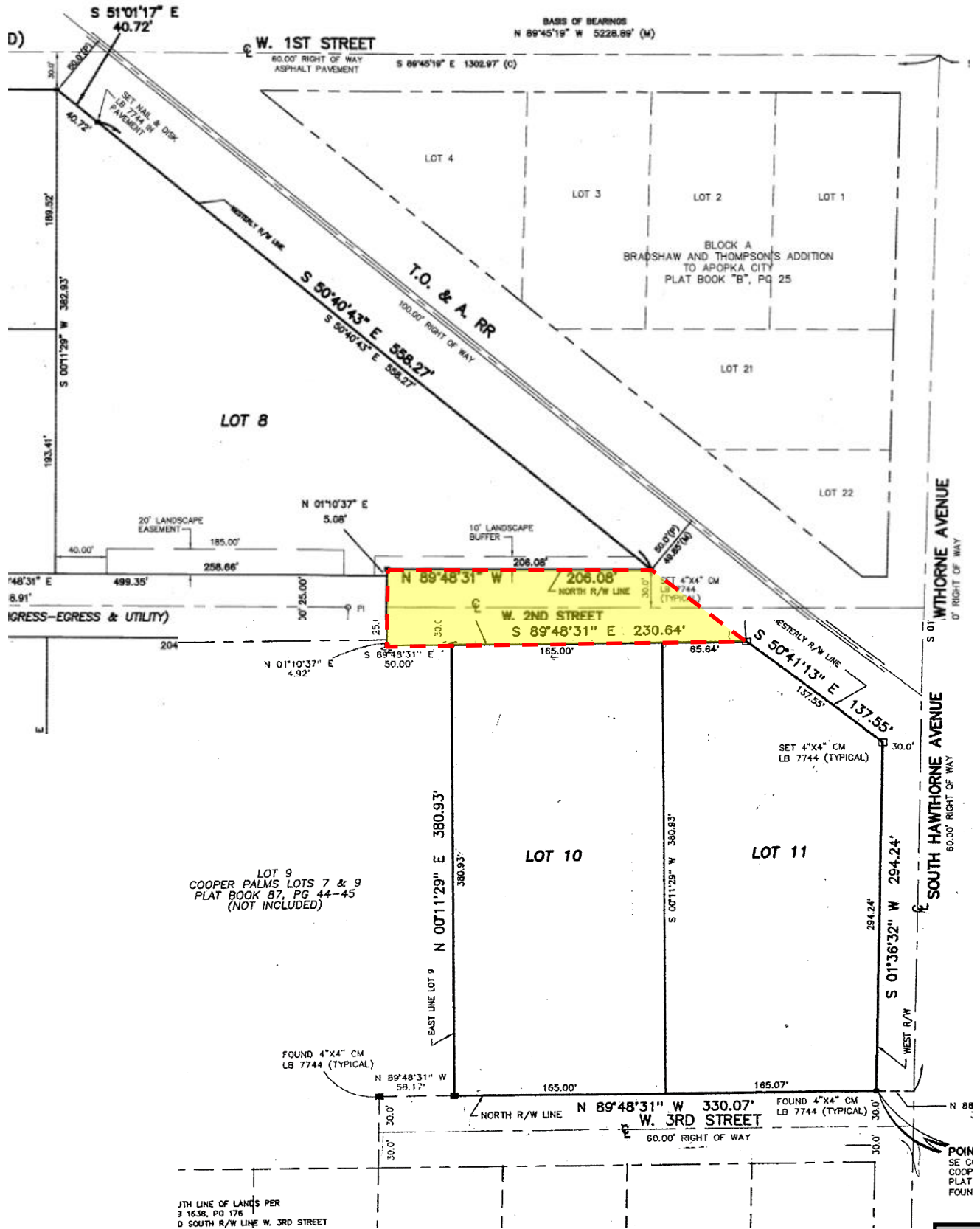
APPROVED AS TO FORM:

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Cliff Shepard, Esq., City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: January 20, 2017  
February 3, 2017

ORDINANCE NO: 2548  
EXHIBIT "A"



**Backup material for agenda item:**

3. Ordinance No. 2549 – Second Reading – Vacate Right of Way – West 5th Street – Quasi-Judicial

James Hitt



# CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Ordinance

MEETING OF: February 15, 2017  
 FROM: Community Development  
 EXHIBIT(S): Ord. No. 2549

**SUBJECT: ORDINANCE NO. 2549 – VACATING A PORTION OF A PLATTED RIGHT-OF-WAY – WEST 5<sup>TH</sup> STREET**

**REQUEST: SECOND READING & ADOPTION OF ORDINANCE NO. 2549 – VACATE A PORTION OF A PLATTED RIGHT OF WAY - WEST 5TH STREET.**

**SUMMARY:**

OWNER/APPLICANT: City of Apopka

LOCATION: The south 30 feet of the 80 foot right-of-way of the unimproved W. 5<sup>th</sup> Street located between S. Hawthorne Ave. on the west and S. Washington Ave. on the east, and north of Alonzo Williams Park.

EXISTING USE: Vacant Land

AREA TO BE VACATED: 0.4049 acres +/-

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Commercial	C-3	W. 5 <sup>th</sup> Street ROW and Office buildings
East (City)	Commercial & Residential Medium	C-3 & R-3	Warehousing & Single-family residential
South (City)	Parks/Recreation	PR and R-3	Alonzo Williams Park
West (County)	Low Density Residential	R-2	Single-family residential

**FUNDING SOURCE:**

N/A

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**ADDITIONAL COMMENTS:** The City is seeking to vacate a southern portion of the 80-foot wide, W. 5th Street, which is an un-improved right-of-way established within the Town of Apopka\Davis & Mitchell’s Addition plat. This 30-foot portion of W. 5th Street is located within city owned properties that comprise Alonzo Williams Park. The portion of right-of-way to be vacated will be absorbed into Alonzo Williams Park and will be used to increase the park lands available for recreation use. A fifty-foot right-of-way will remain for W. 5th Street after the vacate is implemented.

The Public Services Department has evaluated the site and has no objection to the right-of-way being vacated. The City has letters on file from all utility providers indicating no objections to the proposed vacate.

**PUBLIC HEARING SCHEDULE:**

February 1, 2017 - City Council - 1<sup>st</sup> Reading (1:30 p.m.)  
February 15, 2017 - City Council - 2<sup>nd</sup> Reading (6:00 p.m.)

**DULY ADVERTISED:**

January 20, 2017 - Public Hearing Notice  
February 3, 2017 - Ordinance Heading Ad

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**RECOMMENDATION ACTION:**

The **Development Review Committee** recommends approval of the request by the City of Apopka to vacate a portion of the West 5th Street platted right of way as described in the legal description.

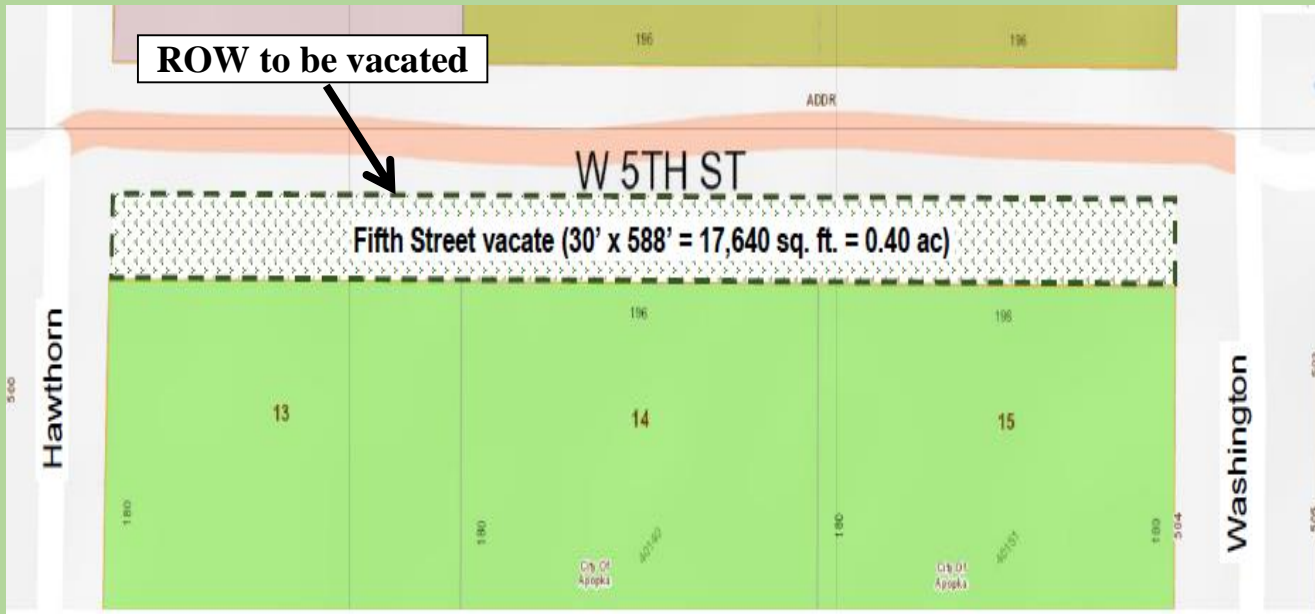
The **City Council**, at its meeting on February 1, 2017, accepted the First Reading of Ordinance No. 2549 and held it over for Second Reading and Adoption on February 15, 2017.

Adopt Ordinance No. 2549.

**Applicant:** City of Apopka  
**Proposed Vacate:** The south 30 feet of the 80 foot right-of-way of the unimproved W. 5<sup>th</sup> Street located between S. Hawthorne Ave. on the west and S. Washington Ave. on the east, and north of Alonzo Williams Park.  
**Total Acres:** 0.4049 +/- Acre



### VICINITY MAP





**ORDINANCE NO. 2549**

**AN ORDINANCE OF THE CITY OF APOPKA, TO VACATE A PORTION OF RIGHT OF WAY FOR WEST 5<sup>TH</sup> STREET, SOUTH 30 FEET OF THE 80 FOOT RIGHT-OF-WAY OF THE UNIMPROVED WEST 5<sup>TH</sup> STREET LOCATED BETWEEN SOUTH HAWTHORNE AVENUE ON THE WEST AND SOUTH WASHINGTON AVENUE ON THE EAST AND NORTH OF ALONZO WILLIAMS PARK; IN SECTION 09, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to provisions of Florida Statutes, Section 336.10, a Petition has been filed by the City of Apopka., to vacate, abandon, discontinue, renounce and disclaim a section of alleyway, as shown in Exhibit “A”; and

**WHEREAS**, Century Link (f/k/a Embarq), Bright House Network (f/k/a Time Warner Cable), Duke Energy (f/k/a Progress Energy), and Lake Apopka Natural Gas District have no objection to the abandonment of a portion of the existing utility easement; and

**WHEREAS**, the City Council has determined that under the proposed circumstances there exists no public need for this existing right-of-way; and

**WHEREAS**, after public notice in accordance with Florida Statute 336.10, the City Council has determined that it is not contrary to public interest to vacate and abandon said existing easement.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Apopka, Florida, as follows:

**Section 1.** That the following lands, and graphically depicted by the attached Exhibit “A,” shall be officially closed, discontinued, and vacated:

**LEGAL DESCRIPTION:**

The south 30 feet of the 80 foot right-of-way of the unimproved W. 5<sup>th</sup> Street located between S. Hawthorne Ave. on the west and S. Washington Ave. on the east, and north of Alonzo Williams Park, further described as follows:

Beginning at the northwest corner of Lot 13 Block D of the Town of Apopka Plat Book A, Page 109; proceed north 30 feet along the east right-of-way line of S. Hawthorne Ave.; thence easterly 588 feet to the west right-of-way line of S. Washington Ave.; thence south 30 feet along said right-of-way line to the northeast corner of Lot 15 Block D; thence westerly 588 feet along the southern right-of-way line of W. 5<sup>th</sup> Street, to the point of beginning.

CONTAINING: +/- 0.4049 Acres MORE OR LESS

**ORDINANCE NO. 2549**

**PAGE 2**

**Section II. NOTICE.** That notice of the adoption of this Ordinance be published and the Ordinance be filed with the Clerk of the Circuit Court of Orange County, Florida, and duly recorded among the Public Records of Orange County, Florida.

**Section III. SEVERABILITY.** That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this Ordinance.

**Section IV. CONFLICT.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section V. EFFECTIVE DATE.** That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: February 1, 2017

READ SECOND TIME  
AND ADOPTED: February 15, 2017

---

Joseph E. Kilsheimer Mayor

ATTEST:

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Linda F. Goff, City Clerk

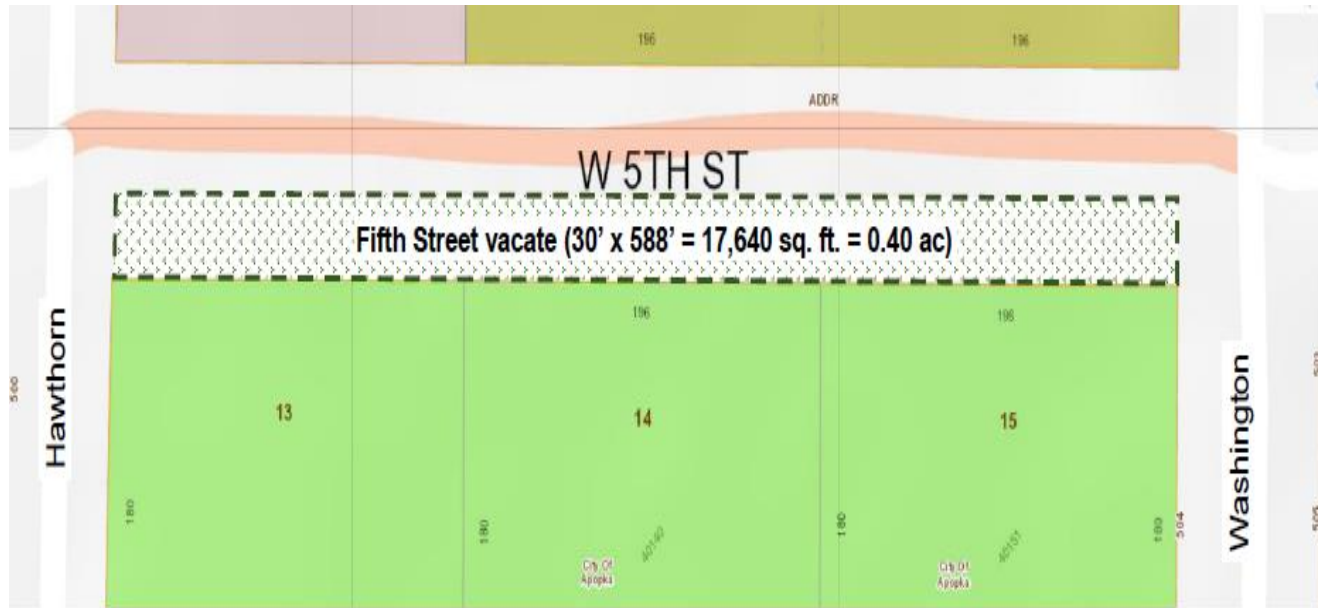
APPROVED AS TO FORM:

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Cliff Shepard, Esq., City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: January 20, 2017  
February 3, 2017

**ORDINANCE NO: 2549  
EXHIBIT "A"**



**Backup material for agenda item:**

4. Ordinance No. 2552 – Second Reading – Small Scale Future Land Use Amendment – Legislative

Kyle Wilkes



# CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA  
 PUBLIC HEARING  
 SPECIAL REPORTS  
 OTHER: Ordinance

MEETING OF: February 15, 2017  
 FROM: Community Development  
 EXHIBITS: Land Use Report  
 Vicinity Map  
 Adjacent Zoning Map  
 Adjacent Use Map  
 Existing Uses Map  
 Ordinance No. 2552

**SUBJECT: ORDINANCE NO. 2552 – SMALL SCALE - FUTURE LAND USE AMENDMENT – ADAMS BROTHERS CONSTRUCTION**

**REQUEST: SECOND READING & ADOPTION OF ORDINANCE NO. 2552 – SMALL SCALE – FUTURE LAND USE AMENDMENT – ADAMS BROTHERS CONSTRUCTION, LLC, FROM “COUNTY” INDUSTRIAL TO “CITY” INDUSTRIAL (MAX 0.6 FAR). (PARCEL ID #S: 15-21-28-0000-00-044; 15-21-28-0000-00-073; 15-21-28-0000-00-142; 15-21-28-0000-00-210).**

**SUMMARY:**

**OWNER/APPLICANT:** Adams Brothers Construction  
**LOCATION:** South of E 13<sup>th</sup> Street, west of Sheeler Avenue.  
**EXISTING USE:** Modular office, single-family residential and vacant commercial  
**CURRENT ZONING:** “County” C-3 (ZIP)  
**PROPOSED ZONING:** “City” I-1 (Restricted Industrial) (Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from “County” C-3 (ZIP) to “City” I-1 (Restricted Industrial).  
**PROPOSED DEVELOPMENT:** Industrial, Commercial or Office Development consistent with I-1 (Restricted Industrial) zoning  
**TRACT SIZE:** 3 +/- acres  
**MAXIMUM ALLOWABLE DEVELOPMENT:** EXISTING: 78,408 Sq. Ft.  
 PROPOSED: 78,408 Sq. Ft.

**FUNDING SOURCE:**  
N/A

**DISTRIBUTION**

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

**ADDITIONAL COMMENTS:** The subject parcel was annexed into the City of Apopka on November 16, 2016, through the adoption of Ordinances No. 2528. The proposed Small-Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

A request to assign an I-1 (Restricted Industrial) zoning category to the Property is being processed in conjunction with this future land use amendment request for an Industrial designation. The FLUM amendment application covers approximately 3 acres, exceeding the minimum development site area of 15,000 sq. ft. The property owner owns the property immediately adjacent to the east of the subject properties, and intends to use the recently-annexed parcels for light industrial as part of their existing construction business.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Land Use Report).

**COMPREHENSIVE PLAN COMPLIANCE:** The existing and proposed use of the property is consistent with the Industrial Future Land Use designation and the City’s proposed I-1 Zoning designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

**SCHOOL CAPACITY REPORT:** Because this Future Land Use Amendment represents a change to a non-residential designation, notification of Orange County Public Schools is not required.

