



**City of Apopka  
Planning Commission  
Meeting Agenda  
December 13, 2016  
5:30 PM @ City Council Chambers**

**I. CALL TO ORDER**

If you wish to appear before the Planning Commission, please submit a “Notice of Intent to Speak” card to the Recording Secretary.

**II. OPENING AND INVOCATION**

**III. APPROVAL OF MINUTES:**

1. Approve minutes of the Planning Commission regular meeting held November 14, 2016, at 5:30 p.m.

**IV. PUBLIC HEARING:**

1. CODE OF ORDINANCES AMENDMENT - City of Apopka Code of Ordinances, Part II, Chapter 78 – Traffic and Motor Vehicles, Article II – Stopping, Standing and Parking
2. SPECIAL EXCEPTION – FARISH ENTERPRISES AT MCVILLA AVE - Owned by Farish Enterprises, LLC, requesting a Special Exception to allow a building height of 55’ in lieu of the required 35’ within an I-1 zoning district for property located at 1616 East Semoran Boulevard. (Parcel ID #: 11-21-28-5600-03-000)
3. SPECIAL EXCEPTION – TRIQUINT SEMICONDUCTOR (AKA QORVO) – Owned by Triquint Semiconductor, Inc., requesting a Special Exception to allow a building height of 55’ in lieu of the required 35’ within an I-1 zoning district for property located at 1818 South Orange Blossom Trail (Parcel ID #: 24-21-28-0000-00-055)

**V. SITE PLANS:**

1. PRELIMINARY DEVELOPMENT PLAN – CARRIAGE HILL RESIDENTIAL SUBDIVISION – Owned by JTD Land at Rogers Rd, LLC, property located at 2303 Rogers Road. (Parcel ID #s: 29-20-28-0000-00-004 & 29-20-28-0000-00-026)
2. MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN – VISTAS AT WATER’S EDGE – Owned by Vistas at Waters Edge, LLC, and property located south of Hooper Farms Road and west of Binion Road. (Parcel ID #s: 19-21-28-0000-00-011, 19-21-28-0000-00-021 & 19-21-28-0000-00-022)

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**VI. OLD BUSINESS:**

**VII. NEW BUSINESS:**

**VIII. ADJOURNMENT:**

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All interested parties may appear and be heard with respect to this agenda. Please be advised that, under state law, if you decide to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which record includes a testimony and evidence upon which the appeal is to be based. The City of Apopka does not provide a verbatim record.

In accordance with the American with Disabilities Act (ADA), persons with disabilities needing a special accommodation to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka, FL 32703, telephone (407) 703-1704, no less than 48 hours prior to the proceeding.

**Backup material for agenda item:**

- 1 Approve minutes of the Planning Commission regular meeting held November 14, 2016, at 5:30 p.m.

**MINUTES OF THE PLANNING COMMISSION MEETING HELD ON NOVEMBER 14, 2016, AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.**

**MEMBERS PRESENT:** James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle

**ABSENT:** Rogers Simpson, Orange County Public Schools (Non-voting)

**OTHERS PRESENT:** James Hitt – Community Development Director, David Moon, AICP - Planning Manager, Cliff Shepard – City Attorney, Patrick Brackins, Esq. - Rogers Beckett – Special Project Coordinator, Kyle Wilkes, AICP – Planner II, Elizabeth Florence – Planner I, Robert Sargent – Public Information Officer, Marshall Howard, Tom Harper, Jane Harper, Peter Vergos, Pagona Vergos, Bob Barkett, Bill Hogshead, Joyce Cravey, Joel Cravey, Lisa Cravey, Jeremy Anderson, Demetrius Vargas, Larry Metzler, Chris Metzler, Michael Cooper, Theresa Foster, Fred Curley, Mardian Blair, Mike Stone, Debbie Stone, William Kelly, Sr., Richard Risser, Les Hebert, Bill Dewar, Randy Birchmier, Douglas Blair, Ed Velazquez, Suzanne Kidd, Theresa Sargent, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

**OPENING AND INVOCATION:** Chairman Greene called the meeting to order and asked for a moment of silent prayer. The Pledge of Allegiance followed.

Chairperson Greene introduced John Sprinkle as a new member to the Planning Commission.

**APPROVAL OF MINUTES:** Chairperson Greene asked if there were any corrections or additions to the regular meeting minutes of October 11, 2016, at 5:30 p.m. minutes.

**Motion:** **Melvin Birdsong made a motion to approve the Planning Commission minutes from the regular meeting held on October 11, 2016, at 5:30 p.m. and seconded by Linda Laurendeau. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0).**

**LEGISLATIVE – CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE AMENDMENT – TEMPORARY MORATORIUM ON MEDICAL CANNIBIS DISPENSARIES -**

Chairperson Greene stated this is a request to recommend approval of the establishment of a temporary moratorium on the dispensing of medical cannabis within the City of Apopka; prohibiting any and all dispensing of medical cannabis during the moratorium period for any property within the City of Apopka; adopting findings of fact; providing definition; and providing an effective date.

Staff Presentation: David Moon, ACIP, Planning Manager, stated that on May 6, 2015 City Council adopted a medical marijuana ordinance that establishes regulations for the cultivation and processing of cannabis, and dispensing of medical marijuana within the City of Apopka through Ordinance No. 2388. City Council's adoption of the current medical marijuana ordinance occurred in reaction to Florida government enacting the Compassionate Medical Cannabis Act of 2014, which became effective on January 1, 2015. On November 8 Florida voters will decide whether Florida medical marijuana laws and administrative rules should be change to expand applications for medical use of marijuana. The proposed 2016 constitutional amendment addresses has three components: (1) Physician certification, (2) Patient and caregiver identification cards, and (3) Medical Marijuana Treatment Center registration and regulation.

Although the 2014 State Constitutional Amendment and the 2016 Amendment are both designed to legalize medical marijuana, there are some differences between the two proposals. In general, the 2016 measure clarifies requirements for parental consent for the use of medical marijuana by minors and also further defines what is meant by "debilitating" illnesses that would qualify for marijuana as a treatment option.

If the 2016 referendum is passed at the November 8 elections, the Florida Department of Health (DOH)

**MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON NOVEMBER 14, 2016, AT 5:30 P.M.**

has approximately six months to adopt new rules for the cultivation, processing and dispensing of cannabis\medical marijuana. The DOH must promulgate rules by June 2017 to implement the program regulation outlined in the Constitutional Amendment.

As the new DOH rules may not be known until as late as June 2017, staff has concerns about how the new regulations may regulate the dispensing of medical marijuana within our community. These regulations could allow dispensing at locations that could place potential detrimental impacts on nearby residential neighborhoods, schools, religious facilities, and the community in general based on observations from practices within other States. Also, the new rules for dispensing may affect the ability of Apopka law enforcement to adequately respond to any associated problems generated from medical businesses dispensing medical marijuana.

Staff's believes that the City's current medical marijuana ordinance adequately protects the City regarding the cultivation and processing of marijuana for medical purposes. Current City regulations limit cultivation and processing to two Designated Grow Areas, and limits dispensing to these two Grow Areas with the exception that hospitals and pharmacies -- licensed by the State -- are exempt from the dispensing regulations.

Until the new DOH rules are established and implemented, staff believes it is in the best interest of the City to place a temporary moratorium on the dispensing of medical marijuana. Staff will monitor the development of the new DOH rules and recommend amendments to the City's current medical marijuana ordinance based on the effect that these new rules may have on the interests and goals City Council desires for the Apopka community.

The moratorium is temporary and will terminate on May 31, 2017. On November 8, 2016, the constitutional amendment passed. In light of that event, staff recommends that the Planning Commission recommend adoption of Ordinance No. 2526.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

In response to questions by Mr. Foster, Mr. Moon stated that hospitals and pharmacies are exempt and would be able to dispense medical cannabis. He said the designated grow areas were chosen as the most suitable areas for growing, processing and dispensing due being primarily zoned for agriculture or industrial uses.

In response to a question by Mr. Molina, Mr. Moon stated that it was possible that the Designated Grow Areas Ordinance has not been codified as of this time; however, if someone wanted a copy they would be able to contact the City Clerk's office or the Community Development Department for that information.

In response to a question by Mr. Sprinkle, Mr. Moon stated that the City's current medical marijuana ordinance adequately protects the City regarding the cultivation and processing of marijuana for medical purposes. Current City regulations limit cultivation and processing to two Designated Grow Areas, and limits dispensing to these two Grow Areas. Staff felt that until the new DOH rules are established and implemented, it is in the best interest of the City to place a temporary moratorium on the dispensing of medical marijuana.

Chairperson Greene opened the meeting for public hearing.

Fred Curley, White Sands Nurseries, 602 Hermit Smith Road, Apopka, expressed his opposition to the moratorium and requested that the designated grow areas be exempt from that moratorium.

In response to a question by Mr. Foster, Mr. Curley stated that while none of the nurseries in the Apopka Designated Grow Area have received a state license, they are qualified. He added that they would not

object to other areas being designated as Designated Grow Areas.

Bob Barkett, 650 Hermit Smith Road, agreed with Mr. Curley and also asked that the nurseries in the designated grow areas be exempted from the moratorium.

With no one else wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** Linda Laurendeau made a motion to recommend adoption of Ordinance No. 2526 to establish a temporary moratorium on the dispensing of medical cannabis within the City of Apopka; prohibiting any and all dispensing of medical cannabis during the moratorium period for any property within the City of Apopka; adopting findings of fact; providing definition; and providing an effective date. Motion seconded by Jose Molina. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). Melvin Birdsong voted Nay. (5-1) (Vote taken by poll.)

**LEGISLATIVE - COMPREHENSIVE PLAN AMENDMENT – CAPITAL IMPROVEMENT ELEMENT (CIE)** - Chairperson Greene stated this is a request to recommend approval of the annual update to the City of Apopka, five-year capital improvements plan and incorporate into the City of Apopka Comprehensive Plan, Capital Improvement Element.

Staff Presentation: Kyle Wilkes, AICP, Planner II, stated that Policy 1.4 of the Apopka Comprehensive Plan's Capital Improvements Element requires that the City's five-year Capital Improvements Program (CIP), be updated on an annual basis after review by several city departments. This annual update of the five-year CIP is intended to schedule capital projects that are necessary to meet accepted levels of service (LOS), to maintain and repair failing facilities, and to provide additional infrastructure facilities and roads to meet demands generated by new growth and development. The Five-Year Capital Improvement Program only addresses major public facilities, infrastructure and road that are addressed within the City's Comprehensive Plan – road, potable water, sanitary sewer, reclaimed water, recreation and parks, stormwater management, and solid waste.

The proposed annual update of the City's Five-Year CIP incorporates capital facility maintenance and capacity upgrades for the Public Services and Recreation Departments. Exhibit 'A' of this report includes the updated CIP to be incorporated as Appendix 7-1 of the Capital Improvements Element. This appendix identifies the proposed improvements, proposed financial outlays for each project, as well as funding sources.

Furthermore, the City of Apopka submitted a Florida Recreation Development Assistance Program grant (FRDAP) for recreation improvements to Alonzo Williams and Kit Land Nelson parks. As part of the grant submittal requirements, the City indicated support for these proposed improvements, through approval of Resolutions 2015-14 & 2015-15. The City was awarded the FRDAP grant, and as a condition of receiving funding disbursement, the City must incorporate the Kit Land Nelson and Alonzo Williams Park grant-funded improvements into the Five-Year CIP as a requirement of the FRDAP grant funding process. In addition, additional FRDAP grant funding has been requested for renovations and new construction at the Apopka Athletic Complex (AAC) in the amount of \$50,000. These proposed improvements have been incorporated into this annual update, per the aforementioned FRDAP grant application requirements.

Legislative changes in 2011 to Chapter 163, Florida Statutes allow local governments to update their five-year CIP by ordinance, and is not considered a comprehensive plan policy amendment. Therefore, incorporation of the updated CIP into the Capital Improvements Element does not require transmittal to the Florida Department of Economic Opportunity for state agency review.

The Development Review Committee recommends approval of the annual update of the City of Apopka Five-Year Capital Improvements Plan to be incorporated into the Apopka Comprehensive Plan – Capital

Improvements Element.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

In response to questions by Mr. Molina, Mr. Wilkes stated that the amounts listed in the element are, in a sense, a wish list of the Recreation Department. Those numbers were provided by the Recreation and Public Services Departments.

In response to questions by Mr. Foster, Mr. Wilkes stated that the list includes a gymnasium/aquatic center. He stated that this plan will be reviewed and revised annually.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** **Tony Foster made a motion to find the proposed annual update of the Apopka Five-Year Capital Improvements Plan consistent with the Apopka Comprehensive Plan and recommend approval of the Five-Year Capital Improvements Plan annual update, and incorporation into the Capital Improvements Element of the Comprehensive Plan. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, and John Sprinkle. Jose Molina voted Nay. (5-10). (Vote taken by poll.)**

**SWEARING-IN** – Attorney Shepard swore-in staff, the petitioners, and affected parties for the quasi-judicial items to be discussed.

**QUASI-JUDICIAL – SIGN VARIANCE – TRACTOR SUPPLY - APOPKA** - Chairperson Greene stated this is a request to recommend approval of the variance request by Tractor Supply – Apopka of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Sections 8.03.03 and 8.04.02 of the Sign Code for the Tractor Supply - Apopka located at 180 East 1st Street.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Moon stated this is a request to recommend approval of the variance request by Tractor Supply – Apopka of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Sections 8.03.03 and 8.04.02 of the Sign Code for the Tractor Supply - Apopka located at 180 East 1st Street. The owners are Michael L. Hart, Margie A. Hart and Apopka Regional Properties, LLP. The engineer is Hanlex Civil, LLC. c/o Nathan Bullard, MBA P.E. The architect is Rabits and Romano Architecture. The land use is Commercial and the zoning is C-2. The existing use is a horticultural nursery and the proposed is a retail center. The tract size is 3.09 +/- Acres.

Mr. Moon stated the height variance request has been removed by the applicant. The applicant asks for a variance of 8.08.03.A. - Placement Standards – Near street and driveway intersections. Monument signs and portable signs shall not be placed closer than 50 feet to the intersection of two streets.

- a. *Applicant Request* -- Allow a sign location at the intersection of S. Washington Avenue, US 441, and W. 2nd Street, a variance of fifty (50) feet.

Variance Process: Per Section 10.02.00, LDC, the Planning Commission must follow two steps to approve a variance:

Step 1: Section 10.02.02.A, Limitations on Granting Variances, states that the Planning Commission “shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved.” This is known as a physical hardship. If the Planning Commission makes this determination, then it must take action on the seven variance criteria set forth in Section 10.02.02.B.

Step 2: Section 10.02.02.B, Required Findings. Once a “physical hardship” has been determined, the Planning Commission shall not vary from the requirements of any provision of the LDC unless it makes a positive finding, based on substantial competent evidence, on the seven variance criteria.

Applicable City Code: Sec. 8.08.03.A. - Placement Standards – Near street and driveway intersections. Monument signs and portable signs shall not be placed closer than 50 feet to the intersection of two streets. To allow a sign location at the intersection of S. Washington Avenue and W. 2<sup>nd</sup> Street – variance from 50’ setback.

The applicant requests that they be allowed the placement of a monument sign near the intersection of US 441, S. Washington Avenue and W. 2nd Street, requesting a variance of 50 feet.

The first step of the variance determination process is to determine if a hardship occurs pursuant to Section 10.02.02.A, “whether the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved.”

***Applicant’s Response.*** Due to the existing intersection configuration and relative placement of the subject lot, the property does not directly abut US 441, which is an arterial road that will generate the primary traffic to the business. Furthermore, the adjacent properties in the area that do abut US 441 further restrict site visibility to the proposed business.

***Staff Response.*** No objection. Only the southwest corner of the Tractor Supply site has exposure to US. 441, the road from which most customers and deliver trucks will use to access the site pursuant to the Tractor Supply traffic study. Buildings located at the south side of W. 2nd Street limit sight angle and visibility of the Tractor Supply store from vehicles traveling northbound on US. 441. The same visibility constraint occurs for southbound traffic on US 441 because of buildings on the west side S. Washington Street. Placement of the signs fifty feet away from the US 441\Washington\2nd Street. Visibility constraints occur primarily because US 441 was constructed diagonally on a southeast to northwest pattern across a pre-existing street grid system running on a north-south and east-west pattern.

If the Planning Commission finds accepts the hardship in Paragraph A. above, the second step is to make a finding on the seven below criteria. The Planning Commission must make a positive finding, based on substantial competent evidence, on each of the following seven criteria:

1. There are practical difficulties in carrying out the strict letter of the regulation [in] that the requested variance relates to a hardship due to characteristics of the land and not solely on the needs of the owner.

***Applicant’s Response:*** Due to the existing intersection configuration and relative placement of the subject lot, the property does not directly abut US 441, which is an arterial road that will generate the primary traffic to the business. Furthermore, the adjacent properties in the area that do abut US 441 further restrict site visibility to the



proposed business. The proposed sign location is outside of the required 50' corner clip required by code to the travel lanes. However, the 50' corner clip is not achieved from the right-of-way line. This is a condition specific to this property and the applicant asks for a variance to permit the proposed corner monument sign.

**Staff's Response:** No objection.

2. The variance request is not based exclusively upon a desire to reduce the cost of developing the site.

**Applicant's Response:** The proposed variances increase the cost of construction.

**Staff's Response:** No objection.

3. The proposed variance will not substantially increase congestion on surrounding public streets.

**Applicant's Response:** The proposed variances will not increase congestion on the surrounding streets. Rather, the proposed variance will decrease congestion on surrounding streets, because the applicant's customers will better understand how to access their intended destination.

**Staff's Response:** No objection.

4. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.

**Applicant's Response:** The requested 50' corner clip variance will not diminish property values, nor alter the essential character of the area surrounding the store, because the proposed monument sign location meets the corner clip from the travel lanes, which is the intent of this safety consideration.

**Staff's Response:** City staff does not hold professional expertise to address property values. The sign faces the road and not the director of the driver's line of sight. It is placed parallel to the street; not perpendicular. The location of the monument sign at the intersection of US 441/Washington/2nd will not alter the character of the area as limited number of businesses are located at a similar intersection at an odd angle. Other properties surrounding the intersection are zoned for and used as commercial retail. The sign will have not exposure to residential areas.

5. The effect of the proposed variance is in harmony with the general intent of this code and the specific intent of the relevant subject area(s) of the code.

**Applicant's Response:** The effect of the approval of the requested 50' corner clip variance is in harmony with the general intent of this code, because the proposed monument sign location meets the corner clip from the travel lanes, which is the intent of this safety consideration.

**Staff Response:** No objection. The sign location at the intersection, based on the configuration of the property and the road system, provides greater notice to traveler's on US. 441 and likely will avoid quick stops on US. 441.

6. Special conditions and circumstances do not result from the actions of the applicant.

**Applicant's Response:** Due to the existing intersection configuration and relative

placement of the subject lot, the property does not directly abut us 441, which is an arterial road that will generate the primary traffic to the business. Furthermore, the adjacent properties in the area that do abut us 441 further restrict site visibility to the proposed business. These existing conditions are not a result of the actions by the applicant.

Due to these physical site restraints that are unique to this property, the applicant is requesting a monument sign at the corner of the intersection between Washington Ave. and 2nd street. The proposed sign location is outside of the required 50' corner clip required by code to the travel lanes. However, the 50' corner clip is not achieved from the right-of-way line. This is a condition specific to this property and the applicant asks for a variance to permit the proposed corner monument sign.

**Staff Response:** No objections.

7. That the variance granted is the minimum variance which will make possible the reasonable use of the land, building or structure. The proposed variance will not create safety hazards and other detriments to the public.

**Applicant's Response:** The proposed 50' corner clip variance is the minimum variance that will make possible the reasonable use of the land, nor will it create safety hazards and other detriments to the public, because the proposed sign location is outside of the required 50' corner clip required by code to the travel lanes.

**Staff Response:** No objections.

Based on the information provided by the applicant at the hearing for variance request, the Planning Commission must first determine that sufficient substantially competent information indicates "whether a need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved." If so, then Planning Commission must find that substantially competent information occurs to accept each of the seven variance criteria. Planning Commission has authority to take final action whether they approve, deny, or approve with conditions.

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.

In response to a question by Ms. Laurendeau, Mr. Moon stated that the applicant must meet the "line-of-sight" requirement for the placement of the monument sign.

Petitioner Presentation: Jeremy Anderson concurred with staff.

Affected Party Presentation: None.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** **Jose Molina made a motion to find that sufficient substantially competent information indicates a need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved; and that substantially competent information occurs to accept each of the seven variance criteria. Motion second by Melvin Birdsong. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)**

**Motion:** Jose Molina made a motion to approve the waiver request to allow placement of a monument sign near the intersection of US 441, S. Washington Avenue and W. 2nd Street, requesting a variance of 50 feet. Motion second by Linda Laurendeau. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)

**LEGISLATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – CENTRAL FLORIDA EXPRESSWAY AUTHORITY** - Chairperson Greene stated this is a request to recommend approval of the Small Scale Future Land Use amendment from “County” Rural (1 du/10 ac) to “City” Residential Low Suburban (3.5 du/ac) for the property owned by the Central Florida Expressway Authority and located west of Plymouth Sorrento Road, south of Yothers Road.

Staff Presentation: Elizabeth Florence, Planner I, stated this is a request to recommend approval of the Comprehensive Plan Small Scale Future Land Use amendment from “County” Rural (1 du/10 ac) to “City” Residential Low Suburban (3.5 du/ac) for the property owned by the Central Florida Expressway Authority and located west of Plymouth Sorrento Road, south of Yothers Road. The existing use is vacant land and the proposed development is residential to allow access to land-locked parcels. The current Zoning is “County” A-1 and a zoning amendment to “City” R-1A is being processed along with the request to change the future land use. The existing maximum allowable development is 1 dwelling use and the proposed maximum development is 1 dwelling unit. The tract size is 0.302 +/- acre.

Presently, the subject property has not yet been assigned a “City” Future Land Use Designation or a “City” zoning category. Applicant is requesting the City to assign a future land use designation of Residential Low Suburban (3.5 DU/AC) to the property. The applicant, the Central Florida Expressway Authority, acquire the subject property to provide road access to unincorporated parcels abutting to the south, which were cut-off from road access when construction began for the Wekiva Parkway.

City Council approved the annexations on September 21, 2016, through the adoption of Ordinance No. 2513. 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 a Future Land Use Designation of Residential Low Suburban is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 0.302 acres.

The applicant intends to develop the property for use as a right of way. The proposed future land use and use for the property is compatible with the general character of the surrounding neighborhood. The Residential Low Suburban Future Land Use Designation and right of way would serve as a use for the State Road 429.

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).

The existing and proposed use of the property is consistent with the Residential Low Suburban (3.5 DU/AC) Future Land Use designation and the City’s proposed Residential Zoning.

Because this Change of Zoning represents a change in density that will not yield more than nine (9) residential units, development of the subject property is considered “deminimus” and exempt from School Capacity Enhancement review. However, at the time of a Preliminary Development Plan application for residential development, school concurrency review through Orange county Public Schools may be required.

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 October 7, 2016.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in Future Land Use from “County” Rural (1 du/ 10 ac) to “City” Residential Low Suburban (3.5 du/ac) for the property owned by Central Florida Expressway Authority and located at Plymouth Sorrento Rd., contingent upon the annexation of the property into the City of Apopka.

Recommended Motion: Find the proposed Future Land Use Amendment consistent with the Comprehensive Plan and the character of the surrounding area, and recommend to amend the Future Land Use Map designation from “County” Rural to “City” Residential Low Suburban

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.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** Linda Laurendeau made a motion to find the application consistent with the Apopka Comprehensive Plan and the Land Development Code; and to recommend approval of the Small Scale Future Land Use Amendment from “County” Rural (1 du/10 ac) to “City” Residential Low Suburban (0-3.5 du/ac) for the property owned by Central Florida Expressway Authority and located west of Plymouth Sorrento Road, south of Yothers Road. Motion seconded by Jose Molina. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)

**QUASI-JUDICIAL - CHANGE OF ZONING – CENTRAL FLORIDA EXPRESSWAY AUTHORITY** - Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from “County” A-1 (Rural) to “City” R-1A (Residential) for the property owned by the Central Florida Expressway Authority and located west of Plymouth Sorrento Road, south of Yothers Road.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Ms. Florence stated this is a request to recommend approval of the Change of Zoning from “County” A-1 (Rural) to “City” R-1A (Residential) for the property owned by the Central Florida Expressway Authority and located west of Plymouth Sorrento Road, south of Yothers Road. The existing use is vacant land and the proposed development is residential to allow access to land-locked parcels. The current future land use is “County” Rural (1 du/10 ac) and the proposed amendment to “City” Residential Low Suburban (0-3.5 du/ac) is being processed along with the request to change the zoning. The existing maximum allowable development is 1 dwelling use and the proposed maximum development is 1 dwelling unit. The tract size is 0.302 +/- acre.

Presently, the subject property has not yet been assigned a “City” Future Land Use Designation or a “City” zoning category. Applicant is requesting the City to assign a future land use designation of Residential Low Suburban (3.5 DU/AC) to the property.

Applicant is requesting the City to assign a zoning classification of R-1A (Residential) to the property, consistent with the proposed Residential Low Suburban (3.5 DU/AC) future land use designation.

A request to assign a change of zoning to R-1A (Residential) is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the R-1A (Residential) zoning classification to accommodate the use of the property to have the potential to be single family residential and road access to create access to parcels to the south. The subject properties abut S.R. 429 to the east and the Stanton Ridge residential plat to the north, which is also owned by the Central Florida Expressway Authority. City staff supports this change of zoning request subject to the construction of a highway interchange for S.R. 429 at Plymouth Sorrento Road. This change of zoning application is being processed in conjunction with a small scale future land use amendment for Residential Low Suburban (3.5 DU/AC). The proposed use is consistent with the proposed future land use, proposed zoning district and compatible with the general character of surrounding zoning and uses.

The change of zoning application covers approximately .302 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).

The existing and proposed use of the property is consistent with the Residential Low Suburban (3.5 du/ac) Future Land Use designation and the City's proposed Residential Zoning so long as dwelling units are not expanded on the existing land area comprising the subject site. Site development cannot exceed the intensity allowed by the Future Land Use policies. School concurrency may occur at the time of a final development plan applicable to the subject property.

The request is for a residential zoning classification that will only yield two residential units. A rezoning that creates a net increase equal to nine or fewer residential units is exempt from School Capacity Enhancement. School concurrency review may apply at the time a Preliminary Development Plan for residential development is submitted to the City.

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 October 7, 2016.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan, the Land Development Code and compatible with the character of the surrounding area, and recommends approval of the change in zoning from

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.

Petitioner Presentation: None.

Affected Party Presentation: None.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** Jose Molina made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend adoption of the change of zoning from "County" A-1 (Rural) to "City" R-1A (Residential) for property owned by the Central Florida Expressway Authority and located west of Plymouth Sorrento Road, south of Yothers Road. Motion seconded by Melvin Birdsong. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)

**LEGISLATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – MARSHALL HOWARD** - Chairperson Greene stated this is a request to recommend approval of the Small Scale Future Land Use amendment from Residential High (0-15 du/ac) to Commercial (Max. 0.25 FAR) for the property owned by the Marshall Howard and located at 1351 Tropical Circle.

Staff Presentation: Ms. Florence stated this is a request to recommend approval of the Small Scale Future Land Use amendment from Residential High (0-15 du/ac) to Commercial (Max. 0.25 FAR) for the property owned by the Marshall Howard and located at 1351 Tropical Circle. The current zoning is “County” R-3 (Residential) and a change in zoning to “City” C-1 (Retail Commercial) is being processed at the same time as the future land use amendment. The existing use is the “Tropicana Mobile Home Park.” The proposed use an expansion of commercial space for the Shoot Straight business. The tract size is 3.8 +/- acres. The existing maximum allowable development is 57 residential units and the proposed maximum allowable development is 41,382 sq. ft.

The subject parcel was annexed into the City of Apopka on December 16, 1992, through the adoption of Ordinance No. 751. 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 a C-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 3.8 acres and the current use of the property is for a mobile home park. After a Future Land Use Designation and Zoning Category are assigned to the subject property, property owner intends to incorporate them into the abutting Shoot Straight C-1 (Retail Commercial) to the west, which is consistent with the allowable uses within the C-1 zoning district.

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).

The existing use of a mobile home park is a legal, non-conforming use with the current land use and zoning categories. However, the proposed use of the property is consistent with the proposed Commercial Future Land Use designation and the proposed C-1 Zoning designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

Because this Future Land Use Amendment represents a change to a non-residential designation, notification of Orange County Public Schools is not required.

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 October 14, 2016.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and recommends adoption of the change in Future Land Use Residential High (0-15 du/ac) to Commercial (0.25 FAR) for the property owned by Marshall Howard.

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.

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.

In response to a question by Mr. Molina, Randy Birchmier, Birchmier Construction, Inc., 549 N. Wymore Road, Suite 206, Maitland, stated that the proposed development is an expansion of the current Shoot Straight operations.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** Jose Molina made a motion to find the application consistent with the Apopka Comprehensive Plan and the Land Development Code; and to recommend approval of the Small Scale Future Land Use Amendment from Residential High (0-15 du/ac) to Commercial (0.25 FAR) for the property owned by Marshall Howard and located at 1351 Tropical Circle. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)

**QUASI-JUDICIAL - CHANGE OF ZONING – MARSHALL HOWARD** - Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from “County” R-3 (Residential) to “City” C-1 (Retail Commercial) for the property owned by Marshall Howard and located at 1351 Tropical Circle.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Ms. Florence stated this is a request to recommend approval of the Change of Zoning from “County” R-3 (Residential) to “City” C-1 (Retail Commercial) for the property owned by the Marshall Howard and located at 1351 Tropical Circle. The current zoning is “County” R-3 (Residential) and a change in zoning to “City” C-1 (Retail Commercial) is being processed at the same time as the future land use amendment. The existing use is the “Tropicana Mobile Home Park.” The proposed use an expansion of commercial space for the Shoot Straight business. The tract size is 3.8 +/- acres. The existing maximum allowable development is 57 residential units and the proposed maximum allowable development is 41,382 sq. ft.

The subject parcel was annexed into the City of Apopka on December 16, 1992 through the adoption of Ordinance No. 751. The applicant is requesting the City to assign a zoning classification of C-1 (Retail Commercial) to the property, consistent with the proposed Commercial (Max. 0.25 FAR) future land use designation. The request to assign a change of zoning to C-1 (Retail) is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the C-1 (Retail Commercial) zoning classification to accommodate the use of the property for the expansion of the Shoot Straight indoor gun range and firearm sales immediately adjacent to the west of the subject site. The subject properties abut a limited access highway (S.R. 414) with a planned interchange at Marden Road. This change of zoning application is being processed in conjunction with a small scale future land use amendment for Commercial (Max. 0.25 FAR). The proposed use is consistent with the proposed future land use, proposed zoning district and compatible with the general character of surrounding zoning and uses (see Land Use & Traffic Compatibility below).

The change of zoning application covers approximately 3.8 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).

The existing and proposed use of the property is consistent with the Commercial (Max. 0.25 FAR) Future Land Use designation and the City’s proposed C-1 (Retail Commercial) Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

The request is for a non-residential zoning classification; therefore, a school capacity enhancement agreement is not required.

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 October 14, 2016.

The Development Review Committee finds the proposed change of zoning amendment consistent with the Comprehensive Plan, Land Development Code and compatible with the character of the surrounding area, and recommends adoption of the change in zoning from R-3 (Residential) to C-1 (Retail Commercial) for the property owned by Marshall Howard.

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.

Petitioner Presentation: None.

Affected Party Presentation: None.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** **Linda Laurendeau made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend adoption of the change of zoning from “County” R-3 (Residential) to “City” C-1 (Retail Commercial) for property owned by the Marshall Howard and located at 1351 Tropical Circle. Motion seconded by Melvin Birdsong. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)**

**LEGISLATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – PROPERTY INDUSTRIAL ENTERPRISES, LLC** - Chairperson Greene stated this is a request to recommend approval of the Small Scale Future Land Use amendment from “County” Low-Medium Density Residential (0-10 du/ac) to “City” Industrial (Max. 0.30 FAR) for the property owned by the Property Industrial Enterprises, LLC and located at 202 South Hawthorne Avenue and 300 West 2<sup>nd</sup> Street.

Staff Presentation: Mr. Wilkes stated this is a request to recommend approval of the Comprehensive Plan Small Scale Future Land Use amendment from “County” Low-Medium Density Residential (0-10 du/ac) to “City” Industrial (Max. 0.30 FAR) for the property owned by the Property Industrial Enterprises, LLC and located at 202 South Hawthorne Avenue and 300 West 2<sup>nd</sup> Street. The existing use is vacant land and the proposed development is Industrial, Commercial or Office Development consistent with I-1 (Restricted Industrial) zoning. The current Zoning is “County” R-2 (ZIP) and the proposed zoning is “City” I-1 (Restricted Industrial) and is being processed along with a request to change the Zoning Map designation from “County” R-2 (ZIP) to “City” I-1 (Restricted Industrial). The existing maximum allowable development is 2 dwellings and the proposed maximum development is 10,977 Sq. Ft. The tract size is 0.74 +/- acre.

The subject parcel was annexed into the City of Apopka on December 2, 2015, through the adoption of Ordinances No. 241 and 2462. 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 0.74 acres, exceeding the minimum development site area of 15,000 sq. ft. Abutting lands to the north, west and south are already owned by the same property owner as the applicant and assigned an Industrial FLUM designation. After a Future Land Use Designation and Zoning Category are assigned to the subject property, property owner intends to incorporate them into the abutting industrial park under the same ownership. The property owner intends to use the subject site for industrial, commercial or office development consistent with Industrial FLUM designation and I-1 zoning category.

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).

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.

Because this Future Land Use Amendment represents a change to a non-residential designation, notification of Orange County Public Schools is not required.

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 October 14, 2016.

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" Low-Medium Density Residential (0-10 du/ac) to "City" Industrial (0.6 FAR) for the property owned by Property Industrial Enterprises, LLC, c/o Michael Cooper.

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.

In response to a question by Mr. Molina, Mr. Moon stated the property will be developed for commercial or industrial uses.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** Tony Foster made a motion to find the application consistent with the Apopka Comprehensive Plan and the Land Development Code; and to recommend approval of the Small Scale Future Land Use Amendment from "County" Low-Medium Residential (0-10 du/ac) to "City" Industrial (Max. 0.30 FAR) for the property owned by Property Industrial Enterprises, LLC and located at 202 South Hawthorne Avenue and 300 West 2<sup>nd</sup> Street. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)

**QUASI-JUDICIAL - CHANGE OF ZONING – PROPERTY INDUSTRIAL ENTERPRISES, LLC**  
- Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from "County" R-2 (ZIP) to "City" I-1 (Restricted Industrial) for the property owned by the Property Industrial Enterprises, LLC and located at 202 South Hawthorne Avenue and 300 West 2<sup>nd</sup> Street.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Wilkes stated this is a request to recommend approval of the Change in Zoning from “County” R-2 (ZIP) to “City” I-1 (Restricted Industrial) for the property owned by the Property Industrial Enterprises, LLC and located at 202 South Hawthorne Avenue and 300 West 2nd Street. The existing use is vacant land and the proposed development is Industrial, Commercial or Office Development consistent with I-1 (Restricted Industrial) zoning. The current future land use is “County” Low-Medium Density Residential (0-10 du/ac) and the proposed future land use amendment is “City” Industrial (Max. 0.30 FAR) and is being processed along with a request to change the Zoning Map designation from “County” R-2 (ZIP) to “City” I-1 (Restricted Industrial). The existing maximum allowable development is 2 dwellings and the proposed maximum development is 10,977 Sq. Ft. The tract size is 0.74 +/- acre.

The subject parcels were annexed into the City of Apopka on December 2, 2015, through the adoption of Ordinances No. 2461 and 2462.

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 0.74 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).

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.

The proposed rezoning is to a non-residential zoning district and, therefore, a capacity enhancement agreement with OCPS is not necessary.

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 October 14, 2016

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” R-2 (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 Property Industrial Enterprises, LLC, c/o Michael Cooper.

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.

Petitioner Presentation: None.

Affected Party Presentation: None.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** Linda Laurendeau made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend adoption of the change of zoning from “County” R-2 (Residential) to “City” I-1 (Restricted Industrial) for property owned by Property Industrial Enterprises, LLC and located at 202 South Hawthorne Avenue and 300 West 2<sup>nd</sup> Street. Motion seconded by Tony Foster. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)

**QUASI-JUDICIAL - CHANGE OF ZONING – JACK & JOYCE CRAVEY** - Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from “County” A-1 (ZIP) to “City” AG (Agriculture) for the property located west of Phils Lane, east of Golden Gem Road.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Wilkes stated this is a request to recommend approval of the Change in Zoning from “County” A-1 (ZIP) to “City” AG (Agriculture) for the property located west of Phils Lane, east of Golden Gem Road. The existing use is a manufactured home and the proposed development is a single-family residential or manufactured home. The existing maximum allowable development is 1 unit and the proposed maximum allowable development is 3 units the tract size is 15.04 +/- acres.

The subject parcels were annexed into the City of Apopka on May 4, 2016, through adoption of Ordinance 2495.

The applicant requests a change of zoning to assign an AG (Agriculture) zoning classification to the properties. The requested AG zoning classification compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the AG zoning classification to accommodate the use of the property for existing manufactured and proposed single-family and/or manufactured home residences. The applicant intends to split the lot for two residences. This use is consistent with the existing future land use, proposed zoning district and compatible with the general character of surrounding zoning and uses.

The change of zoning application covers approximately 15.04 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).

