



**City of Apopka
Planning Commission
Meeting Agenda
October 21, 2014
5:01 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 meetings held September 9, 2014 and October 14, 2014, at 5:01 p.m.

IV. PUBLIC HEARING:

1. VARIANCE – Loomis Funeral Home, 420 W. Main Street - A variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Sections 8.04.02.C and 8.04.06.B.1 – To allow a non-conforming sign (pole sign) to be replaced as a pole sign containing an electronic reader board. (Parcel ID No. 09-21-28-7544-02-130)
2. CHANGE OF ZONING – Appy Lane Holding, LLC, from R-1AAA (0-4 du/ac) to R-1A (1 du/5 ac) for property located west of Jason Dwelley Parkway, north of Appy Lane. (Parcel ID #: 18-20-28-0000-00-089)
3. COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Metzler Family Trust, from "County" Low Density Residential (0-4 du/ac) and "City" Very Low Suburban Residential (0-2 du/ac) to "City" Agriculture (1 du/5 ac), for property located east of Vick Road, north of West Lester Road. (Parcel ID #s: 28-20-28-0000-00-010 & 28-20-28-0000-00-075)

- 4. CHANGE OF ZONING - Metzler Family Trust, from “County” A-1 and “City” R-1AA to “City” AG, for property located east of Vick Road, north of West Lester Road. (Parcel ID #s: 28-20-28-0000-00-010 & 28-20-28-0000-00-075)
- 5. CHANGE OF ZONING – Norman E. Sawyer, from “County” I-1/I-5 (ZIP) (Industrial) to “City” I-1 (Industrial) AG, for property located north of 13th Street, east of Lambing Lane. (Parcel ID #s: 15-21-28-0000-00-095 & 15-21-28-0000-00-096)

V. SITE PLANS:

- 1. FINAL DEVELOPMENT PLAN (MINOR) – Circle K Gas Station, owned by Clarcona Keene Retail, LLC; engineer Florida Engineering Group c/o Samir J. Sebaali, P.E, property located north of East Keene Road and west of Clarcona Road. (Parcel ID #: 22-21-28-0000-00-225)

VI. OLD BUSINESS:

- 1. FINDINGS OF FACT - CHANGE OF ZONING – MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN - Florida Land Trust #111 – ZDA at Sandpiper, LLC, from “County” PD (ZIP) (Residential) to “City” Planned Unit Development (PUD/R-1A) (Residential) for property located south of Sandpiper Street, west of North Thompson Road, east of Ustler Road. (Parcel ID #s: 02-21-28-0000-00-106, 02-21-28-0000-00-131, 03-21-28-0000-00-015, 03-21-28-0000-00-022, 03-21-28-0000-00-023, 03-21-28-0000-00-046, 03-21-28-0000-00-047, 03-21-28-0000-00-072, 03-21-28-0000-00-073, 03-21-28-0000-00-119)

VII. NEW BUSINESS:

VIII. ADJOURNMENT:

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 meetings held September 9, 2014 and October 14, 2014, at 5:01 p.m.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON SEPTEMBER 9, 2014, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: Steve Hooks, Mallory Walters, Melvin Birdsong, James Greene, Teresa Roper, and Robert Ryan

ABSENT: Orange County Public Schools (Non-voting)

OTHERS PRESENT: R. Jay Davoll, P.E. – Community Development Director/City Engineer, David Moon, AICP - Planning Manager, Michael Holmes, Kenneth Sumner, Bob Palmer, Jean Palmer, Tia Jamieson, Anastasia Durden, Lou Haubner, Diann Haubner, Mary Smothers, Jerry Smothers, Katherine Youmans, Jenny McBee, David McBee, Lillian Myers, Paul Han, Suzanne Kidd, Ellen O'Connor, Eli Rivera, Jesenia Rios, Alex Toledo, Akbar Allan Ali, Mark Barsrupal, Ashley Keating – Asma & Asma P.A., Diane Harmon, Steve Harmon, Kathryn Morris, Bill Morris, Tammy Morris, Les Hess, Adam Morris, John Morris, Jill Cooper, Debbie Nelson, Beau Schwarberg, Mary Schwarberg, Jack Cooper, Mike Cooper, Ed Velazquez, Lillian Myers, Shelli Girard, Christian Butera, Dianne Harmon, Alan Goldberg – Florida Land Trust #111, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

OPENING AND INVOCATION: Chairperson Hooks called the meeting to order, opened with a prayer followed by the Pledge of Allegiance.

APPROVAL OF MINUTES: Chairperson Hooks asked if there were any corrections or additions to the August 12, 2014 minutes. With no one having any corrections or additions, he asked for a motion to approve the minutes of the Planning Commission meeting held August 12, 2014.

Motion: **James Greene made a motion to approve the Planning Commission minutes from the August 12, 2014 meeting, and Melvin Birdsong seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, James Greene, and Robert Ryan (5-0).**

CHANGE IN ZONING – ALLAN AKBAR ALI A/K/A ALL AKBAR ALI – David Moon, AICP, Planning Manager stated this is a request to recommend approval of the Change in Zoning from R-1A (0-5 du/ac) (Residential) to AG-E (0-5 du/ac) (Residential/Barns/Stables/Livestock) for the property owned by Allan Akbar Ali also known as All Akbar Ali. The applicant is Asma & Asma, P.A., c/o C. Nick Asma, Esq. The property is located east of Lakeville Road, west of North Hiawassee Boulevard, north of Foxwood Court at 2277 Lakeville Road. The existing and proposed uses are three (3) single family residences, barns, stables and livestock. The tract size is 9.86 +/- acres. The existing maximum allowable development is 32 residential units and the proposed maximum allowable development is 3 residential units. The staff report and its findings are to be incorporated into and made a part of the minutes.

The subject property was annexed into the City of Apopka on May 17, 1995, through the adoption of Ordinance No. 882. The proposed zoning change is compatible with the character of the surrounding area. Currently, the 9.8 acre parcel accommodates a 3,180 sq. ft. residence, a guest/granny quarters, and a barn and fenced fields for livestock. Horses and other farm animals are kept at the property. The applicant has requested the AG-E zoning to assure that the property can continue to be used for horses or other farm animals. In the event the property owner sells the property, the new owner will want assurance that horses, livestock and barns will be allowed as currently occurs on the property. Horses and other farm livestock are a permissible use under the AG-E zoning category but are not allowed under the R-1A zoning.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

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The proposed AG-E rezoning is consistent with the Future Land Use Designation of Residential Low Density (up to five units per acre) that is assigned to the property. Minimum lot size for property assigned the AG-E zoning category is 2.5 acres.

The proposed rezoning will result in a decrease in the number of residential units which could be developed at the subject property. Zoning currently assigned to the property, R-1A, allows a minimum lot size of 10,000 sq. ft., while the proposed change of zoning to AG-E limits lot size to a minimum of 2.5 acres. A capacity enhancement agreement with OCPS is not necessary because the impacts on schools will be less than that generated by the current R-1A zoning.

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 August 8, 2014. As the subject property is located next to Lakeville Elementary School, OCPS has been notified of the proposed zoning request.

The Development Review Committee recommends approval of the change in Zoning from R-1A to AG-E for the parcel owned by Allen Akbar Ali a/k/a All Akbar Ali.

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.

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

Motion: Mallory Walters made a motion to recommend approval of the Change in Zoning from R-1A (0-5 du/ac) (Residential) to AG-E (0-5 du/ac) (Residential/Barns/Stables/Livestock) for the property located east of Lakeville Road, west of North Hiawassee Boulevard, north of Foxwood Court at 2277 Lakeville Road, owned by Allan Akbar Ali also known as All Akbar Ali, subject to the information and findings in the staff report; and Melvin Birdsong seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, James Greene, and Robert Ryan (5-0).

Teresa Roper arrived at 5:10 p.m.

Chairperson Hooks announced that the variance request on the agenda would be presented before the Florida Land Trust #111 Change of Zoning.

VARIANCE – JESENIA RIOS – 18 W. OAK STREET – Mr. Moon stated this is a request for approval of a variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.05.E.3 to allow for a reduction of 7 feet to the 95 foot wide lot width requirement for property owned by Jesenia Rios located at 18 West Oak Street. The future land use is Residential Low (0-5 du/ac) and the zoning is R-1AA. The existing is vacant land and the proposed use is a single family residence. The tract size is 0.37 +/- acre. The staff report and its findings are to be incorporated into and made a part of the minutes.

The applicant is requesting a variance to allow for a reduction in the R-1AA zoning lot width requirement of ninety-five (95) feet, for property located at 18 West Oak Street. The R-1AA zoning district has four (4) minimum requirement standards for residential development: site area, lot width, living area and setbacks. The variance request would allow for the applicant to construct a single family residence on an eighty-eight (88) feet lot, seven (7) feet less the R-1AA zoning requirement. The proposed home site will meet three (3) of the (4) minimum residential development standards: site area, living area and setbacks.

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Zoning District	Site Area Sq. Ft.	Lot Width	Living Area Sq. Ft.	Setbacks
R-1AA	12,500	95'	1,700	Front: 25' Side: 10' Rear: 20' Corner: 25'
(Proposed) Home Site	15,907	88'	2,527	Front: 25' Side: 10' Rear: 20' Corner: N/A

Applicable City Code: City of Apopka, Code of Ordinances, Part III - Land Development Code, Article II, Section 2.02.05.E(3) - Lot Width - 95 feet, measured at the front property line and the building line. Lots located on cul-de-sacs and curves shall be permitted up to a 40 percent reduction of the minimum width at the property line, but shall be required to maintain 95 feet at the building line.

Applicant's Response to Seven Variance Criteria: When evaluating a variance application, the Planning Commission shall not vary from the requirements of the code unless it makes a positive finding, based on substantial competent evidence on each of the following:

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 Response: *Yes it can be the size of the lot or any other change in the city regulations.*

Staff Response: DRC finds that a valid hardship occurs and does not object to the Applicant's Response.

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

Applicant's Response: *No, the variance request is base in change due to size or new regulation*

Staff Response: There is no evidence of applicant's desire to reduce any cost associated with developing the site. DRC does not object to the Applicant's Response.

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

Applicant's Response: *Absolutely not, is only a formal and legal request from the city to the applicant in request of a new construction.*

Staff Response: The granting of this variance will have minimal effect on the amount of additional traffic generated on the surrounding public streets. DRC does not object to the Applicant's Response.

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: *It won't, the property value is not only base in size, and the new construction won't alter any surroundings areas.*

Staff Response: The proposed variance will not interfere with the ability of abutting property owners to use their property or reduce property values. DRC does not object to the Applicant's Response.

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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: *Yes, the effect of the proposed variance in this property is with the intention to follow all the general codes in subject to the area, where the variance request is.*

Staff Response: DRC does not object to the Applicant's Response.

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

Applicant's Response: *NO, the condition in this situation is based on the codes and regulations of the city, in order to complain all the request between the applicant and the city.*

Staff Response: There are no special conditions or circumstances resulting from this variance. DRC does not object to the Applicant's Response.

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 variance in this case won't create any changes to the land, building or structure in the surroundings areas or city and will not create any safety hazards to other detriment to the public.*

Staff Response: The variance request only grants a reduction in the lot width requirement for the site. The applicant will be required to comply with all other development standards within the R-1AA zoning district. DRC does not object to the Applicant's Response.

The Development Review Committee finds that a valid hardship exists and does not object to the variance request to allow for a reduction in the ninety-five (95) foot lot width requirement.

As per the Land Development Code, Article XI - 11.05.00.A. - The Planning Commission has been established as a citizen board to review and approve variances.

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.

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

Motion: **Mallory Walters made a motion to approve the request for variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.05.E.3 to allow for a reduction of 7 feet to the 95 foot wide lot width requirement for property owned by Jesenia Rios located at 18 West Oak Street, subject to the information and findings in the staff report, and Melvin Birdsong seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, James Greene, Teresa Roper, and Robert Ryan (6-0).**

CHANGE IN ZONING/MASTER SITE PLAN/PRELIMINARY DEVELOPMENT PLAN – FLORIDA LAND TRUST #111 – ZDA AT SANDPIPER, LLC

Hooks: All right. Back to item number two. Change of zoning, master plan and preliminary development plan for Florida Land Trust on Sandpiper. And again, if you wish to speak to that item, if you'll turn in a notice to intent to speak card so we can get you on the agenda. All right, David.

Moon: We're to the main event. The application before you is a request to assign a City Planned Unit Development to a parcel located on the south side of Sandpiper Road, east of Ustler and west of Thompson Road. This property, several years ago, was unincorporated and under the control of the Orange County Board of County Commissioners which approved a Planned Unit Development with a maximum of 49 dwelling units. The applicant, Florida Land Trust, is requesting 49 residential units on 48.4 developable acres. The total site comprises 58.23 acres. The additional property represents wetlands. Within your package, as part of the PUD zoning request is a Master Site Plan. The Master Site Plan presents the proposed layout of the development and as a planned unit development it can establish unique and specific design standards for the property based on the characteristics that are unique to that site. In the case of this project, there are approximately 15 acres east of Ustler that the developer is proposing to preserve and leave as open space or recreation lands in the future. Within the development there is one entrance off of the south side of Sandpiper. There is existing residential to the south and to the east. On the other side of Ustler is residential development as well and there are lot residential lots to the north. So the property is surrounded by a residential area. Within the 49 lots, they vary in lot size typically from between 80 and 110 feet wide. The lot sizes are typically between 12,800 to 26,000 square feet and that is developable lot. There are eight lake front lots which extend into wetland areas that are along the north side of Lake McCoy. The lot lines extend into the lake and across wetlands; however, those areas are not included in the lot size. The minimum lot size for the development is 10,000 square feet but the applicant is proposing from 12,800 to 26,000 square feet. The minimum lot width that is allowed is 75 feet but the majority of the lots widths range from 80 feet to 110. The minimum living area that is allowed is a 2,000 square foot home that will not exceed 2,000 square feet. For the benefit of the Planning Commission it's recognized that it is difficult to read the development conditions within the development project, as we see here, so they are presented within Exhibit "F" of your package. When you make a motion to recommend to approve or deny or recommend to approve with conditions you'll want to refer to Exhibit "F" if you are making changes to design standards. In terms of the buffer, and that appears to be an important issue to the surrounding community, along the south side of the community, the lots have a 30 foot conservation easement along that south property line. Conditions within Exhibit "F" limit the use of that area, 30 foot conservation buffer, to preservation of the existing trees and landscaping. The intent is to preserve that area its natural vegetation. The lot owners, as set forth within the proposed development conditions, cannot install a fence, swimming pool, or any other accessory structure within that 30 foot buffer. It's to remain natural. It's still under the ownership of the lot owner; the easement is assigned to the HOA, so the HOA, homeowners association, becomes the enforcement for it. On the west side of the property, in terms of buffers, the open space area is approximately 600 or more feet from Ustler Road. So that's not an issue and there are no lots that are proposed on Ustler or Sandpiper in this section of the proposed project. Along Sandpiper Road, the applicant proposes a 10 foot landscape buffer with no masonry wall. The typical residential subdivision, based upon the adopted Land Development Code, requires a 10 foot landscape buffer with a 6 foot masonry wall. That condition... that situation is highlighted in your packet under E-3 on page 3. The first language that is listed is the applicant's proposal; staff's recommendation is underscored in the language beneath it, the paragraph beneath it where it states "Staff recommendation." Staff's recommendation is that from the eastern most lot to the entrance that a... the 10 foot landscape easement must include a 10 foot masonry wall along the southern

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Hooks: Six (6) foot masonry wall.

Moon: Six foot masonry wall. Did I say 10 foot?

Hooks: Yes.

Moon: It's a 10 foot buffer with a 6 foot masonry wall. It will be located at the southern edge of that 10 foot landscape easement. Then west of the entrance road to the western most lot a post and wrought iron fence would be located within that 10 foot buffer tract. It's a tract and not an easement on both sides so it would be owned and maintained by the homeowners' association. The applicant proposes no fence along the south side of Sandpiper Road west of the entrance road. The reason staff took the position made the recommendation to follow current code is that, not only is that other similar subdivisions have installed similar types of buffers, is that without such a wall with the rear yard setback at 20 feet and the accessory of 10 feet, the screened fence... screened room for a swimming pool could be located 20 feet from the roadway. The traveler on the roadway could see a row of swimming pools and screened fences... screened rooms along the roadway. However, along that western point, where the wrought iron style fence ends there is no fence because it enters into the open space area all the way to Ustler Road and the applicant is not proposing to eliminate or remove any of that existing vegetation through to Ustler Road. The other development condition is the sidewalk. The applicant has requested not to include a sidewalk along the south side of Sandpiper Road. There is an existing sidewalk on the north side that extends all the way to Park Avenue, Rock Springs Road. On the south side of sandpiper there is no sidewalk for most of the south side of that road over to Rock Springs Road, however, there is a path along Ustler that follows another City road over to Rock Springs Road. However, this proposed subdivision is located within two miles of Apopka Middle School and Dream Lake Elementary so any school age children residing in this community that attends Orange County Public Schools will likely walk to school. So it was the position of the Development Review Committee that a sidewalk should be installed. So to conclude my presentation the recommendation from DRC is to approve the PUD zoning subject to the staff report and the conditions within Exhibit "F" and subject to the applicant obtaining the school capacity enhancement determination from OCPS. As part of that recommendation, if you follow that recommendation, then the sidewalk will be included and the wall as proposed by staff will be placed along Sandpiper Road. If the Planning Commission does not agree with the fence or the sidewalk then you need to recognize that in your motion or to take a separate motion on those items. I'll address any questions the Planning Commission may have.

Hooks: All right, does the Commission have any questions of David... of staff? No questions? All right, get to the public hearing. Is the representative of this development here and desires to speak or not? Nope. Yes? Then you need to come up and give us your name and address and make your presentation.

Goldberg: Hi, my name is Alan Goldberg and I'm the representative of Florida Land Trust 111. I've been working on this project since we purchased it a couple of years ago and we have had a couple of community meetings since then to go over specific issues that the community has and I would like to put up a slider or just give it out to each Commissioner possible?

Green: Thank you.

Goldberg: While we're doing that I'll catch you up with my address.

Hooks: Okay.

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Goldberg: Which is 100 South Virginia Avenue, Unit 201, Winter Park, Florida.

Hooks: Thank you.

Goldberg: So as we are getting that up... a little bit of history with this project. This was a project that was annexed from Orange County. It was accepted as an annexed property by the City of Apopka back in 2008. The City of Apopka Commission approved a PDP at that time and this schedule is basically taking a look at what was approved at that point and time versus what you are looking at today. And this is basically an accumulation of comments from the community and the changes made between the old and the new plan. Number one basically the lot yield never changed. It's still 49 lots. Based on discussions with the majority of the land owners along Sandpiper Road, they were interested in keeping the community as close to suburban as possible. Which in their estimation they did not want that stark wall along our side of the property. They wanted a landscape buffer and possibly putting up a tri-rail fence... a wood tri-rail fence to keep in within the community flair. Number... we just talked about number three along Sandpiper Road. Let's go back to number two. The brick wall along the southern border... In the original plan there was a brick wall along the southern border of the property. The original PDP and approval said that the residents that abutted the property at the south, the majority of those would make a decision on what type of buffer they would like. I had a meeting with those adjacent home owners probably a month, month and a half ago, and their final decision was to have that 30 foot conservation easement as their buffer rather than a wall along their property. I know that Ms. Nelson is going to speak tonight. Okay, she was one of the cohorts in that meeting and that decision. Number four, originally there were three lots in that 15 acre parcel on the west side of the property. That was a concern of the residents along Ustler. They were concerned about flooding and getting into the wetlands, which would never happen, but I decided to pull those three lots out of that 15 acre parcel and move those into the major portion of the property and leave that 15 acres as an open area most likely to be a recreation, park, walking path within the uplands in that area. Number five, the lake lots in the original PDP was nine lots. Now there's only eight and those are the only eight lots that would be allowed to have docks into Lake McCoy. The boundary lots along the entire boundary of the property hasn't changed. They were originally a minimum of 110 feet wide. They are currently 110 feet wide. The minimum... number seven, the minimum lot size originally was 85' x 130' within 11,000 square foot lot and we are asking for a minimum of 75' x 140' which is a 10,500 square foot lot. I don't think we have a minimum 75 foot lot in here. I think the minimum lot is an 80 foot lot. Those are predominantly the lake lots. Those are the smaller lots. And as David... or Mr. Moon said previously, the minimum square foot we are requesting now is 2,000 square feet. I think I have done a pretty good job, we're going to find out soon here, of looking at what the community wanted from the standpoint of this community. The big concern was that it wasn't going to be any more than 49 lots. We had discussion previously about increasing that so I am back to just keeping it at 49. Which is basically one to the acre. I want to address the wall issue and the fence issue that staff brought up. Again that was the reason we did not put up a wall along Sandpiper was to keep that... the community suburban feel and that was comments from the existing landowners across the street. The sidewalk issue, the original PDP did not have a sidewalk on it either. The discuss was that there would be a crosswalk across the street because there's an existing sidewalk along that portion of the street and again it was brought up by the homeowners, they didn't want two sides of pedestrian traffic along that street. Again to keep it suburban. That's basically all I have. I'm hoping for questions, comments.

Ryan: What's the speed limit on Sandpiper Road?

Davoll: 40. 40. Four zero.

I think there needs to be a sidewalk there.

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Hooks: I have a couple of concerns. One is we talk a lot about transitioning from one type of development to another type of development and they are single family homes with smaller lots to the south but across the street to the north we are talking... there's... I mean most of those lots are two acres or more across the street and we are down to lots that are a third to a half acre, slightly larger than that. So I'm a little bit concerned about that. My biggest concern about the development... I like the idea of the natural setback rather than the wall; however, with lots four (4) through twelve (12) there's a little bit of concern that there is going to be pool screens in the backyard perhaps. My druthers would be to eliminate those lots but as an alternative perhaps we can limit those lots to not having pool screen instead that are going to affect the people right across the street. I'm assuming by the plan that no one will be allowed to have access from their backyard to Sandpiper. That will be prevented right?

Goldberg: Correct.

Hooks: Okay.

Goldberg: Yes, there will be an HOA dedicated tract... landscape tract behind those lots.

Hooks: Okay. Again if there is not a fence there what's to stop someone from cutting a hole in the vegetation and driving their boats or whatever into the backyard? So that... You know I'm a little nixed on that issue. My other major concern about this area is traffic. The road on Ustler from Sandpiper down to Tanglewilde or Hickory Road... actually Tanglewilde that's the thoroughfare through there is substandard at best and people on Sandpiper that don't want to wait at the end of Sandpiper at Park Avenue to get out because they've taken their lives into their own hands down there go down Tanglewilde and that section from Sandpiper to Tanglewilde is not a very good road to travel on. It's not fun. If you go to the north people on Sandpiper they go up Ustler or Thompson and then want to go to the west of Welch at rush hour, this time of day, traffic backs up to my subdivision, which is Wekiva Glen, so I'm saying it's close to half a mile and it's a lot of traffic that's backed up there and now we are going to add... what did I say? 400 trips a day to that? I've got some concerns about traffic issues. So I don't know if you can address those or if Jay can address those or what?

Goldberg: I think I would leave that up to staff. I would say it's under 50 lot subdivision and it's a minimal subdivision for the acreage of the property but I will leave it up to staff to talk about how traffic.

Hooks: Didn't I see... Jay didn't I see a report that the traffic generation was 400 or 500 vehicles a day?

Davoll: It's under 500 when you take the ITE standard. They did have a traffic report done by a traffic engineer following the ITE standards. When you consider the distribution of the site and that 400... that under 500 is daily you're talking 49 trips during the p.m. peak hour. When you distribute it, this size and according to the traffic report provided it's still falls with under the capacity of the road. Maybe not some of what your speaking of is a congestion issue, an operational issue...

Hooks: Congestion issues are reality.

Davoll: That's true.

Hooks: I know you keep telling me that there just congestion issues but that's what we sit in every day.

Davoll: Capacity wise, which is what our code is based off of, they meet the standards.

Hooks: All right. Anybody else have any questions?

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Walters: Who maintains that part of, I guess Ustler to Tanglewilde?

Davoll: It was originally constructed the way it's constructed by Orange County. Currently, I'm not exactly sure because since the one piece of annexed it may be now the City's to maintain. Public Services would have to... we would have to contact them to find out whether the County has turned in over to the City or who is actually maintaining the road right now.

Hooks: What's the possibility of a traffic light at Sandpiper and Park?

Davoll: There hasn't been a study done to check it out and with the offset of the west side it makes it a little more difficult because Sandpiper does not line up on the west side.

Hooks: Okay. Does anyone else have any questions? All right.

Goldberg: One last comment.

Hooks: Okay. All right.

Goldberg: I know that the comment was made about the sidewalk extending down Ustler. There is no sidewalk down Ustler now.

Hooks: Right.

Davoll: Yes there is.

Goldberg: Is there?

Walters: Yes. Yep.

Goldberg: There is?

Davoll: There is a sidewalk all the way on the west side of the road.

Goldberg: Okay, I take it back.

Davoll: On the west side of the road there is a sidewalk.

Hooks: From...

Goldberg: I rescind my comment.

Davoll: From Sandpiper to Tanglewilde.

Walters: To Tanglewilde.

Davoll: All the way. A concrete sidewalk.

Goldberg: Okay.

Hooks: Right.

Goldberg: Thank you very much for your time.

Hooks: Thank you. All right, let's do this in an orderly fashion if you don't mind. Here's what we'll do. I'm going to go down my list as I have them here.

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Unintelligible: Here's quite a few here.

Hooks: Okay, yeah bring them to me and we'll give everybody a chance to speak. What I would ask that you do, I'm going to set the timer with typically give you four minutes to speak. I am not going to enforce that unless you start getting long winded and start duplicating what other people have said. Then we will start enforcing the timer. Because we don't want to be here all night.

Green: Four minutes?

Hooks: Four minutes. If you want to talk and add something to what someone else has said or you agree with what somebody else said and have something to add. Just say that so we, you know, "I agree with what they said." and make a few comments. Don't spend four minutes saying the exact same thing somebody else has already said. Just so we know how you feel and we'll try to get through this the best we can. Again if you want to speak and you haven't already turned one of these in [intent to speak card] please do so and we'll get you up and ready to go. The first one I have is an information request. I am going to ask Kenneth Sumner if he'll come up and ask what he wants to ask and we'll see if we can get that addressed. He lives at 432 East Sandpiper.

Sumner: Ken Sumner, 432 East Sandpiper. I didn't really want to be first because I wanted to hear what other people had to say.

Hooks: Okay then I'll put you on the bottom.

Sumner: But since I'm here I'll go ahead. At one point in time, I saw a plat that had the northwest corner of Sandpiper and Ustler, there was a 300' x 150' section marked off there and I talked with Jay about it at one time and he said it had something to do with annexing into the property.

Davoll: Originally when this site was annexed, they had... I think it was 50 by the length of the property, was left out so it wouldn't create a conclave. That has since been annexed and the County didn't object to that.

Sumner: So there's no corner cut off there that could potentially be rezoned for commercial?

Davoll: Correct. There is not.

Sumner: Now, my primary concern is, I can live with the 49 houses as has been described. No egress or ingress on Ustler Road. I can live with the rest of it. The problem I have is I have dealt with a number of these kind of people who come in with this sort of proposal but it's zoned R-1 single A. Later down the road they come back and want R...

Hooks: Go ahead. Ignore him.

Sumner: Anyway. They come up with the 49 houses but R-1 single A says zero to five houses. They come back and want to double the size of the lot and during the six year to seven year period this has been going on, I have seen plats that have had 49, 75, 135 and we fought all of that and now they have got us beat down, I think, where most of us would be satisfied with 49 houses and these provisions around the border. But that R-1 single A bothers me. I would like to see it increase to R-1 four A.

Hooks: Well, what is before us today is a PUD, which is a Planned Unit Development...

er: Is this plan written in stone or where they can't come back and change it?

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Hooks: Yeah, that is what I was getting ready to tell you. Whatever is in this document that they've provided that David mentioned, Exhibit "F," that's what they have to do. They can't vary from that and it's only good for a year or two years and then it expires and it reverts back and they have to start all over again if they don't do it. So they can vary from...

Sumner: Okay, so at the end of the two year period they could come back and ask for the same, R-1A, with five houses to the acre?

Hooks: They could... whatever the property is zoned currently, yes.

Sumner: This is what bothers me. These people have lots of time to wait. They could come back at a later date and say its R-1A, zero to five...

Hooks: Right.

Sumner: We want to put four houses to the acre.

Hooks: Again, they would have to come back before us and you and do this all over again. So I think time is money for them at this point.

Sumner: Okay.

Hooks: All right. Thank you. The next one I have is Les Hess at 578 Wekiva Landing Drive. Do you still want to say something, Sir? Thank you.

Hess: Well, like the other gentleman I hadn't planned to be first, but...

Hooks: Second.

Hess: That's all right. I live just around the corner on Thompson Road. The next road that comes west.

Hooks: Right.

Hess: I live at Wekiva Springs. My lots bigger than an acre. I bought out there... Sandpiper was horse country when I bought and was unpaved. It was a dirt road. Now these people have bought up the entire south side of it and want to make it like Misty Woods which is a slum in the making. If you know where I am talking about on Thompson Road. Just west of Thompson Road on the north side of Votaw is a subdivision built about five, ten years ago. It's quite high density and it's got problems in its future and now we're talking about putting that on the north side of me. And the essence of my objection is the density. It's just too dense. Its changing the nature of the neighborhood and it's not just all the cars that we have to wait for. It's hard to get out to turn left onto Thompson Road from our subdivision. You have to wait a long time sometimes and nobody wants stop lights at every corner.

Hooks: Right.

Hess: And there's only two ways to handle it is stop lots or wait forever or just don't approve such density to be in it. It's beautiful country. I mean, you know what we're talking about. There's hawks, there's Sandhill Cranes, there's all sorts of critters out there. Every once in while I'll see a Swallowtail Kite or an Eagle and this is nice country. And as it becomes more and more dense it becomes less and less of the beautiful place that we moved into. And so, I'm objecting, as I have for a long time, to 49 houses. I think it ought to be fewer than that. Thank you.

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Hooks: All right, the next one I have is Jill Cooper at 954 Oakpointe Circle.

Jill Cooper: I'm Jill Cooper. Yes, I live at 954 Oakpointe Circle on Lake McCoy. My backyard abuts the property being developed. The City of Apopka Comprehensive Plan 2030 notes that many residents consider the same town atmosphere of Apopka its most attractive quality and I would agree. I moved here thirty years ago because I liked the rural community and the beauty of the Wekiva River Basin area and I no longer wanted to live in the cookie cutter communities like Misty Woods. So while you determine the appropriate zoning please consider ways to ensure that this new development remains consistent with the character of the land and the existing neighborhoods. All of which are currently a half acre or larger. Please require a thoughtful plan for the new neighborhood. One that leaves all retention ponds naturally sloped and unfenced and lined with a product like "Golden Gold" to remove the nitrogen runoff to protect Lake McCoy and that uses the minimum use of the solid brick walls as discussed, but provides wider setbacks than currently proposed to allow for the mature trees. The requested zoning of R-1A PUD is a much higher density than the neighborhoods immediately to the north or to the south. The ones to the south are a half acre minimum, that's the neighborhood I live in, or to the east or to the west. These are all zoned half acre larger and as you mentioned many are two acre and five acre and larger. R-1AAA zoning seems like it would be more consistent with the neighborhood. Growth in Apopka can be achieved through profitable development while also considering the existing homeowners in the Wekiva River Basin Area, which is just a unique area. Please protect the small town, rural character of Apopka that so many of us have grown to love.

Hooks: Thank you. All right, Alex Toledo.

Toledo: Sir.

Hooks: And if you'll give us your address, sir.

Toledo: Thank you, Commissioners. Alex Toledo, 504 Sir Arthur Court right on Lake McCoy. And I only have four minutes here so I will try to be brief. First of all I want to thank you for the thoughtful questions you've posed. It sort of restores my faith in local government that you guys are thinking about us and I thank you for that. I want to say, you know, I am originally from Miami. I've been up here for about seven years and I would ask that you consider an agent of the future in listening to me because what is being proposed here today has the markings of what I ran away from. So I would encourage you to think about that. I have three kids, as you can see behind me, and my kids have sold chocolate to a lot of the people in this gathering here today but my newest one is two months old and I would really like to preserve the integrity of this area and the beauty of this area. You know every morning when we wake up I look outside and I tend to look for things that are new and I have not seen before. I've asked my kids to draw up a list of different wildlife that they have seen since we have been up here. I mean some of the stuff we have seen, turkeys, bears, foxes, coyotes (in pictures only), gopher tortoises, bob cats, snakes, raccoons, alligators, eagles. I mean this is a jewel in the center of what is a town. Its unheard of almost and a lot of the people that live in Apopka have no idea what we have back there and it's all threatened, I think, by this planned urban development. And I have a couple of concerns coming out here. Number one is, I didn't want to seem to be, you know, sort of imposing, or threatening the developers investment but when I looked at what the developer actually paid for this 55 acres, man, there is no concern whatsoever about him losing money on this investment based on the seven parcels. According to the documentary stamp taxes that were paid on this property on the ten parcels, it was \$400,000 that was paid for 55 acres of property. If he turns around and builds on each of those parcels, you know, a mansion, he is going to get his money back. So that concern has gone away for me. The other thing is I really believe that you guys are sort of our last defense. You know, if you guys approve this it is going to change the way of life for us presently. It's going to change the way of like for my kids back there and I really do believe that they have an appreciation for the area that we live in and their here tonight, not

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because I forced them to be here but because they really do have an appreciation of the outdoors and our community and I hope that you guys will take that into consideration when you make your decisions. Thank you.

Hooks: Thank you. I would like just to comment on what he said and I'd like to maintain the wildlife that he described. Although sometimes it can be a nuisance, I had a bear in my garage last night. But I choose to live where I live and that's just a fact of life and I understand what you're saying and hopefully this development will do that and we'll talk a little more about it as we get some more comments. Thank you for your comments, Sir. All right, Jack Cooper, 954 Oakpointe Circle.