**ORANGE COUNTY NOTIFICATION:** The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on December 9, 2016.

**PUBLIC HEARING SCHEDULE:**

January 10, 2017 – Planning Commission (5:30 pm)  
February 1, 2017 - City Council (1:30 pm) - 1st Reading  
February 15, 2017 – City Council (6:00 pm) - 2nd Reading

**DULY ADVERTISED:**

December 23, 2016 – Public Notice and Notification  
February 3, 2017 – Ordinance Heading & ¼ Page w/Map Ad

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**RECOMMENDATION ACTION:**

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in Future Land Use from “County” Industrial to “City” Industrial (Max. 0.6 FAR) for the properties owned Adams Brothers Construction.

The **Planning Commission**, at its regularly scheduled meeting on January 10, 2017, unanimously recommended approval of the small scale future land use amendment from “County” Industrial to “City” Industrial (Max 0.60 FAR), for properties owned by Adams Brothers Construction.

The **City Council**, at its meeting on February 1, 2017, accepted the First Reading of Ordinance No. 2552 and held it over for Second Reading and Adoption on February 15, 2017.

Adopt Ordinance No. 2552.

**Note: This item is considered Legislative. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.**

**LAND USE REPORT**

**I. RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Industrial	R-T-2	Single-family homes
East (City)	Annex	A-1 (ZIP)	Warehousing
South (County & City)	Industrial	IND/4 & I-1	Railway ROW & Warehousing/light industrial (Apopka Business Center)
West (City)	Industrial	I-1	Warehousing

**II. LAND USE ANALYSIS**

The general character of the area surrounding the subject property is industrial. Lands to the north, south and west are assigned either a City or County Industrial land use designation. Adjacent existing development to the east, west and south are light industrial in nature, making the proposed future land use designation of Industrial consistent and compatible with the land use designations in the surrounding area.

Wekiva River Protection Area: No  
 Area of Critical State Concern: No  
 DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Core Area” of the JPA. The proposed FLUM Amendment from “County” Industrial to City “Industrial” is consistent with the intent of the Core Area Area JPA.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. The proposed amendment is consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and storm water run-off through the following policies:

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are no karst features currently known to occur on the subject property.

Analysis of the character of the Property: The subject property has access to a city local roadway (E 13<sup>th</sup> Street) and a freight rail line. The subject lots contain a single-family residential home and a modular office. The vegetative communities present are urban; the soils present are Candler Fine Sand with a 0-5 percent slope.

Analysis of the relationship of the amendment to the population projections: This property was annexed into the City on October 1, 2014. The Orange County Comprehensive Plan anticipated this property being developed with potential of up to sixty residential units. Because this proposed land use change accommodates non-residential development, this amendment will not impact the population projections in the City's Comprehensive Plan.

**CALCULATIONS:**

ADOPTED (County designation): 0 Unit(s) x 2.659 p/h = 0 persons  
PROPOSED (City designation): 0 Unit(s) x 2.659 p/h = 0 persons

Housing Needs: Since the properties are currently non-residential and are being proposed for non-residential development, the proposed future land use designation will not adversely impact the City’s future needs.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

1. Roadways. The subject properties have access from E 13<sup>th</sup> Street, which is a designated a local street.

Habitat for species listed as endangered, threatened or of special concern: Per policy 4.1 of the Conservation Element, a habitat study is required for developments greater than ten (10) acres in size. This site is less than ten acres and is already developed and platted. A habitat study will not be required at the time of a development plan application.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

Sanitary Sewer Analysis

1. Facilities serving the site; current LOS; and LOS standard: None ; N/A GPD/Capita; 81 GPD / Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 11,761 GPD
3. Projected total demand under proposed designation: 11,761 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

1. Facilities serving the site; current LOS; and LOS standard: City of Apopka ; 177 GPD/Capita; 177 GPD/Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 15,682 GPD
3. Projected total demand under proposed designation: 15,682 GPD



4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD/Capita
6. Projected LOS under proposed designation: 177 GPD/Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: No

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider:  
City of Apopka
3. Projected LOS under existing designation: 157 lbs./person/day
4. Projected LOS under proposed designation: 157 lbs./day/1000 SF
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

Permitting agency: St. John's River Water Management District

Permitted capacity of the water treatment plant(s): 21,981 mil. GPD

Total design capacity of the water treatment plant(s): 33,696 mil. GPD

Availability of distribution lines to serve the property: Yes

Availability of reuse distribution lines available to serve the property: No

Drainage Analysis

1. Facilities serving the site: None
2. Projected LOS under existing designation: 100 year - 24 hour design storm
3. Projected LOS under proposed designation: 100 year - 24 hour design storm
4. Improvement/expansion: On-site retention/detention pond

Recreation

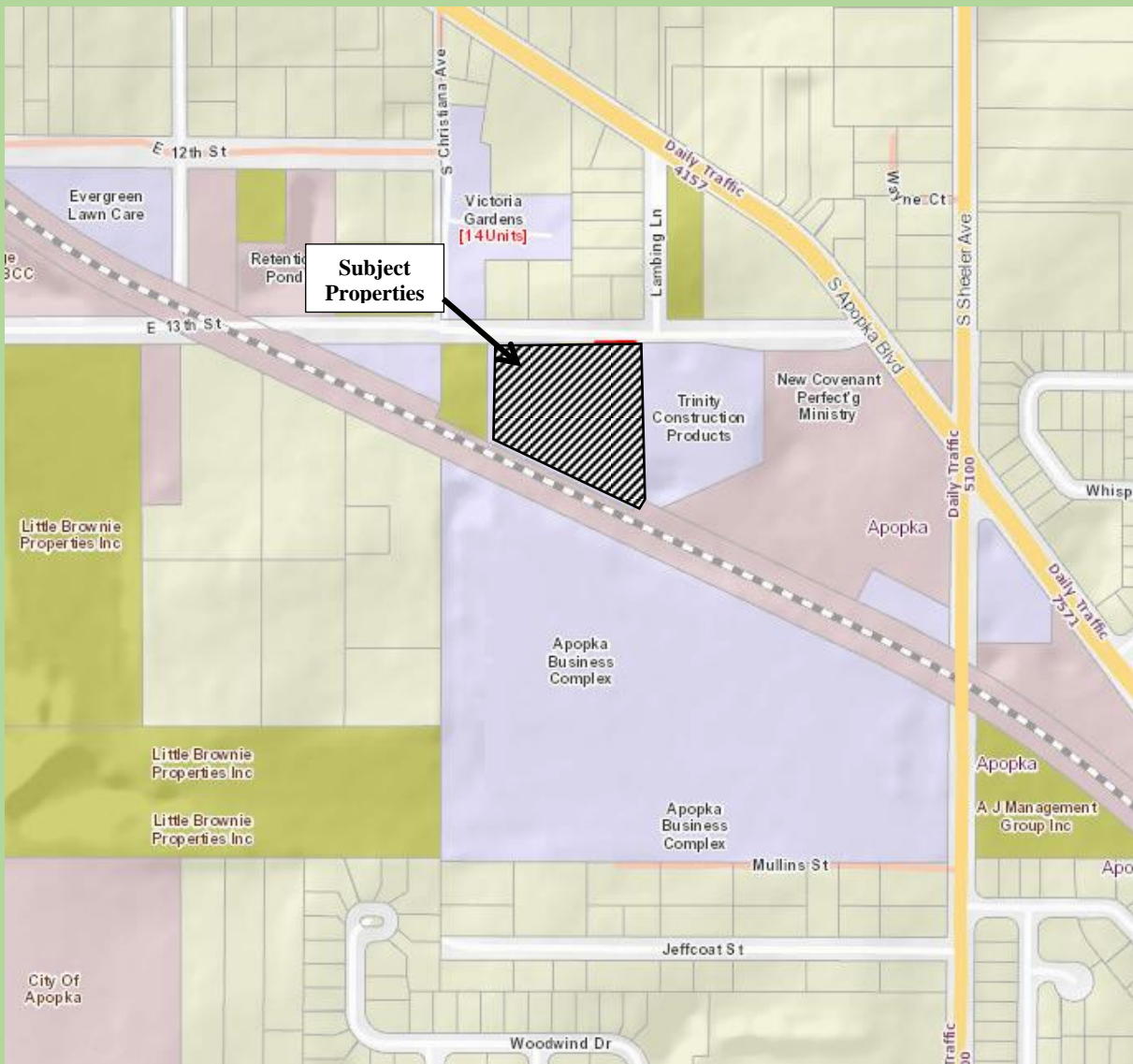
1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: N/A AC
3. Projected facility under proposed designation: N/A AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.



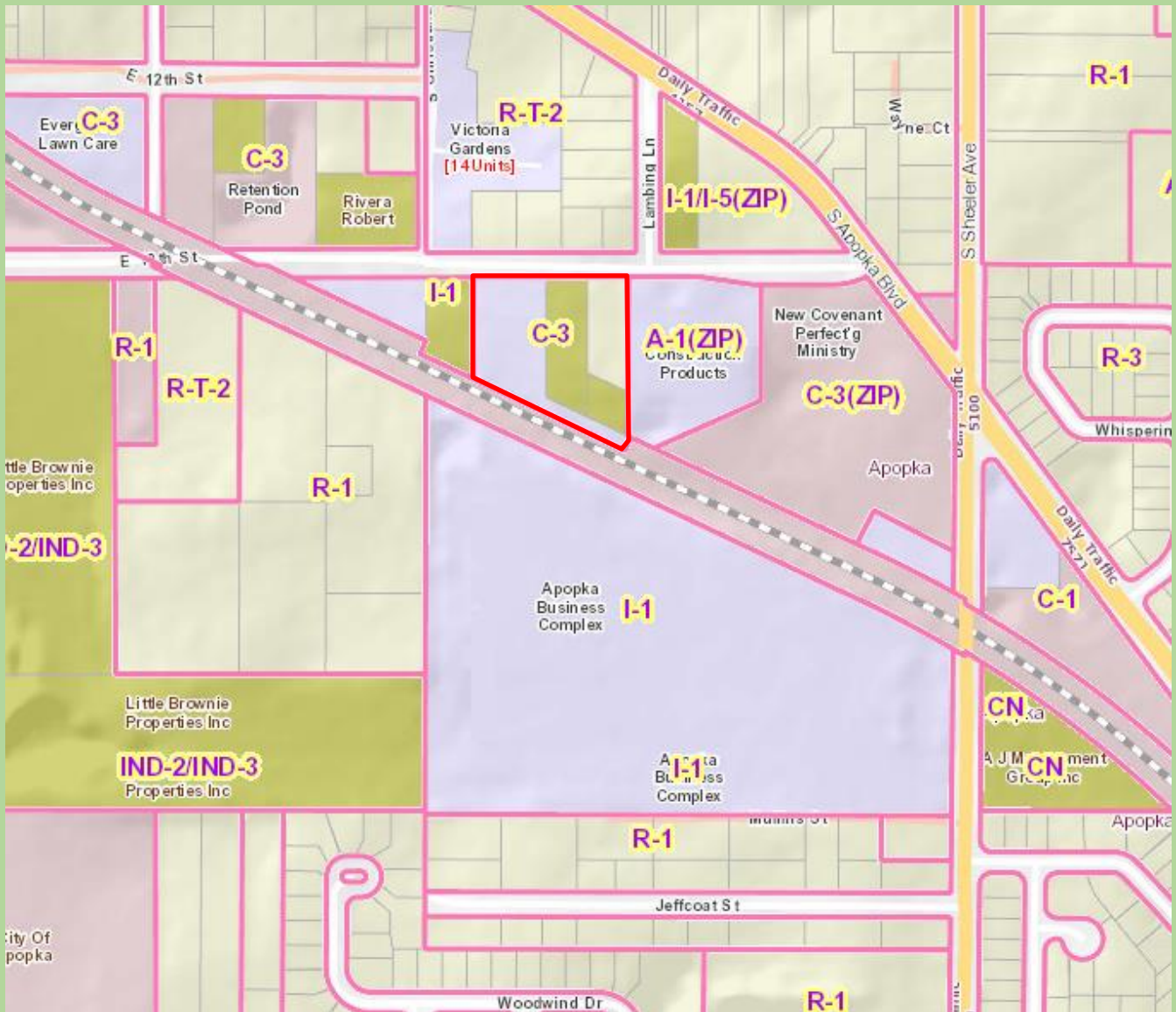
**Adams Brothers Construction, Inc.**  
**Property Owner**  
**3 +/- Acres**  
**Proposed Small Scale Future Land Use Amendment:**  
**From: “County” Industrial**  
**To: Industrial (max 0.6 FAR)**  
**Proposed Change of Zoning:**  
**From: “County” C-3 (Commercial)**  
**To: “City” I-1 (Restricted Industrial)**  
**PARCEL ID #S: 15-21-28-0000-00-044; 15-21-28-0000-00-073;**  
**15-21-28-0000-00-142; 15-21-28-0000-00-210**

**VICINITY MAP**



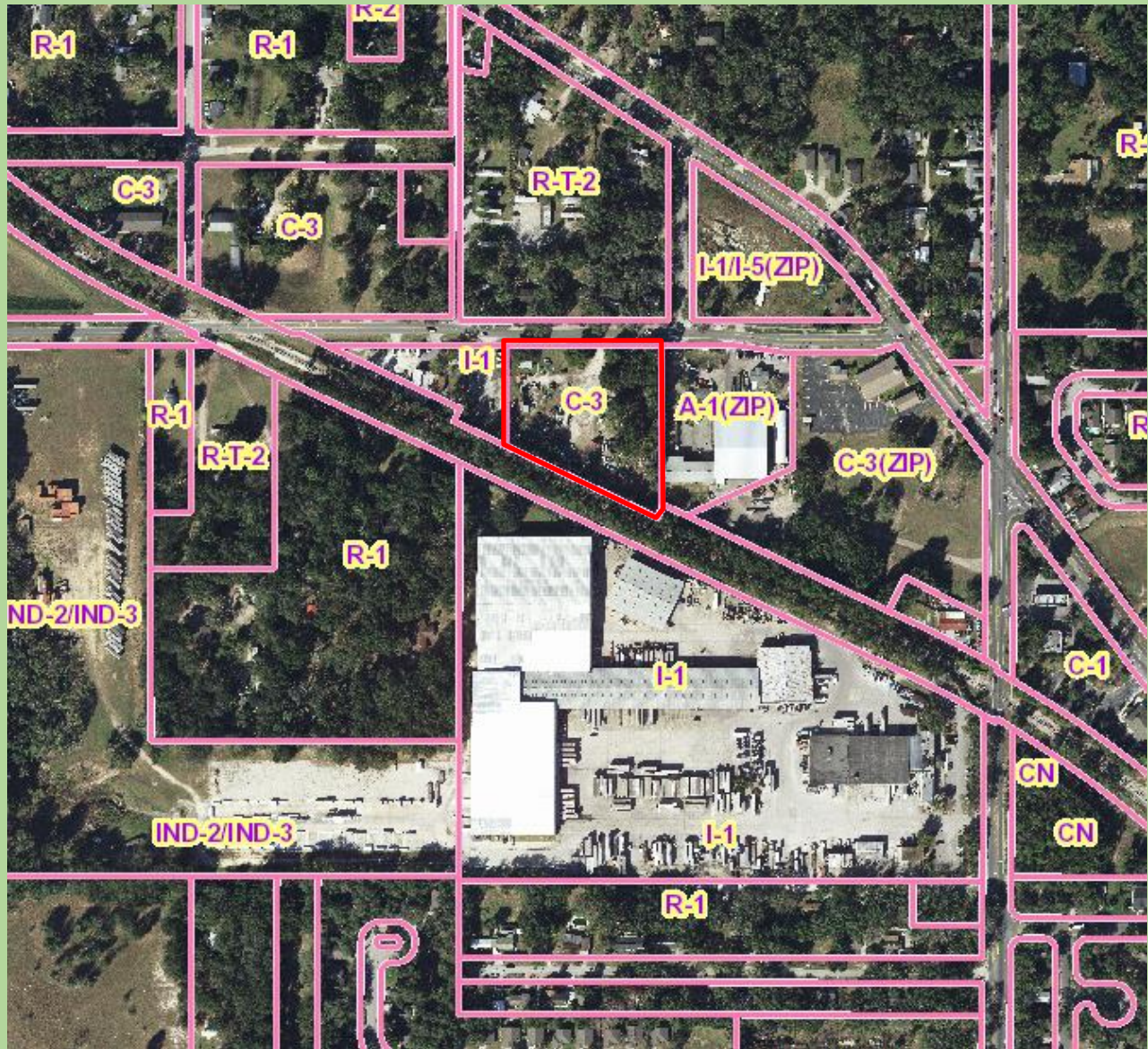


### ADJACENT ZONING



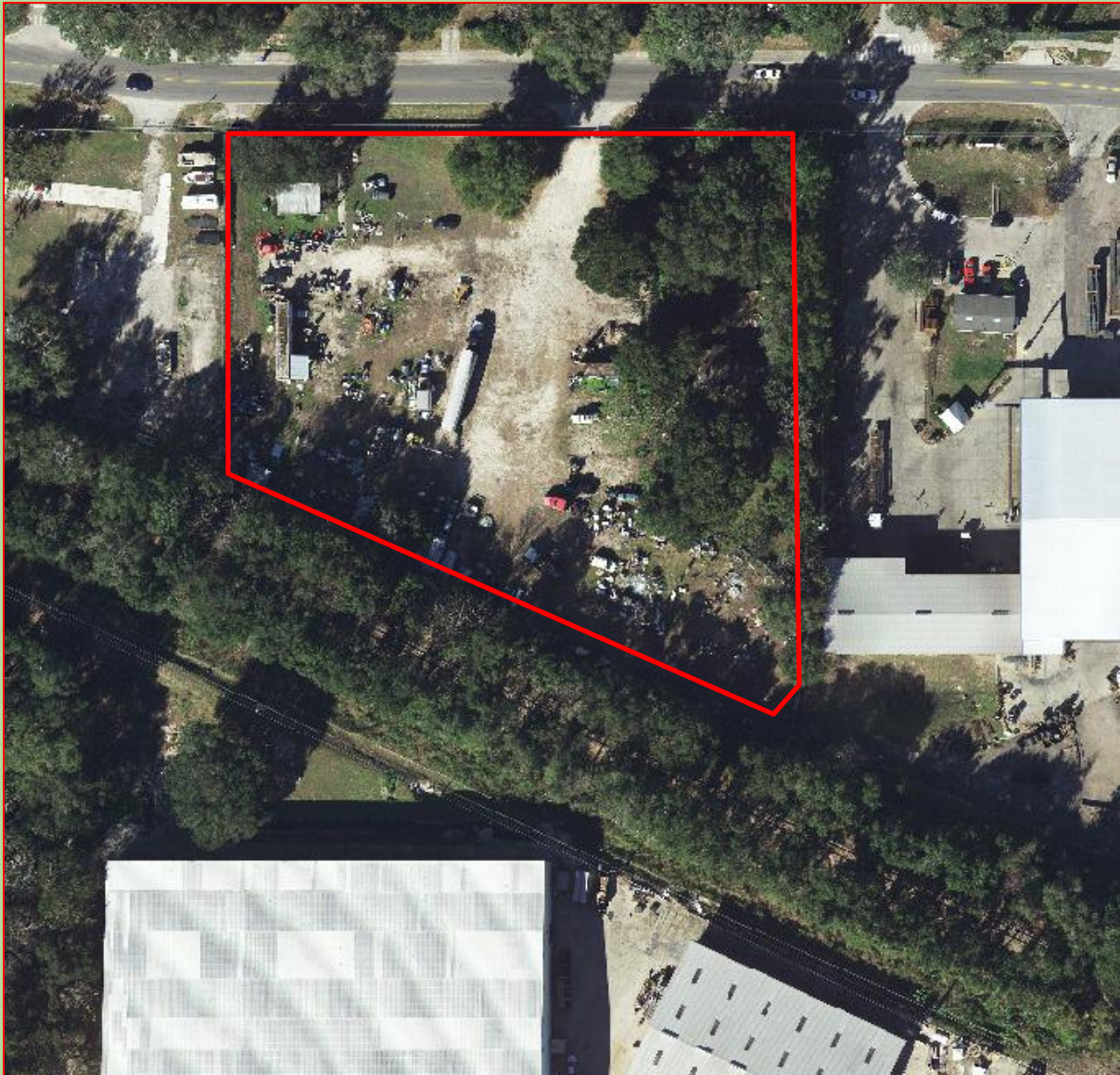


ADJACENT USES





**EXISTING USES**



## ORDINANCE NO. 2552

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM “COUNTY” INDUSTRIAL TO “CITY” INDUSTRIAL (MAX 0.6), FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF E 13<sup>TH</sup> STREET AND WEST OF SHEELER AVENUE, COMPRISING 3 ACRES MORE OR LESS, AND OWNED BY ADAMS BROTHERS CONSTRUCTION LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Apopka adopted the Apopka Comprehensive Plan by Ordinance No. 653 on October 2, 1991, pursuant to Section 163.3184, Florida Statutes and most recently amended it by Ordinance No. 2538 on December 21, 2016; and