The existing and proposed use of the property is consistent with the Rural Settlement (0-1 du/5 ac) Future Land Use designation and the City’s proposed AG Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

The request for a change of zoning to AG (Agriculture) will result in a number of potential units that will be considered de minimus; therefore, school capacity determination is not required.

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 October 14, 2016

The Development Review Committee finds the proposed change of zoning consistent with the Comprehensive Plan, Land Development Code and compatible with the character of the surrounding area, and recommends adoption of the change in zoning from “County” A-1 (ZIP) to “City” AG (Agriculture)

for the property owned by Jack & Joyce Cravey.

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.

Petitioner Presentation: None.

Affected Party Presentation: None.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** Jose Molina made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend adoption of the change of zoning from “County” A-1 (ZIP) to “City” AG (Agriculture) for property owned by Jack and Joyce Cravey located west of Phils Lane, east of Golden Gem Road. Motion seconded by Melvin Birdsong. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)

**QUASI-JUDICIAL - CHANGE OF ZONING – SOUTH PASS, LLC** - Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from “County” A-1 (ZIP) to “City” RCE-1 (Residential Country Estates) for the property owned by South Pass, LLC, and located at 2228 Vick Road.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Ms. Florence stated this is a request to recommend approval of the Change of Zoning from “County” A-1 (ZIP) to “City” RCE-1 (Residential Country Estates) for the property owned by South Pass, LLC, and located at 2228 Vick Road. The existing use is vacant land and the proposed use is a single-family residence. The future land use is Residential Low Suburban (0-3.5 du/ac). The existing maximum allowable development is 1 dwelling use and the proposed maximum allowable development is 4 dwelling units. The tract size is 4.77 +/- acres.

Presently, the subject property has not yet been assigned a “City” zoning category. The applicant is requesting the City to assign a zoning classification of RCE-1 (Residential Country Estates 1) to the property.

The subject property was annexed into the City of Apopka on August 6, 2008, through the adoption of Ordinance No. 2042.

A request to assign a change of zoning to RCE-1 (Residential Country Estates 1) is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the RCE-1 zoning classification to split the lot and develop two single-family residences. The proposed use is consistent with the existing Residential Low Suburban FLUM designation and compatible with the general character of surrounding zoning and uses.

The change of zoning application covers approximately 4.77 +/- 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).

The proposed use of the property is consistent with the proposed Residential Low Suburban (0-3.5 du/ac) Future Land Use designation and the City's proposed RCE-1 (Residential Country Estates 1) Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

The proposed change of zoning will not result in additional units above the number required for school capacity determination and, therefore, is considered de minimus.

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 October 14, 2016.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan, Land Development Code and compatible with the character of the surrounding area, and recommends approval of the change in zoning from "County" A-1 (ZIP) to "City" RCE-1 (Residential Country Estates 1) for the property owned by South Pass LLC.

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.

Petitioner Presentation: None.

Affected Party Presentation: None.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion: Melvin Birdsong made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend adoption of the change of zoning from "County" A-1 (ZIP) to "City" RCE-1 (Residential Country Estates) for property owned by South Pass, LLC and located at 2228 Vick Road. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle (6-0). (Vote taken by poll.)**

**QUASI-JUDICIAL – FINAL DEVELOPMENT PLAN/PLAT – MAUDEHELEN, PHASE 4 -** Chairperson Greene stated this is a request to recommend approval of the Final Development Plan and Plat for Maudehelen, Phase 4, owned by GK Maudehelen, LLLP, and located south of Beardsley Drive, east of Binion Road.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Moon stated this is a request to recommend approval of the Final Development Plan and Plat for Maudehelen, Phase 4 subdivision owned by GK Maudehelen, LLLP. The engineer is Morris Engineering and Consulting, LLC, c/o Matthew J. Morris, P.E. The property is located south of Beardsly Drive and east of Binion Road. The future land use is Residential Low (0-5 du/ac) and the zoning is R-2. The current use is vacant land and the proposed use if a 15 lot single family residential subdivision. The tract size is 6.98 +/- Acres

The Maudehelen, Phases 4 - Final Development Plan/Plat proposes the development of 15 single family residential lots in Phase 4. Maudehelen Phase 4 Final Development Plan was revised to accommodate the

re-alignment of Johns Road. On October 19, 2016 with the adoption of Ordinance 2523 a section of Johns Road was vacated to help facilitate better access for property owners located south of Maudehelen Phase 2 and 4.

The minimum typical lot width in Phase 4 is 70 feet and Phase 4 has a minimum lot size of 7,500 square feet. The proposed minimum living area for both phases is 1,800 square feet as set forth in Chapter 2 of the Land Development Code.

The minimum setbacks applicable to this project are:

| Setback | Min. Standard |
|---------|---------------|
| *Front  | 25'           |
| Side    | 15'           |
| Rear    | 20'           |
| Corner  | 25'           |

\*Front-entry garage must be setback 30 feet.

Ingress/egress for the development will be via Beardsley Drive and Johns Road and the retention ponds have been designed to meet the City's Land Development Code requirements.

Buffers are provided consistent with the Land Development Code. A ten-foot wide buffer is proposed along South Binion Road with a six-foot high brick or masonry wall. The applicant has provided a detailed landscape and irrigation plan for the property. The planting materials and irrigation system design are consistent with the water-efficient landscape standards set forth in Ordinance No. 2069.

The following is a summary of the tree replacement program:

|                                  |       |
|----------------------------------|-------|
| Total inches on-site:            | 890   |
| Total number of specimen trees:  | 6     |
| Total inches removed:            | 642   |
| Total inches replaced:           | 1,385 |
| Total Inches (Post Development): | 1,883 |

A School Concurrency Mitigation Agreement was executed by Orange County Public Schools and Maudehelen, Phase 4, on March 7, 2015.

The County was notified at the time of the land use amendment and rezoning application for this property, and coordination occurred with County planning staff regarding impact on adjacent parcels.

The Development Review Committee recommends approval of the Maudehelen, Phase 4 - Final Development Plan/Plat, subject to the findings of this staff report.

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.

Petitioner Presentation: None.

Affected Party Presentation: None.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

**Motion:** Robert Ryan made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend approval of the

**Plats for Phases 1 and 2 of the Silver Oak Subdivision located north of East Keene Road, west of Sheeler Avenue. Motion seconded by Roger Simpson. Aye votes were cast by James Greene, Melvin Birdsong, Tony Foster, Linda Laurendeau, Jose Molina, and John Sprinkle. (6-0) (Vote taken by poll.)**

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**ADJOURNMENT:** The meeting was adjourned at 7:09 p.m.

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James Greene, Chairperson

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James K. Hitt  
Community Development Director

**PLANNING COMMISSION - AGENDA**

**December 13, 2016**

**Page 24**

**Backup material for agenda item:**

1. CODE OF ORDINANCES AMENDMENT - City of Apopka Code of Ordinances, Part II, Chapter 78 – Traffic and Motor Vehicles, Article II – Stopping, Standing and Parking





**CITY OF APOPKA  
PLANNING COMMISSION**

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|  |             |  |
|--|-------------|--|
| <input checked="" type="checkbox"/> PUBLIC HEARING | MEETING OF: | December 13, 2016  |
| <input type="checkbox"/> ANNEXATION                | FROM:       | Community Development  |
| <input type="checkbox"/> PLAT APPROVAL             | EXHIBITS:   | Exhibit "A" - Revised Parking Code<br>(ACO, Part II, Ch. 78) |
| <input checked="" type="checkbox"/> OTHER:         |             |  |

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**SUBJECT: CITY OF APOPKA CODE OF ORDINANCES, PART II, CHAPTER 78 – TRAFFIC AND MOTOR VEHICLES, ARTICLE II – STOPPING, STANDING AND PARKING**

**Request: RECOMMEND APPROVAL OF THE PROPOSED AMENDMENT 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.**

**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)  
January 4, 2017 – City Council (1:30 pm)  
January 18, 2017 – City Council (7:00 pm)

**DULY ADVERTISED:**

November 25, 2016

**RECOMMENDED ACTION:**

Recommend that City Council adopt 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.

**DISTRIBUTION**

|                         |                  |                      |
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## CHAPTER 78 – TRAFFIC AND MOTOR VEHICLES

### ARTICLE II. - STOPPING, STANDING AND PARKING

DIVISION 1. - GENERALLY

DIVISION 2. - CITATIONS; PENALTIES

#### DIVISION 1. - GENERALLY

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#### **Sec. 78-35. - Generally.**

When used in this Chapter, “vehicle” includes any portion of such vehicle or vehicle attachment that protrudes within such prohibited area. Applicable portions of this Chapter 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.

“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.

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 designate parking time limits and local restrictions.**

The Chief of Police may designate time limits or local restrictions for parking on streets and install street signs, as may be necessary, to indicate the parking limit or restriction placed on any street, or portion of such street, or right-of-way within the City of Apopka.

**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; but in every event, an unobstructed width of the street, no less than twelve (12) feet, 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 from a distance of two-hundred (200) feet, in each direction upon the roadway.

3. 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.
4. No person shall park a vehicle on a curve, or within thirty (30) feet of the approach of the curve, when such parking obstructs the regular flow of traffic along the curve and 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 with the address of the mail box. 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 or at the approach 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. Adjacent to schools, unless specifically designated for such parking, stopping, or standing.
  18. Along or within any bicycle path, walking path, or other pedestrian or human powered vehicle lane.
  19. 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.
  20. Upon any bridge or elevated structure upon a roadway.
  21. In painted safety zones or gore areas on roadways.
  22. Parking on a "D" or "F" type curb. Vehicles may park off the asphalt onto a Miami curb, however, in no case shall the vehicle be off the roadway onto the right-of-way.
  23. Within any space designated for an emergency vehicle.
  24. Within any 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, as defined in 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 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.

- f. It is unlawful to knowingly attach to any motor vehicle a registration that was not assigned or lawfully transferred to the vehicle pursuant to s. 320.261. A vehicle found in violation of this subsection is subject to immediate removal without warning.
  - g. It is unlawful to display or offer for sale a vehicle that does not have a valid registration as provided in 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 s. 320.27(1)(c)4 F.S.S.
  - h. 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.
  - i. Any other provision of law to the contrary notwithstanding, a violation of subsection (a.), subsection (e.), subsection (f.), subsection (g.), or subsection (h.) 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 by Division II.
2. No person shall stand or park a vehicle upon any street for the principal purpose of painting, greasing or repairing such vehicle.
  3. 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. 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 (6) hours; and are conducted on weekends only.
  4. No person shall stand or park a vehicle upon any street, alley, parking lot, or residential area for the principal purpose of displaying advertising.
  5. 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.
  6. Parking of Trailers, etc., prohibited in the same manner as a "vehicle" for the purpose of this chapter.
    - a. The term "trailer" shall mean and include 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.
    - b. This excludes message boards used to transmit emergency messages or directional for traffic control.

- c. Trailers within any city park or city recreation facility are prohibited except where specifically authorized by a police officer, park ranger, or 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.
      - d. 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.
7. Parking of recreational vehicles or vessels are prohibited in the same manner as a vehicle for the purpose of this chapter.
  - a. This excludes the 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 on-site 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.
  - b. In any case where an exception exists to park on a street, the vehicle(s) or trailer 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 meant to be in conflict with restrictions in storage of such vehicle 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.
8. Parking of commercial vehicles are prohibited in the same manner as a vehicle for the purpose of this chapter.
  - a. 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 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. 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.
  - c. For purposes of this section, “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.

**Sec. 78-42. - Use of loading zones.**

1. 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.
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. 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.
  - 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.
  - 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 such permits. The applicant shall have the right to appeal to the city council.
2. 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 (7) 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 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 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. 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.

8. Sale of unredeemed vehicle(s).

- a. If an impounded vehicle is not claimed and all charges paid within thirty (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.
- b. 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.**

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 civil penalties; court appearance.
- Sec. 78-62. Liability for payment of penalties.
- Sec. 78-63. Failure to obey violation notice; alteration or destruction of violation notice.
- Sec. 78-64. Procedure upon noncompliance with violation notice.
- Sec. 78-65. Withholding of issuance of license plates and stickers by state.
- Sec. 78-66. Procedure for referring cases involving the violation of a municipal parking ordinance to a hearing officer
- Secs. 78-67. - 78-80. - Reserved.

**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:

| <b>Violation</b>   | <b>Fine</b> |
|--|-------------|
| Any portion of Chapter 78 notwithstanding below.   | \$40.00     |
| Sec. 78-39 (4.) – Stopping, standing or parking prohibited in designated handicap parking places           | \$250.00    |
| Sec. 78-41 (1.) Curbstoning. (Notwithstanding any tow fees.)   | \$100.00    |
| Sec. 78-43 – Loading zone permit   | \$50.00     |
| Sec. 78-44 – Removal of illegally parked, abandoned, or disabled vehicles. (Notwithstanding any tow fees.) | \$100.00    |

- 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.
- i. 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.
- i. 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.

2. Schedule of fees (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% of the above fee.

**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 member of the Apopka Police Department.

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.**

DRAFT

**PLANNING COMMISSION - AGENDA**

**December 13, 2016**

**Page 44**

**Backup material for agenda item:**

2. SPECIAL EXCEPTION – FARISH ENTERPRISES AT MCVILLA AVE - Owned by Farish Enterprises, LLC, requesting a Special Exception to allow a building height of 55' in lieu of the required 35' within an I-1 zoning district for property located at 1616 East Semoran Boulevard. (Parcel ID #: 11-21-28-5600-03-000)



# CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING  
 ANNEXATION  
 PLAT APPROVAL  
 OTHER: Special Exception

MEETING OF: December 13, 2016  
 FROM: Community Development  
 EXHIBITS: Vicinity/Aerial Maps  
 Adjacent Zoning Map  
 Site Plan  
 Building Elevations  
 Sp. Exception Height Ord.

**SUBJECT: SPECIAL EXCEPTION - FARISH ENTERPRISES AT MCVILLA AVE.**

**Request: APPROVAL OF A SPECIAL EXCEPTION TO ALLOW A BUILDING HEIGHT OF 55' FOR FARISH ENTERPRISES AT MCVILLA AVE.**

**SUMMARY:**

OWNER: Farish Enterprises, LLC  
 APPLICANT: Interplan, LLC c/o Michael Puente  
 LOCATION: 1616 East Semoran Boulevard  
 LAND USE: Commercial  
 ZONING: C-2  
 EXISTING USE: Vacant Land

**PROPOSED DEVELOPMENT:** Four (4) Story, 80 Room Hotel, at a building height up to 55 feet high

**TRACT SIZE:** 12.11 +/- acres (527,687 S.F.)

**RELATIONSHIP TO ADJACENT PROPERTIES:**

| <i><u>Direction</u></i> | <i><u>Future Land Use</u></i>          | <i><u>Zoning</u></i> | <i><u>Present Use</u></i>                      |
|-------------------------|--|----------------------|--|
| North (City)            | Commercial                             | C-2                  | Aldi's Grocery Store/<br>Race Trac Gas Station |
| East (County)           | Low Medium Density Res. (Max.10 du/ac) | R-2                  | Single Family Residence                        |
| South (County)          | Low Medium Density Res. (Max 10 du/ac) | R-2                  | Vacant Land                                    |
| South (City)            | Residential Medium (Max 10du/ac)       | R-2                  | Vacant Land                                    |
| West (City)             | Commercial                             | C-2                  | Vacant Land                                    |

**DISTRIBUTION:**

Mayor Kilsheimer  
 Commissioners (4)  
 City Administrator Glenn Irby  
 Community Dev. Director

Finance Director  
 HR Director  
 IT Director  
 Public Works Director

Public Ser. Director  
 City Clerk  
 Fire Chief  
 Recreation Director

**ADDITIONAL COMMENTS:** The applicant is proposing to construct an eighty (80) room hotel and self-storage building on the 12.11 acre site. The height of the proposed hotel will be fifty-three (53) feet in height, which exceeds the maximum height of 35 feet allowed by the Land Development Code. The applicant is requesting a fifty-five feet height limitation on the site for the proposed hotel. The project will be adjacent to Commercial C-2 zoning districts to the north and west and Medium Density R-2 zoning districts to the east and south boundaries of the site. The nearest residential structure is approximately 100 feet east of the proposed hotel.

**EXTERIOR ELEVATIONS:** The design of the building exterior meets the intent of the City's Development Design Guidelines.

**ACCESS:** Ingress/egress for the development will be via a full access point from McVilla Road.

**SPECIAL EXCEPTION CRITERIA**

- (1) The special exception criteria and requirements specified in Article II, Sec. 2.02.01(B)(5) of this Code are not applicable to building height.
- (2) Special exceptions may only be applied for and granted non-residential development.
- (3) All special exception applications for building height shall include a development plan and shall be reviewed by the planning commission for approval to ensure that the application meets all requirements of this Code and the below criteria. The applicant has provided additional supporting information within the special exception site plan.

1. **Question:** Whether the height exception will have an adverse effect on land uses in adjacent areas.

**Response:** The height exception would have no adverse effect on the commercial and residential land uses adjacent to the property. All proposed development will be as far from the adjacent residentially zoned property as possible, an approximately 100 foot building setback provided. Due to the fact the site is located below the elevation of the existing commercially zoned properties along SR 436, the additional height allowed on this property will not adversely affect those adjacent properties. The approximately 20 feet the site drops from SR 436 to the proposed building pads is equal to the requested height exception.

**Staff Response:** No objection - The applicant has provided additional documentation the support the above statement.

2. **Question:** Whether the height exception will severely reduce light and air in adjacent areas.

**Response:** The height exception will not, the proposed buildings lack sufficient mass to severely reduce light and air in adjacent areas. In addition, the site slopes up on its northern side, ensuring the proposed buildings will not block an inordinate amount of natural light.

**Staff Response:** No objection - The applicant has provided additional documentation the support the above statement.

3. **Question:** Whether the height exception will be a detriment to the improvement or development of adjacent property in accord with existing regulations.

**Response:** We believe that the proposed height exception will not be a detriment to the improvement or development of adjacent property; in fact the increased density on this parcel could encourage higher density redevelopment along SR 436 or development of existing vacant lands.

**Staff Response:** No objection - The applicant has provided additional documentation the support the above statement.

**4. Question:** Whether the height exception will adversely affect property values in adjacent areas.

**Response:** The height exception will likely increase the value of adjacent commercial development as the increased density will encourage further denser development, and the additional temporary residents from the hotel will spend money in nearby businesses.

The height exception should have no effect on adjacent residential property values as the buildings will be far enough away and at a low enough elevation, in relation to other existing structures on SR 436, to look no larger than the existing buildings.

**Staff Response:** No objection - The applicant has provided additional documentation the support the above statement.

**5. Question:** Whether the height exception will adversely influence living conditions in adjacent areas.

**Response:** The height exception will have no impact on living conditions in adjacent areas. The proposed buildings will be sufficiently setback from residential properties to eliminate any negative impact due to noise, shadows, or privacy concerns. The height exception results in no additional stormwater runoff or other similar environmental impact.

**Staff Response:** No objection - The applicant has provided additional documentation the support the above statement.

**6. Question:** Whether the height exception is compatible with adjacent areas, neighborhoods, and urban form.

**Response:** The height exception is compatible with adjacent areas and neighborhoods as SR 436 is already heavily developed with many different forms of commercial development, including several car dealerships, strip malls, restaurants and office space. The additional height would appear from SR 436 to be no higher than other development along the road meeting the current height restriction. From adjacent residential properties the buildings will be difficult, if not impossible, to see.

**Staff Response:** No objection - The applicant has provided additional documentation the support the above statement.

**7. Question:** Whether the height exception will impair scenic views.

**Response:** The height exception will not impair scenic views. The proposed buildings would not extend above the tree line from most property lines and would be located behind and beneath existing commercial development on SR 436.

**Staff Response:** No objection - The applicant has provided additional documentation the support the above statement.

**Condition of Approval:** The applicant must provide a 30 foot wide landscape buffer abutting all residential zoned property.

**ORANGE COUNTY NOTIFICATION:** The County was notified on November 14, 2016.

**PUBLIC HEARING SCHEDULE:**  
December 13, 2016 - Planning Commission

**DULY ADVERTISED:**  
November 25, 2016 - Public Hearing Notice

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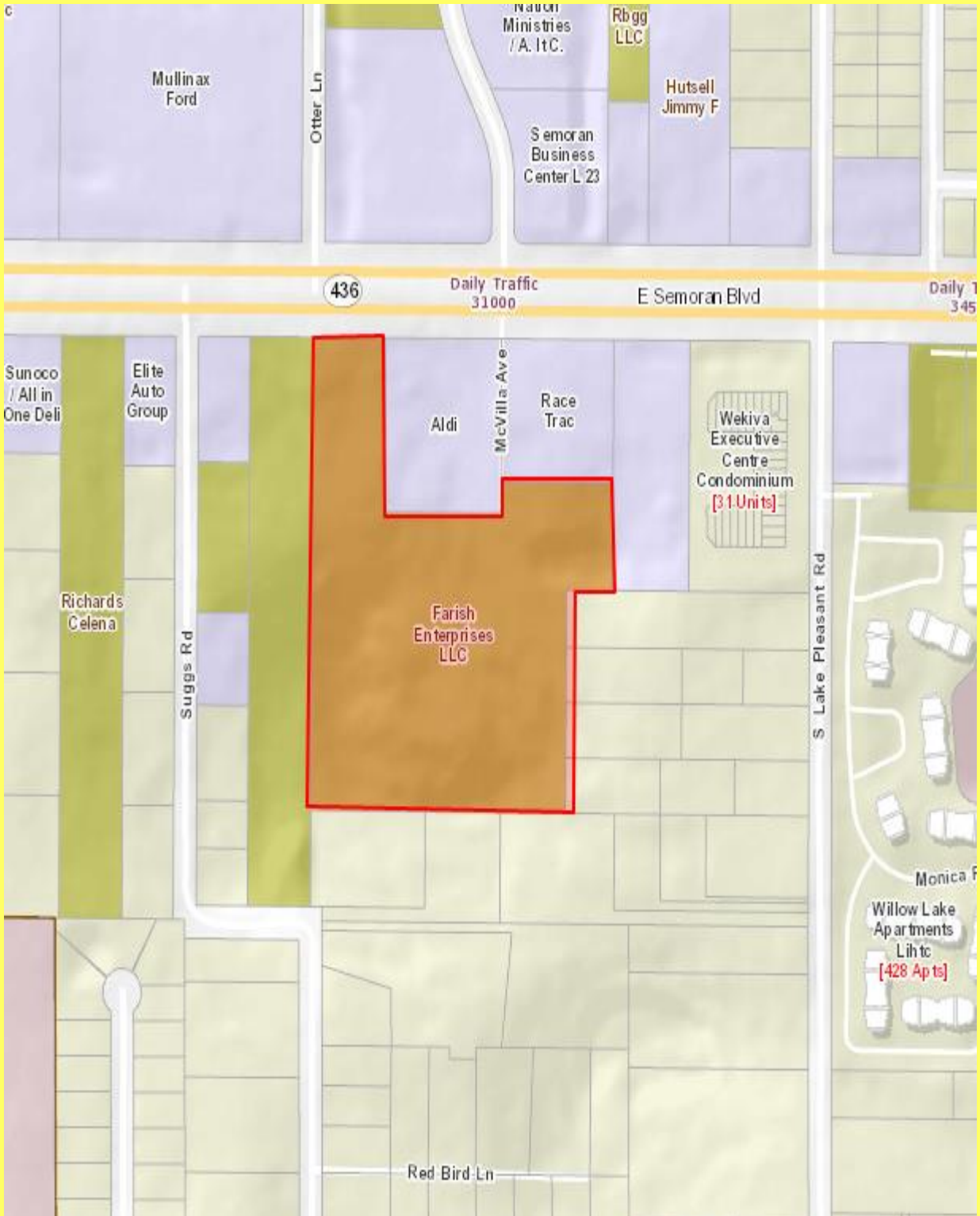
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**RECOMMENDED ACTION:**

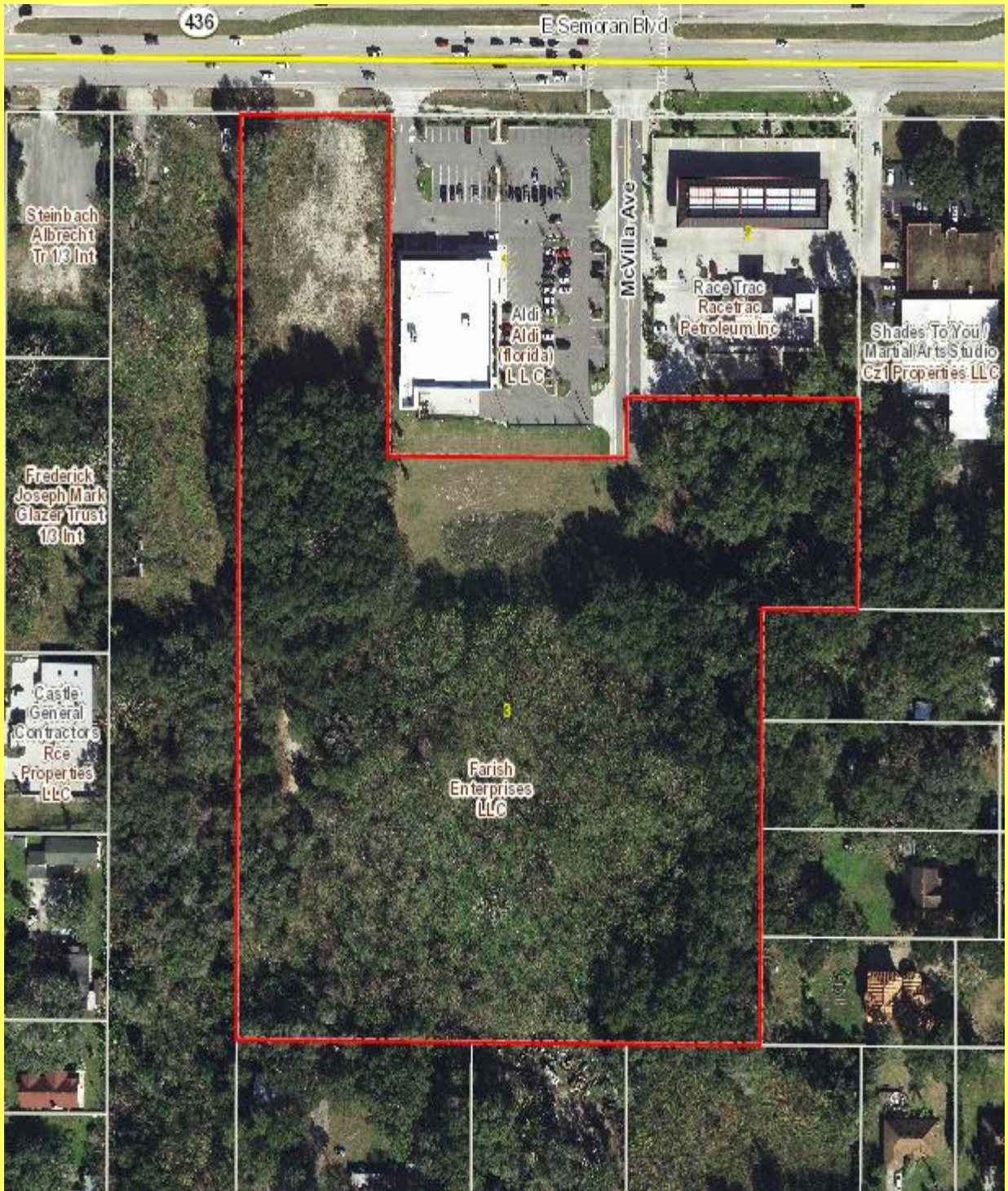
The **Development Review Committee** recommends approval of the Farish Special Exception for a fifty-five (55) feet height as set forth in the special exception site plan, subject to the conditions within the Staff Report.



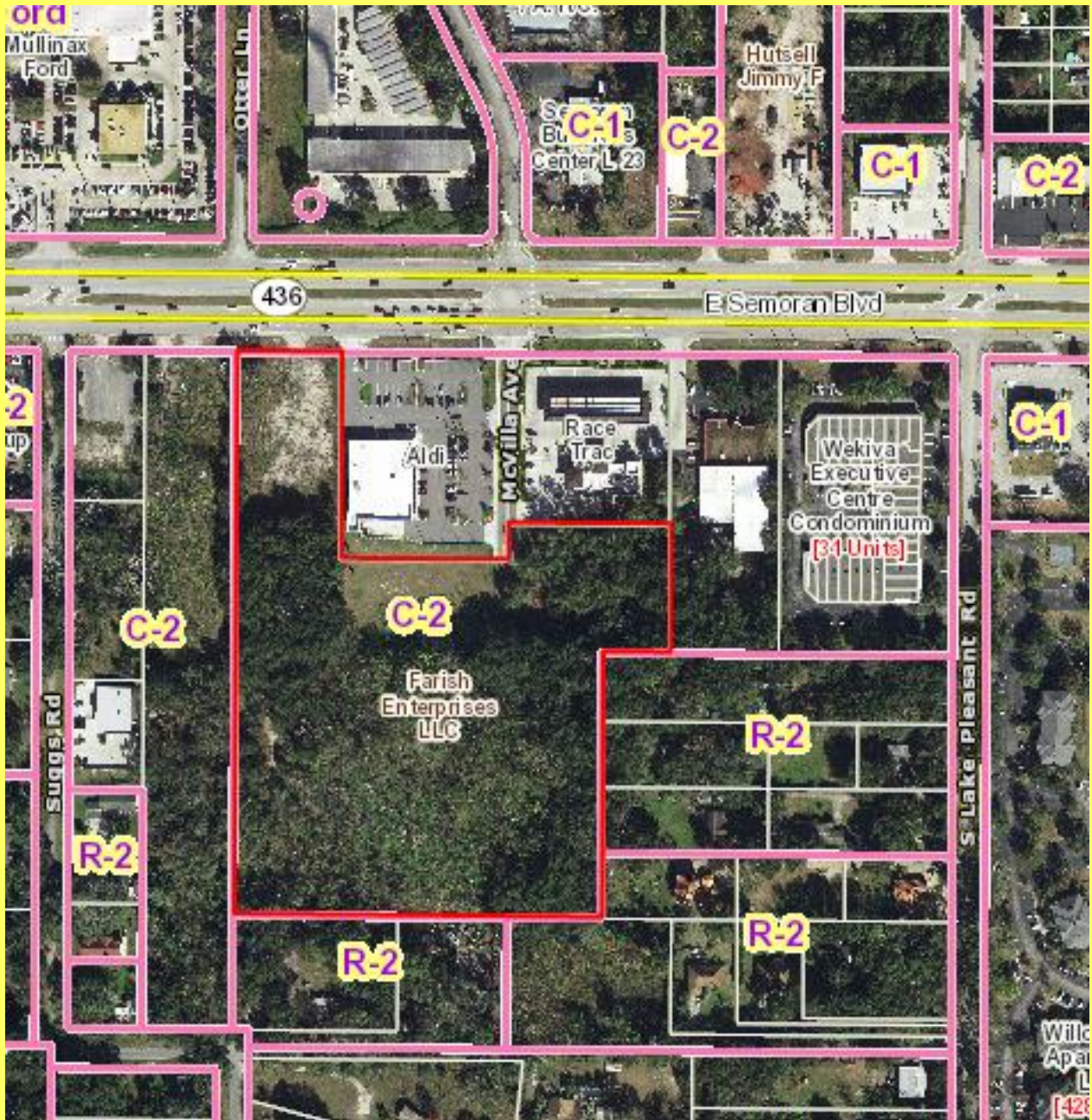
**VICINITY MAP**  
**FARISH ENTERPRISES AT MCVILLA AVE**  
**1616 EAST SEMORAN BOULEVARD**  
**PARCEL ID NO.: 11-21-28-5600-03-000**



AERIAL MAP



**ADJACENT ZONING**



SEAL:

# SPECIAL EXCEPTION FOR 55' HEIGHT REQUEST FOR FARISH ENTERPRISES 1616 EAST SEMORAN BOULEVARD APOPKA, FLORIDA

VICINITY MAP



N.T.S.

LEGAL DESCRIPTION

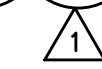
LOT 3, MCVILLA COMMERCE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 76, PAGE 127 AND 128, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

REVISION ISSUE LOG

| REV # | ISSUE DATE | DESCRIPTION   | AFFECTED SHEETS | REMARKS | BY  |
|-------|------------|---------------|-----------------|---------|-----|
| 1     | 12-5-16    | CITY COMMENTS | ALL             |         | CDB |
|       |            |               |                 |         |     |
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SHEET INDEX

| SHT. NO.       | DESCRIPTION                 |
|----------------|-----------------------------|
| SP-CS          | COVER SHEET                 |
| CIVIL DRAWINGS |                             |
| SP-EX          | SPECIAL EXCEPTION SITE PLAN |
| EX1            | BUILDING ELEVATIONS         |
| EX2            | BUILDING ELEVATIONS         |
| SURVEY         |                             |



1 12-5-16 CITY COMMENTS  
NO DATE REMARKS  
REVISIONS

LOCATION MAP



APPROXIMATE LOCATION OF  
HEIGHT EXCEPTION REQUEST

N.T.S.

OWNER & CONSULTANTS

OWNER

FARISH ENTERPRISES LLC  
4650 S ORANGE BLOSSOM TRL  
ORLANDO, FL 32839  
CONTACT: AMIN GULAMALI  
PH: 321-231-4580

ARCHITECT

INTERPLAN LLC  
604 COURTLAND ST, SUITE 100  
ORLANDO, FL 32804  
CONTACT: GREG NEBLOCK

CIVIL ENGINEER

INTERPLAN LLC  
604 COURTLAND ST, SUITE 100  
ORLANDO, FL 32804  
CONTACT: CHRIS BLURTON

SURVYER

V&S SURVEYING, INC  
2412 ORSOTA CIRCLE  
000EE, FLORIDA 34761

FARISH  
ENTERPRISES

1616 EAST SEMORAN BOULEVARD  
APOPKA  
FLORIDA

PROJECT NO: 2016.0341  
DATE: 11-30-16

SP-CS  
COVER SHEET

CHECKED: CDB DRAWN: HM

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**GENERAL NOTES**

1. ALL INFRASTRUCTURE AND IMPROVEMENTS SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE CITY OF APOPKA AND WILL BE SUBJECT TO THEIR INSPECTION AND ACCEPTANCE.
2. SITE LOCATION: 1616 EAST SEMORAN BOULEVARD, APOPKA, FLORIDA
3. THIS SITE LIES IN FLOOD ZONE X, F.I.R.M. PANEL 128950140F, DATED SEPTEMBER 25, 2009 .
4. BOUNDARY, TOPOGRAPHIC, AND TREE SURVEY BY V&S SURVEYING, INC. 2412 Orsata Circle, Ocoee, Florida 34761.
5. LEGAL DESCRIPTION SHOWN HEREIN IS FURNISHED BY SURVEYOR, AND IS INCLUDED FOR PERMITTING AND APPROVAL PURPOSES, AND AS A COURTESY FOR THE CONTRACTOR. INTERPLAN LLC. ASSUMES NO LIABILITY FOR ITS ACCURACY OR COMPLETENESS.

**SPECIAL EXCEPTION NOTES**

THE FOLLOWING APPLIES TO THE PORTION OF THE PROPOSED BUILDING ABOVE THE 35 FOOT ZONING HEIGHT RESTRICTION:

USE: PROPOSED USE WILL BE SHORT TERM (LESS THAN 30 DAYS) HOTEL GUEST HOUSING.

ILLUMINATION: INTERIOR ILLUMINATION SHALL BE TYPICAL LOW INTENSITY HOTEL ROOM AND CORRIDOR LIGHTING AND WINDOWS SHALL BE EQUIPPED WITH SHADES/BLINDS. EXTERIOR LIGHTING SHALL NOT BE INSTALLED MORE THAN 35 FEET ABOVE GRADE ON FACADES THAT FACE RESIDENTIAL PROPERTY.

NOISE AND EQUIPMENT: ROOMS SHALL BE SOUNDPROOFED TO ELIMINATE ANY IMPACT TO ADJACENT PROPERTIES AND THERE WILL BE NO EXTERIOR BALCONIES. ALL ROOFTOP EQUIPMENT SHALL BE SCREENED FROM VIEW AND HEARING.

SHADOWS: DURING THE WINTER SOLSTICE, THE PROPOSED BUILDING WILL THROW SHADOWS APPROXIMATELY 65 FEET FROM ITS BASE (ON THE NORTH SIDE). THEREFORE, THERE WILL BE NO IMPACT ON ADJACENT PROPERTIES AS THE BUILDING IS LOCATED A MINIMUM OF 95'± FROM THE NEAREST PROPERTY LINE.