Jack Cooper: Good Afternoon, my name is Jack Cooper. My property adjoins the subject property. I live across from Lake McCoy from that property. I am going to have to look at whatever you guys approved for this site. The surrounding community, including a group of people called Friends of Sandpiper, have been opposed to the overdevelopment of this property is 2006 when they were in unincorporated Orange County. At that time, Mayor Jacobs, then Councilwoman Jacobs, said that at the Board of County review that the maximum number of lots could be less depending on the tree survey. They approved it for 49 but she says, "It may be less when the tree survey comes back." The lot sizes they are proposing is too small and they are not comparable or compatible to the surrounding area. My neighborhood is half acre lots. Lots across from the proposed Sandpiper on the north side are several acres. One I know of is ten acres. According to the drawings submitted the actual lots size on the majority of these lots are like 0.23 acres when you look buildable lots. That's less than a quarter of an acre. With lots this small people will be parking on the street, which is also a hot topic in the City of Apopka. As there is not some cow pasture on Ponkan Road with no trees or there isn't many trees and they can just cut down what they want and pay into the tree fund. It's not... We all know what Sandpiper is. The plans submitted which shows trees that would be removed also shows trees being left within the foot print of the proposed housing. I know on the plat, if you zoom in on it on a computer, you can see some trees like inside the outline of the houses that don't have x's on them. So I don't know what that means or I don't know if someone can fit a 2,000 square foot house on a quarter acre buildable lot and then still make it fit. I don't think that can happen. So they are prepping the land to resale it to a national company. That's what they do. What would prevent the national company from coming in and cutting down the remaining trees and just paying a penalty? We can't let this happen. There will be very little tree canopy left due to these lot sizes and what is buildable right now. And you can see this is the area here. This whole area what's there now. What they are proposing you don't have much left. By requiring the zoning to be at least R-1AAA or preferably R-1AAAA, which is an Orange County zoning of half acre, would preserve the look and feel of Sandpiper as you drive down the road and for the residents who abut the property it would be more comparable and compatible to the surrounding areas. And we have asked a lot... I think everybody in here would have left... I'd like to see a show of hands of everybody here that is really concerned about this development. We've asked people to wear red shirts. Some people don't own a red shirt but this is how many people you've got in here that are really concerned. They may not all want to speak but we asked them to show up and show us support. Also, I have and I can present a list of 85 signatures of Apopka residents to you. They represent homeowners that surround the proposed development on Sandpiper and Ustler. Each person signed this position because of their strong objection to the new zoning being requested. Each homeowner is asking that consideration be given to the consistency of the housing developments that surround the Sandpiper project. The over whelming majority of houses nearby are on much larger lots. The proposed zoning change will allow in some cases two-story homes to abut the backyard of existing homes where they can peer down on them. Residents of the Wekiva River Basin Area purposely moved here because of the rural setting, the beauty of the trees, the land, the wildlife, and the peace and quiet. There are plenty of neighborhoods with small lots for new homeowners to choose from but the area from Sweetwater in Apopka, just south of Wekiva River is a unique landscape of live oaks some 44 inches in diameter, water oaks,

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sweet gum trees inhabited by all kinds of wildlife. Also I have the results of an online survey we did a while back have 54 respondents. Several questions were over whelming concerned about the development and the tree survey should be a determining factor on the size of the lots and the layout. The developer has a right to build on the property but does not have the right to build anything he wants. The community also has rights. The 85 homeowners and the 54 respondents listed on this petition survey believes the Apopka Planning and Zoning Board has a responsibility to consider the surrounding character of the land and existing neighborhoods and requiring an Orange County PUD of R-1AAAA which is half acre lots for this new development. Please protect our beautiful community for current and future residents. Thank you for your time and I will try to answer any question you might have.

Hooks: Thank you. If you will turn that in to the Clerk, the petition.

Jack Cooper: Sure.

Hooks: So we can have that for the record. Appreciate it.

Jack Cooper: And one last thing. This... what everybody talked about...

Hooks: This is not that. All right, thank you. All right, Anastasia Durban.

Durban: Hi.

Hooks: Hi.

Durban: My name is Anastasia Durban and I live at 948 Oakpointe Circle in Apopka. I oversee and look over the property you're going to be developing or he is going to be developing. Our neighborhood is a jewel in itself just because of the landscape and I would like you to be extra sensitive to the surrounding landscape and preserve of the Lake McCoy and mimicking what exists already. I live on two acres. My home is a total of 4,042 square feet. My home is primarily one of the more smaller homes in our neighborhood so when you think of the homes that he is proposing in his development I would like you to think about my home looking at their home across from my lake. The other concern that I have is because 49 homes would be in this development, there's not just going to be 49 times two people living there. They are going to have people visiting them. We already have a problem with the nuisance of the people who don't live on our lake who are coming from that property and taking boats and entering our property and actually fishing next to our dock and pier and I have to run them off constantly. Our lake is super clean. You can walk out to my dock and pier and look down and see hundreds, I'm not exaggerating, hundreds of fish and at least ten turtles swim up to my dock every day. I get up in the morning, I'm able to pick out at least twenty different species of birds when I drink my hot tea. So yes, I would concur with all the other neighbors and would like you to be extra sensitive to deciding the development of the land across from my lake.

Hooks: Thank you. All right, Jenny McBee.

McBee: Hi, I'm Jenny and this is my husband, David. We live at 609 Oakpointe Ridge Court. I work in downtown Orlando. My husband works in Lake Mary. I would venture to say that most of our neighborhood we don't work around Apopka. We purposely sought this area out and drive a long way on our commute because we love this area. Our... we border the southern edge and of all the neighbors, and I know them all, they are, they are going to be impacted by this neighborhood for sure but we really are. Our fence, where the backyard of that proposed house would be, it would start about where you sit from where I stand. It... We are very, very close. Our lot. Again, I will just repeat a little of what has been said because we feel it so passionately. That we don't want the character of what Thompson, of what Sandpiper, of what that area feels

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like. We don't think we are asking for too much. I think why the neighbors have been as agreeable to 49 lots is not because we want 49 lots, it's because it's been approached that it could be upwards of 100 lots and, you know, when you divide it in half and you think okay I'll go for that. Because 100 lots is dreadful. But I have worries. I'm thankful for the green space because that will help our commute a little bit but I do worry about what is to prevent anybody from just walking back into our property? It's very easy to do so. There is just a flimsy fence. Traffic. I can sit in my backyard on my porch now and many, many nights, its beautiful back there, there is so much wildlife like everyone said, but I can hear motorcycles and I know the neighbors can attest to this. We hear drag racing of some sort or motorcycle racing up and down Sandpiper. Very frequently. I'm not talking about a couple of times a year, I'm talking about two to three times a week. It worries me when you put, in a modern day community like us, we have five cars with our family. You put 49 houses you could be putting a couple of hundred cars on the road. The traffic on Thompson even, just to take a left to get out. A lot of that Sandpiper they are going to come up Thompson to go the different routes out. It is a real safety issue. It's a real quality of life issue. We just want, and I especially want some assurance that the lots in the back that do border that southern edge, that do impact the neighbors where your looking... their pool... I could probably hear their conversation in their pool if they own the lots that back up against me. That they are going to be some of the deeper, bigger lots and that it won't get somehow changed in the proposal. And again, like I say we just we really would like larger, more comparable lots. People will pay to come out... they will pay to come out to the beauty to Sandpiper and the poor people that live across the street that live on many, many acres, they are going to have to contend with a typical small lotted neighborhood and it just isn't fair. Thank you.

Hooks: Thank you very much. All right, Katherine Youmans.

Youmans: Hi, my name is Katherine Youmans and I live on 1122 Oakpointe Circle. I am on the lake. I'll be brief. Most of what everyone has said I couldn't agree with more. I moved into the neighborhood about eight or nine years ago to move out of a neighborhood where there was going to be development in my backyard. I was hoping, you know, to have an established homes which we had and that nothing was going to change but obviously those ten lots with the four or five homes are now abandoned. You can see them now and walk and they are going to be sold out for 49 homes. I'm just mostly against the R-1A. I just think that is too small. Our neighborhood isn't that way. I hope that you disagree with that and stay at least triple A or quadruple A. My lot is nearly an acre and I have live oaks. One just feel the other day and it was about 300 years old and I'm sure that this lot on Sandpiper are going to have a lot of old trees and at least there's a tree survey. That would be great. But to have these types of homes, 2,000 square feet, and less than a quarter acre. The trees aren't going to stay. They're just and that is going to be such a disappointment. So. That's it.

Hooks: Thank you very much. Mr. Cooper.

Mike Cooper: Mike Cooper. 464 Songbird, Apopka. I hear everybody and I'm all for you. My thing is, a couple of different things here. I feel that the lots, the houses, and so on should be consistent with the developments that are in and around the same area. There are 2,000 square foot is not going to be consistent. The houses in Oak Water are nice large houses. The houses on Ustler are nice large houses. To put in a 2,000 square foot house on a 10,000 square foot lot is going to be miserable. The type of people that come in a buy a 2,000 square foot house, and don't get me wrong I'm not saying anything about, because they can't afford it, I'm just telling you that, you know, what you're going to get is not the ideal people that are going to be consistent with what's in the neighborhood and the surrounding neighborhoods. So I think the minimum size house should be somewhere between 3,000 and 4,000 square feet. I have land over on the lake which we are getting ready to start building on. Those houses are 4,000 square feet and the land is an acre each. An acre each of buildable property. The sidewalk and fence needs to go in. If you've

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got kids out there, especially in a 2,000 square foot house, you're going to multiple kids in there. These kids are going to run out onto the street and guess what? They are going to get run over because there is no protection there. When the kids go to school, there's no sidewalk, they are going to have to cross Sandpiper to get on the other side to get onto a sidewalk. So they are going to be hustling. They are not going down to a cross walk. They are going to go the easiest way. So instead of having a sidewalk on both sides of the street, now you only have it on one side and it happens to be on the north side. There needs to be sidewalk and fence the entire length of this property. Without a doubt if you guys okay that you're opening yourself up to major liability issues. Somebody gets killed because you don't have a fence up there or something along the lines, you all are going to be in trouble because somebody is going to have a law suit against you and they are going to say why didn't you be consistent with other neighborhoods in the City of Apopka? Go out to Lester, you guys got brick walls, you got fences, decorative fences. Make him put up a decorative fence. I'm a developer. I've got to do it and I abide by it. And the laws the law and I do what they say. Anyway, thank you for your time.

Hooks: Thank you, Sir. Mary Schwarberg.

Schwarberg: Hi, I'm Mary Schwarberg and my husband, Beau. We're here. We live at 519 Sir Arthur Court. Our property would butt up against what now is wetlands. My husband and I moved just under two years ago and we just... we move here for several reasons. Three of which are the beauty, the small town, this great feeling of Apopka. We don't work here in Apopka like some others. You know we work downtown. But we just decided that this is where we wanted to live in a small town area. The other reason is the trees. We looked for these trees and we are so happy to find them. And then the third reason is the toll road. We won't be here without it. There's going to be more of us coming. We are going to be able to afford larger homes on larger properties and they will come. Believe me. So I... we just wanted to represent a part of that of what's coming and please consider those trees, consider the size of the lots. We took at 1973 home. We gutted it. We put more money into than we should have and we plan, if the area stays the same, adding on and making it larger. So we are going to change what is here today if you allow that to happen. If you keep Apopka, Apopka. Thank you.

Hooks: Lillian Myers.

Myers: I thank you Commissioners. My name is Lillian Myers. I live at 849 Ustler Road and my property is combined with two lots there, combined just under 4 acres. That's 3 properties north of the intersection of Sandpiper and Ustler. And unfortunately, because I don't live within 300 feet around this proposed subdivision, I wasn't given any notice of changes so I relied on to just happen to notice the small street signs. Jumped out and took a picture before the rain washed them away and ...

Hooks: Good for you.

Myers: And I did let some of my other neighbors know too. So Jack, Jill, Les, Guys, we are all back again eight years later. This is... it's been quite a long time and while I'm not opposed a subdivision happening there today, in fact, I think a subdivision is probably an improvement on the blight that's overcome that property since it was stopped in 2007. The development... work that we did at that time to try to get the County and the City of Apopka to understand clearly what we wanted to see there as a reflection of what exists in our neighborhood. It is still quite important, rail fence, something like what looks like what Foxborough Farms has on the south side of Welch Road near Thompson. Those kinds of developments. Things that matter in the keeping in the consistency of the community is really what it's all about. So I just wanted to support what has been said. But my most important and most significant concern today is about traffic. We listen to crashes at the corner of Sandpiper and Ustler weekly and it is almost impossible to get out of our own driveways today. Just because it's a cut through for traffic and

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that intersection there, by the way, as far as the sidewalk is concerned, when M/I Homes put in the subdivision across the road from me, way back in 2001 or something like that, we had a big fight about the sidewalk and the sidewalk ended up being on our side of the road instead of their side of the road and the problem there is that pedestrians now have to walk across heavily traffic Ustler just to connect to a sidewalk across the street. So there does need to be a sidewalk in order to prevent that from happening with the traffic issues that there are. So I would absolutely request that there be another traffic study done at that corner specifically to assure that we don't have continued accidents and the request that I have is a four way stop there. Thank you.

Hooks: Thank you. Shelli Gerard.

Gerard: Hello. I'm Shelli Gerard and I live at 924 Oakpointe Circle. Much like Jenny described, I wondered if I could show you guys a picture. Ignore the kids. This is my backyard and you can see all those beautiful trees that are there and I actually think, I might be one of the youngest people here, I'm actually quite excited about the idea of a neighborhood but I have the same concerns that all the neighbors share about the lot size you mentioned. That a lot of the homes in that area are bigger. My lot is right on the back of that and we're almost a full acre lot. My house is 2,500 square feet so if we were to build homes I would love to have homes that increase the value of my home. Much like the other neighbors I [work] live in Lake Mary and drive thirty minutes to come back and forth to work because it is absolutely beautiful. One wildlife they failed to mention was you often see wild peacocks which are really cool too. So I think if we can do the tree survey and maybe leave some more of the trees that would be really cool and the traffic concerns me as well. When I tried to turn right out of my house onto Thompson Road it often takes three or four minutes before you can even turn in the morning when you are coming out. So adding all those additional homes, traffic is going to increase. That really as you mentioned. Sorry the picture wasn't big enough but you get the point.

Hooks: Thank you. Thank you very much. Ellen O'Connor.

O'Connor: Hi, I'm Ellen O'Connor. I live at 1032 Oakpointe Circle in the Oak Water Estates. I do echo so much of what my neighbors have said. I moved up from south Florida also. From Fort Lauderdale. I'd lived there my whole life and saw all the growth and construction that occurred in Broward County. My husband is moving here from LA [Los Angeles, CA] and you can... if you've been to LA you know what the growth is like there. We researched the type of environment that we wanted to raise our children in and I have a three year old son who is going to be going to schools here Apopka. And we, of everywhere in Orange County, we wanted to live in Apopka and we picked this neighborhood because of the beautiful trees and the environment. We live on Lake McCoy. We have an acre and half property. It's a 3,500 square foot house and I plan on living there until I retire or, you know, to go onto the next part of my life but we want you, you're our neighbors also, we want you to protect this community that we live in and part of that is making sure that that development is consistent with the neighborhoods around it. What is being proposed is not consistent with our neighbor and the neighborhoods in the area so I ask that you really consider that because your protecting the future of our community and we appeal to you to do that. Thank you very much.

Hooks: Thank you. All right. Christian and I can't see the last name. Botern? Oh, you're good?

Butera: Yeah, I'm good.

Hooks: Thank you. And last but not least, I think, is Lou Haubner. Is Lou here?

Haubner: Oh yeah. I was going to be first but I've got a couple of things to say.

20 s: All right, I knew you would.

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Haubner: It might be okay. I'm Lou Haubner, 140 East 1st Street, Apopka. I don't know a whole lot about real estate. I've only been here for 43 years, and you know where I live, and we absolutely enjoy our neighborhood. All my neighbors are back there. I developed that property for the King family and we could have gone to R-1 and built, had bigger lots, but I said, "No, We want at least two acre lots." We live on Tanglewilde and Michael lives on Ustler which is one of the lots that the King family property was on you know they used to own everything from Ustler to Park Avenue and so we decided to go with 2, 2 ½ acre lots and I can't imagine the type of neighborhood we're going to have if we have 10,000 square foot lots and 2,000 square foot homes. I think we're creating something we don't want. My wife answers the phone at the office and she can tell you that if we get ten calls a week, what are people calling for in Apopka? Do you have a house an acre lot? Do you have a house on a two acre lot? They don't call and say do you have a 4,000 square foot house on a little lot so I don't have to mow the grass anymore. So we have a firsthand view on what people want in Apopka. And so we need to protect our neighborhood and I just feel like it's time to set some rules, make some decisions, and do the right thing for our neighborhoods in the City of Apopka. Thank you.

Hooks: Thank you. All right that's all the Intent to Speak cards that I have. Does anybody else... Yes, ma'am?

Sumner: I had a few minutes left on my talk.

Hooks: Go ahead.

Sumner: I'd like to address the issue that was brought up about what I refer to as the "no man road." That's the section of road that runs from Sandpiper to Tanglewilde labeled "Ustler." Well to me it's a "no man's road."

Hooks: I hear you.

Sumner: Because I have gone round and round with Commission Brummer on a number of occasions trying to get some of those potholes filled up. I have been kidded by my neighbors who see me out there with bags of ready-made asphalt plugging up the holes myself. Brummer says it's not the County's and the City says it's not the City's. Who does it belong to?

Hooks: You.

Sumner: Must be, because if you drive down there all those black spots that are blacker than the rest of the road, at \$8.50 a bag, that's me.

Hooks: Thank you very much. My motorcycle appreciates that a lot. All right, does anybody else want to speak? We are going to be very informal here. Diane and Mary. Mary why don't you come over and sit close so you can.... Yeah, go ahead. Diane, let her say something first.

Green: Your name again?

Durban: My name is Anastasia Durban and I live at 948 Oakpointe Circle. Just want to reiterate that the property value alone for us has been very depressing and to add another neighborhood with many homes, small lots, which you have plenty of in Apopka, it's not going to help any real estate in our area. So I just wanted to reiterate that.

Harmon: My name is Diane Harmon and I live at 1041 Sandpiper Street and I just wanted to make sure that I have an opportunity to say something on behalf of Sandpiper because I don't think anybody has spoken who lives on that road. And, my husband and I have chosen... we chose to move to

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Apopka and build our home there about 38 years ago and we have lived there the whole time. Raised our whole family. Have grandchildren and we loved it from the very beginning. The pastoral atmosphere and we still love it. There are sometimes we don't like the paved road. I'd like to go back to the unpaved road just to reduce the amount of traffic on it. But I would just ask that, you know, I am in agreement with everything that has been said as far as the consistency with the surrounding areas. We have 1.72 acres and the property around us of course do have it pretty much the same or more than that on the north side of Sandpiper and would love to be able to see this being consistent. I do like... I would like to see it developed because I think right now it is becoming a negative to the community and the surroundings as far as its appearance. So a development is fine. Just would like to see lesser density, larger homes, larger lots and a beautiful pastoral surrounding. Thank you.

Hooks: Thank you. Mary.

Smothers: My name is Mary Smothers, 1005 East Sandpiper Street. My husband and I bought our property in the early 1970's. Two acres, across the street from this development. We had four children when we built our house over 36 – 37 years ago. Then we added a fifth child. So our children grew up there. My concerns are... many have already been stated. The traffic. If the traffic goes towards Thompson Road turning right is already a challenge. Turning left is sometimes impossible certain times of the day. It is very hard. Mostly because people won't signal if they are going to signal that they are going to turn onto Sandpiper until they are there and then they turn immediately, but then you have to wait for all those other cars to go by. If you go down towards Park, like Mr. Hooks said, most of us don't go to Park any more, we go to Tanglewilde and we go through that "no man's street" there, no man's land, with all the potholes. Thank you for filling those holes, Sir. But we'd rather not go through that area but we can go to the traffic light there as well as be able to turn and not wait forever to turn onto Park. If you go Ustler and go over to Welch, again Mr. Hooks said, boy, try to get out there if you are not turning right. To turn left at certain times of the day is just, again, impossible. So any direction you go you are going to have a hard time if you have to turn left anywhere. The children crossing to the other side of the street to get to the sidewalk, a crosswalk was mentioned. That's good but children are children, they are going to take the shortest route. If their backyard is closer to Sandpiper than that crosswalk, they are going to go to the shortest place to cross the road and it is dangerous. Like someone said with the motorcycles, the cars, the trucks. There is a no passing zone all the way up and down Sandpiper right now, as soon as they turn onto Sandpiper they start passing. Fast. Try to get into your driveway or out of your driveway with that traffic coming as fast as they can. Another concern that has not been mentioned, the smaller the home the more quickly people will move up to a larger home in the future. And as you get into second owner, third owner, fourth owner, the quality and the upkeep of that home goes down, down, down rapidly. Your starter home is usually kept with the first owner. After that you generally don't have a good maintenance with a secondary, third owners and stuff and that's a concern. Again very good reasoning to get larger lots, larger homes and I think everything has been stated. If a traffic light at either end of Sandpiper might be a possibility someday but none of us want more traffic lights really but we have to get out safely and not have more accidents.

Hooks: Right.

Smothers: Okay. Thank you very much.

Hooks: Thank you. All right last call. Anybody else? All right, Mr. Goldberg. Where'd you go?

Goldberg: Over here.

Hooks: You got some 'splain'n to do. Come back up here and, unfortunately for you I did not hear anybody agree with your assessment of what they said they wanted. They must of told you

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something different than what they told us just now.

Goldberg: Well.

Hooks: So.

Goldberg: That's definitely not true because I have a letter from the two homeowners associations on the south side of the property agreeing to the 30 foot buffer. I don't have it with me but the County... the City has it.

Hooks: I think I'm more concerned about the size of the lots and the number of the lots and the size of the homes. That's the three biggest issues that I heard that it's too dense, which leads to too many trees being taking out, too much traffic and small homes not lending to increasing their property values. That's what I take away from the comments.

Goldberg: I can appreciate what the home owners have and what they have lived with and it's wonderful that they can afford big lots and big houses but not many people can afford those size houses and lots.

Hooks: I agree with that but you chose the wrong place to put them.

Goldberg: I've set aside 15 acres of land that's not going to be touched. I have agreed with a 30 foot buffer along the south side of the property that's not going to be touched. I think I have done a pretty good job of laying out where we are going to save trees and how we are going to save trees and the reason I bought the property was because of the trees. I have no interest in taking them down if they don't have to come down.

Hooks: I agree with that but the 15 acres you didn't have much choice in that matter. That wasn't something you decided to do and the trees are not something you're able to keep if you've placed a home where a tree is and that's just part of the nature of developing a project. I understand that but smaller lots leads to more trees being removed and that, that was one of the concerns that I heard.

Goldberg: I understand I'm fighting uphill. This is a property where it's one per acre.

Hooks: Actually it's not one per acre. Cause when you take out the roads and the retention ponds, you know, everybody throws it out there as one dwelling unit per acre, okay, it's not one acre lots. That's misleading. So the lots are 1/3 acre to .6 or .7 or .6, I think I saw one or two .6 but that's about the extent of it there. As people have said, 1/4 to 1/3 acre lots primarily.

Goldberg: I mean it obvious that you have made your decision and I don't know what the rest of the ...

Hooks: Well, here... here's

Goldberg: If the Council has made a decision on it so I'd like to hear that discussion.

Hooks: Okay.

Goldberg: And maybe come back and say a few words at the end.

Hooks: Sure. All right. We're going to close the public hearing. Let me explain the process for everybody here. We're only, in this case, recommending board. Somebody mentioned early on that we were the last defense. We are not. That's the City Council. We are going to recommend something to City Council, either to approve the project as it's been presented to us tonight, to deny this project, to disapprove it that would be our recommendation to City Council, or to make

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a recommendation to approve it with this, this, this, this as part of the approval process. City Council doesn't have to do anything we say. They are... you' all voted them in, those of you that live in the City of Apopka, and they can do whatever they please regardless of what we recommend. So we are not the last defense. We are really the first defense. So you've got to do this all over again with these little pieces of paper in front of City Council whenever it comes to them. All right, so I'm going to close the public hearing. We are going to talk about it as a Board see what the pleasure here is. What the discussion here is. You felt... you heard my opinion, my feelings about it. So I'm hoping to... whoever wants to talk.

Birdsong: It seemed like we got so many things here that's going to need to be addressed. I mean I took some notes of some things pertaining to what was brought up about the fence, the sidewalks, the setbacks, you know, the area that you made mention to where in the back of property where possibly that buffer area where people can actually tear it down and basically using it for a driveway and we know the nature of people. Most of the time they'll take advantage of those situations within time. My thoughts and feelings on this particular issue is that it's a lot of things in here that need to be revamped. I don't know what direction we would go in but I just see a whole of things that need to be totally redone. Thank you.

Hooks: Okay. Jim.

Greene: I think we're really talking something that's out of character with the neighborhood. We're talking density. I don't see that it would be feasible to establish conditions that would meet that. My inclination would be to recommend that it not be approved and let them... City Council do what they want to do or let them go back to the drawing boards.

Hooks: Anybody else?

Walters: I grew up in this town. I partied every July 4th out there on that property. Changes is coming. Personally, I don't like what's happened to Apopka but I can't, I can't stop that because we are... we have developable land. One lady pointed out that we have more people coming and I would love for the developer to get with some marketer and find out what really is needed with those people that are going to come to Apopka. Maybe we need larger lot sizes. You know, have you even entertained that idea of doing a more upscale neighborhood in that particular area? Which suits that area. It hurts me to see that property would ever be developed but it's going to be and I think that you're going to have to come to some kind of, I guess you're going to have to reconcile that its coming and work with whoever is there and I think you've done that. I think what the developer has done as far as a 30 foot buffer and the City not requiring to build a pool or any recreation in that 30 foot buffer helps those that are abutting the property but I would just like to see the developer maybe do some more market study as to what can be built there and what the demand is in the area.

Hooks: Anybody else? I don't think I heard anybody object to a development in that area. It might not be their druthers but I don't think I heard anybody specifically say we don't want anything there. I think the message is pretty loud and clear to me they don't want 49 lots there. Maybe something half that. Is what I'm hearing tonight. Based on that, we need a recommendation to City Council from the Planning and Zoning Commission and, again, that can be either to recommend approval of the plan that's been presented to us a change of zoning, master plan, preliminary development plan from "County" PD to "City" PUD/R-1A; or we can recommend City Council not approve it; or we can recommend approval with conditions or some recommendations in the plan and Exhibit "F." So what is the pleasure of the Commission?

Greene: I would make a motion that we recommend that the Council not approve it.

24 s: All right, there is a motion that the Planning Commission recommend to City Council that we

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recommend not approving this particular plan as it's been presented. Is there a second?

Birdsong: Second.

Walters: Second.

Hooks: There is a second by Melvin. Any discussion? All in favor indicate by saying aye.

Hooks: Aye.

Walters: Aye.

Greene: Aye.

Birdsong: Aye.

Ryan: Aye.

Roper: Aye.

Hooks: Any opposed? And that motion carries. All right. Understand those of you that are here that the developer can proceed with this plan to City Council so you'll have to be vigilant about that. The City Council, as I said, does not have to take our recommendation. That's our recommendation to City Council so it can continue to move forward and so you need to make sure you're at the City Council with as much enthusiasm. And the patience and consideration and courtesy that you've shown here tonight and I appreciate that very much from everybody from all parties. It's been very pleasant tonight. We've had meetings that have not been as pleasant so I thank you very much for how you've conducted yourselves tonight and I think you for your interest and participation tonight.

OLD BUSINESS:

Planning Commission: None.

Public: None.

NEW BUSINESS:

Planning Commission: None.

Public: None.

ADJOURNMENT: The meeting was adjourned at 6:35 p.m.

Steve Hooks, Chairperson

R. Jay Davoll, P.E.
Community Development Director

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON OCTOBER 14, 2014, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: Steve Hooks, Mallory Walters, Melvin Birdsong, James Greene, Teresa Roper, and Robert Ryan

ABSENT: Orange County Public Schools (Non-voting)

OTHERS PRESENT: R. Jay Davoll, P.E. – Community Development Director/City Engineer, David Moon, AICP - Planning Manager, Edward J. Fore, Ed Velazquez, Adrienne Downey-Jacks, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

OPENING AND INVOCATION: Chairperson Hooks called the meeting to order, asked for a moment of silent prayer followed by the Pledge of Allegiance.

WORKSHOP - Ocoee-Apopka Road Small Area Plan – David Moon, AICP, Planning Manager, stated that the Ocoee-Apopka Road study area encompasses 4.4 square miles and is currently characterized by its proximity to Lake Apopka, the convergence of three highways, two residential communities and vacant undeveloped agricultural lands. The area is expecting a significant amount of growth and development with plans for the relocation of Florida Hospital to the study area in the near future.

Most of the study area was previously zoned for mixed-use in anticipation of new development with employment opportunities. The purpose of the Ocoee-Apopka Road Small Area Plan is to establish the tools necessary to guide the development of a mixed-use show-case corridor unified in design and identified by quality development, branding features and focal points.

Stakeholder and community member input was a key component of the development of the plan. In addition to the kick off meeting with City staff and the participating stakeholders, two workshops were held to gather input on desired development patterns, improving the transportation system, and developing an integrated network of trails and greenspace in the study area. Based on information provided at the workshops, as well as technical research and review of existing data and information, the consultant team created 2 vision plan scenarios depicting desired development pattern options.

The framework maps show the study area divided into five character areas based on the anticipated development patterns: Research/Technology/Education, Gateway, Mixed-Use, Neighborhood, and New Market. These character areas are intended to depict the desired character, building form, transportation and open space networks within the study area. The location and nature of the character areas is the same in both framework map scenarios. However, two alternative designs have been developed for the New Market Area, one showing a Village Center on the northeast corner of Keene Road and Ocoee-Apopka Road, and the other alternative shifting it to the west side of Ocoee-Apopka Road. The New Market area is anticipated to have the greatest amount of pedestrian connectivity, with the Village Center containing a higher-density/intensity mix of retail, office and residential uses.

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A multimodal transportation and greenspace network were important drivers in the development of the framework maps. The proposed transportation system is intended to improve connectivity and make the study area accessible and comfortable for pedestrians, cyclists, automobiles and public transit. The plan recommends adding several new roadway connections to create smaller more walkable blocks and improve traffic conditions on existing thoroughfares. Six typical road sections were developed for the existing and proposed roadways.

The proposed trail system is intended to address pedestrian and bicycle access to the study area from other regional trails and within the study area between points of interest like the Village Center, the new hospital, Emerson Park and proposed school sites. The proposed trail will extend out of the study area east along Keene Road and north and south along Ocoee-Apopka Road towards the West Orange Trail. The trail network also connects the lakes and wetland systems in the study area and helps to establish them as usable neighborhood amenities rather than barriers to development.

The current mixed use zoning development standards applied in the study area will need to be adjusted to facilitate the desired development patterns in the character areas. Included with the plan is a suggested set of standards addressing building form, landscaping and road design, to be implemented as an overlay zoning district.

This plan will provide a foundation for the future growth and development of the Ocoee-Apopka Road study area. It will be a resource of information for the City of Apopka, existing property owners and stakeholders, and potential businesses, developers, and residents who are considering relocation to the study area. The plan will provide a flexible and adaptable starting point from which to build and sets the stage for a sustainable, high quality development that will create a new place in Apopka to live, work, play and learn.

Chairperson Hooks recommended that staff ensure that when development occurs that there is connectivity between developments to deter pocket subdivisions. Upon review of the suggested names for the area, he suggested naming the entire area Apopka Crossing with the hospital area being called Wellness Park. The branding could then be Wellness Park at Apopka Crossing.

In response to a question by Ms. Walters, Mr. Moon stated that the presentation and the main study would be placed on the City's ftp site. He said that he was also going to request that it be put on the City's website.

In response to a question by Mr. Ryan, Mr. Moon stated that there were no plans to allow golf cart access like The Villages. He said that was something that would need to be evaluated.

Mr. Moon stated that there would be two electric charge stations at the hospital site.

Chairperson Hooks recommended allowing golf carts in the area as it would be cost effective for the residents.

Mr. Greene suggested that if golf cart access is allowed, that there be a separate roadway for them.

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Ms. Walters agreed and stated that golf carts should not be permitted on the trails.

OLD BUSINESS:

Planning Commission: None.

Public: None.

NEW BUSINESS:

Planning Commission: Chairperson Hooks reminded the Commission that on Tuesday, October 21, 2014, there are two Planning Commission meetings. The first is at 5:01 p.m. for regular items and the second at 6:30 p.m. for the Florida Hospital change of zoning and preliminary development plan.

Public: None.

ADJOURNMENT: The meeting was adjourned at 5:52 p.m.

Steve Hooks, Chairperson

R. Jay Davoll, P.E.
Community Development Director

Backup material for agenda item:

1. VARIANCE – Loomis Funeral Home, 420 W. Main Street - A variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Sections 8.04.02.C and 8.04.06.B.1 – To allow a non-conforming sign (pole sign) to be replaced as a pole sign containing an electronic reader board. (Parcel ID No. 09-21-28-7544-02-130)



CITY OF APOPKA PLANNING COMMISSION

<input type="checkbox"/>	CONSENT AGENDA	MEETING OF:	October 21, 2014
<input checked="" type="checkbox"/>	PUBLIC HEARING	FROM:	Community Development
<input type="checkbox"/>	SPECIAL REPORTS	EXHIBITS:	Vicinity Map
<input type="checkbox"/>	OTHER:		Aerial Map
			Applicant's Response to Criteria
			Sign Illustration

SUBJECT: LOOMIS FUNERAL HOME – 420 WEST MAIN STREET – VARIANCE REQUEST

PARCEL ID NO.: 09-21-28-7544-02-130

Request: APPROVE A REQUEST FOR VARIANCE IN ACCORDANCE WITH THE APOPKA CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE VIII, SECTIONS 8.04.02.C AND 8.04.06.B.1 TO ALLOW A NON-CONFORMING SIGN (POLE SIGN) TO BE REPLACED AS A POLE SIGN CONTAINING AN ELECTRONIC READER BOARD.

SUMMARY:

OWNER/APPLICANT: Loomis Funeral Home

LOCATION: 420 West Main Street

LAND USE: Commercial (0.25 FAR)

ZONING: C-2

EXISTING USE: Mortuary

PROPOSED USE: Mortuary

VARIANCE REQUEST: To allow an existing non-conforming (pole) sign to incorporate the use of an electronic (LED) reader board.

TRACT SIZE: 0.75 +/- acre

DISTRIBUTION

Mayor Kilsheimer	Finance Dir.	Public Ser. Dir.
Commissioners (4)	HR Director	City Clerk
Interim CA Janice Goebel	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

VARIANCE REQUEST: The applicant is requesting a variance to allow for an electronic (LED) reader board and to continue to use the existing pole site and to allow the size area of electronic reader board to exceed the maximum area allowed by the sign code.

APPLICABLE CITY CODE: Specifically, the variance request is for the following:

1. Reuse an existing sign pole.
Section 8.04.02.C. Sign Code: All freestanding signs shall be monument signs as regulated unless determined by the Planning Commission that hardships created by existing site conditions cause construction of a monument sign to be impractical or to create a potential hazard.
2. Place an electronic reader board (LED) sign within a pole sign.
Section 8.04.06.B.1, Sign Code: Pole signs are not allowed to hold or contain an electronic reader board.
3. The proposed electronic reader board is approximately 28 sq. ft. The total sign area is approximately 51.2 sq. ft., making the electronic reader board just over 55% of the total sign area. If approved the electronic reader board cannot be larger than the business sign.. Section 8.04.06.A.3., LDC, restricts the area of an electronic reader board to an area equal to or less than 50% of the total sign face.

APPLICANT’S RESPONSE TO SEVEN VARIANCE CRITERIA:

When evaluating a variance application, the Planning Commission shall not vary from the requirements of the code unless it makes a positive finding, based on substantial competent evidence on each of the following:

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 Response: *The practical difficulties that relates to a hardship due to the characteristics of the land is the fact we have a horseshoe type entrance and exit to our facility. In order to meet the City Code we would be forced to use a monument sign which would block the view, create a traffic issue and endanger our customers.*

Staff Response: NEGATIVE FINDING - The site has a sufficient amount of space to construct a monument sign that would comply with *Section 8.04.02.C* of the code. The northwest frontage of the property along Orange Blossom Trail extends 85 feet from the eastern edge of the driveway to the property line. Furthermore, the variance applicant owns an additional 125 feet along Orange Blossom Trail.

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

Applicant’s Response: *This request has no effect on developing this site. We are keeping our existing sign pole and location, which has been the same now for over 28 years.*

Staff Response: FINDING - Not applicable.