**WHEREAS**, the City of Apopka’s local planning agency (Planning Commission) has, in preparation of the amended version of the Apopka Comprehensive Plan, analyzed the proposed amendment pursuant to Chapter 163, Part II, F.S., found it to be consistent with the intent of the Apopka Comprehensive Plan, and held public hearings providing for full public participation.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Apopka, Florida, as follows:

### **Section I. Purpose and Intent.**

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3184 and 163.3187, Florida Statutes.

### **Section II. Future Land Use Element.**

Page 1-15 (Map 1-3) of the Future Land Use Element of the City of Apopka Comprehensive Plan, as most recently amended by Ordinance No. 2538, is amended in its entirety to change the land use from “County” Industrial to “City” Industrial (Max. 0.6 FAR), for certain real property located at 202 South Hawthorne Ave & 300 W West 2<sup>nd</sup> Street, comprising 0.74 acres more or less, (Parcel No. 15-21-28-0000-00-044;-073;-142; -210 & 36-20-27-0000-00-124); as further described in Exhibit “A” attached hereto.

### **Section III. Applicability and Effect.**

The applicability and effect of the City of Apopka Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes.

### **Section IV. Severability.**

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**ORDINANCE NO. 2552**  
**PAGE 2**

**Section V.** The Community Development Director is hereby authorized to amend the Future Land Use to comply with this ordinance.

**Section VI. Effective Date.**

This Ordinance shall become effective upon adoption.

**ADOPTED** at a regular meeting of the City Council of the City of Apopka, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ FIRST TIME: February 1, 2017

READ SECOND TIME  
AND ADOPTED: February 15, 2017

\_\_\_\_\_  
Joseph E. Kilsheimer, Mayor

ATTEST:

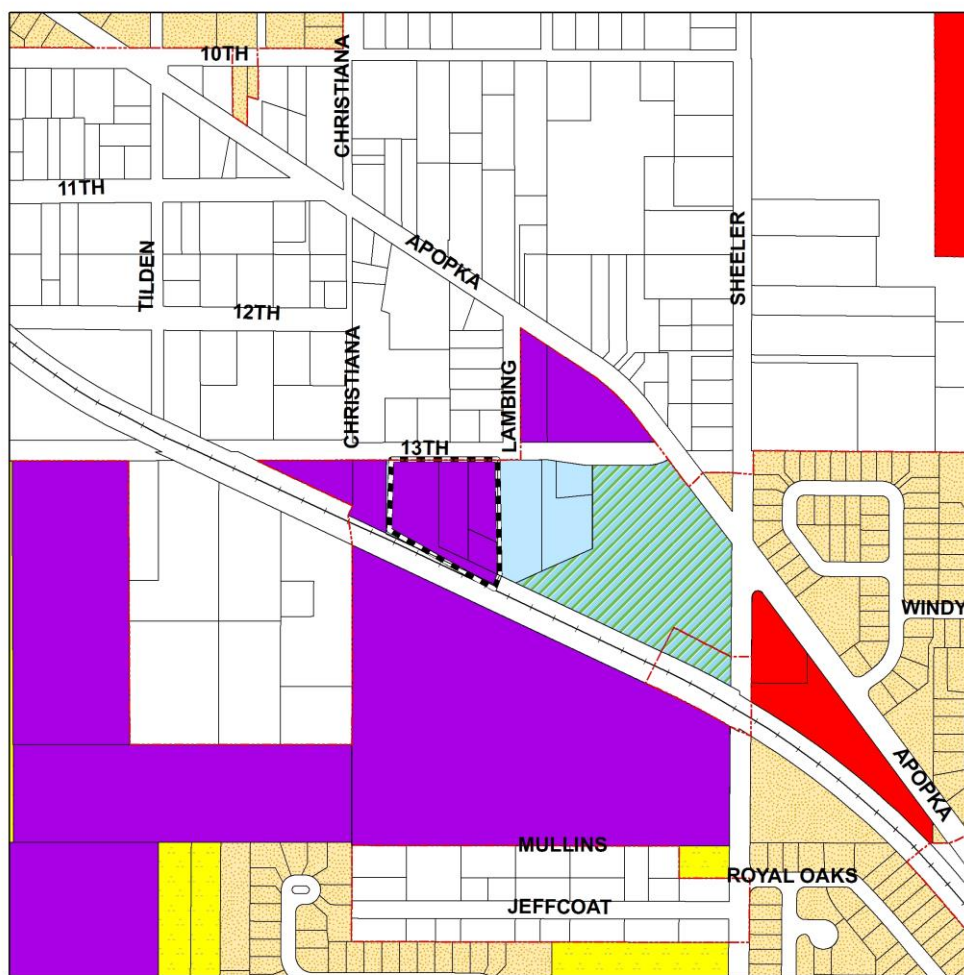
\_\_\_\_\_  
Linda Goff, City Clerk

DULY ADVERTISED FOR HEARING: December 23, 2017  
February 3, 2017



ORDINANCE NO. 2552

Adams Brothers Construction, Inc.  
 Property Owner  
 3 +/- Acres  
 Proposed Small Scale Future Land Use Amendment:  
 From: "County" Industrial  
 To: Industrial (max 0.6 FAR)  
 Proposed Change of Zoning:  
 From: "County" C-3 (Commercial)  
 To: "City" I-1 (Restricted Industrial)  
 Parcel ID #s: 15-21-28-0000-00-044; 15-21-28-0000-00-073;  
 15-21-28-0000-00-142; 15-21-28-0000-00-210



City of Apopka  
 Future Land Use Map



Source: City of Apopka and Orange County Property Appaisor  
 Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.  
 The City of Apopka does not assume responsibilities for errors or omissions contained hereon.

Legend

- City Boundary
- Subject Sites
- Apopka\_Street\_122116
- Apopka\_Parcel\_122116 selection
- IPA Boundary
- Future Land Use
  - Agriculture
  - Agriculture Estates
  - Agriculture Homestead
  - Rural Settlement
  - Res. Estates
  - Res. Very Low Suburban
  - Res. Low Suburban
  - Res. Low
- Res. Medium Low
- Res. Medium
- Res. High
- Mixed Use
- Mixed Use\*
- Office
- Commercial
- Commercial\*
- Industrial
- Industrial\*
- Institutional/Public Use
- Conservation
- Parks/Recreation
- ANNEX



**Backup material for agenda item:**

5. Ordinance No. 2553 – Second Reading – Change of Zoning – Quasi-Judicial

Kyle Wilkes



# CITY OF APOPKA CITY COUNCIL

       CONSENT AGENDA  
  X   PUBLIC HEARING  
       SPECIAL REPORTS  
  X   OTHER: Ordinance

MEETING OF: February 15, 2017  
FROM: Community Development  
EXHIBITS: Zoning Report  
Vicinity Map  
Adjacent Zoning Map  
Adjacent Use Map  
Existing Uses Map  
Ordinance No.2553

**SUBJECT: ORDINANCE NO. 2553 – CHANGE OF ZONING – ADAMS BROTHERS CONSTRUCTION, LLC**

**REQUEST: SECOND READING & ADOPTION OF ORDINANCE NO. 2553 – CHANGE OF ZONING – ADAMS BROTHERS CONSTRUCTION, LLC, FROM “COUNTY” C-3 (ZIP) TO “CITY” I-1 (RESTRICTED INDUSTRIAL); (PARCEL I.D. NOS. 15-21-28-0000-00-044;-073;-142;-210;-124).**

## **SUMMARY**

OWNER/APPLICANT: Adams Brothers Construction  
LOCATION: South of E 13<sup>th</sup> Street, west of Sheeler Avenue  
EXISTING USE: Modular office, single-family residential and vacant commercial  
PROPOSED LAND USE: Industrial (max 0.60 FAR)  
CURRENT ZONING: “County” C-3 (ZIP)  
PROPOSED DEVELOPMENT: Industrial, Commercial or Office Development consistent with I-1 (Restricted Industrial) zoning  
TRACT SIZE: 3 +/- acres  
MAXIMUM ALLOWABLE DEVELOPMENT: N/A (No max. FAR for “County” Industrial FLUM)  
PROPOSED: 58,806 Sq. Ft.

## **FUNDING SOURCE:**

N/A

## **DISTRIBUTION**

Mayor Kilsheimer  
Commissioners  
City Administrator  
Community Development Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Services Director  
Recreation Director  
City Clerk  
Fire Chief

**ADDITIONAL COMMENTS:** The subject parcels were annexed into the City of Apopka on November 16, 2016 through the adoption of Ordinances No. 2528.

The proposed change of zoning is being requested by the owner/applicant. Presently, the subject property has not yet been assigned a “City” zoning category. Applicant is requesting the City to assign a zoning classification of I-1 (Restricted Industrial) to the property.

A request to assign a change of zoning to I-1 (Restricted Industrial) is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the I-1 zoning classification to accommodate the use of the property for light industrial, commercial or office development allowed under the I-1 zoning district. This use is consistent with the proposed Industrial Future Land Use Designation, proposed zoning district and compatible with the general character of surrounding zoning and uses. The change of zoning application covers approximately 3 acres.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Zoning Report).

**COMPREHENSIVE PLAN COMPLIANCE:** The proposed use of the property is consistent with the Industrial (max 0.60 FAR) Future Land Use designation and the City’s proposed I-1 (Restricted Industrial) Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

**SCHOOL CAPACITY REPORT:** The proposed rezoning is to a non-residential zoning district and, therefore, a capacity enhancement agreement with OCPS is not necessary.

**ORANGE COUNTY NOTIFICATION:** The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on December 9, 2016

**PUBLIC HEARING SCHEDULE:**

- January 10, 2017 – Planning Commission (5:30 pm)
- February 1, 2017 - City Council (1:30 pm) - 1st Reading
- February 15, 2017 – City Council (6:00 pm) - 2nd Reading

**DULY ADVERTISED:**

- December 23, 2016 – Public Notice and Notification
- February 3, 2017 – Ordinance Heading & ¼ Page w/Map Ad

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**RECOMMENDATION ACTION:**

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and the Land Development Code recommends adoption of the change in Zoning from “County” C-3 (ZIP) to “City” I-1 (Restricted Industrial), subject to the adoption of the associated small scale future land use amendment, for the property owned by Adams Brothers Construction.

The **Planning Commission**, at its regularly scheduled meeting on January 10, 2017, unanimously recommended approval of the change of zoning amendment from “County” C-3 (ZIP) to “City” I-1 (Restricted Industrial), for properties owned by Adams Brothers Construction, LLC

The **City Council**, at its meeting on February 1, 2017, accepted the First Reading of Ordinance No. 2553 and held it over for Second Reading and Adoption on February 15, 2017.

Adopt Ordinance No. 2553.

**Note: This item is considered Quasi-Judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.**

**ZONING REPORT**

**RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Industrial	R-T-2	Single-family homes
East (City)	Annex	A-1 (ZIP)	Warehousing
South (County & City)	Industrial	IND/4 & I-1	Railway ROW & Warehousing/light industrial (Apopka Business Center)
West (City)	Industrial	I-1	Warehousing

**LAND USE &**

**TRAFFIC COMPATIBILITY:** The subject property fronts and is accessed by a local roadway (E 13<sup>th</sup> Street) and a freight railway line. The proposed I-1 (Restricted Industrial) zoning district is consistent and compatible with the adjacent zoning classifications and uses within the surrounding area. Property owned by the same owner to east is used currently for light industrial use, and properties to the south and west have “City” I-1 (Restricted Industrial) zoning classifications, as well as existing uses consistent with light industrial.

**COMPREHENSIVE  
 PLAN COMPLIANCE:**

The proposed I-1 zoning is consistent with the City’s Industrial (max 0.60 FAR) Future Land Use designation and with the character of the surrounding area and future proposed development. The I-1 zoning classification is one of the acceptable zoning categories allowed within the Industrial Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

**I-1 DISTRICT  
 REQUIREMENTS:**

- Minimum Living Area: NA
- Minimum Site Area: 15,000 sq. ft.
- Minimum Lot Width: 100 ft.
- Setbacks:
  - Front: 25 ft.
  - Rear: 10 ft. (30 ft. to residential)
  - Side: 10 ft.
  - Corner: 25 ft.

Based on the above zoning standards, the subject parcels comply with code requirements for the I-1 district.

**BUFFERYARD  
 REQUIREMENTS:**

1. Areas adjacent to all road rights-of-way shall provide a minimum 25-foot landscaped bufferyard.
2. Areas adjacent to agricultural uses or districts shall provide a minimum of ten feet abutting the property line with landscaping and a six-foot-high masonry wall.

3. Areas adjacent to residential uses or districts shall provide a six-foot-high masonry wall within a minimum of 50-foot landscaped bufferyard.
4. Industrial uses adjacent to nonresidential, nonindustrial uses or districts shall provide one of the following:
  - a. A minimum of 25 feet abutting the property with landscaping and an earth berm, measuring three feet with a 3:1 slope; or
  - b. A minimum six-foot-high masonry wall within a minimum of ten-foot landscaped bufferyard.

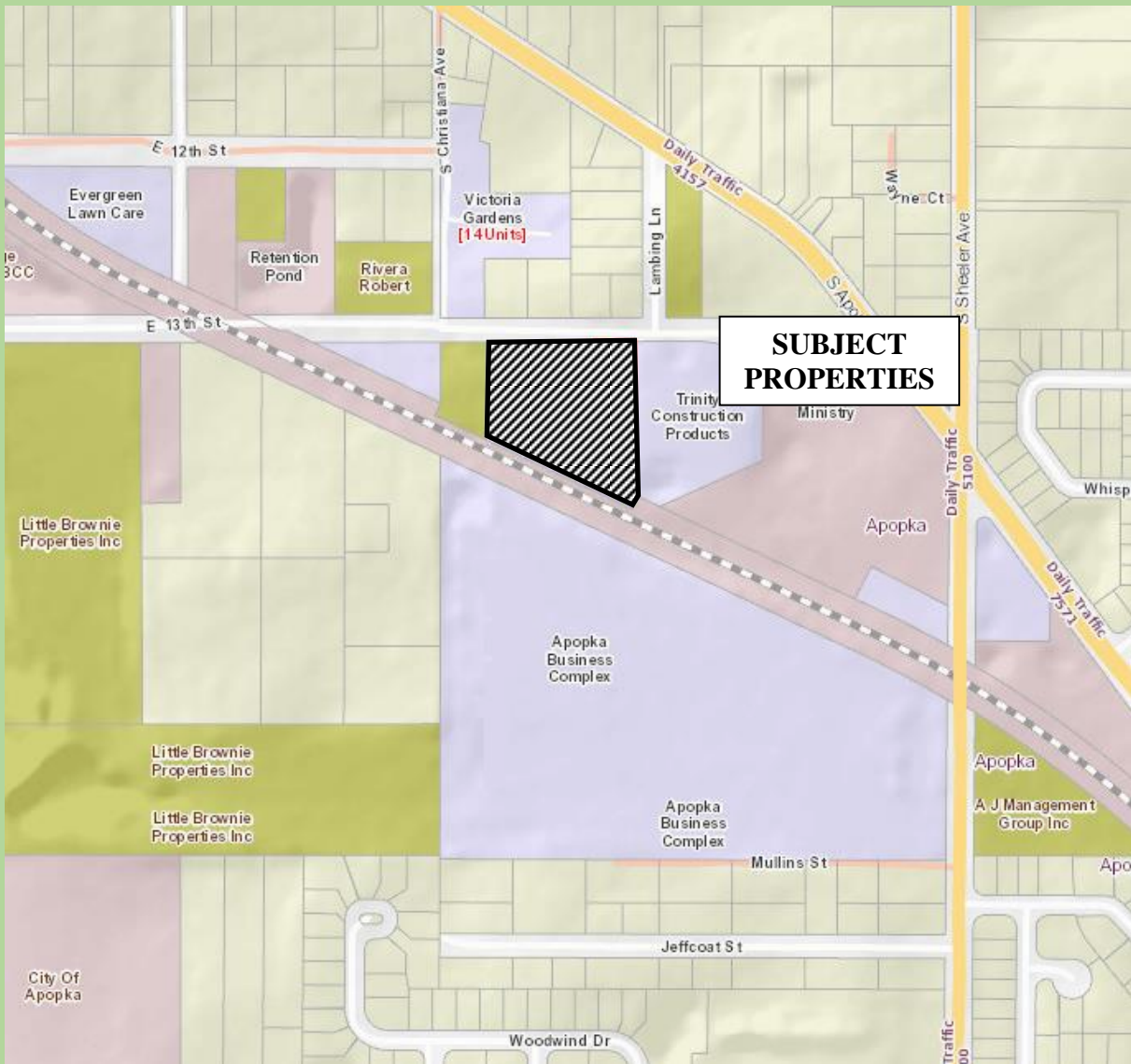
**ALLOWABLE  
USES:**

Any C-3 Commercial District permitted use and wholesale distribution, storage and light manufacturing, including: manufacture and processing of novelties, bakery and confectionary products, garments, scientific, electrical, instruments or equipment. Bus, cab and truck repair. Dyeing, dry cleaning and laundering. Machinery sales and machine shops. Cold storage and frozen food lockers. All other uses not prohibited, and similar and compatible to those within the I-1 Restricted Industrial Zoning District.