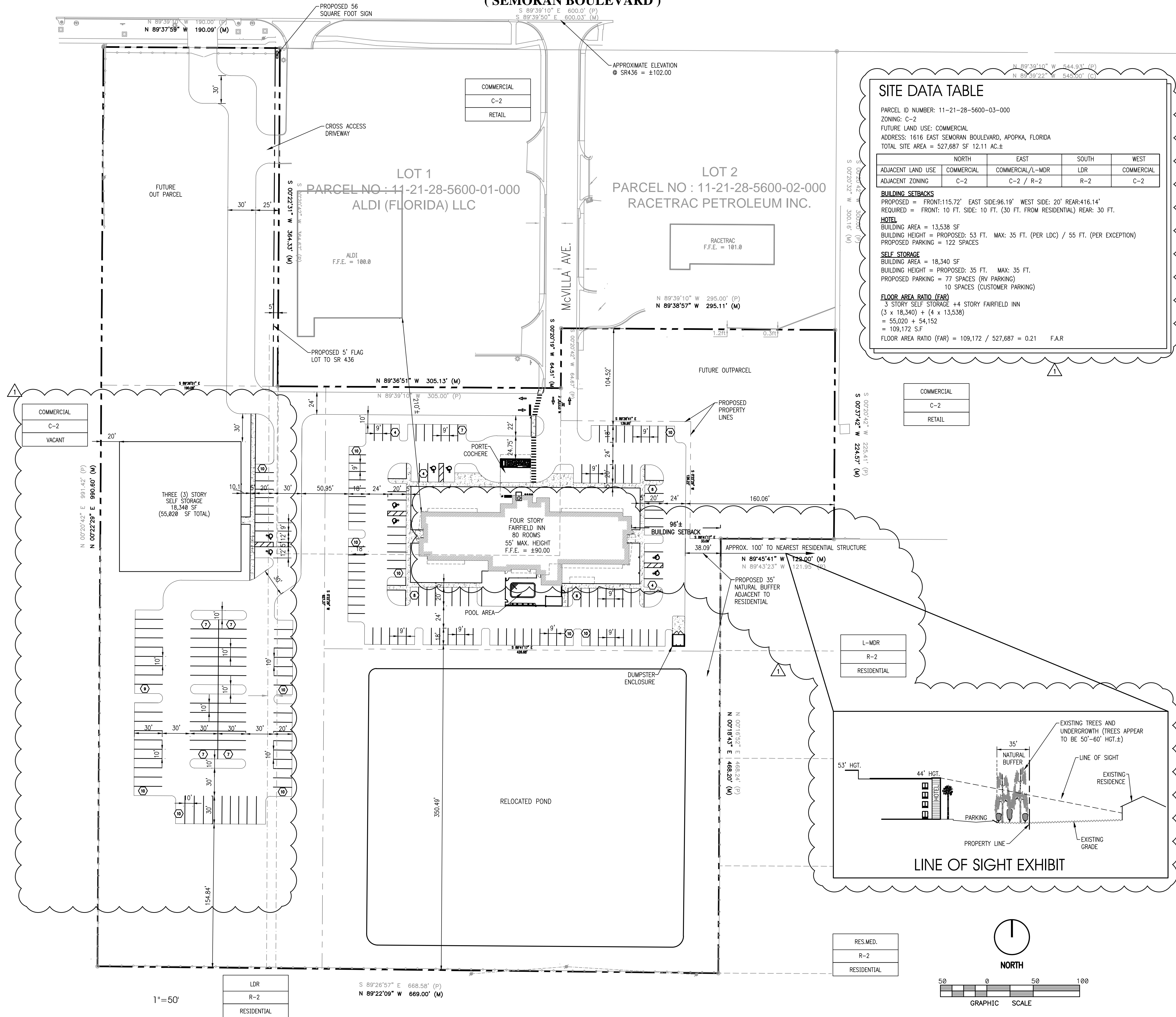
PRESERVATION OF OPEN SPACE: A 2-STORY, 35 FOOT HEIGHT HOTEL WITH THE SAME NUMBER OF ROOMS WOULD REQUIRE ROUGHLY TWICE THE DEVELOPABLE AREA (1/3 OF AN ACRE ±), AND PER CODE COULD BE LOCATED WITHIN 30 FEET OF RESIDENTIAL PROPERTY LINES. THE ADDITIONAL TWO STORIES ALLOW FOR A GENEROUS UNDISTURBED BUFFER FROM ADJACENT RESIDENTIAL PROPERTIES AND A LOWER IMPERVIOUS SURFACE RATIO.

**LEGEND**

|    |                     |
|----|---------------------|
| -  | FUTURE LAND USE     |
| -  | ZONING              |
| -  | CURRENT USE         |
| 10 | PARKING SPACE COUNT |

**SPECIAL EXCEPTION PLAN FOR HEIGHT REQUEST**

**STATE ROAD 436 (200.0' R/W)  
(SEMORAN BOULEVARD)**



**SITE DATA TABLE**

PARCEL ID NUMBER: 11-21-28-5600-03-000  
 ZONING: C-2  
 FUTURE LAND USE: COMMERCIAL  
 ADDRESS: 1616 EAST SEMORAN BOULEVARD, APOPKA, FLORIDA  
 TOTAL SITE AREA = 527,687 SF 12.11 AC.±

|                   | NORTH      | EAST             | SOUTH | WEST       |
|-------------------|------------|------------------|-------|------------|
| ADJACENT LAND USE | COMMERCIAL | COMMERCIAL/L-MDR | LDR   | COMMERCIAL |
| ADJACENT ZONING   | C-2        | C-2 / R-2        | R-2   | C-2        |

**BUILDING SETBACKS**  
 PROPOSED = FRONT:115.72' EAST SIDE:96.19' WEST SIDE: 20' REAR:416.14'  
 REQUIRED = FRONT: 10 FT. SIDE: 10 FT. (30 FT. FROM RESIDENTIAL) REAR: 30 FT.

**HOTEL**  
 BUILDING AREA = 13,538 SF  
 BUILDING HEIGHT = PROPOSED: 53 FT. MAX: 35 FT. (PER LDC) / 55 FT. (PER EXCEPTION)  
 PROPOSED PARKING = 122 SPACES

**SELF STORAGE**  
 BUILDING AREA = 18,340 SF  
 BUILDING HEIGHT = PROPOSED: 35 FT. MAX: 35 FT.  
 PROPOSED PARKING = 77 SPACES (RV PARKING)  
 10 SPACES (CUSTOMER PARKING)

**FLOOR AREA RATIO (FAR)**  
 3 STORY SELF STORAGE + 4 STORY FAIRFIELD INN  
 (3 x 18,340) + (4 x 13,538)  
 = 55,020 + 54,152  
 = 109,172 S.F.  
 FLOOR AREA RATIO (FAR) = 109,172 / 527,687 = 0.21 F.A.R.

|   |            |
|---|------------|
| - | COMMERCIAL |
| - | C-2        |
| - | RETAIL     |

|   |             |
|---|-------------|
| - | L-MDR       |
| - | R-2         |
| - | RESIDENTIAL |

|   |             |
|---|-------------|
| - | RES.MED.    |
| - | R-2         |
| - | RESIDENTIAL |

ARCHITECTURE  
 ENGINEERING  
 INTERIOR DESIGN  
 PROJECT MANAGEMENT

AA 003420  
 CA 8660

604 COURTLAND STREET  
 SUITE 100  
 ORLANDO, FLORIDA 32804  
 PH 407.645.5008  
 FX 407.629.9124

SEAL:

1 12-5-16 CITY COMMENTS  
 NO DATE REMARKS

REVISIONS

**FARISH ENTERPRISES**

1616 EAST SEMORAN BOULEVARD  
 APOPKA  
 FLORIDA

PROJECT NO: 2016.0341  
 DATE: 11-11-16

**SP-EX**  
 SPECIAL EXCEPTION FOR HEIGHT REQUEST

CHECKED: CDB DRAWN: HM

SEAL:

REFERENCE NOTES

- A. REFER TO DESIGN STANDARDS "SITE & BUILDING EXTERIOR" CHAPTER FOR MAIN REQUIREMENTS RELATED TO THIS SHEET. ARCHITECT IS RESPONSIBLE FOR DESIGNING PROJECT IN ACCORDANCE WITH THE ENTIRE DESIGN STANDARDS.
- B. REFER TO EXTERIOR FINISH INDEX FOR MATERIALS AND COLORS, AND ALSO FOR TYPICAL FINISHES FOR EXTERIOR ELEMENTS SUCH AS TYPICAL LOUVER COLOR, ROOF FRAMES, PORTE COCHERE AND CANOPY STRUCTURE FINISHES, ETC.
- C. REFER TO THE SIGNAGE MANUAL - EXTERIOR GRAPHICS PACKAGE FOR REQUIREMENTS RELATED TO SIGNAGE SHOWN ON THIS SHEET.

GENERAL NOTES

1. BUILDING ELEVATIONS ARE APPROXIMATE AND WILL VARY BASED ON STRUCTURAL SYSTEM.
2. PROVIDE CONTRACTOR WITH COLOR PRINTS OF ELEVATIONS FOR ADDITIONAL CLARITY.
3. CONTINUE FINISH TO INSIDE CORNER VERSUS FINISH TRANSITIONS AT OUTSIDE CORNER.
4. ALL DOWNSPOUTS MUST HAVE CLEANOUTS.

CRITERIA NOTES

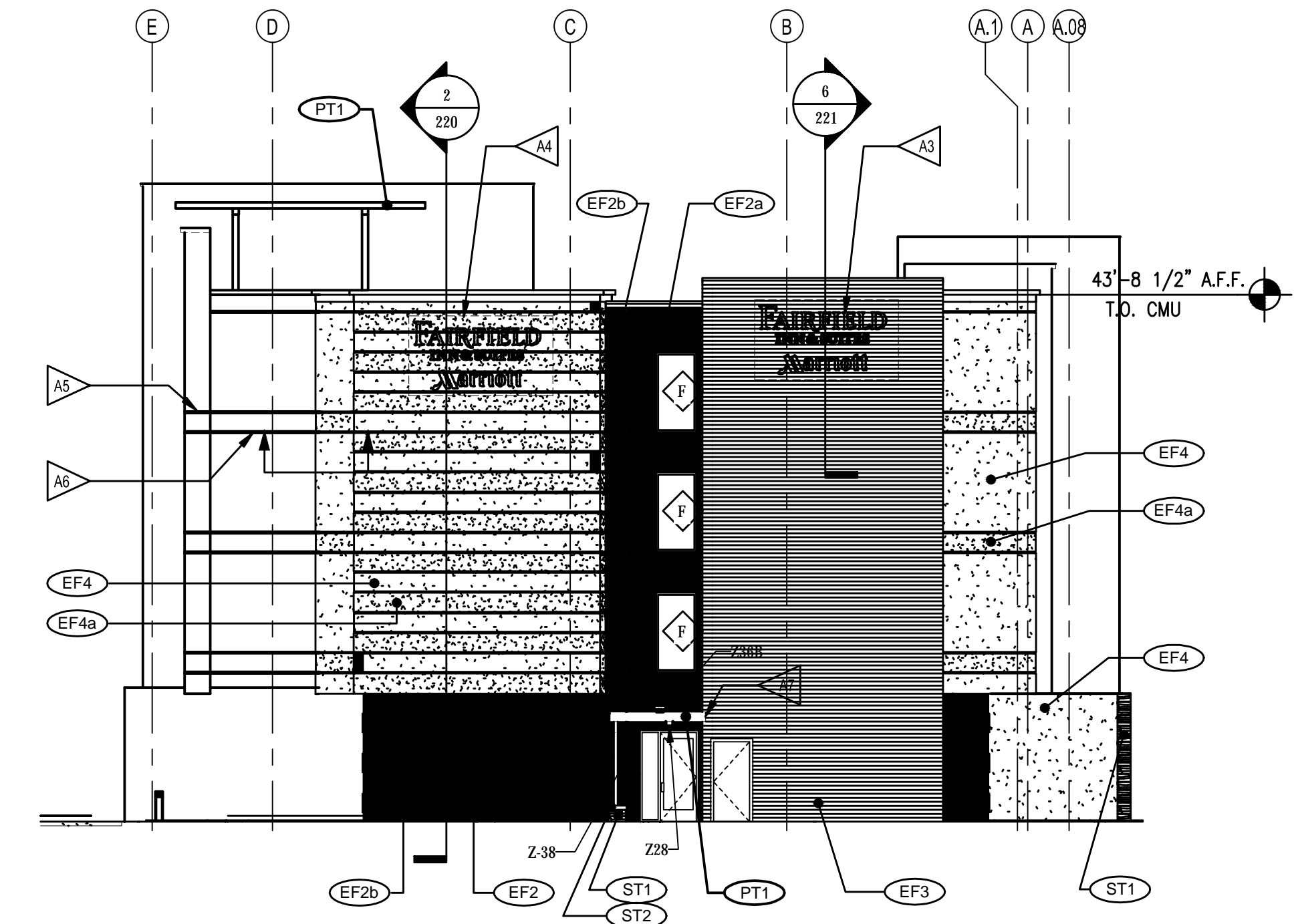
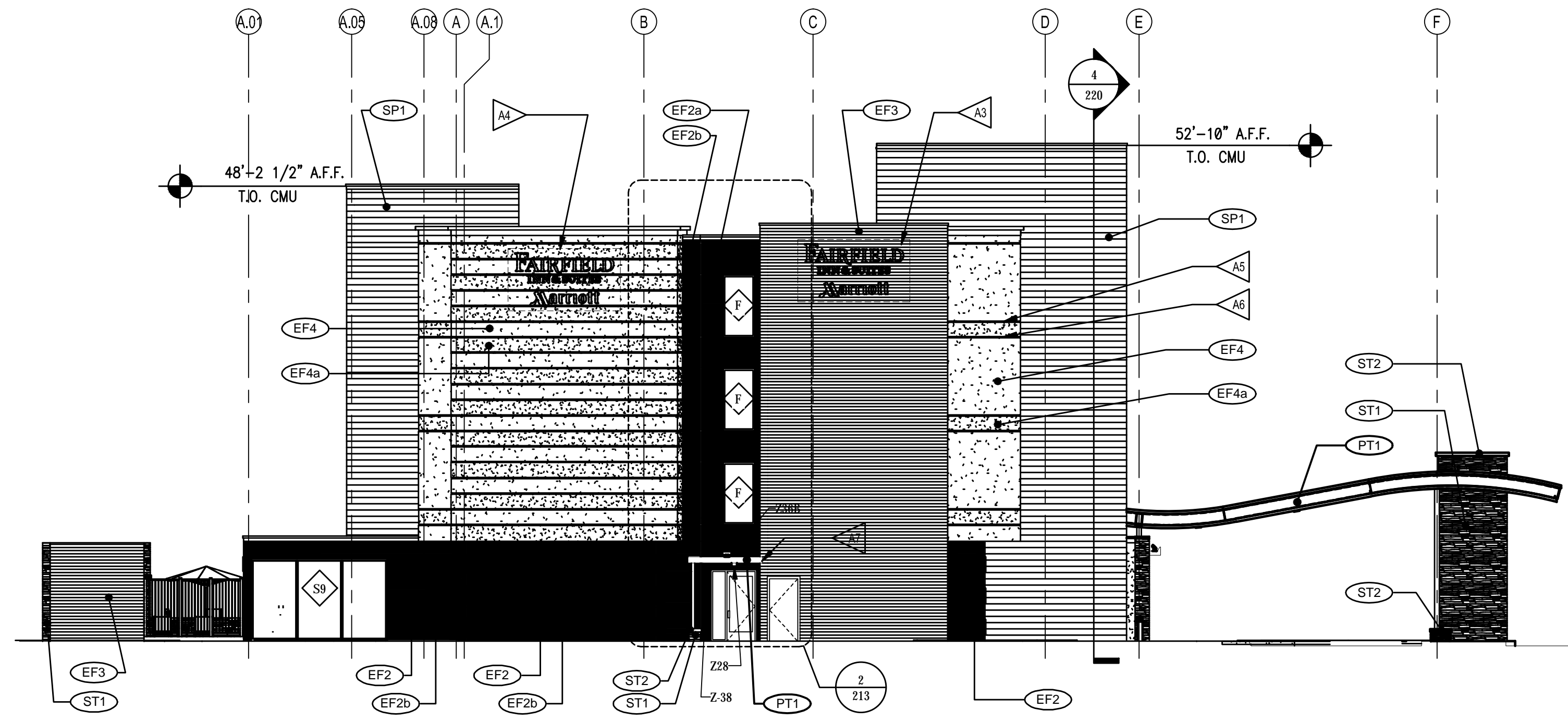
CRITERIA NOTES ARE SHOWN CATEGORIZED BY DISCIPLINE AND COULD BE INTERPRETED TO APPLY TO MORE THAN ONE DISCIPLINE. FOR EFFICIENCY, NOTES ARE ONLY SHOWN UNDER ONE PREDOMINANT DISCIPLINE. CONSULTANTS SHOULD FAMILIARIZE THEMSELVES WITH ALL CRITERIA NOTES.

ARCHITECTURE:

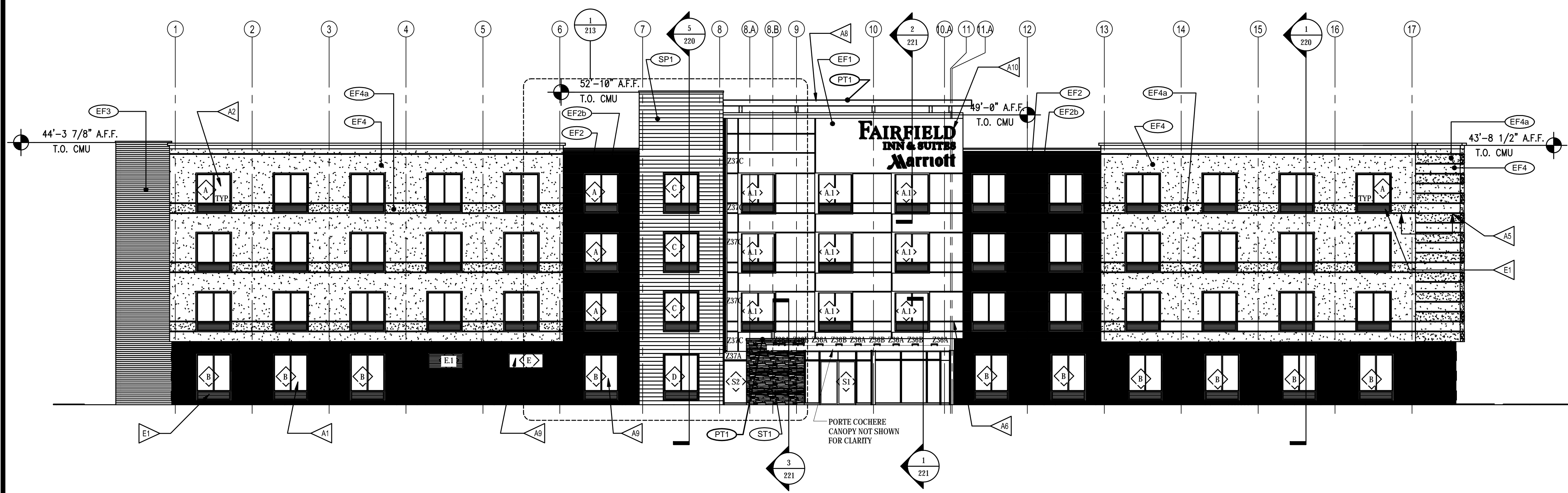
- A1 TYPICAL GUESTROOM WINDOW @ GROUND FLOOR
- A2 TYPICAL GUESTROOM WINDOW FOR UPPER FLOOR
- A3 OPT 1 - PREFERRED LOCATION FOR OPTIONAL CHANNEL LETTER SIGNAGE ON SIDES OR ENDS OF BUILDING. LOCATE AS APPROPRIATE BASED ON BUILDING ORIENTATION. VERIFY PARAPET HEIGHT OR WALL CONSTRUCTION IN THE AREA SIGN TO BE INSTALLED WILL ALLOW FOR REAR ACCESS REQUIRED FOR CHANNEL LETTER INSTALLATION AND OPERATION.
- A4 OPT 2 - SECONDARY LOCATION FOR OPTIONAL SIGNAGE ON SIDES OR ENDS OF BUILDING. LOCATE AS APPROPRIATE AND SEE NOTE A3 ABOVE FOR WALL REQUIREMENTS FOR CHANNEL LETTER INSTALLATION.
- A5 ALIGN AND COORDINATE REVEALS ALONG FACADE OF BUILDING. SEE ENLARGED DETAILS FOR DIMENSIONS.
- A6 CONTINUE REVEALS ALONG EXTENDED EDGE OF BUILDING.
- A7 SIDE ENTRY CANOPY. SEE ENLARGED ELEVATIONS FOR DETAILS.
- A8 ROOF SHADE CANOPY. SEE SHEET 202 FOR DETAILS.
- A9 WINDOW TO BE "FROSTED" TO CREATED VISUAL SCREEN TO LAUNDRY ROOM.
- A10 CHANNEL LETTER SIGNAGE AT FRONT OF BUILDING. SEE SIGNAGE MANUAL - EXTERIOR SIGNAGE PACKAGE FOR REQUIREMENTS.

ENGINEERING:

- E1 PTAC LOUVER INTEGRAL WITH WINDOW FRAME. FINISH TO MATCH WINDOW FRAME.



NOTE: ALL ROOF MOUNTED EQUIPMENT SHALL BE SCREENED.



EXTERIOR FINISH KEY

- EF1 PEARLESCENT ACCENT EPS FINISH
- EF2 DARK EPS FINISH COLOR
- EF2a ACCENT EPS COLOR
- EF2b DARK EPS FINISH COLOR - TEXTURED
- EF3 STAIR TOWER EPS COLOR
- EF4 MAIN BUILDING EPS COLOR
- EF4a ACCENT EPS COLOR
- ST1 CULTURED STONE
- ST2 COPING
- SP1 EXTERIOR ACCENT FINISH AT RAINSCREEN - SOLID PHENOLIC BOARD SIDING - CEMENT BOARD SIDING (OPTION)
- PT1 PAINT COLOR - ALUM. ROOF SHADE CANOPY & OTHER METAL COPINGS, FASCIAS, ETC.

1 FRONT ELEVATION  
EX1 SCALE 3/32" = 1'-0"

| NO | DATE    | REVISIONS     |
|----|---------|---------------|
| 1  | 12-5-16 | CITY COMMENTS |

FARISH ENTERPRISES  
1616 EAST SEMORAN BOULEVARD  
APOPKA FLORIDA

PROJECT NO: 2016.0341  
DATE: 10-31-16

EX1  
EXTERIOR ELEVATIONS

CHECKED: CDB DRAWN: MRS

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CRITERIA NOTES ARE SHOWN CATEGORIZED BY DISCIPLINE AND COULD BE INTERPRETED TO APPLY TO MORE THAN ONE DISCIPLINE. FOR EFFICIENCY, NOTES ARE ONLY SHOWN UNDER ONE PREDOMINANT DISCIPLINE. CONSULTANTS SHOULD FAMILIARIZE THEMSELVES WITH ALL CRITERIA NOTES.

**ARCHITECTURE:**

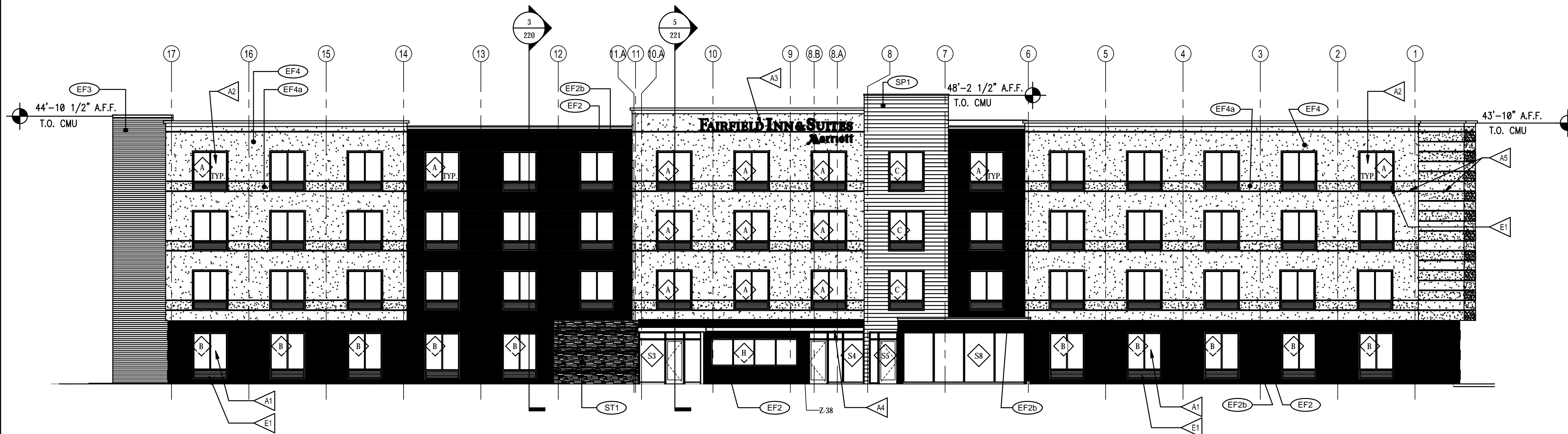
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- A2 TYPICAL GUESTROOM WINDOW FOR UPPER FLOOR.
- A3 OPTIONAL BUILDING CHANNEL LETTER SIGNAGE AT REAR OF BUILDING.
- A4 LOUVERED SUNSHADE.
- A5 ALIGN AND COORDINATE REVEALS ALONG FACADE OF BUILDING. SEE ENLARGED DETAILS FOR DIMENSIONS.
- A6 CONTINUE REVEALS ALONG EXTENDED EDGE OF BUILDING.

**ENGINEERING:**

- E1 PTAC LOUVER INTEGRAL WITH WINDOW FRAME. FINISH TO MATCH WINDOW FRAME.



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1 FRONT ELEVATION  
EX2 SCALE: 3/32" = 1'-0"

1 12-5-16 CITY COMMENTS  
NO DATE REMARKS  
REVISIONS

**FARISH ENTERPRISES**

1616 EAST SEMORAN BOULEVARD  
APOPKA  
FLORIDA

PROJECT NO: 2016.0341  
DATE: 10-31-16

**EX2**  
EXTERIOR ELEVATIONS

CHECKED: CDB DRAWN: MRS

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FAIRFIELD INN & SUITES BY MARRIOTT  
 Marriott International, Inc.  
 19400 Fernwood Road  
 Bethesda, MD 20817 (301) 380-3000



**1 EXTERIOR PERSPECTIVE - SLATE GRAY SCHEME**  
 NO SCALE



**2 EXTERIOR PERSPECTIVE - RED BRICK SCHEME**  
 NO SCALE



**3 EXTERIOR PERSPECTIVE - SOUTHWEST SCHEME**  
 NO SCALE

**FAIRFIELD  
 INN & SUITES<sup>®</sup>  
 Marriott.**

Design Guideline Drawings  
 ISSUE DATE: 03-23-16  
 REVISION DATE:  
 GENERATION: 4  
 DECOR: PERSPECTIVES

EXTERIOR  
 PERSPECTIVES

**210**

NOT FOR CONSTRUCTION

FF-NAIF-05-04-210-Fr-Persepolis

**ORDINANCE NO. 2504**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE APOPKA CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, TO ALLOW BUILDING HEIGHTS IN EXCESS OF 35 FEET WHEN EXPRESSLY PERMITTED BY SPECIAL EXCEPTION OR PLANNED UNIT DEVELOPMENT, PROVIDING FOR EXCEPTIONS, AND PROVIDING CRITERIA; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Apopka finds it in the best interest of the City of Apopka to allow building heights in excess of 35 feet when expressly permitted by special exception.

**LEGISLATIVE UNDERSCORING:** Underlined words constitute additions to the City of Apopka Land Development Code, ~~strike through~~ 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.** Article II, Sec. 2.02.01 of the City of Apopka Land Development Code is amended as follows:

\*\*\*

- B. There are several standards which are applied within all zoning districts. They are:
1. *Accessory structures and uses.* Accessory structures and uses shall conform to article VII, section 7.01.00 of this code.
  2. *Additional development requirements:*
    - a. The city council, may impose additional requirements which in their judgment are required as a result of unique circumstances with respect to site, the district in which it is located, and the type of development proposed.  
  
If these additional standards are found necessary as part of a rezoning, zoning districts which are subject to such additional conditions, restrictions, or requirements shall include additional performance standards in the rezoning ordinance, the performance standards shall run with the land. Such conditions shall be in line with the intent and purpose of this code.
    - b. When a change of occupancy classification as determined by the Standard Building Code, or a change of permitted use as determined by the community development director, and/or the number of persons in a building significantly increases the entire site shall, as much as practicable, comply with the requirements of this code. The specific provisions of the code with which the site will be required to comply shall be in accordance with the redevelopment standards included in article XII of this code.
  3. *Building height:*
    - a. ~~No structure shall exceed 35 feet in height.~~ Building height in excess of 35 feet is unlawful unless expressly permitted by special exception issued pursuant to the requirements of Article II, Sec. 2.02.01(B)(3)(c) of this Code or addressed through a Planned Unit Development zoning application. ‘Building height’ is defined in Article I, Sec. 1.08.13 of this Code.
    - b. ~~Exclusions:~~ Exceptions.

- (1) The building height limitations contained in this code do not apply to, nor is a special exception required for: spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or to other appurtenances usually required to be placed above the roof level and not intended for human occupancy provided; however, the heights of these structures or appurtenances thereto shall not exceed any height limitations prescribed by the FAA or when there is conflict in other sections of this code.
- (2) For non-residential development, a building's facade may extend up to a maximum of five feet above the building's height (as calculated according to Article I, Sec. 1.08.13 of this Code) to a maximum of forty feet without the need for a special exception, if the facade is utilized to conceal and/or screen roof top equipment, including, but not limited to: air conditioning equipment, antennas, etc...

c. Special Exception for Building Height.

- (1) The special exception criteria and requirements specified in Article II, Sec. 2.02.01(B)(5) of this Code are not applicable to building height.
- (2) Special exceptions may only be applied for and granted non-residential development.
- (3) All special exception applications for building height shall include a development plan and shall be reviewed by the planning commission for approval to ensure that the application meets all requirements of this Code and the following criteria:
  - (a) Whether the height exception will have an adverse effect on land uses in adjacent areas.
  - (b) Whether the height exception will severely reduce light and air in adjacent areas.
  - (c) Whether the height exception will be a detriment to the improvement or development of adjacent property in accord with existing regulations.
  - (d) Whether the height exception will adversely affect property values in adjacent areas.
  - (e) Whether the height exception will adversely influence living conditions in adjacent areas.
  - (f) Whether the height exception is compatible with adjacent areas, neighborhoods, and urban form.
  - (g) Whether the height exception will impair scenic views.

\*\*\*

**SECTION 2. 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 3. CONFLICTS.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4. 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 5. 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: September 7, 2016

READ SECOND TIME  
AND ADOPTED: September 21, 2016

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.

Cliff B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 29, 2016  
September 9, 2016

**PLANNING COMMISSION - AGENDA**

**December 13, 2016**

**Page 61**

**Backup material for agenda item:**

3. SPECIAL EXCEPTION – TRIQUINT SEMICONDUCTOR (AKA QORVO) – Owned by Triquint Semiconductor, Inc., requesting a Special Exception to allow a building height of 55' in lieu of the required 35' within an I-1 zoning district for property located at 1818 South Orange Blossom Trail (Parcel ID #: 24-21-28-0000-00-055)



# CITY OF APOPKA PLANNING COMMISSION

---

|  |             |                          |
|--|-------------|--------------------------|
| <input checked="" type="checkbox"/> PUBLIC HEARING | MEETING OF: | December 13, 2016        |
| <input type="checkbox"/> SPECIAL REPORTS           | FROM:       | Community Development    |
| <input type="checkbox"/> PLAT APPROVAL             | EXHIBITS:   | Vicinity Map             |
| <input type="checkbox"/> OTHER:                    |             | Adjacent Zoning Map      |
|  |             | Adjacent Uses Map        |
|  |             | Existing Uses Map        |
|  |             | Exhibit 'A' Concept Plan |

---

**SUBJECT: TRIQUINT SEMICONDUCTOR (AKA QORVO) BUILDING HEIGHT SPECIAL EXCEPTION**

**Parcel ID Number: 24-21-28-0000-00-055**

**Request: A SPECIAL EXCEPTION FOR A MAXIMUM BUILDING HEIGHT NOT TO EXCEED 55 FEET, WITHIN A PROPERTY ASSIGNED AN INDUSTRIAL ZONING CATEGORY OF I-1.**

**SUMMARY:**

OWNER/  
APPLICANT: TriQuint Semiconductor, Inc.

LOCATION: 1818 S Orange Blossom Trail

LAND USE: Industrial (max 0.6 FAR)

ZONING: I-1 (Restricted Industrial)

EXISTING USE: Light industrial & professional office

PROPOSED USE: Professional office building not to exceed fifty-five (55) feet in height.

TRACT SIZE: 15.5 +/- acres

**DISTRIBUTION:**

|                         |                  |                      |
|-------------------------|------------------|----------------------|
| Mayor Kilsheimer        | Finance Director | Public Ser. Director |
| Commissioners (4)       | HR Director      | City Clerk           |
| City Administrator Irby | IT Director      | Fire Chief           |
| Community Dev. Director | Police Chief     |                      |

**STAFF REPORT:** Section 2.02.01(B)(3) of the Apopka Land Development Code requires a special exception to allow a building height to exceed 35 feet in height. A special exception requires Planning Commission action. The current application requests to increase the allowable building height for a proposed 3-story, 36,900 sq. ft. professional office building. The proposed use is permitted within the I-1 zoning district and the requested 55-foot building height is compatible with the general character of the surrounding, which is predominantly industrial and commercial in nature. The proposed 55-foot structure (as depicted on the special exception plan listed as Exhibit ‘A’) will be oriented toward existing light industrial developments and will not adversely affect property values or light/shadow conditions on adjacent properties. Further, the propose

The property is presently assigned a Future Land Use Designation of “Industrial” and a zoning category of I-1 (Restricted Industrial).

A. Relationship to Adjacent Properties: Zoning and existing land use assigned to adjacent and nearby properties appears in the attached exhibits. The character of the area surrounding the subject property is described as follows:

| <i>Direction</i> | <i>Future Land Use</i>    | <i>Zoning</i> | <i>Present Use</i>             |
|------------------|---------------------------|---------------|--------------------------------|
| North (City)     | Industrial (max 0.6 FAR)  | I-1           | R-O-W & Warehousing            |
| East (City)      | Industrial (max 0.6 FAR)  | I-1           | Light manufacturing (printing) |
| South (County)   | Rural (0-10 du/ac)        | A-1           | Single-family home             |
| West (City)      | Commercial (max 0.25 FAR) | C-1           | Retail (Sam’s Club)            |

B. Special Exception Development Standards. Article II of the Land Development Code establishes development standards specific to special exceptions. These standards are intended to reduce any impacts from the proposed special exception use on adjacent properties.

C. Special Exception Conditions of Use.

1. The height of the proposed 3-story, 36,900 sq. ft. professional office building shall not exceed 55 feet in height.
2. The Special Exception Use only applies to the building within the special exception site plan that exceeds 35 feet in height and located within Parcel No. 24-21-28-0000-00-055.

**DULY ADVERTISED:**

November 25, 2016 - Public Hearing Notice

---

**RECOMMENDED ACTION:**

The **Development Review Committee** has no objection to recommends approval of the TriQuint Semiconductor Special Exception to allow for a building appearing in the special exception site plan not to exceed 55 feet in height within an I-1 zoning district subject to the special exception conditions within the Staff Report.

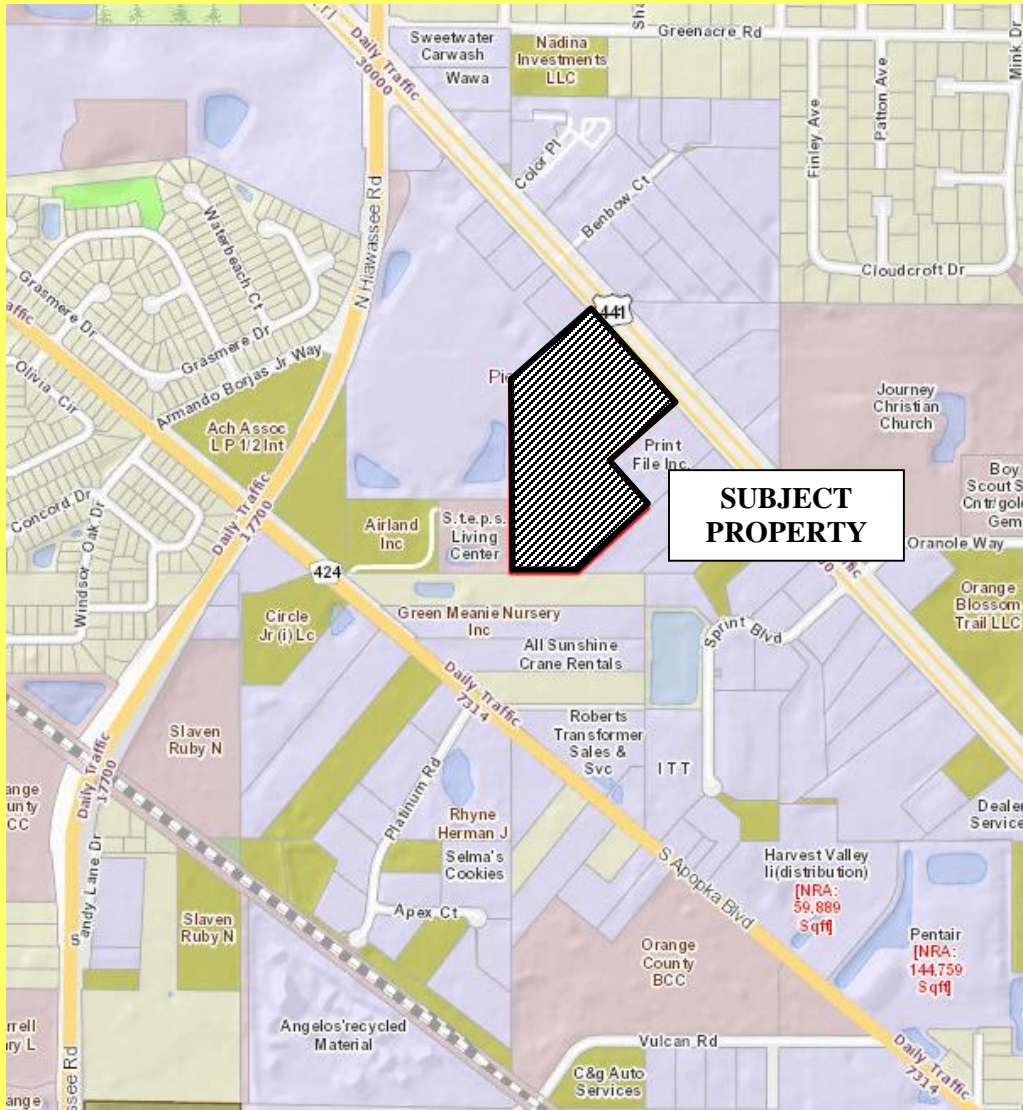
**Recommended Motion:** Approve the TriQuint Semiconductor Special Exception Use to allow a building not to exceed 55 feet in height, subject to the Special Exception Conditions of Use.