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

Applicant’s Response: *Because the previous sign, which has been in the same location for over 25 years, there is no substantial reason to feel that there will be an increase in congestion on surrounding street.*

Staff Response: POSITIVE FINDING: Variance will not cause congestion on the surrounding streets.

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 Loomis family feels that this improvement to our location does not in any way diminish property values. It in fact compliments and improves our surrounding neighbors.*

Staff Response: POSITIVE FINDING: The intent of the Sign Code requirement for a monument sign is to improvement appearance along roadways within Apopka. The sign code promotes a sign type and design to create and promote a desired character along roadways within Apopka.

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: *We believe that we are in harmony with the general intent of this code based on the city's sign ordinance... 8.04.02. Free standing signs for single and multiple occupancy development; if we choose to keep our pole sign have a sign allowance of 64 SF (which is 20% less than the 80 SF allowance to monument signs) and our new sign will be 19 SF less than that.*

Staff Response: NEGATIVE FINDING: The electronic reader board exceeds 50% of the sign face area. The total sign area covering an area of approximately 51.2 sq.ft., and the electronic reader board is approximately 28.1 sq. ft. or 51% of the sign face area.

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

Applicant's Response: *There are no special conditions or circumstances.*

Staff Response: NEGATIVE FINDING – The integration of an electronic reader board may set a precedent for the continuation of legal non-conforming signs. If the variance is granted, the City may have to allow other existing pole signs to have electronic reader boards placed on them.

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: *This proposed variance will not create a safety hazard, in fact by following the code we feel that this would create an unsafe hazard to our citizens, specially our aging population, which is projected to double within the next five years.*

Staff Response: NEGATIVE FINDING: A monument sign will impede the line of sight at the current sign location. The current pole sign stanchion will be used to support the sign and electronic reader board. However, sufficient land area occurs at the eastern half of the property frontage to accommodate a monument sign.

PUBLIC HEARING SCHEDULE:

October 21, 2014 - Planning Commission (5:01 p.m.)

DULY ADVERTISED: October 3, 2014 – Public Hearing Notice

RECOMMENDED ACTION:

The **Development Review Committee** finds no valid hardship exists to support the variance request to allow the use of an electronic reader board within a pole sign, or to allow an electronic reader board to exceed the 50 percent of the sign face area.

As per the Land Development Code, Article XI - 11.05.00.A. - The Planning Commission has been established as a citizen board to review and approve variances.

Planning Commission Recommendation: Deny the following variance requests:

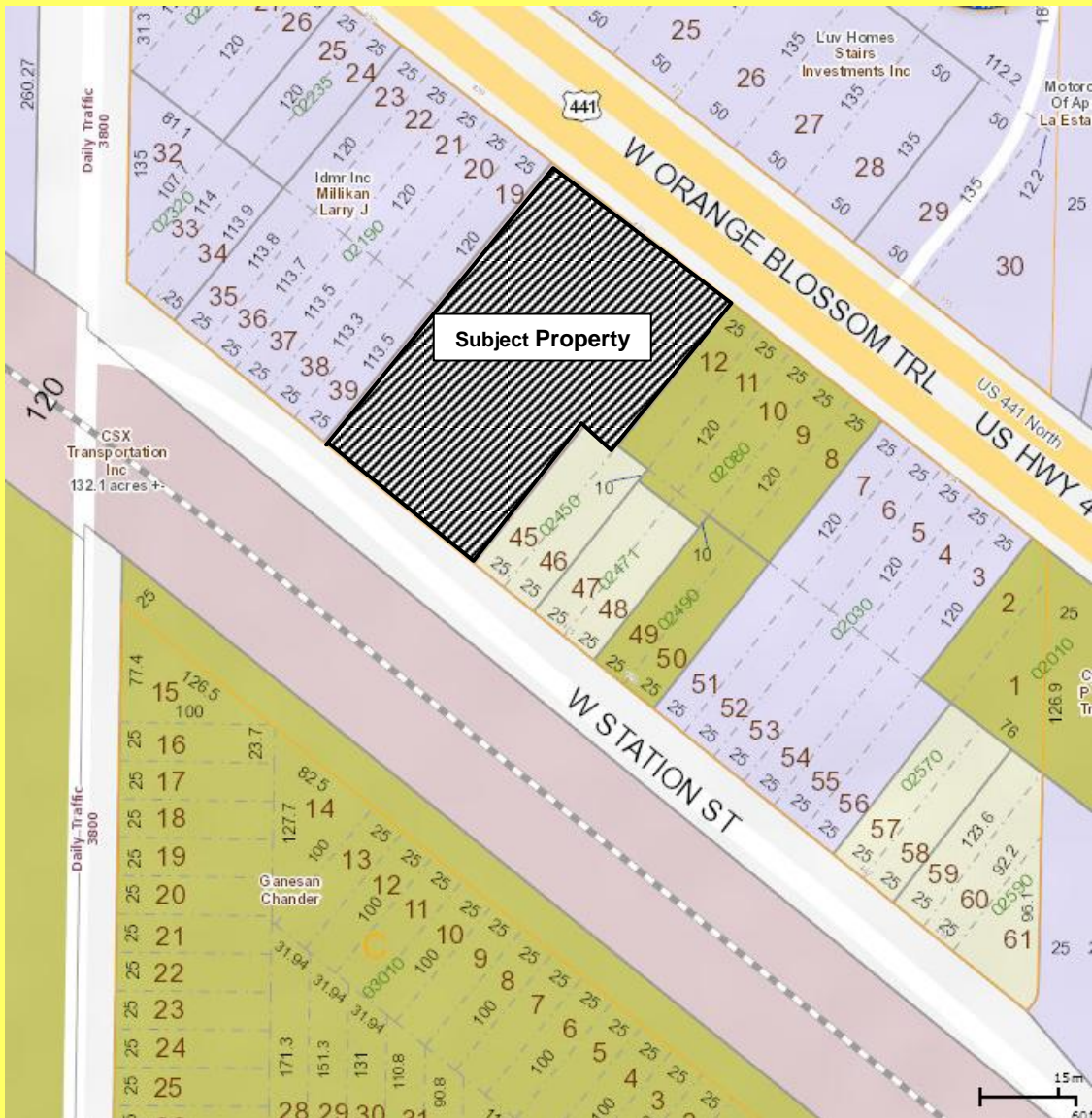
1. Section 8.04.02.C. Sign Code: All freestanding signs shall be monument signs as regulated unless determined by the Planning Commission that hardships created by existing site conditions cause construction of a monument sign to be impractical or to create a potential hazard. **Note: if Planning Commission denies request for an electronic reader board on a pole sign, then request numbers 2 and 3 do not apply.**
2. Place an electronic reader board (LED) sign within a pole sign. Section 8.04.06.B.1, Sign Code: Pole signs are not allowed to hold or contain an electronic reader board.
3. The sign area of the electronic reader board portion of the sign shall not exceed fifty percent of the total sign face.

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. The Planning Commission is delegated authority to make final action on this case, and may approve, deny, or approve with conditions based on the findings of fact presented at a public hearing.

LOOMIS FUNERAL HOME
420 West Main Street
0.75 +/- Acre
Parcel ID #: 09-21-28-7544-02-130



VICINITY MAP





LOOMIS FUNERAL HOME
420 West Main Street
0.75 +/- Acre
Parcel ID #: 09-21-28-7544-02-130
AERIAL MAP



Loomis Family Funeral Home
420 West Main Street
Apopka, Florida 32712
(407) 880-1007

ATTACHMENT "A"

1. There are practical difficulties in carrying out the strict letter 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.

The practical difficulties that relates to a hardship due to the characteristics of the land is the fact we have a horseshoe type entrance and exit to our facility. In order to meet the City Code we would be forced to use a monument sign which would block the view, create a traffic issue and endanger our customers.

Cross-reference:

- **"Height: signs erected at the side of the road in rural districts shall be mounted at a height of at least 5 feet, measured from the bottom of the sign to the near edge of the pavement. In businesses, commercial and residential districts, where parking and or pedestrian movement is likely to occur or where there are other obstructions to view the clearance to the bottom of the sign shall be at least 7 feet' *FHWA'S "Manual on Uniform Traffic Codes Control Devices" (MUTCD)**

"Symposium on effective highway accident countermeasures." Pub. #FHWA-SA-90-015 HHS-11/8-90 (1M600) E, U.S. Department of Transportation, FHWA

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

This request has NO EFFECT on developing this site. We are keeping our existing sign pole and location, which has been the same now for over 28 years.

Cross-reference:

- **The Loomis family has been serving Central Florida since 1926 and has been proud to open its doors in Apopka in 1986.**

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

Because the previous sign, which has been in the same location for over 25 years, there is no substantial reason to feel that there will be an increase in congestion on surrounding streets.

Cross-reference:

- **Monument Signs do not guarantee traffic safety; to the contrary they can become contributors to traffic safety problems through reduced visibility and blocked views. The lack of visibility of monument signs harms, rather than contributes. *Garvey, P.M. Real Word on – Promise Sign Visibility***
 - **If the sign was done as the city code currently states, there would be a high risk, especially for our aging, over 65, population. As an example a monument sign erected on 441 has already been the blame for an accident blocking the view of traffic.**
4. The proposed variance will not substantially diminish property values, nor alter the essential character of, the area surrounding the site.

The Loomis family feels that this improvement to our location does not in any way diminish property values. It in fact compliments and improves our surrounding neighbors.

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.

We believe that we are in harmony with the general intent of this code based on the city's sign ordinance... 8.04.02. Free standing signs for single and multiple occupancy development; if we choose to keep our pole sign we have a sign allowance of 64 SF (which is 20% less than the 80 SF allowance for monument signs) and our new sign will be 19 SF less than that.

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

There are no special conditions or circumstances.

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

This proposed variance will not create a safety hazard, in fact by following the code we feel that this would create an unsafe hazard to our citizens, especially our aging population, which is projected to double within the next five years.

Cross-reference:

- **Statistics show that in five years our “population of drivers 65 and older will double over” to over five million drivers alone, just here in Florida.**
*U.S. Census Bureau Population Division, U.S. Administration on Aging,
www.edr.state.fl.us/population/table.xls *
- **Florida leads the nation in the migration of persons over the age of 60. 25% of all persons over the age of 60 will move to Florida** *Florida Grand Driver,
www.floridagrandidriver.com/facts.cfm *



DESIGN, MANUFACTURE & INSTALL:

Double sided Pole Sign

Frame: Aluminum angle mig welded

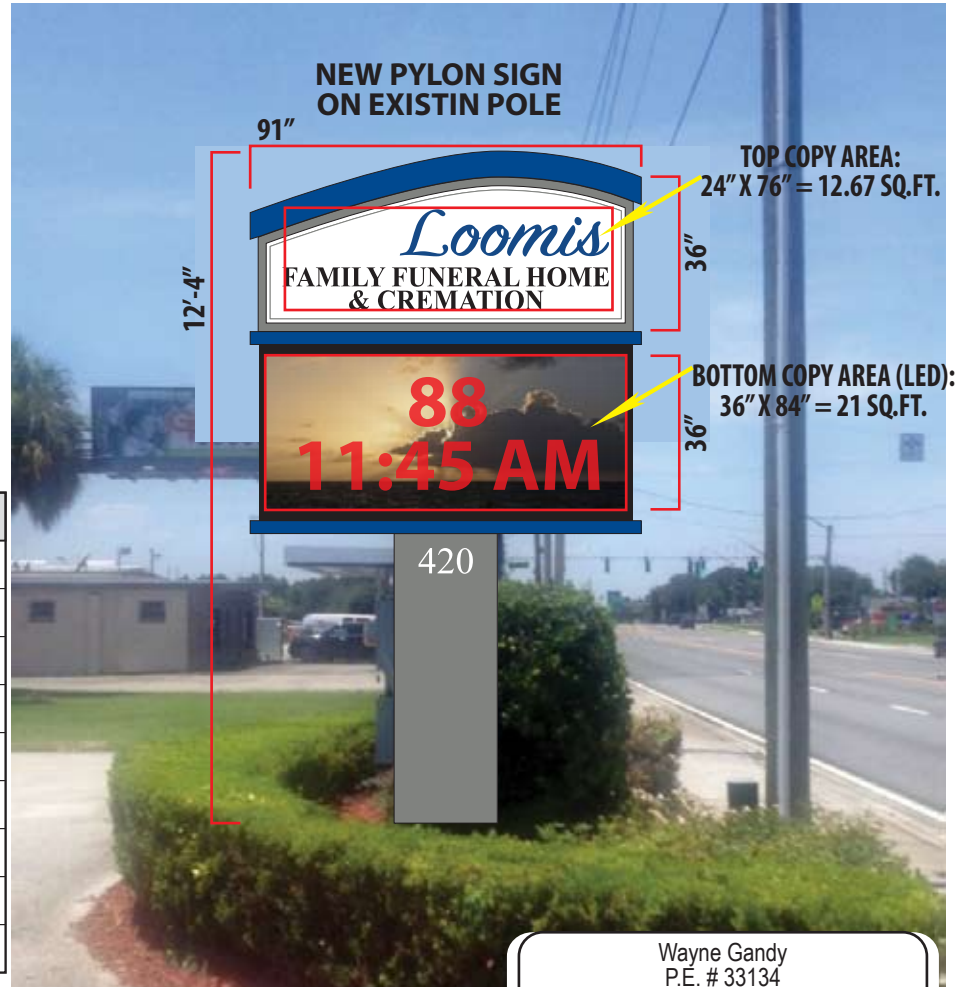
Top Cabinet: 91" wide x 36" tall
Faces: Pan faces with embossed letters

Bottom: Watchfire 16mm full color LED EMC Display
36" x 84"
Cabinet size: 87" wide x 41" tall

Address will be white vinyl overlay

Colors: SW 7067 Grey & SW 6966 Blue Blood

Illumination: High output lamps, sockets, wiring and ballast to UL approved code



TYP. WALL TYPE ATTACHMENT SCHEDULE		
2" - 6" X 3/8" DIAM. POWER WEDGE		
2" - 6" X 3/8" DIAM. POWER TAPCON		
2" - 6" X 3/8" DIAM. EXPANSION ANCHOR		MASONRY
3/8" DIAM. ALL THREAD X LENGHT AS REQUIRED W/ANGLE STRINGER		STUCCO / FOAM LATH & SUD
2" - 6" X 3/8" DIAM. TOGGLE BOLT		STUCCO / FOAM - LATH & SUD WHEN STRINGER NOT REQUIRED
2" - 6" X 3/8" DIAM. LAG BOLT		STUCCO / WOOD LATH & SUD
3" - 4" X 1/4" DIAM. ALUMINUM SELF TAPPING SCREWS		ALUMINUM
2" - 4" - #12 SHEET METAL THREAD HEX HEAD ZINC COATED SCREWS		STUCCO / WOOD
LORD 406/19 ACRYLIC ADHESIVE		

PROJECT NAME:	LOOMIS FUNERAL HOME	DRAWING:	
ADDRESS:	420 W. MAIN STREET	SCALE:	
CITY/STATE:	APOPKA, FL 32712	DRAWING BY:	MADELINE
TELEPHONE:		DESIGN DATE:	AUGUST 7, 2014
EMAIL:		SALES PERSON:	PHIL

***IMPORTANT NOTE: CUSTOMER TO PROVIDE PRIMARY ELECTRICAL SERVICE WITHIN 6' OF SIGN ELECTRICAL CONNECTION

THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED BY L&J AWNINGS & SHADE STRUCTURES, INC. DBA L&J SIGNS IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT BEING PLANNED FOR YOU BY L&J AWNINGS & SHADE STRUCTURES, INC. DBA L&J SIGNS. IT IS PROHIBITED TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION, NOR IS IT BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION

#	DATE	BY	REVISION	SHEET

YES, I APPROVE

L&J SIGNS

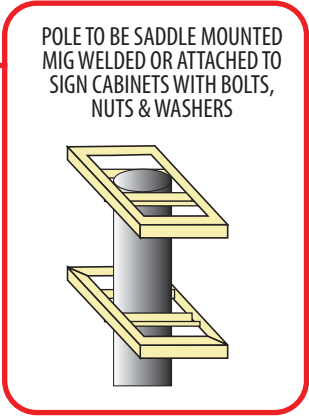
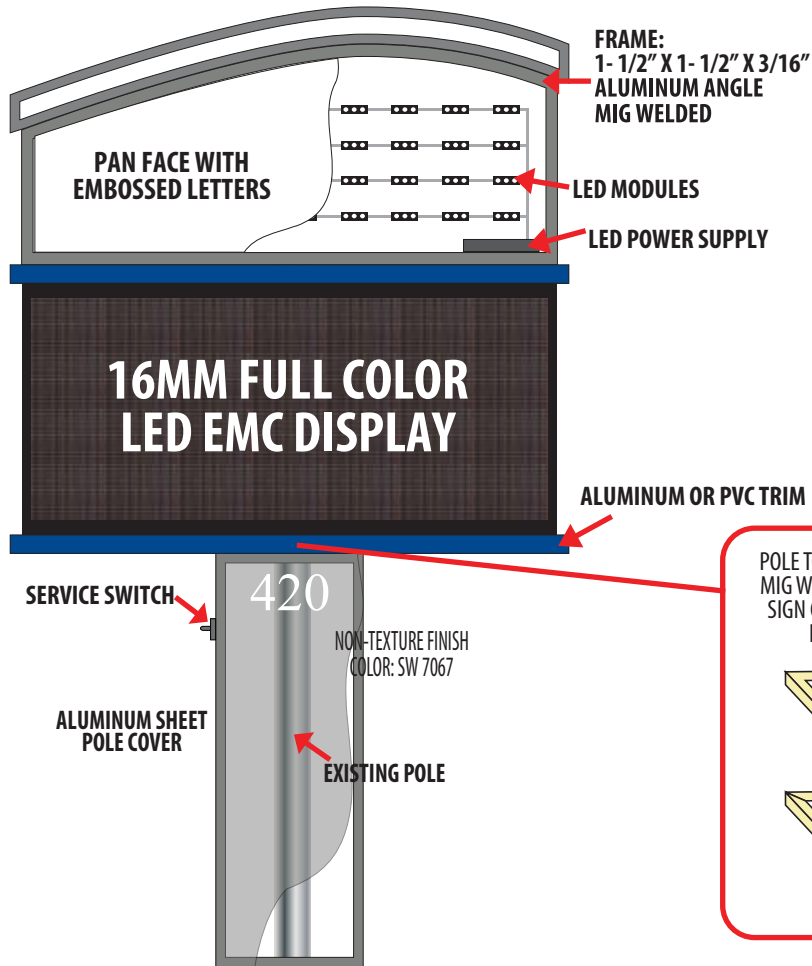
1333 W. Michigan Street
Orlando, Florida 32805

☎ 407.650.9939
☎ 407.650.9940

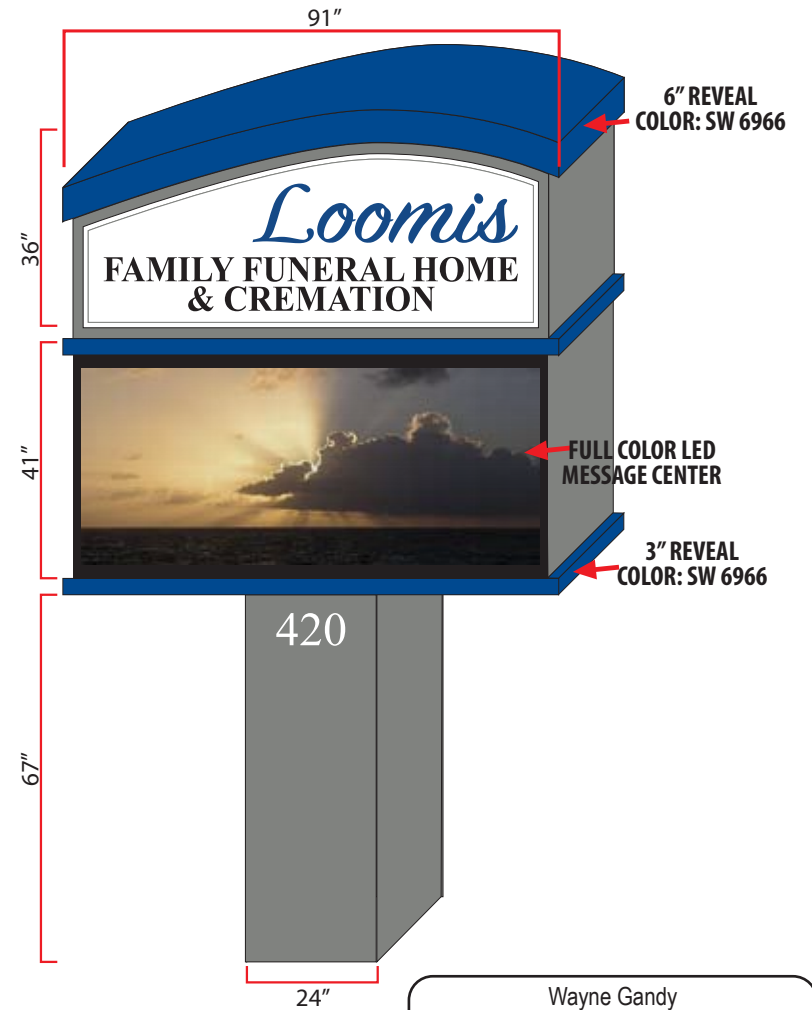
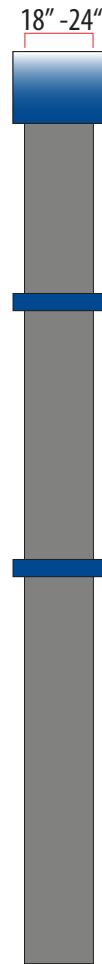
Wayne Gandy
P.E. # 33134
720 S. Orange Blossom Trl Room # 528
Orlando, Florida 32805
Phone: 407-650-9939 Fax: 407-640-9940

BUILDING CODE DATA:
OCCUPANCY TYPE: COMMERCIAL
CONSTRUCTION TYPE: II, VB
NO. OF STORIES:
WIND SPEED: 150 MPH, RISK CATEGORY I, II, III, IV
WIND IMPORTANCE FACTOR: 1.0
EXPOSURE CATEGORY: B
WIND BORNE DEBRIS REGION: NO
HI VELOCITY HURRICANE ZONE: NO
ENCLOSURE CLASSIFICATION: SELF CONTAINED
INTERNAL PRESSURE COEFFICIENT: ±0.18 PER ASCE 7
BUILDING CODES IN EFFECT: 2010 NATIONAL ELECTRICAL CODE,
2010 FLORIDA BUILDING CODE: NEC / NFPA 70 2010
2010 FLORIDA FIRE PREVENTION CODE: APPLICABLE 2010 EDITION OF
NFPA 701, STATE, FEDERAL AND LOCAL CODES & ORDINANCES
COMPONENTS & SIGNAGE: ALL SIGNAGE ATTACHED TO OUTSIDE OF
BUILDING WILL BE DONE WITH
FASTENERS EQUALLY SPACED AROUND
PERIMETER AND WILL MEET 150 MPH WIND
RESISTANCE CODE
COMPONENTS & SIGNAGE DESIGN PRESSURE: 25.9 PSF, - 34.7 PSF
CONTRACTOR RESPONSIBLE FOR ALL WATERPROOFING

LOOMIS FUNERAL HOME



SIDE VIEW



Wayne Gandy
P.E. # 33134
720 S. Orange Blossom Trl Room # 528
Orlando, Florida 32805
Phone: 407-650-9939 Fax: 407-640-9940

PROJECT NAME:	LOOMIS FUNERAL HOME	DRAWING:	
ADDRESS:	420 W. MAIN STREET	SCALE:	
CITY/STATE:	APOPKA, FL 32712	DRAWING BY:	MADLINE
TELEPHONE:		DESIGN DATE:	AUGUST 7, 2014
EMAIL:		SALES PERSON:	PHIL

***IMPORTANT NOTE: CUSTOMER TO PROVIDE PRIMARY ELECTRICAL SERVICE WITHIN 6' OF SIGN ELECTRICAL CONNECTION

THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED BY L&J AWNINGS & SHADE STRUCTURES, INC. DBA L&J SIGNS IT IS SUBMITTED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT BEING PLANNED FOR YOU BY L&J AWNINGS & SHADE STRUCTURES, INC. DBA L&J SIGNS. IT IS PROHIBITED TO BE SHOWN TO ANYONE OUTSIDE YOUR ORGANIZATION, NOR IS IT BE USED, REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION

#	DATE	BY	REVISION	SHEET

L&J SIGNS

1333 W. Michigan Street
Orlando, Florida 32805

407.650.9939
407.650.9940

YES, I APPROVE

BUILDING CODE DATA:
OCCUPANCY TYPE: COMMERCIAL
CONSTRUCTION TYPE: II, VB
NO. OF STORIES:
WIND SPEED: 150 MPH, RISK CATEGORY I, II, III, IV
WIND IMPORTANCE FACTOR: 1.0
EXPOSURE CATEGORY: B
WIND BORNE DEBRIS REGION: NO
HI VELOCITY HURRICANE ZONE: NO
ENCLOSURE CLASSIFICATION: SELF CONTAINED
INTERNAL PRESSURE COEFFICIENT: ±0.18 PER ASCE 7
BUILDING CODES IN EFFECT: 2010 NATIONAL ELECTRICAL CODE,
2010 FLORIDA BUILDING CODE: NEC / NFPA 70 2010
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COMPONENTS & SIGNAGE: ALL SIGNAGE ATTACHED TO OUTSIDE OF
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PERIMETER AND WILL MEET 150 MPH WIND
RESISTANCE CODE
COMPONENTS & SIGNAGE DESIGN PRESSURE: 25.9 PSF, - 34.7 PSF
CONTRACTOR RESPONSIBLE FOR ALL WATERPROOFING

Backup material for agenda item:

2. CHANGE OF ZONING – Appy Lane Holding, LLC, from R-1AAA (0-4 du/ac) to R-1A (1 du/5 ac) for property located west of Jason Dwelley Parkway, north of Appy Lane. (Parcel ID #: 18-20-28-0000-00-089)



CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	October 21, 2014
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Zoning Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Existing Uses
		Master Plan/PDP

SUBJECT: APPY LANE HOLDINGS, LLC

PARCEL ID NUMBER: 18-20-28-0000-00-089

Request: CHANGE OF ZONING

FROM: "CITY" R-1AAA (0-2 DU/AC)
TO: "CITY" PLANNED UNIT DEVELOPMENT (PUD/R-1A) (0-2 DU/AC)

AND RECOMMEND APPROVAL OF THE MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN

SUMMARY

OWNER/ APPLICANT:	Appy Lane Holdings, LLC	
LOCATION:	West of Jason Dwelley Parkway, north of Appy Lane	
EXISTING USE:	Vacant	
FUTURE LAND USE:	Residential Very Low Suburban (0-2 du/acre)	
ZONING:	R-1AAA (16,000 sq. ft. lot min.)	
PROPOSED DEVELOPMENT:	Single-Family Residential	
PROPOSED ZONING:	Planned Unit Development (PUD/R-1A) (min. lot 11,400 sq. ft.)	
TRACT SIZE:	13.04 +/- acres	
MAXIMUM ALLOWABLE DEVELOPMENT:	EXISTING ZONING:	26 Residential Units
	PROPOSED ZONING:	26 Residential Units

DISTRIBUTION

Mayor Kilsheimer	Finance Dir.	Public Ser. Dir.
Commissioners (4)	HR Director	City Clerk
Interim CA Janice Goebel	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

ADDITIONAL COMMENTS:

The subject parcels were annexed into the City of Apopka on April 7, 2004, through the adoption of Ordinance No. 1635. A master site plan for the PUD zoning application proposes 26 residential lots with a minimum of 11,400 sq. ft. Residential density and maximum lot yield remains the same as the current zoning of R-1AAA assigned to the Property. Regardless of the zoning category assigned to the Property, development of the Property is restricted to no more than 26 residential units. By clustering the lots and allowing a minimum lot size of 11,400 sq. ft., a natural open space buffer can be created along Jason Dwelley Parkway and Apply Lane. Landscaped open space buffers along these roads will create a more aesthetic corridor leading to Northwest Regional Park.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The proposed PUD rezoning is consistent with the Future Land Use Designation of Residential Very Low Suburban (0-2 dwelling unit per acre) that is assigned to the property. Minimum lot size for property assigned the R-1A zoning category is 11,400 sq. ft. The PUD development standards restricts the minimum lot size to 11,400 sq. ft.

SCHOOL CAPACITY REPORT: The proposed rezoning will result in the same number of residential units which could be developed at the subject property currently. Zoning currently assigned to the property, R-1AAA, allows a minimum lot size of 16,000 sq. ft. and the Future Land Use Designation and Comprehensive Plan policy restrict residential density to no more than two units per acre. The proposed change of zoning to PUD/R-1A limits lot size to a minimum of 11,400 sq. ft. A capacity enhancement agreement with OCPS is not necessary because the impacts on schools will be neutral.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on September 24, 2014.

PUBLIC HEARING SCHEDULE:

October 21, 2014 – Planning Commission (5:01 pm)
November 5, 2014 - City Council (1:30 pm) - 1st Reading
November 19, 2014 – City Council (8:00 pm) - 2nd Reading

DULY ADVERTISED:

October 3, 2014 – Public Notice and Notification
November 7, 2014 – Ordinance Heading Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the change in Zoning from “City” R-1AAA and “City” PUD\R-1A and the Master Plan\Preliminary Development Plan for the parcel owned by Appy Lane Holdings, LLC.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Residential Very Low Suburban (0-2.0 du/ac)	R-1AAA	Vacant/Orchid Estates PUD
East (City)	Residential Estates (1 du/ac)	A-1	Rock Springs Ridge Right-of-Way/ Rock Springs Ridge Community
South (City)	Residential Very Low Suburban (0-2.0 du/ac)	A-2 (ZIP)	Vacant\Northwest Recreation Complex
West (City)	Residential Very Low Suburban (0-2.0 du/ac)	R-1AAA	Vacant

LAND USE &

TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a two-lane local roadway (Apply Lane) and a two-lane divided collector roadway (Jason Dwelley Parkway). Lot sizes proposed within the Apply Lane Master Plan/PDP range from a minimum size of 11,433 to 31,380 sq. ft. Among the 26 proposed lots average lot size is 12,974 sq. ft.

Northwest of the Property is Orchid Estates, an undeveloped PUD residential community comprising 112 single family lots with a minimum lot size of 8,050 sq. ft. and a minimum lot width of 70 feet. The Orchid Estates PUD is limited to two units per acre, but clustered the density into create additional open space area. City Council approved the final development plan for Orchid Estates in February 2011 with a unanimous recommendation from the Planning Commission (March, 2011).

North of the Property is vacant land assigned a Future Land Use Designation of Residential Very Low Suburban and a zoning category of R-1AAA. However, the property owner has conceptually proposed a mixed use development with lot sizes more consistent with that proposed in the Orchid Estates PUD.

South of the property is a vacant residential parcel (7 acres) situated at the corner of Apply Lane and Jason Dwelley Parkway. It has one residential home and is assigned Residential Very Low Suburban future land use designation but has not been assigned a City zoning category. Also, Northwest Recreation Complex is located on the south side of Apply Lane across from a southwest portion of the Property.

East of the Property and across from the 100-foot right-of-way for Jason Dwelley Parkway, is the Rock Springs Ridge residential community. Residential lots with Rock Springs Ridge that abut Jason Dwelley Parkway are typically 85 in width and approximately 13,100 sq. ft.

**COMPREHENSIVE
 PLAN COMPLIANCE:**

The proposed PUD/R-1A zoning is consistent with the City’s Residential Very Low Suburban Future Land Use category and with the character of the surrounding area and future proposed development. Per Section 2.02.01, Table II-1, of the Land Development Code, PUD zoning is one of the acceptable zoning districts allowed within the Residential Very Low Suburban Future Land Use category. Future Land Use Element Policy 3.5. restricts residential density north of Ponkan Road and west of Rock Springs Road to no more than two dwelling units per acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan.

**RECOMMENDED
PUD STANDARDS:**

Minimum Living Area:	1,800 sq. ft.
Minimum Lot Area:	11,400 sq. ft.
Minimum Lot Width	85 ft.
Setbacks:	Front: 30 ft.
	Rear: 20 ft.
	Side: 10 ft.
	Corner 25 ft.

Road Buffer Min. 30-foot wide near-opaque natural landscape buffer along existing public streets (Apply Lane and Jason Dwelley Pkwy.)

Where development standards are not addressed within the PUD master site plan, the R-1A development standards apply. Setbacks for the R-1A district are the same as the R-1AAA district.

**ALLOWABLE
USES:**

Single-family dwellings and their customary accessory structures and uses in accordance with article VII of the Land Development Code and as established within the PUD ordinance. Supporting infrastructure and public facilities of less than five acres as defined in this code and in accordance with section 2.02.01.

**PROPOSED PUD
RECOMMENDATIONS:**

The PUD recommendations are that the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions:

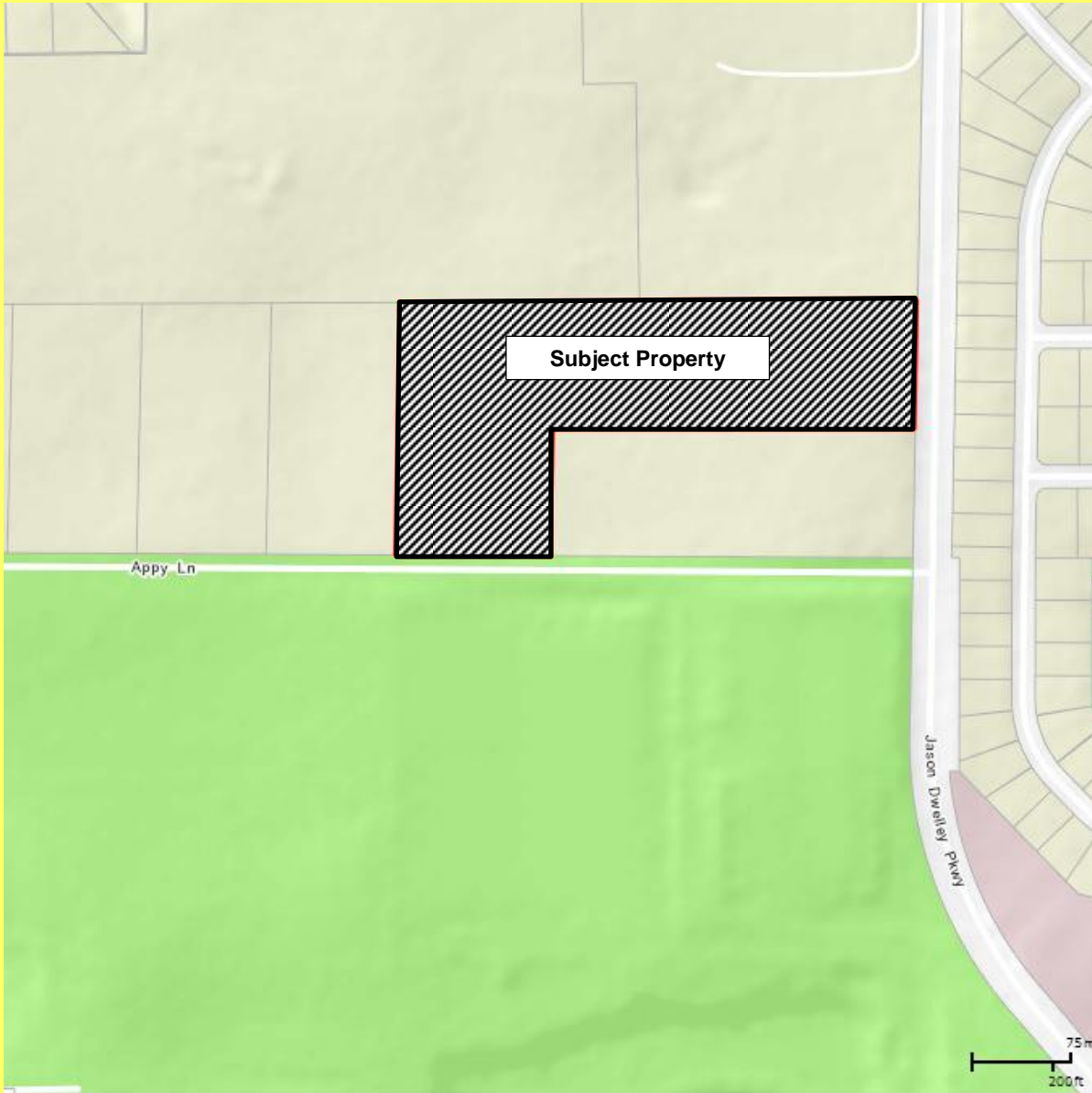
- A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-1A zoning category except where otherwise addressed in this ordinance.
- B. If a final development plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Master Plan\ Preliminary Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or
 - 3. Rezone the property to a more appropriate zoning classification.