Adams Brothers Construction, Inc.  
Property Owner  
3 +/- Acres  
Proposed Small Scale Future Land Use Amendment:  
From: "County" Industrial  
To: Industrial (max 0.6 FAR)  
Proposed Change of Zoning:  
From: "County" C-3 (Commercial)  
To: "City" I-1 (Restricted Industrial)  
Parcel ID #s: 15-21-28-0000-00-044; -073; -142; -210; 124



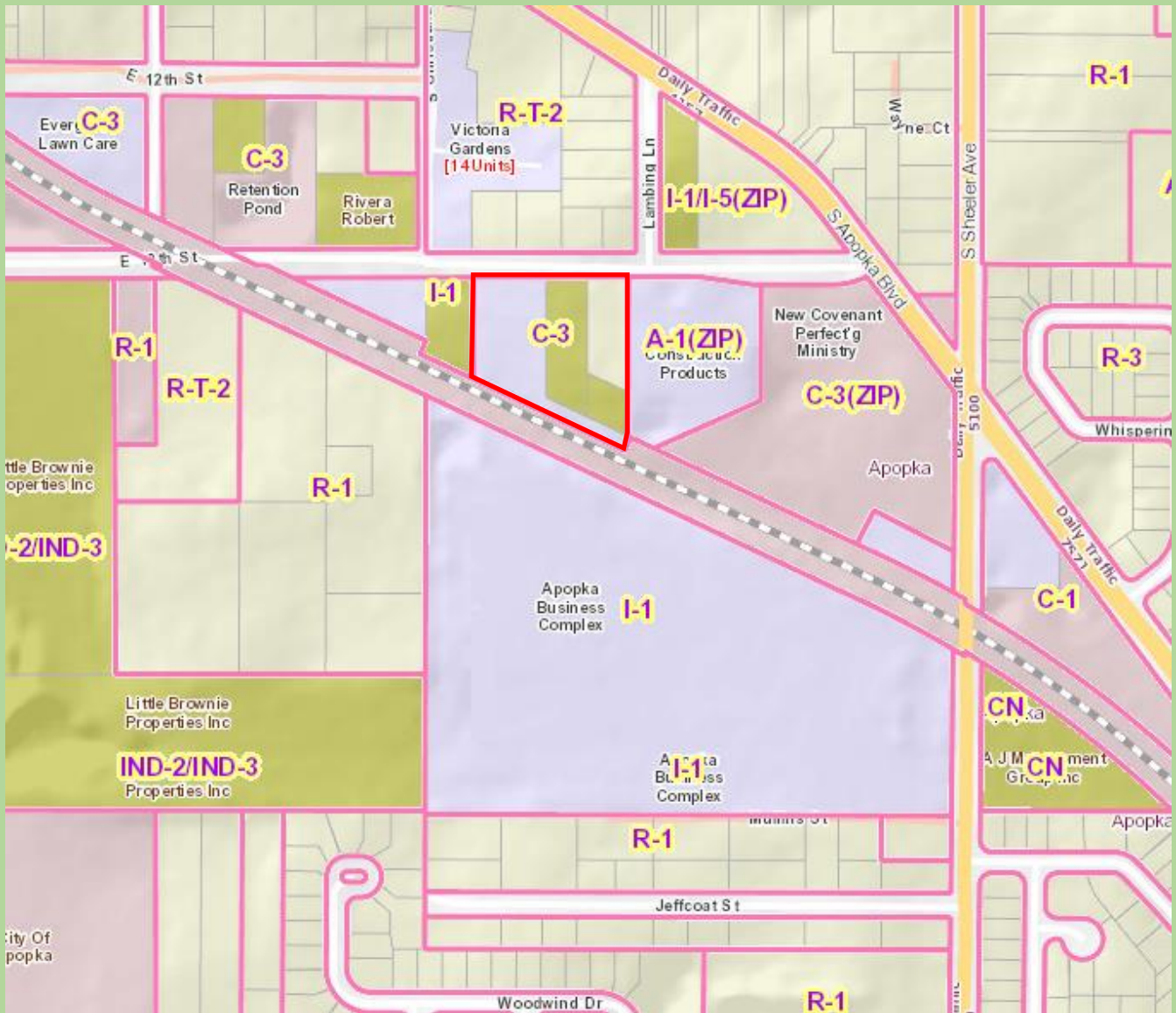
VICINITY MAP





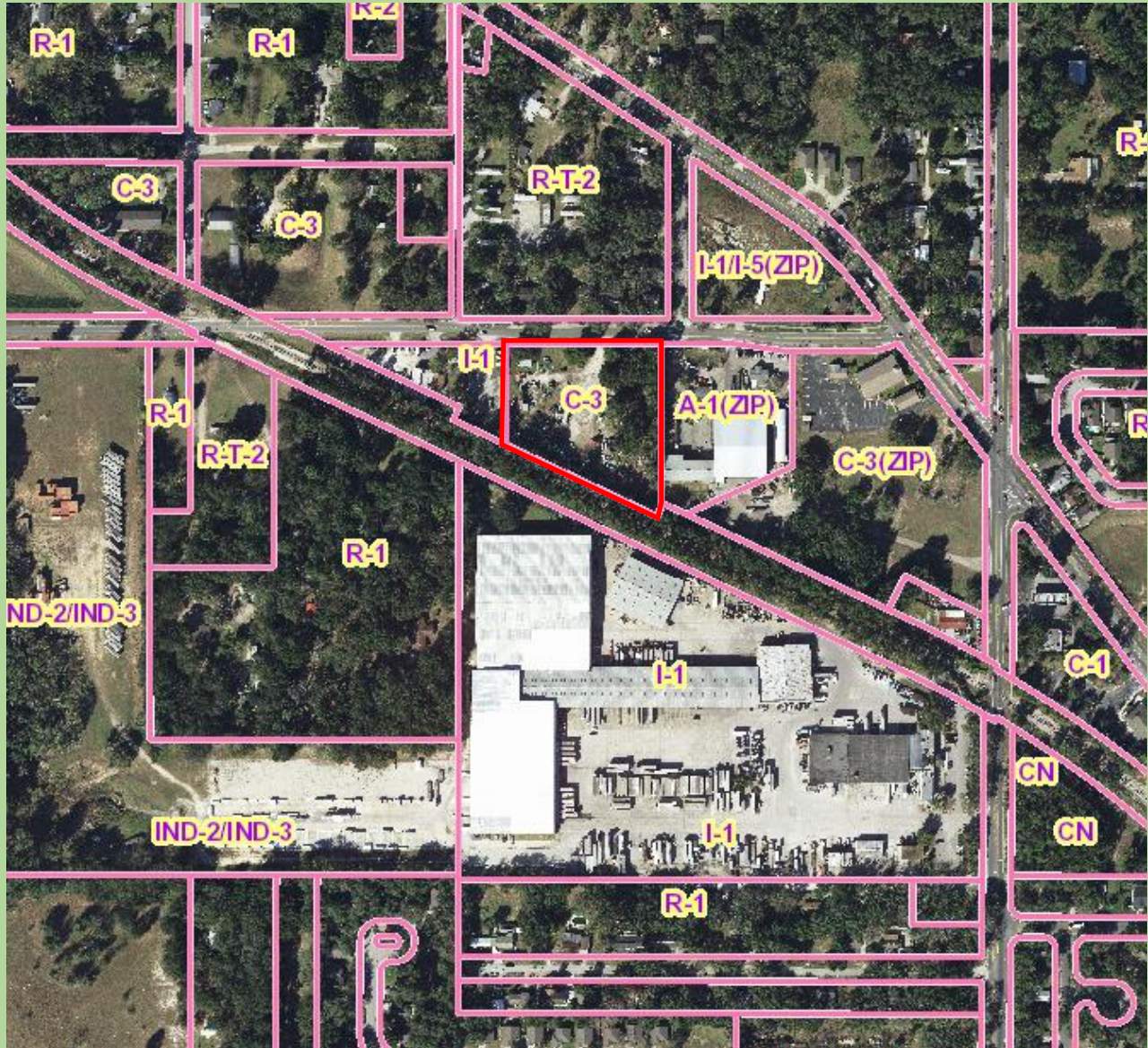


### ADJACENT ZONING



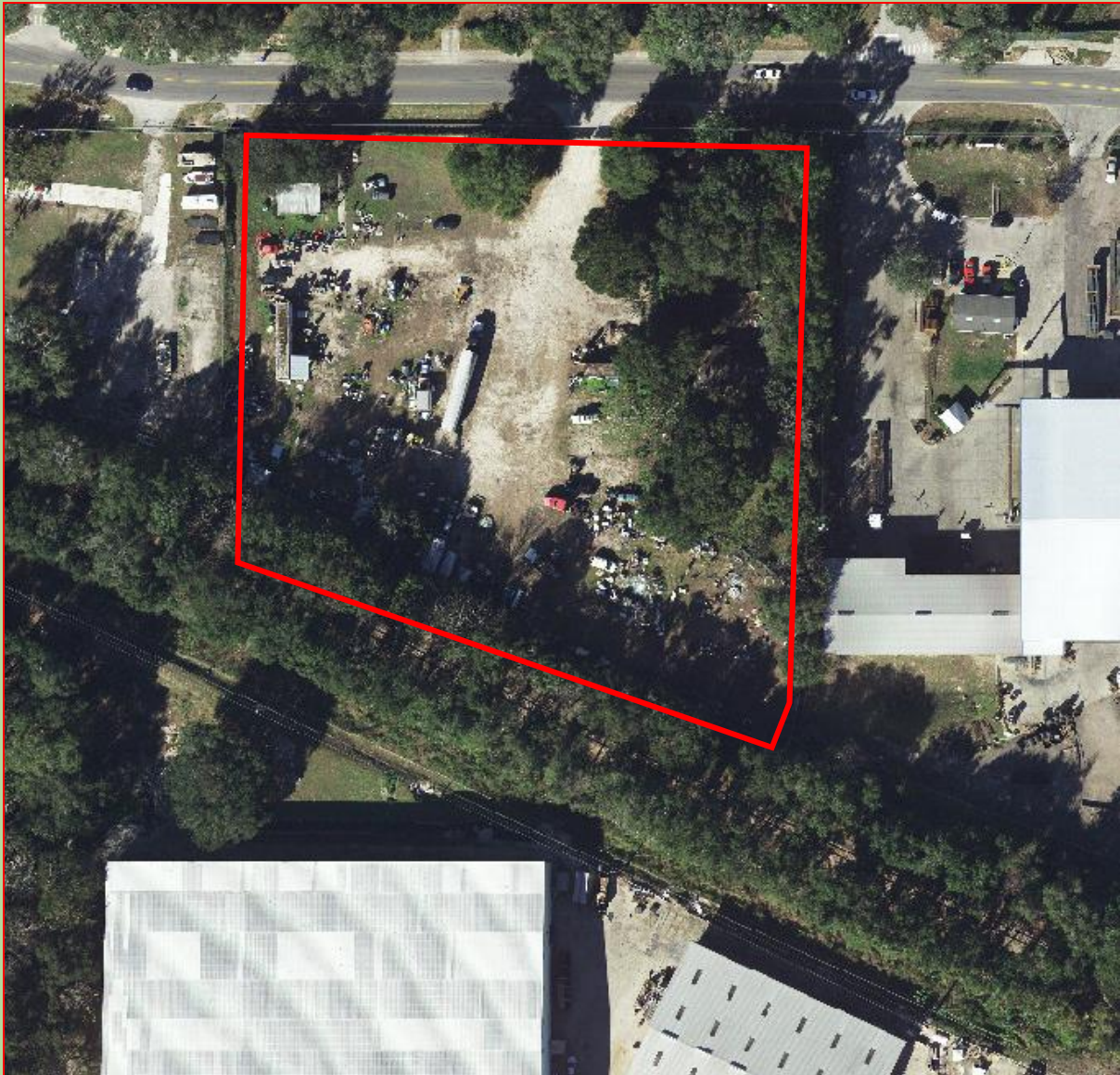


### ADJACENT USES





**EXISTING USES**



**ORDINANCE NO. 2553**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNT” C-3 (ZIP) TO “CITY” I-1 (RESTRICTED INDUSTRIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF 13<sup>TH</sup> STREET, WEST OF SHEELER AVENUE, COMPRISING 3 ACRES MORE OR LESS, AND OWNED BY ADAMS BROTHERS CONSTRUCTION, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

**WHEREAS**, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

**WHEREAS**, the proposed I-1 (Restricted Industrial) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

**NOW THEREFORE, BE IT ORDAINED**, by the City Council of the City of Apopka, Florida, as follows:

**Section I.** That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby I-1 (Restricted Industrial), as defined in the Apopka Land Development Code.

Legal Description:

BEG 492.5 FT E & 310.51 FT S OF NW COR OF NE1/4 OF SE1/4 RUN S 108 FT TO SAL RR R/W NWLY ALONG SAID RR 110.65 N 108 FT SELY TO POB IN SEC 15-21-28; AND

FROM NW COR OF NE1/4 OF SE1/4 RUN E 392.5 FT FOR POB TH E 100 FT S TO SAL RR NWLY ALONG RR R/W 110.6 FT N TO POB (LESS N 30 FT FOR R/W) & (LESS BEG 492.5 FT E & 310.51 FT S OF NW COR OF NE1/4 OF SE1/4 S 108 FT TO SAL RR R/W NWLY ALONG RR 110.6 FT N 108 FT SELY TO POB) SEC 15-21-28; AND

BEG 292.5 FT E OF NW COR OF NE1/4 OF SE1/4 RUN E 100 FT S TO NLY R/W OF SCL RR R/W NWLY ALONG SAID RR R/W TO A PT S OF POB TH N TO POB (LESS N 30 FT FOR R/W) IN SEC 15-21-28; AND

BEG 115 FT E OF NW COR OF NE1/4 OF SE1/4 CONT E 177.50 FT S 299.54 FT S 64 DEG E 228.14 FT S 25 DEG W 35 FT TO CSX R/R R/W N 64 DEG W 406.57 FT N 278.31 FT TO POB (LESS N 30 FT RD R/W) IN SEC 15-21-28

Parcel ID #s: 15-21-28-0000-00-044; 15-21-28-0000-00-073;  
15-21-28-0000-00-142; 15-21-28-0000-00-210

Contains: 3 +/- Acres

**ORDINANCE NO. 2553**

**PAGE 2**

**Section II.** That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

**Section III.** That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

**Section IV.** That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this ordinance.

**Section V.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section VI.** That this Ordinance shall take effect upon adoption of Ordinance No. 2553.

READ FIRST TIME: February 1, 2017

READ SECOND TIME  
AND ADOPTED: February 15, 2017

\_\_\_\_\_  
Joseph E. Kilsheimer, Mayor

ATTEST:

\_\_\_\_\_  
Linda Goff, City Clerk

DULY ADVERTISED:      December 23, 2017  
   February 3, 2017

**Backup material for agenda item:**

6. Ordinance No. 2527 – First Reading – Code of Ordinances, Part II, Chapter 78 - Parking – Legislative

Chief McKinley



## CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA  
 PUBLIC HEARING  
 SPECIAL REPORTS  
 OTHER: Ordinance

MEETING OF: February 15, 2017  
FROM: Community Development  
EXHIBITS: Ordinance No. 2527

**SUBJECT:** AMENDING THE CITY OF APOPKA CODE OF ORDINANCES, PART II, CHAPTER 78 – TRAFFIC AND MOTOR VEHICLES; ARTICLE II – STOPPING, STANDING AND PARKING

**REQUEST:** ACCEPT THE FIRST READING OF ORDINANCE NO. 2527.

**SUMMARY:**

The last update to Chapter 78, Article II – Stopping, Standing and Parking, of the Apopka Code of Ordinances (hereafter Parking Ordinance) was in 2013. After significant comment and input from the Apopka Community after implementation of the 2013 ordinance, the Apopka Police Department established in 2016 a parking ordinance committee, comprised of Apopka residents from various neighborhoods, to review the effectiveness of the 2013 parking ordinance. Beginning with a kick-off meeting in July 2016, this committee met several times at workshop settings through mid-September. After recommending potential changes to the parking ordinance, the committee held a public hearing on September 26 to gather input from the general public. A final workshop on October 10 to discuss public comments from the September 26 public hearing.

The current draft amendment to the Parking Ordinance is based on input and direction from the parking ordinance committee to achieve the following purpose:

- Allow on-street parking with reasonable restrictions.
- Ensure public safety vehicles have access throughout the community
- Ensure delivery of other governmental services.

**PUBLIC HEARING SCHEDULE:**

December 13, 2016 – Planning Commission (5:30 pm)  
February 15, 2017 – City Council (7:00 pm) – First Reading  
March 1, 2017 – City Council (1:30 pm) – Second Reading

**DULY ADVERTISED:**

February 3, 2017  
February 24, 2017

**FUNDING SOURCE:**

N/A

**RECOMMENDATION ACTION:**

The **Planning Commission**, at its meeting on December 13, 2016, unanimously recommended adoption of the amendments to the City of Apopka Code Of Ordinances, Part II, Chapter 78 – Traffic and Motor Vehicles, Article II – Stopping, Standing and Parking in its Entirety.