**Planning Commission Role -** Pursuant to the City of Apopka Code of Ordinances, Part III, Land Development, Article XI, Section 11.05.D.1 the Planning Commission has the authority to take final action on a special exception application. Therefore, the Planning Commission may approve, deny or approve with conditions this application. An applicant may appeal the Planning Commission action to the City Council.



**TriQuint Semiconductor, Inc.**  
Proposed Special Exception  
To allow for a building not to exceed 55 feet in height  
Located on property assigned an Industrial Land Use Designation  
15.5 +/- Acres  
Parcel ID #: 24-21-28-0000-00-055

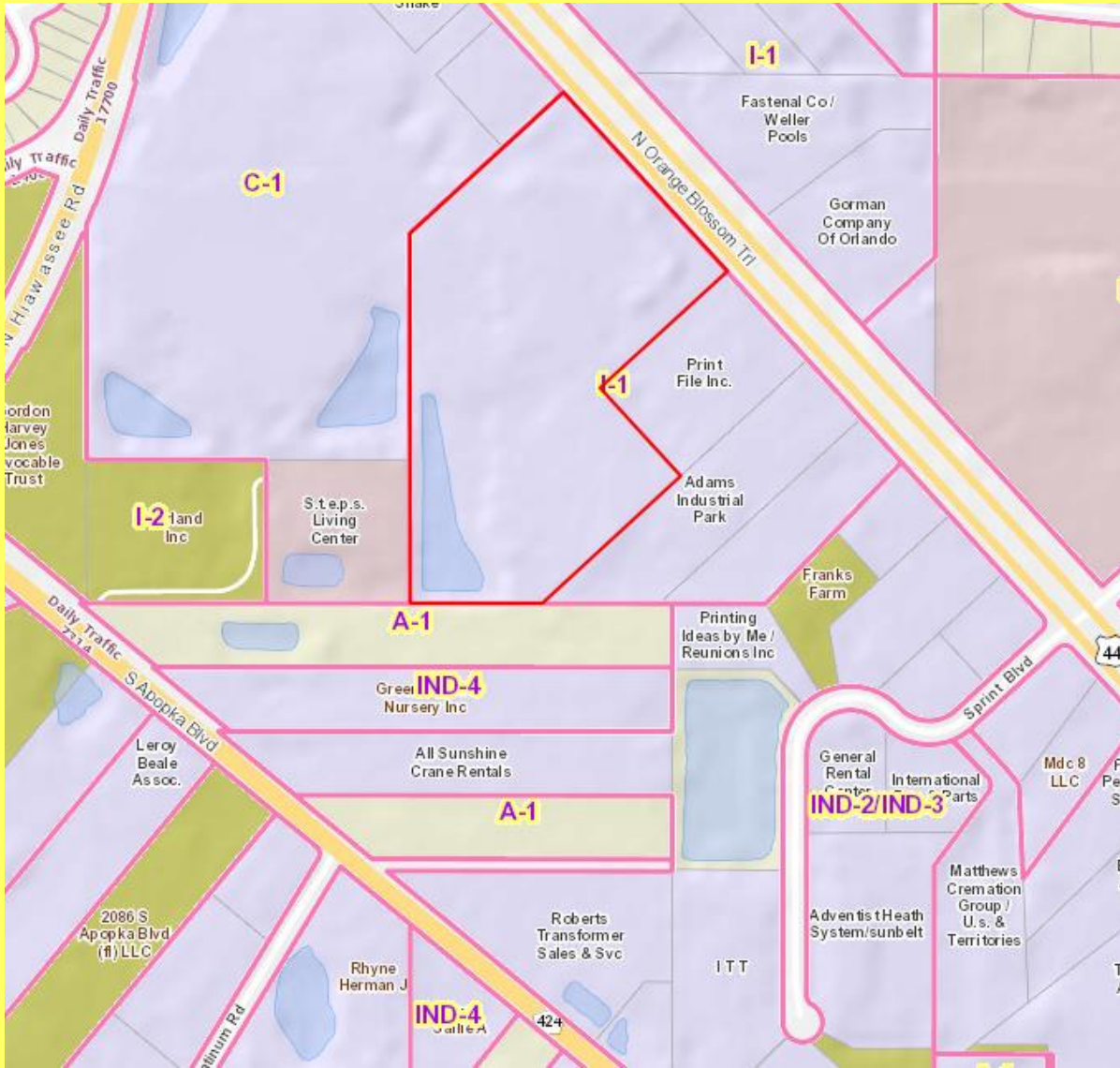
**VICINITY MAP**





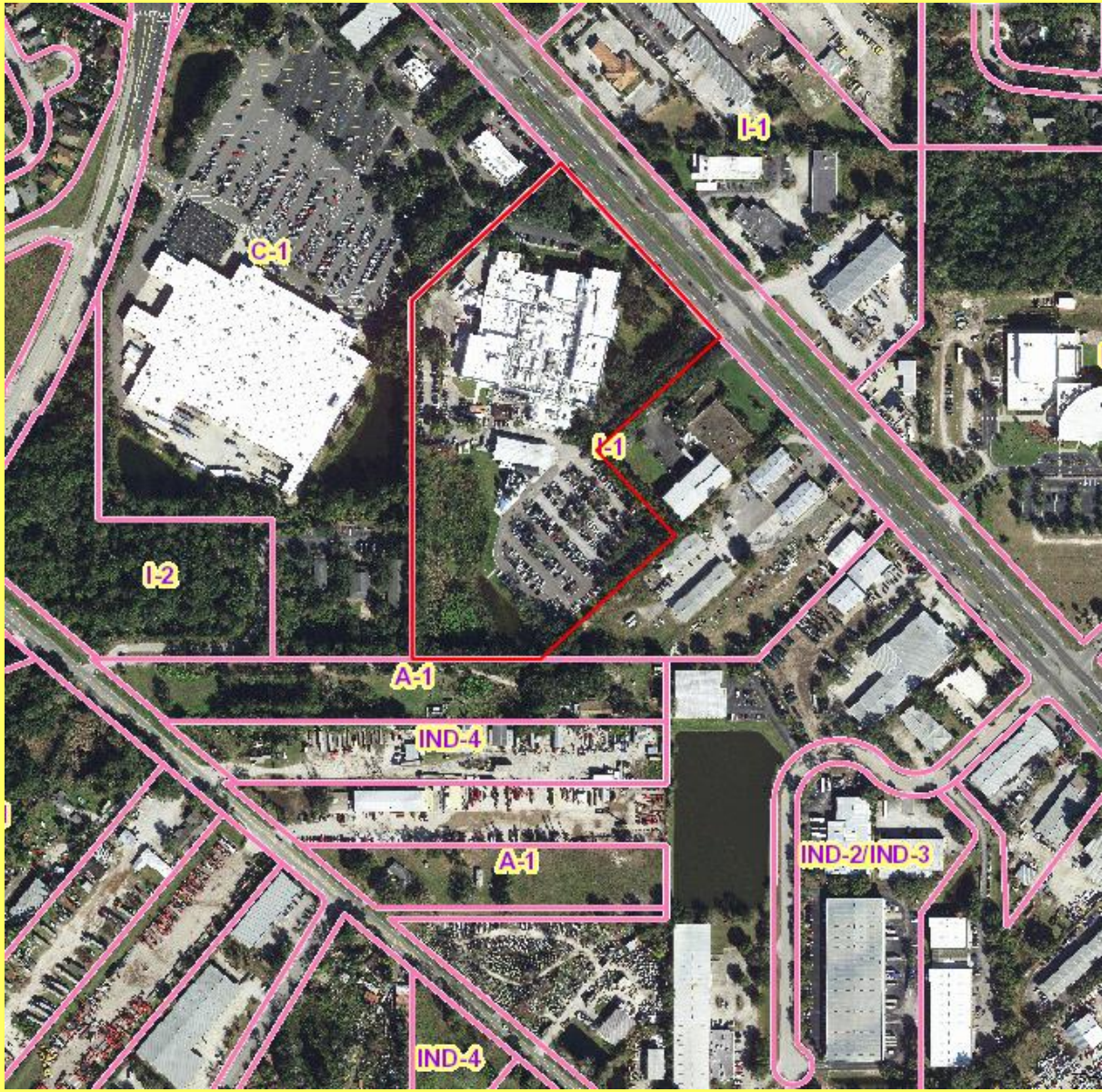


ADJACENT ZONING MAP





ADJACENT USES



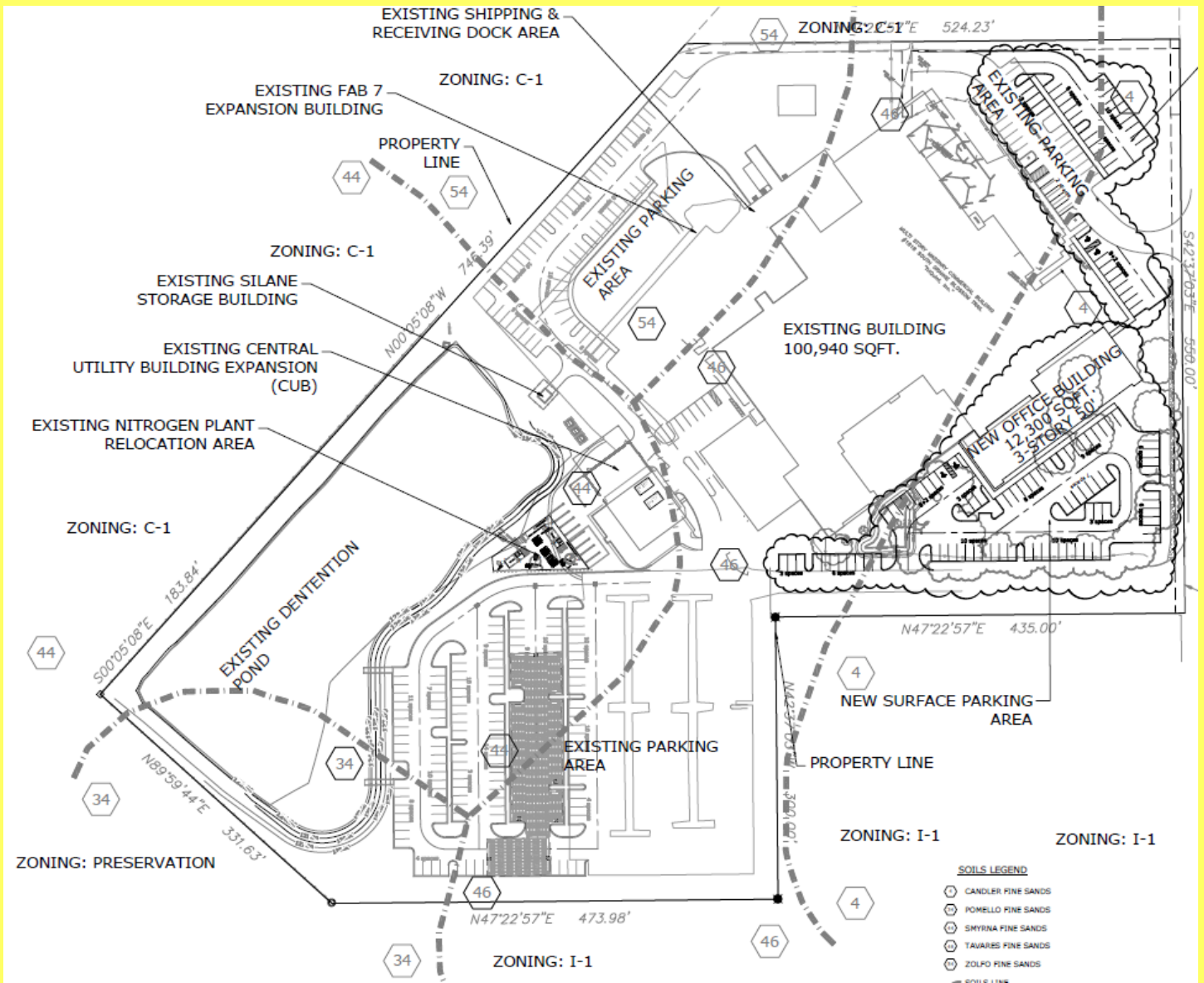


**EXISTING USES**





EXHIBIT 'A' – SPECIAL EXCEPTION PLAN

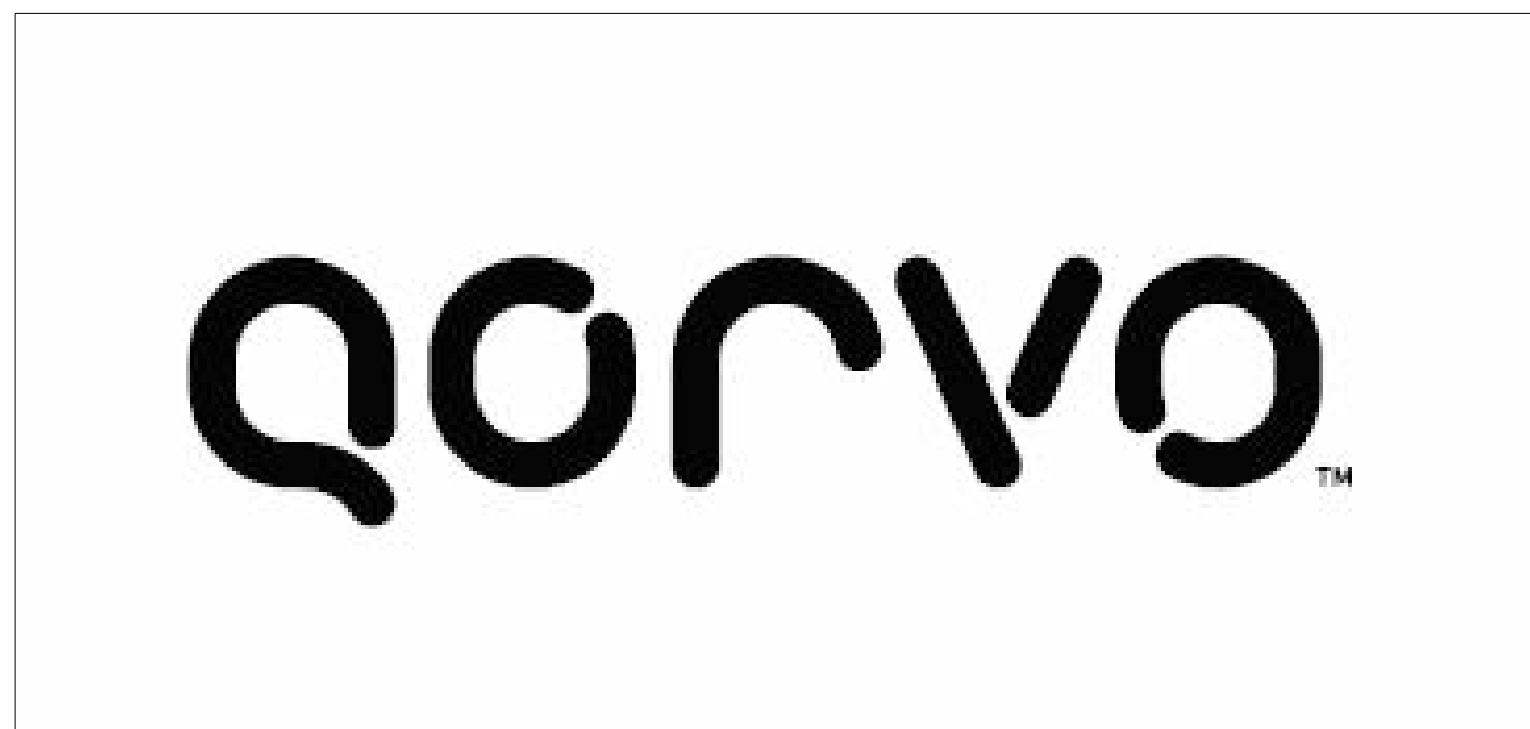


# Qorvo 2017 Office Building Expansion

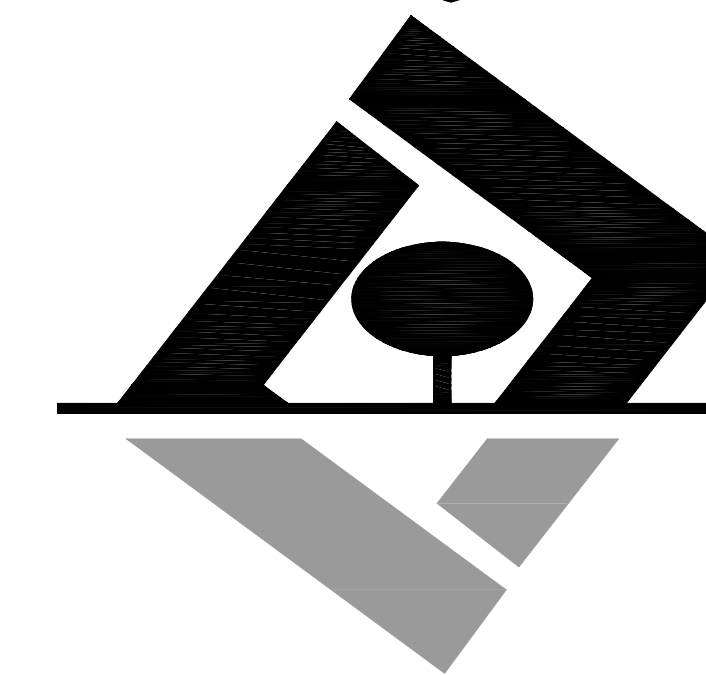
City of Apopka, Florida

## Special Exception Plan

for



by



**G L SUMMITT**  
ENGINEERING INC



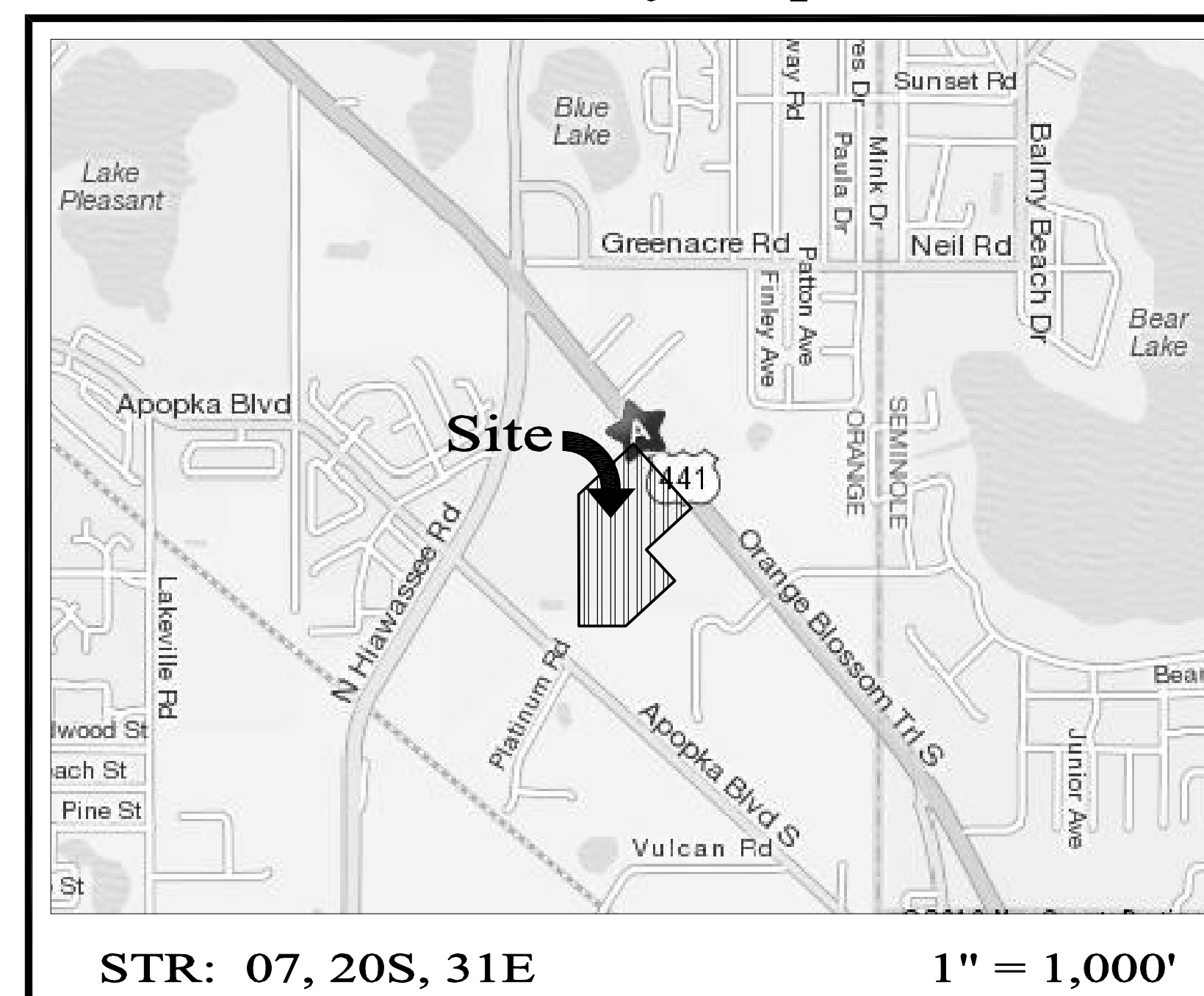
### Project Team

|  |  |
|--|--|
| <p><b>Owner</b><br/>TriQuint Semiconductor<br/>1818 S. Hwy 441<br/>Apopka, FL 32703<br/>Ph: (407) 886-8860<br/>Fx: (407)</p> <p><b>Architect</b><br/>Bush Architecture<br/>2452 Stoneview Rd.<br/>Orlando FL 32806<br/>Ph: (407) 574-2894<br/>Fx: (407) 228-1712</p> <p><b>Contractor</b><br/>McCartney &amp; Company, Inc<br/>1109 West Church St.<br/>Orlando FL 32805<br/>Ph: (407) 843-1553<br/>Fx: (407) 423-5560</p> | <p><b>Civil Engineer</b><br/>Denham Summitt Engineering, LLC<br/>3667 Simonton Place<br/>Lake Mary, FL 32746<br/>Ph: (407) 323-0705<br/>Fx: (407) 264-6901</p> |
|--|--|

### Utilities

|   |
|---|
| <p><b>Drinking Water</b><br/>City of Apopka<br/>748 E. Cleveland St.<br/>Apopka, FL 32703<br/>Ph: (407) 703-1731<br/>Fx: (407) 703-1748</p> <p><b>Sanitary Sewer</b><br/>City of Apopka<br/>748 E. Cleveland St.<br/>Apopka, FL 32703<br/>Ph: (407) 703-1731<br/>Fx: (407) 703-1748</p> <p><b>Garbage Disposal</b><br/>Private Contract</p> |
|---|

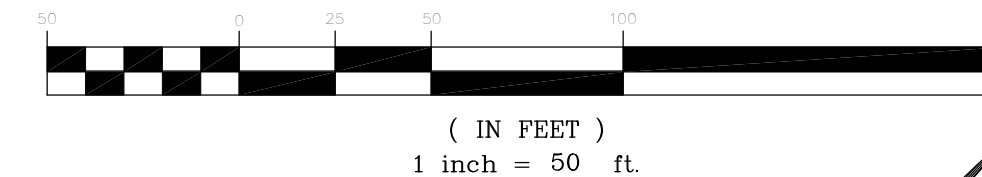
### Vicinity Map



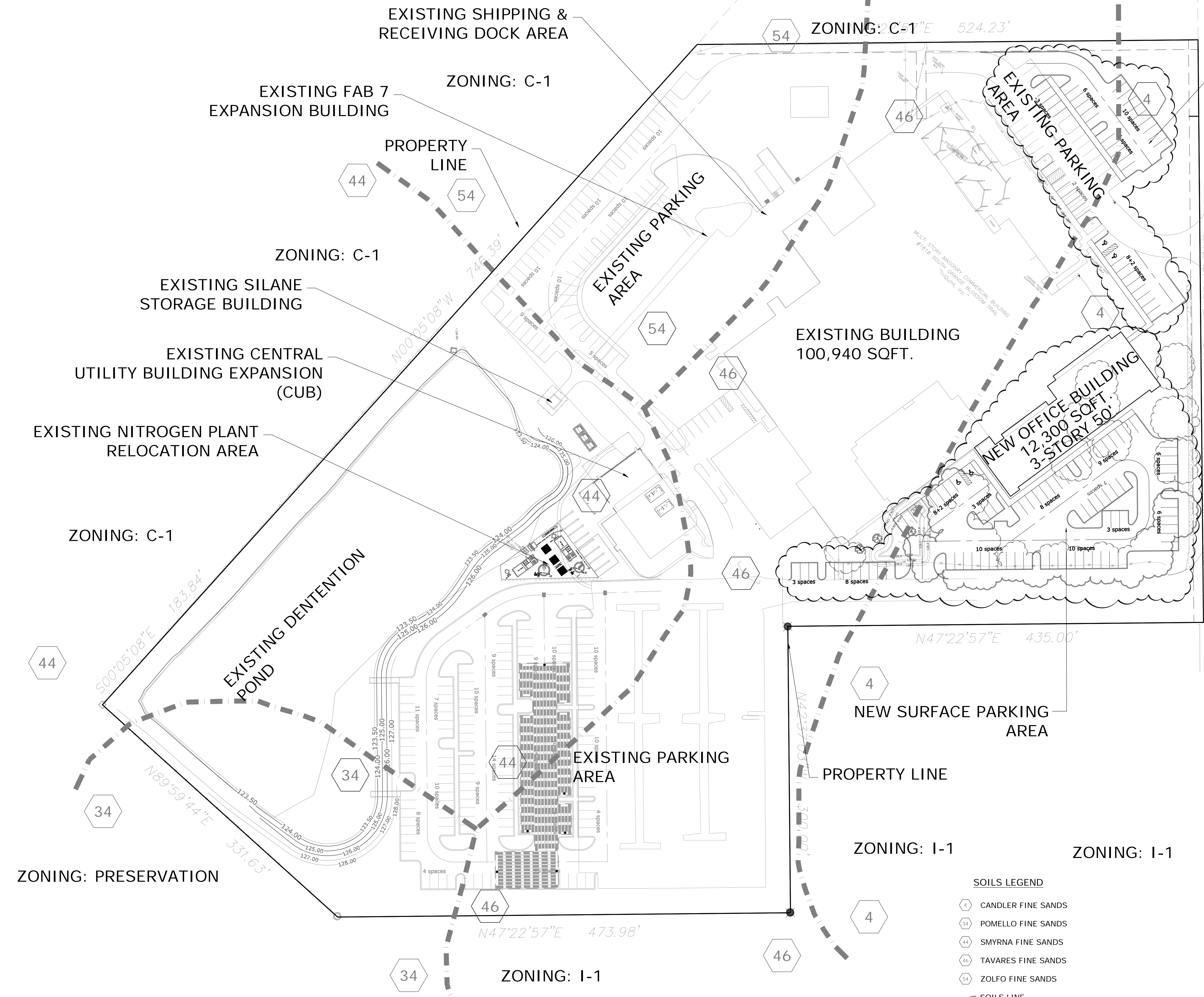
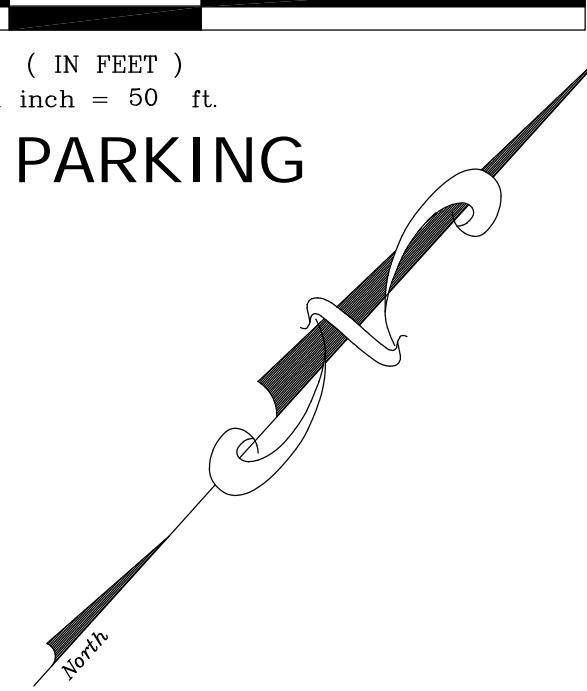
### Drawing Index

| No.       | Title             | Revised  |
|-----------|-------------------|----------|
| C0-00-001 | Cover             | 11-21-17 |
| C1-00-001 | Overall Site Plan | 11-21-17 |
|           |                   |          |
|           |                   |          |
|           |                   |          |
|           |                   |          |
|           |                   |          |
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|           |                   |          |

| REV | REF NO | DATE | BY | CHECK | APP'D | VER | REVISION DESCRIPTION |
|-----|--------|------|----|-------|-------|-----|----------------------|
|     |        |      |    |       |       |     |                      |



( IN FEET )  
1 inch = 50 ft.



HWY. U.S. 441  
HWY. U.S. 441

**2017 Office Expansion Site Data:**

- Zoning: I-1
- Total Land Area: 676,051 sqft. (15.52 acres) more or less
- Building Area Breakdown:

|                         | Industrial          | Office              | Total                |
|-------------------------|---------------------|---------------------|----------------------|
| Existing Buildings:     | 78,926 sqft.        | 56,981 sqft.        | 135,907 sqft.        |
| Proposed Buildings:     | 0 sqft.             | 33,927 sqft.        | 33,927 sqft.         |
| <b>Building Totals:</b> | <b>78,926 sqft.</b> | <b>90,908 sqft.</b> | <b>226,815 sqft.</b> |
| Floor Area Ratio:       | 11.7%               | 13.45%              | 33.55%               |
- Building Setbacks:

|                      |  |
|----------------------|--|
| Front yard setback:  | 25' (required)                                       |
| Side yard setback:   | 10' (required)                                       |
| Rear yard setback:   | 10' (required)                                       |
| Side Street setback: | 25' (required)                                       |
| Min Lot Width:       | 75' (required)                                       |
| U.S. 441 setback:    | 100' (from centerline)                               |
| Max Building Height: | 35' (required), 50' (special exception request 2017) |
- Area Breakdown:

|                                  |                              |
|----------------------------------|------------------------------|
| Total Lot Area:                  | 676,051 sqft.                |
| Existing Building Area:          | 135,907 sqft.                |
| Proposed Building Area:          | 12,300 sqft.                 |
| Existing Pavement Area:          | 185,521 sqft.                |
| Existing Sidewalk Area:          | 22,884 sqft.                 |
| Proposed Pavement Area:          | 46,443 sqft.                 |
| Pond Area:                       | 99,392 sqft.                 |
| Open Space Area:                 | 173,604 sqft.                |
| <b>Required Open Space (15%)</b> | <b>101,407 sqft.</b>         |
| <b>Open Space Provided:</b>      | <b>173,604 sqft. (25.9%)</b> |
- Impervious Area Breakdown:

|                                      |                      |
|--------------------------------------|----------------------|
| Existing Sidewalk Area:              | 22,884 sqft.         |
| Existing Pavement Area:              | 185,521 sqft.        |
| Existing Building Area:              | 135,907 sqft.        |
| Proposed Building Area:              | 12,300 sqft.         |
| Proposed Pavement Area:              | 46,443 sqft.         |
| Proposed Sidewalk Area:              | 0 sqft.              |
| Existing Pavement to be Removed:     | 501 sqft.            |
| <b>Proposed New Impervious Area:</b> | <b>58,743 sqft.</b>  |
| <b>Total Impervious Area:</b>        | <b>402,554 sqft.</b> |
- Parking Space Breakdown:

| Proposed/Existing Use         | Parking Requirement      | Area (sqft.) | Required Spaces                   |
|-------------------------------|--------------------------|--------------|-----------------------------------|
| General Warehouse             | 2 spaces per 1,000 sqft. | 78,926       | 158                               |
| General Office                | 1 space per 250 sqft.    | 90,908       | 364                               |
| <b>Total Required Spaces:</b> |                          |              | <b>522</b>                        |
|                               |                          |              | <b># of Required Handicap:</b> 10 |
- Available Parking Spaces:

|                                     |                   |
|-------------------------------------|-------------------|
| Number of Existing Regular Spaces   | 430 spaces        |
| Number of Truck/Company Vec. Spaces | 9 spaces          |
| Number of Handicap Spaces           | 10 spaces         |
| Number of Spaces Removed            | 3 spaces          |
| Number of New Standard Spaces       | 113 spaces        |
| <b>Total Number of Spaces</b>       | <b>565 spaces</b> |
- During construction, when combustibles are brought onto the site in such quantities as deemed hazardous by the fire official, access roads and a suitable temporary supply of water acceptable to the fire department shall be provided and maintained.
- During construction, stabilized access roads and a suitable water supply acceptable to the Fire Department shall be provided and maintained.
- No construction within 100 yr. flood plain is proposed per FIRM Panel 12095C0140F Sept. 25, 2009.
- Water, Sanitary Sewer and solid waste disposal services will be provided by City of Apopka.
- All traffic markings shall be in accordance with City of Apopka and FDOT roadway specifications.

**SOILS LEGEND**

- 4 CANDLER FINE SANDS
- 34 POMELLO FINE SANDS
- 44 SMYRNA FINE SANDS
- 46 TAVARES FINE SANDS
- 54 ZOLFO FINE SANDS

SOILS LINE

**G L SUMMITT**  
ENGINEERING INC  
3667 Simonton Pl., Lake Mary, FL 32746  
Ph. 407-323-0705, Fx. 407-992-8650

Plans not valid unless Signed,  
Dated and Sealed below.  
**GEOFFREY L. SUMMITT, P.E.**  
Date: \_\_\_\_\_  
FL Registration #58 70  
Certificate of Authorization

**QORVO 2017 OFFICE  
BUILDING EXPANSION  
APOPKA, FLORIDA**

| REV. | REF. NO.  | DATE | BY | CHKD. | APPR. | YER. | REVISION DESCRIPTION |
|------|-----------|------|----|-------|-------|------|----------------------|
| 1    | NOTES LN1 |      |    |       |       |      |                      |
| 2    | NOTES LN2 |      |    |       |       |      |                      |
| 3    | NOTES LN3 |      |    |       |       |      |                      |
| 4    | NOTES LN4 |      |    |       |       |      |                      |
| 5    | NOTES LN5 |      |    |       |       |      |                      |
| 6    | NOTES LN6 |      |    |       |       |      |                      |

**QORVO**

DATE: NOVEMBER 21, 2017  
SCALE: N.T.S.  
DRAWN: GLS  
CHECKED: GLS  
APPROVED: GLS

DATE: NOVEMBER 21, 2017  
SCALE: N.T.S.  
DRAWN: GLS  
CHECKED: GLS  
APPROVED: GLS

**OVERALL  
SITE PLAN**

SHEET: CI-00-001

**PLANNING COMMISSION - AGENDA**

**December 13, 2016**

**Page 71**

**Backup material for agenda item:**

1. PRELIMINARY DEVELOPMENT PLAN – CARRIAGE HILL RESIDENTIAL SUBDIVISION – Owned by JTD Land at Rogers Rd, LLC, property located at 2303 Rogers Road. (Parcel ID #s: 29-20-28-0000-00-004 & 29-20-28-0000-00-026)



**CITY OF AOPKA  
PLANNING COMMISSION**

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|  |                               |
|--|-------------------------------|
| <input checked="" type="checkbox"/> PUBLIC HEARING               | DATE: December 13, 2016       |
| <input type="checkbox"/> SPECIAL REPORTS                         | FROM: Community Development   |
| <input type="checkbox"/> PLAT APPROVAL                           | EXHIBITS: Vicinity/Aerial Map |
| <input checked="" type="checkbox"/> OTHER: Preliminary Dev. Plan | Site Plan                     |
|  | Landscape Plans               |

---

**SUBJECT: PRELIMINARY DEVELOPMENT PLAN – CARRIAGE HILL RESIDENTIAL SUBDIVISION**

**Request: RECOMMEND APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN FOR CARRIAGE HILL RESIDENTIAL SUBDIVISION**

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**SUMMARY**

OWNER/APPLICANT: JTD Land at Rogers Rd, LLC

PROJECT ENGINEER: Dewberry Engineers, Inc. c/o Christopher Allen, P.E.