- C. Unless otherwise approved by City Council through an alternative development guideline for the master site plan, the following PUD development standards shall apply to the development of the subject property:
1. Master Plan\Preliminary Development Plan provided in Exhibit “A”.
 2. Minimum lot area for a single family home shall be 11,400 sq. ft.; excepting any lots within 250 feet of the eastern property line shall have a minimum area of 13,175 sq. ft.
 3. A minimum 30-foot wide, near-opaque natural buffer tract shall be located within the PUD along Jason Dwelley Pkwy and along Appy Lane. This landscape tract shall include a four foot high tri-rail fence with brick or masonry posts. Final landscape plan and materials will be determined at the Final Development Plan.
 4. Minimum livable area for a single family dwelling unit is 2,000 sq. ft.
 5. Unless otherwise addressed within the PUD development standards, the R-1A zoning standards will apply to the PUD Property.



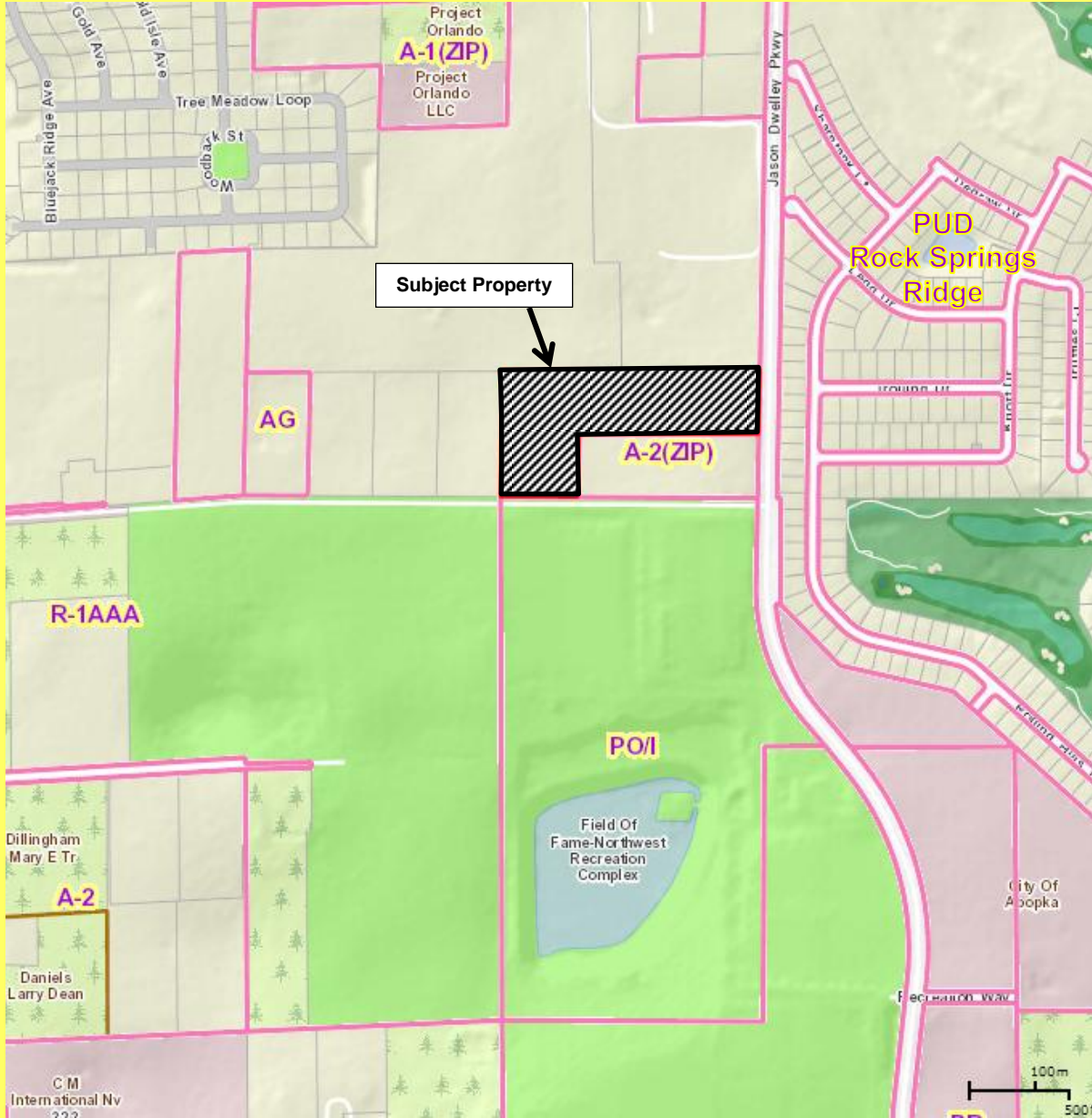
Appy Lane Holdings, LLC
13.04 +/- Acres
Existing Maximum Allowable Development: 26 dwelling units
Proposed Maximum Allowable Development: 26 dwelling units
Proposed Zoning Change
From: R-1AAA (0-2 du/ac)
To: Planned Unit Development (PUD/R-1A) (0-2 du/ac)
Parcel ID #: 18-20-28-0000-00-089

VICINITY MAP





ADJACENT ZONING





ADJACENT USES



Backup material for agenda item:

3. COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Metzler Family Trust, from “County” Low Density Residential (0-4 du/ac) and “City” Very Low Suburban Residential (0-2 du/ac) to “City” Agriculture (1 du/5 ac), for property located east of Vick Road, north of West Lester Road. (Parcel ID #s: 28-20-28-0000-00-010 & 28-20-28-0000-00-075)



CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	October 21, 2014
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Land Use Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map

SUBJECT: METZLER FAMILY TRUST – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT

PARCEL ID NUMBERS: 28-20-28-0000-00-010 & 28-20-28-0000-00-075

Request: COMPREHENSIVE PLAN - SMALL SCALE
 FUTURE LAND USE AMENDMENT
FROM: “COUNTY” LOW DENSITY RESIDENTIAL (0-4 DU/AC) &
 “CITY” RESIDENTIAL VERY LOW SUBURBAN (0-2
 DU/AC)
TO: “CITY” AGRICULTURE (1 DU/5 AC)

SUMMARY

OWNER/APPLICANT: Metzler Family Trust, c/o Larry Metzler

LOCATION: East of Vick Road, north of West Lester Road

EXISTING USE: Container Nursery

CURRENT ZONING: “County” A-1 (ZIP) & “City” R-1AA

PROPOSED DEVELOPMENT: Container Nursery

PROPOSED ZONING: “City” AG (Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from “County” A-1 (ZIP) & “City” R-1AA to “City” AG.)

TRACT SIZE: 9.97 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 29 Units (5 ac. x 4 du/ac) plus (4.97 ac x 2 du/ac)
 PROPOSED: 2 Units (9.97 x one du per 5 acres)

DISTRIBUTION

Mayor Kilsheimer	Finance Dir.	Public Ser. Dir.
Commissioners (4)	HR Director	City Clerk
Interim CA Janice Goebel	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

ADDITIONAL COMMENTS:

The subject parcels were annexed into the City of Apopka on March 18, 1998 for Parcel # 28-20-28-0000-00-075, through the adoption of Ordinance No. 1151 and on October 1, 2014 for Parcel # 28-20-28-0000-00-010, through the adoption of Ordinance No. 2380. The proposed Small-Scale Future Land Use Amendment is requested by the owner, who has operated a foliage nursery at this site for more than a decade and desires to continue to do so for many years. Changing the zoning to Agriculture will also help preserve future agriculture tax credits with the Orange County Property Appraiser’s office.

A request to assign an Agriculture zoning category to the Property is being processed in conjunction with this FLUM amendment. The FLUM amendment application covers approximately 9.97 acres. The property owner intends to continue using the site for a container nursery.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Land Use Report).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Agriculture Future Land Use designation and the City’s proposed AG Zoning designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT:

Staff has notified Orange County Public Schools (OCPS) of the proposed Future Land Use Map Amendment. The Future Land Use change to “City” Agriculture will generate fewer homes and thus fewer students for certain elementary, middle and high schools than the can be anticipated from higher residential densities allowed by “County” Future Land Use of Low Density and the “City Future Land Use of Very Low Suburban. This Future Land Use amendment is subject to school capacity enhancement review.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on September 24, 2014.

PUBLIC HEARING SCHEDULE:

October 21, 2014 – Planning Commission (5:01 pm)
November 5, 2014 – City Council (1:30 pm) - 1st Reading
November 19, 2014 – City Council (8:00 pm) - 2nd Reading

DULY ADVERTISED:

October 3, 2014 – Public Notice and Notification
November 7, 2014 – Ordinance Heading Ad
November 14, 2014 – ¼ Page w/map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in Future Land Use from “County” Low Density Residential (0-4 du/ac) and City “Very Low Suburban) to “City” Agriculture for the property owned by the Metzler Family Trust.

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.

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Low Density Residential (0-4 du/ac)	A-1	Grazing
East (County)	Low Density Residential (0-4 du/ac)	A-1	Manufactured Home
South (County)	Low Density Residential (0-4 du/ac)	A-1	Manufactured Home/Container Nursery
West (City)	Residential Low Suburban (0-3.5 du/ac)	PUD	Spring Ridge Subdivision

II. LAND USE ANALYSIS

The general character of the area surrounding the subject property is compatible with this development of agriculture. The property lies east of Vick Road, north of West Lester Road.

Wekiva River Protection Area: No
 Area of Critical State Concern: No
 DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Core Area” of the JPA. The proposed FLUM Amendment request a change from “County” Low Density Residential (0-4 du/ac) to “City” Agriculture (1 du/5 ac) is consistent with the terms of the JPA.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. While located within the Wekiva River Basing Study Area, the subject property is not located within the Protection Area. The proposed amendment is consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and stormwater run-off through the following policies:

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

Karst Features: The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are no karst features on this property.

Analysis of the character of the Property: The property fronts Vick Road. The vegetative communities present are urban; the soils present are Candler fine sand; and no wetlands occur on the site, and the terrain is level.

The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.m
 ulture Future Land Use designation.

Analysis of the relationship of the amendment to the population projections: The subject parcels were annexed into the City of Apopka on March 18, 1998 for Parcel # 28-20-28-0000-00-075, through the adoption of Ordinance No. 1151 and on October 1, 2014 for Parcel # 28-20-28-0000-00-010, through the adoption of Ordinance No. 2380. The proposed future land use designation for the Property is Agriculture (1 du/5ac). Based on the housing element of the City's Comprehensive Plan, this amendment will not increase the City's future population as fewer homes are allowed through the proposed future land use designation.

CALCULATIONS:

ADOPTED (City designation): 29 Unit(s) x 2.659 p/h = 77 persons

PROPOSED (City designation): 2 Unit(s) x 2.659 p/h = 5 persons

Housing Needs: This amendment will not negatively impact the housing needs as projected in the Comprehensive Plan.

Habitat for species listed as endangered, threatened or of special concern: Per policy 4.1 of the Conservation Element, a habitat study is required for developments greater than ten (10) acres in size. This site is less than ten acres. A habitat study will not be required at the time of a development plan application.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

Sanitary Sewer Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; N/A GPD/Capita; 0 81GPD / Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 7840 GPD

3. Projected total demand under proposed designation: 392 GPD

4. Capacity available: Yes

5. Projected LOS under existing designation: 81 GPD/Capita

6. Projected LOS under proposed designation: 81 GPD/Capita

7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; N/A GPD/Capita; 177 GPD/Capita

If the site is not currently served, please indicate the designated service provider:

City of Apopka

2. Projected total demand under existing designation: 8400 GPD
3. Projected total demand under proposed designation: 420 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD/Capita
6. Projected LOS under proposed designation: 177 GPD/Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: No

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider: City of Apopka
3. Projected LOS under existing designation: 424 lbs./person/day
4. Projected LOS under proposed designation: 20 lbs./person/day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

Permitting agency: St. John's River Water Management District

Permitted capacity of the water treatment plant(s): 21,981 mil. GPD

Total design capacity of the water treatment plant(s): 33,696 mil. GPD

Availability of distribution lines to serve the property: Yes

Availability of reuse distribution lines available to serve the property: Yes

Drainage Analysis

1. Facilities serving the site: None
2. Projected LOS under existing designation: 100 year - 24 hour design storm
3. Projected LOS under proposed designation: 100 year - 24 hour design storm
4. Improvement/expansion: On-site retention/detention pond

Recreation

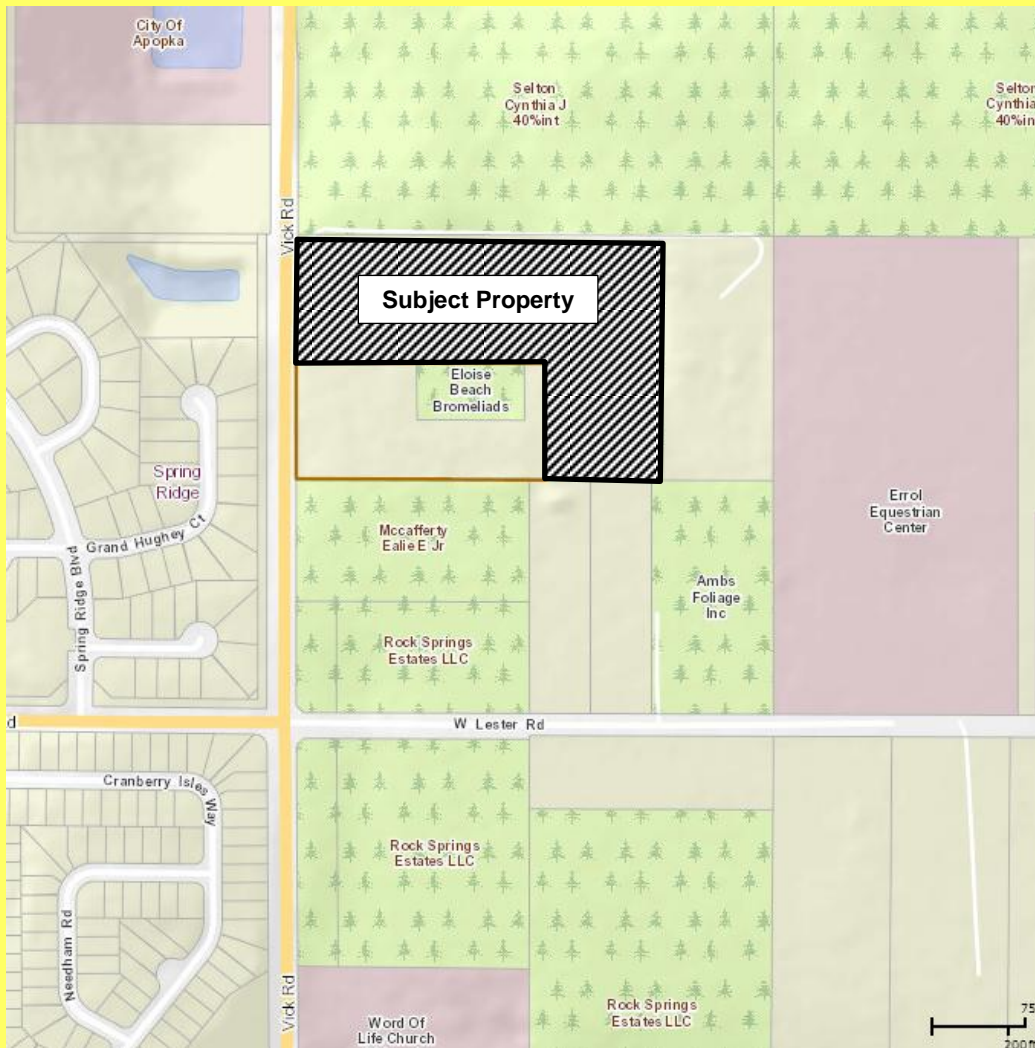
1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 0.318 AC
3. Projected facility under proposed designation: 0.015 AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment:
None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

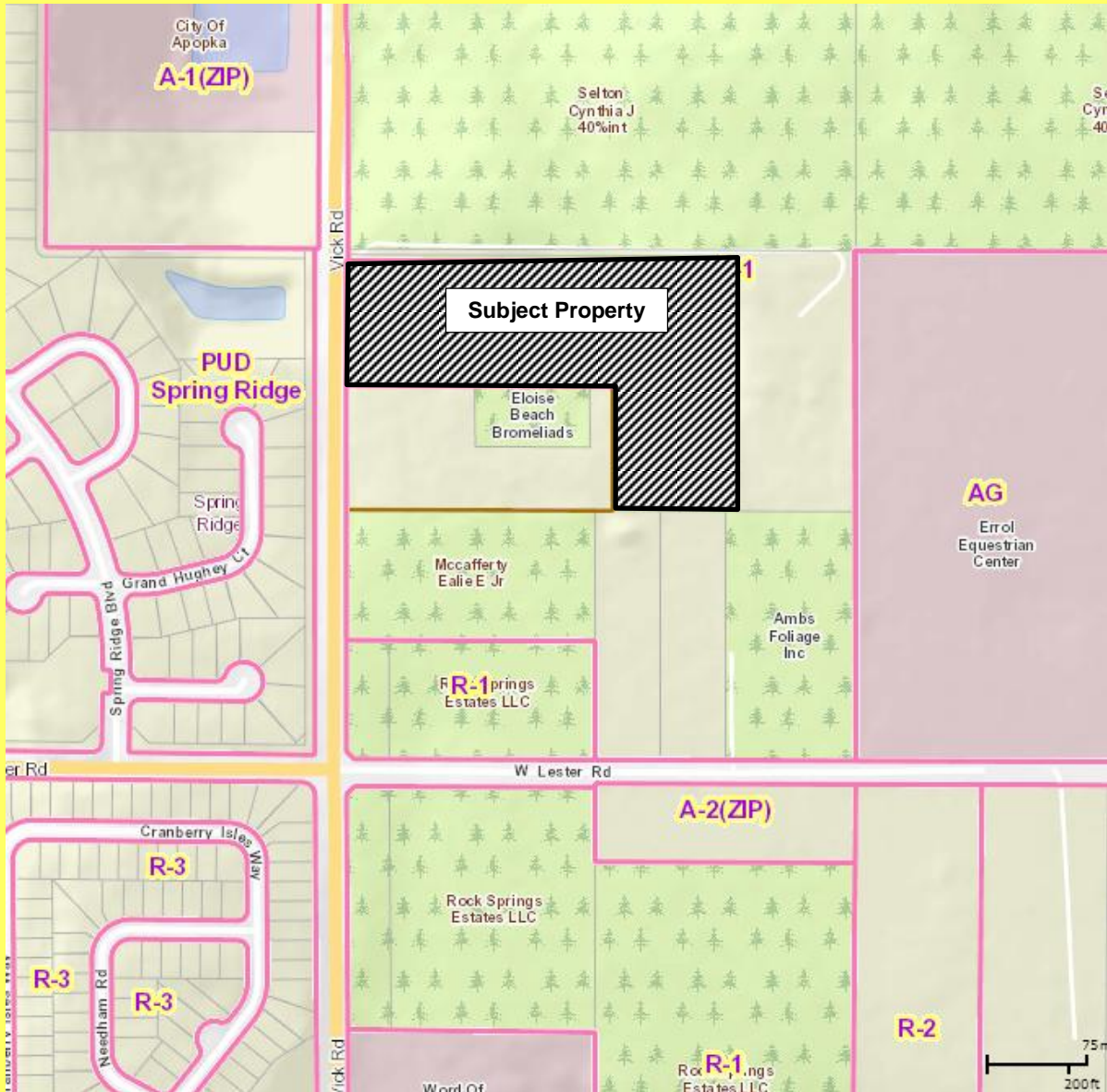
Metzler Family Trust
9.97 +/- Acres
Existing Maximum Allowable Development: 40 dwelling units
Proposed Maximum Allowable Development: 2 dwelling units
Proposed Small Scale Future Land Use Change
From: “County” Low Density Residential (0-4 du/ac) &
“City” Residential Very Low Suburban (0-2 du/ac)
To: “City” Agriculture (1 du/5 ac)
Proposed Zoning Change
From: “County” A-1 & “City” R-1AA
To: “City” AG
Parcel ID #s: 28-20-28-0000-00-010 & 28-20-28-0000-00-075



VICINITY MAP

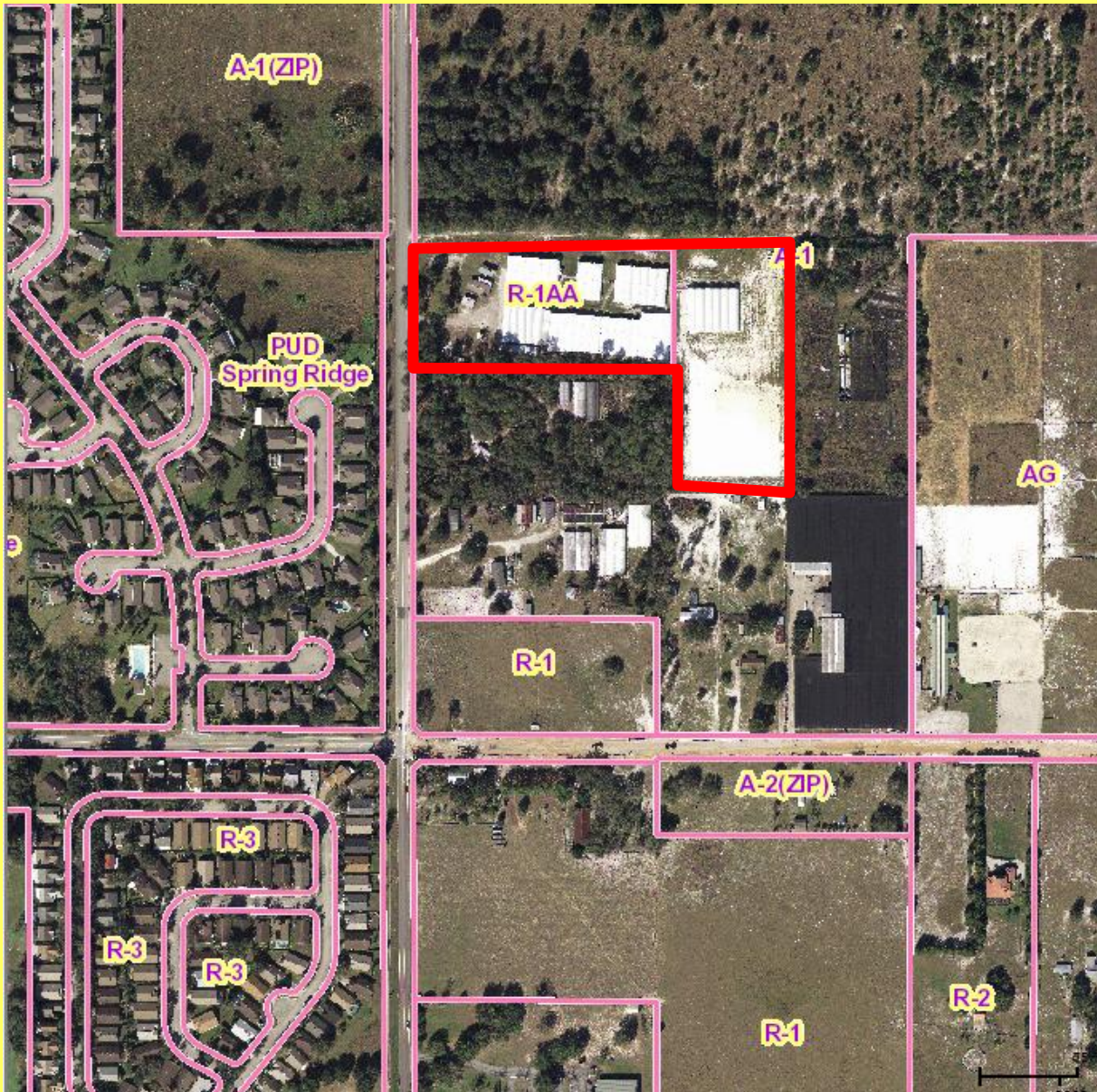


ADJACENT ZONING





ADJACENT USES



Backup material for agenda item:

4. CHANGE OF ZONING - Metzler Family Trust, from "County" A-1 and "City" R-1AA to "City" AG, for property located east of Vick Road, north of West Lester Road. (Parcel ID #s: 28-20-28-0000-00-010 & 28-20-28-0000-00-075)



**CITY OF APOPKA
PLANNING COMMISSION**

<u>X</u> PUBLIC HEARING	DATE:	October 21, 2014
ANNEXATION	FROM:	Community Development
PLAT APPROVAL	EXHIBITS:	Zoning Report
OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Existing Uses
		Current parcel configuration

SUBJECT: METZLER FAMILY TRUST – CHANGE OF ZONING

PARCEL ID NUMBER: 28-20-28-0000-00-010 & 28-20-28-0000-00-075

Request: CHANGE OF ZONING
FROM: “COUNTY” A-1 (0-4 DU/AC) (RESIDENTIAL) AND
“CITY” R-1AA (0-10 DU/AC)
TO: “CITY” AG (1 DU/5 AC) (CONTAINER NURSERY)

SUMMARY

OWNER/ APPLICANT: Metzler Family Trust, c/o Larry Metzler

LOCATION: North of Lester Road, east of Vick Road (2127 and 2133 Vick Rd.)

EXISTING USE: Container Nursery

FUTURE LAND USE: “City” Residential Very Low Suburban (2 du/ac) and
“County” Low Density Residential (up to 4 du\ac)

ZONING: “City” R-1AA and “County” A-1

PROPOSED ZONING: “City” AG (1 du/5 ac) (Container Nursery) Note: this Change in Zoning request is being processed along with a request to change the Future Land Use Map designation from “City” Residential Very Low Suburban (2 du/ac) and “County” Low Density Residential (up to 4 du\ac) to “City” Agriculture (1 du/5 ac)

PROPOSED DEVELOPMENT: Container Nursery (existing)

TRACT SIZE: 9.97 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT:

EXISTING ZONING:	39 Residential Units
PROPOSED ZONING:	2 Residential Units

DISTRIBUTION

Mayor Kilsheimer	Finance Dir.	Public Ser. Dir.
Commissioners (4)	HR Director	City Clerk
Interim CA Janice Goebel	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

**PLANNING COMMISSION – OCTOBER 21, 2014
METZLER FAMILY TRUST – CHANGE OF ZONING
PAGE 2**

G:\Shared\4020\PLANNING_ZONING\Rezoning\2014\Metzler Family Trust\Metzler Family Trust ZON PC 10-21-14

ADDITIONAL COMMENTS:

The subject parcels were annexed into the City of Apopka on March 18, 1998 for Parcel # 28-20-28-0000-00-075, through the adoption of Ordinance No. 1151 and on October 1, 2014 for Parcel # 28-20-28-0000-00-010, through the adoption of Ordinance No. 2380. The proposed Small-Scale Future Land Use Amendment is requested by the owner, who has operated a foliage nursery at this site for more than a decade and desires to continue to do so for many years. Changing the zoning to Agriculture will also help preserve future agriculture tax credits with the Orange County Property Appraiser’s office. 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. Pursuant to Florida law properties containing less than ten acres are eligible to be processed as a small-scale amendment and does not require review by State planning agencies.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The proposed AG rezoning is consistent with the Future Land Use Designation of Agriculture (1 dwelling unit per 5 acres) that is assigned to the property. Minimum lot size for property assigned the AG zoning category is 5 acres.

SCHOOL CAPACITY REPORT: The proposed rezoning will result in a decrease in the number of residential units which could be developed at the subject property, resulting in fewer students than anticipated from the current zoning. A capacity enhancement agreement with OCPS is not necessary because the impacts on schools will be less than that generated by the current zoning.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on September 24, 2014.

PUBLIC HEARING SCHEDULE:

October 21, 2014 – Planning Commission (5:01 pm)
November 5, 2014 - City Council (1:30 pm) - 1st Reading
November 19, 2014 – City Council (8:00 pm) - 2nd Reading

DULY ADVERTISED:

October 3, 2014 – Public Notice and Notification
November 14, 2014 – Ordinance Heading Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the change in Zoning from “County” A-1 and “City” R-1AA to “City”AG for the parcel owned by Metzler Family Trust.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Low Density Residential (0-4 du/ac)	A-1	Grazing
East (County)	Low Density Residential (0-4 du/ac)	A-1	Manufactured Home
South (County)	Low Density Residential (0-4 du/ac)	A-1	Manufactured Home
West (City)	Residential Low Suburban (0-3.5 du/ac)	PUD	Spring Ridge Subdivision

LAND USE &

TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a local roadway (Lakeville Road). Zoning currently assigned to the property, R-1AA and A-1, allows a minimum lot size of 12,500 sq. ft. and 5 acres, respectively. The proposed change of zoning to AG limits lot size to a minimum of 5 acres.

**COMPREHENSIVE
 PLAN COMPLIANCE:**

The proposed AG zoning is consistent with the City’s Agriculture (1 du/5 ac) Future Land Use category and with the character of the surrounding area and future proposed development. Per Section 2.02.01, Table II-1, of the Land Development Code, AG zoning is one of the acceptable zoning districts allowed within the Residential Low Density Future Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

**AG DISTRICT
 REQUIREMENTS:**

- Minimum Living Area: NA for non-residential use
- Minimum Site Area: 5 acres, or 217,800 sq. ft.
- Minimum Lot Width: None
- Setbacks: Front: 100 ft.
- Rear: 100 ft.
- Side: 100 ft.
- Corner: 100 ft.

Based on the above zoning standards, the existing 9.97 acre parcels and container nursery comply with code requirements for the AG district.

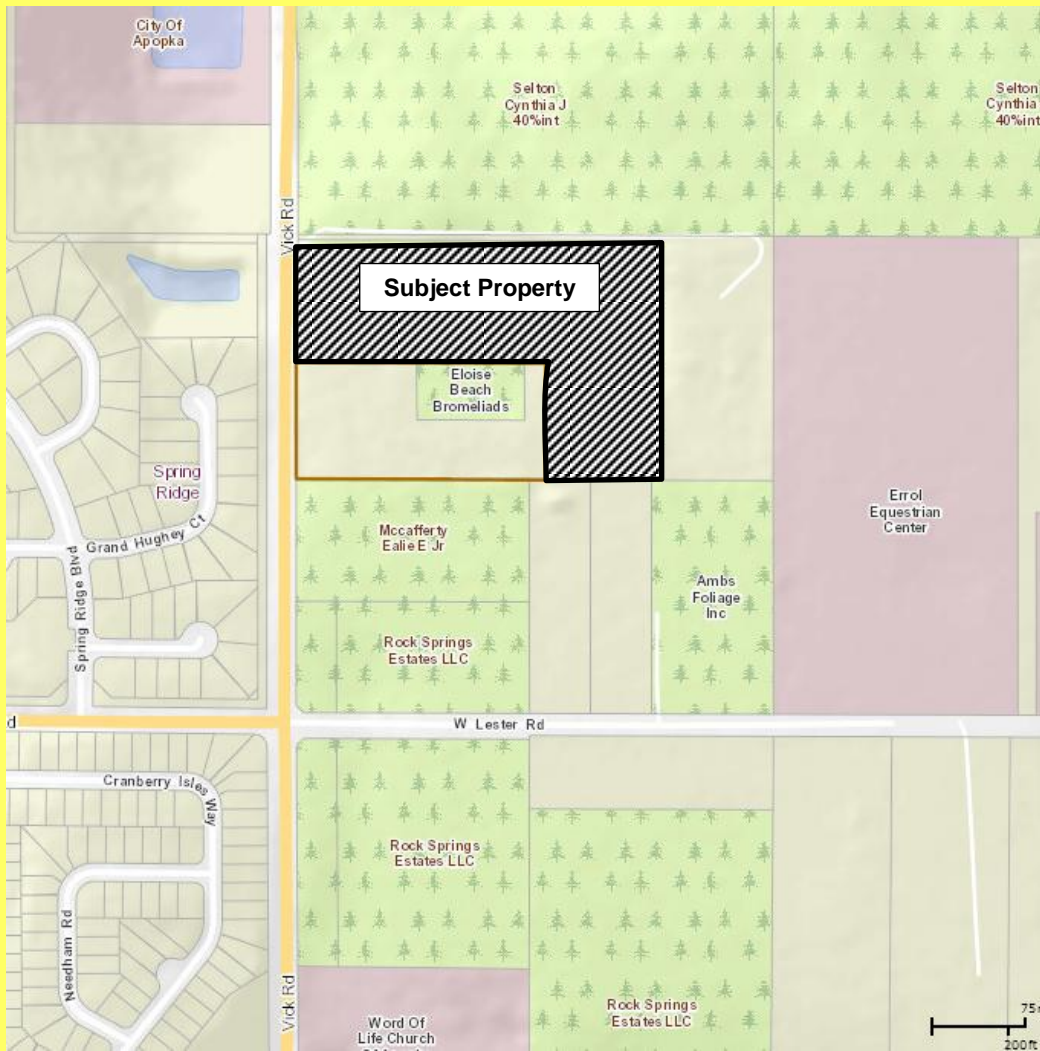
**ALLOWABLE
 USES:**

Agricultural production and associated residential dwelling units, as well as office and accessory buildings in conjunction with commercial agriculture uses for packing, shipping, and storage purposes. Commercial wholesale foliage plant production nursery, tenant dwellings, for year-round employees, on the basis of one dwelling unit for each five acres of land, provided such dwellings are accessory to the principal use of land. Also allowed are live-stock barns and stables; crops and animal production; the buildings and structures necessary to support such production; Kennels; Single-family dwellings, including mobile homes, and their customary accessory structures and uses in accordance with article VII of the Code; and Apiaries.