**Recommended Motion:** Accept the First Reading of Ordinance No. 2527, and Hold it Over for Second Reading and Adoption on March 1, 2017.

**DISTRIBUTION**

Mayor Kilsheimer  
Commissioners  
City Administrator  
Community Development Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Services Director  
Recreation Director  
City Clerk  
Fire Chief



**ORDINANCE NO. 2527**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 78 “TRAFFIC AND MOTOR VEHICLES,” ARTICLE I, “IN GENERAL,” SECTION 78-1 “DEFINITIONS” AND AMENDING CHAPTER 78 “TRAFFIC AND MOTOR VECHILCES,” ARTICLE II, “STOPPING, STANDING AND PARKING” IN ITS ENTIRETY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, Section 166.021(3), *Florida Statutes*, provides, in pertinent part, that “[t]he Legislature recognizes that pursuant to the grant of powers set forth in Section 2(b), Art. VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act” except for certain very limited matters; and

**WHEREAS**, pursuant to Florida Law chartered municipalities have original jurisdiction over all streets and highways located within their boundaries; and

**WHEREAS**, the City of Apopka actively participates in the enforcement of traffic enforcement and, particularly, parking, to protect the health, safety, and welfare of all persons in the Town; and

**WHEREAS**, the City Council of the City of Apopka, Florida, has determined that the continued protection of the health, safety, and welfare of its citizens requires that Chapter 78 Article II, of the Apopka Code of Ordinances be amended in its entirety.

**LESIGLATIVE UNDERSCORING:** Underlined words constitute additions to the City of Apopka Code of Ordinances, ~~striketrough~~ constitutes deletions from the original, and asterisks (\*\*\*) indicate an omission from the existing text which is intended to remain unchanged.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA**, as follows:

**SECTION 1.** CHAPTER 78, TRAFFIC AND MOTOR VEHICLES, ARTICLE I, SECTION 78-1 DEFINITIONS shall be amended as follows, and all definitions within the section shall be placed in alphabetical order:

**Sec. 78-1. Definitions**

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Commercial vehicle means a tractor cab, or tractor trailer or truck with a tandem rear axle or gross vehicle weight of over ten thousand (10,000) pounds, or having a length greater than twenty-one (21) feet, or height greater than ten (10) feet, or buses used for transporting passengers for a fee, taxicabs, shuttle vans, limousines or vans used to transport passengers for a fee. Any vehicle with external modifications designed to be used for the purpose of lifting objects or persons above the height of the vehicle is included as a commercial vehicle. Step vans, flatbed and stake bed trucks, wreckers, farm equipment, dump trucks and earth moving equipment are included as commercial vehicles. Sport utility vehicles, family vans not transporting passengers for a fee and standard manufactured pick-up trucks, and duel rear wheel pick-up trucks used for personal use and emergency vehicles are expressly excluded from the definition of commercial vehicle.

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~~Stop and Stopping~~ Stopping, standing, or parking means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a ~~law enforcement officer~~ police officer or traffic control sign or signal.

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Trailer means and includes any vehicle or device, with or without motorized power, regardless of whether connected to a tow vehicle, designed for carrying persons or property and for being drawn by a motor vehicle. The term shall include, but not be limited to, vehicles or devices designed, manufactured or used for: transporting or carrying boats, jet skis, or similar watercraft; transporting or carrying motor scooters or motorcycles; transporting or carrying automobiles, trucks, buses or similar motor vehicles; or a dwelling place, living abode or sleeping place (either permanently or temporarily) and equipped for use as a conveyance on streets and highways. This definition excludes message boards used to transmit emergency messages or directional for traffic control.

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Vehicle means any device in, upon or by which any person or property is or may be transported or drawn upon a street or highway and includes any portion of such device or attachment thereto.

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**SECTION 2.** The provisions of CHAPTER 78, TRAFFIC AND MOTOR VEHICLES, ARTICLE II, STOPPING, STANDING AND PARKING shall be vacated and deleted in its entirety, and the following shall be adopted in its place. The provisions to be vacated and deleted are attached as Exhibit "A."

## **ARTICLE II. STOPPING, STANDING, OR PARKING**

### **DIVISION 1. GENERALLY**

#### **Sec. 78-35. – General Application.**

Applicable portions of this Article shall not apply to the driver or owner of any vehicle which is disabled while on the paved or main-traveled portion of a street in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position. Such vehicle may be towed in accordance with this chapter, and all costs associated with the removal are the responsibility of the registered owner.

Nothing in this Article shall prevent a bona-fide emergency vehicle from stopping, standing, or parking in any area, whether posted or not, during and for the performance of official duties.

Unless in conflict herein chapter 78, Florida State Statute Chapter 316.003, "Definitions" and all parking violations found in Florida State Statute 316, as may be amended by the Florida Legislature, are hereby incorporated by reference. Such prohibitions may be enforced under this section on a ticket form issued by the City.

#### **Sec. 78-36. - Authority to place signage and designate parking time limits and local restrictions.**

The Chief of Police may install street signs, as may be necessary, to indicate the parking limit or restriction placed on any street, any portion of such street, or right-of-way within the City of Apopka.

The Chief of police may designate time limits or local restrictions for parking on streets during special events and emergency situations.

**Sec. 78-37. - Manner of stopping, standing, or parking.**

1. When parked upon a street which has been marked or a sign erected for angle parking, a vehicle shall be parked at the angle to the curb indicated by such mark or sign and within twelve (12) inches of the edge of the pavement.
2. When parked upon a street which has been marked or a sign erected for parallel parking with the edge of the street, a vehicle shall be parked headed in the direction of traffic and with the curbside wheels of the vehicle within twelve (12) inches of the edge of the pavement.
3. When parked upon a street in accordance with this chapter a vehicle shall be parked headed in the direction of traffic and with the curbside wheels of the vehicle within twelve (12) inches of the edge of the pavement.
4. When parked within any marked parking space, no vehicle may be parked over any marking line, nor shall any portion of the vehicle protrude outside the marked space.
5. No person shall abandon any vehicle within the city and no person shall leave any vehicle at any place within the city for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.
6. No person shall leave any partially dismantled, non-operating, wrecked, or junked vehicle on any street, including right-of-way within the City.

**Sec. 78-38. - Obstructing traffic.**

1. No person shall stop, stand or park any vehicle in a street in such a manner or under such conditions as to leave available less than twelve feet of the width of any lane of the street for free movement of vehicular traffic, except when necessary in obedience to a traffic regulation or a traffic sign or signal or police officer.
2. No person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the street when it is practicable to stop, park, or so leave the vehicle off such part of the street and parked in a driveway or paved area created for such purpose. In any event, any vehicle parked on a street must leave no less than twelve (12) feet of unobstructed street width.
3. No person shall stop, park, or leave standing any vehicle so that there is not a clear view of the stopped vehicle from a distance of two-hundred (200) feet, in each direction upon the roadway.
4. No person shall stop, park, or leave standing any vehicle, whether attended or unattended in an alley so as to provide free passage for emergency vehicles.
5. No person shall park a vehicle on a curve, or within thirty (30) feet of the approach of a curve, when such parking obstructs the regular flow of traffic along a curve and/or disrupts the sight picture along the roadway.

**Sec. 78-39. - Stopping, standing and parking prohibited in specified places.**

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

1. At any place within fifteen (15) feet of a community mail box , except momentarily to pick up or drop off mail, between the hours of 8 a.m. and 6 p.m. any day, excluding Sunday and Federal Holidays. At any place within fifteen (15) feet of a single mail box between the hours of 8 a.m. and 6 p.m. any day, excluding Sunday and Federal Holidays unless the vehicle has a valid registration which lists the street address on which the mail box is located. Such vehicle shall be exempted from this requirement.
2. At any place in such a manner which would block access to residential or commercial refuse containers by public or private refuse removal equipment.
3. Alongside any curb which has been painted yellow or red, unless otherwise specifically permitted by appropriate signs or devices posted by the city.
4. In any parking space specifically designated and marked for the disabled unless such vehicle displays a parking permit as required by state law, or in such a manner as to block or obstruct a wheelchair ramp or any such specially designated and marked parking space provided in accordance with s. 553.5041 F.S.S., and the vehicle is transporting the person to whom the displayed permit is issued. The violation may not be dismissed for failure of the marking on the parking space to comply with s. 553.5041 F.S.S. if the space is in general compliance and is clearly distinguishable as a designated accessible parking space for people who have disabilities.
  - a. A law enforcement officer or a parking enforcement specialist has the right to demand to be shown the person's disabled parking permit and driver license or state identification card when investigating the possibility of a violation of this section. If such a request is refused, the person in charge of the vehicle may be charged with resisting an officer without violence, as provided in s. 843.02 F.S.S.
  - b. It is unlawful for any person to obstruct the path of travel to an accessible parking space, curb cut, or access aisle by standing or parking a vehicle within any such designated area. The violator is subject to the same penalties as are imposed for illegally parking in a space that is designated as an accessible parking space for persons who have disabilities.
  - c. Any person who is chauffeuring a person who has a disability is allowed, without need for a disabled parking permit or a special license plate, to stand temporarily in any such parking space, for the purpose of loading or unloading the person who has a disability. A penalty may not be imposed upon the driver for such temporary standing.
  - d. A vehicle that is transporting a person who has a disability and that has been granted a permit under s. 320.0848(1)(a) F.S.S. may be parked for a maximum of 30 minutes in any parking space reserved for persons who have disabilities.
  - e. A violation of this section with regard to parking in a handicapped space or access area may be voided at the discretion of a police supervisor upon payment by the offender of seven dollars and fifty cents (\$7.50) payable to the City of Apopka if, at the time of the

- infraction, the driver or person legally operating the vehicle possesses a government issued handicap parking permit but failed to properly display it.
5. Within the curved area of a cul-de-sac.
  6. Within an intersection or within thirty (30) feet of the intersection approach.
  7. Upon certain designated municipal streets within a community controlled by a Homeowner's Association. Any such parking prohibition shall be upon petition to the Chief of Police by the Association, by majority vote of members of such Association, ratified by the Board, and submitted to the Chief of Police. Such action shall be effective upon approval by resolution of the City Council, upon recommendation of the Chief of Police. Such Association controlled areas shall be properly marked with signs as approved by the City. Any costs associated with the procurement or installation thereof of signage shall be borne by the Association.
  8. At any place, other than a bus stop, taxi-stand, or other designated passenger loading area, by the driver of a bus, taxi, or other vehicle for hire, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations, at any place for the purpose of, and while actually engaged in loading or unloading passengers.
  9. In a designated bus stop or taxi stand unless the vehicle is a bus or taxi, respectively.
  10. In front of, across from, or along the curb within twelve (12) feet of the entrance to, a public or private driveway, except momentarily to pick up or drop off passengers.
  11. On a sidewalk or in such a manner that any part of such vehicle is protruding over a sidewalk or any part of the sidewalk area.
  12. On a crosswalk; within twenty (20) feet of a crosswalk at an intersection unless permitted to do so by appropriate signs or devices posted in such area.
  13. Facing the wrong way on a one way street, or in opposition to the direction of travel of the lane in which the vehicle is located (left wheels to curb, prohibited).
  14. Within fifteen (15) feet of a fire hydrant, fire department connection, or fire drafting connection; or within twenty (20) feet of any driveway entrance to a fire station.
  15. Within any fire lane.
  16. Within an alley, or blocking access to such alley, or in such position to block any entrance to any abutting property.
  17. Along or within any bicycle path, walking path, or other pedestrian or human powered vehicle lane.
  18. Within fifty (50) feet of the nearest rail upon a railroad or railroad crossing, unless behind the safety line of a railroad crossing if less than fifty (50) feet.
  19. Upon any bridge or elevated structure upon a roadway.

20. In painted safety zones or gore areas on roadways.
21. Within any space designated for an emergency vehicle.
22. Within or on a median.
23. Within or on any off street right-of-way within the city limits unless otherwise allowed.

**Sec. 78-40. – Stopping, standing, or parking in place where prohibited by sign or markings.**

No person shall park a vehicle at any place where an official sign or marking prohibits stopping, standing, or parking.

**Sec. 78-41. - Parking for certain purposes prohibited; Parking of vehicle types prohibited.**

1. Curbstoning (reference FSS 316.1951):
  - a. It is unlawful for any person to park a motor vehicle upon a public street or highway, a public parking lot, or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle thereon for sale, hire, or rental unless the sale, hire, or rental of the motor vehicle is specifically authorized on such property by the City and the person is in compliance with all City licensing regulations.
  - b. The provisions of subsection (a.) do not prohibit a person from parking his or her own motor vehicle or his or her other personal property on any private real property which the person owns or leases or on private real property which the person does not own or lease, but for which he or she obtains the permission of the owner, or on the public street immediately adjacent thereto, for the principal purpose and intent of sale, hire, or rental.
  - c. Subsection (a.) does not prohibit a licensed motor vehicle dealer from displaying for sale or offering for sale motor vehicles at locations other than the dealer's licensed location if the dealer has been issued a supplemental license for off-premises sales, as provided in s. 320.27(5), and has complied with the requirements in subsection (a.). A vehicle displayed for sale by a licensed dealer at any location other than the dealer's licensed location is subject to immediate removal without warning.
  - d. A law enforcement officer, compliance officer, code enforcement officer from the City may issue a citation and cause to be immediately removed at the owner's expense any motor vehicle found in violation of subsection (a.), except as provided in subsections (b.) and (c.), or in violation of subsection (e.), subsection (f.), subsection (g.), or subsection (h.), and the owner shall be assessed a penalty as provided in Division II. A motor vehicle removed under this section shall not be released from an impound or towing and storage facility before a release form prescribed by the department has been completed verifying that the fine has been paid that ordered immediate removal of the motor vehicle. However, the owner may pay towing and storage charges to the towing and storage facility pursuant to s. 713.78 F.S.S. before payment of the fine or before the release form has been completed.
  - e. It is unlawful to offer a vehicle for sale if the vehicle identification number has been destroyed, removed, covered, altered, or defaced, as described in s. 319.33(1)(d) F.S.S. A vehicle found in violation of this subsection is subject to immediate removal without warning.



- is first occupied (or is otherwise unusable) and such vessel is registered (or leased) to the owner or occupier of the residence adjacent to the street on which parked.
- b. In any case where an exception exists to park on a street, a recreational vehicle(s) or trailered vessel must be parked within twelve (12) inches of the curb and with the flow of traffic and adhering to all other parking rules. Nothing in this section is intended to conflict with restrictions in storage of such vehicles identified in 7.02.04 "Storage of boats and recreational vehicles" of the land development code.
8. Parking of commercial vehicles is prohibited in the same manner as a vehicle for the purpose of this chapter and per the requirements of this section.
- a. Commercial vehicles are prohibited from parking in any residential area at any time. Nothing in this section precludes a bona-fide vendor from using a commercial vehicle in conducting legitimate business and for its designed purpose, during such time the business is being conducted. Promotional trucks or other commercial vehicles being used solely for promotional purposes are specifically prohibited.
- b. Commercial vehicles are prohibited from parking in any business district unless specifically owned or leased by such business having ownership or control of the property. Such vehicles shall not be used in an effort to advertise or promote the business through the method of parking or position in relation to the traveling public in an effort contrary to the spirit of the City's sign codes and ordinances. Such vehicles shall be located in a bona-fide parking space unless being actively loaded or unloaded.

**Sec. 78-42. - Use of loading zones.**

1. No person shall stop, stand or park a vehicle in any place marked as a loading zone for a period of time longer than the time indicated by signs or other appropriate markings or devices.
2. No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a loading zone during the hours when the provisions applicable to loading zones are in effect. Such vehicle must have attached in a conspicuous place on the rear of the vehicle a permit issued pursuant to section 78-43 for such loading and unloading. In no case shall the stop for loading and unloading of materials exceed 30 minutes.

**Sec. 78-43. - Loading zone permit.**

1. The Chief of Police or his designee shall issue to applicants as provided in this section, tag permits for the use of loading and unloading zones, which shall be effective October 1 through September 30.
- a. The application for such permit shall contain the following information:
- i. Whether the applicant is a wholesaler, retailer or common carrier.
- ii. The number of vehicles operated by the applicant.
- iii. The number of vehicles owned by the applicant which will carry loading and unloading permits.
- iv. The average number of stops per day for loading and unloading purposes.



- v. The name of the business, the type of business, the location of the business, and the mailing address and telephone number of the business.
  - vi. The names and driver's license numbers of the employed or contracted drivers doing business within the city.
  - vii. The appropriate permit fee as specified below.
- b. All applications will be submitted in writing to the chief of police or his designee, and the chief of police or his designee shall have the authority to issue, deny, and/or revoke such permits. The applicant shall have the right to appeal denial or revocation of a permit to the city council.
2. Schedule of fees for Loading Zone Permit
- a. Such permit fees shall be \$30.00 for the initial applicant vehicle and \$20.00 for each additional vehicle under the same application. Each additional vehicle must either be registered to the applicant or applicant's organization or in the name of an employee of the applicant or applicant organization. The Chief of Police reserves the right to revoke any application or permit for errors, omissions, or false statement.
  - b. A charge of \$10.00 shall be required for any lost, stolen, or misplaced permits. Permits are not transferrable between and among vehicles.
  - c. Any permit issued after April 1 of the fiscal year, October 1st through September 30th, shall be prorated by 50% of the above fee.
3. Violation of any such terms and conditions shall be grounds for immediate revocation of the permit by the Chief of Police, who shall give written notice thereof to the holder of the permit. Any person whose permit is revoked by the Chief of Police may appeal such decision to the City Council. Such appeal shall be taken by filing written notice thereof, in duplicate, with the city administrator's office within five days after the decision of the Chief of Police. The notice of the appeal shall contain the grounds for the appeal and shall contain information that either the finding is contrary to the law or is not supported by competent substantial evidence. The Chief of Police shall forthwith transmit copies of the appeal to the City Council along with all papers constituting the record upon which the action appealed from is based. The filing of a notice of appeal will not delay the effectiveness of any revocation.