LOCATION: 2303 Rogers Road  
(East of Rogers Road and north of Lester Road)

EXISTING USE: Vacant land

FUTURE LAND USE: Residential Low Suburban (Max 3.5 du/ac)

ZONING: R-1

PROPOSED DEVELOPMENT: Single-Family Residential Subdivision (73 Lots; min. 9,000 sq. ft. lot area, 85 ft. min. lot width)

PROPOSED DENSITY: 2.66 du/ac

TRACT SIZE: 30.58 +/- acres

DEVELOPABLE AREA: 27.38 +/- acres

OPEN SPACE: 4.49 +/- acres

---

**DISTRIBUTION:**

|                                |                  |                      |
|--------------------------------|------------------|----------------------|
| Mayor Kilsheimer               | Finance Director | Public Ser. Director |
| Commissioners (4)              | HR Director      | City Clerk           |
| City Administrator Irby        | IT Director      | Fire Chief           |
| Community Development Director | Police Chief     | Recreation Director  |



**RELATIONSHIP TO ADJACENT PROPERTIES:**

| <i>Direction</i> | <i>Future Land Use</i>   | <i>Zoning</i> | <i>Present Use</i>       |
|------------------|--------------------------|---------------|--------------------------|
| North (City)     | Residential Low Suburban | R-1AA         | Vacant Land              |
| East (City)      | Residential Low Suburban | R-1AA         | Vacant land              |
| South (City)     | Residential Low Suburban | R-1           | Lester Ridge Subdivision |
| West (City)      | Residential Low Suburban | R-1AA         | Wekiva Run Subdivision   |
| West (County)    | Low Density Residential  | A-1           | Greenhouse               |

Project Use: The Carriage Hill - Preliminary Development Plan proposes the development of 73 single family residential lots and 0.46 acre Active and Passive Park. The community proposed a minimum typical lot width of 75 feet with a minimum lot size of 9,000 square feet (8,000 s.f. is required by code). The proposed minimum living area is 1,500 s.f., as set forth in Section 2.02.05.F of the Land Development Code.

The minimum setbacks applicable to this project are:

| Setback | Min. Standard |
|---------|---------------|
| Front*  | 25'           |
| Side    | 10'           |
| Rear    | 20'           |
| Corner  | 25'           |

\*Front-entry garage must be setback 30 feet.

Access: Ingress/egress access points for the development will be via full access onto Rogers Road. Future road right-of-way is reserved for connection to future development on the northern abutting parcel, as shown between lots 15 and 16. A connection to the west in front of Lot 19 prevents the abutting western parcel from becoming landlocked.

Stormwater: There is one retention pond designed to meet the City’s Land Development Code requirements.

Recreation: The developer is providing 0.46 +/- acre (20,038 s.f.) of active and passive recreation space. Details of active and passive recreation equipment and facilities will be submitted with the final development plan.

Buffer/Tree Program: Landscape buffers provided are consistent with the Land Development. The City’s Land Development Code and Tree Bank policy authorize the City Council to require the applicant to make a contribution to the City’s Tree Bank to mitigate the remaining tree inches for the residential section. The Applicant has committed to pay \$10.00 per deficient tree inch (totaling \$11,590.00) into the Tree Bank prior to issuance of the initial Arbor/Clearing permit.

The following is a summary of the tree replacement program for this project:

|                                  |  |
|----------------------------------|--|
| Total inches on-site:            | 4696   |
| Total number of specimen trees:  | 48   |
| Total inches removed:            | 3515   |
| Total inches retained:           | 1181   |
| Total inches replaced:           | 1175   |
| Total Inches (Post Development): | 2 <span style="border: 1px solid black; padding: 2px;">73</span> |

**SCHOOL CAPACITY REPORT:** No development activity can occur until such time that a concurrency mitigation agreement or letter has been approved by OCPS. Impacts on public school must be addressed prior to approval of a final development plan and plat. The schools zoned to receive students from this community are the following: Wolf Lake Elementary School, Wolf Lake Middle School and Apopka High School.

**ORANGE COUNTY NOTIFICATION:** The County was notified at the time of the land use amendment and rezoning application for this property, and coordination occurred with County planning staff regarding impact on adjacent parcels.

**PUBLIC HEARING SCHEDULE:**  
December 13, 2016 - Planning Commission, 5:30 p.m.  
January 4, 2016 - City Council, 1:30 p.m.

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**RECOMMENDED ACTION:**

The **Development Review Committee** recommends approval of the Carriage Hill - Preliminary Development Plan, subject to the findings of the staff report.

**Recommended Motion:** Recommend to approve the Carriage Hill - Preliminary Development Plan subject to the finding of the staff report.

**Planning Commission Role:** The role of the Planning Commission for this development application is to advise the City Council to approve, deny, or approve with conditions based on consistency with the Comprehensive Plan and Land Development Code.

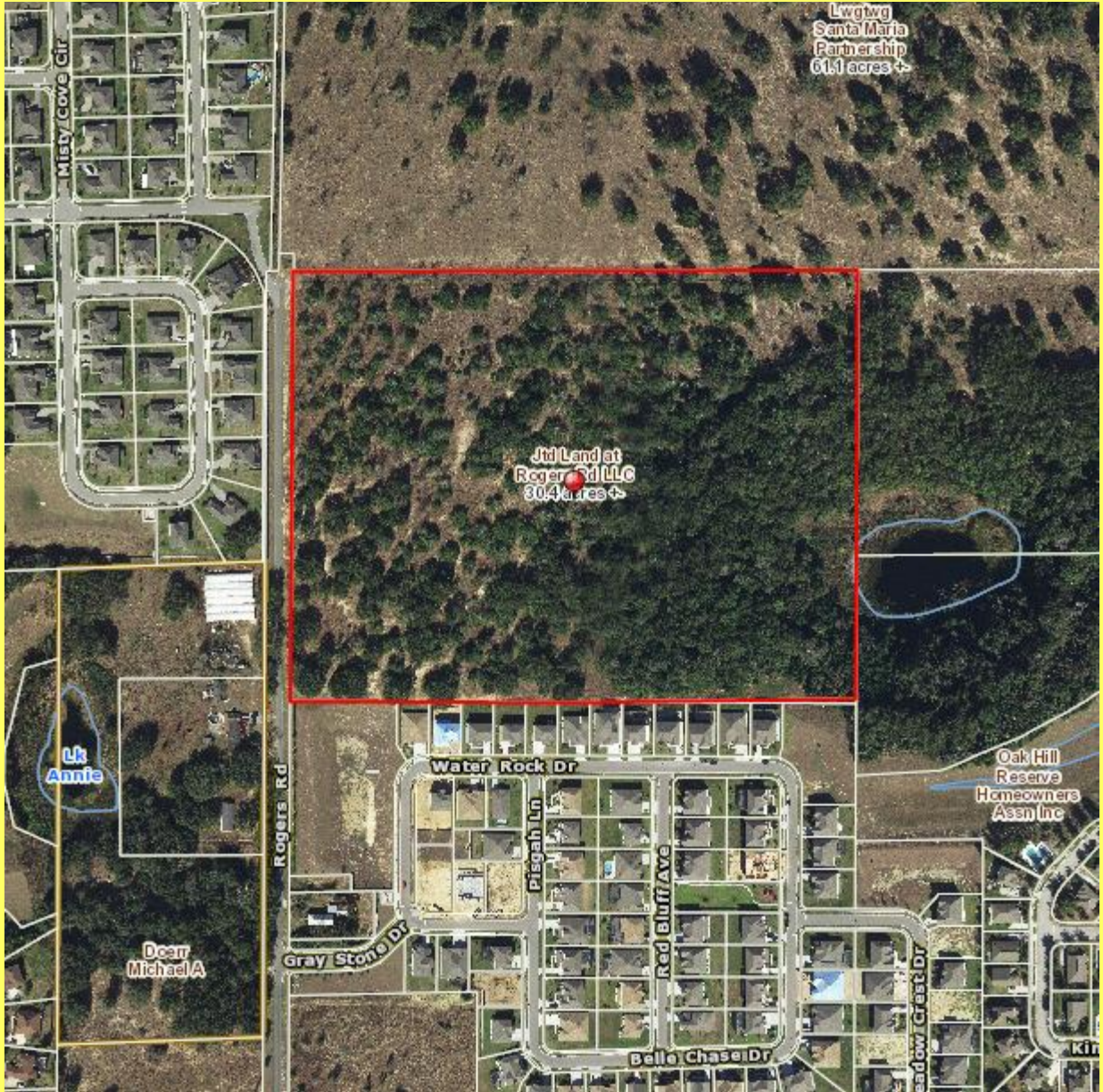
**Note:** This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

**Application:** Carriage Hill - Preliminary Development Plan  
**Owner Applicant:** JTD Land at Rogers Rd., LLC  
**Project Engineer:** Dewberry Engineers, Inc., c/o Christian J. Allen, P.E.  
**Parcel ID No's:** 29-20-28-0000-00-004 & 29-20-28-0000-00-026  
**Total Acres:** 30.58 +/-

### VICINITY MAP



AERIAL MAP



# Drawing Index

## General

C00 COVER SHEET

## Civil

C01 EXISTING CONDITIONS  
 C02 SOIL MAP  
 C03 PRELIMINARY SITE PLAN  
 C04 PRELIMINARY GEOMETRY PLAN  
 C05 PRELIMINARY UTILITY PLAN  
 C06 PRELIMINARY SECTIONS

## Landscape

L1.10 TREE REMOVAL PLAN  
 L1.20 TREE PROTECTION DETAILS  
 L2.10 LANDSCAPE PLAN  
 L2.11 LANDSCAPE PLAN  
 L2.20 LANDSCAPE NOTES, LEGEND AND DETAILS

## NOTE:

A LETTER MUST BE OBTAINED FROM THE FLORIDA FISH & WILDLIFE CONSERVATION COMMISSIONER (FWWC) REGARDING WILDLIFE MANAGEMENT PLAN, PRIOR TO ANY CONSTRUCTION ACTIVITIES

## LEGAL DESCRIPTION:

(PER FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 5011812-2037-3407799

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4), IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, TEN (10) ACRES MORE OR LESS;

THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST;

THE NORTH ONE-HALF (N 1/2) OF THE SOUTH ONE-HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, TEN (10) ACRES MORE OR LESS.

LESS: RIGHT OF WAY TO THE COUNTY OF ORANGE AS SHOWN IN O.R. BOOK 1803, PAGE 779, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS WEST 30 FEET OF NORTH 1/4 OF THE NORTHWEST 1/4 OF SOUTHWEST 1/4, SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST.

AND LESS: THAT PARCEL OF LAND DEEDED TO ELMOR A. LESTER AND RUTH B. LESTER AS SHOWN ON O.R. BOOK 3073, PAGE 248, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS: BEGIN AT A POINT 12 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTH 3/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, THENCE SOUTHEASTERLY TO A POINT ONE-HALF (1/2) THE DISTANCE BETWEEN THE EAST LINE AND THE WEST LINE OF SAID NORTH 3/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, TO THE SOUTH LINE OF SAID NORTH 3/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, THENCE WEST TO WEST LINE OF SAID NORTH 3/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, THENCE NORTH 12 FEET TO THE P.O.B., LESS THE WEST 30 FEET FOR ROAD, ORANGE COUNTY, FLORIDA, SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST.

PARCEL IDENTIFICATION NUMBER: 29-20-28-0000-00004

PARCEL NO. 2:

BEGIN AT THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE NW 1/4 OF THE SW 1/4 THENCE WEST TO THE HALF WAY POINT BETWEEN THE EAST LINE AND THE WEST LINE OF THE SAID SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, THENCE SOUTHEASTERLY TO THE EAST LINE OF SAID SOUTH 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 THENCE NORTH 12 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 29-20-28-0000-00026

ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, THENCE N89°54'35"E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 28, A DISTANCE OF 303.0 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ROGERS ROAD AS DESCRIBED IN OFFICIAL RECORDS BOOK 1803, PAGE 779, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND THE POINT OF BEGINNING, THENCE CONTINUE ALONG SAID NORTH LINE, N89°54'35"E, A DISTANCE OF 1321.79 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 28; THENCE S00°18'12"W, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 28, A DISTANCE OF 1012.84 FEET TO A POINT ON THE SOUTH LINE OF THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3073, PAGE 248, OF AFORESAID PUBLIC RECORDS; SAID POINT ALSO LYING ON THE NORTH LINE OF LESTER RIDGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 79, PAGES 111-114, SAID PUBLIC RECORDS; THENCE N89°43'28"W, ALONG SAID SOUTH LINE, A DISTANCE OF 675.27 FEET TO THE MIDPOINT BETWEEN THE EAST LINE AND THE WEST LINE OF THE NORTH 3/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 28; THENCE CONTINUE N89°43'28"W, ALONG SAID SOUTH LINE, A DISTANCE OF 645.27 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF AFORESAID ROGERS ROAD; THENCE N02°13'59"E, ALONG SAID EAST LINE, A DISTANCE OF 1004.18 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 1,330,257 SQUARE FEET OR 30.58 ACRES, MORE OR LESS.

# CARRIAGE HILL (FKA ROGERS ROAD)

Apopka, Florida

## Preliminary Development Plan

AUGUST 2016

Parcel ID. Number: 29-20-28-0000-00-004  
 29-20-28-0000-00-026

### Applicant / Owner

JTD LAND AT ROGERS RD., LLC  
 A FLORIDA LIMITED LIABILITY CORPORATION  
 210 SOUTH HOAGLAND BOULEVARD  
 KISSIMMEE, FLORIDA 34741  
 CONTACT: CRAIG HARRIS

### Civil Engineer / Planner

DEWBERRY ENGINEERS, INC.  
 800 NORTH MAGNOLIA AVENUE  
 SUITE 1000  
 ORLANDO, FLORIDA 32803  
 PHONE: 407-843-5120  
 CONTACT: CHRISTOPHER J ALLEN, P.E.

### Surveyor

DEWBERRY ENGINEERS, INC.  
 131 WEST KALEY STREET  
 ORLANDO, FLORIDA 32806  
 PHONE: 407-843-5120  
 CONTACT: WILLIAM D. DONLEY, PLS

### Geotechnical

UNIVERSAL ENGINEERING SERVICES, INC.  
 3532 MAGGIE BOULEVARD  
 ORLANDO, FLORIDA 32811  
 PHONE: 407-423-0504  
 CONTACT: ARAVIND V RANGASWAMY

### Environmental Sciences

BIO-TECH CONSULTING INC.  
 2002 E. ROBINSON STREET  
 ORLANDO, FLORIDA 32801  
 PHONE: 407-894-5969  
 CONTACT: JOHN MIKLOS



NTS

SITE LOCATION

Prepared for:  
**JTD LAND AT ROGERS RD., LLC**  
 210 South Hoagland Boulevard  
 Kissimmee, Florida 34741  
 Contact: Craig Harris



Dewberry Engineers Inc.  
 800 N MAGNOLIA AVE  
 SUITE 1000  
 ORLANDO, FL 32803  
 PHONE: 407.843.5120  
 ENGINEERING BUSINESS #794

CARRIAGE HILL  
 (FKA ROGERS ROAD)  
 PRELIMINARY DEVELOPMENT PLAN  
 \*NOT FOR CONSTRUCTION\*  
 JTD LAND AT ROGERS RD., LLC  
 APOPKA, FLORIDA

SEAL  
 Christopher J Allen  
 P.E. # 77719  
 Nov 16, 2016

KEY PLAN  
 SCALE NORTH

| No. | DATE  | BY  | DESCRIPTION       |
|-----|-------|-----|-------------------|
| 2   | 11/16 | CJA | PER CITY COMMENTS |
| 1   | 8/16  | NR  | PER CITY COMMENTS |

REVISIONS  
 DRAWN BY \_\_\_\_\_ AH  
 APPROVED BY \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_ CA  
 DATE September 30, 2016

TITLE  
**COVER SHEET**  
 PROJECT NO. 50078026 [ROGR-1]

SHEET NO. **C00**

| No. | DATE  | BY  | DESCRIPTION       |
|-----|-------|-----|-------------------|
| 2   | 11/16 | CJA | PER CITY COMMENTS |
| 1   | 8/16  | NR  | PER CITY COMMENTS |

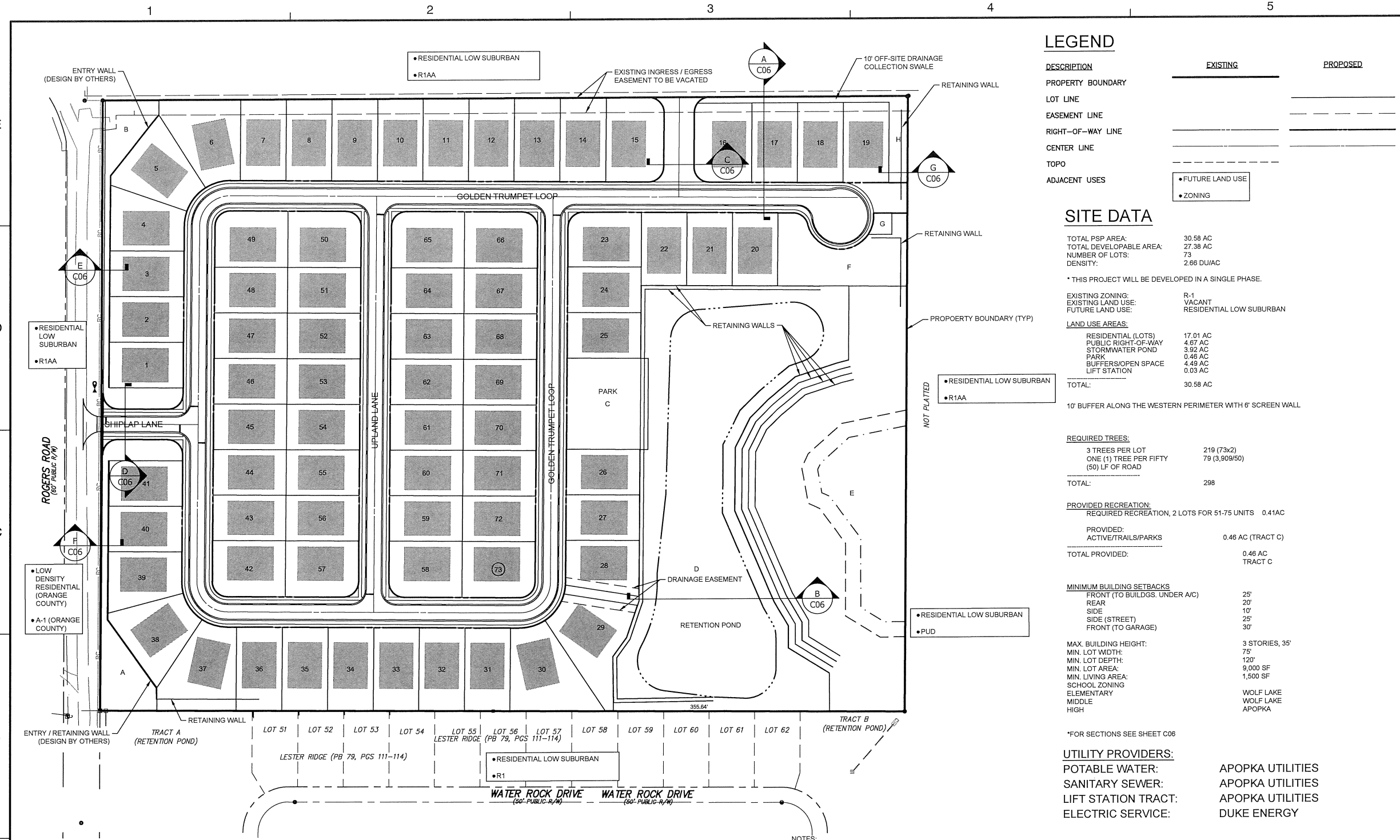
| REVISIONS                |
|--------------------------|
| DRAWN BY: AH             |
| APPROVED BY: CA          |
| CHECKED BY: CA           |
| DATE: September 30, 2016 |

**PRELIMINARY SITE PLAN**

PROJECT NO. 50078026 [ROGR-1]

**C03**

SHEET NO.



**LEGEND**

| DESCRIPTION       | EXISTING  | PROPOSED |
|-------------------|---|----------|
| PROPERTY BOUNDARY | —   | —        |
| LOT LINE          | —   | —        |
| EASEMENT LINE     | —   | —        |
| RIGHT-OF-WAY LINE | —   | —        |
| CENTER LINE       | —   | —        |
| TOPO              | —   | —        |
| ADJACENT USES     | <ul style="list-style-type: none"> <li>• FUTURE LAND USE</li> <li>• ZONING</li> </ul> |          |

**SITE DATA**

|  |                          |
|--|--------------------------|
| TOTAL PSP AREA:  | 30.58 AC                 |
| TOTAL DEVELOPABLE AREA:                                    | 27.38 AC                 |
| NUMBER OF LOTS:  | 73                       |
| DENSITY:   | 2.66 DU/AC               |
| * THIS PROJECT WILL BE DEVELOPED IN A SINGLE PHASE.        |                          |
| EXISTING ZONING:   | R-1                      |
| EXISTING LAND USE:   | VACANT                   |
| FUTURE LAND USE:   | RESIDENTIAL LOW SUBURBAN |
| <b>LAND USE AREAS:</b>                                     |                          |
| RESIDENTIAL (LOTS)   | 17.01 AC                 |
| PUBLIC RIGHT-OF-WAY  | 4.67 AC                  |
| STORMWATER POND  | 3.32 AC                  |
| PARK   | 0.46 AC                  |
| BUFFERS/OPEN SPACE   | 4.49 AC                  |
| LIFT STATION   | 0.03 AC                  |
| <b>TOTAL:</b>  | <b>30.58 AC</b>          |
| 10' BUFFER ALONG THE WESTERN PERIMETER WITH 6' SCREEN WALL |                          |
| <b>REQUIRED TREES:</b>                                     |                          |
| 3 TREES PER LOT  | 219 (73x2)               |
| ONE (1) TREE PER FIFTY (50) LF OF ROAD                     | 79 (3,909/50)            |
| <b>TOTAL:</b>  | <b>298</b>               |
| <b>PROVIDED RECREATION:</b>                                |                          |
| REQUIRED RECREATION, 2 LOTS FOR 51-75 UNITS                | 0.41AC                   |
| PROVIDED:  |                          |
| ACTIVE/TRAILS/PARKS  | 0.46 AC (TRACT C)        |
| <b>TOTAL PROVIDED:</b>                                     | <b>0.46 AC TRACT C</b>   |
| <b>MINIMUM BUILDING SETBACKS</b>                           |                          |
| FRONT (TO BUILDG. UNDER A/C)                               | 25'                      |
| REAR   | 20'                      |
| SIDE   | 10'                      |
| SIDE (STREET)  | 25'                      |
| FRONT (TO GARAGE)  | 30'                      |
| <b>MAX. BUILDING HEIGHT:</b>                               |                          |
| MIN. LOT WIDTH:  | 3 STORIES, 35'           |
| MIN. LOT DEPTH:  | 75'                      |
| MIN. LOT AREA:   | 120'                     |
| MIN. LIVING AREA:  | 9,000 SF                 |
| SCHOOL ZONING:   | 1,500 SF                 |
| ELEMENTARY:  | WOLF LAKE                |
| MIDDLE:  | WOLF LAKE                |
| HIGH:  | WOLF LAKE                |
| *FOR SECTIONS SEE SHEET C06                                |                          |
| <b>UTILITY PROVIDERS:</b>                                  |                          |
| POTABLE WATER:   | APOPKA UTILITIES         |
| SANITARY SEWER:  | APOPKA UTILITIES         |
| LIFT STATION TRACT:  | APOPKA UTILITIES         |
| ELECTRIC SERVICE:  | DUKE ENERGY              |

| TRACT SUMMARY |           |                                |                          |                          |                          |              |
|---------------|-----------|--------------------------------|--------------------------|--------------------------|--------------------------|--------------|
| TRACT         | AREA (AC) | DESCRIPTION                    | OWNERSHIP                | MAINTENANCE              | DEVELOPMENT RIGHTS       | NOTES        |
| A             | 0.38      | OPEN SPACE / BUFFER / DRAINAGE | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION |              |
| B             | 0.34      | OPEN SPACE / BUFFER            | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION |              |
| C             | 0.46      | PARK / RECREATION              | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION |              |
| D             | 3.96      | POND / DRAINAGE                | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION |              |
| E             | 3.20      | BUFFER                         | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION | CONSERVATION |
| F             | 0.43      | OPEN SPACE RECREATION          | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION |              |
| G             | 0.03      | LIFT STATION                   | CITY OF APOPKA UTILITIES | CITY OF APOPKA UTILITIES | CITY OF APOPKA UTILITIES |              |
| H             | 0.17      | OPEN SPACE / DRAINAGE          | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION | HOME OWNER'S ASSOCIATION |              |

- NOTES:**
- PER THE REPORT PREPARED BY TRAFFIC MOBILITY CONSULTANTS. THE PROPOSED DEVELOPMENT WILL GENERATE 786 DAILY TRIPS, OF WHICH WILL OCCUR DURING THE PM PEAK HOUR.
  - LOT AREAS, EASEMENT LINES AND TRACT AREAS ON THE FINAL PLAT MAY VARY FROM THAT SHOWN DUE TO FINAL ENGINEERING DESIGN CRITERIA AND CONSTRAINTS.
  - ALL ROADWAYS, WATER LINE INFRASTRUCTURE & FIRE HYDRANTS SHALL BE IN PLACE BEFORE BUILDING CONSTRUCTION MAY BEGIN.
  - THIS COMMUNITY IS NOT PROPOSED TO BE GATED.
  - SINGLE FAMILY RESIDENTIAL ARCHITECTURE MUST MEET THE INTENT OF THE CITY'S DEVELOPMENT DESIGN GUIDELINES, SECTION 3.2 RESIDENTIAL ARCHITECTURE STANDARDS. ARCHITECTURAL RENDERINGS OF ALL PROPOSED RESIDENTIAL BUILDINGS MUST BE SUBMITTED WITH THE FINAL DEVELOPMENT PLAN APPLICATION.
  - FRONT LOAD GARAGES SHALL BE SETBACK 30FT FROM FRONT PROPERTY LINE.
  - SITE IS LOCATED IN 100 YEAR FEMA FLOOD ZONE "X."
  - PARKS SHALL BE ADEQUATELY LIT ON AUTOMATIC TIMERS WITHOUT PROJECTING A GLARE ONTO ADJACENT PROPERTIES.
  - LIGHT POLES & FIXTURES SHALL BE PROVIDED WITH FINAL DEVELOPMENT PLAN.
  - LIGHT POLE & FIXTURES SHALL BE A DECORATIVE TYPE APPROVED BY THE CITY OF APOPKA.
  - EXTERIOR BUFFER WALLS SHALL BE BRICK, STONE OR DECORATIVE BLOCK FINISHED.

| No. | DATE  | BY  | DESCRIPTION       |
|-----|-------|-----|-------------------|
| 2   | 11/16 | CJA | PER CITY COMMENTS |
| 1   | 8/16  | NR  | PER CITY COMMENTS |

REVISIONS

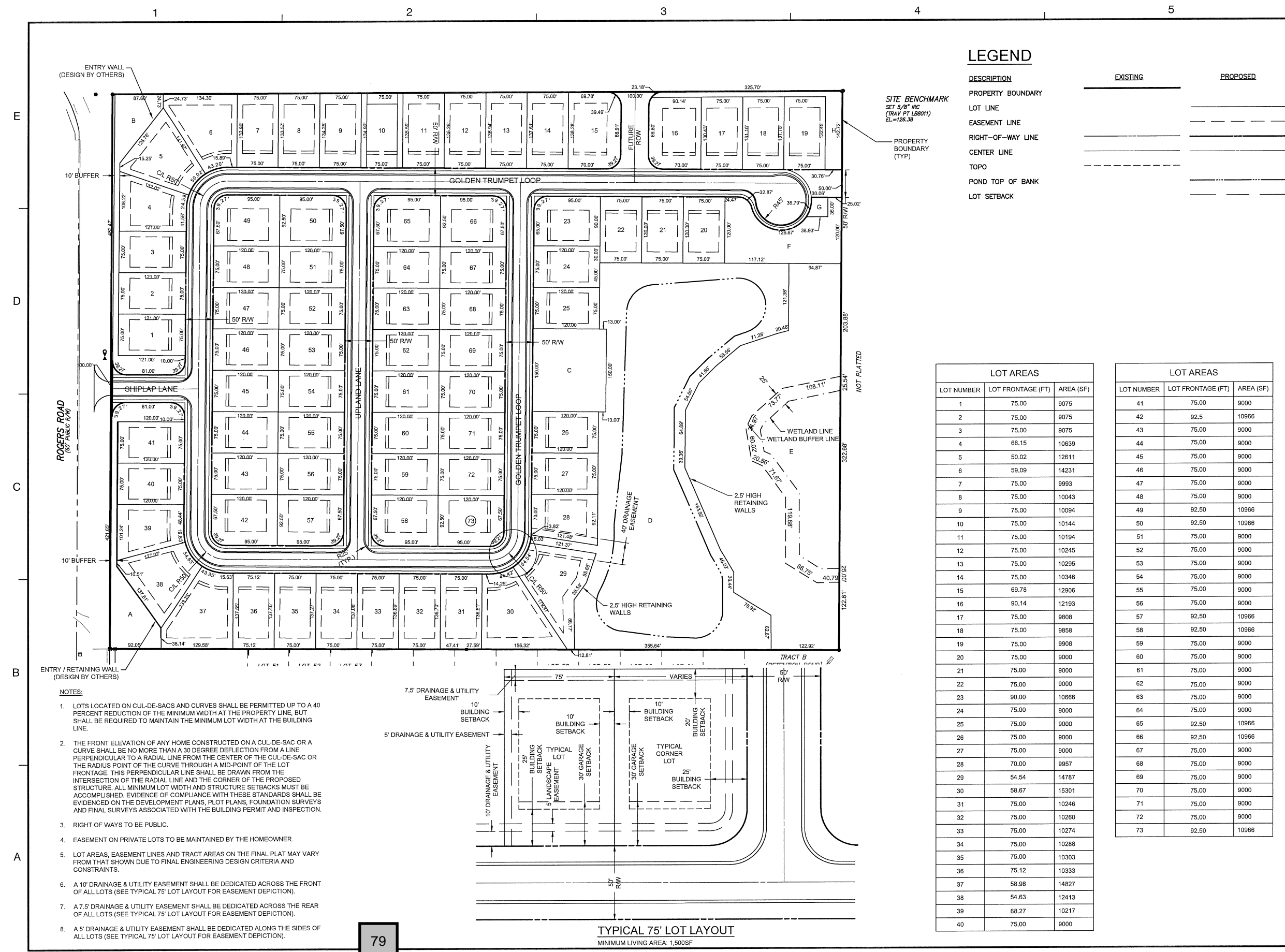
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| DRAWN BY    | AH                 |
| APPROVED BY | CA                 |
| CHECKED BY  | CA                 |
| DATE        | September 30, 2016 |

TITLE  
**PRELIMINARY  
GEOMETRY  
PLAN**

PROJECT NO. 50078026 [ROGR-1]

**C04**

SHEET NO.



**LEGEND**

| DESCRIPTION       | EXISTING | PROPOSED |
|-------------------|----------|----------|
| PROPERTY BOUNDARY | —————    | —————    |
| LOT LINE          | —————    | —————    |
| EASEMENT LINE     | —————    | —————    |
| RIGHT-OF-WAY LINE | —————    | —————    |
| CENTER LINE       | —————    | —————    |
| TOPO              | —————    | —————    |
| POND TOP OF BANK  | —————    | —————    |
| LOT SETBACK       | —————    | —————    |

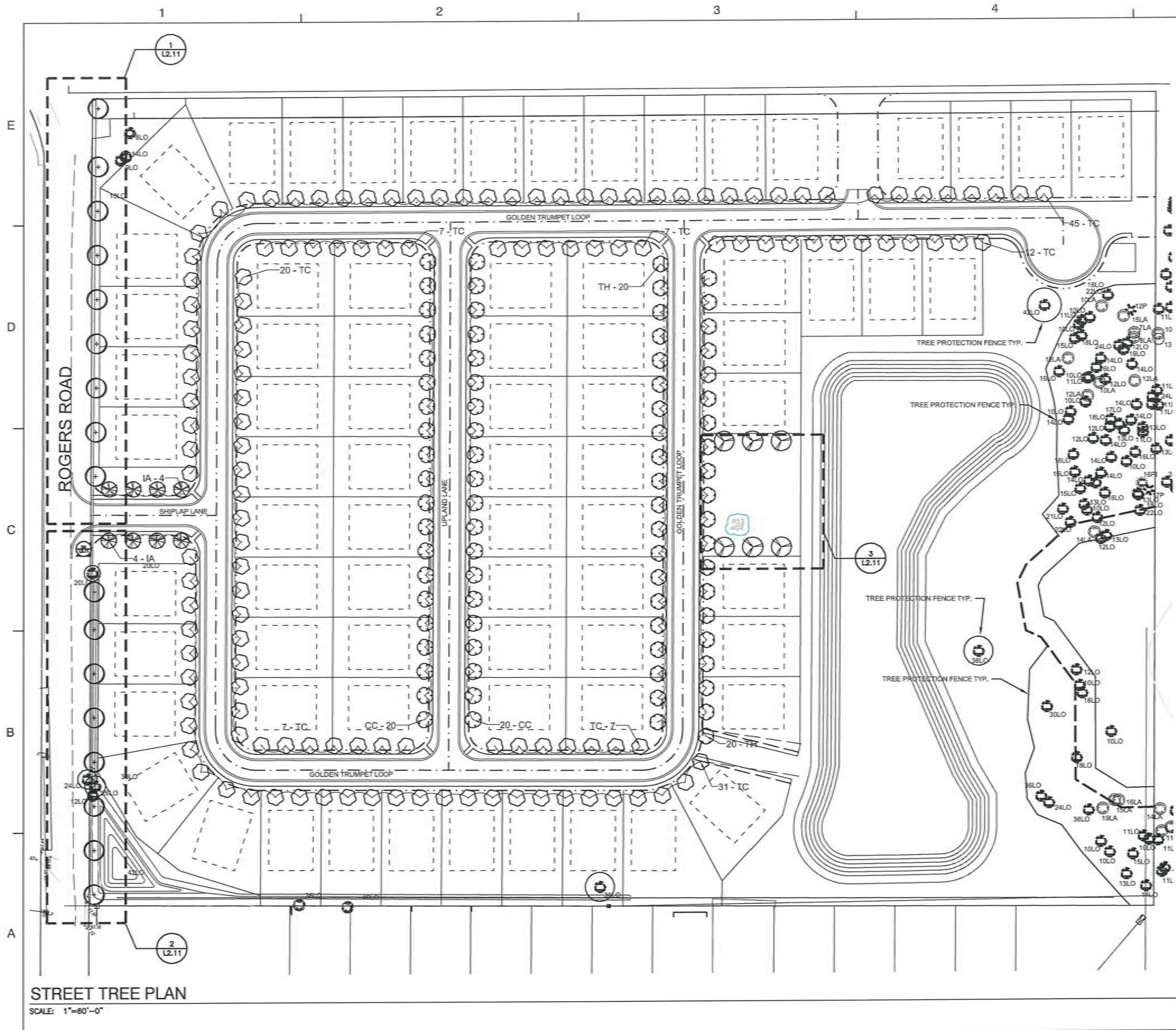
**LOT AREAS**

| LOT NUMBER | LOT FRONTAGE (FT) | AREA (SF) |
|------------|-------------------|-----------|
| 1          | 75.00             | 9075      |
| 2          | 75.00             | 9075      |
| 3          | 75.00             | 9075      |
| 4          | 66.15             | 10639     |
| 5          | 50.02             | 12611     |
| 6          | 59.09             | 14231     |
| 7          | 75.00             | 9993      |
| 8          | 75.00             | 10043     |
| 9          | 75.00             | 10094     |
| 10         | 75.00             | 10144     |
| 11         | 75.00             | 10194     |
| 12         | 75.00             | 10245     |
| 13         | 75.00             | 10295     |
| 14         | 75.00             | 10346     |
| 15         | 69.78             | 12906     |
| 16         | 90.14             | 12193     |
| 17         | 75.00             | 9808      |
| 18         | 75.00             | 9858      |
| 19         | 75.00             | 9908      |
| 20         | 75.00             | 9000      |
| 21         | 75.00             | 9000      |
| 22         | 75.00             | 9000      |
| 23         | 90.00             | 10666     |
| 24         | 75.00             | 9000      |
| 25         | 75.00             | 9000      |
| 26         | 75.00             | 9000      |
| 27         | 75.00             | 9000      |
| 28         | 70.00             | 9957      |
| 29         | 54.54             | 14787     |
| 30         | 58.67             | 15301     |
| 31         | 75.00             | 10246     |
| 32         | 75.00             | 10260     |
| 33         | 75.00             | 10274     |
| 34         | 75.00             | 10288     |
| 35         | 75.00             | 10303     |
| 36         | 75.12             | 10333     |
| 37         | 58.98             | 14827     |
| 38         | 54.63             | 12413     |
| 39         | 68.27             | 10217     |
| 40         | 75.00             | 9000      |

**LOT AREAS**

| LOT NUMBER | LOT FRONTAGE (FT) | AREA (SF) |
|------------|-------------------|-----------|
| 41         | 75.00             | 9000      |
| 42         | 92.5              | 10966     |
| 43         | 75.00             | 9000      |
| 44         | 75.00             | 9000      |
| 45         | 75.00             | 9000      |
| 46         | 75.00             | 9000      |
| 47         | 75.00             | 9000      |
| 48         | 75.00             | 9000      |
| 49         | 92.50             | 10966     |
| 50         | 92.50             | 10966     |
| 51         | 75.00             | 9000      |
| 52         | 75.00             | 9000      |
| 53         | 75.00             | 9000      |
| 54         | 75.00             | 9000      |
| 55         | 75.00             | 9000      |
| 56         | 75.00             | 9000      |
| 57         | 92.50             | 10966     |
| 58         | 92.50             | 10966     |
| 59         | 75.00             | 9000      |
| 60         | 75.00             | 9000      |
| 61         | 75.00             | 9000      |
| 62         | 75.00             | 9000      |
| 63         | 75.00             | 9000      |
| 64         | 75.00             | 9000      |
| 65         | 92.50             | 10966     |
| 66         | 92.50             | 10966     |
| 67         | 75.00             | 9000      |
| 68         | 75.00             | 9000      |
| 69         | 75.00             | 9000      |
| 70         | 75.00             | 9000      |
| 71         | 75.00             | 9000      |
| 72         | 75.00             | 9000      |
| 73         | 92.50             | 10966     |

**TYPICAL 75' LOT LAYOUT**  
MINIMUM LIVING AREA: 1,500SF



- IRRIGATION NOTES:**
1. ALL PLANT WATER USE ZONES SHALL BE IRRIGATED SEPARATELY.
  2. TURF AREAS SHALL BE IRRIGATED WITH SPRAY HEADS AND SHALL BE IRRIGATED SEPARATELY FROM SHRUBS.
  3. TREES SHALL BE IRRIGATED SEPARATELY WITH BUBBLERS.
  4. ALL TURF, SHRUBS AND GROUND COVER AREAS SHALL BE IRRIGATED WITH AN UNDERGROUND SPRINKLER SYSTEM AND BE DESIGNED WITH 100% COVERAGE.
  5. EXISTING TREES TO REMAIN SHALL NOT BE IRRIGATED AND SHALL NOT HAVE ANY PIPING OR HEADS WITHIN THE ROOT PROTECTION ZONES.
  6. IRRIGATE ALL LANDSCAPED AREAS UP TO PROPERTY LINES, ROWS.
  7. FULL IRRIGATION DESIGN PLAN TO BE SUBMITTED WITH FINAL SITE PLAN SUBMITTAL.
  8. STREET TREES SHALL BE INSTALLED WHEN INDIVIDUAL LOTS ARE DEVELOPED. STREET TREES SHALL BE IRRIGATED AS PART OF LOT OWNERS IRRIGATION SYSTEM.