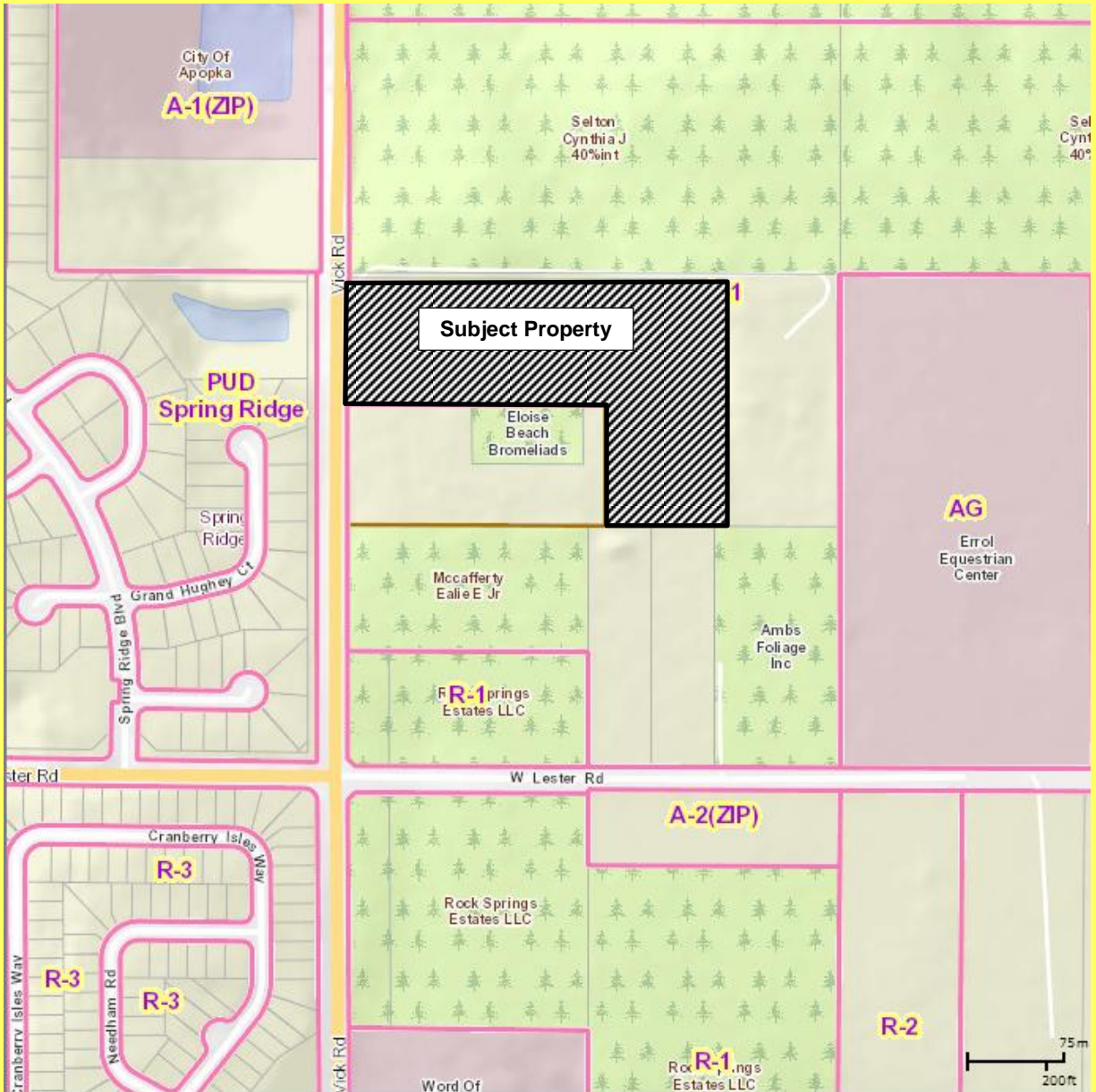
Metzler Family Trust
9.97 +/- Acres
Existing Maximum Allowable Development: 39 dwelling units
Proposed Maximum Allowable Development: 2 dwelling units
Proposed Small Scale Future Land Use Change
From: "County" Low Density Residential (0-4 du/ac) &
"City" Residential Very Low Suburban (0-2 du/ac)
To: "City" Agriculture (1 du/5 ac)
Proposed Zoning Change
From: "County" A-1 & "City" R-1AA
To: "City" AG
Parcel ID #s: 28-20-28-0000-00-010 & 28-20-28-0000-00-075

VICINITY MAP





ADJACENT ZONING

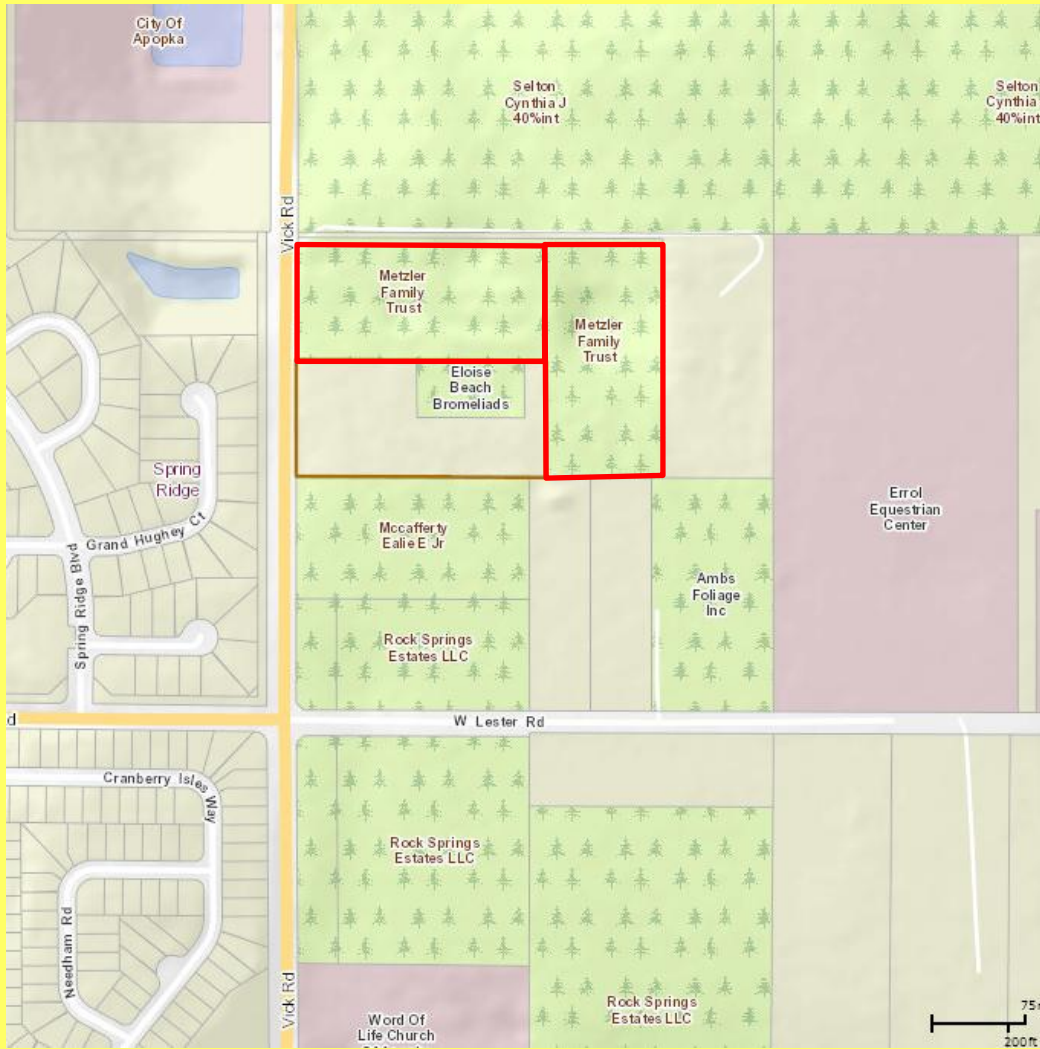




ADJACENT USES



CURRENT PARCEL CONFIGURATION



Backup material for agenda item:

5. CHANGE OF ZONING – Norman E. Sawyer, from “County” I-1/I-5 (ZIP) (Industrial) to “City” I-1 (Industrial) AG, for property located north of 13th Street, east of Lambing Lane. (Parcel ID #s: 15-21-28-0000-00-095 & 15-21-28-0000-00-096)



**CITY OF APOPKA
PLANNING COMMISSION**

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	October 21, 2014
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Zoning Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Current Parcel Configuration

SUBJECT: NORMAN E. SAWYER – CHANGE OF ZONING

PARCEL ID NUMBERS: 15-21-28-0000-00-095 & 15-21-28-0000-00-096

Request: CHANGE OF ZONING

FROM: “COUNTY” I-1/I-5 (ZIP) (LIGHT INDUSTRIAL)

TO: “CITY” I-1 (INDUSTRIAL)

SUMMARY

OWNER/APPLICANT: Norman E. Sawyer

LOCATION: North of 13th Street, East of Lambing Lane

EXISTING USE: Two (2) single-family residences, 1 mobile home

FUTURE LAND USE: Industrial

ZONING: “County” I-1/I-5 (Light Industrial)

PROPOSED DEVELOPMENT: Light Industrial or commercial. No development plans have been submitted to the City.

PROPOSED ZONING: I-1 (Restricted Industrial) -- Min. 15,000 Sq. Ft. Lot

TRACT SIZE: 2.0 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT:	EXISTING ZONING:	60,113 sq. ft.
	PROPOSED ZONING:	60,113 sq. ft.

DISTRIBUTION

Mayor Kilsheimer	Finance Dir.	Public Ser. Dir. (2)
Commissioners (4)	HR Director	City Clerk
Interim CA Janice Goebel	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

21-14

ADDITIONAL COMMENTS:

The subject property was annexed into the City of Apopka on January 16, 2008, through the adoption of Ordinance No. 2009. The proposed zoning change is compatible with the character of the surrounding area. As the Property is assigned a Future Land Use Designation of Industrial, the property owner desires to assign a compatible City zoning category. A city zoning category currently is not assigned to the Property. Prior to annexation into the City, the Property was assigned an I-1/I-5 zoning category by Orange County government.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The proposed I-1 rezoning is consistent with the Future Land Use Designation of Industrial that is assigned to the property. Site development cannot exceed the densities or intensities allowed by the Future Land Use policies. Development standards for the proposed I-1 zoning category establish a minimum lot area standard of 15,000 sq. ft.

SCHOOL CAPACITY REPORT: The proposed zoning is for a non-residential use. Therefore, a school capacity enhancement agreement is not required.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on September 24, 2014.

PUBLIC HEARING SCHEDULE:

- October 21, 2014 – Planning Commission (5:01 pm)
- November 5, 2014 - City Council (1:30 pm) - 1st Reading
- November 19, 2014 – City Council (8:00 pm) - 2nd Reading

DULY ADVERTISED:

- October 3, 2014 – Public Notice and Notification
- November 7, 2014 – Ordinance Heading Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the change in Zoning from “County” I-1/I-5 (ZIP) (Light Industrial) to “City” I-1 (Restricted Industrial) for the property owned by Norman E. Sawyer.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Low Density Residential (0-4 du/ac)	R-1	Single-Family Homes
East (County)	Low Density Residential (0-4 du/ ac)	R-1	Single-Family Homes
South County South (City)	Industrial (County) Institutional/Public Use (City)	A-1 (ZIP), PO/I	Warehousing Church
West (County)	Industrial	R-T-2	Manufactured Homes

**LAND USE &
 TRAFFIC COMPATIBILITY:**

The subject property fronts a major collector roadway (Apopka Boulevard) to the north and is bordered to the west by a local street – Lambing Lane.

The area along 13th Street to the south contains uses compatible with light industrial, including warehousing and religious uses that transition to manufactured homes to the west and more commercial zoning and uses to the east.

**COMPREHENSIVE
 PLAN COMPLIANCE:**

The proposed I-1 zoning is consistent with the City’s Industrial Future Land Use category. Development Plans shall not exceed the intensity allowed in the adopted Future Land Use Designation.

**I-1 DISTRICT
 REQUIREMENTS:**

Minimum Site Area: 15,000 sq. ft.
 Minimum Lot Width: 100 sq. ft.
 Setbacks- Front: 25 ft.
 Rear: 10 ft. (30 ft. abutting residential)
 Side: 10 ft.
 Corner: 25 ft.

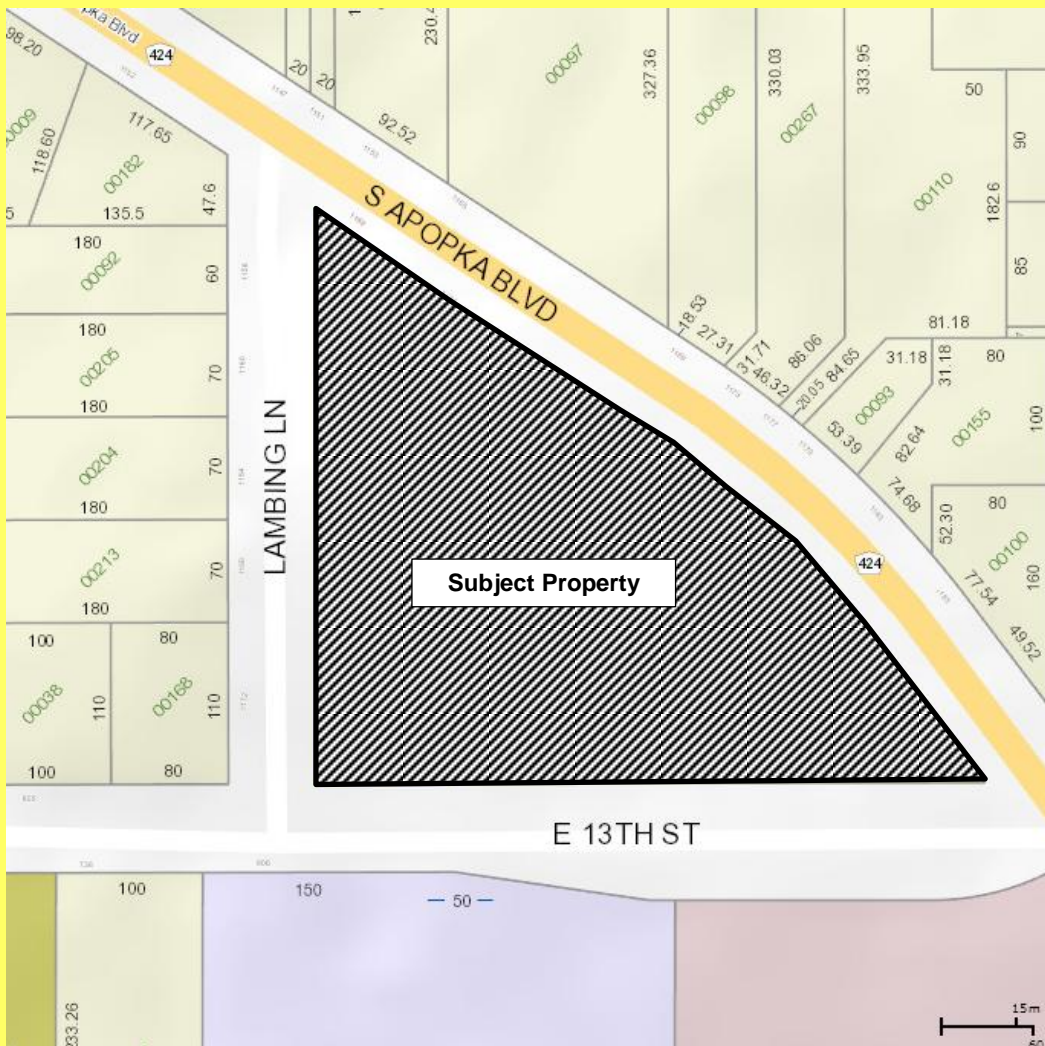
**ALLOWABLE
 USES:**

Wholesale distribution, storage, and light manufacturing.

Norman E. Sawyer
2.3 +/- Acres
Existing Maximum Allowable Development: 75,141 sq. ft.
Proposed Maximum Allowable Development: 60,113 sq. ft.
Proposed Zoning Change
From: “County” I-1/I-5 (ZIP) (Light Industrial)
To: “City” I-1 (Restricted Industrial)
Parcel ID #s: 15-21-28-0000-00-095 & 15-21-28-0000-00-096



VICINITY MAP



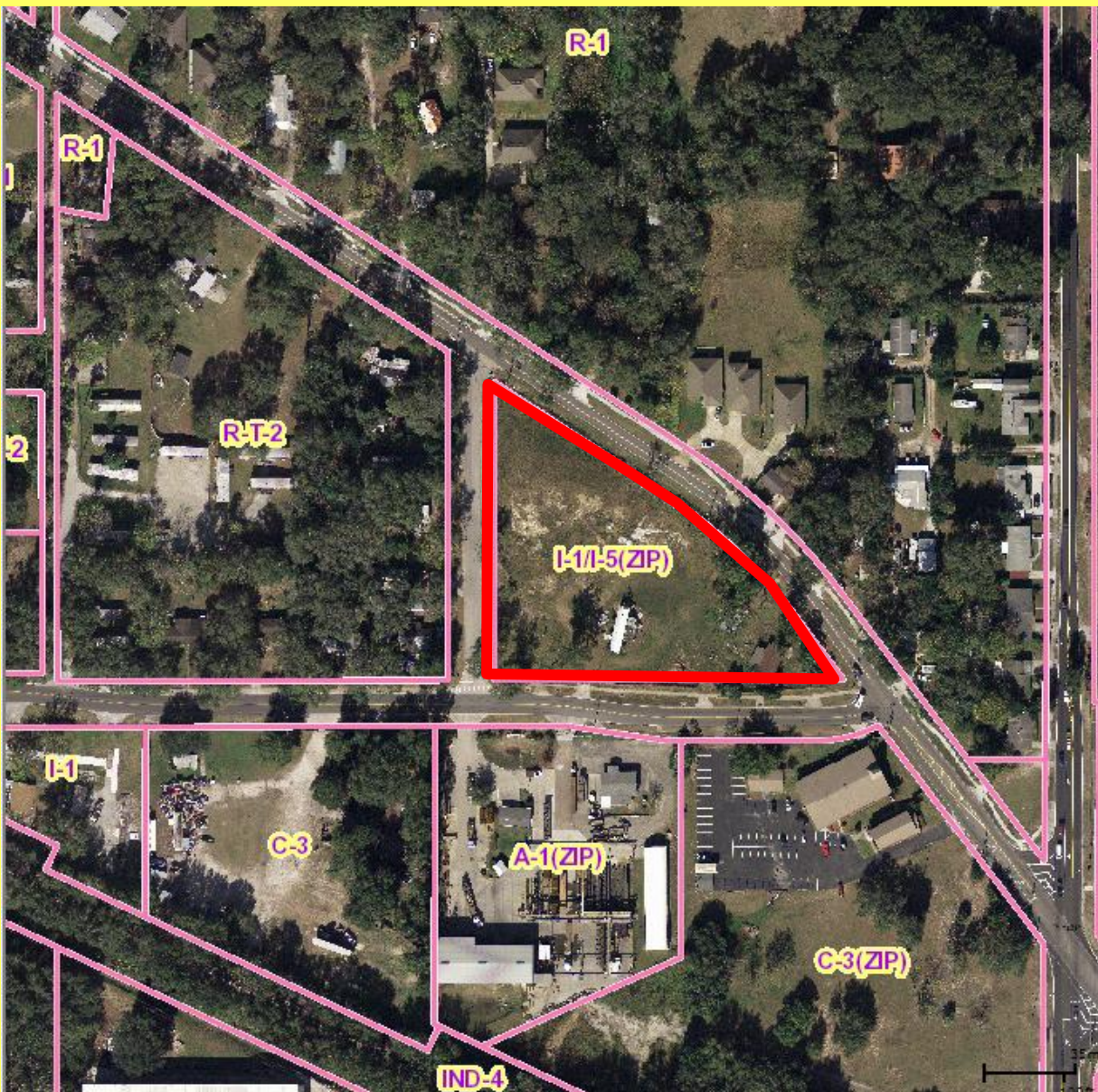


ADJACENT ZONING



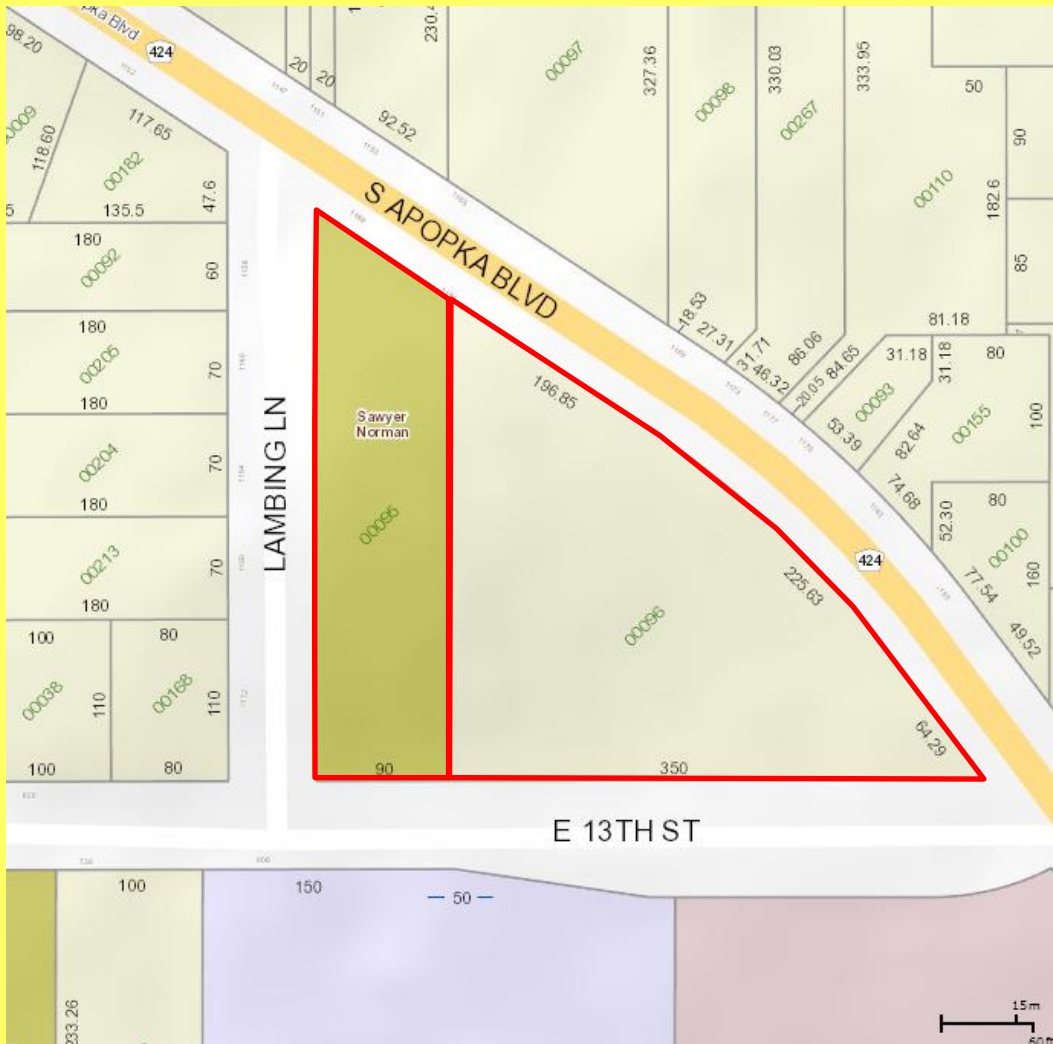


ADJACENT USES





PARCEL CONFIGURATION



Backup material for agenda item:

1. FINAL DEVELOPMENT PLAN (MINOR) – Circle K Gas Station, owned by Clarcona Keene Retail, LLC; engineer Florida Engineering Group c/o Samir J. Sebaali, P.E, property located north of East Keene Road and west of Clarcona Road. (Parcel ID #: 22-21-28-0000-00-225)



CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE: October 21, 2014
<input type="checkbox"/> ANNEXATION	FROM: Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS: Vicinity Map
<input checked="" type="checkbox"/> OTHER: Final Dev. Plan	Current Conditions
	Final Development Plan
	Landscape Plan
	Building Elevations
	Canopy Elevations

SUBJECT: **CIRCLE K GAS STATION AND RETAIL STORES, PHASE 1, (MINOR)
FINAL DEVELOPMENT PLAN (MINOR)**

REQUEST: **RECOMMEND APPROVAL OF THE CIRCLE K, PHASE 1, (MINOR)
FINAL DEVELOPMENT PLAN**

SUMMARY

OWNER: Clarcona Keene Retail, LLC.

APPLICANT: Florida Engineering Group c/o Samir J. Sebaali, P.E.

LOCATION: North of East Keene Road and west of Clarcona Road

EXISTING USE: Vacant Land

ZONING: (C-2)

PROPOSED DEVELOPMENT: Retail Center and Convenience Store w/Gas Sales

TRACT SIZE: 2.25+/- acres

BUILDING SIZE: 7,000 sq. ft. Retail Center and Convenience Store with a fuel station canopy of
5,040 sq. ft. (6 pumps/12 fuel stations)

DISTRIBUTION

Mayor Kilsheimer	Finance Dir.	Public Ser. Dir.
Commissioners (4)	HR Director	City Clerk
Interim CA Jan Goebel	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Commercial	C-1	Vacant Land
East (City)	Commercial	C-1	Vacant Land
South (County)	Rural	A-1	SFR and Mobile Home Park
West (City)	Commercial	C-1	Vacant Land

ADDITIONAL COMMENTS:

The Circle K – (Minor) Final Development Plan proposes a 7,000 square foot retail center and convenience store with a fuel station canopy covering 5,040 square feet. A preliminary development plan is not required for a project of this size. The proposal will require parking areas, retention ponds for stormwater management, and landscaping. A retail center with convenience store and gas station are permitted uses within the C-2 commercial zoning district. Any future phases shall be approved as a separate development plan application.

STORMWATER: The stormwater management system will be handled by two on-site dry retention ponds. The stormwater ponds have been designed to meet the City’s Land Development Code requirements.

BUFFER/TREE PROGRAM: 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. A ten-foot wide buffer typically is provided adjacent to public right of ways.

Total inches on-site:	1,968
Total number of specimen trees:	0
Total inches removed:	1,968
Total inches retained:	0
Total inches required:	256.66
Total inches replaced:	255
Total inches post development:	255
Tree inches Deficit	101.66

The City’s Land development Code and Tree Bank policy permit the applicant to make a contribution to the City’s Tree Bank to mitigate the remaining deficient tree inches at \$10.00 per inch. The total amount required to be paid into the Tree Bank will be (\$1,016.60) dollars

PARKING AND ACCESS: Fifty-eight parking spaces are required per the City’s standards and sixty-four spaces are provided. There are two full access points proposed onto East Keene Road and Clarcona Road.

EXTERIOR ELEVATIONS: Staff has found the proposed building and fuel station canopy elevations to meet the intent of the City’s Development Design Guidelines. Copies of the exterior elevations, as proposed by the applicant, are attached.

MASTER SIGN PLAN: A master sign plan was submitted by the applicant but not with sufficient time prior for DRC review prior to the Planning Commission hearing. The master site plan shall appear on the November 10 Planning Commission agenda.

WAIVER REQUEST: The applicant is requesting a waiver from section 6.06.00(c)5 of the Land Development Code and the city approved Dumpster Enclosure Detail - Figure (601), which requires the use of brick or stone cap block on the exterior walls of dumpster enclosure. The applicant is proposing to use building materials compatible with the exterior of the building.

- Staff does not object to this waiver request.

CONDITIONS OF APPROVAL: A master sign plan must be approved by the Planning Commission prior to issuance of a building permit.

PUBLIC HEARING SCHEDULE:

October 21, 2014 - Planning Commission (5:01 pm)
November 5, 2014 - City Council (1:30 pm)

RECOMMENDED ACTION:

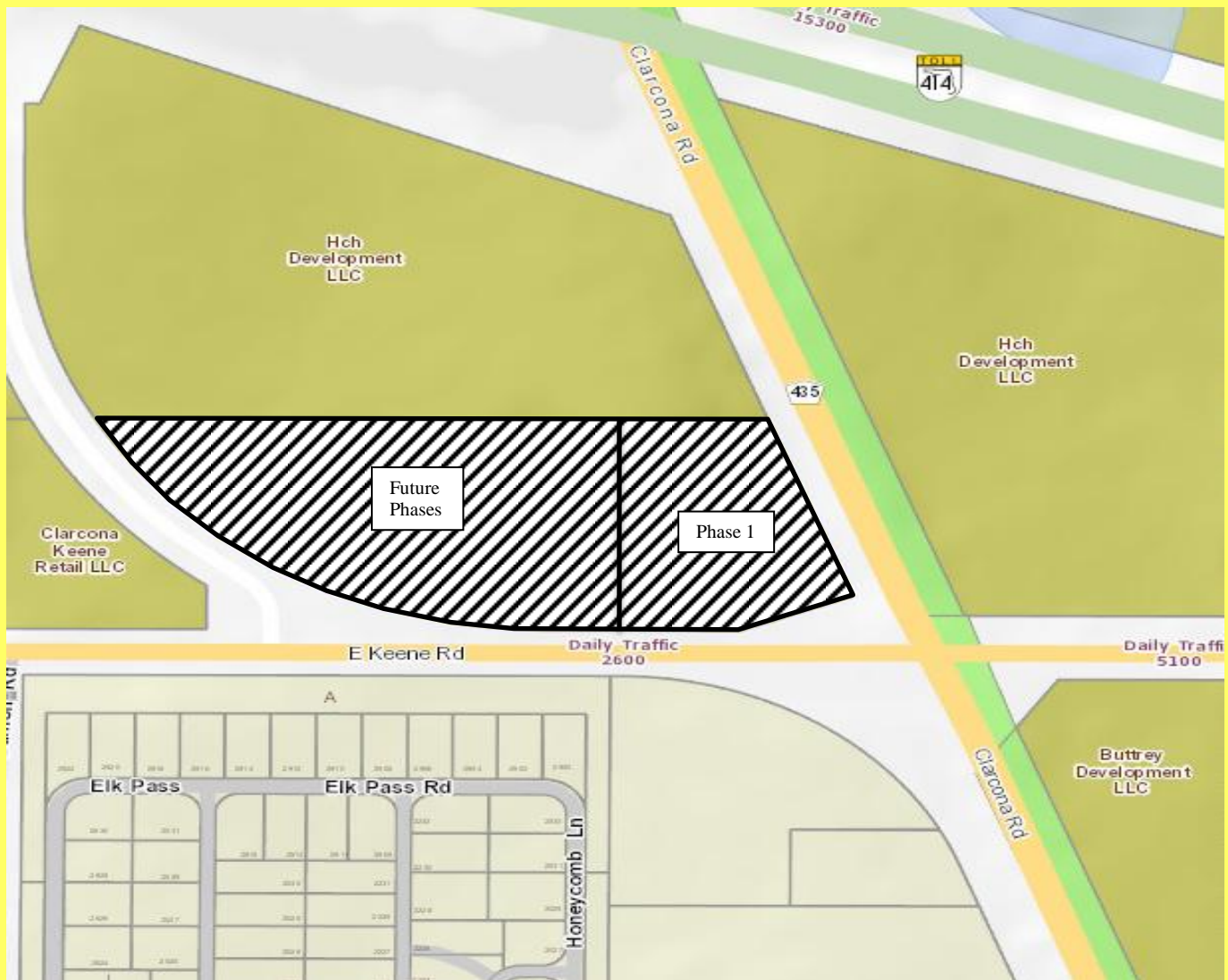
The **Development Review Committee** recommends approval of the Circle K - Final Development Plan, subject to the findings of this staff report.