**Sec. 78-44. - Removal of illegally parked, abandoned or disabled vehicles.**

Members of the police department of the city are hereby authorized, but are not required, to have immediately removed any vehicle from any street or alley or other public place within the city by the city's authorized towing service under the following circumstances:

1. When such vehicle is in violation of any portion of this chapter; or
2. When a vehicle upon a street or alley is:
  - a. disabled or when the person in charge of the vehicle is by reason of physical injury or condition incapacitated to such an extent as to be unable to provide for its custody or removal and the vehicle is obstructing traffic or otherwise creating a safety hazard; or

- b. disabled, abandoned, or otherwise left in a manner obstructing traffic or otherwise creating a safety hazard.
    - c. stolen, subject to forfeiture, being held as evidence or contains evidence in a criminal investigation, or the driver is being arrested and the arresting officer decides to remove the vehicle from the location to protect the vehicle from potential damage.
  3. When any vehicle is parked on any municipal parking facility or area designated or used in connection with city hall, the police station or other municipal property of the city in violation of the posted signs and the permitted uses.
  4. When any motor vehicle remains stopped or parked on any property owned or controlled by the city not designated for parking; longer than allowable posted times; overnight; or in a manner endangering the safety and security of any property owned or controlled by the city. If the towing is due to a security concern, and such concern is ultimately determined to be unfounded, the Chief of Police reserves the right to waive any tow fee.
  5. Storage, cost and removal of impounded vehicles:
    - a. When a vehicle is removed under this chapter, notice of storage and costs shall be sent to the vehicle owner within seven (7) days via certified mail, return receipt requested, pursuant to the provisions of F.S. § 713.78.
    - b. Owner responsibility. The cost of towing, booting, or removing a vehicle impounded or immobilized under this section and the cost of storing the same or removing the immobilization device, shall be chargeable against the vehicle owner and a lien shall be placed upon the vehicle. Before the release of the vehicle, the owner of the vehicle shall pay these charges and any outstanding parking tickets, administrative delinquency or collection fees owed. The vehicle shall be stored in a private place and the towing and/or storage charges shall be set by the private towing company. All of such charges shall be the responsibility of the vehicle owner.
  6. Notice to vehicle owner.
    - a. Upon taking possession of any vehicle, as provided in this section, the towing company shall follow guidelines set forth in F.S. § 715.05 regarding notification of owner, upon towing or removing a motor vehicle.
    - b. Notification shall be by certified mail, return receipt requested, and shall notify the owner and all lien holders of the location of the vehicle and the fact that it is unclaimed. Notice shall be given within seven (7) days excluding Saturday and Sunday, from the date of storage and shall be complete upon mailing.
    - c. If the state of registration is unknown, a good faith best effort to notify the owner shall be made, and such notice shall be given within a reasonable period of time from the date of storage
  7. Recovery.
    - a. The registered owner of a towed, impounded or immobilized vehicle shall be entitled to recover such vehicle only after making payment for the charges and expenses for the cost

of towing or immobilizing such vehicle, plus the cost of storage and any outstanding parking tickets, administrative delinquency or collection fees owed on such vehicle herein specified.

- b. The registered owner of such vehicle shall be responsible for paying the charges and fine(s) as herein provided whether or not such registered owner was the person who unlawfully parked or left standing such vehicle and in each instance the police department shall require payment of the sums herein provided for before restoring possession of such vehicle to the registered owner.

**Sec. 78-45. - Official traffic-control devices.**

The location and existence of all official traffic-control devices which are in place or in existence on all streets and highways, except state roads, within the boundaries of the city on the effective date of this ordinance are hereby ratified and confirmed and shall be considered to have been authorized by the city council. The city council hereby delegates its authority to place official traffic-control devices on all streets and highways, except state roads, within the boundaries of the city to the Chief of Police, who shall hereafter be responsible for determining the need for placement of official traffic-control devices.

**Sec. 78-46. – Overtime parking in parking zones.**

1. It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle to be parked overtime or beyond the period of legal parking time, and any vehicle in any parking zone longer than the time limit fixed for such zone by sign or ordinance shall be considered to be illegally parked.
2. It shall be unlawful to relocate a vehicle from one parking space within the same parking zone or to relocate a vehicle temporarily from the same parking space unless the vehicle has left the parking zone for an amount of time equal to or greater than the legal time limit for parking fixed for such zone.
3. It shall be unlawful to roll the tires of a vehicle to remove or obscure or attempt to remove or obscure the markings made by parking enforcement personnel prior to removing the vehicle from the parking zone.

**Sec. 78-47. – Parking of vehicles without affixed current and valid registration license plate and validation sticker; removing, impounding, or immobilization of vehicles without affixed current and valid registration license plate and validation sticker.**

1. No person shall stop, stand, or park a vehicle upon any street, in any off-street parking facility in the city, right-of-way, upon any property owned and controlled by the city, or any private parking area open to the public, unless such vehicle has affixed to it a current and valid registration license plate and validation sticker.
2. Any motor vehicle without a current and valid license plate and validation sticker affixed to it found parked at any time upon any street, in any off-street parking facility in the city, or upon any property owned and controlled by the city may, in addition to the issuance of a parking violation notice, be immediately immobilized by or under the direction of a police officer, parking enforcement specialist, or code enforcement officer in such a manner as to prevent its operation. No such vehicle shall be immobilized by any means other than the use

of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.

3. It shall be the duty of the police officer, parking enforcement specialist, or code enforcement officer immobilizing such motor vehicle, or under whose direction such vehicle is immobilized, to post on such vehicle, in a conspicuous place, notice sufficient to inform the owner or operator of the vehicle that:
  - a. Such vehicle has been immobilized pursuant to and by the authority of this Section of the Apopka Code of Ordinances; and
  - b. The owner of such immobilized vehicle, or other duly authorized person, shall be permitted to repossess or to secure the release of the vehicle upon payment to the police department the fine prescribed in Division 2 of this Article for the offense of parking a vehicle without a current and valid registration license plate and validation sticker affixed to it.
4. It shall be unlawful for anyone, except those persons authorized by the police department, to remove or attempt to remove, tamper with, or in any way damage or alter the immobilization device.
5. If the owner of the immobilized vehicle, or other duly authorized person, does not make arrangements for removal of the immobilization device in accordance with the foregoing provisions within twenty-four (24) hours of the time such motor vehicle was immobilized, a police officer, parking enforcement specialist, or code enforcement officer of the city is hereby authorized to have such vehicle towed by the city's authorized towing company.
  - a. The owner of the vehicle shall be responsible for any and all towing and storage charges along with the civil penalty identified in Division 2.
  - b. The penalty must be remitted prior to the release of the vehicle.

**Sec. 78-48. – Removing, impounding, and immobilization of vehicles for non-payment of fines within the section.**

1. Any motor vehicle found to have three or more outstanding municipal parking violations that is parked at any time upon any street, in any off-street parking facility in the city, or upon any property owned and controlled by the city may, in addition to the issuance of a parking violation notice, be immediately immobilized by or under the direction of a police officer, parking enforcement specialist, or code enforcement officer in such a manner as to prevent its operation. No such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.
2. It shall be the duty of the police officer, parking enforcement specialist, or code enforcement officer immobilizing such motor vehicle, or under whose direction such vehicle is immobilized, to post on such vehicle, in a conspicuous place, notice sufficient to inform the owner or operator of the vehicle that:
  - a. Such vehicle has been immobilized pursuant to and by the authority of this Section of the Apopka Code of Ordinances.

- b. The owner of such immobilized vehicle, or other duly authorized person, shall be permitted to repossess or to secure the release of the vehicle upon payment to the police department the fine prescribed in Division 2 or this Article for the offense of parking a vehicle without a current and valid registration license plate and validation sticker affixed to it.
3. It shall be unlawful for anyone, except those persons authorized by the police department to remove or attempt to remove, tamper with, or in any way damage or alter the immobilization device.
4. If the owner of the immobilized vehicle, or other duly authorized person, does not make arrangements for removal of the immobilization device in accordance with the foregoing provisions within twenty-four (24) hours of the time such motor vehicle was immobilized, a police officer, parking enforcement specialist, or code enforcement officer of the city is hereby authorized to have such vehicle towed by the city's authorized towing company.
  - a. The owner of the vehicle shall be responsible for any and all towing and storage charges along with the civil penalty identified in Division 2.
  - b. The penalty must be remitted prior to the release of the vehicle.

**Sec. 78-49. – Protection of pedestrians in and around school zones.**

1. In order to protect drivers and pedestrians around the Orange County Public Schools within the municipal limits of the city, no person shall load or unload passengers seventeen (17) years of age or younger into or from a vehicle within one-fourth (1/4) mile around such school, on the streets, alleyways, cul-de-sacs, right-of-ways, public parking areas, or private parking areas open to the public, or other such areas, unless on the campus proper of the school, within designated loading or unloading areas provided for such purpose, or under the direction of a police officer or school official.
2. A notice of such prohibition is not required in all areas within one-fourth (1/4) mile around such schools in order to enforce the provisions of this section.

**Sec. 78-50 – State statute incorporation**

Adoption of state statutes by reference includes statutes both in existence at the time and those later adopted by the state legislature.

**Secs. 78-51.—78-60. - Reserved.**

**DIVISION 2. - CITATIONS; PENALTIES**

**Sec. 78-61. - Schedule of Fees, Charges, civil penalties; court appearance.**

1. Schedule of Charges and Penalties:
  - a. Fines: Any person cited for violation of the regulations set forth in this chapter who submits payment within five (5) working days of the issuance of the citation shall be fined as follows:

<u>Violation</u>	<u>Fine</u>
<u>Any portion of Chapter 78 notwithstanding below.</u>	<u>\$40.00</u>
<u>Sec. 78-39 (4.) – Stopping, standing or parking prohibited in designated handicap parking places</u>	<u>\$250.00</u>
<u>Sec. 78-41 (1.) Curbstoning. (Notwithstanding any tow fees.)</u>	<u>\$100.00</u>
<u>Sec. 78-43 – Loading zone permit</u>	<u>\$50.00</u>
<u>Sec. 78-44 – Removal of illegally parked, abandoned, or disabled vehicles. (Notwithstanding any tow fees.)</u>	<u>\$100.00</u>

b. Penalties

- i. Penalties must be paid within five (5) business days of the date of issuance of the parking violation notice, by either hand delivery to the parking fines unit or by mailing the penalty in the envelope provided with the notice. If such penalty is not paid within five (5) working days as provided in this subsection, the amount of the civil penalty shall be \$10.00 greater than the amount specified for the parking violation as provided in the schedule of penalties above.
- ii. Any person receiving a parking violation notice shall, within five (5) business days, pay the civil penalty as prescribed above, transfer liability to the person who was in the care, custody, or control of the vehicle at the time of the parking violation, or request a hearing. Any person electing to appear before the designated hearing officer shall be deemed to have waived his right to pay the civil penalty as set forth above. The hearing will be governed in accordance with Section 78-66, of the code.

c. Surcharges

- i. A surcharge in the amount of \$10.00 is imposed on all parking fines for parking violations occurring within the city, for the sole purpose of funding school crossing guard programs pursuant to authority of F.S. §.318.12(11).
- ii. This surcharge shall be placed in the school crossing guard trust fund and funds collected from this surcharge shall be distributed to fund school crossing programs. However, the city may set aside funds from this surcharge to pay for startup costs and recurring administrative costs related to printing new tickets or other means of implementing the school crossing guard program.
- iii. Funds collected from this surcharge must be distributed quarterly to fund the school crossing guard programs.
- d. Administrative charges. In addition to the assessment pursuant to section 78-61 herein, administrative charges in the amount of the city’s actual costs may be assessed in the event of an unsuccessful appeal under Section 78-66 or the necessity to institute collection procedures.
- e. Collection of fines. The city may establish procedures for the collection of a penalty imposed herein, and may enforce such penalty by civil action in the nature of debt.

**Sec. 78-62. - Liability for payment of penalties.**

1. Pursuant to F.S. §316.1967, the owner of a vehicle is responsible and liable for payment of any parking ticket violation unless the owner can furnish evidence, when required by this section, that the vehicle was, at the time of the parking violation, in the care, custody, or control of another person. In such instances, the owner of the vehicle is required, within five (5) working days after notification of the parking violation, to furnish to the records unit of the police department an affidavit setting forth the name, address, and driver's license number of the person who leased, rented, or otherwise had the care, custody, or control of the vehicle.
2. The affidavit submitted under this section is admissible in a proceeding charging a parking ticket violation and raises the rebuttable presumption that the person identified in the affidavit is responsible for payment of the parking ticket violation, provided it contains, at a minimum, the full name, address, and the date of birth of the person on control, care, or custody of the vehicle at the time of violation and such person must be a valid license holder of one of the fifty States or the several Territories of the United States.
3. The owner of a vehicle is not responsible for a parking ticket violation if the vehicle involved was, at the time, stolen or in the care, custody, or control of some person who did not have permission of the owner to use the vehicle. If the vehicle was stolen at the time of the parking citation, the owner of the vehicle shall submit an affidavit to the police department indicating that the vehicle was stolen along with a stolen vehicle police report. The owner of a leased vehicle is not responsible for a parking ticket violation and is not required to submit an affidavit or the other evidence specified in this section, if the vehicle is registered in the name of the person who leased the vehicle.

**Sec. 78-63. - Failure to obey violation notice; alteration or destruction of violation notice.**

1. It shall be unlawful for the responsible party as defined in section 78-62 to neglect to answer to the charge set forth in a parking violation notice affixed to a motor vehicle by an authorized member of the city.
2. The notice referred to in subsection (a) of this section is and shall remain the property of the city before and after the serving, delivery or affixing thereof. All persons receiving any such notice in writing, whether by personal service or by affixing the notice to a motor vehicle, shall be and are hereby required to preserve such notice and to bring and present or otherwise transmit the notice to the police department when answering the charge set forth in such notice.
3. No person, whether the recipient thereof or otherwise, shall willfully throw away, alter, mar, mutilate, destroy or discard the parking violation notice of the city. Any person violating this section shall be subject to the penalty provided in section 78-64.

**Sec. 78-64. - Procedure upon noncompliance with violation notice.**

If any person summoned by a parking violation notice affixed on a motor vehicle does not respond to such notice within the time period specified on such notice, the police department shall assess the appropriate delinquent fee per violation against the registered owner of the motor vehicle. In addition, a notice of summons shall be sent, by U.S. mail, to the registered owner of the motor vehicle which was cited, informing such owner of the parking violation notice and the failure to comply therewith. Such notice shall direct the recipient to respond within ten calendar days; otherwise, a separate

citation may be issued for failure to comply in violation of section 78-63(a). Costs in the amount of \$5.00 shall be assessed incident to each notification process. A violation of section 78-63(a) shall be deemed a separate and distinct violation and shall not be construed to be merged with or a part of the original parking violation.

**Sec. 78-65. - Withholding of issuance of license plates and stickers by state.**

1. The city police department may prepare and supply to the county clerk's office a list of persons who have three or more outstanding parking violations on a magnetically encoded computer reel or cartridge, or by any other electronic means which is machine readable by the installed computer system at the department, listing persons who have three or more outstanding parking violations which occurred within the city.
2. If a person's name appears on the list referred to in subsection (a) of this section, the tax collector shall, in accordance with F.S. § 315.1967 and 320.03, not issue a license plate or revalidation sticker to such person until such person's name no longer appears on the list or until the person presents a receipt showing that such parking fines and all applicable late charges or other related charges have been paid, and also pays an administrative service charge to the tax collector.
3. Pursuant to the authority granted in F.S. §§ 316.1967 and 320.03, this section shall be applicable throughout the city; providing, however, that the police department responsible for enforcement of parking violations in the city shall be responsible for preparing and supplying the applicable list of persons who have three or more outstanding parking violations.

**Sec. 78-66. – Procedure for referring cases involving the violation of a municipal parking ordinance to a hearing officer.**

1. Guiding Statute:
  - a. Pursuant to F.S. §318.325, any municipality may adopt an ordinance that allows the municipality to refer cases involving the violation of a municipal parking ordinance to a hearing officer.
  - b. Notwithstanding the provisions of F.S. §318.14 and 775.08(3), any parking violation shall be deemed to be an infraction as defined in §318.13(3); however, the violation must be enforced and disposed of in accordance with the provisions of general law applicable to parking violations and in accordance with this code where the violation occurred.
  - c. The police department records unit shall be responsible for collecting and distributing the fines, forfeitures, and court costs assessed under this section.
  - d. Pursuant to F.S. §316.1967, any person who elects to appear before the city's hearing officer to present evidence, waives his or her right to pay the civil penalty provisions of the ticket. The Hearing Officer, after a hearing, shall make a determination as to whether a parking violation has been committed and shall impose the civil penalty designated by ordinance, plus the Hearing Officer shall impose the City approved administrative fee. The administrative fee for parking enforcement hearings and Local Hearings for red light camera infractions shall be the same.
2. Appeal to hearing officer.
  - a. Request for hearing:



- i. The city's code enforcement hearing officer or the city's Local Hearing Officer is authorized to consider disputes under this chapter. The responsible party as defined in section 78-62, shall, within five (5) business days of the date of the notice of infraction, file a request for hearing with the city. Such request shall be in writing, or on a form provided and approved by the Chief of Police, and delivered to the police department records unit. A hearing shall be scheduled.
  - ii. Upon receipt of the request, the city shall schedule a hearing. Notice of hearing shall be provided to the responsible party shall be hand delivered, or delivered by U.S. mail, to the address provided on the request for appeal.
  - iii. If the person receiving the parking violation requests a hearing, but later chooses to cancel the hearing, there will be a fifty (\$50) cancellation fee instead of the city assessed administrative fee in addition to the civil penalty.
  - iv. If a hearing date is set, and the person requesting a hearing wishes to continue the hearing, the person shall request a continuance within five (5) business days of the hearing. The request for continuance may be granted one time for cause but shall be assessed an additional fifty (\$50) cancellation fee.
- b. The hearing
- i. Formal rules of evidence do not apply at the hearing, but due process shall be observed and govern the proceedings.
  - ii. Any person, who requests a hearing and does not appear at the hearing, shall waive their right to be heard at the hearing and waives their right to present additional evidence or additional defenses. The Local Hearing Officer or City Code Enforcement Hearing Officer may make a determination as to whether a parking violation was committed based on the evidence presented at the hearing by the City.
3. Unless an affidavit is provided pursuant to section 78-62, it is presumed the person registered as the vehicle owner with the Florida Department of Motor Vehicles or any other state vehicle registration office, or an individual having the owner's consent, was operating the vehicle at the time of the infraction.