- LANDSCAPE NOTES:**
1. LANDSCAPE AND IRRIGATION PLANS SHALL BE IN ACCORDANCE WITH LDC ARTICLE V, WATER-WISE ORDINANCE NO. 2069.
  2. STREET TREES ARE TO BE PLANTED IN A LANDSCAPE EASEMENT SHOWN ON THE PLAT. THE LANDSCAPE EASEMENT IS TO BE PLACED BEHIND THE UTILITY EASEMENT IN FRONT OF EACH PROPERTY.
  3. ALL SERVICE EQUIPMENT AND UTILITY BOXES MUST BE FULLY SCREENED.

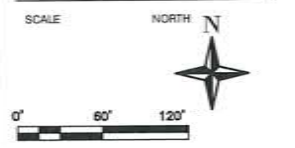


Dewberry Engineers Inc.  
 600 N MAGNOLIA AVE  
 SUITE 1000  
 ORLANDO, FL 32803  
 PHONE: 407.843.5100  
 ENGINEERING BUSINESS-4794

CARRIAGE HILL  
 (FKA ROGERS ROAD)  
 PRELIMINARY  
 DEVELOPMENT PLAN  
 \*NOT FOR CONSTRUCTION\*  
 JTD LAND AT ROGERS RD., LLC  
 APOPKA, FLORIDA

SEAL  
 Michael J. Lucia  
 FL RLA # 0606075  
 Nov 17, 2016

KEY PLAN



| No. | DATE | BY | Description |
|-----|------|----|-------------|
|     |      |    |             |
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REVISIONS  
 DRAWN BY: \_\_\_\_\_ MU  
 APPROVED BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_ MU  
 DATE: November 15, 2016

TITLE  
**LANDSCAPE PLAN**

PROJECT NO. 50078026 [ROGR-1]

**L2.10**

SHEET NO.

**STREET TREE PLAN**  
 SCALE: 1"=60'-0"

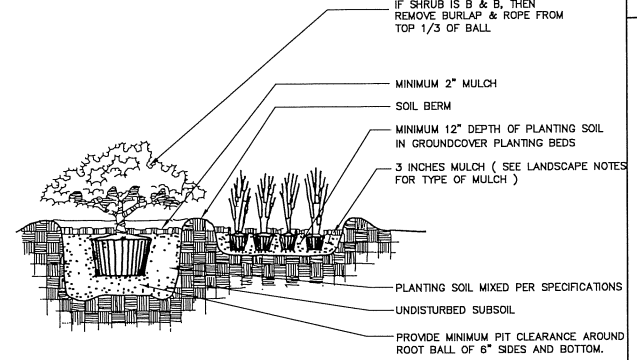
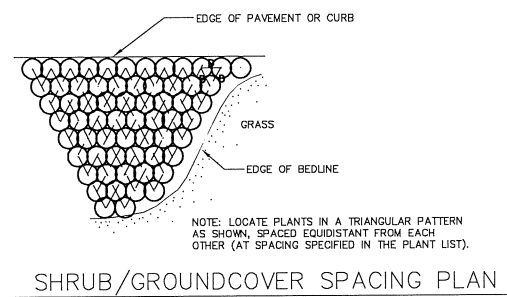


LANDSCAPE NOTES:

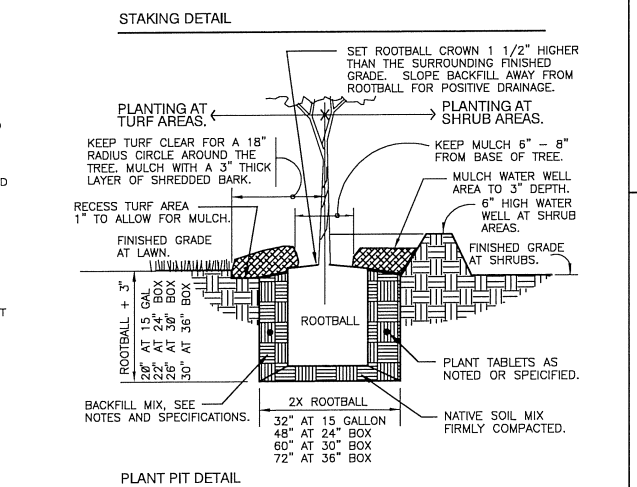
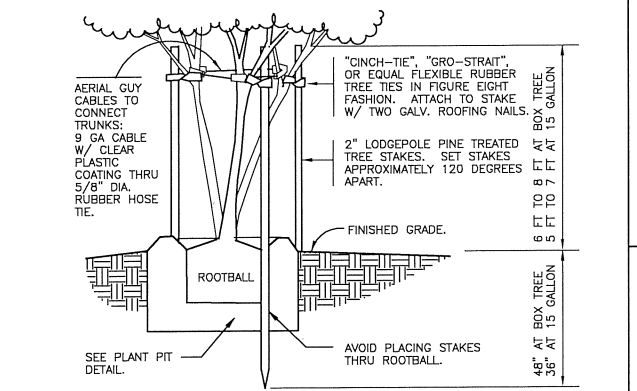
- The Landscape Contractor shall be responsible for all materials and all work as called for on the Landscape Plans and in the Landscape Specifications. In the event of variation between quantities shown on plant list and the plans, the plans shall control. The Landscape Contractor shall verify all quantities and report any discrepancies at the time of bidding.
- The Landscape Contractor shall review architectural/engineering plans and become thoroughly familiar with surface and subsurface utilities.
- 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.
- 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 items and plants.
- All 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.
- 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.
- Except as otherwise specified, the Landscape Contractor's work shall conform to accepted horticultural practices as used in the trade.
- 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 one foot above the ground level.
- Plants shall be protected upon arrival at the site, by being thoroughly watered and properly maintained until planted.
- All tree pits shall be excavated to size and depth in accordance with the USDA Standard for Nursery Stock 260.1, 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 percolation is available.
- 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-straighten and replant all plants which lean or fall and to replace all plants which are damaged due to lack of proper guying or staking. The Landscape Contractor shall be legally 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 small or multi-trunk trees need to be guyed and staked to maintain plants. Staking of trees and shrubs, if required, shall be done as per staking and guying detail prepared by the Landscape Architect. It shall be the responsibility of the Landscape Contractor to remove guys and stakes from the trees and job site after a period of 90 days.
- 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.
- Sod shall be certified to be free of the Imported fire ant. Sod shall have a clean growth of acceptable grass, reasonably free of weeds with 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.
- The Landscape Contractor shall insure adequate vertical drainage in all plant beds, planters, and sod areas. 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.
- The Landscape Contractor shall insure that his work does not interrupt established or projected drainage patterns.
- 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.
- Mulch - All plant beds shall be top dressed with 3" shredded hardwood mulch (or approved equal).
- Transplanted Material - The Landscape Contractor shall be responsible for determining and evaluating which plant materials 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 materials which die if 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 PRIOR TO FINAL INSPECTION AND ACCEPTANCE:**  
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 instruct the Owner or his representatives in general maintenance procedures.  
Plant maintenance shall include watering, pruning, weeding, cultivating, mulching, tightening, and re-planting of guys, replacement of sick or dead plants, resetting plants to proper grades or upright positions and restoration of the planting source 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 spraying and/or dusting of trees and shrubs. Upon completion of all 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.  
**GUARANTEE AND REPLACEMENT:**  
All plant materials shall be guaranteed for one (1) year from the time of final inspection and interim acceptance shall be alive and in satisfactory growth for each specific kind of plant at the end of the guaranteed period.  
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 have 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.

PLANT SCHEDULE

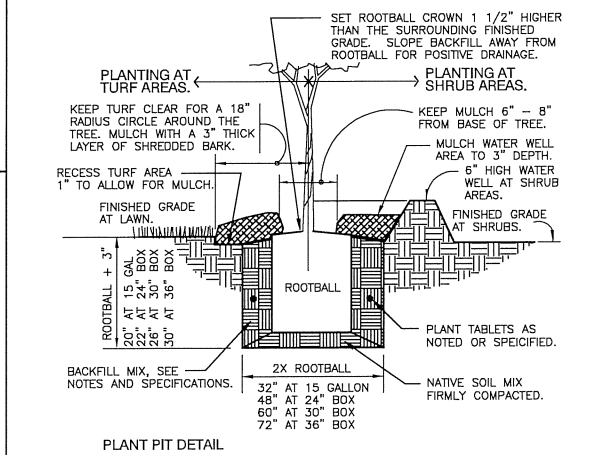
| TREES         | CODE | QTY       | BOTANICAL NAME / COMMON NAME                                    | CONT. | CAL               | FIELDS           |
|---------------|------|-----------|---|-------|-------------------|------------------|
|               | CC   | 40        | Cercis canadensis / Eastern Redbud                              | -     | 2 1/2" DBH        | 10' Ht           |
|               | IA   | 8         | Ilex opaca / American Holly                                     | -     | 2 1/2" DBH        | 10' Ht           |
|               | MB   | 6         | Magnolia grandiflora 'D.D. Blanchard' TM / Southern Magnolia    | -     | 3" DBH            | 12-15' H         |
|               | QV   | 17        | Quercus virginiana / Southern Live Oak                          | -     | 2 1/2" DBH        | 10' Ht x 5' Spr. |
|               | TC   | 137       | Tabebuia chrysostricha / Golden Trumpet Tree                    | -     | 2 1/2" DBH        | 10' Ht           |
|               | TH   | 40        | Tabebuia heterophylla / Pink Tabebuia                           | -     | 2 1/2" DBH        | 10' Ht           |
| SHRUBS        | CODE | QTY       | BOTANICAL NAME / COMMON NAME                                    | CONT. | SIZE              |                  |
|               | VO   | 290       | Viburnum odoratissimum / Sweet Viburnum                         | 5 gal | 24" Ht x 24" Spr. |                  |
| GROUND COVERS | CODE | QTY       | BOTANICAL NAME / COMMON NAME                                    | CONT. | SIZE              | SPACING          |
|               | AA   | 319       | Agapanthus africanus / Lily of the Nile                         | 1 gal | FULL              | 24" o.c.         |
|               | DV   | 367       | Dianella tasmanica 'Variegata' / Flax Lily                      | 1 gal | FULL              | 24" o.c.         |
|               | HO   | 289       | Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily          | 1 gal | FULL              | 24" o.c.         |
|               | PN   | 32,496 sf | Paspalum notatum / Bahia Grass                                  | sod   |                   |                  |
|               | SA   | 12,173 sf | Stenotaphrum secundatum 'Floritam' / Floritam St. Augustine Sod | sod   |                   |                  |



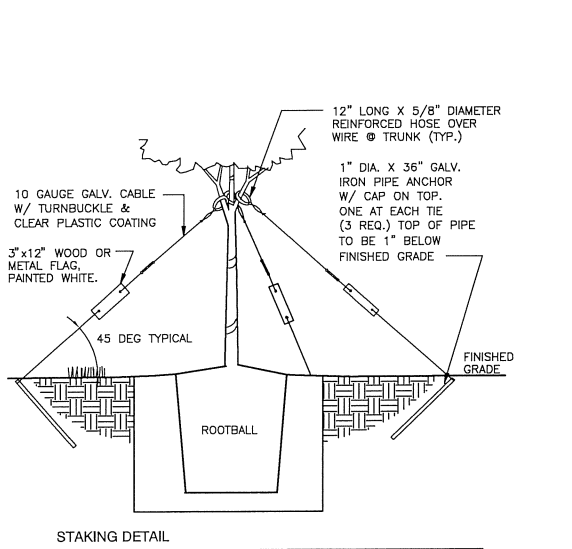
4 SHRUB AND GROUNDCOVER PLANTING  
NTS 329333.13-04



3 TREE PLANTING MULTI-STAKE  
1" = 1'-0" 329343.23-03



1 TREE GUY WIRE PLANTING  
1" = 1'-0" 329343.26-03



2 MULTI-STEM TREE PLANTING  
NTS 329343.33-01

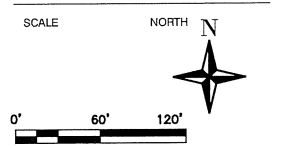


Dewberry Engineers Inc.  
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SUITE 1000  
GIRLANDO, FL 32803  
PHONE: 407-843-5120  
ENGINEERING BUSINESS #9794

CARRIAGE HILL  
(FKA ROGERS ROAD)  
PRELIMINARY  
DEVELOPMENT PLAN  
\*NOT FOR CONSTRUCTION\*  
JTD LAND AT ROGERS RD., LLC  
APOPKA, FLORIDA

SEAL  
Michael J Urchuk  
FL RLA # B66675  
Nov 16, 2016

KEY PLAN



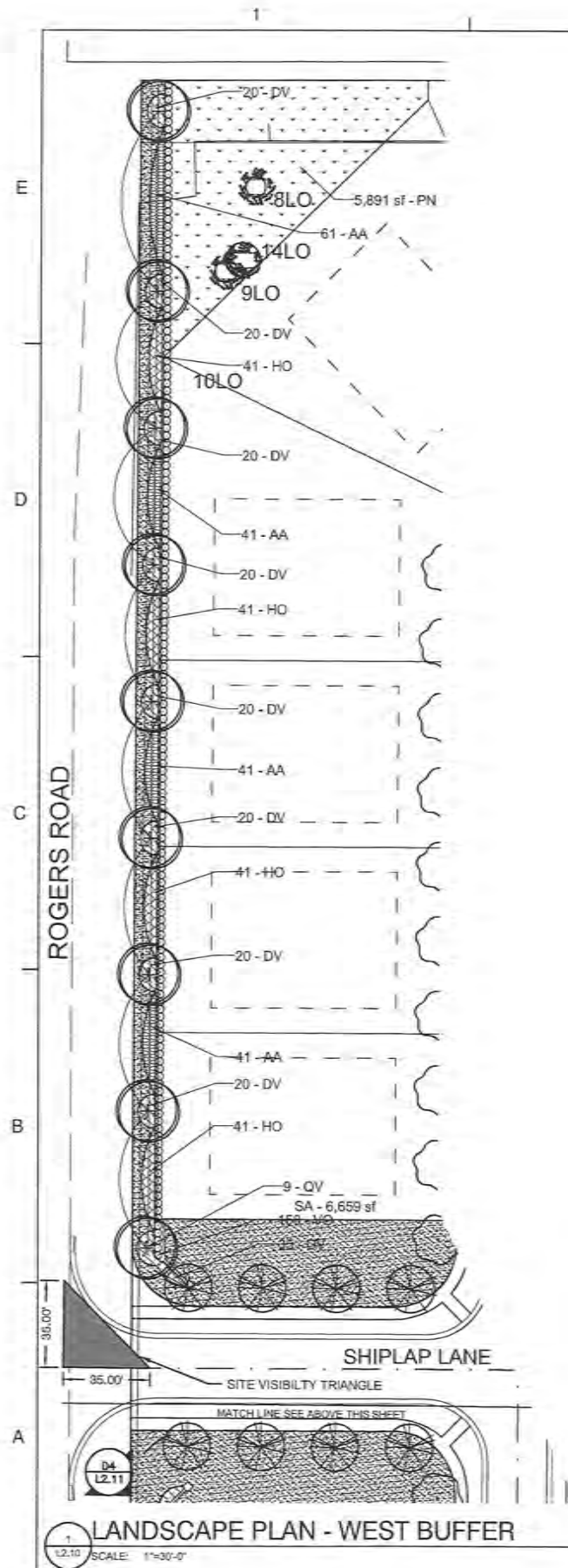
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REVISIONS  
DRAWN BY MU  
APPROVED BY MU  
CHECKED BY MU  
DATE November 16, 2016

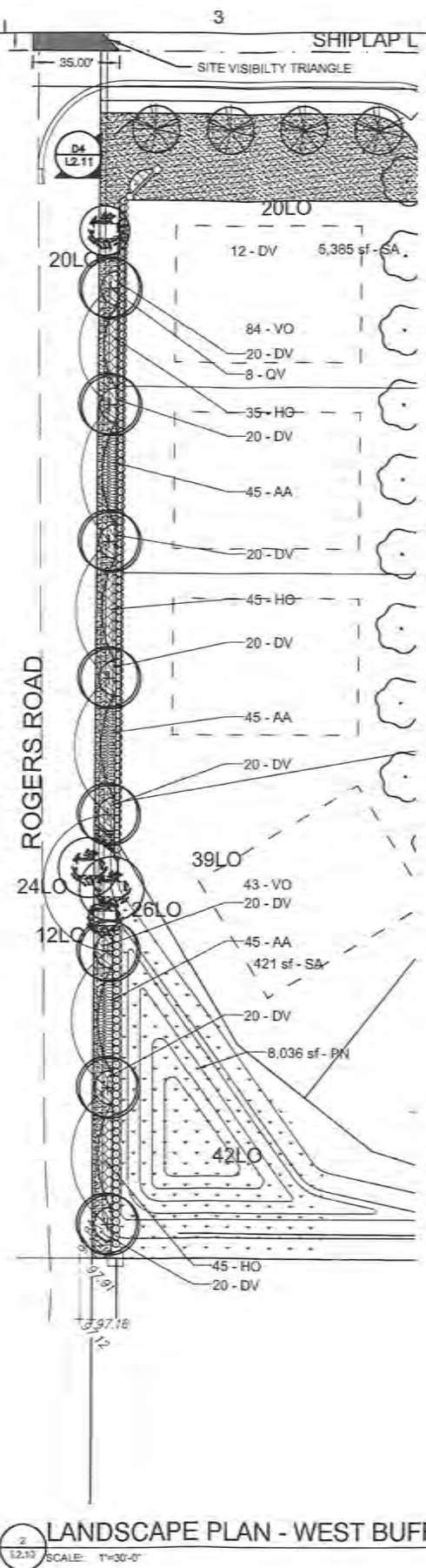
LANDSCAPE NOTES, LEGEND AND DETAILS

PROJECT NO. 50078026 [ROGR-1]

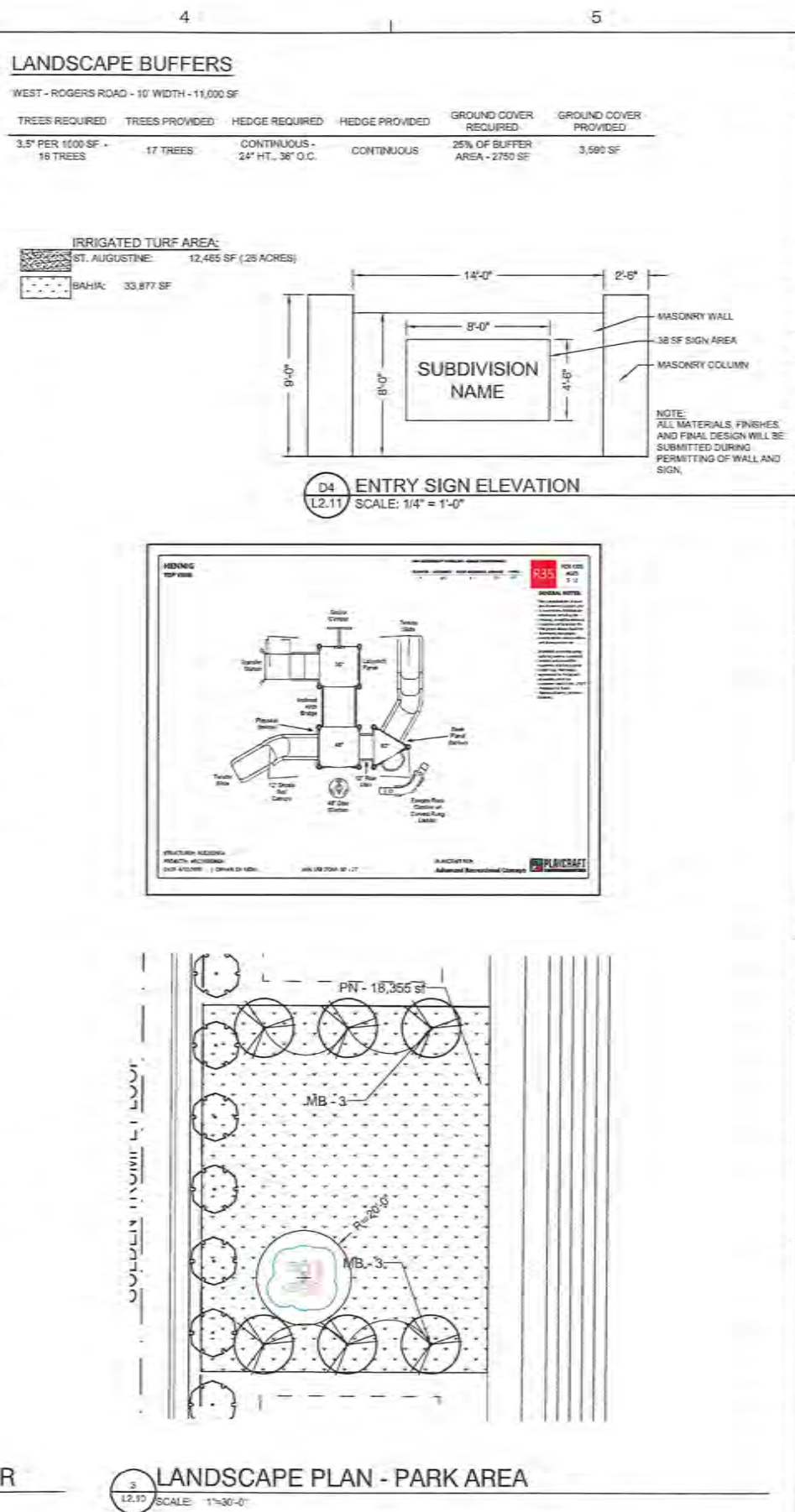
SHEET NO. L2.20



1 LANDSCAPE PLAN - WEST BUFFER  
SCALE: 1"=30'-0"



2 LANDSCAPE PLAN - WEST BUFFER  
SCALE: 1"=30'-0"



3 LANDSCAPE PLAN - PARK AREA  
SCALE: 1"=30'-0"

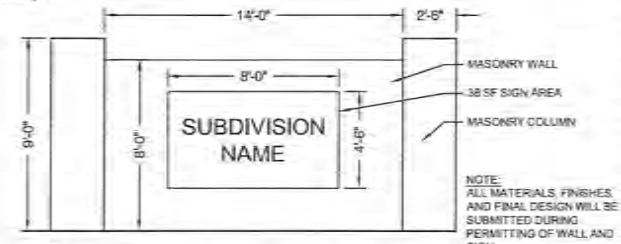
LANDSCAPE BUFFERS

WEST - ROGERS ROAD - 10' WIDTH - 11,000 SF

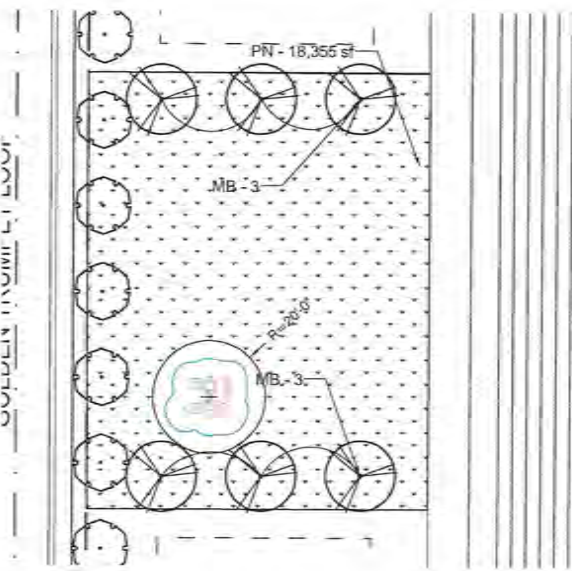
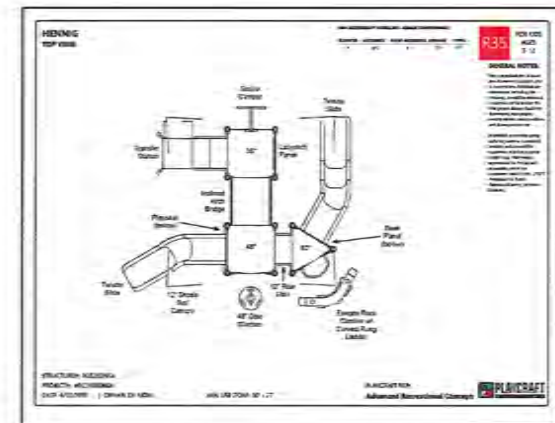
| TREES REQUIRED              | TREES PROVIDED | HEDGE REQUIRED                 | HEDGE PROVIDED | GROUND COVER REQUIRED        | GROUND COVER PROVIDED |
|-----------------------------|----------------|--------------------------------|----------------|------------------------------|-----------------------|
| 3.5" PER 1000 SF - 16 TREES | 17 TREES       | CONTINUOUS - 24" HT., 36" O.C. | CONTINUOUS     | 25% OF BUFFER AREA - 2750 SF | 3,590 SF              |

IRRIGATED TURF AREA:

|               |                      |
|---------------|----------------------|
| ST. AUGUSTINE | 12,465 SF (28 ACRES) |
| BAHIA         | 33,877 SF            |



D4 ENTRY SIGN ELEVATION  
SCALE: 1/4" = 1'-0"

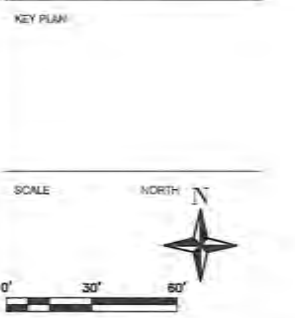


Dewberry Engineers Inc.  
800 N MAGNOLIA AVE  
SUITE 1000  
ORLANDO, FL 32803  
PHONE: 407.943.5100  
ENGINEERING BUSINESS 4074

CARRIAGE HILL  
(FKA ROGERS ROAD)  
PRELIMINARY  
DEVELOPMENT PLAN  
\*NOT FOR CONSTRUCTION\*  
JTD LAND AT ROGERS RD., LLC

APOPKA, FLORIDA

SEAL  
APPROVED FOR CONSTRUCTION  
BY: JTD LAND AT ROGERS RD., LLC  
DATE: Nov 17, 2016



KEY PLAN

| No. | DATE | BY | Description |
|-----|------|----|-------------|
|     |      |    |             |

REVISIONS

DRAWN BY: MU  
APPROVED BY: MU  
CHECKED BY: MU  
DATE: November 16, 2016

LANDSCAPE PLAN

PROJECT NO. 50078026 (ROGR-1)

L2.11

SHEET NO.

**PLANNING COMMISSION - AGENDA**

**December 13, 2016**

**Page 83**

**Backup material for agenda item:**

2. MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN – VISTAS AT WATER'S EDGE – Owned by Vistas at Waters Edge, LLC, and property located south of Hooper Farms Road and west of Binion Road. (Parcel ID #: 19-21-28-0000-00-011, 19-21-28-0000-00-021 & 19-21-28-0000-022)



**CITY OF APOPKA  
PLANNING COMMISSION**

PUBLIC HEARING  
 SPECIAL REPORTS  
 PLAT APPROVAL  
 OTHER: Preliminary Dev. Plan

DATE: December 13, 2016  
FROM: Community Development  
EXHIBITS: Vicinity/Aerial Maps  
Site Plan  
Landscape Plan  
Wall Details  
Recreation Plan

**SUBJECT: MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN – VISTAS AT WATER’S EDGE**

**Request: RECOMMEND APPROVAL OF THE MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN FOR VISTAS AT WATERS EDGE; AND ISSUE THE PRELIMINARY DEVELOPMENT ORDER.**

**SUMMARY**

OWNER/APPLICANT: Vistas at Waters Edge, LLC  
PROJECT ENGINEER: Madden, Moorhead & Stokes, Inc. c/o David Stokes, P.E.  
LOCATION: South of Hooper Farms Road and West of Binion Road  
EXISTING USE: Vacant land  
FUTURE LAND USE: Mixed - Use (Max.15 du/ac)  
ZONING: M-EC  
PROPOSED DEVELOPMENT: Single-Family Residential Subdivision (147 Lots; typical lots widths range from 60 ft. to 75 ft; lots range from a min. of 7,500 sq. ft. to 24,000 sq. ft.)  
PROPOSED DENSITY: 1.97 du/ac  
TRACT SIZE: 75.24 +/- acres  
DEVELOPABLE AREA: 74.54 +/- acres  
OPEN SPACE: 21.52 acres

**DISTRIBUTION:**

Mayor Kilsheimer  
Commissioners (4)  
City Administrator Irby  
Community Development Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Ser. Director  
City Clerk  
Fire Chief  
Recreation Director

**RELATIONSHIP TO ADJACENT PROPERTIES:**

| <i>Direction</i> | <i>Future Land Use</i>   | <i>Zoning</i> | <i>Present Use</i>                 |
|------------------|--------------------------|---------------|------------------------------------|
| North (City)     | Mixed Use                | M-EC          | Hooper’s Landscape Nursery         |
| East (City)      | Mixed Use                | M-EC          | Vacant land                        |
| South (City)     | Institutional/Public Use | R-3           | Vacant Land                        |
| West (City)      | Rural                    | A-2           | St Johns River Water Mgt. District |

Project Use: The Vistas at Water’s Edge- Master Plan/ Preliminary Development Plan proposes the development of 147 single family residential lots and 21.52 acres of active and passive recreation space. Located within the Mixed-EC zoning district, the Vistas provides a diversity of lot widths and lots sizes as follows:

| <b>Lot Widths (Typcial)</b> | <b>Number</b> | <b>Percentage</b> |
|-----------------------------|---------------|-------------------|
| 60                          | 101           | 68.03             |
| 65                          | 3             | 2.04              |
| 70                          | 39            | 27.21             |
| 75                          | 4             | 2.72              |

The proposed minimum living area, in aggregate of 2,000 square feet, with a no individual unit being less than 1,600 square feet as set forth in Section 2.02.20.B.4 of the Land Development Code. At the time of the final development plan, developer will be requested to establish criteria to assure a 2,000 sq. ft. aggregate is monitored and maintained during the building permit application cycle.

The minimum setbacks applicable to this project are:

| <b>Setback</b> | <b>Min. Standard</b> |
|----------------|----------------------|
| Front*         | 25’                  |
| Side           | 10’                  |
| Rear           | 20’                  |
| Corner         | 25’                  |

\*Front-entry garage must be setback 30 feet.

Access: Ingress/egress access points for the development will be via full access onto Binion Road with a secondary gated emergency and pedestrian access point west of lot 115 connecting to Binion Road.

Stormwater: There are two (2) retention ponds designed to meet the City’s Land Development Code requirements.

Recreation: Per Section 2.02.20.H.4a of the Land Development Code, developments made up of less than 300 units shall be required to construct a minimum total of 2,000 sq. ft. of facility or facilities for a Neighborhood Activity Center. The developer is providing 21.52 acres of active and passive recreation space and is proposing to construct a 1,720 s.f. clubhouse with swimming pool, picnic area and yoga lawn within the active recreational space. Up to 25% of the Neighborhood Activity Center may be in open type facilities. The developer agreed to place a 30-foot wide landscape buffer along Binion Road and to construct an 11-foot wide multi-use trail. The trail will be dedicated to the City as part of the East Shore Trail System. Furthermore, the Master Plan/PDP included passive parks (aka landscaped focal points) at strategic locations to break up long rows of homes and also provide views of Lake Apopka.

Buffer/Tree Program: The applicant has provided a thirty (30) feet wide landscape buffer along Binion Road with an eleven (11) feet wide multi-use trail. The applicant has proposed to use a combination of decorative precast and wrought-iron style fence material Binion Road.

The following is a summary of the tree replacement program for this project:

|                                  |      |
|----------------------------------|------|
| Total inches on-site:            | 2592 |
| Total number of specimen trees:  | 29   |
| Total inches removed:            | 1725 |
| Total inches retained:           | 867  |
| Total inches replaced:           | 1725 |
| Total Inches (Post Development): | 2592 |

SCHOOL CAPACITY REPORT: No development activity can occur until such time that a concurrency mitigation agreement or letter has been approved by OCPS. The applicant has applied to OCPS for this agreement. The schools zoned to receive students from this community are the following: Apopka Elementary School, Wolf Lake Middle School and Wekiva High School.

ORANGE COUNTY NOTIFICATION: The County was notified at the time of the land use amendment and rezoning application for this property, and coordination occurred with County planning staff regarding impact on adjacent parcels.

PUBLIC HEARING SCHEDULE:

December 13, 2016 - Planning Commission, 5:30 p.m.  
January 4, 2016 - City Council, 1:30 p.m.

---

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the Vistas at Waters Edge - Master Plan/Preliminary Development Plan, subject to the findings of the staff report.

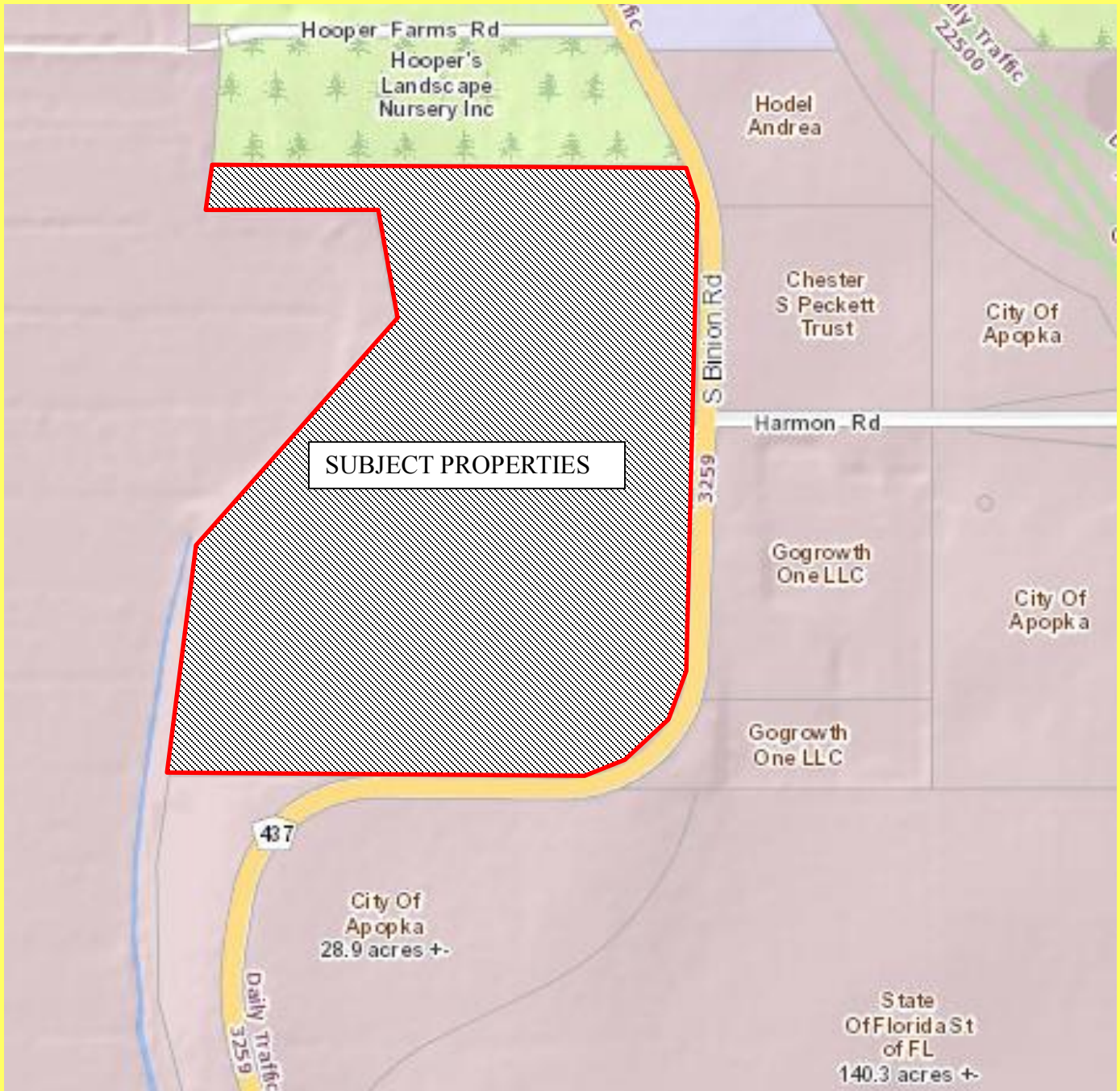
**Recommended Motion:** Recommend to approve the Vistas at Waters Edge - Master Plan/Preliminary Development Plan subject to the finding of the staff report.