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

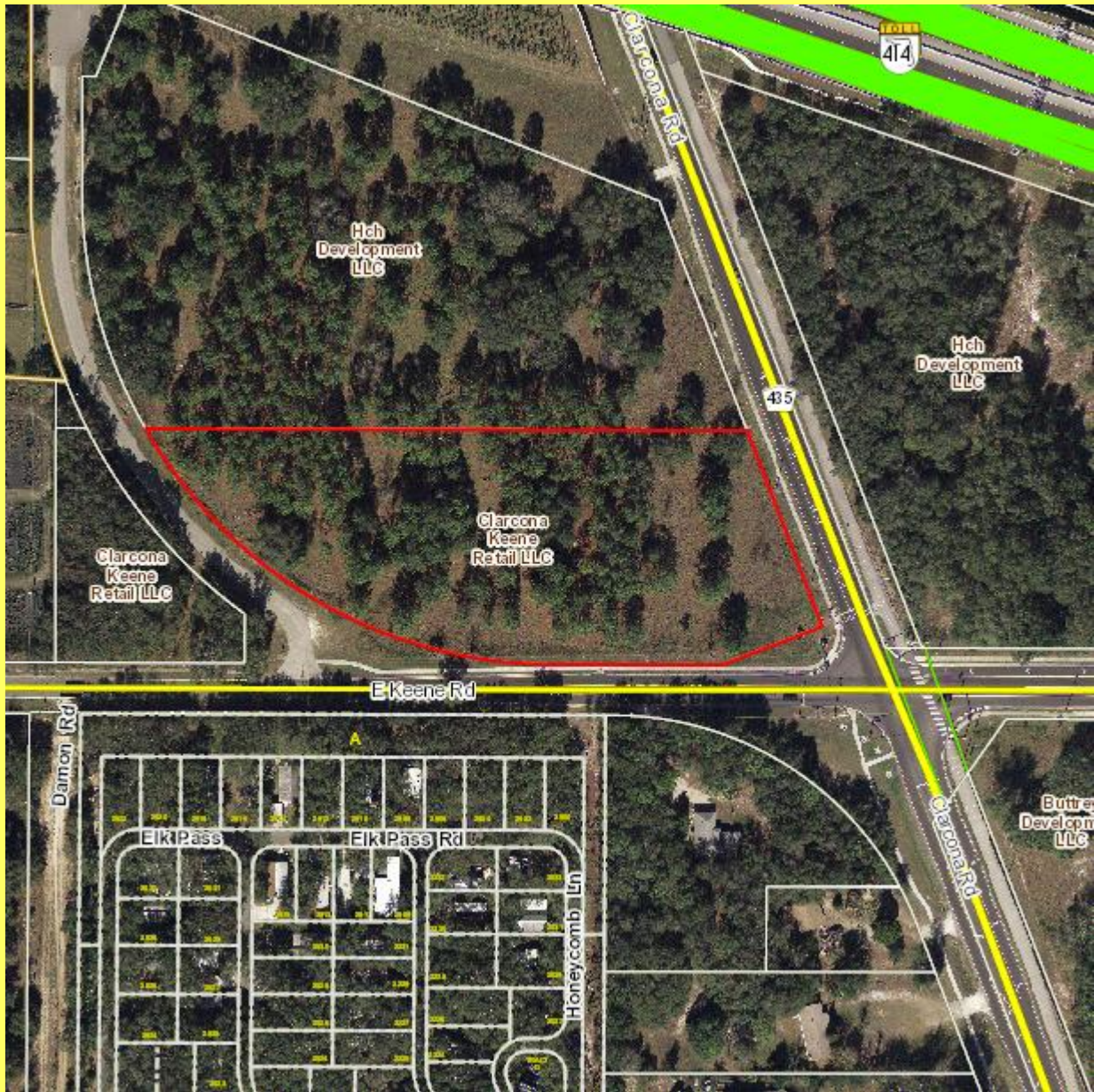
Application: Final Development Plan
Owner: Clarcona Keene Road, LLC
Applicant: Florida Engineering Group c/o Samir J. Sebaali, P.E.
Parcel I.D. No's: 22-21-28-0000-00-225
Location: East Keene Road and Clarcona Road
Total Acres: 2.25 +/-

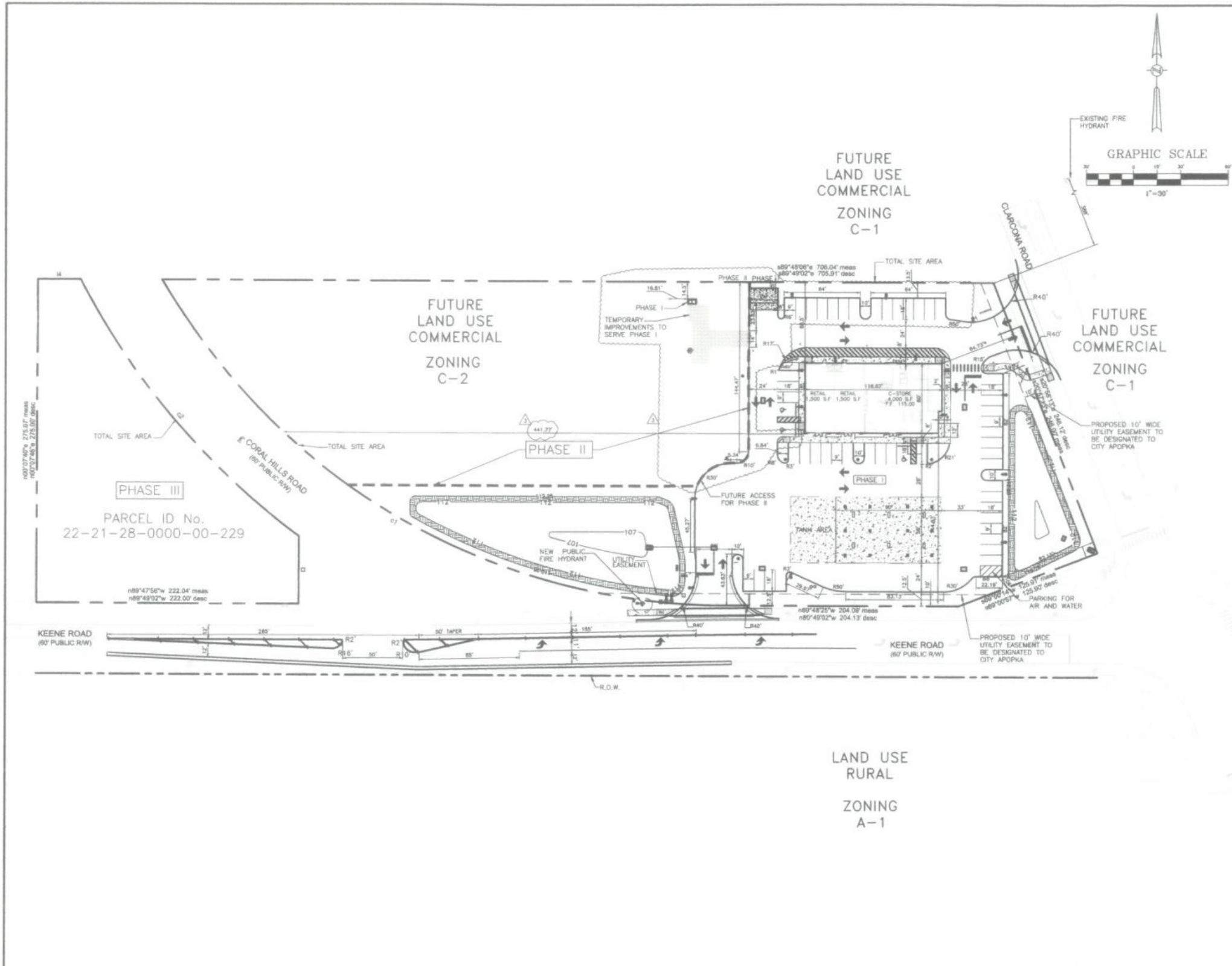


VICINITY MAP



CURRENT CONDITIONS





SITE DATA
 PROPERTY LOCATION: NW CORNER OF KEENE RD AND CLARCONA RD, APOPKA, FL
 PROPERTY ZONING: COMMERCIAL C-2
 PROPERTY FUTURE LAND USE DESIGNATION: COMMERCIAL
 EXISTING USE: VACANT
 PROPOSED USE: CONVENIENCE STORE, RETAIL STORE
 PHASE I AREA: 2.14± ACRES

PROPOSED GROSS FLOOR AREA: (PHASE I) 7,000 S.F.
 ANTICIPATED NO. OF EMPLOYEES (PHASE I): 6

PROPOSED BUILDING AREA

C-STORE (PHASE I)	4,000 ±S.F.
RETAIL (PHASE I)	3,000 ±S.F.
TOTAL BUILDING AREA	7,000 ±S.F.

ALLOWABLE FLOOR AREA: 0.25
 PROPOSED FLOOR AREA: (PHASE I) 0.07

BUILDING SETBACKS (REQUIRED)

FRONT (SOUTH)	50' TO C OR 10' TO E
SIDE (WEST)	10'
CORNER (EAST)	15'
REAR (NORTH)	10'

BUILDING SETBACKS (PROPOSED)

FRONT (SOUTH)	144'
SIDE (WEST)	441'
CORNER (EAST)	64'
REAR (NORTH)	68'

MAXIMUM ALLOWABLE BUILDING HEIGHT: 35'
 BUILDING HEIGHT PROPOSED: 23'

BUILDING CONSTRUCTION TYPE
 TYPE II B

BUFFER YARDS

PROPOSED USE	ABUTTING USE	REQUIRED BUFFER	PROPOSED BUFFER
COMMERCIAL	RURAL	10'	12'
COMMERCIAL	COMMERCIAL	5'	7'
COMMERCIAL	COMMERCIAL	10'	18'
COMMERCIAL	COMMERCIAL	5'	13'

PARKING

PARKING REQUIRED

C-STORE (PHASE I)	4,000 S.F. x (1 SPACE PER 100 S.F.)	40 SPACES
RETAIL (PHASE I)	3,000 S.F. x (5 SPACES PER 1,000 S.F.)	15 SPACES
TOTAL PARKING REQUIRED		55 SPACES

SPACES REQUIRED TO BE RESERVED FOR HANDICAP: 3 SPACES

PARKING PROVIDED (OVERALL)

PARKING SPACES (PHASE I)	48 SPACES
SPACES @ FUELING POSITION	12 SPACES
SPACE FOR AIR & WATER STATION	1 SPACES
HANDICAP PARKING	3 SPACES
TOTAL PARKING PROVIDED	64 SPACES

SITE AREA CALCULATIONS

BUILDING FOOTPRINT	7,000 ±S.F.		
PAVING	47,224 ±S.F.		
SPRAWL	2,388 ±S.F.		
IMPERVIOUS AREA	56,610 ±S.F.	1.30 AC.	60.73 %
PERVIOUS AREA	36,611 ±S.F.	0.84 AC.	39.27 %
TOTAL SITE AREA	93,221 ±S.F.	2.14 AC.	100.00 %

IMPERVIOUS COVER PROPOSED: 60.73 %

NOTE:
 8,327 S.F. OF ADDITIONAL IMPERVIOUS COVER BEYOND WHAT IS PROPOSED IN PHASE I IS USED FOR THE DRAINAGE POND DESIGN.

ARCHITECTURAL DESIGN NOTE:
 THE ARCHITECTURAL DESIGN AND COLOR SCHEME SHOULD BE CONSISTENT FOR THE ENTIRE DEVELOPMENT.

NOT VALID FOR CONSTRUCTION UNLESS SIGNED IN THIS BLOCK	9/22/2014	PER CITY OF APOPKA COMMENTS DATED 9/10/2014	JT	SJS
	9/25/2014	PER ORANGE COUNTY R.O.W. COMMENTS DATED 9/24/2014	JT	SJS
	10/13/2014	PER CITY OF APOPKA COMMENTS DATED 10/01/2014	JT	SJS
DATE	REVISIONS	BY	CHECKED	

CIRCLE K APOPKA
 MINOR FINAL DEVELOPMENT PLANS
 NW CORNER OF KEENE RD AND CLARCONA RD
 APOPKA, FLORIDA

FEG FLORIDA ENGINEERING GROUP
 Engineering the Future

5127 S. Orange Avenue, Suite 200
 Orlando, FL 32809
 Phone: 407-895-0324
 Fax: 407-895-0325

www.feg-inc.us

OVERALL SITE PLAN - PHASING PLAN

DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
SJS	JT	SJS	SJS

PROJECT NO: 13-040
 SCALE: 1"=40'
 DATE: AUGUST 28, 2014
 SHEET NO: C-5
 SHEET 5 OF 17

FLORIDA ENGINEERING GROUP, INC.
 CERTIFICATE No. EB-0006595

SAH J. SEDAWI, P.E.
 LICENSE NO. 42278

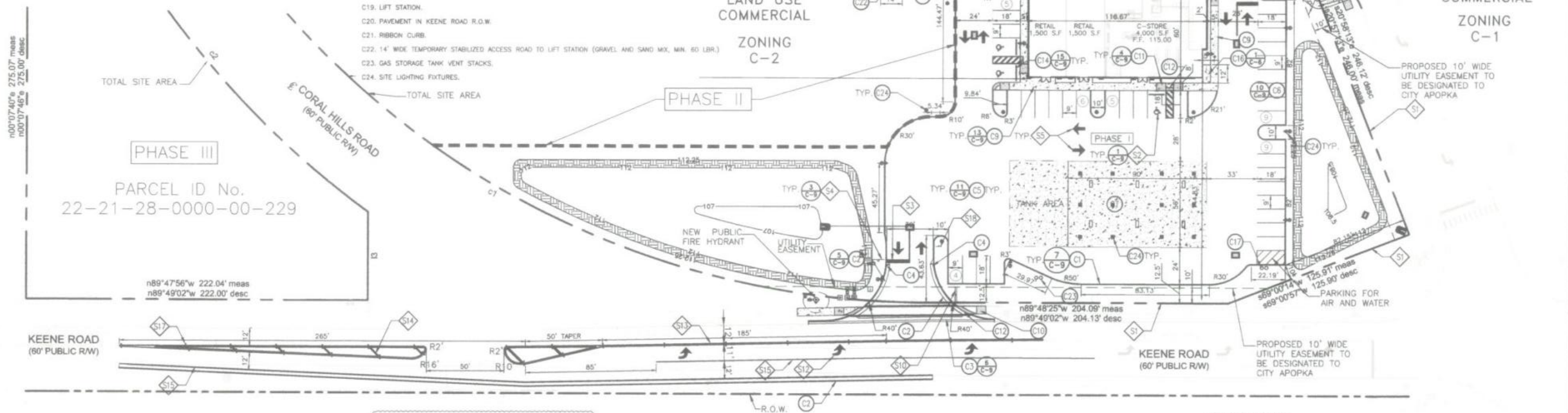
13-040_Plans.dwg

◆ SITE STRIPING & SIGNAGE KEYNOTES

- S1. PROPERTY BOUNDARY.
- S2. HANDICAP PARKING STALL, TYPICAL.
- S3. 24" THERMOPLASTIC STOP BAR.
- S4. R1-1 HIGH INTENSITY REFLECTORIZED "STOP" SIGN.
- S5. DIRECTIONAL ARROWS PER F.D.O.T. INDEX No. 17346, TYPICAL.
- S6. CROSSWALK STRIPING PER F.D.O.T. INDEX No. 17346, TYPICAL.
- S7. 20' LONG, 6" SOLID YELLOW LINE.
- S8. NOT USED.
- S9. NOT USED.
- S10. MONUMENT SIGN TO MEET CITY REQUIREMENTS (REFER TO SIGNAGE PLAN).
- S11. DIAGONAL STRIPING 4" WHITE PAINT, 4" O.C. (LOADING ZONE).
- S12. DIRECTIONAL ARROWS PER F.D.O.T. INDEX No. 17346, THERMOPLASTIC, TYPICAL - WHITE.
- S13. 6" SOLID DOUBLE YELLOW LINE, THERMOPLASTIC.
- S14. 18" YELLOW DIAGONAL STRIPING @ 20" O.C. THERMOPLASTIC.
- S15. 6" SOLID WHITE LINE, THERMOPLASTIC.
- S16. NOT USED.
- S17. F.D.O.T. REFLECTIVE MARKERS, TYPICAL.
- S18. RECLAIMED WATER ADVISORY SIGN.

⊙ SITE CONSTRUCTION KEYNOTES

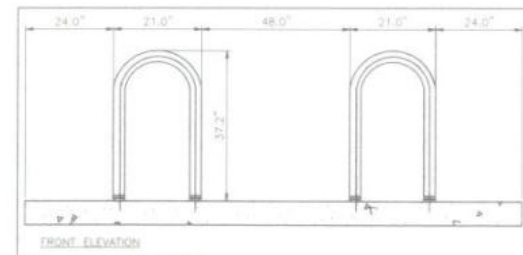
- C1. 6" HEAD CURB, TYPICAL.
- C2. F.D.O.T. TYPE "Y" CURB & GUTTER PER INDEX No. 300, TYPICAL.
- C3. F.D.O.T. 3" VALLEY GUTTER PER INDEX No. 300, TYPICAL.
- C4. 3" TRANSITION CURB.
- C5. ASPHALT PAVEMENT, HEAVY-DUTY IN DRIVE AISLES.
- C6. ASPHALT PAVEMENT, LIGHT-DUTY IN PARKING SPACES.
- C7. CONCRETE PAVEMENT.
- C8. CONCRETE SIDEWALK, TYPICAL.
- C9. MONOLITHIC CURB & SIDEWALK, TYPICAL.
- C10. F.D.O.T. CURB CUT RAMP PER INDEX No. 304, FOR HANDICAP ACCESS. ROADWAY @ ALL SIDEWALK CROSSINGS NOT TO EXCEED 2% CROSS SLOPE, TYPICAL.
- C11. HANDICAP ACCESS RAMP WITH A MAXIMUM 12:1 SLOPE, TYPICAL.
- C12. DETECTABLE WARNING SURFACE PER FLORIDA BUILDING CODE 2004.
- C13. 12'x24' DUMPSTER W/ 6" CONCRETE PAD & 6" HIGH BLOCK WALL ENCLOSURE ON 3 SIDES.
- C14. WHEELSTOP PER F.D.O.T. INDEX No. 300, TYPICAL.
- C15. BOLLARD, 6" MIN. C.I.P.-D.I.P. OR STEEL, CONCRETE FILLED, & PAINTED OSHA YELLOW.
- C16. BIKE RACK ON 5' X 12' CONCRETE PAD (4 BIKES).
- C17. AIR AND WATER STATION.
- C18. SANITARY SEWER MANHOLE.
- C19. LIFT STATION.
- C20. PAVEMENT IN KEENE ROAD R.O.W.
- C21. RIBBON CURB.
- C22. 14" WIDE TEMPORARY STABILIZED ACCESS ROAD TO LIFT STATION (GRAVEL AND SAND MIX, MIN. 60 LBR).
- C23. GAS STORAGE TANK VENT STACKS.
- C24. SITE LIGHTING FIXTURES.



NOTE:
8,327 S.F. OF ADDITIONAL IMPERVIOUS COVER BEYOND WHAT IS PROPOSED IN PHASE I IS USED FOR THE DRAINAGE POND DESIGN.

ORANGE COUNTY R.O.W. PERMIT:
THE DRIVEWAY CONNECTION TO CLARCONA ROAD WILL REQUIRE AN ORANGE COUNTY PERMIT AND SHALL COMPLY WITH ORANGE COUNTY REQUIREMENTS.

- CITY OF APOPKA NOTES**
- ALL ROADWAYS AND DRIVES MUST BE COMPLETE BEFORE BUILDING CONSTRUCTION BEGINS.
 - A FIRE HYDRANT MUST BE LOCATED WITHIN 250 FEET OF THE BUILDING.
 - PROVIDE AN EMERGENCY LOCK BOX FOR EMERGENCY ACCESS.
 - THE MONUMENT SIGN SHOULD PARTIALLY EXTEND BEYOND THE LANDSCAPE AREA TO PROMOTE VISIBILITY, AND CAN BE PLACED AS CLOSE AS TWO FEET FROM THE SIDEWALK.
 - THE WALL AND GROUND SIGNS ARE TO BE PERMITTED SEPARATELY.



BIKE RACK DETAIL
NOT TO SCALE
NOTES: INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.



LIGHT POLE NOTE:
ALL LIGHT POLES TO BE A MINIMUM OF 2 FEET AWAY FROM EDGE OF PAVEMENT.

- SITE NOTES**
- ALL CURB RADII ARE TO BE 5.0', TYPICAL, UNLESS NOTED OTHERWISE. EXCEPTION: RADII @ ISLANDS ARE TO FIT ISLAND WIDTHS, UNLESS NOTED OTHERWISE.
 - LANDSCAPE ISLAND NOSE NOT TO EXCEED THE PARKING STALL DEPTH &/OR PROTRUDE INTO DRIVE ISLES, TYPICAL.
 - ALL DIMENSIONS ARE PARALLEL & PERPENDICULAR TO A BEARING OF S 89°48'02" E, UNLESS OTHERWISE INDICATED WITH A "°" OR BEARING.
 - LOWER CASE TEXT DENOTES SURVEY &/OR EXISTING CONDITION INFORMATION.

LAND USE
RURAL
ZONING
A-1

FLOOD ZONE
FLOOD ZONE X PER FEMA F.I.R.M. PANEL 12095C0120E DATED: 09/25/2009.

SOILS
CANDLER FINE SAND AND TAVARES FINE SAND

WETLAND STATEMENT
THERE ARE NO JURISDICTIONAL WETLANDS WITHIN THE PROJECT SITE.

FIRE PROTECTION STATEMENTS:

- STABILIZED ACCESS ROADS AND A SUITABLE TEMPORARY SUPPLY OF WATER ACCEPTABLE TO THE FIRE DEPARTMENT SHALL BE PROVIDED & MAINTAINED DURING CONSTRUCTION.
- ROADWAYS AND FIRE HYDRANTS SHALL BE IN PLACE BEFORE VERTICAL BUILDING CONSTRUCTION MAY BEGIN.
- FIRE HYDRANT MUST HAVE ROAD REFLECTOR FOR ID.

DUMPSTER NOTE:

- THE DUMPSTER SHALL HAVE OPAQUE GATING AND THE WALL SHALL HAVE A DECORATIVE CONCRETE CAP. WALL SHALL BE ARCHITECTURALLY COMPATIBLE MATERIAL TO THE PRINCIPLE BUILDING. THE STUCCO FINISH SHALL BE MAINTAINED BY THE OWNER.
- THE DUMPSTER ENCLOSURES WILL BE SHARED BY ALL TENANTS WITHIN THE DEVELOPMENT.

NOTE:
PRIOR TO COMMENCING GRADING AND CLEARING ACTIVITIES, A LETTER MUST BE RECEIVED FROM THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION REGARDING THE APPROVAL OF A GOPHER TORTOISE SURVEY AND ANY REQUIRED REMEDIAL ACTIVITY.

DATE	REVISIONS	BY	CHECKED
9/22/2014	PER CITY OF APOPKA COMMENTS DATED 9/10/2014	JT	SJS
9/25/2014	PER ORANGE COUNTY R.O.W. COMMENTS DATED 9/24/2014	JT	SJS
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SITE GEOMETRY PLAN

DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
SJS	JT	SJS	SJS

PROJECT NO.	13-040
SCALE	1"=30'
DATE	AUGUST 28, 2014
SHEET NO.	C-6
SHEET	6 OF 17

FLORIDA ENGINEERING GROUP, P.C.
CERTIFICATE NO. EB-0006996
SAM J. SEBALI, P.E.
LICENSE NO. 42075

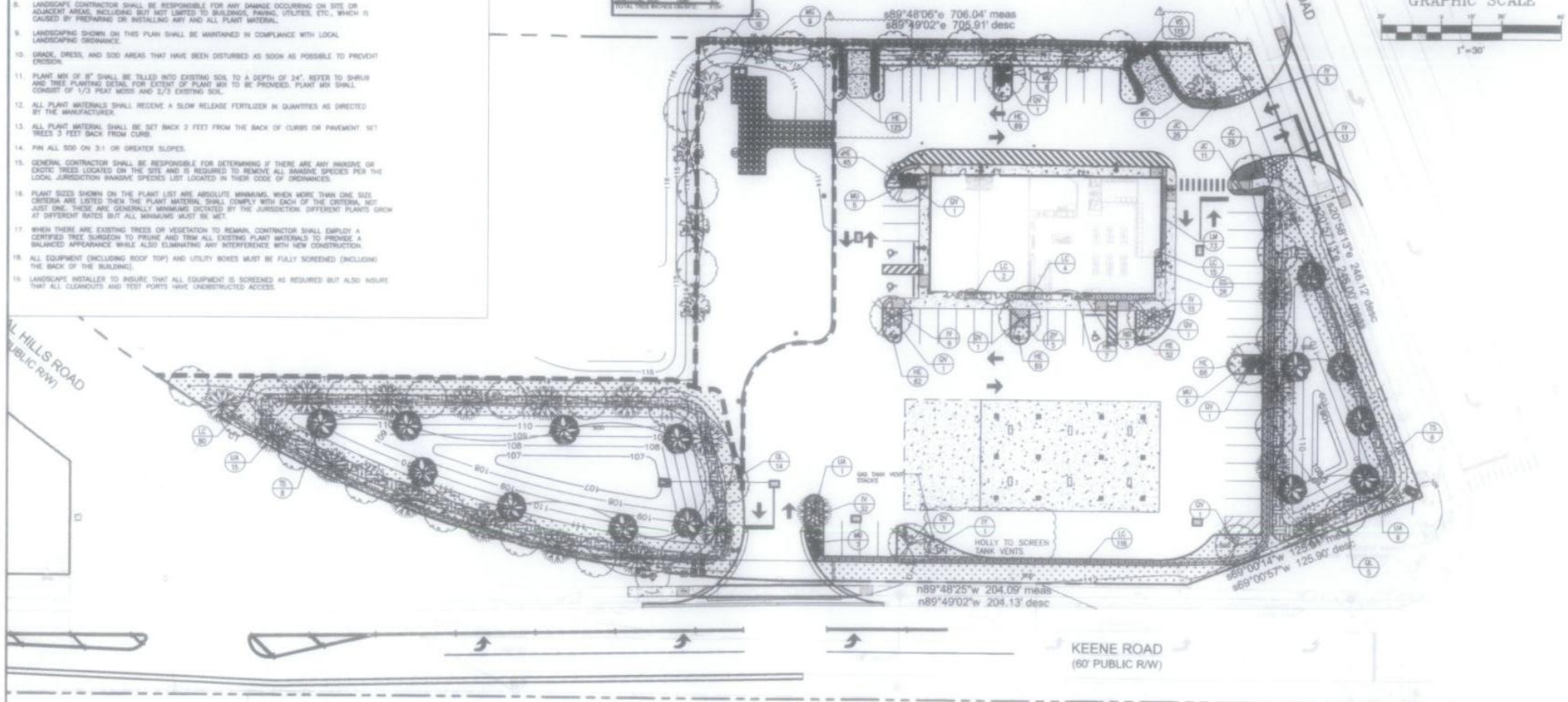
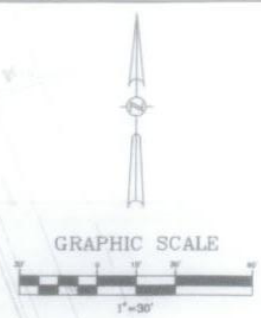
LANDSCAPE NOTES

- SHRUB REQUIREMENTS SHALL COMPLY WITH CITY OF APOPKA CODE WHEREBY ALL TREES PLANTED MUST MEET OR EXCEED FLORIDA NO. 1 AS ESTABLISHED IN THE LATEST PUBLICATION BY THE STATE OF FLORIDA DEPT. OF AGRICULTURE, GRASSES AND STANARDS FOR NURSERY PLANT MATERIAL.
- IRRIGATION (100% COVERAGE) SHALL BE PROVIDED IN ALL NEWLY PROPOSED PLANTING AREAS IN ACCORDANCE WITH CITY OF APOPKA LAND DEVELOPMENT CODE.
- IN THE EVENT OF DISCREPANCY BETWEEN THE PLANT LIST AND ACTUAL NUMBER OF PLANTS SHOWN ON THIS PLAN, THE PLANT LIST SHALL CONTROL. THE LANDSCAPE CONTRACTOR SHALL NOTIFY FLORIDA ENGINEERING GROUP, INC. OF ANY DISCREPANCIES PRIOR TO ISSUANCE OF BIDS.
- ALL PLANTING BEDS AND TREE SAUCERS TO HAVE ORGANIC MULCH TO A DEPTH OF 3" MIN.
- A TWELVE MONTH WARRANTY IS TO BE PROVIDED FOR ALL NEW PLANT MATERIAL STARTING FROM TIME OF FINAL ACCEPTANCE BY OWNER. REPLACEMENT OF DEAD OR UNHEALTHY MATERIALS SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR WITHIN THIRTY DAYS OF NOTIFICATION IN CONFORMANCE WITH THE APPROVED LANDSCAPE PLAN.
- CALIPER OF TREES SHALL BE MEASURED AT 4" ABOVE ROOT BALL. ALL TREES SHALL BE INSTALLED IN AN UPRIGHT POSITION. CALIPER OF TREES SHALL TAKE PRECEDENCE OVER HEIGHT OR SPREAD.
- ALL DISTURBED AREAS WITHIN PROJECT LIMITS SHALL BE FULLY RESTORED ASIDE FROM DEFINED PLANTING BEDS. SOIL SHALL BE FREE OF WEEDS AND NOxious PESTS OR DISEASES.
- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE OCCURRING ON SITE OR ADJACENT AREAS, INCLUDING BUT NOT LIMITED TO BUILDINGS, FENCES, UTILITIES, ETC., WHICH IS CAUSED BY PREPARING OR INSTALLING ANY AND ALL PLANT MATERIAL.
- LANDSCAPING SHOWN ON THIS PLAN SHALL BE MAINTAINED IN COMPLIANCE WITH LOCAL LANDSCAPING ORDINANCES.
- GRADE, DRESS, AND SOIL AREAS THAT HAVE BEEN DISTURBED AS SOON AS POSSIBLE TO PREVENT EROSION.
- PLANT MIX OF 8" SHALL BE BELLED INTO EXISTING SOIL TO A DEPTH OF 24". REFER TO SWIMM AND TREE PLANTING GUIDE FOR EXTENT OF PLANT MIX TO BE PROVIDED. PLANT MIX SHALL CONSIST OF 1/2 PEAT MOSS AND 1/2 EXISTING SOIL.
- ALL PLANT MATERIALS SHALL RECEIVE A SLOW RELEASE FERTILIZER IN QUANTITIES AS DIRECTED BY THE MANUFACTURER.
- ALL PLANT MATERIAL SHALL BE SET BACK 2 FEET FROM THE BACK OF CURBS OR PAVEMENT SET TREES 3 FEET BACK FROM CURBS.
- PRN ALL SOIL ON 3:1 OR GREATER SLOPES.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING IF THERE ARE ANY WAREDS OR EXISTING TREES LOCATED ON THE SITE AND IS REQUIRED TO REMOVE ALL WAREDS SPECIES FOR THE LOCAL JURISDICTION BANANA SPECIES LIST LOCATED IN THEIR CODE OF ORDINANCES.
- PLANT SIZES SHOWN ON THE PLANT LIST ARE ABSOLUTE MINIMUMS. WHEN MORE THAN ONE SIZE CRITERIA ARE LISTED THEN THE PLANT MATERIAL SHALL COMPLY WITH EACH OF THE CRITERIA. NOT JUST ONE. THESE ARE GENERALLY MINIMUMS DICTATED BY THE JURISDICTION DIFFERENT PLANTS SHOW AT DIFFERENT RATES BUT ALL MINIMUMS MUST BE MET.
- WHEN THERE ARE EXISTING TREES OR VEGETATION TO REMAIN, CONTRACTOR SHALL EMPLOY A CERTIFIED TREE SURGEON TO PRUNE AND TRIM ALL EXISTING PLANT MATERIALS TO PROVIDE A BALANCED APPEARANCE WHILE ALSO ELIMINATING ANY INTERFERENCE WITH NEW CONSTRUCTION.
- ALL EQUIPMENT (INCLUDING ROOF TOPS) AND UTILITY BOXES MUST BE FULLY SCREENED (INCLUDING THE BACK OF THE BUILDING).
- LANDSCAPE INSTALLER TO INSURE THAT ALL EQUIPMENT IS SCREENED AS REQUIRED BUT ALSO INSURE THAT ALL CLEANOUTS AND TEST PORTS HAVE UNRESTRICTED ACCESS.

SYMBOL	QTY	QTY	QTY
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99	1	1	1
100	1	1	1

THE MONUMENT SIGN SHOULD PARTIALLY EXTEND BEYOND THE LANDSCAPE AREA TO PROMOTE VISIBILITY, AND CAN BE PLACED AS CLOSE AS TWO FEET FROM THE SIDEWALK.

LANDSCAPING IS TO BE DESIGNED TO CREATE A VIEW CORRIDOR FOR THE SIGN



LANDSCAPE SCHEDULE						
TREES						
SYMBOL	ASA	COMMON NAME	BOTANICAL NAME	MINIMUM SIZE	QUANTITY	REMARKS
T1	04	SHRUB	RED TIDE	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T2	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T3	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T4	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T5	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T6	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T7	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T8	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T9	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T10	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T11	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T12	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T13	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T14	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T15	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T16	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T17	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T18	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T19	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T20	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T21	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T22	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T23	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T24	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T25	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T26	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T27	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T28	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T29	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T30	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T31	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T32	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T33	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T34	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T35	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T36	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T37	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T38	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T39	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T40	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T41	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T42	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T43	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T44	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T45	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T46	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T47	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T48	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T49	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T50	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T51	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T52	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T53	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T54	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T55	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T56	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T57	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T58	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T59	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T60	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T61	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T62	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T63	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T64	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T65	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T66	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T67	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T68	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T69	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T70	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T71	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T72	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T73	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T74	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T75	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T76	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T77	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T78	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T79	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T80	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T81	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T82	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T83	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T84	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T85	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T86	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T87	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T88	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T89	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T90	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T91	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T92	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T93	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T94	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T95	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T96	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T97	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T98	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T99	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM
T100	04	SHRUB	LAUREL OAK	12" HT. 3" DBH	1	SMALL STRAIGHT STEM

TREE CALCULATIONS
 TOTAL TREE INCHES ON PARENT TRACT: 3,154"
 TOTAL TREE INCHES ON PHASE I LOT: 1,968" (62.4% OF PARENT TRACT)
 TOTAL TREE INCHES REMOVED (PHASE I): 1,968"
 TOTAL TREE INCHES REPLACED: 255"
 MAX TREE STOCK FORMULA AND CALCULATIONS:
 104,474 - 8000 = (98,474 / 1000) x 3.5 + 21 = 365.66"
 QUANTITY OF SPECIMEN TREES (24"+) REMOVED: 0
 REQUIRED REPLACEMENT - PROVIDED: -110.66" (37 TREES 3" CAL.)
 *OWNER TO PROVIDE DEFICIT IN TREE FUND
 SITE CLEARING AREA IN SF AND ACRES: 104,474 SF (2.4 ACRES)



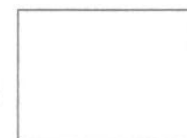


revised 7-8-14

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Clarcona Road and Keen Road Circle K concept





SEAL AR # 96512

PROJECT
Clarcana and Keene Road
Circle K

REVISION DATES

DATE
9-22-14

SHEET TITLE
ELEVATIONS

SHEET NUMBER

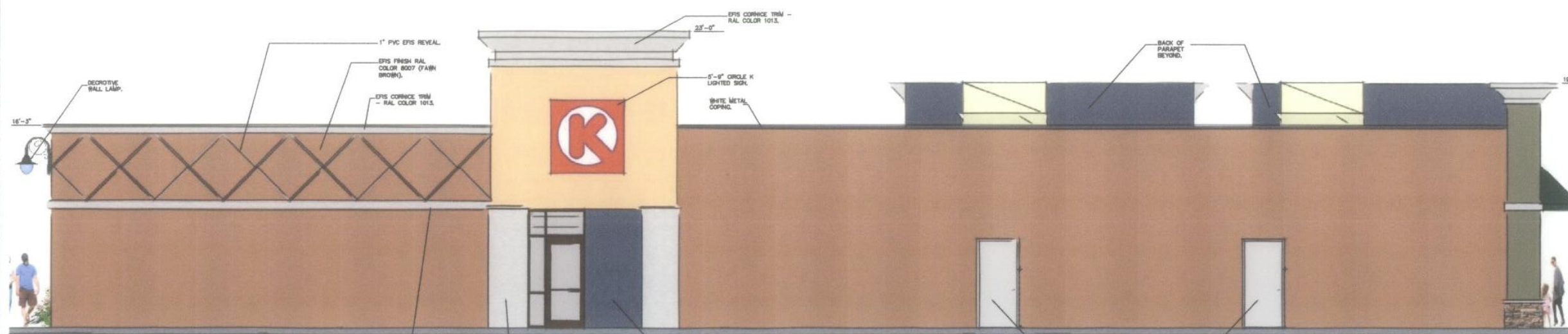
A2

PROJECT NO.
006-14



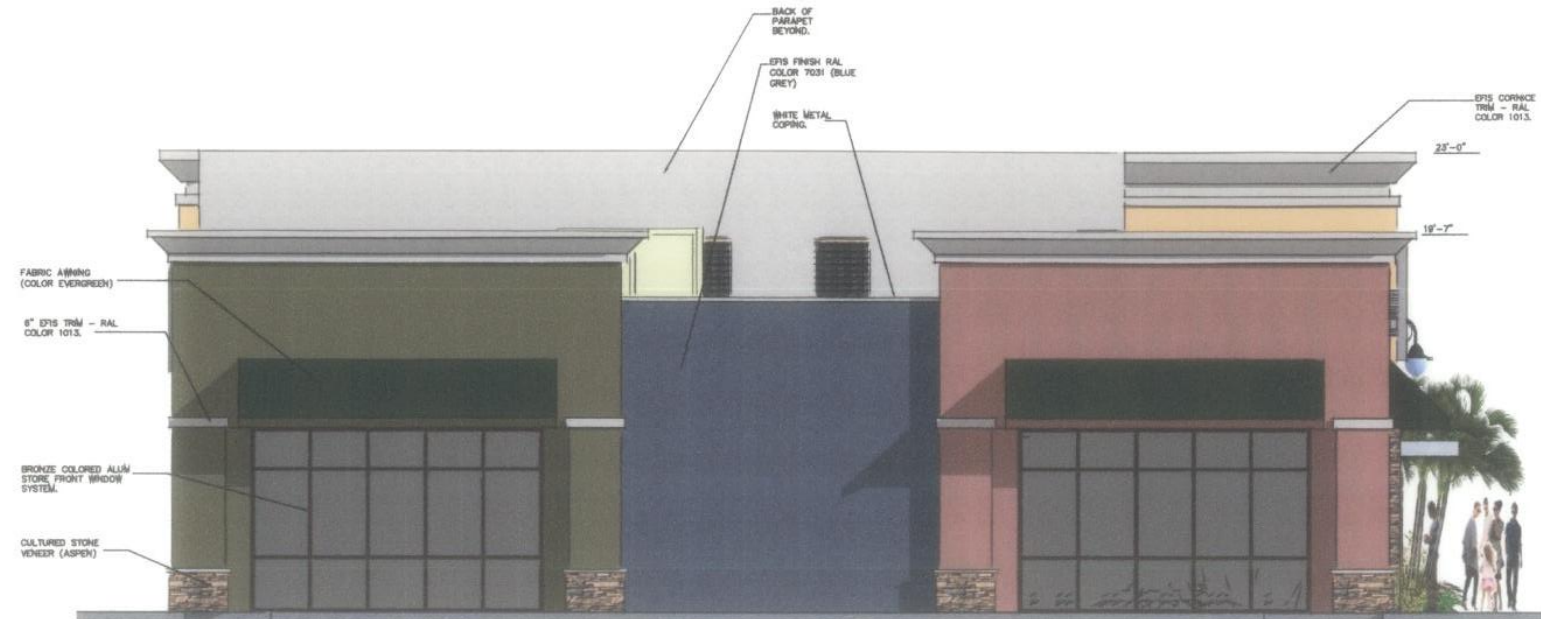
FRONT ELEVATION

SCALE 1/4" = 1'-0"