**Secs. 78-67—78-80. - Reserved.**

**SECTION 3. CODIFICATION.** It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

**SECTION 4. CONFLICTS.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5. SEVERABILITY.** If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**SECTION 6. EFFECTIVE DATE.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME: February 15, 2017

READ SECOND TIME  
AND ADOPTED: March 1, 2017

\_\_\_\_\_  
Joseph E. Kilsheimer, Mayor

ATTEST:

\_\_\_\_\_  
Linda G. Goff, City Clerk

APPROVED as to form and legality for  
use and reliance by the City of Apopka,  
Florida.

\_\_\_\_\_  
Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: February 3, 2017  
February 24, 2017

## EXHIBIT "A"

### ARTICLE II. ~~STOPPING, STANDING AND PARKING~~

#### DIVISION 1. ~~GENERALLY~~

##### Sec. 78-36. ~~Authority to designate parking time limits.~~

~~The chief of police may designate time limits for parking on streets and install street signs, as may be necessary, to indicate the parking limit placed on any street or portion of such street.~~

##### Sec. 78-37. ~~Manner of stopping, standing, or parking.~~

~~(a) No person shall stop, stand or park a vehicle, or trailer, whether motorized or otherwise, nor conex or container upon any street, regardless of whether or not there is a posting prohibiting such action, except as follows:~~

~~(1) Upon a street which has been marked or a sign erected for angle parking, a vehicle shall be parked at the angle to the curb indicated by such mark or sign or upon a street which has been marked or a sign erected for parallel parking with the edge of the street, headed in the direction of traffic and with the curbside wheels of the vehicle within 12 inches of the edge of the street.~~

~~(2) In a place where, and at hours when, stopping for the loading or unloading of merchandise or materials is permitted, a vehicle used for the transportation of merchandise or materials may back into the curb to take on or discharge its load when the owner of such vehicle holds a loading zone permit granting him such privilege in accordance with this Code. Such permit shall be on the rear of the vehicle at the time. It shall be unlawful for any owner or driver to violate any of the special terms or conditions of any such special permit.~~

~~(3) This section shall not apply to the driver or owner of any vehicle which is disabled while on the paved or main traveled portion of a street in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle in such position, or to passenger-carrying buses, or licensed taxis, temporarily parked while loading or discharging passengers, where conditions render such parking off the paved portion of the street hazardous or impractical nor will this section apply to family or social gatherings provided all other restrictions are followed and all driveway and on-site parking is first occupied. In any case where an exception exists to park on a street, the vehicle(s) must be parked within 12 inches of the curb and with the flow of traffic and adhering to all other parking rules including, but not limited to, not blocking traffic or parking within 30 feet of an intersection or curve or within 15 feet of a fire hydrant.~~

~~a. It is prima facie evidence of a violation of this section if the vehicle(s) parked in the street under this exception are registered (or leased) to an address on the street parked, are registered in the name of a person living on the street parked, or, in any case, found to be parked in the street for sequential days.~~

~~b. For the purpose of this section a "family or social gathering" is defined as a special occasion such as birthdays, graduation, holidays, or other special events. It is not intended for the routine gathering or meeting whether daily, weekly or monthly. Exceptions under this section are considered affirmative defenses and must be proved by the defendant in a hearing.~~

- ~~(4) For the purposes of this chapter "stopping, standing, or parking" is considered the halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a police officer or traffic control sign or signal.~~
- ~~(b) Parking of trailers, etc., prohibited. For the purpose of this section, the term "trailer" shall mean and include any vehicle or device, with or without motorized power, designed for carrying persons or property and for being drawn by a motor vehicle. The term shall include, but not be limited to, vehicles or devices designed, manufactured or used for: transporting or carrying boats, jet skis, or similar watercraft; transporting or carrying motor scooters or motorcycles; transporting or carrying automobiles, trucks, buses or similar motor vehicles; or a dwelling place, living abode or sleeping place (either permanently or temporarily) and equipped for use as a conveyance on streets and highways. This excludes portable signs.~~
- ~~(1) No person shall park a trailer, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device, in any of the following places:~~
- ~~a. On any sidewalk;~~
  - ~~b. On any public street, highway or street;~~
  - ~~c. On any public right-of-way;~~
  - ~~d. Bicycle lane or trail; or~~
  - ~~e. On any city park or city recreation facility except where specifically authorized by a police officer, park ranger, firefighter, code enforcement officer, recreation attendant, or permitted by an official sign. If so permitted, only for the purpose of, and during the time of, visiting or using the park or recreation facility where such parking is permitted.~~
- ~~(2) Nothing in this section shall apply to a work or utility trailer being used to assist in the performance of such work, on a temporary basis and with proper maintenance of traffic protocol in place and in a manner not to obstruct the flow of traffic.~~
- ~~(c) Nothing in this section ((a) or (b), above) shall apply to temporary (max. of 72 hours) parking of recreational vehicles or trailered vessels when necessary for loading, unloading, cleaning or other preparations as may be necessary for the residents themselves provided all other restrictions are followed and all driveway and onsite parking is first occupied (or is otherwise unusable) and such vessel is registered (or leased) to the owner or occupier of the residence upon the street parked. In any case where an exception exists to park on a street, the vehicle(s) or trailer must be parked within 12 inches of the curb and with the flow of traffic and adhering to all other parking rules including, but not limited to, not blocking traffic or parking within 30 feet of an intersection or curve or within 15 feet of a fire hydrant. Nothing in this section is meant to be in conflict with restrictions in storage of such vehicles identified in 7.02.04 "Storage of boats and recreational vehicles" of the Land Development Code). Exceptions under this section are considered affirmative defenses and must be proved by the defendant in a hearing.~~
- ~~(d) Commercial vehicles:~~
- ~~(1) Vehicles considered to be commercial vehicles in accordance with the Apopka LDC are prohibited from parking in any residential area at any time. Nothing in this section precludes a bonafide vendor from using a commercial vehicle in conducting legitimate business and for its~~

~~designed purpose. Promotional trucks or other commercial vehicles being used for promotional purposes are specifically prohibited.~~

- ~~(2) Vehicles considered to be commercial vehicles in accordance with the Apopka LDC are prohibited from parking in any business district unless specifically owned or leased by such business having ownership or control of the property. Such vehicles shall not be used in an effort to advertise or promote the business through the method of parking or position in relation to the traveling public in an effort contrary to the spirit of the city's sign codes and ordinances. Such vehicles shall be located in a bona fide parking space unless being actively loaded or unloaded.~~
- ~~(3) For purposes of this section, "commercial vehicle" means a tractor cab, or tractor trailer or truck with a tandem rear axle or a gross vehicle weight of over 10,000 pounds, or having a length greater than 21 feet, or height greater than ten feet, or buses used for transporting passengers for a fee, taxicabs, shuttle vans, limousines or vans used to transport passengers for a fee. Any vehicle with external modifications designed to be used for the purpose of lifting objects or persons above the height of the vehicle is included as a commercial vehicle. Step vans, flatbed and stake bed trucks, wreckers, farm equipment, dump trucks and earth moving equipment are included as commercial vehicles. Sport utility vehicles, family vans not transporting passengers for a fee and standard manufactured pick-up trucks, and dual rear wheel pick-up trucks used for personal use are expressly excluded from the definition of commercial vehicle. Also excluded from the definition of commercial vehicle are light duty class "A" wreckers when they are authorized by the city.~~

~~Sec. 78 38. Obstructing traffic.~~

- ~~(a) No person shall stop, stand or park any vehicle in a street in such a manner or under such conditions as to leave available less than ten feet of the width of any lane of the street for free movement of vehicular traffic, except when necessary in obedience to a traffic regulation or a traffic sign or signal or police officer.~~
- ~~(b) No person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or main traveled part of the street when it is practicable to stop, park, or so leave the vehicle off such part of the street; but in every event, an unobstructed width of the street opposite a standing vehicle shall be left for the free passage of other vehicles, and a clear view of the stopped vehicle shall be available in each direction upon the highway.~~
- ~~(c) No person shall stop, park, or leave standing any vehicle, whether attended or unattended in an alley so as to provide free passage for emergency vehicles.~~

~~Sec. 78 39. Stopping, standing and parking prohibited in specified places.~~

~~No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:~~

- ~~(1) Opposite a dead end or jog street outside of the central business district.~~
- ~~(2) At any place in such a manner as to block access to commercial refuse containers by the city refuse removal equipment.~~
- ~~(3) Alongside any curb which has been painted yellow or red, unless otherwise specifically permitted by appropriate signs or devices posted by the city.~~

- ~~(4) In any parking space specifically designated and marked for the disabled unless such vehicle displays a parking permit as required by state law, or in such a manner as to block or obstruct a wheelchair ramp.~~

~~Sec. 78-40. Stopping, standing, or parking in place where prohibited by sign or markings.~~

~~No person shall park a vehicle at any place where an official sign or marking prohibits stopping, standing, or parking. However, nothing in this article shall prevent a bona fide emergency vehicle from stopping, standing, or parking in any area, whether posted or not, during and for the performance of official duties.~~

~~Sec. 78-41. Parking for certain purposes prohibited.~~

~~(a) No person shall stand or park a vehicle upon a public or private street, public parking lot or any other public property for the principal purpose and intent of displaying such vehicle thereon for sale, hire or rental.~~

~~(b) No person shall stand or park a vehicle pursuant to F.S. § 316.1951.~~

~~(1) Prohibitions:~~

~~a. It is unlawful for any person to park a motor vehicle, as defined in F.S. § 320.01, upon a public street or highway, a public parking lot, or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle thereon for sale, hire, or rental unless the sale, hire, or rental of the motor vehicle is specifically authorized on such paved property by city licensing regulations.~~

~~1. This provision does not prohibit a person from parking his or her own motor vehicle or his or her other personal property on any private real property which the person owns or leases or on private real property which the person does not own or lease, but for which he or she obtains the permission of the owner, or on the public street immediately adjacent thereto, for the principal purpose and intent of sale, hire, or rental.~~

~~2. Nor does this provision prohibit a licensed motor vehicle dealer from displaying for sale or offering for sale motor vehicles at locations other than the dealer's licensed location if the dealer has been issued a supplemental license for off premises sales, as provided, and has complied with the requirements within this section; however, a vehicle displayed for sale by a licensed dealer at any location other than the dealer's licensed location is subject to immediate removal without warning.~~

~~i. It is unlawful to offer a vehicle for sale if the vehicle identification number has been destroyed, removed, covered, altered, or defaced, as described in F.S. § 319.33(1)(d). A vehicle found in violation of this subsection is subject to immediate removal without warning.~~

~~ii. It is unlawful to knowingly attach to any motor vehicle a registration that was not assigned or lawfully transferred to the vehicle pursuant to F.S. § 320.261. A vehicle found in violation of this subsection is subject to immediate removal without warning.~~

- ~~iii. It is unlawful to display or offer for sale a vehicle that does not have a valid registration as provided in F.S. § 320.02. A vehicle found in violation of this subsection is subject to immediate removal without warning. This subsection does not apply to vehicles and recreational vehicles being offered for sale through motor vehicle auctions as defined in F.S. § 320.27(1)(c)4.~~
- ~~iv. A vehicle is subject to immediate removal without warning if it bears a telephone number that has been displayed on three or more vehicles offered for sale within a 12-month period.~~
- ~~v. Any other provision of law to the contrary notwithstanding, a violation of this section shall subject the owner of such motor vehicle to towing fees reasonably necessitated by removal and storage of the motor vehicle and a fine as required below.~~

~~(2) A police officer or code enforcement officer of the city, pursuant to state statute and this article, shall tow and hold upon remittance of the civil penalty, a motor vehicle parked in violation of this section.~~

~~a. Any motor vehicle found in violation of this section shall be held by the authorized towing company contracted with the city and assessed a fine of \$100.00 payable to the city.~~

~~b. The vehicle shall not be released from impound before the fine has been paid.~~

~~(c) No person shall stand or park a vehicle upon any street for the principal purpose of painting, greasing or repairing such vehicle, except repairs necessitated by an emergency.~~

~~(d) No person shall stand or park a vehicle upon any parking lot or in front of any business unless such business is licensed and zoned for such activity.~~

~~(e) No person shall stand or park a vehicle upon any street for the principal purpose of washing or polishing such vehicle or any part thereof, when a charge is made for such service. However, bona-fide, temporary car washes conducted with the intent of raising funds for a non-profit entity upon publicly accessed and traveled parking and business lots may be allowed given they are properly authorized by the property owner; last no longer than six hours; and are conducted on Saturdays only.~~

~~(f) No person shall stand or park a vehicle upon any street or alley for the principal purpose of displaying advertising.~~

~~(g) No person shall stand or park a vehicle upon any street or alley for the principal purpose of selling merchandise from the motor vehicle, except in a duly established marketplace or when so authorized or licensed under the laws of the city.~~

~~Sec. 78 42. Use of loading zones.~~

~~(a) No person shall stop, stand or park a vehicle in any place marked as a passenger zone for a period of time longer than the time indicated by signs or other appropriate markings or devices.~~

~~(b) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a loading zone during the hours when the provisions applicable to loading zones are in effect. Such vehicle must have attached in a conspicuous place on the rear of the vehicle a permit issued pursuant~~

~~to section 78-43 for such loading and unloading. In no case shall the stop for loading and unloading of materials exceed 30 minutes.~~

~~Sec. 78-43. Loading zone permit.~~

- ~~(a) The chief of police or his designee shall issue to applicants as provided in this section, tag permits for the use of loading and unloading zones, which shall be effective October 1 through September 30. Such permits shall be issued at a prorated rate as identified in Division 2 "Citations; Penalties" within this article. The chief of police or his designee is further authorized to establish rules and regulations governing such designated freight loading and unloading zones, and the use thereof.~~
- ~~(b) The application for such permit shall contain the following information:
  - ~~(1) Whether the applicant is a wholesaler, retailer or common carrier.~~
  - ~~(2) The number of vehicles operated by the applicant.~~
  - ~~(3) The number of vehicles owned by the applicant which will carry loading and unloading permits.~~
  - ~~(4) The average number of stops per day for loading and unloading purposes.~~
  - ~~(5) The name of the business, the type of business, the location of the business, and the mailing address and telephone number of the business.~~
  - ~~(6) The names and driver's license numbers of the employed or contracted drivers doing business within the city.~~~~
- ~~(c) All applications will be submitted in writing to the chief of police or his designee, and the chief of police or his designee shall have the authority to issue such permits. The applicant shall have the right to appeal to the city council.~~
- ~~(d) Violation of any such terms and conditions shall be grounds for immediate revocation of the permit by the chief of police, who shall give written notice thereof to the holder of the permit. The permit holder may appeal such revocation to the city council, pursuant to Article XII of the Code of Ordinances, by filing a written notice of appeal with the city clerk within seven working days from the date of the revocation notice. Should the permit be revoked, any and all fees paid in advance shall be forfeited and retained by the city, subject to further action by city council in the event of appeal.~~

~~Sec. 78-44. Removal of illegally parked, abandoned or disabled vehicles.~~

~~Members of the police department of the city are hereby authorized, but are not required, to have immediately removed any vehicle from any street or alley or other public place within the city by the city's authorized towing service under the following circumstances:~~

- ~~(1) When any vehicle is left unattended:
  - ~~a. On a sidewalk;~~
  - ~~b. In front of a public or private driveway;~~
  - ~~c. Within 15 feet of a fire hydrant or in a fire lane;~~
  - ~~d. Within an intersection;~~
  - ~~e. On a crosswalk;~~
  - ~~f. In a space designated for emergency vehicles only;~~~~



- ~~g. Bicycle trail or lane;~~
  - ~~h. Within 20 feet of a driveway entrance to a fire station, and, if prohibited by a sign, on the side of a street opposite such station;~~
  - ~~i. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic and is prohibited by sign;~~
  - ~~j. At any place where official signs prohibit parking, stopping or standing and the vehicle is obstructing traffic or otherwise creating a safety hazard;~~
  - ~~k. Between a safety zone and the nearest curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the city engineer has indicated a different length;~~
  - ~~l. In a city off street parking facility or parking meter zone for any period of time longer than 24 hours or upon any particular street for a period of time longer than 72 consecutive hours, unless during the 72 hour period the vehicle has been removed from the particular street for a period of at least 12 consecutive hours;~~
  - ~~m. Upon any bridge, elevated structure, viaduct, or causeway, where such vehicle is obstructing traffic or otherwise creating a safety hazard;~~
  - ~~n. In any space which has been officially reserved by a sign so indicating; or~~
  - ~~p. In a metered parking space which has been reserved by an official sign or covered by a bag placed thereon by the city and indicating "No Public Parking."~~
- ~~(2) When a vehicle upon a street or alley is:~~
- ~~a. Disabled or when the person in charge of the vehicle is by reason of physical injury or condition incapacitated to such an extent as to be unable to provide for its custody or removal and the vehicle is obstructing traffic or otherwise creating a safety hazard; or~~
  - ~~b. Disabled, abandoned, or otherwise left in a manner obstructing traffic or otherwise creating a safety hazard.~~
- ~~(3) When any vehicle is parked on any municipal parking facility or area designated or used in connection with City Hall, the police station or other municipal property of the city in violation of the posted signs and the permitted uses.~~
- ~~(4) When any motor vehicle remains stopped or parked on any property owned or controlled by the city not designated for parking for a period longer than 12 hours; longer than allowable posted times; overnight; or in a manner endangering the safety and security of the facility. If the towing is due to a security concern, and such concern is ultimately determined to be unfounded, the chief of police reserves the right to waive any tow fee.~~
- ~~(5) Storage, cost and removal of impounded vehicles:~~
- ~~a. [Vehicle removal; notification.] When a vehicle is removed under this chapter, notice of storage and costs shall be sent to the vehicle owner within seven days via certified mail, return receipt requested, pursuant to the provisions of F.S. § 713.78.~~
  - ~~b. Owner responsibility. The cost of towing, booting, or removing a vehicle impounded or immobilized under this section and the cost of storing the same or removing the immobilization device, shall be chargeable against the vehicle owner and a lien shall be~~

~~placed upon the vehicle. Before the release of the vehicle, the owner of the vehicle shall pay these charges and any outstanding parking tickets, administrative delinquency or collection fees owed. The vehicle shall be stored in a private place and the towing and/or storage charges shall be set by the private towing company. All of such charges shall be the responsibility of the vehicle owner.~~