**Planning Commission Recommendation:** The role of the Planning Commission for this development application is to advise the City Council to approve, deny, or approve with conditions based on consistency with the Comprehensive Plan and Land Development Code.

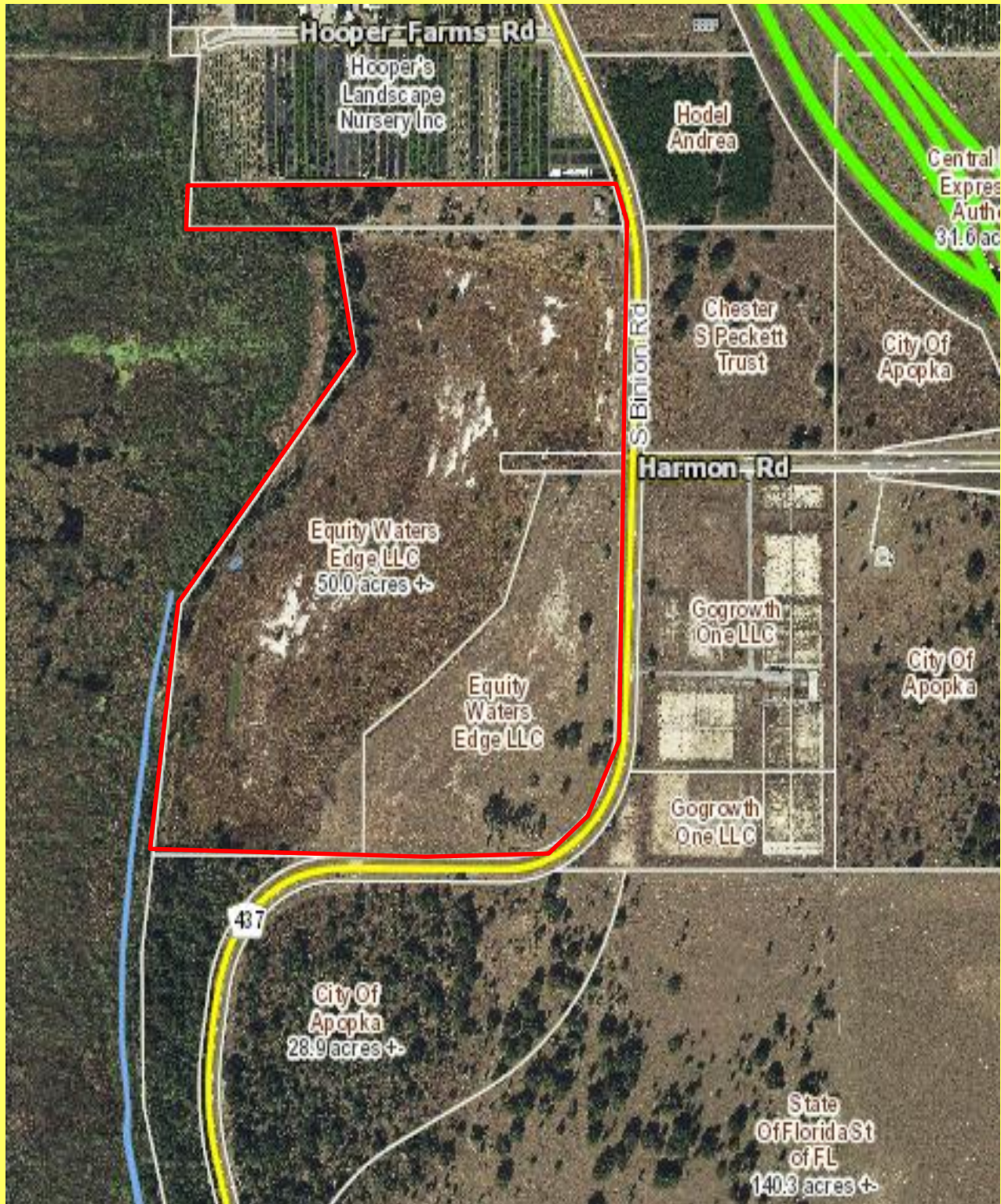
**Note:** This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

**Application:** Vistas at Waters Edge - Master Plan/Preliminary Development Plan  
**Owner Applicant:** Vistas at Waters Edge, LLC  
**Project Engineer:** Madden, Moorhead, Stokes, Inc., c/o David A. Stokes, P.E.  
**Parcel ID No.s:** 19-21-28-0000-00-011, 19-21-28-0000-00-021 & 19-21-28-0000-022  
**Total Acres:** 75.24 +/-

### VICINITY MAP



AERIAL MAP





# MASTER SITE PLAN/PRELIMINARY DEVELOPMENT PLAN

## VISTAS AT WATERS EDGE

SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST,  
APOPKA, FLORIDA

PARCEL ID NO.: 19-21-28-0000-00-011  
19-21-28-0000-00-021  
19-21-28-0000-00-022

FOR

**EQUITY WATERS EDGE, LLC**  
2255 GLADES RD., SUITE 324 EAST  
BOCA RATON, FL 33431  
PH: (321) 624-4725

### LEGAL DESCRIPTION

Parcel 1:

From the North 1/4 corner of Section 19, Township 21 South, Range 28 East, Orange County, Florida, run thence South 09°35'40" West along the North-South mid-section line, a distance of 563.87 feet; thence North 89°28'10" West a distance of 850 feet; thence South 10°16'10" East 419.70 feet; thence South 41°00'00" West a distance of 1075.00 feet; thence South 08°30'00" West, a distance of 824.28 feet to a point on the Westerly extension of the North right of way line of State Road 437, as it existed on the 25th day of September, 1998; thence South 88°52'56" East along said North right of way line and the Westerly extension thereof 832.70 feet for a point of beginning; thence North 00°37'05" East 400.00 feet; thence North 55°38'03" East 299.52 feet; thence North 50°38'37" East 400.37 feet; thence North 20°45'03" East 468.83 feet; thence North 89°57'57" East 300.00 feet to a point on the West right of way line of State Road 437; thence South 02°43'14" West along said right of way line 720.20 feet; thence continue South 02°43'14" West along said right of way line 122.83 feet to a point of curvature of said West right of way line of State Road 437; thence continuing along said West right of way line Southwesterly on a curve, said curve concave to the Northwest, having a radius of 440.91 feet through a central angle of 87°50'31" and an arc distance of 675.97 feet to the point of tangency thereof; thence continuing along the aforesaid North right of way line of State Road 437, North 88°52'56" West 556.28 feet to the point of beginning and point of terminus.

Parcel 2:

Commencing at the North 1/4 corner of Section 19, Township 21 South, Range 28 East, Orange County, Florida, run thence South 09°35'40" West along the North-South mid-section line, a distance of 563.87 feet to the point of beginning; thence North 89°23'10" West, a distance of 650 feet; thence South 10°16'10" East, 419.70 feet; thence South 41°00'00" West, a distance of 1075.00 feet; thence South 08°30'00" West, a distance of 824.28 feet; thence South 88°52'56" East, a distance of 740.86 feet to a point on the Northerly right-of-way line of State Road 437, from said point, run thence South 88°52'56" East along said Northerly right-of-way line 91.82 feet, departing said right-of-way, run thence North 01°07'04" East, 400.00 feet; thence North 56°08'02" East, 299.52 feet; thence North 51°08'36" East, 400.37 feet; thence North 21°18'02" East, a distance of 461.80 feet to a point on the Southerly right-of-way line of Harmon Road, from said point, run thence South 89°21'38" East along the Southerly right-of-way line of Harmon Road, a distance of 307.56 feet to a point on the Westerly right-of-way line of State Road No. 437, from said point, run thence North 02°43'14" East along said Westerly right-of-way line, a distance of 582.17 feet; thence along said right-of-way line on a curve to the left having a radius of 909.00 feet, a central angle of 13°45'43" and an arc distance of 218.34 feet; thence North 89°23'10" West and parallel with the North boundary of said Section 19, a distance of 485.74 feet to the point of beginning, less right-of-way, as recorded in Deed Book 785, Page 113, Public Records of Orange County, Florida.

Also described as: commencing at a 6" square concrete monument, no identification, at the Northeast corner of Section 19, Township 21 South, Range 28 East, Orange County, Florida, run thence North 89°23'10" West along the North boundary of said Section 19, a distance of 2657.02 feet to the North 1/4 corner as called for in Official Records Book 3712, Page 1401 of the Public Record of Orange County, Florida, run thence South 00°38'08" West along the North-South mid-section line, a distance of 563.87 feet to the point of beginning of this description. From said point of beginning, run thence North 89°23'10" West parallel with the North boundary of said Section 19, a distance of 650.01 feet to a found 4" square concrete monument, no identification, on the Easterly boundary of the St. John's River Management District Land Acquisition as found to be monumented; thence South 10°14'38" East along said Easterly boundary, a distance of 419.51 feet to a found 4" square concrete monument, no identification; thence South 40°59'41" West along said Easterly boundary, a distance of 1074.86 feet to a found 4" square concrete monument marked "L.S. 6697"; thence South 09°28'50" West along said Easterly boundary a distance of 824.43 feet to a point on the Southerly boundary of the property described in Official Records Book 4397, Page 2991, of the Public Records of Orange County, Florida, from said point run thence South 88°52'56" East along said Southerly boundary, a distance of 740.78 feet to a point on the Northerly right-of-way line of State Road 437, from said point, run thence South 88°52'56" East along said Northerly right-of-way line 91.82 feet, departing said right-of-way, run thence North 01°07'04" East, 400.00 feet; thence North 56°08'02" East, 299.52 feet; thence North 51°08'36" East, 400.37 feet; thence North 21°18'02" East, a distance of 461.80 feet to a point on the Southerly right-of-way line of Harmon Road, from said point, run thence South 89°21'38" East along the Southerly right-of-way line of Harmon Road, a distance of 307.56 feet to a point on the Westerly right-of-way line of State Road No. 437, from said point, run thence North 02°43'14" East along said Westerly right-of-way line, a distance of 582.17 feet to the point of curvature of a curve concave Southwesterly, having a radius of 909.00 feet; thence Northwesterly along the arc of said right-of-way through a central angle of 13°45'43" an arc distance of 218.34 feet to a point to which a radial line bears North 78°57'31" East, from said point, departing said right-of-way, run thence North 89°23'10" West, parallel with the North boundary of said Section 19, a distance of 485.82 feet to the point of beginning.

Parcel 3:

The South 147.85 feet of the North 563.64 feet of the Northwest 1/4 of the Northeast 1/4, West of road and the South 147.85 feet of the North 563.64 feet of the East 1187.22 feet of the Northeast 1/4 of the Northwest 1/4 (less road) in Section 19, Township 21 South, Range 28 East, Orange County, Florida.

Parcels 1, 2 and 3 contain 3,277,311 square feet, or 75.24 acres, more or less.



**FLUCFCS LEGEND**

- STUDY BOUNDARY AREA
- RESIDENTIAL (LAW-SDG17)
- RESIDENTIAL (DRY POND)
- WETLAND
- CURBAGE PAW
- RESERVED
- MILITARY AND QUARTERS
- BOONER AREA

### PROJECT TEAM MEMBERS:

**OWNER / DEVELOPER**  
EQUITY WATERS EDGE, LLC  
2255 GLADES RD., SUITE 324 EAST  
BOCA RATON, FL 33431  
PHONE: (321) 624-4725  
EMAIL: TRIPP@ENTRYLAND.COM

**SURVEYOR**  
ALLEN & COMPANY  
16 EAST PLANT STREET  
WINTER GARDEN, FLORIDA 34787  
PHONE: (407) 654-5355  
EMAIL: JIM@ALLEN-COMPANY.COM

**ENGINEER**  
MADDEN, MOORHEAD, & STOKES, INC.  
431 E. HORATIO AVE., SUITE 260  
MAITLAND, FLORIDA 32751  
PHONE: (407) 629-8330  
EMAIL: DSTOKES@MADDEN-ENG.COM

**GEOTECHNICAL ENGINEER**  
UNIVERSAL ENGINEERING SCIENCES  
3532 MADGE BLVD.  
ORLANDO, FLORIDA 32811  
PHONE: (407) 423-0504  
EMAIL: GRABENS@UNIVERSALENGINEERING.COM

**ENVIRONMENTALIST**  
AUSTIN ENVIRONMENTAL CONSULTANTS, INC.  
316 CHURCH STREET  
KISSIMMEE, FLORIDA 34741  
PHONE: (407) 935-0535  
EMAIL: NATHAN@AUSTINEC.COM

**LANDSCAPE ARCHITECT**  
MAGLEY DESIGN  
1817 E. WASHINGTON ST.  
ORLANDO, FLORIDA 32803  
PHONE: (407) 898-0223  
EMAIL: RMAGLEY@MAGLEYDESIGN.COM

### UTILITY COMPANIES

**TELEPHONE**  
CENTURY LINK  
33 N. WASH STREET  
WINTER GARDEN, FL 34787  
PHONE: (407) 814-5379  
ATTN: DAVID BYRNES

**WATER AND SEWER**  
CITY OF APOPKA  
748 E. CLEVELAND STREET  
APOPKA, FL 32704  
PHONE: (407) 703-1731

**GAS**  
LAKE APOPKA NATURAL GAS  
1320 WINTER GARDEN VINELAND RD.  
WINTER GARDEN, FL 34787  
PHONE: (407) 656-2734  
ATTN: RICK GULLETT, EXT. 108

**CABLE**  
BRIGHT HOUSE NETWORKS  
2251 LUCIEN WAY  
MAITLAND, FL 32751  
PHONE: (407) 215-5944  
ATTN: DAVID BORER

**ELECTRIC**  
DUKE ENERGY  
2550 BONNETT CREEK RD.  
P.O. BOX 10000  
LAKE BUENA VISTA, FL 32830  
PHONE: (407) 938-6511  
ATTN: LATONYA MCWILLIAMS

### DEVELOPMENT DESIGN GUIDELINES

RESIDENTIAL ARCHITECTURE (SEC. 2.02.20.B.28.)

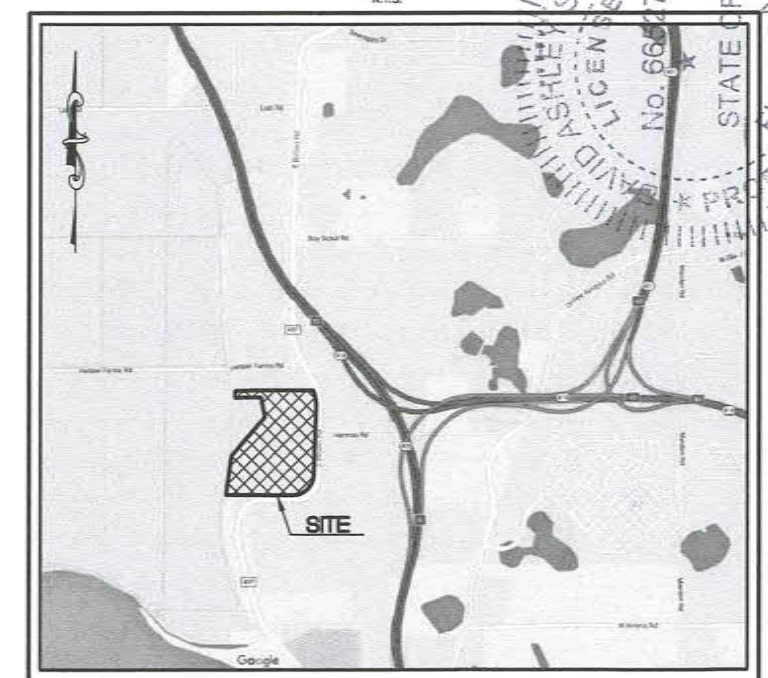
- ARCHITECTURAL RENDERINGS OF BUILDINGS WILL BE PROVIDED TO MEET THE INTENT OF SECTION 2.02.20.28 AND THE CITY'S DEVELOPMENT DESIGN STANDARDS AT THE TIME OF FINAL DEVELOPMENT PLAN.
- A MINIMUM OF TWENTY-FIVE (25) PERCENT OF THE RESIDENTIAL UNITS WILL HAVE A PORCH AT THE FRONT BUILDING ENTRANCE.
- EXTERIOR HOUSE RENDERINGS WILL BE PROVIDED AT THE TIME OF FINAL DEVELOPMENT PLAN. THESE RENDERINGS WILL REFLECT THE FOLLOWING STANDARDS:
  - EACH HOUSE WILL HAVE A PROMINENT PORTICO OR COVERED PORCH AT THE FRONT OF THE HOUSE AT THE MAIN ENTRANCE. A COVERED PORCH MAY ENCRoACH THE FRONT SETBACK BY UP TO SIX FEET.
  - HOUSE DESIGN WILL MEET THE INTENT OF THE DEVELOPMENT DESIGN GUIDELINES MANUAL.
  - THE FOLLOWING HOUSE DESIGN WILL BE ALLOWED:
    - ONE-STORY HOMES: FRONT-ENTRY GARAGE WILL NOT COMPRISE MORE THAN 50% OF THE FRONT BUILDING FACADE. TWO CAR DOORS ALLOWED.
    - TWO-STORY HOMES: THREE CAR DOORS ALLOWED FOR THE FRONT-ENTRY GARAGE AS LONG AS AN OCCUPIED FLOOR AREA IS LOCATED ABOVE GARAGE OR DORMERS ARE INCLUDED IN THE ROOF ABOVE GARAGE.
  - FRONT-ENTRY GARAGE WILL BE SET-BACK 30 FEET FROM THE FRONT LOT LINE.
  - NO BOOK-END FRONT-ENTRY GARAGES ON OPPOSITE SIDES OF THE HOUSE UNLESS AT LEAST ONE GARAGE IS A CARRIAGE ENTRY GARAGE.
  - ANY SIDE ENTRY GARAGE WILL HAVE WINDOWS FACING THE STREET.

### ADDITIONAL GARAGE DESIGN REQUIREMENTS

- PER CODE SECTION 2.02.20.B.29.A, A MINIMUM TWO-CAR GARAGE WILL BE PROVIDED PER HOUSE.
- PER CODE SECTION 2.02.20.B.29.B AND C, A MIXTURE OF GARAGE TYPES WILL BE DEMONSTRATED.

NOTE: A LETTER MUST BE OBTAINED FROM THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSIONER (FFWC) REGARDING WILDLIFE MANAGEMENT PLAN FOR THE GOPHER TORTOISES AND SAND SKINKS IF DISCOVERED, PRIOR TO ANY GRADING, CLEARING OR CONSTRUCTION ACTIVITIES OCCURRING ON SITE.

### VICINITY MAP



### INDEX OF SHEETS

|                 |                                     |
|-----------------|-------------------------------------|
| COV             | COVER SHEET                         |
| 1 of 2 & 2 of 2 | BOUNDARY SURVEY                     |
| PDP-1           | PRELIMINARY DEVELOPMENT PLAN        |
| PUT-1 & PUT-2   | PRELIMINARY DRAINAGE & UTILITY PLAN |
| T101 & T102     | TREE MITIGATION PLAN                |
| MP101           | NEIGHBORHOOD ACTIVITY CENTER PLAN   |
| MP102           | LANDSCAPED FOCAL POINT PLANS        |
| L101 - L103     | LANDSCAPE PLAN                      |
| L201            | LANDSCAPE SCHEDULE & DETAILS        |
| L301 - L303     | IRRIGATION PLAN                     |
| L401            | IRRIGATION NOTES                    |
| L402            | IRRIGATION DETAILS                  |



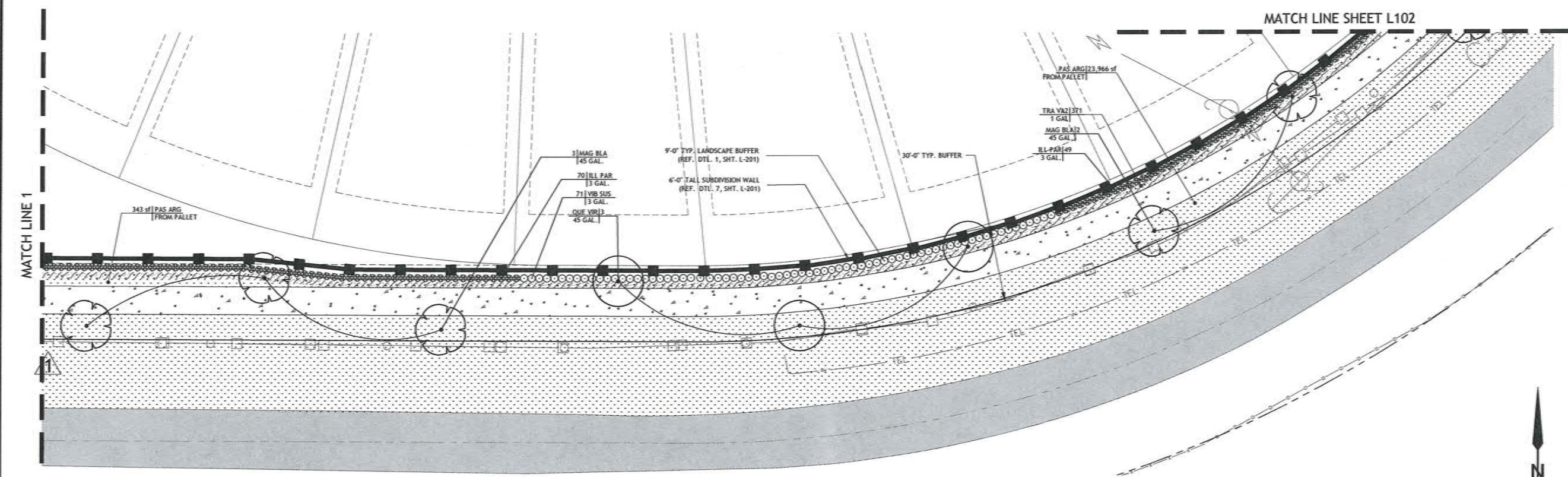
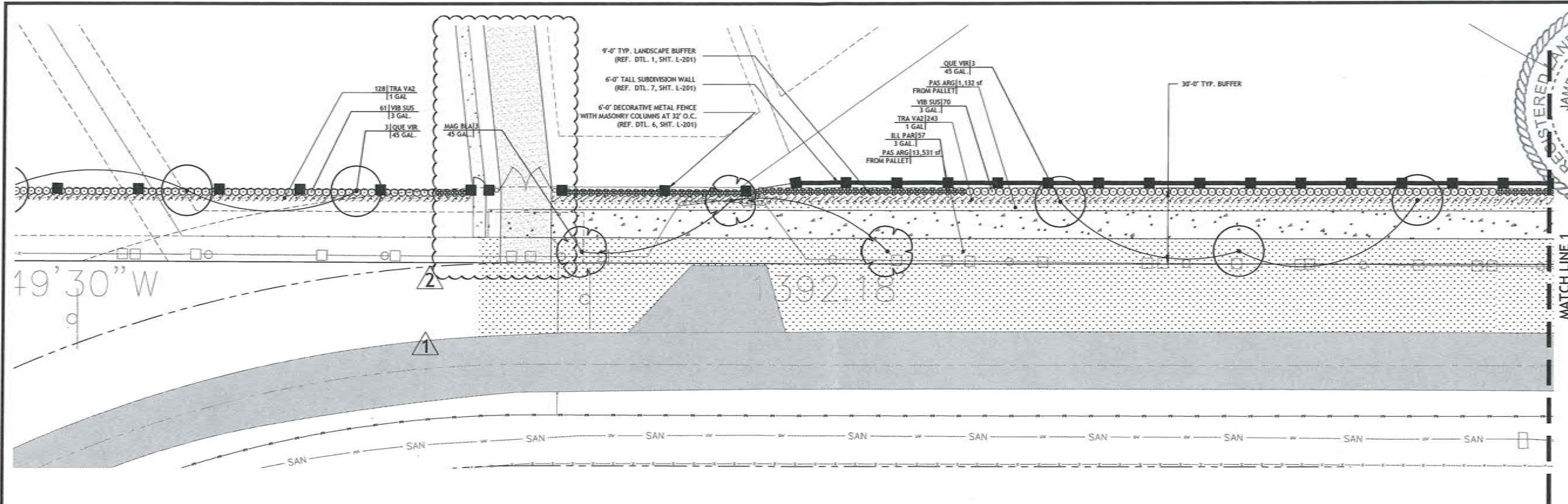
**MADDEN**  
**MOORHEAD & STOKES, INC.**  
**CIVIL ENGINEERS**

431 E. HORATIO AVENUE, SUITE 260  
MAITLAND, FLORIDA 32751  
PHONE (407) 629-8330  
FAX (407) 629-8336

STATE OF FLORIDA  
 PROFESSIONAL ENGINEER  
 No. 66647  
 DAVID A. STOKES, P.E.  
 LICENSE NO. 166367  
 EXPIRES 11/28/25  
 H:\Users\13074\OneDrive\15074\15074\_COV.dwg Nov 08, 2016 11:28:25 AM  
 VIEWS AT WATERS EDGE 15074



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**VISTAS AT WATERS EDGE**  
Apopka, Florida



Revisions:

| No. | Date:      |
|-----|------------|
| 1   | 10/19/2016 |
| 2   | 11/4/2016  |

Date: 09/28/2016  
Scale: As Shown  
Project Number: 1636

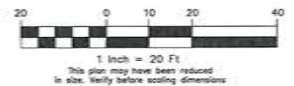
Sheet Title:  
**LANDSCAPE PLAN**

Sheet Number:  
**L101**

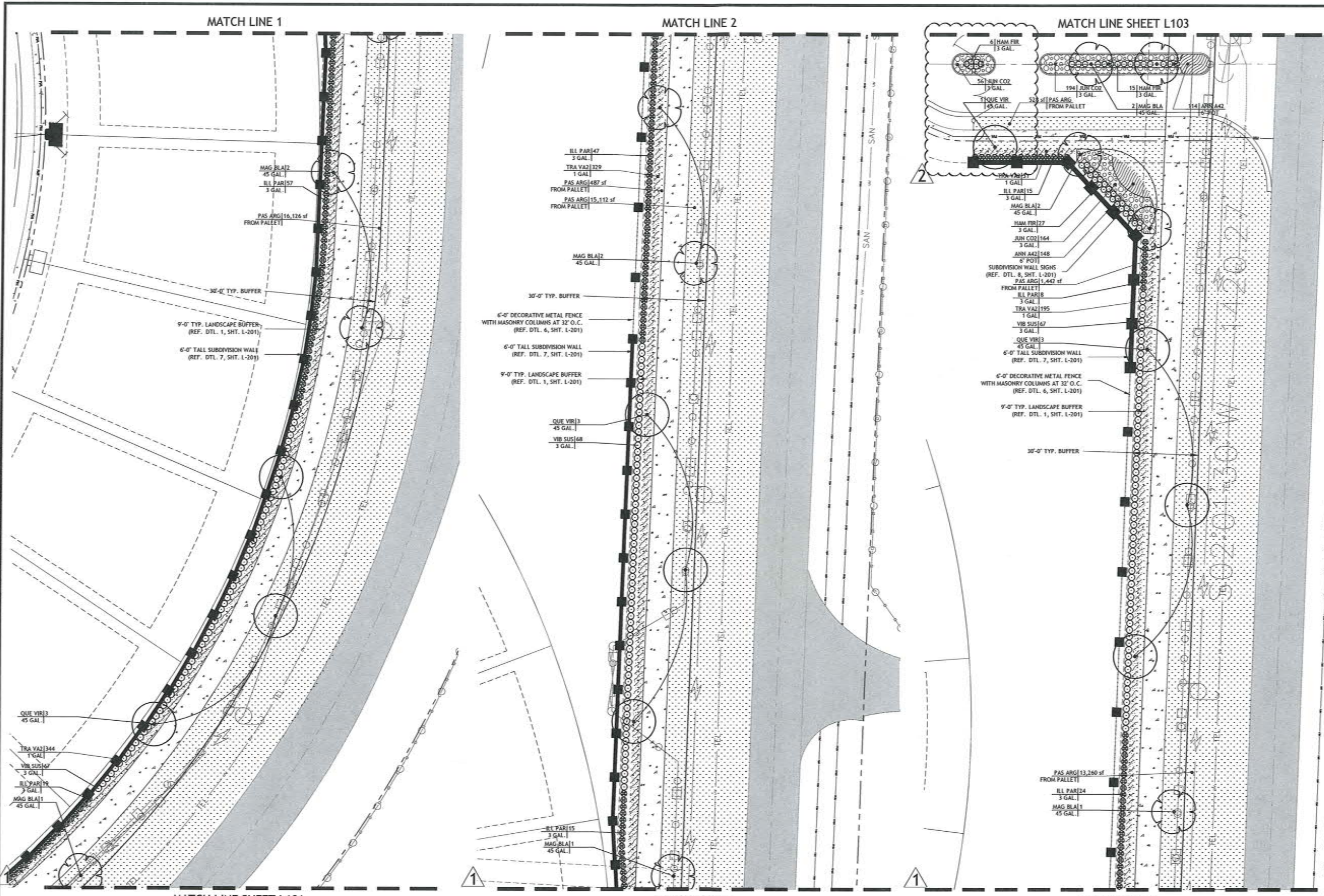
LANDSCAPE AND IRRIGATION DESIGN

I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2069 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

SIGNATURE \_\_\_\_\_ REG. NO. \_\_\_\_\_ DATE \_\_\_\_\_



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# VISTAS AT WATERS EDGE

Apopka, Florida



Revisions:

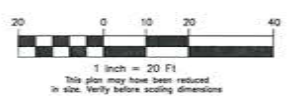
| No. | Date:      |
|-----|------------|
| 1   | 10/19/2016 |
| 2   | 11/4/2016  |

Date: 09/28/2016  
 Scale: As Shown  
 Project Number: 1636

Sheet Title:  
**LANDSCAPE PLAN**

Sheet Number:

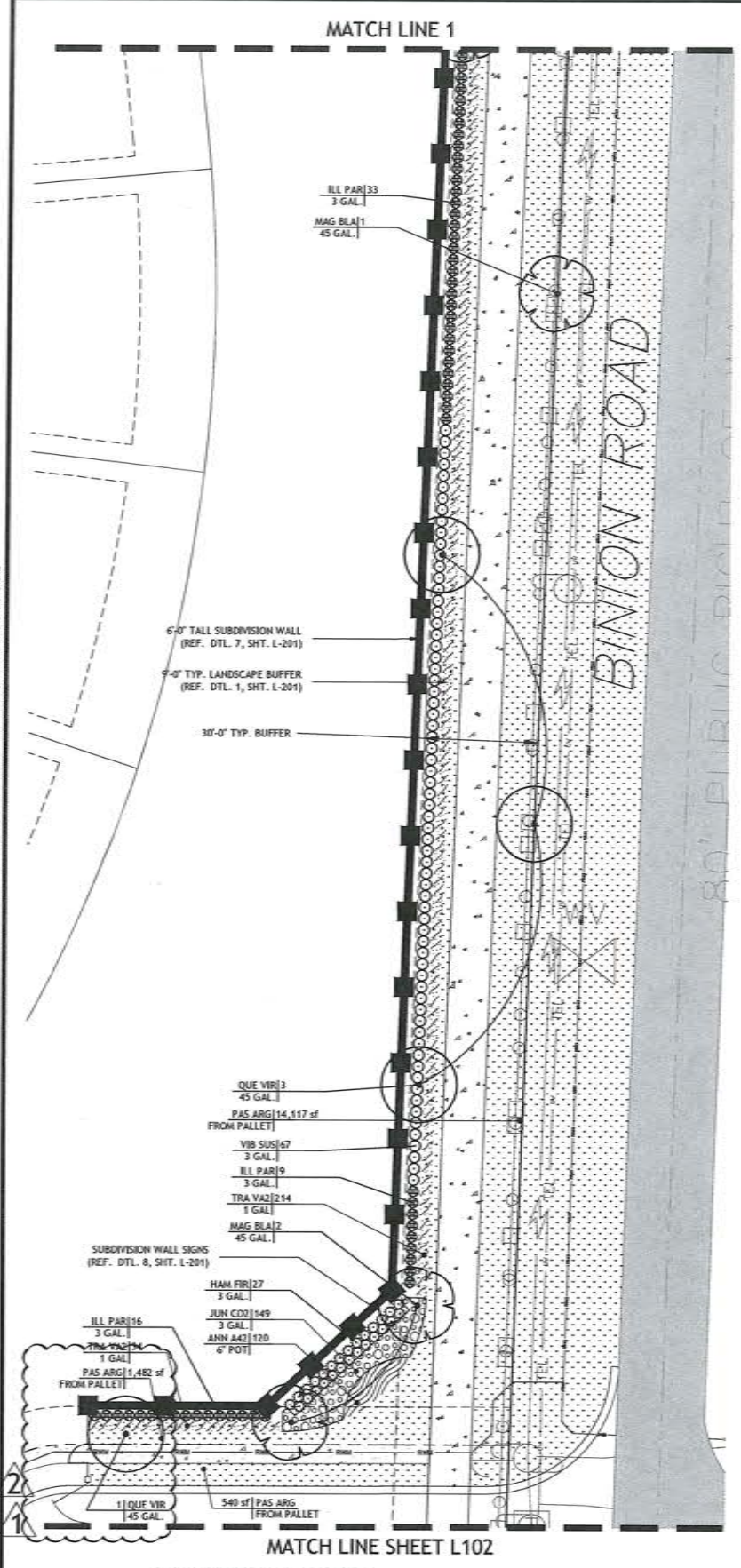
# L102



I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2009 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

SIGNATURE \_\_\_\_\_ REG. NO. \_\_\_\_\_ DATE \_\_\_\_\_

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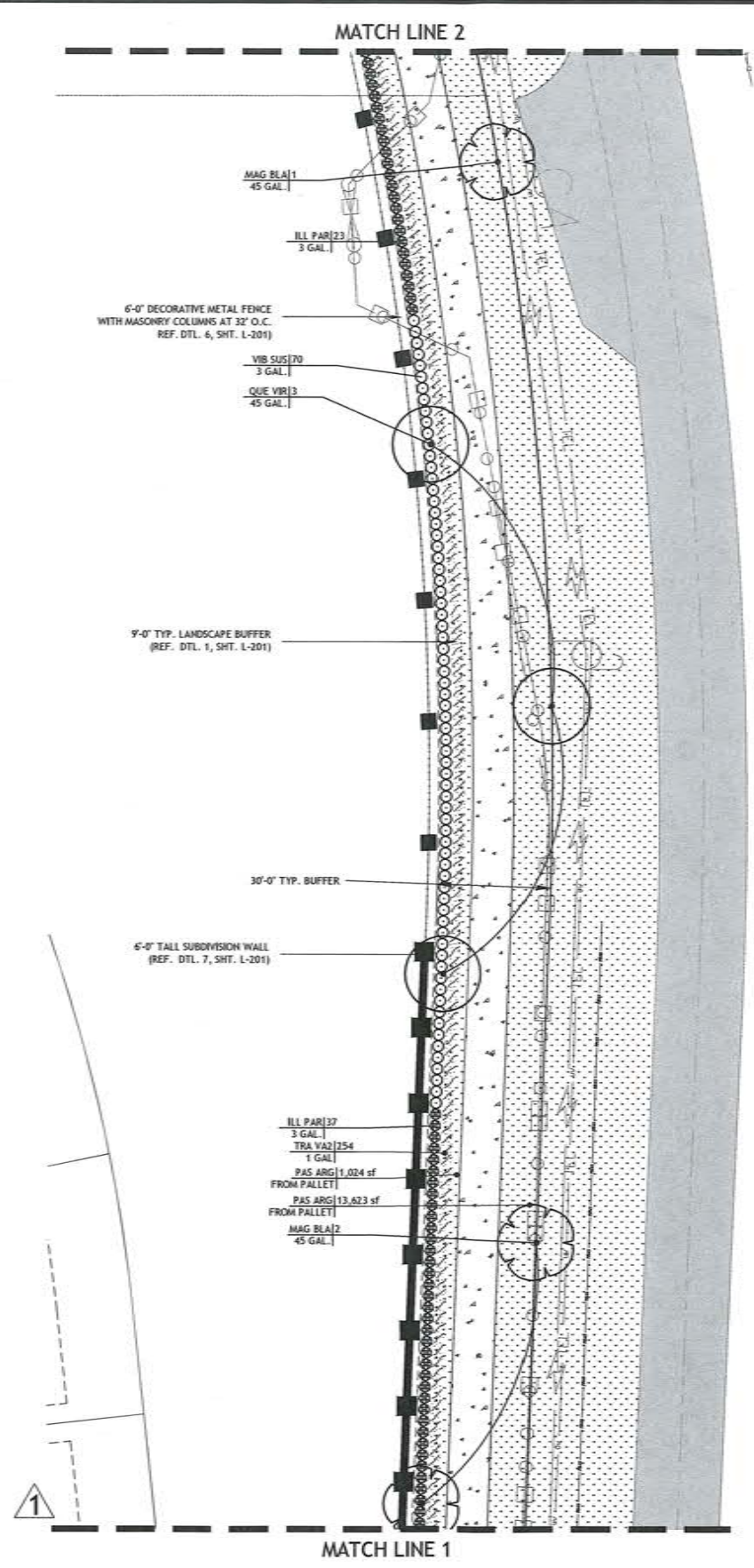