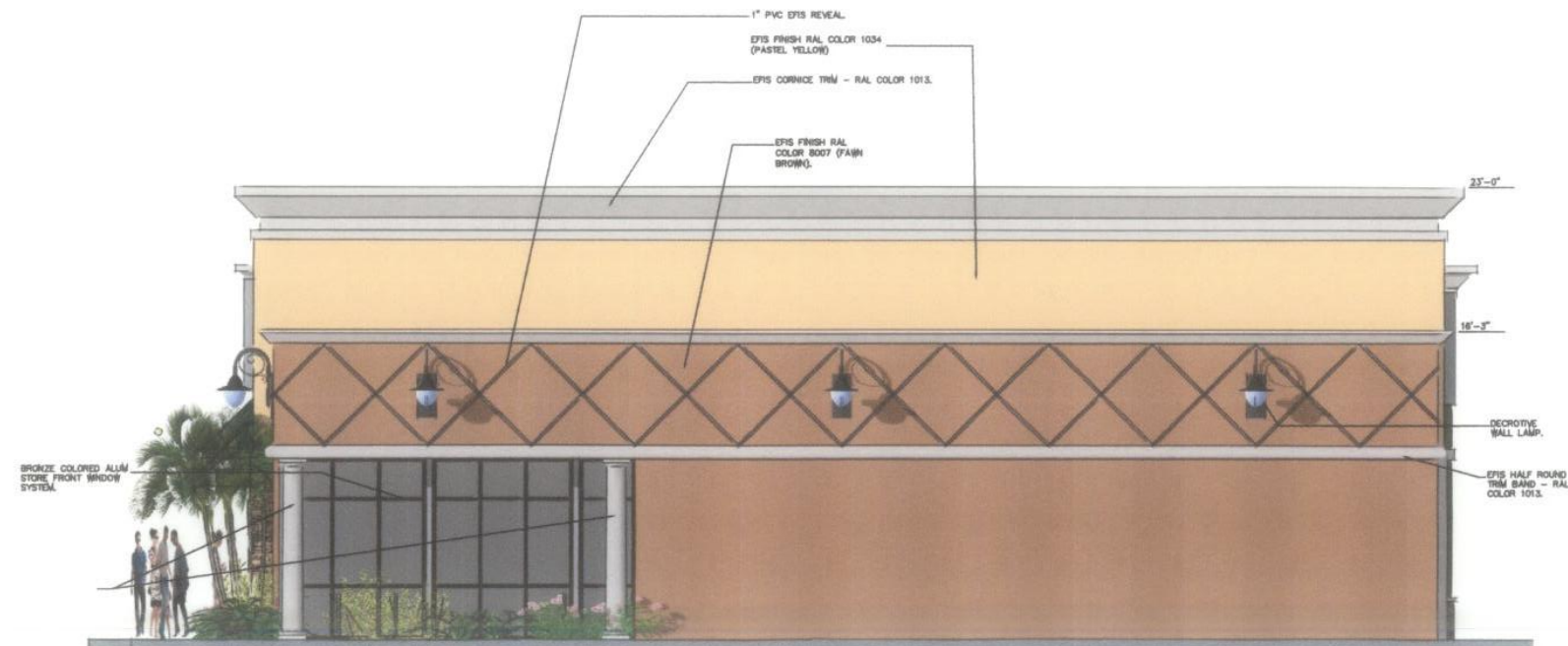
BACK ELEVATION

SCALE 1/4" = 1'-0"



SIDE ELEVATION

SCALE 1/4" = 1'-0"



SIDE ELEVATION

SCALE 1/4" = 1'-0"

SEAL AR # 96512

PROJECT
Clarcona and Keene Road
Circle K

REVISION DATES

DATE
9-22-14

SHEET TITLE
ELEVATIONS

SHEET NUMBER
A3

PROJECT NO.
006-14



FRONT ELEVATION

SCALE 1/4" = 1'-0"

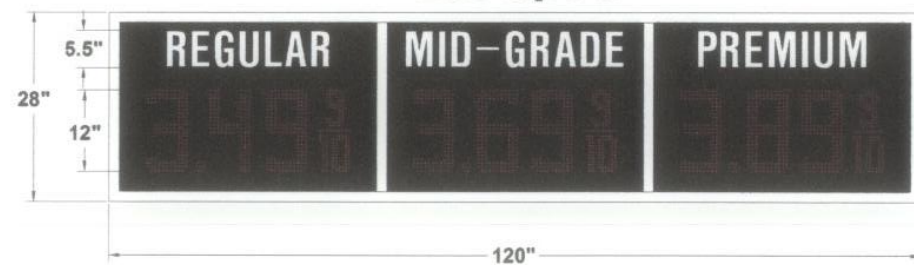


SIDE ELEVATION

SCALE 1/4" = 1'-0"

LED GAS PRICE DISPLAY

23.3 SQ. FT.

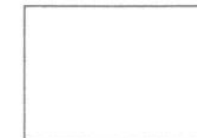


X2

CANOPY SIZE 90' X 56'

L = 3.5'x90' = 315 sq ft
S = 3' X 56' = 168 sq ft.

ALLOWED SQ. FT.
Fuel Station Canopy Sign Calculation:
((L+S) X 2) X five percent.
((315+168) X 2) X .05 = 48.3 Sq. Ft.



SEAL AR # 96512

PROJECT
Clarcana and Keane Road
Circle K

REVISION DATES
10-13-14

DATE
9-22-14

SHEET TITLE
CANOPY
ELEVATIONS

SHEET NUMBER

A4

PROJECT NO.
006-14

Backup material for agenda item:

1. FINDINGS OF FACT - CHANGE OF ZONING – MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN - Florida Land Trust #111 – ZDA at Sandpiper, LLC, from “County” PD (ZIP) (Residential) to “City” Planned Unit Development (PUD/R-1A) (Residential) for property located south of Sandpiper Street, west of North Thompson Road, east of Ustler Road. (Parcel ID #s: 02-21-28-0000-00-106, 02-21-28-0000-00-131, 03-21-28-0000-00-015, 03-21-28-0000-00-022, 03-21-28-0000-00-023, 03-21-28-0000-00-046, 03-21-28-0000-00-047, 03-21-28-0000-00-072, 03-21-28-0000-00-073, 03-21-28-0000-00-119)



CITY OF APOPKA
PLANNING COMMISSION

X PUBLIC HEARING
ANNEXATION
PLAT APPROVAL
OTHER:

DATE: October 21, 2014
FROM: Community Development
EXHIBITS: A: Zoning Report
B: Vicinity Map
C: Adjacent Zoning Map
D: Adjacent Uses Map
E: Master Site Plan\PDP
F: Development Standards
G: 2008 Master Plan approved by CC & LDRB
H: CC Minutes (Draft) 09-17-14

SUBJECT: FLORIDA LAND TRUST #111 – ZDA AT SANDPIPER, LLC – CHANGE OF ZONING - FROM “COUNTY” PD TO “CITY” PLANNED UNIT DEVELOPMENT (PUD/R-1A); AND MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN

PARCEL ID NUMBERS: 02-21-28-0000-00-106, 02-21-28-0000-00-131, 03-21-28-0000-00-015, 03-21-28-0000-00-022, 03-21-28-0000-00-023, 03-21-28-0000-00-046, 03-21-28-0000-00-047, 03-21-28-0000-00-072, 03-21-28-0000-00-073, AND 03-21-28-0000-00-119

Request: RECOMMEND APPROVAL OF THE FLORIDA LAND TRUST #111 – ZDA AT SANDPIPER, LLC CHANGE OF ZONING FROM “COUNTY” PD (ZIP) (RESIDENTIAL) TO “CITY” PLANNED UNIT DEVELOPMENT (PUD/R-1A) (RESIDENTIAL); AND RECOMMEND APPROVAL OF THE MASTER SITE PLAN/PRELIMINARY DEVELOPMENT PLAN.

[The City Council, at its meeting on September 17, 2014, took action to remand this application back to the Planning Commission for failure to prepare a finding of fact for a recommendation to “deny” this application. Per instructions from the city attorney, the case shall be open to public comment at the October 21st hearing.]

SUMMARY

OWNER/APPLICANT: Florida Land Trust #111, c/o ZDA at Sandpiper, LLC, Trustee
LOCATION: South of Sandpiper Street, west of North Thompson Road, east of Ustler Road
EXISTING USE: Abandoned Single Family Homes
CURRENT ZONING: “County” PD (“City” ZIP)
PROPOSED DEVELOPMENT: Residential Subdivision (49 Single Family Lots)
FUTURE LAND USE DESIGNATION: “City” Residential Very Low Suburban (0- 2.0 du/ac)
TRACT SIZE: Combined total Acreage: 58.23 +/- Total Acres (48.4 developable acres)
MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 49 Dwelling Units (as originally approved by the Orange County BCC; plans expired)
PROPOSED: 49 Dwelling Units

DISTRIBUTION

Mayor Kilsheimer Finance Dir. Public Ser. Dir.
Commissioners (4) HR Director City Clerk
Interim A Janice Goebel IT Director Fire Chief
Community Dev. Dir. Police Chief

ADDITIONAL COMMENTS:

The subject property is located on the south side of Sandpiper Street, west of North Thompson Road, and east of Ustler Road. Development Standards for the Master Site Plan\ Preliminary Development Plan are provided in Exhibit “F”. A general description of the proposed residential community is provided below:

- Lots: 49 single family lots.
- Min. Lot Area: PUD sets the lots size ranging from 12,800 to 26,000 sq. ft. Min. lot size of 12,800 sq. ft.
- Min. Lot Width: 75 ft.
- Min. Living Area: 2,000 sq. ft.
- Density: 1.01 dwelling units (du) per acre (49 du\48.4 developable acres)
- Access: All lots access an internal road. A single entrance road connects to Sandpiper Road. No lots or new roads will connect to Ustler Road.
- Park: A minimum area of 15,000 sq. ft. will be provided for active recreation. The park site plan will be submitted with the final development plan. Park to be located in Tract “A”.
- Buffers:
1. Sandpiper Road. A ten foot wide landscape tract, owned by the HOA, follows the south side of Sandpiper Road from the northeast corner of the project site to the project entrance. In lieu of a wall, a six foot high hedge and canopy trees will be required. The hedge must reach a height of six-feet within two years of planting and must create a near-opaque screen. No buffer wall is proposed as is typically required for residential subdivisions abutting a public road. (See staff comments in Exhibit “F.”)
 2. Eastern project line. No buffer tract or easement. The residential lots in this development project abut residential lots typically 1.3 to 1.7 acres in size. No buffer is required by code.
 3. Southern project line. A thirty foot wide conservation easement follows the rear of Lots 23 through 31 and the side yard of Lots 15 and 16. This conservation easement is to be left in its natural vegetation and is assigned to the HOA. No pools, fences, or other accessory structures can be placed within the 30-foot wide conservation easement.
 4. Western project line. Approximately 15 acres are preserved as open space\recreation from Ustler Road eastward for a distance of approximately 640 feet.
- Lake Access: Only owners of Lots 32 through 39 – eight lots -- are allowed access to Lake McCoy. Boat docks are allowed only for these eight lots. A maximum 15 foot wide path can be cleared across wetlands to reach the lake, subject to Water Management District approval.
- Sidewalks: Sidewalks are provided on both sides of internal streets. No sidewalks are proposed along Sandpiper Street or Ustler Road. (See staff comments in Exhibit “F.”)

The PUD Development Standards, as appearing in the PDP Master Site Plan, are provided in Exhibit “A”.

Modifications to the Master Site Plan: Any zoning or development standard not addressed within the PDP Master Site Plan shall follow the requirements of the R-1A zoning category. Where any development standard conflicts between the PDP Master Site Plan and the Land Development Code, the PDP Master Site Plan shall preside. Any proposed revision to the Master Site Plan shall be evaluated and processed pursuant to Section 2.02.18.N. (Master plan revision), LDC.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this change of zoning (see attached Zoning Report).

PUD RECOMMENDATIONS:

The recommendations are that the zoning classification of the aforementioned properties be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions are subject to the following provisions:

- A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-1A zoning category except where otherwise addressed in this ordinance.
- B. Master Plan requirements, as enumerated in Section 2.02.18 K. of the Apopka Land Development Code, not addressed herein are hereby deferred until the submittal and review of the Final Development Plan submitted in association with the PUD district.
- C. If a Final Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Site Plan\ PDP provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Final Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Site Plan provisions and any conditions of approval; or
 - 3. Rezone the property to a more appropriate zoning classification.
- D. The following PUD development standards shall apply to the development of the subject property:
 - 1. Exhibit “F” describes the development standards applicable to this PUD/PDP Master Site Plan.
 - 2. Unless otherwise addressed within the PUD development standards, the R-1A zoning standards will apply to the subject property.

COMPREHENSIVE PLAN COMPLIANCE: The proposed Change of Zoning designation is consistent with the City’s proposed Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT:

Staff has notified Orange County Public Schools (OCPS) of the proposed Zoning Map Amendment. Prior to submittal of a final development plan application, the applicant must obtain a school capacity enhancement or mitigation agreement from OCPS. Affected Schools: Dream Lake ES, Apopka MS, Apopka HS

ORANGE COUNTY NOTIFICATION:

The JPA requires the City to notify the County before any public hearing or advisory board. The City properly notified Orange County on August 15, 2014.

PUBLIC HEARING SCHEDULE:

September 9, 2014 – Planning Commission (5:01 pm)
September 17, 2014 – City Council (8:00 pm) - 1st Reading
October 1, 2014 – City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

August 22, 2014 – Public Notice and Notification
September 19, 2014 – Ordinance Heading Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the Change in Zoning from “County” PD (ZIP) (Residential) to “City” Planned Unit Development (PUD/R-1A) (Residential) for the property owned by Florida Land Trust #111, c/o ZDA at Sandpiper, LLC, Trustee, and the Master Site Plan\ Preliminary Development Plan subject to the Staff Recommendations with Exhibit “F” and the applicant obtaining a School Capacity Enhancement Agreement from OCPS.

The **Planning Commission**, at its meeting on September 9, 2014, elected to not approve (6-0) the Change in Zoning from “County” PD (ZIP) (Residential) to “City” Planned Unit Development (PUD/R-1A) (Residential) for the property owned by Florida Land Trust #111, c/o ZDA at Sandpiper, LLC, Trustee, and the Master Site Plan\ Preliminary Development Plan subject to the Staff Recommendations with Exhibit “F” and the applicant obtaining a School Capacity Enhancement Agreement from OCPS.

The **City Council**, at its meeting on September 17, 2014, directed staff to return the item to the Planning Commission for a “Findings of Fact” of their decision to not approve the Change in Zoning from “County” PD (ZIP) (Residential) to “City” Planned Unit Development (PUD/R-1A) (Residential) for the property owned by Florida Land Trust #111, c/o ZDA at Sandpiper, LLC, Trustee, and the Master Site Plan\ Preliminary Development Plan subject to the Staff Recommendations with Exhibit “F” and the applicant obtaining a School Capacity Enhancement Agreement from OCPS.

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. Role of the Planning Commission in this case is advisory to the City Council.

**EXHIBIT “A”
 ZONING REPORT**

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Res. Low Density (4 du/ac)	A-1, A-2	SF Homes
East (County)	Res. Low Density (4 du/ac)	A-1, RCE	SF Homes
South (County)	Res. Low Density (4 du/ac)	A-2, RCE, R-1AAAA	SF Homes
South (City)	Res. Very Low Suburban (0-2 du/ac)	R-1AAA	SF Homes
West (City)	Res. Very Low Suburban (0-2 du/ac)	RCE-1, R-1AAAA	SF Homes
West (County)	Res. Low Density (4 du/ac)	A-2	SF Homes

LAND USE &

TRAFFIC COMPATIBILITY: The properties are located south of West Lester Road and east of Vick Road.

R-1A DISTRICT

REQUIREMENTS*:

Minimum Site Area: 10,000 sq. ft. (Sandpiper PUD- 12,800 sq.ft.)
 Minimum Lot Width: 85 ft. (Sandpiper PUD- 75 ft.)
 Front Setback: 25 ft.
 Side Setback: 10 ft.
 Rear Setback: 20 ft.
 Corner Setback: 25 ft.
 Minimum Living Area: 1,600 sq. ft. (Sandpiper PUD- 2,000 sq.ft.)

* PUD development standards set forth in Exhibit “F” may differ from these typical R-1A standards. Where such standards differ, the PUD standards shall preside. Where the PUD does not specifically address a development or zoning standard, the R-1A zoning standards and Land Development Code shall preside.

BUFFERYARD

REQUIREMENTS:

Sandpiper Proposed PUD requirements:

- a. 30-foot wide buffer easement along the south property line as set forth in the Master Plan. Easement dedicated to the HOA.
- b. 10-foot wide buffer tract with six-foot high hedge (within 2 years from planting) that creates a near-opaque screen, canopy trees, and a tri-rail fence with masonry or brick posts.

ALLOWABLE USES:

Single-family dwellings and their customary accessory structures and uses in accordance with article VII of this code. Supporting infrastructure and public facilities of less than five acres as defined in this code and in accordance with [section 2.02.01](#)

EXHIBIT “B”

Florida Land Trust #111, c/o ZDA at Sandpiper, LLC, Trustee
58.23 +/- Total Acres; 48.4 Developable Acres
Existing Zoning Maximum Allowable Development: 49 Dwelling Units
Proposed Zoning Maximum Allowable Development: up to 49 Dwelling Units
Proposed Zoning Change
From: “County” PD (ZIP)
To: “City” Planned Unit Development (PUD/R-1A)

Parcel ID #s:	02-21-28-0000-00-106	02-21-28-0000-00-131
	03-21-28-0000-00-015	03-21-28-0000-00-022
	03-21-28-0000-00-023	03-21-28-0000-00-046
	03-21-28-0000-00-047	03-21-28-0000-00-072
	03-21-28-0000-00-073	03-21-28-0000-00-119



VICINITY MAP

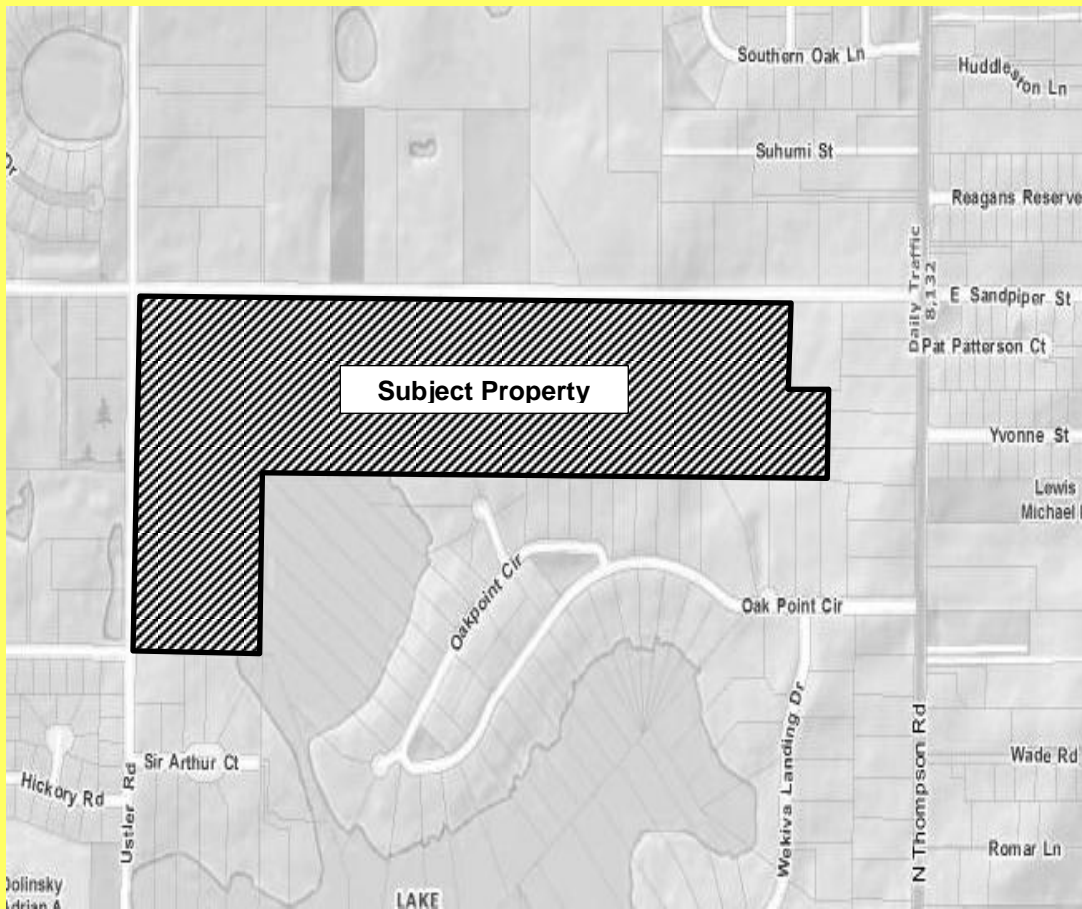


EXHIBIT “C”
ADJACENT ZONING

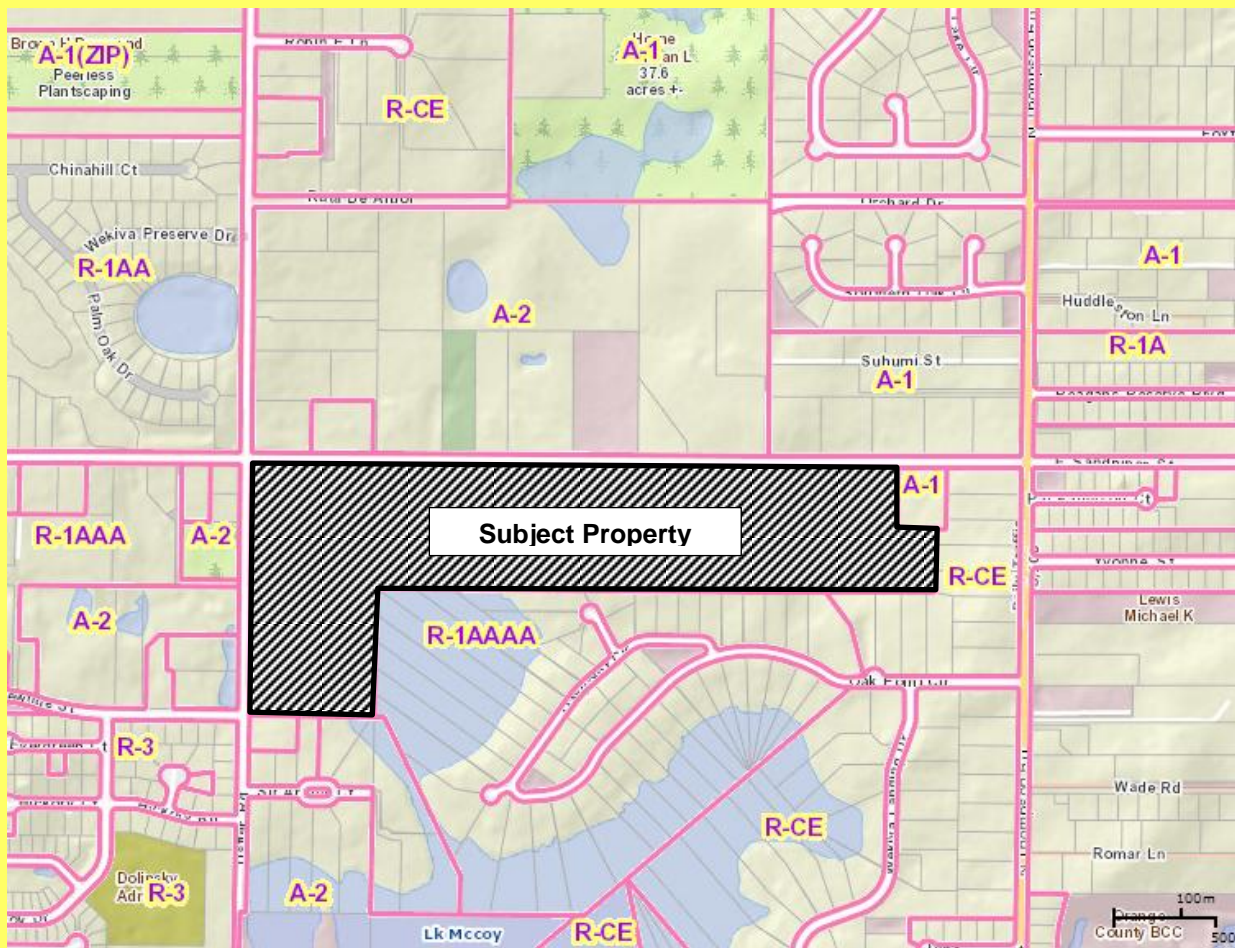
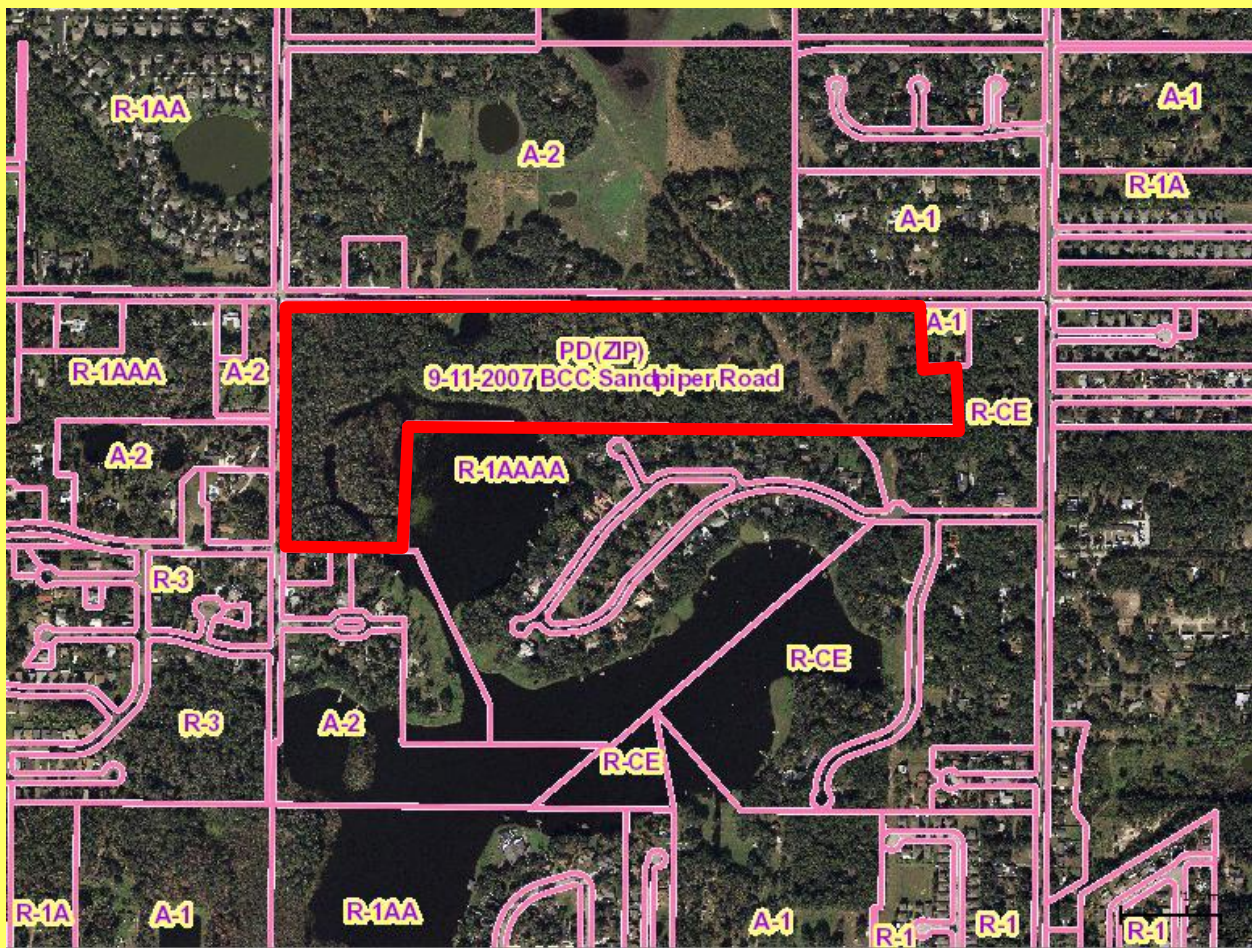
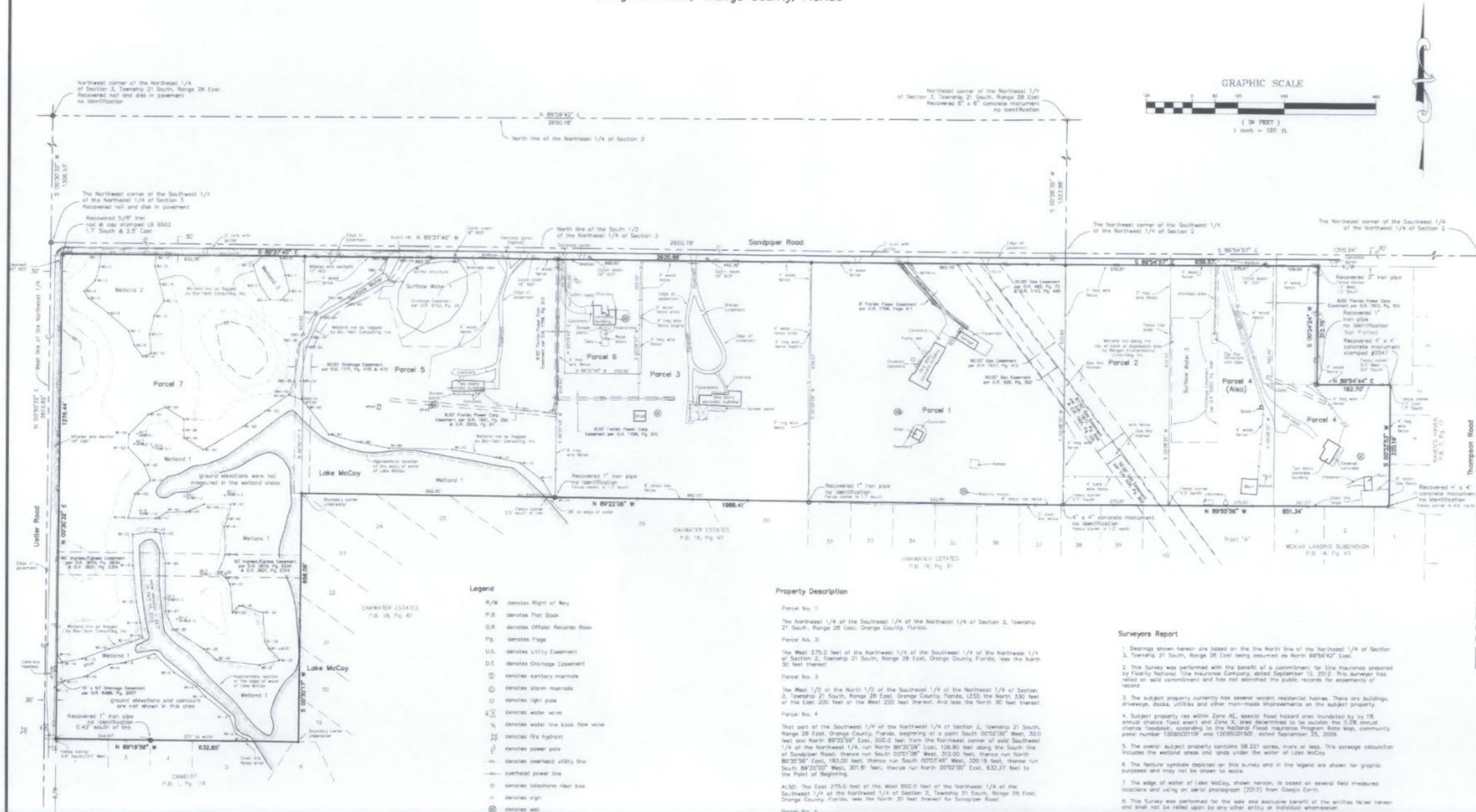


EXHIBIT “D”
ADJACENT USES



Boundary Survey of a portion of Sections 2 and 3, Township 21 South, Range 28 East, Orange County, Florida



Northwest corner of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East. Recovered nail and disk in pavement. No identification.

Northeast corner of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East. Recovered 2" x 6" concrete monument. No identification.

The Northwest corner of the Southwest 1/4 of the Northeast 1/4 of Section 3. Recovered 5/8" iron rod & cap stamped LR 8903. 1.7' South & 2.5' East.

Recovered 1" iron pipe. No identification. 0.42' south of line.

Wetland Area Acreage
 Wetland 1 contains 3.714 acres
 Wetland 2 contains 0.739 acres
 Wetland 3 contains 0.174 acres
 Surface Water 1 contains 0.581 acres
 Surface Water 2 contains 0.178 acres
 Surface Water 3 contains 0.443 acres

- Legend**
- R/W denotes Right of Way
 - P.B. denotes Plat Book
 - O.K. denotes Official Record Book
 - P.S. denotes Page
 - U.L. denotes Utility Easement
 - D.E. denotes Drainage Easement
 - ⊕ denotes sanitary manhole
 - ⊙ denotes storm manhole
 - ⊖ denotes light pole
 - ⊠ denotes water valve
 - ⊞ denotes water line back flow valve
 - ⊚ denotes fire hydrant
 - ⊛ denotes power pole
 - ⊜ denotes overhead utility line
 - ⊝ denotes power line
 - ⊞ denotes telephone fiber line
 - ⊞ denotes sign
 - ⊞ denotes well
 - ⊞ denotes guy wire anchor
 - ⊞ denotes set 5/8" iron rod & cap stamped "PS" 5205", unless otherwise noted
 - ⊞ denotes recovered 1/2" iron rod with no identification
 - ⊞ denotes wetland tag and number, as marked by others
 - DWP denotes corrugated metal drainage pipe
 - RCF denotes reinforced concrete drainage pipe
 - SHW denotes seawall high water elevation
 - ⊞ denotes contour line and elevation

Property Description

Parcel No. 1:
 The Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida.

Parcel No. 2:
 The West 275.0 feet of the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof.

Parcel No. 3:
 The West 1/2 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet of the East 200 feet of the West 220 feet thereof. And less the North 30 feet thereof.