- ~~e. *Notice to vehicle owner.* Upon taking possession of any vehicle, as provided in this section, the towing company shall follow guidelines set forth in F.S. § 715.05 regarding notification of owner, upon towing or removing a motor vehicle. Notification shall be by certified mail, return receipt requested, and shall notify the owner and all lien holders of the location of the vehicle and the fact that it is unclaimed. Notice shall be given within seven days excluding Saturday and Sunday, from the date of storage and shall be complete upon mailing. If the state of registration is unknown, a good faith best effort to notify the owner shall be made, and such notice shall be given within a reasonable period of time from the date of storage.~~
- ~~d. *Recovery.* The registered owner of a towed, impounded or immobilized vehicle shall be entitled to recover such vehicle only after making payment for the charges and expenses for the cost of towing or immobilizing such vehicle, plus the cost of storage and any outstanding parking tickets, administrative delinquency or collection fees owed on such vehicle herein specified. The registered owner of such vehicle shall be responsible for paying the charges and fine(s) as herein provided whether or not such registered owner was the person who unlawfully parked or left standing such vehicle and in each instance the police department shall require payment of the sums herein provided for before restoring possession of such vehicle to the registered owner.~~
- ~~e. *Sale of unredeemed vehicle(s).* If an impounded vehicle is not claimed and all charges paid within 30 days after the city has taken possession of such vehicle, an action may be commenced in the court having jurisdiction by legal counsel representing the city in the name of the city, as plaintiff, and against the name of the owner, as defendant, for the amount of the charges due, plus attorney's fees and costs incurred in the action. Upon judgment being obtained in favor of the city, the vehicle may be levied upon and sold for the purpose of satisfying the judgment.~~

~~Sec. 78-45. Official traffic control devices.~~

~~The location and existence of all official traffic control devices which are in place or in existence on all streets and highways, except state roads, within the boundaries of the city on the effective date of this ordinance are hereby ratified and confirmed and shall be considered to have been authorized by the city council. The city council hereby delegates its authority to place official traffic control devices on all streets and highways, except state roads, within the boundaries of the city to the chief of police, who shall hereafter be responsible for determining the need for placement of official traffic control devices.~~

~~Sec. 78-46. Overtime parking in parking zones.~~

- ~~(a) It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle to be parked overtime or beyond the period of legal parking time, and any vehicle in any parking zone longer than the time limit fixed for such zone by sign or ordinance shall be considered to be illegally parked.~~
- ~~(b) It shall be unlawful to relocate a vehicle from one parking space within the same parking zone or to relocate a vehicle temporarily from the same parking space unless the vehicle has left the parking~~

~~zone for an amount of time equal to or greater than the legal time limit for parking fixed for such zone.~~

- ~~(c) It shall be unlawful to roll the tires of a vehicle to remove or obscure or attempt to remove or obscure the markings made by parking enforcement personnel prior to removing the vehicle from the parking zone.~~

~~Sec. 78 47.— Parking of vehicles without affixed current and valid registration license plate and validation sticker; removing, impounding, or immobilization of vehicles without affixed current and valid registration license plate and validation sticker.~~

- ~~(a) No person shall stop, stand, or park a vehicle upon any street, in any off-street parking facility in the city, or upon any property owned and controlled by the city unless such vehicle has affixed to it a current and valid registration license plate and validation sticker.~~

- ~~(b) Any motor vehicle without a current and valid license plate and validation sticker affixed to it found parked at any time upon any street, in any off-street parking facility in the city, or upon any property owned and controlled by the city may, in addition to the issuance of a parking violation notice, be immediately immobilized by or under the direction of a police officer, parking enforcement specialist, or code enforcement officer in such a manner as to prevent its operation. No such vehicle shall be immobilized by any means other than the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.~~

- ~~(c) It shall be the duty of the police officer, parking enforcement specialist, or code enforcement officer immobilizing such motor vehicle, or under whose direction such vehicle is immobilized, to post on such vehicle, in a conspicuous place, notice sufficient to inform the owner or operator of the vehicle that:~~

- ~~(1) Such vehicle has been immobilized pursuant to and by the authority of this section of the Apopka Code of Ordinances; and~~

- ~~(2) The owner of such immobilized vehicle, or other duly authorized person, shall be permitted to repossess or to secure the release of the vehicle upon payment to the police department the fine prescribed in Division 2 of this article for the offense of parking a vehicle without a current and valid registration license plate and validation sticker affixed to it.~~

- ~~(d) It shall be unlawful for anyone, except those persons authorized by the police department, to remove or attempt to remove, tamper with, or in any way damage or alter the immobilization device.~~

- ~~(e) If the owner of the immobilized vehicle, or other duly authorized person, does not make arrangements for removal of the immobilization device in accordance with the foregoing provisions within 24 hours of the time such motor vehicle was immobilized, a police officer, parking enforcement specialist, or code enforcement officer of the city is hereby authorized to have such vehicle towed by the city's authorized towing company.~~

- ~~(1) The owner of the vehicle shall be responsible for any and all towing and storage charges along with the civil penalty identified in Division 2.~~

- ~~(2) The penalty must be remitted prior to the release of the vehicle.~~

~~Sec. 78 48.— Removing, impounding, and immobilization of vehicles for non-payment of fines within the section.~~

- ~~(a) Any motor vehicle found to have three or more outstanding municipal parking violations that is parked at any time upon any street, in any off-street parking facility in the city, or upon any property owned and controlled by the city may, in addition to the issuance of a parking violation notice, be immediately immobilized by or under the direction of a police officer, parking enforcement specialist, or code enforcement officer in such a manner as to prevent its operation. No such vehicle shall be immobilized by any means other than by the use of a device or other mechanism which will cause no damage to such vehicle unless it is moved while such device or mechanism is in place.~~
- ~~(b) It shall be the duty of the police officer, parking enforcement specialist, or code enforcement officer immobilizing such motor vehicle, or under whose direction such vehicle is immobilized, to post on such vehicle, in a conspicuous place, notice sufficient to inform the owner or operator of the vehicle that:—~~
  - ~~(1) Such vehicle has been immobilized pursuant to and by the authority of this section of the Apopka Code of Ordinances.~~
  - ~~(2) The owner of such immobilized vehicle, or other duly authorized person, shall be permitted to repossess or to secure the release of the vehicle upon payment to the police department the fine prescribed in Division 2 of this article for the offense of parking a vehicle without a current and valid registration license plate and validation sticker affixed to it.~~
- ~~(c) It shall be unlawful for anyone, except those persons authorized by the police department to remove or attempt to remove, tamper with, or in any way damage or alter the immobilization device.~~
- ~~(d) If the owner of the immobilized vehicle, or other duly authorized person, does not make arrangements for removal of the immobilization device in accordance with the foregoing provisions within 24 hours of the time such motor vehicle was immobilized, a police officer, parking enforcement specialist, or code enforcement officer of the city is hereby authorized to have such vehicle towed by the city's authorized towing company.~~
  - ~~(1) The owner of the vehicle shall be responsible for any and all towing and storage charges along with the civil penalty identified in Division 2.~~
  - ~~(2) The penalty must be remitted prior to the release of the vehicle.~~

~~Sec. 78-49. Protection of pedestrians in and around school zones.~~

- ~~(a) In order to protect drivers and pedestrians around the Orange County Public Schools within the municipal limits of the city, no person shall load or unload passengers 17 years of age or younger into or from a vehicle within one-fourth mile around such school, on the streets, alleyways, culs-de-sac, rights-of-way, or other such areas, unless on the campus proper of the school, within designated loading or unloading areas provided for such purpose, or under the direction of a police officer or school official.~~
- ~~(b) A notice of such prohibition is not required in all areas within one-fourth mile around such schools in order to enforce the provisions of this section.~~

~~Sec. 78-50. State statute incorporation.~~

~~Adoption of state statutes by reference includes statutes both in existence at the time and those later adopted by the state legislature.~~

~~Secs. 78-51—78-60. Reserved.~~

~~DIVISION 2. CITATIONS; PENALTIES~~

~~Sec. 78-61. Schedule of civil penalties; court appearance.~~

~~(a) Schedule of charges and penalties:~~

~~(1) Fines: Any person cited for violation of the regulations set forth in this chapter who submits payment within five working days of the issuance of the citation shall be fined as follows:~~

<del>Violation</del>	<del>Fine</del>
<del>Sec. 78-37 Manner of stopping, standing, or parking</del>	<del>\$30.00</del>
<del>Sec. 78-38 Obstructing traffic</del>	<del>\$30.00</del>
<del>Sec. 78-39(1-3) Stopping, standing or parking prohibited in specified places</del>	<del>\$30.00</del>
<del>Sec. 78-39(4) Stopping, standing or parking prohibited in designated handicap parking places</del>	<del>\$100.00</del>
<del>Sec. 78-40 Stopping, standing, or parking where prohibited by sign or markings</del>	<del>\$30.00</del>
<del>Sec. 78-41 Parking for certain purposes prohibited</del>	<del>\$30.00</del>
<del>Sec. 78-42 Use of loading zones</del>	<del>\$30.00</del>
<del>Sec. 78-43 Loading zone permit</del>	<del>\$50.00</del>
<del>Sec. 78-44 Removal of illegally parked, abandoned, or disabled vehicles</del>	<del>\$30.00</del>
<del>Sec. 78-46 Overtime parking in parking zones</del>	<del>\$30.00</del>
<del>Sec. 78-47 Parking of vehicles without current and valid registration, et. al.</del>	<del>\$30.00</del>
<del>Sec. 78-48 Protection of pedestrians in and around school zones</del>	<del>\$30.00</del>

~~(2) Penalties: Provided the penalty is paid within five working days of the date of issuance of the parking violation notice, by either hand delivery to the parking fines unit or by mailing the penalty in the envelope provided with the notice. If such penalty is not paid within five working days as provided in this subsection, the amount of the civil penalty shall be \$10.00 greater than the amount specified for the parking violation as provided in the schedule of penalties above.~~

~~Any person receiving a parking violation notice shall, within five working days, pay the civil penalty as prescribed above or request a hearing. Any person electing to appear before the designated hearing officer shall be deemed to have waived his right to pay the civil penalty as set forth above. The hearing will be governed in accordance with section 78-66 of the Code.~~

~~(3) Surcharges:~~

- ~~a.— A surcharge in the amount of \$10.00 is imposed on all parking fines for parking violations occurring within the city, for the sole purpose of funding school crossing guard programs pursuant to authority of F.S. § 318.12(11).~~
- ~~b.— This surcharge shall be placed in the school crossing guard trust fund and funds collected from this surcharge shall be distributed to fund school crossing programs. However, the city may set aside funds from this surcharge to pay for startup costs and recurring administrative costs related to printing new tickets or other means of implementing the school crossing guard program.~~
- ~~c.— Funds collected from this surcharge must be distributed quarterly to fund the school crossing guard programs.~~

~~(4) Administrative charges:~~

- ~~a.— In addition to the assessment pursuant to section 78-61 herein, administrative charges in the amount of the city's actual costs may be assessed in the event of an unsuccessful appeal under section 78-66 or the necessity to institute collection procedures.~~

~~(5) Collection of fines: The city may establish procedures for the collection of a penalty imposed herein, and may enforce such penalty by civil action in the nature of debt.~~

~~a.— Schedule of fees:~~

~~1.— Section 78-43, "Loading Zone Permit"~~

- ~~(a) Such permit fees shall be \$30.00 for the initial applicant vehicle and \$20.00 for each additional vehicle under the same application. Each additional vehicle must either be registered to the applicant or applicant's organization or in the name of an employee of the applicant or applicant organization. The chief of police reserves the right to revoke any application or permit for errors, omissions, or false statement.~~
- ~~(b) A charge of \$10.00 shall be required for any lost, stolen, or misplaced permits. Permits are not transferrable between and among vehicles.~~
- ~~(c) Any permit issued after April 1 of the fiscal year, October 1st through September 30th, shall be prorated by 50 percent of the above fee.~~

~~Sec. 78-62.— Liability for payment of penalties.~~

- ~~(a) Pursuant to F.S. § 316.1967, the owner of a vehicle is responsible and liable for payment of any parking ticket violation unless the owner can furnish evidence, when required by this section, that the vehicle was, at the time of the parking violation, in the care, custody, or control of another person. In such instances, the owner of the vehicle is required, within five working days after notification of the parking violation, to furnish to the records unit of the police department an affidavit setting forth the~~

~~name, address, and driver's license number of the person who leased, rented, or otherwise had the care, custody, or control of the vehicle.~~

- ~~(b) The affidavit submitted under this section is admissible in a proceeding charging a parking ticket violation and raises the rebuttable presumption that the person identified in the affidavit is responsible for payment of the parking ticket violation.~~
- ~~(c) The owner of a vehicle is not responsible for a parking ticket violation if the vehicle involved was, at the time, stolen or in the care, custody, or control of some person who did not have permission of the owner to use the vehicle. The owner of a leased vehicle is not responsible for a parking ticket violation and is not required to submit an affidavit or the other evidence specified in this section, if the vehicle is registered in the name of the person who leased the vehicle.~~

~~Sec. 78-63. Failure to obey violation notice; alteration or destruction of violation notice.~~

- ~~(a) It shall be unlawful for the responsible party as defined in section 78-62 to neglect to answer to the charge set forth in a parking violation notice affixed to a motor vehicle by an authorized member of the city.~~
- ~~(b) The notice referred to in subsection (a) of this section is and shall remain the property of the city before and after the serving, delivery or affixing thereof. All persons receiving any such notice in writing, whether by personal service or by affixing the notice to a motor vehicle, shall be and are hereby required to preserve such notice and to bring and present or otherwise transmit the notice to the police department when answering the charge set forth in such notice.~~
- ~~(c) No person, whether the recipient thereof or otherwise, shall willfully throw away, alter, mar, mutilate, destroy or discard the parking violation notice of the city. Any person violating this section shall be subject to the penalty provided in section 78-64.~~

~~Sec. 78-64. Procedure upon noncompliance with violation notice.~~

- ~~(a) If any person summoned by a parking violation notice affixed on a motor vehicle does not respond to such notice within the time period specified on such notice, the police department shall assess the appropriate delinquent fee per violation against the registered owner of the motor vehicle. In addition, a notice of summons shall be sent, by certified mail, to the registered owner of the motor vehicle which was cited, informing such owner of the parking violation notice and the failure to comply therewith. Such notice shall direct the recipient to respond within ten calendar days; otherwise, a separate citation may be issued for failure to comply in violation of section 78-63(a). Costs in the amount of \$5.00 shall be assessed incident to each notification process. A violation of section 78-63(a) shall be deemed a separate and distinct violation and shall not be construed to be merged with or a part of the original parking violation.~~

~~Sec. 78-65. Withholding of issuance of license plates and stickers by state.~~

- ~~(a) The city police department may prepare and supply to the county clerk's office, traffic violations bureau, a list of persons who have three or more outstanding parking violations. The county clerk's office will forward the list of the named persons to the state department of highway safety and motor vehicles on a magnetically encoded computer reel, cartridge, or by any other electronic means which is machine readable by the installed computer system at the department, listing persons who have three or more outstanding parking violations which occurred within the city.~~

- ~~(b) If a person's name appears on the list referred to in subsection (a) of this section, the tax collector shall, in accordance with F.S. §§ 315.1967 and 320.03, not issue a license plate or revalidation sticker to such person until such person's name no longer appears on the list or until the person presents a receipt showing that such parking fines and all applicable late charges or other related charges have been paid, and also pays an administrative service charge to the tax collector.~~
- ~~(c) Pursuant to the authority granted in F.S. §§ 316.1967 and 320.03, this section shall be applicable throughout the city; providing, however, that the police department responsible for enforcement of parking violations in the city shall be responsible for preparing and supplying the applicable list of persons who have three or more outstanding parking violations.~~

~~Sec. 78-66. Procedure for referring cases involving the violation of a municipal parking ordinance to a hearing officer.~~

~~(a) Guiding statute:~~

- ~~(1) Pursuant to F.S. § 318.325, any municipality may adopt an ordinance that allows the municipality to refer cases involving the violation of a municipal parking ordinance to a hearing officer.~~
- ~~a. Notwithstanding the provisions of F.S. §§ 318.14 and 775.08(3), any parking violation shall be deemed to be an infraction as defined in F.S. § 318.13(3); however, the violation must be enforced and disposed of in accordance with the provisions of general law applicable to parking violations and in accordance with this Code where the violation occurred.~~
- ~~b. The police department records unit shall be responsible for collecting and distributing the fines, forfeitures, and court costs assessed under this section.~~
- ~~(2) Pursuant to F.S. § 316.1967, any person who elects to appear before the city's hearing officer to present evidence, waives his or her right to pay the civil penalty provisions of the ticket. The hearing officer, after a hearing, shall make a determination as to whether a parking violation has been committed and may impose a civil penalty not to exceed \$100.00 or the fine amount designated by ordinance, plus court costs. Any person who fails to pay the civil penalty within the time allowed by the hearing officer is deemed to have been convicted of a parking ticket violation, and the city may take appropriate measures to enforce collection of the fine.~~

~~(b) Appeal to hearing officer:~~

~~(1) Request for appeal:~~

- ~~a. The city's code enforcement hearing officer is authorized to consider appeals under this chapter. The responsible party as defined in section 78-62, shall, within five business days of the date of the notice of infraction, file an appeal with the city. Such request for appeal shall be in writing, or on a form provided and approved by the chief of police, and delivered to the police department records unit. A hearing on the appeal shall be scheduled.~~
- ~~b. Upon receipt of the appeal, the city shall schedule a hearing before the hearing officer to occur not later than 60 days after the city receives the appeal request. Notice of hearing shall be provided to the responsible party as defined in section 78-62 no less than ten days prior to the hearing, and shall be delivered via certified mail, return receipt requested, to the address provided on the request for appeal.~~

~~(2) The following shall be permissible grounds for an appeal:~~



- a. ~~At the time of the infraction, the vehicle was not under the care, custody, or control of the vehicle owner or an individual with vehicle owner's consent, established pursuant to affidavit as provided in section 78-62;~~
  - b. ~~The motor vehicle driver was issued a uniform traffic citation by a police officer, which was separate and distinct from the citation issued under this section, for the same offense cited within the parking violation;~~
  - e. ~~Any other reason the hearing officer deems appropriate. The member issuing the contested citation shall be available and may testify at the appeal; or~~
  - d. ~~The vehicle owner, or his or her representative, may also present testimony and evidence.~~
- (3) ~~Unless an affidavit is provided pursuant to section 78-62, it is presumed the person registered as the vehicle owner with the Florida Department of Motor Vehicles or any other state vehicle registration office, or an individual having the owner's consent, was operating the vehicle at the time of the infraction.~~

~~Secs. 78-67—78-80. Reserved.~~