MATCH LINE SHEET L102

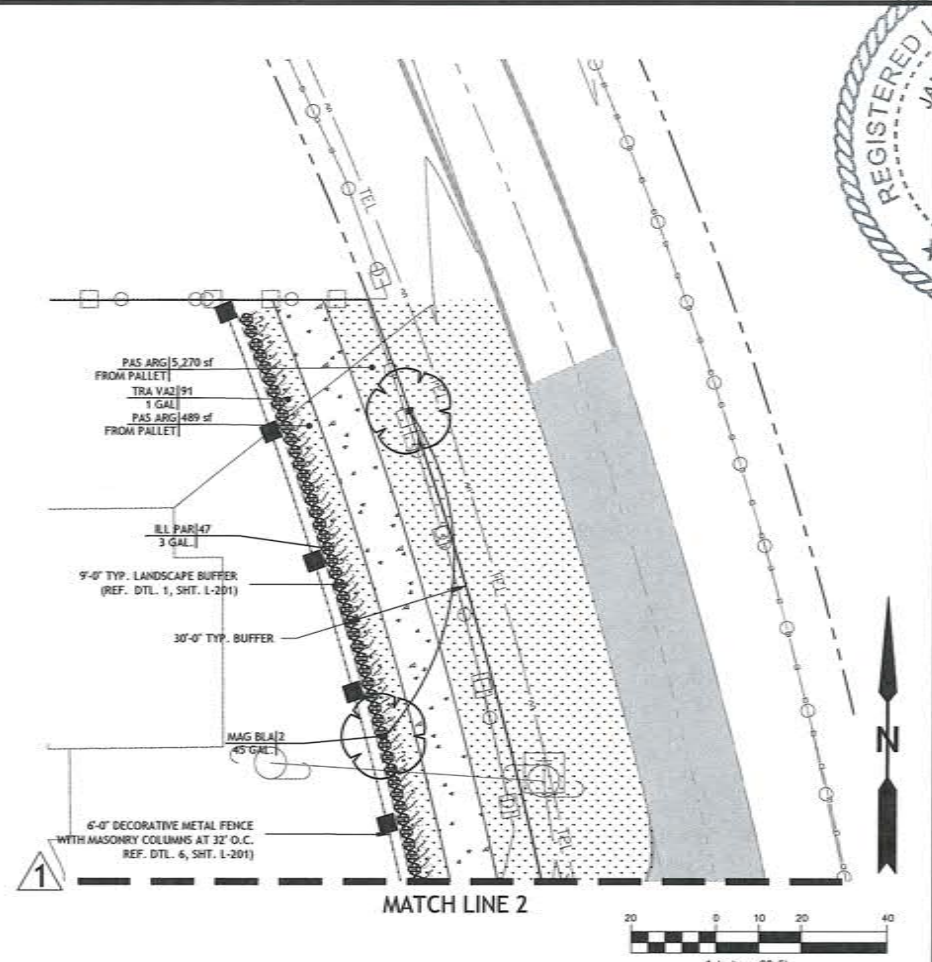
LANDSCAPE AND IRRIGATION DESIGN

I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2089 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

SIGNATURE \_\_\_\_\_ REG. NO. \_\_\_\_\_ DATE \_\_\_\_\_



MATCH LINE 1



MATCH LINE 2

- TYPICAL LANDSCAPE NOTES:**
1. ALL TREE CALIPER SIZES NOTED ARE MINIMUM. INCREASE SIZE OR ANY OTHER SPECIFICATIONS AS REQUIRED, PROVIDING MINIMUM PLANT SIZE AND SPECIFICATIONS.
  2. ALL CONTAINER SIZES NOTED ARE MINIMUM. INCREASE SIZE OF POT AS REQUIRED, PROVIDING MINIMUM PLANT SIZE AND SPECIFICATIONS. ALL HEIGHT AND SPREAD SPECIFICATIONS ARE MINIMUM.
  3. SHRUB AND GROUND COVER BED QUANTITIES ARE INDICATED FOR EACH PLANT BED. ALL PLANT QUANTITIES FOR PROPOSALS SHALL BE DERIVED SOLELY FROM DRAWINGS AND SPECIFICATIONS.
  4. SHRUB AND GROUND COVER SPACING IS INDICATED ON THE PLANT LIST AND SHALL APPLY FOR ALL "MASS PLANTING" BEDS.
  5. OWNERS REPRESENTATIVE MUST TAG AN EXAMPLE OF EACH PALM SPECIES ACCORDING TO THE SPECIFICATIONS IN THE PLANT LIST.
  6. SEE PLANT LIST DETAILS AND SPECIFICATIONS FOR FURTHER PLANTING INFORMATION.
  7. LOCATION OF ALL UTILITIES AND BASE INFORMATION IS APPROXIMATE. CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES AND OBSTRUCTIONS AND COORDINATE WITH OWNERS REPRESENTATIVE PRIOR TO INITIATING INSTALLATION WORK. CONTRACTOR SHALL BE RESPONSIBLE TO REPAIR OR REPLACE ANY DAMAGE COMMITTED TO EXISTING ELEMENTS ABOVE OR BELOW GROUND TO ITS ORIGINAL CONDITION AND TO THE SATISFACTION OF THE OWNERS REPRESENTATIVE.
  8. CONTRACTOR SHALL FIELD ADJUST LOCATION OF PLANT MATERIAL AS NECESSARY TO AVOID DAMAGE TO EXISTING UNDERGROUND UTILITIES AND/OR EXISTING ABOVE GROUND ELEMENTS. ALL CHANGES REQUIRED SHALL BE COMPLETED AT THE CONTRACTORS EXPENSE AND SHALL BE COORDINATED WITH THE OWNERS REPRESENTATIVE.
  9. CONTRACTOR SHALL FIELD STAKE THE LOCATION OF ALL PLANT MATERIAL PRIOR TO INITIATING INSTALLATION FOR THE REVIEW AND APPROVAL OF THE LANDSCAPE ARCHITECT OR OWNERS REPRESENTATIVE. THE LOCATION OF ALL PLANT MATERIAL IS SUBJECT TO FIELD CHANGE.
  10. LANDSCAPE CONTRACTOR SHALL COORDINATE THEIR WORK WITH THE IRRIGATION CONTRACTOR AND ALL OTHER TRADES.
  11. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL HAND WATERING AS REQUIRED UNTIL PLANT MATERIALS ARE WELL ESTABLISHED, TO SUPPLEMENT IRRIGATION WATERING AND RAINFALL.
  12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR HAND WATERING IN ALL LANDSCAPE AREAS WHERE THE EXISTING OR PROPOSED IRRIGATION IS FOR WHATEVER REASON NOT OPERATING OR NOT OPERATING CORRECTLY.
  13. CONTRACTOR SHALL CLEAN THE WORK AREAS AT THE END OF EACH WORKING DAY. RUBBISH AND DEBRIS SHALL BE COLLECTED AND DEPOSITED AS DIRECTED DAILY. ALL MATERIALS, PRODUCTS, AND EQUIPMENT SHALL BE STORED IN AN ORGANIZED FASHION AS DIRECTED BY THE OWNER OR OWNERS REPRESENTATIVE.
  14. ALL PLANT MATERIAL SHALL BE IN FULL AND STRICT ACCORDANCE WITH FLORIDA NO. 1 GRADE, ACCORDING TO THE "GRADES AND STANDARDS FOR NURSERY PLANTS" PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, CURRENT EDITION.
  15. CONTRACTOR SHALL REMOVE EXISTING SOD AND/OR VEGETATION IN ALL AREAS TO BE PLANTED WITH SHRUB/GROUNDCOVERS AND/OR ALL AREAS TO BE MULCHED.
  16. CONTRACTOR SHALL REPLACE SOD IN ALL AREAS WHERE EXISTING VEGETATION IS REMOVED OR RELOCATED, WHERE EXISTING LAWN AREAS ARE DAMAGED BY HIS WORK, AND WHERE NEW VEGETATION IS INSTALLED (UNLESS OTHERWISE NOTED ON PLANS) WITH SAME GRASS SPECIES TO THE SATISFACTION OF THE OWNERS REPRESENTATIVE. CONTRACTOR SHALL BE RESPONSIBLE FOR FINISH GRADING ALL SUCH AREAS TO BLEND BOTH ELEVATIONS AND SOD INTO EXISTING SURROUNDING LAWN AREAS.
  17. THE CONTRACTOR SHALL BEAR ALL COSTS OF TESTING OF SOILS, AMENDMENTS, ETC. ASSOCIATED WITH THE WORK AND INCLUDED IN THE SPECIFICATIONS. PRIOR TO COMMENCEMENT OF THE LANDSCAPING WORK, FOR EVERY BLOCK SECTION OF STREET THE CONTRACTOR SHALL PROVIDE COMPLETE SOIL TESTS FOR AT LEAST THREE AREAS UNDISTURBED BY PREVIOUS WORK AND TWO AREAS DISTURBED AND/OR REFILLED. SEE SPECIFICATIONS FOR ADDITIONAL TESTING REQUIREMENTS.
  18. THE CONTRACTOR SHALL PROVIDE UNIT PRICES AS REQUESTED WHICH INCLUDE THE TOTAL COST OF THE WORK INCLUDING BUT NOT LIMITED TO ANY AND ALL COSTS FOR EQUIPMENT, MATERIAL, PRODUCTS, OVERHEAD, PROFIT, GUARANTEES, LABOR, INSTALLATION, ETC. TO PROVIDE A COMPLETE JOB AS OUTLINED ON THE DRAWINGS. THE OWNER SHALL HAVE THE OPTION TO ADD OR DEDUCT FROM THE LUMP SUM BID CONTRACT AMOUNT, BASED ON THE QUOTED UNIT PRICES FOR ANY OR THE ITEMS LISTED IN THE "PLANT LIST".
  19. CONTRACTOR SHALL PROTECT EXISTING VEGETATION TO REMAIN BY MEANS APPROVED BY THE OWNER/OWNERS REPRESENTATIVE AND AS DETAILED IN THE DRAWINGS.
  20. CONTRACTOR SHALL CLEAN, PRUNE, AND SHAPE EDGES OF EXISTING VEGETATION AS DIRECTED BY OWNERS REPRESENTATIVE. CREATE SMOOTH BED LINES AROUND EXISTING VEGETATION.
  21. CONTRACTOR AND EMPLOYEE VEHICLE PARKING SHALL BE COORDINATED WITH THE OWNER OR OWNERS REPRESENTATIVE. SHUTTLING OF EMPLOYEES TO THE PROJECT AREAS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL NOT DISRUPT OR CONFLICT IN ANY WAY WITH EXISTING TRAFFIC.
  22. CONSTRUCTION ACCESS SHALL BE INDICATED BY THE OWNER. COORDINATION OF HEAVY EQUIPMENT AND MATERIALS SHALL BE THE CONTRACTORS RESPONSIBILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SCHEDULING AND COORDINATION OF WORK WITH OTHER TRADES AND THE OWNER OR OWNERS REPRESENTATIVE.
  23. THE CONTRACTOR SHALL TAKE WHATEVER MEANS THAT MAY BE NECESSARY TO FULLY UNDERSTAND ALL THE ACCESS ROUTES AND CONSTRUCTION SCHEDULES IN ORDER TO PROVIDE A COMPLETE AND FINISHED PROJECT ON SCHEDULE.
  24. PINE STRAW MULCH OR APPROVED EQUAL SHALL BE USED (CYPRESS MULCH NOT ALLOWED).



# VISTAS AT WATERS EDGE

Apopka, Florida



Revisions:

| No. | Date       |
|-----|------------|
| 1   | 10/19/2016 |
| 2   | 11/4/2016  |

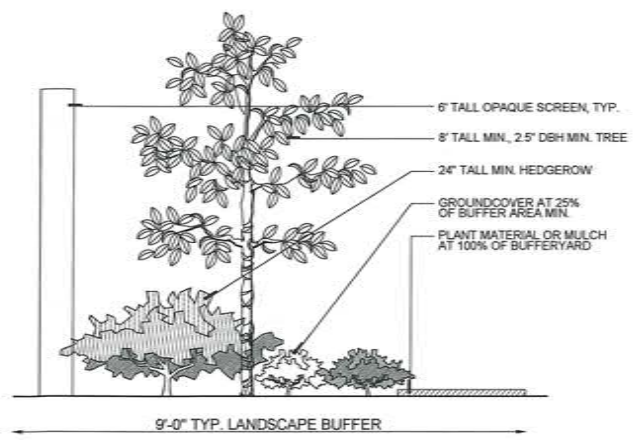
Date: 05/28/2016  
Scale: As Shown  
Project Number: 1636

Sheet Title:  
**LANDSCAPE PLAN**

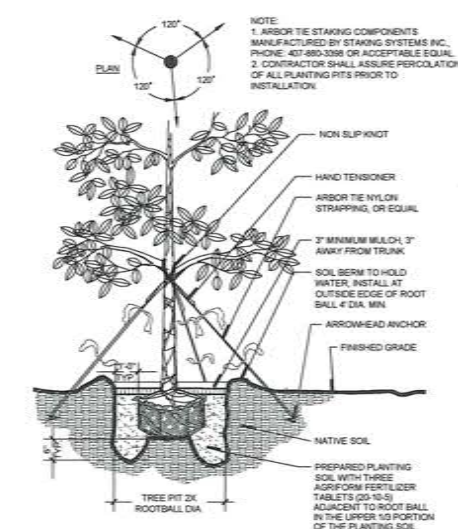
Sheet Number:  
**L103**

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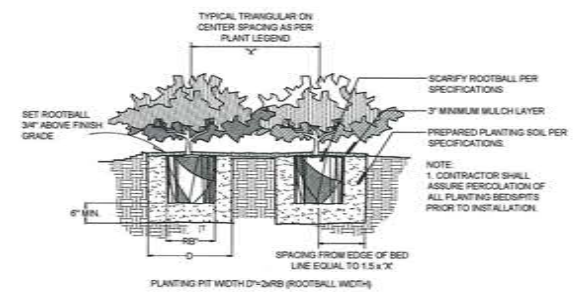
| PLANT SCHEDULE |            |  |                            |             |        |               |             |        |                              |                               |
|----------------|------------|--|----------------------------|-------------|--------|---------------|-------------|--------|------------------------------|-------------------------------|
| TREES          | QTY        | BOTANICAL NAME                           | COMMON NAME                | CONT.       | CAL    | SPECIFICATION | WATER USAGE | NATIVE | REMARKS                      |                               |
| LAG MUS        | 6          | LAGERSTROEMIA X "MUSKOGEE"               | LAVENDER CRAPE MYRTLE      | 25 GAL.     | 1" CAL | 6' H X 4' S   | LOW-MEDIUM  | NO     | MULTI-TRUNK, FULL            |                               |
| MAG BLA        | 29         | MAGNOLIA GRANDIFLORA "D.D. BLANCHARD" TM | SOUTHERN MAGNOLIA          | 45 GAL.     | 3" CAL | 12' H X 4' S  | LOW-MEDIUM  | YES    | SINGLE, STRAIGHT TRUNK, FULL |                               |
| QUE VIR        | 28         | QUERCUS VIRGINIANA                       | SOUTHERN LIVE OAK          | 45 GAL.     | 3" CAL | 13' H X 6' S  | LOW-MEDIUM  | YES    | SINGLE, STRAIGHT TRUNK, FULL |                               |
| SHRUBS         | QTY        | BOTANICAL NAME                           | COMMON NAME                | CONT.       | -      | SPECIFICATION | WATER USAGE | NATIVE | REMARKS                      |                               |
| HAM FIR        | 167        | HAMELIA PATENS                           | FIRE BUSH                  | 3 GAL.      | -      | 18" H X 18" S | LOW-MEDIUM  | YES    | FULL                         |                               |
| ILL PAR        | 526        | ILICUM PARVIFLORUM                       | YELLOW ANISE               | 3 GAL.      | -      | 18" H X 18" S | LOW         | NO     | FULL                         |                               |
| VIB SUS        | 541        | VIBURNUM SUSPENSUM                       | SANDANKWA YIBURNUM         | 3 GAL.      | -      | 18" H X 18" S | LOW         | NO     | FULL                         |                               |
| ZAM PUM        | 34         | ZAMIA PUMILA                             | COONTIE                    | 3 GAL.      | -      | 12" H X 12" S | LOW         | YES    | FULL                         |                               |
| SHRUB AREAS    | QTY        | BOTANICAL NAME                           | COMMON NAME                | CONT.       | -      | SPECIFICATION | WATER USAGE | NATIVE | SPACING                      | REMARKS                       |
| HAM FIZ        | 38         | HAMELIA PATENS "COMPACTA"                | DWARF FIRE BUSH            | 3 GAL.      | -      | 16" H X 16" S | LOW-MEDIUM  | YES    | 24" o.c.                     | FULL                          |
| JUN CO2        | 563        | JUNPERUS CONFERTA "BLUE PACIFIC"         | BLUE PACIFIC SHORE JUNIPER | 3 GAL.      | -      | 12" H X 12" S | LOW         | NO     | 18" o.c.                     | FULL, 3 TRAILING RUNNERS MIN. |
| GROUND COVERS  | QTY        | BOTANICAL NAME                           | COMMON NAME                | CONT.       | -      | SPECIFICATION | WATER USAGE | NATIVE | SPACING                      | REMARKS                       |
| AGA AFR        | 159        | AGAPANTHUS AFRICANUS                     | LILY OF THE LILE           | 1 GAL.      | -      | 12" O.A.      | LOW-MED     | NO     | 18" o.c.                     | FULL                          |
| ANN A42        | 382        | ANNUALS (SELECTED BY OWNER)              | ANNUALS                    | 6" POT      | -      | 6" O.A.       | MEDIUM-HIGH | NO     | 12" o.c.                     | FULL                          |
| MUR CA3        | 85         | MUHLBERGIA CAPILLARIS                    | PINK MURLY                 | 1 GAL.      | -      | 12" H X 12" S | LOW         | YES    | 24" o.c.                     | FULL                          |
| TRA VA2        | 2,234      | TRACHELOSPERMUM ASIATICUM "VAREGATA"     | VAREGATED DWARF JASMINE    | 1 GAL.      | -      | 10" H X 12" S | LOW-MED     | NO     | 24" o.c.                     | FULL, 5 RUNNERS MIN.          |
| SOD/SEED       | QTY        | BOTANICAL NAME                           | COMMON NAME                | CONT.       | -      | SPECIFICATION | WATER USAGE | NATIVE | SPACING                      | REMARKS                       |
| PAS ARG        | 128,430 SF | PASPALUM NOTATUM "ARGENTINE"             | BAHIA GRASS                | FROM PALLET | -      | SOD           | N/A         | NO     | -                            | CLEAN AND WEED FREE           |



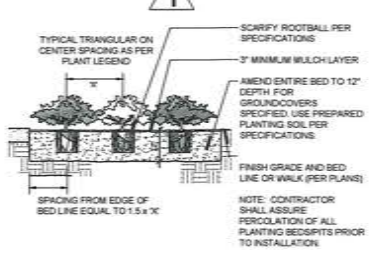
1 9' TYPICAL LANDSCAPE BUFFER Scale: N.T.S.



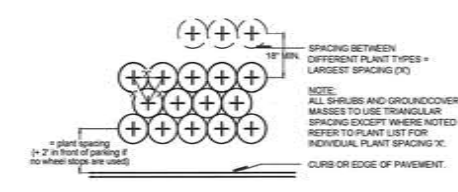
2 LARGE TREE PLANTING DETAIL Scale: N.T.S.



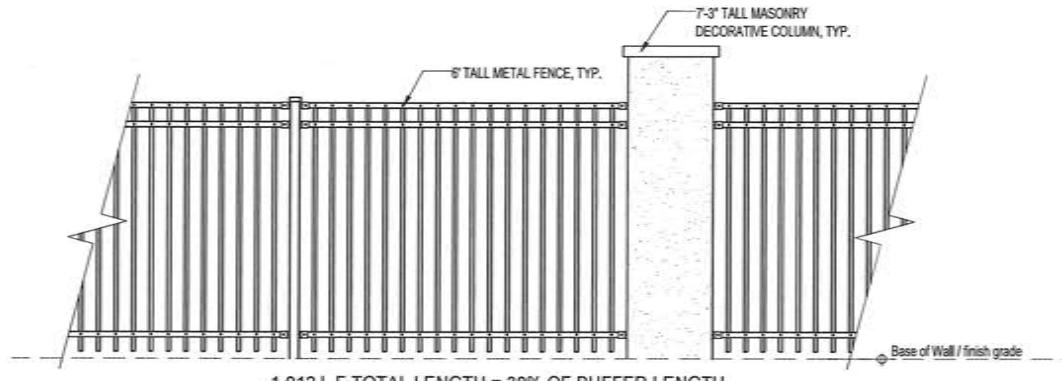
3 SHRUB PLANTING DETAIL Scale: N.T.S.



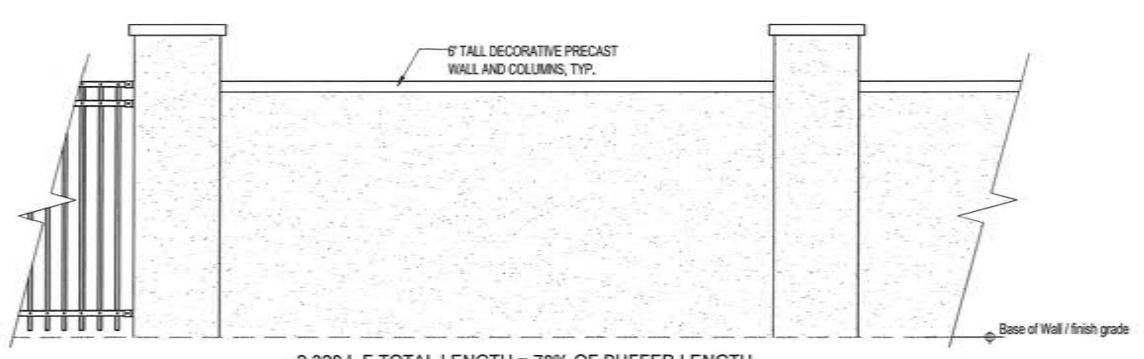
4 GROUNDCOVER PLANTING DETAIL Scale: N.T.S.



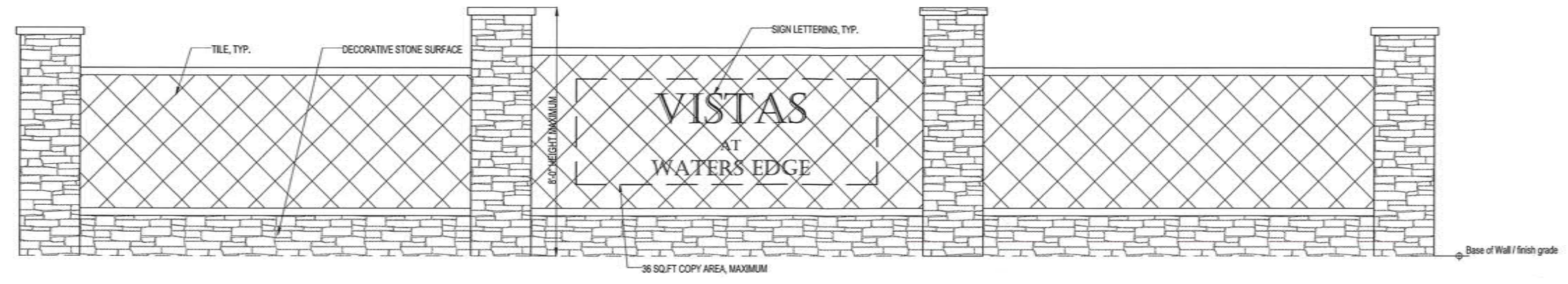
5 PLANT SPACING DETAIL Scale: N.T.S.



6 SUBDIVISION FENCE ELEVATION Scale: N.T.S.



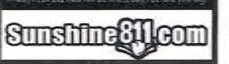
7 SUBDIVISION WALL ELEVATION Scale: N.T.S.



8 SUBDIVISION WALL SIGN ELEVATION Scale: N.T.S.



**VISTAS AT WATERS EDGE**  
Apopka, Florida



Revisions:

| No. | Date       |
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| 1   | 10/19/2016 |

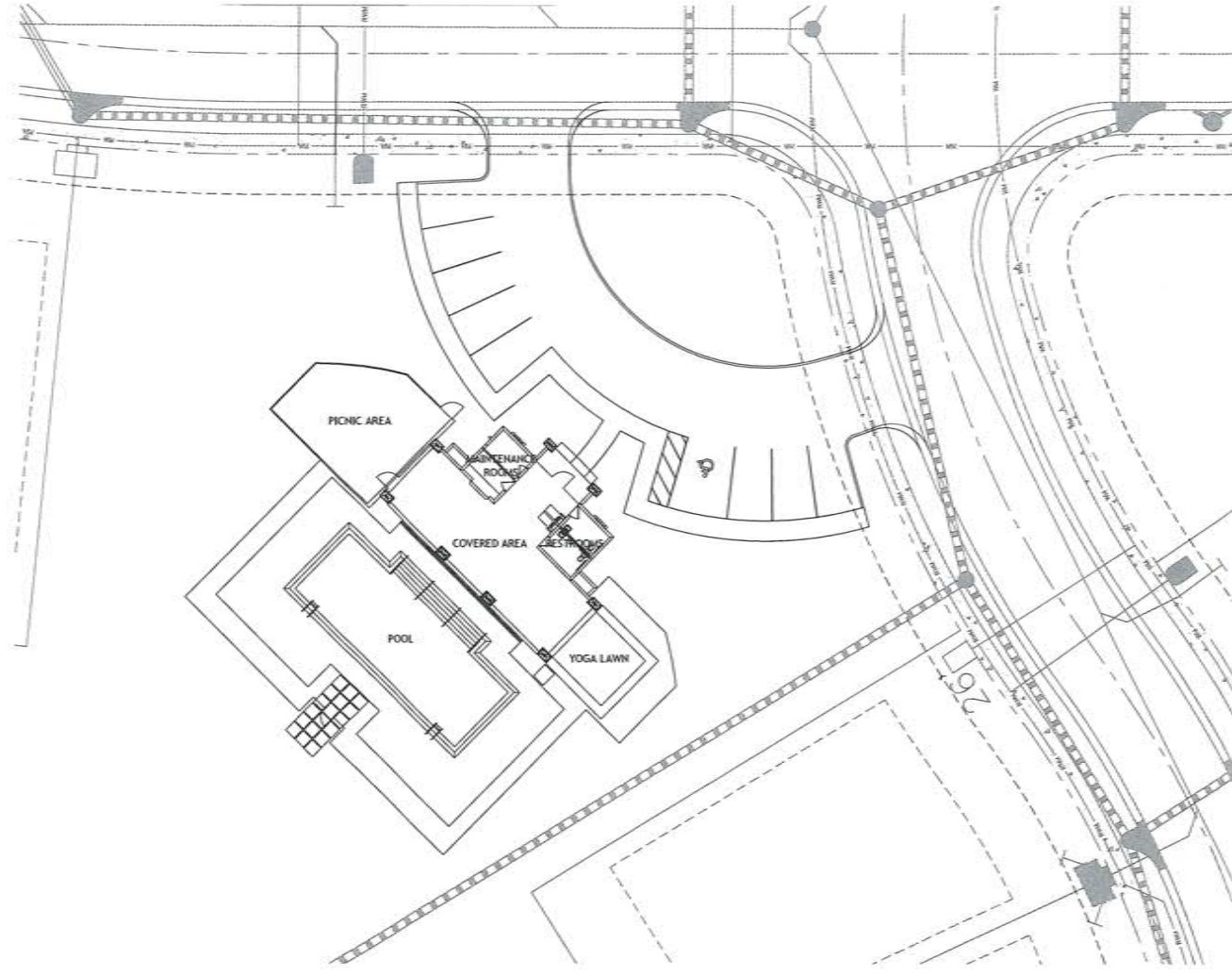
Date: 09/28/2016  
Scale: As Shown  
Project Number: 1636

Sheet Title:  
**LANDSCAPE SCHEDULE & DETAILS**

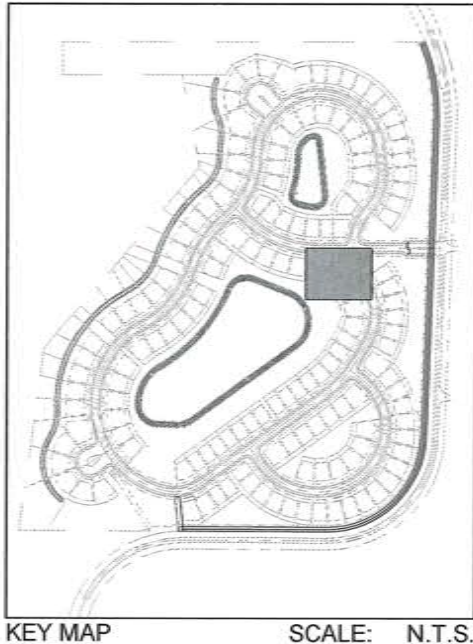
Sheet Number:  
**L201**

NOTE: CONTRACTOR TO PROVIDE SHOP DRAWINGS SIGNED AND SEALED BY A FLORIDA CERTIFIED STRUCTURAL ENGINEER IN A SEPARATE PERMIT FOR ALL HARDSCAPE FEATURES, TYP.

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1 NEIGHBORHOOD ACTIVITY CENTER



95



2 NEIGHBORHOOD ACTIVITY CENTER CONCEPTUAL RENDERING



**VISTAS AT WATERS EDGE**  
Apopka, Florida



Revisions:

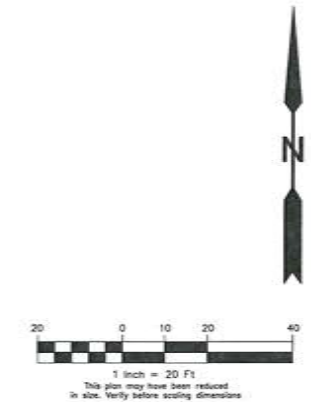
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| 1   | 10/19/2016 |
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Date: 09/28/2016  
Scale: As Shown  
Project Number: 1636

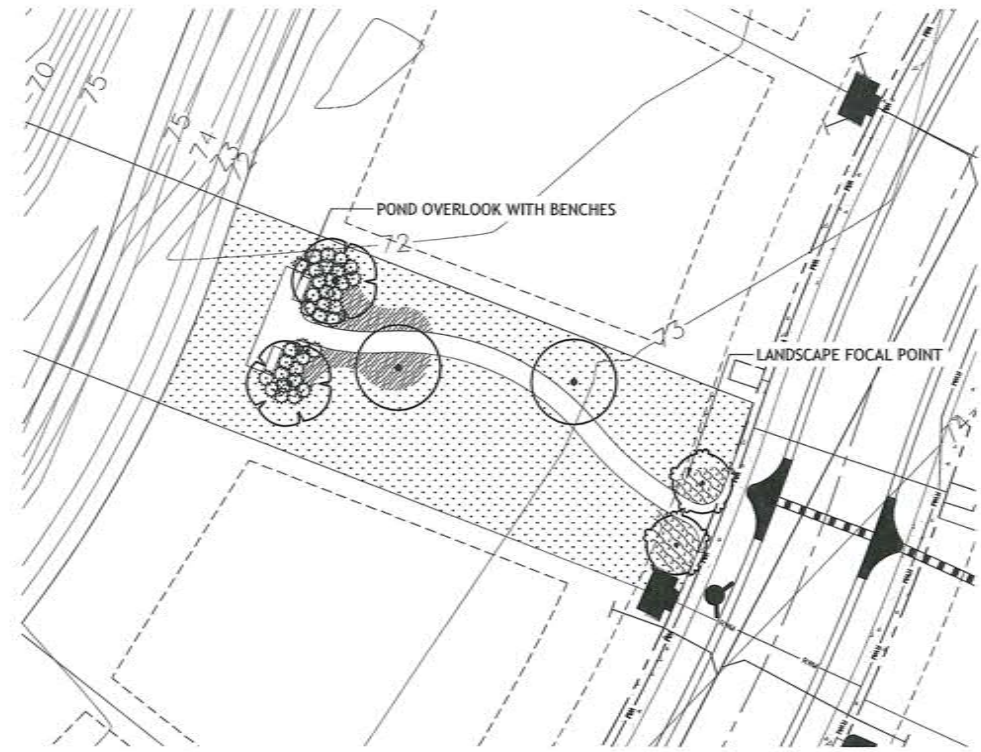
NEIGHBORHOOD ACTIVITY CENTER PLAN

Sheet Number:

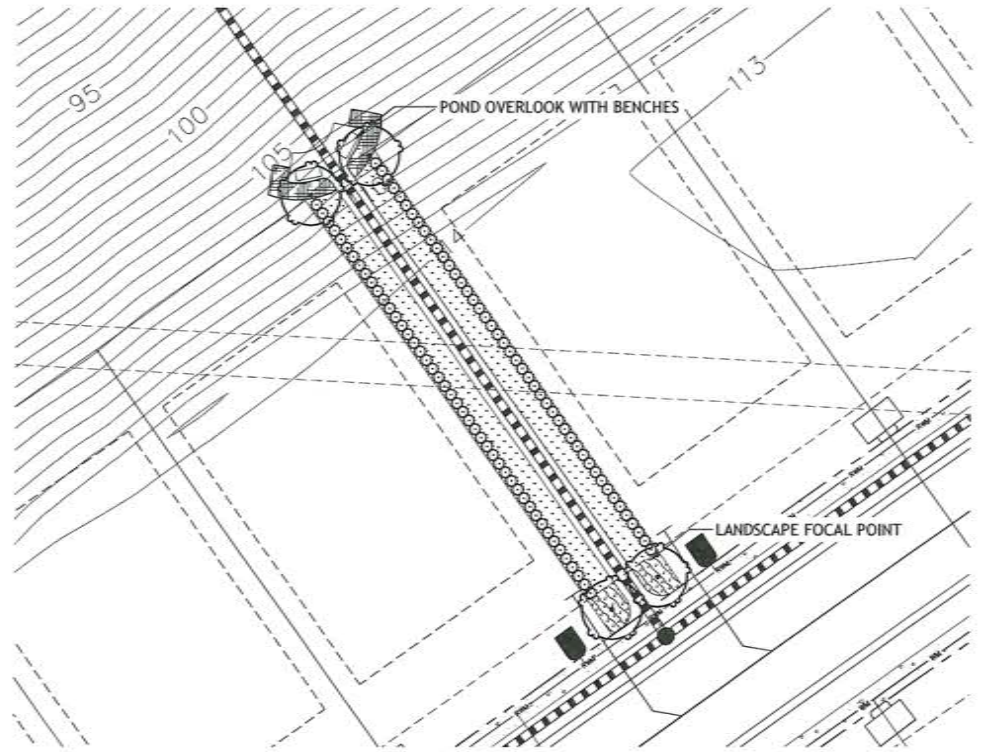
**MP101**



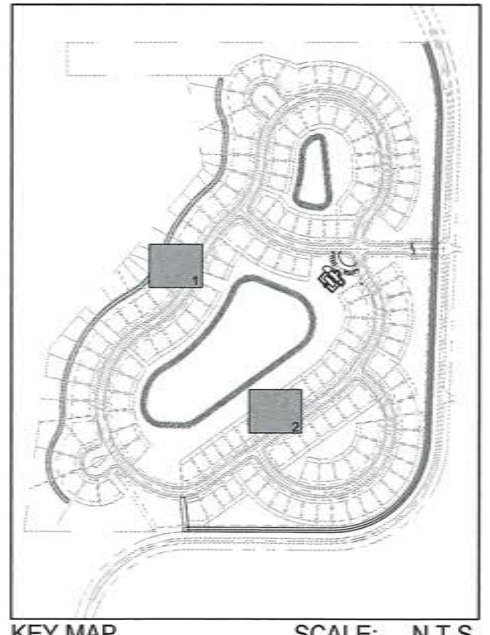
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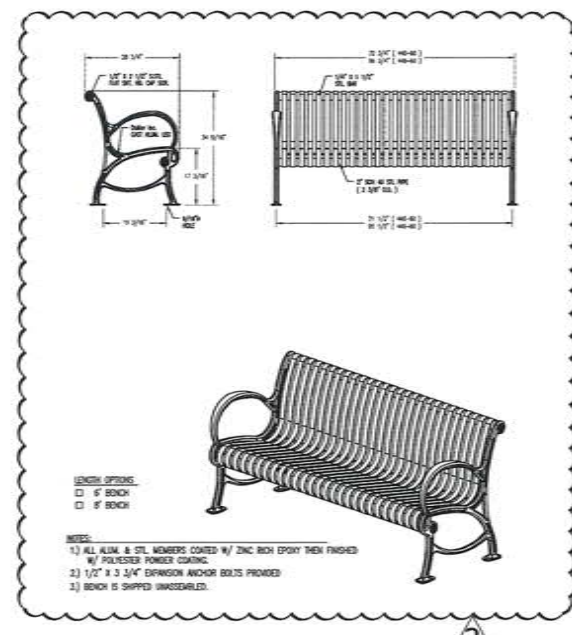
1 NEIGHBORHOOD OVERLOOK PARK #1



2 NEIGHBORHOOD OVERLOOK PARK #2



KEY MAP SCALE: N.T.S.



3 DuMOR SERIES 446 6' BENCH, OR APPROVED EQUAL

Scale: N.T.S.



VISTAS AT WATERS EDGE  
 Apopka, Florida

Sunshine811.com

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| No. | Date       |
|-----|------------|
| 1   | 10/19/2016 |

Date: 05/28/2016  
 Scale: As Shown  
 Project Number: 1636

Sheet Title:  
 LANDSCAPED FOCAL POINT PLANS

Sheet Number:

MP102