Parcel No. 4:
 That part of the Southwest 1/4 of the Northeast 1/4 of Section 2, Township 21 South, Range 28 East, Orange County, Florida, beginning at a point South 00°02'00" West, 30.0 feet and North 89°35'59" East, 500.0 feet from the Northwest corner of said Southwest 1/4 of the Northeast 1/4, run North 89°30'00" East, 108.90 feet along the South line of Sandpiper Road; thence run South 02°01'00" West, 312.00 feet; thence run North 80°35'36" East, 183.00 feet; thence run South 00°03'49" West, 330.18 feet; thence run South 89°35'00" West, 301.81 feet; thence run North 00°02'00" East, 632.27 feet to the Point of Beginning.

Also, the East 275.0 feet of the West 500.0 feet of the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 2, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof for Sandpiper Road.

Parcel No. 5:
 The Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof.

Parcel No. 6:
 The North 330.00 feet of the West 220.00 feet of the West 1/2 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 30.00 feet thereof, AND 1/350 the West 20.00 feet thereof.

Parcel 7:
 The West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof, and 1/350 the West 30 feet thereof.

Surveyors Report

- Bearings shown herein are based on the North line of the Northeast 1/4 of Section 3, Township 21 South, Range 28 East being assumed as North 89°36'42" East.
- This Survey was performed with the benefit of a commitment for title insurance prepared by Fidelity National Title Insurance Company, dated September 12, 2012. This surveyor has relied on said commitment and has not searched the public records for assessments of record.
- The subject property currently has several vacant residential homes. There are buildings, driveways, docks, utilities and other man-made improvements on the subject property.
- Subject property lies within Zone AE, special flood hazard area bounded by 1% annual chance flood event and Zone X, area determined to be outside the 0.2% annual chance floodplain, according to the National Flood Insurance Program Rate Map, community panel number 1206020119 and 1206020150, dated September 25, 2006.
- The overall subject property contains 38.221 acres, more or less. This acreage calculation includes the wetland areas and areas under the water of Lake McCoy.
- The feature symbols depicted on this survey and in the legend are shown for graphic purposes and may not be drawn to scale.
- The edge of water of Lake McCoy, shown herein, is based on several field measured locations and using an aerial photograph (2013) from Google Earth.
- This Survey was performed for the sole and exclusive benefit of the entities listed herein and shall not be relied upon by any other entity or individual whatsoever.
- This Survey was performed for the sole and exclusive benefit of the entities listed herein and shall not be relied upon by any other entity or individual whatsoever.
- This survey meets the Minimum Technical Standards set forth in Florida Administrative Code Rule 32-17, pursuant to Florida Statute Chapter 472.
- This Survey is not valid without the signature and original sealed seal of a Florida Licensed Surveyor and Mapper.
- Elevations, shown herein, are based on Orange County Vertical Datum relative to the National Geospatial Vertical Datum of 1929. The vertical control points used for this survey are county designation numbers R-296-002 and S-909-006. See topographic survey prepared by this firm for additional topographic information.
- The seasonal high water elevations (SHWE), shown herein, are elevation of nails set in trees by a representative of Bio-Tech Consulting, Inc.

Benchmark Surveying & Mapping, LLC
 Certificate of Authorization Number - LB-1874
 Post Office Box 771065, Winter Garden, Florida 34777-1065
 3110 Red Fire Run, Kissimmee, Florida 34746
 (407) 854-8183 - www.benchmarksurveyingandmapping.com

Prepared For: Florida Land Trust #111
 20A of Sandpiper Road, Trusse
 Haggler, Inc.
 11000 W. US Highway 1
 Kissimmee, Florida 34758
 Professional Surveyor and Mapper
 Florida License # 3505

Boundary Survey of a portion of Sections 2 and 3, Township 21 South, Range 28 East, Orange County, Florida

4/24/13	318.03 update
1/18/13	Project Number
10/27/09	Field Book/Price
10/27/09	Scale
10/27/09	Score

August 2, 2008
 Original Field Date
 49/35
 Field Book/Price

Sheet 1 of 1



MADDEN
 ENGINEERING & SURVEY, INC.
 CIVIL ENGINEERS
 431 E. Spring St. Avenue
 Suite 200
 Maitland, Florida 32751
 (407) 829-8330

PRELIMINARY DRAINAGE AND UTILITY PLAN
 SANDPIPER ROAD
 APOPKA, FLORIDA

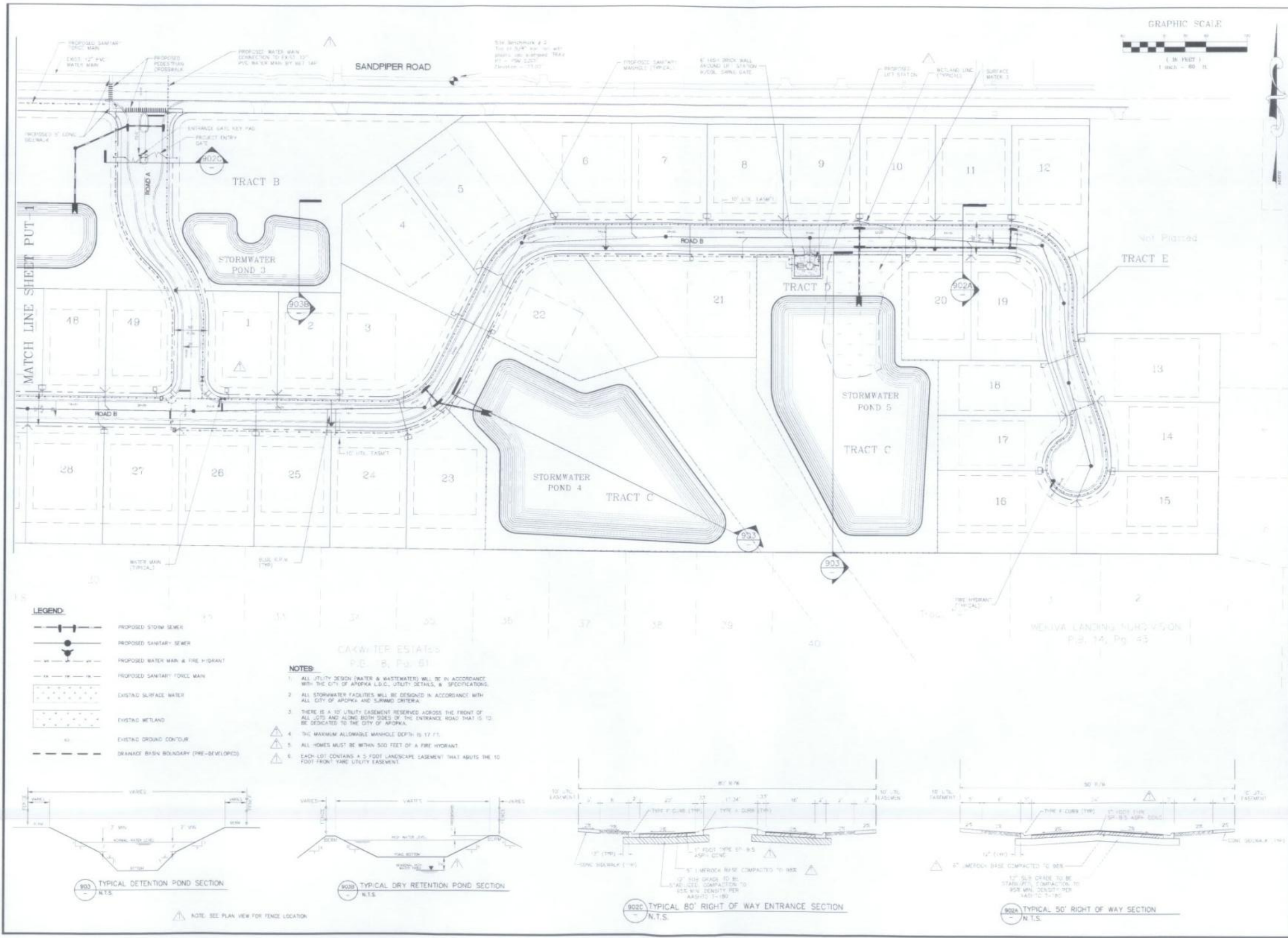
FLORIDA LAND SURVEYOR #111
 801 S. US HIGHWAY 90, SUITE 201
 WINTER PARK, FL 32789
 A.T. 847-4776

ENGINEER IN CHARGE
 DAVID A. STEVENS P.E. #88027
 LICENSED PROFESSIONAL ENGINEER
 STATE OF FLORIDA

DATE: 05/20/2019
SCALE: 1" = 60'
SECTION: 11
DRAWN BY: C.M.
CHECKED BY: C.M.

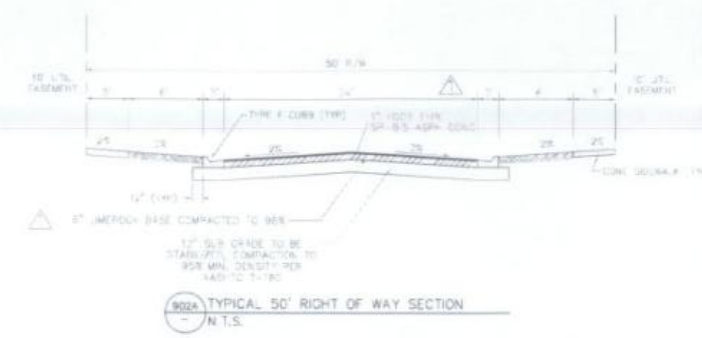
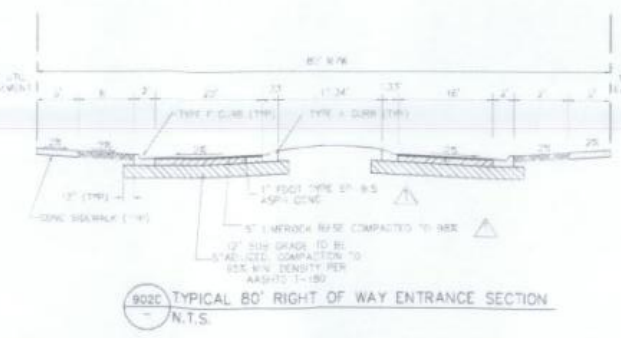
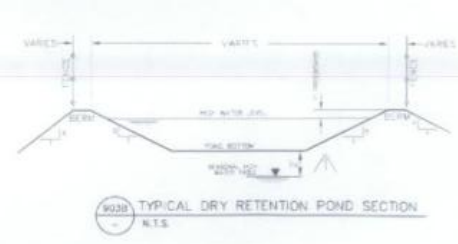
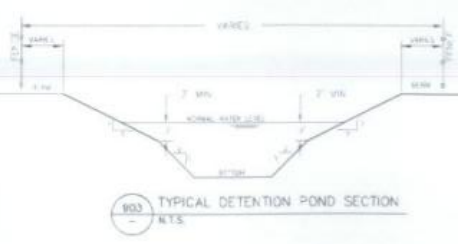
JOB # 12059
 DATE: 07/30/14
 SCALE: 1" = 60'
 SECTION: 11
 DRAWN BY: C.M.
 CHECKED BY: C.M.

PUT-1



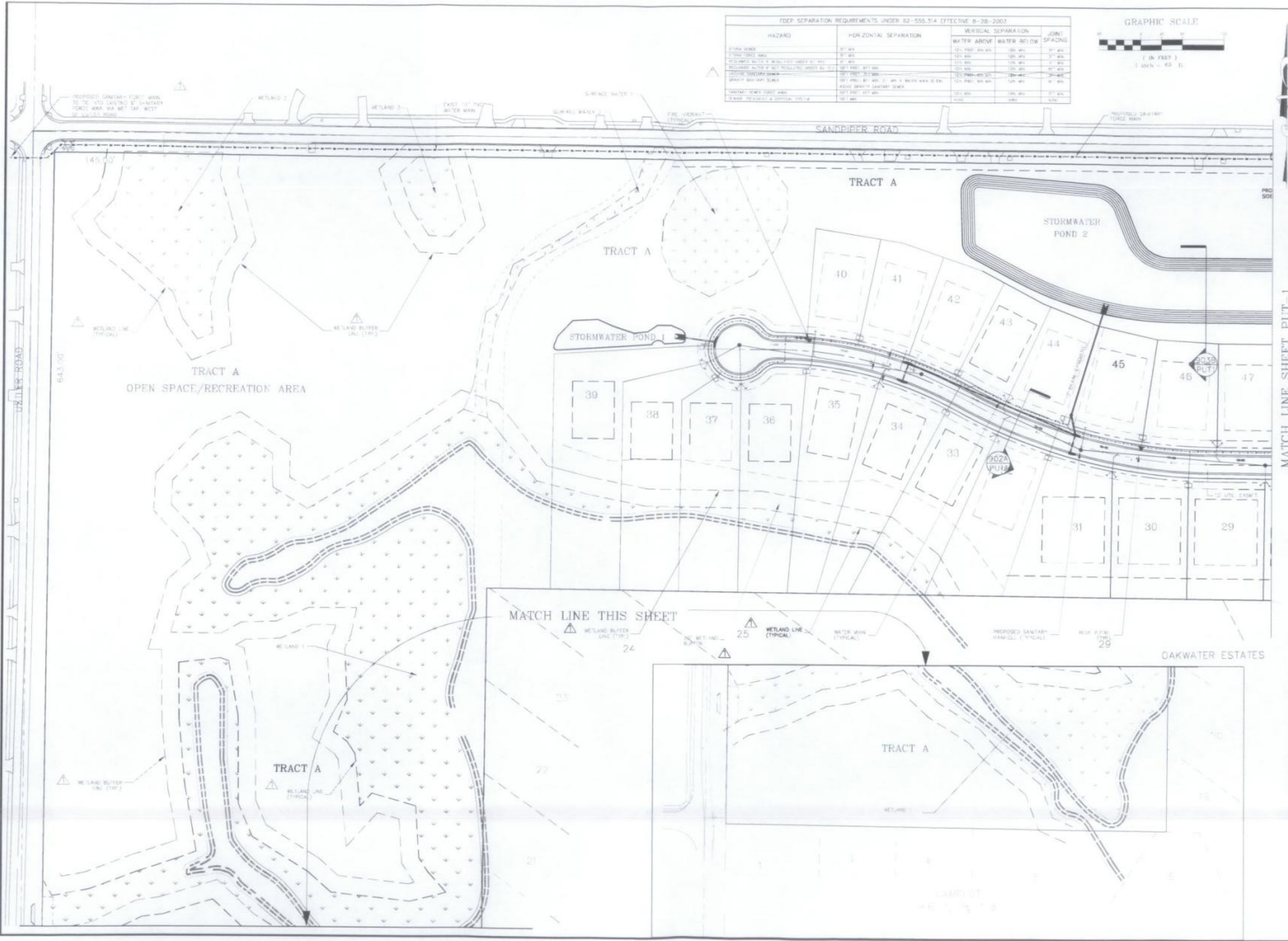
- LEGEND**
- PROPOSED STORM SEWER
 - PROPOSED SANITARY SEWER
 - PROPOSED WATER MAIN & FIRE HYDRANT
 - PROPOSED SANITARY FENCE MAIN
 - EXISTING SURFACE WATER
 - EXISTING WETLAND
 - EXISTING GROUND CONTOUR
 - DRAINAGE BASIN BOUNDARY (PRE-DEVELOPED)

- NOTES**
1. ALL UTILITY DESIGN (WATER & WASTEWATER) WILL BE IN ACCORDANCE WITH THE CITY OF APOPKA L.D.C., UTILITY DETAILS, & SPECIFICATIONS.
 2. ALL STORMWATER FACILITIES WILL BE DESIGNED IN ACCORDANCE WITH ALL CITY OF APOPKA AND SWMM CRITERIA.
 3. THERE IS A 10' UTILITY EASEMENT RESERVED ACROSS THE FRONT OF ALL LOTS AND ALONG BOTH SIDES OF THE ENTRANCE ROAD THAT IS TO BE DEDICATED TO THE CITY OF APOPKA.
 4. THE MAXIMUM ALLOWABLE MANHOLE DEPTH IS 17 FT.
 5. ALL HOMES MUST BE WITHIN 500 FEET OF A FIRE HYDRANT.
 6. EACH LOT CONTAINS A 5 FOOT LANDSCAPE EASEMENT THAT ABUTS THE 10 FOOT FRONT YARD UTILITY EASEMENT.



NOTE: SEE PLAN VIEW FOR FENCE LOCATION.

FDEP SEPARATION REQUIREMENTS UNDER 62-555.314 EFFECTIVE 6-28-2003			
HAZARD	HORIZONTAL SEPARATION	VERTICAL SEPARATION	JOINT SPACING
		WATER ABOVE WATER BELOW	
STORM SEWER	5' MIN	12" MIN	12" MIN
STORM SEWER	5' MIN	12" MIN	12" MIN
PROPOSED WATER MAIN	5' MIN	12" MIN	12" MIN
EXISTING WATER MAIN	5' MIN	12" MIN	12" MIN
EXISTING SANITARY SEWER	5' MIN	12" MIN	12" MIN
PROPOSED SANITARY SEWER	5' MIN	12" MIN	12" MIN
EXISTING SANITARY SEWER	5' MIN	12" MIN	12" MIN
EXISTING WATER MAIN	5' MIN	12" MIN	12" MIN
EXISTING SANITARY SEWER	5' MIN	12" MIN	12" MIN
EXISTING WATER MAIN	5' MIN	12" MIN	12" MIN
EXISTING SANITARY SEWER	5' MIN	12" MIN	12" MIN



MADDEN
MOORHEAD & GUNY, INC.
CIVIL ENGINEERS
431 E. Historic Avenue
Suite 250
Maitland, FL 32751
(407) 829-8530

PRELIMINARY DRAINAGE AND UTILITY PLAN
FDP
SANDPIPER ROAD
ADDP00A

CLIENT
FLORIDA LAND TRUST #111
700 E. WINDY AVE., SUITE 300
WINTER PARK, FL 32789
407 947 4215

ENGINEER IN CHARGE
DAVID A. STEINER, P.E., #000327
REGISTERED PROFESSIONAL ENGINEER
STATE OF FLORIDA, LICENSE NO. 14-000-003

NO.	REVISIONS	DATE

JOB # 2009
DATE 07/30/14
SCALE 1" = 60'
DESIGNED BY C-M
DRAWN BY B-H
APPROVED BY C-M

PUT-2



TREE LOCATION PLAN
SANDPIPER ROAD
 FLORIDA

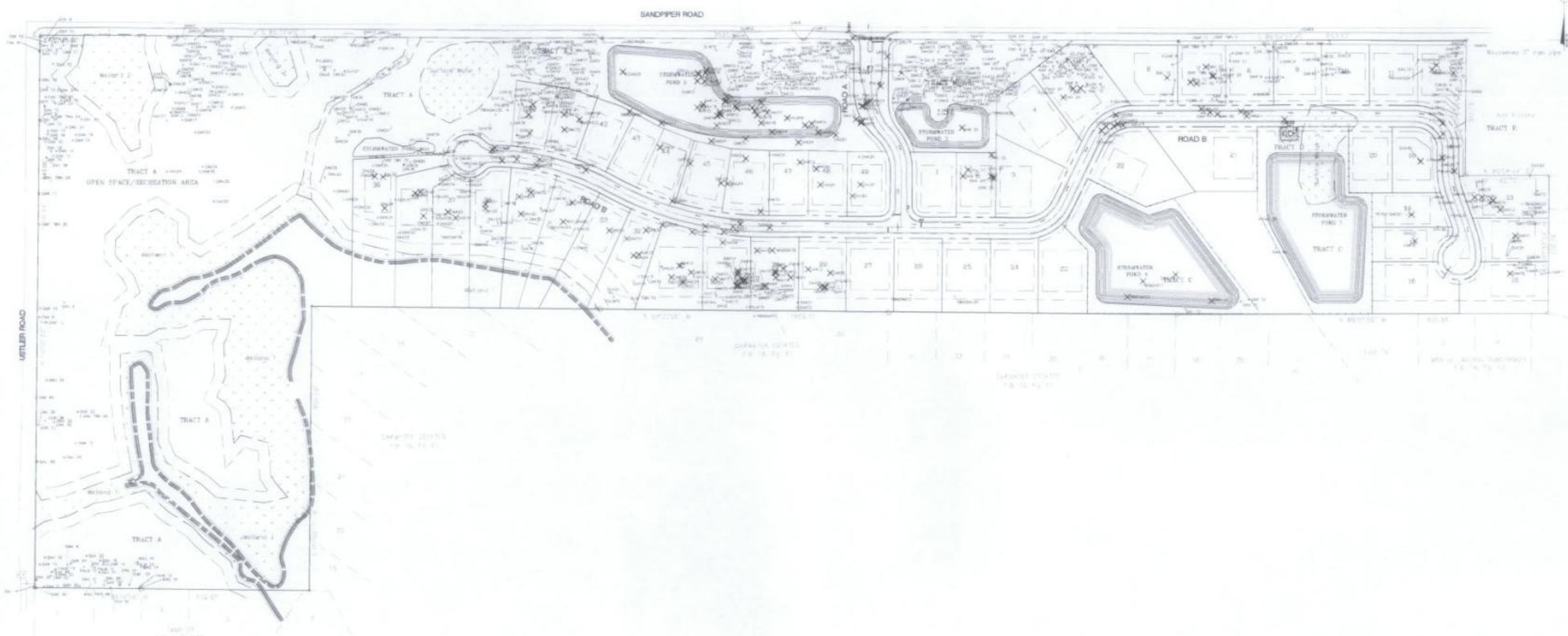
CLIENT
 FLORIDA LAND TRUST #111
 100 S. VICTORIA AVE., SUITE 201
 WINTER PARK, FL 32789
 407.947.4274

ENGINEER IN CHARGE
 DAVID A. STOUTS, P.E. #66507
 2300 S.W. 15TH AVENUE, SUITE 100, MIAMI, FL 33135

DATE: 10/05/2006

JOB #	2258
DATE	07/30/04
SCALE	1"=120'
DESIGNED BY	C-M
DRAWN BY	R-M
APPROVED BY	C-M

TR-1



- TREE LEGEND**
- 12" DAK DENOTES OAK TREE AND SIZE (12" OAK TREE)
 - 10" TWIN DAK DENOTES TWIN OAK TREE AND SIZE (10" TWIN OAK TREE)
 - 8" TPL DAK DENOTES TRIPLE OAK TREE AND SIZE (8" TPL OAK TREE)
 - 18" MAPLE DENOTES MAPLE TREE AND SIZE (18" MAPLE TREE)
 - 14" OAK DENOTES OAK TREE AND SIZE (14" OAK TREE)
 - 18" GUM DENOTES GUM TREE AND SIZE (18" GUM TREE)
 - 18" SWGT GUM DENOTES SWEET GUM TREE AND SIZE (18" SWGT GUM TREE)
 - 18" PECAN DENOTES PECAN TREE AND SIZE (18" PECAN TREE)
 - 10" PALM DENOTES PALM TREE AND SIZE (10" PALM TREE)
- TREE COUNT AREA DIVIDER

TREE INFORMATION TABLE	
TOTAL TREE INCHES ON SITE	= 15,894
TOTAL NUMBER OF SPECIMEN TREES(24" AND GREATER)	= 254
SPECIMEN TREES GREATER THAN 24" BEING REMOVED	= 89
TOTAL SPECIMEN TREE INCHES RETAINED	= 4,965
TOTAL INCHES REMOVED	= 3,622
TOTAL INCHES RETAINED	= 12,272
TOTAL INCHES REQUIRED ON SITE(1 TREE @ 2.5 IN/8000 SF)	= 793
TOTAL TREE INCHES REPLACED	= 543*
TOTAL TREE INCHES POST DEVELOPMENT	= 12,815

X TREES TO BE REMOVED
 * FROM TREE REPLACEMENT TABLE

COMMUNITY PARK TREE TABLE	
COMMUNITY PARK AREA	20,000 SF
REQUIRED TREES(1/4000 SF) 5 @ 3" PER TREE	

TREE REPLACEMENT TABLE	
RETENTION AREAS	61 TREES AT 3 INCHES= 183
STREET TREES	17 TREES AT 3 INCHES= 51
LOT TREES(2 PER LOT)	98 TREES AT 3 INCHES= 294
COMMUNITY PARK TREES	5 TREES AT 3 INCHES = 15

NOTE
 TREE LOCATION PLAN IS BASED ON A TREE SURVEY
 PREPARED BY BENDHARY SURVEYING & MAPPING
 CONSULTANTS, INC. DATED OCTOBER 5, 2006.
 11700 W. Palm Street, Suite 200, Boca Raton, Florida 33433
 (561) 994-4187 Fax (561) 994-4181



MADDEN
 HOODHEAD & CLINT, INC.
 CIVIL ENGINEERS
 431 E. Herold Avenue
 Suite 200
 Maitland, Florida 32751
 (407) 529-8230

CONCEPTUAL LANDSCAPE PLAN
 TOP
SANDPIPER ROAD
 BOTTOM

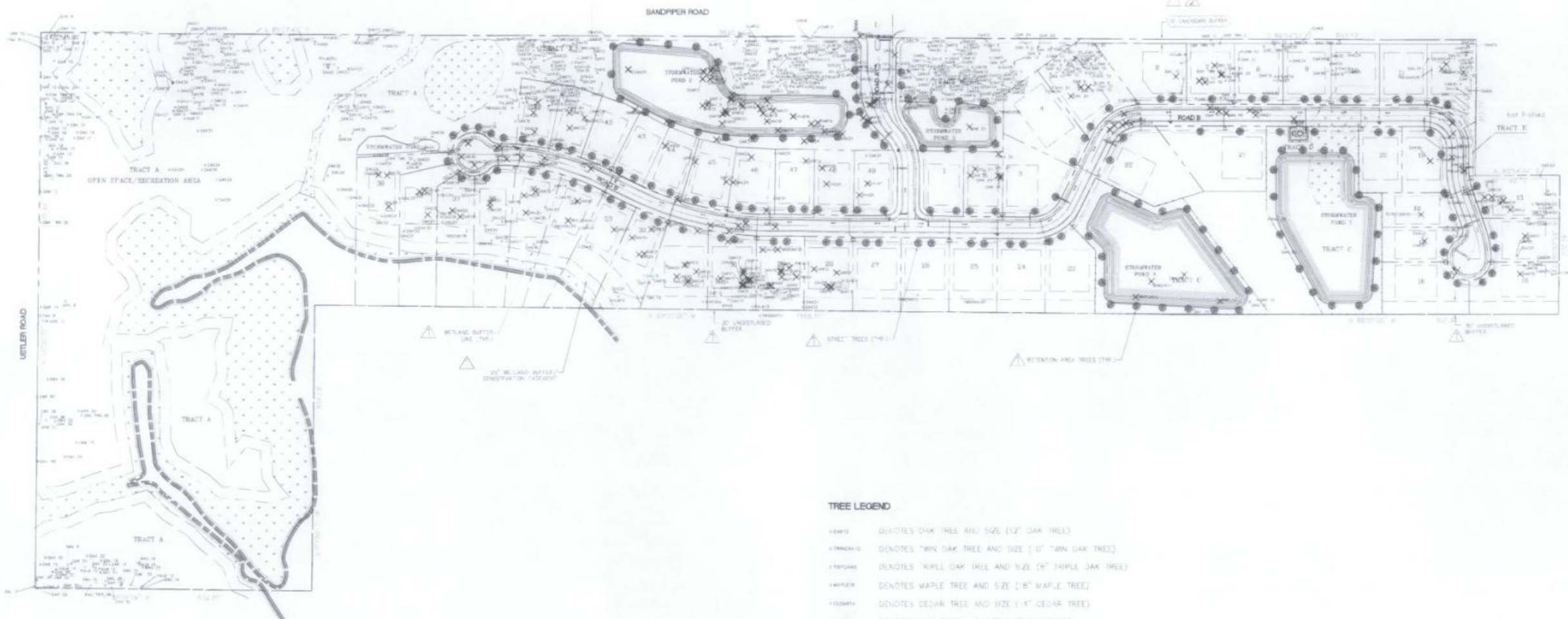
CLIENT
 FLORIDA LAND INVEST #111
 1001 S. VIRGINIA AVE. SUITE 200
 WINTER PARK, FL 32789
 407 947 8376

ENGINEER IN CHARGE
 DAVID A. STONIS, P.E., #68057
 2510 ROAD 10, SUITE 100, WINTER PARK, FL 32789

DATE	DESCRIPTION

JOB # 2008
 DATE 07/30/14
 SCALE 1"=120'
 DESIGNED BY C/M
 DRAWN BY R/M
 APPROVED BY C/M

CLP-1



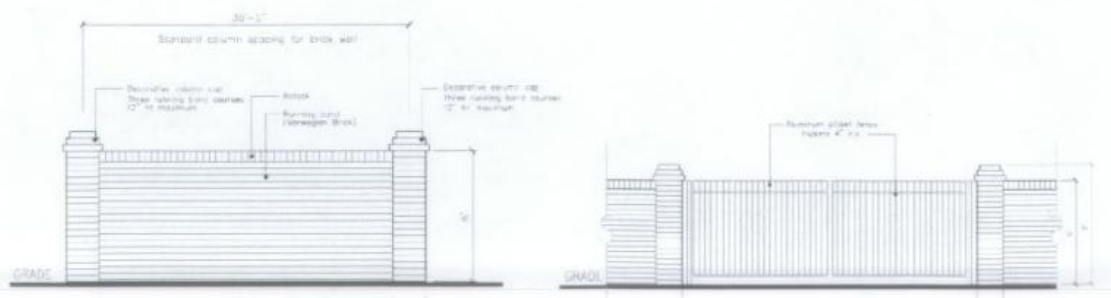
TREE LEGEND

- DAK12 DENOTES DAK TREE AND SIZE (12" DAK TREE)
- DAK18 DENOTES 18" DAK TREE AND SIZE (18" DAK TREE)
- DAK24 DENOTES 24" DAK TREE AND SIZE (24" DAK TREE)
- DAK36 DENOTES 36" DAK TREE AND SIZE (36" DAK TREE)
- DAK48 DENOTES 48" DAK TREE AND SIZE (48" DAK TREE)
- DAK60 DENOTES 60" DAK TREE AND SIZE (60" DAK TREE)
- DAK72 DENOTES 72" DAK TREE AND SIZE (72" DAK TREE)
- DAK84 DENOTES 84" DAK TREE AND SIZE (84" DAK TREE)
- DAK96 DENOTES 96" DAK TREE AND SIZE (96" DAK TREE)
- DAK108 DENOTES 108" DAK TREE AND SIZE (108" DAK TREE)
- DAK120 DENOTES 120" DAK TREE AND SIZE (120" DAK TREE)
- DAK132 DENOTES 132" DAK TREE AND SIZE (132" DAK TREE)
- DAK144 DENOTES 144" DAK TREE AND SIZE (144" DAK TREE)
- DAK156 DENOTES 156" DAK TREE AND SIZE (156" DAK TREE)
- DAK168 DENOTES 168" DAK TREE AND SIZE (168" DAK TREE)
- DAK180 DENOTES 180" DAK TREE AND SIZE (180" DAK TREE)
- DAK192 DENOTES 192" DAK TREE AND SIZE (192" DAK TREE)
- DAK204 DENOTES 204" DAK TREE AND SIZE (204" DAK TREE)
- DAK216 DENOTES 216" DAK TREE AND SIZE (216" DAK TREE)
- DAK228 DENOTES 228" DAK TREE AND SIZE (228" DAK TREE)
- DAK240 DENOTES 240" DAK TREE AND SIZE (240" DAK TREE)
- DAK252 DENOTES 252" DAK TREE AND SIZE (252" DAK TREE)
- DAK264 DENOTES 264" DAK TREE AND SIZE (264" DAK TREE)
- DAK276 DENOTES 276" DAK TREE AND SIZE (276" DAK TREE)
- DAK288 DENOTES 288" DAK TREE AND SIZE (288" DAK TREE)
- DAK300 DENOTES 300" DAK TREE AND SIZE (300" DAK TREE)
- DAK312 DENOTES 312" DAK TREE AND SIZE (312" DAK TREE)
- DAK324 DENOTES 324" DAK TREE AND SIZE (324" DAK TREE)
- DAK336 DENOTES 336" DAK TREE AND SIZE (336" DAK TREE)
- DAK348 DENOTES 348" DAK TREE AND SIZE (348" DAK TREE)
- DAK360 DENOTES 360" DAK TREE AND SIZE (360" DAK TREE)
- DAK372 DENOTES 372" DAK TREE AND SIZE (372" DAK TREE)
- DAK384 DENOTES 384" DAK TREE AND SIZE (384" DAK TREE)
- DAK396 DENOTES 396" DAK TREE AND SIZE (396" DAK TREE)
- DAK408 DENOTES 408" DAK TREE AND SIZE (408" DAK TREE)
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- DAK456 DENOTES 456" DAK TREE AND SIZE (456" DAK TREE)
- DAK468 DENOTES 468" DAK TREE AND SIZE (468" DAK TREE)
- DAK480 DENOTES 480" DAK TREE AND SIZE (480" DAK TREE)
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- DAK588 DENOTES 588" DAK TREE AND SIZE (588" DAK TREE)
- DAK600 DENOTES 600" DAK TREE AND SIZE (600" DAK TREE)
- DAK612 DENOTES 612" DAK TREE AND SIZE (612" DAK TREE)
- DAK624 DENOTES 624" DAK TREE AND SIZE (624" DAK TREE)
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- DAK648 DENOTES 648" DAK TREE AND SIZE (648" DAK TREE)
- DAK660 DENOTES 660" DAK TREE AND SIZE (660" DAK TREE)
- DAK672 DENOTES 672" DAK TREE AND SIZE (672" DAK TREE)
- DAK684 DENOTES 684" DAK TREE AND SIZE (684" DAK TREE)
- DAK696 DENOTES 696" DAK TREE AND SIZE (696" DAK TREE)
- DAK708 DENOTES 708" DAK TREE AND SIZE (708" DAK TREE)
- DAK720 DENOTES 720" DAK TREE AND SIZE (720" DAK TREE)
- DAK732 DENOTES 732" DAK TREE AND SIZE (732" DAK TREE)
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- DAK816 DENOTES 816" DAK TREE AND SIZE (816" DAK TREE)
- DAK828 DENOTES 828" DAK TREE AND SIZE (828" DAK TREE)
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- DAK852 DENOTES 852" DAK TREE AND SIZE (852" DAK TREE)
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- DAK1164 DENOTES 1164" DAK TREE AND SIZE (1164" DAK TREE)
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- DAK1608 DENOTES 1608" DAK TREE AND SIZE (1608" DAK TREE)
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- DAK1644 DENOTES 1644" DAK TREE AND SIZE (1644" DAK TREE)
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- DAK1776 DENOTES 1776" DAK TREE AND SIZE (1776" DAK TREE)
- DAK1788 DENOTES 1788" DAK TREE AND SIZE (1788" DAK TREE)
- DAK1800 DENOTES 1800" DAK TREE AND SIZE (1800" DAK TREE)
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- DAK1836 DENOTES 1836" DAK TREE AND SIZE (1836" DAK TREE)
- DAK1848 DENOTES 1848" DAK TREE AND SIZE (1848" DAK TREE)
- DAK1860 DENOTES 1860" DAK TREE AND SIZE (1860" DAK TREE)
- DAK1872 DENOTES 1872" DAK TREE AND SIZE (1872" DAK TREE)
- DAK1884 DENOTES 1884" DAK TREE AND SIZE (1884" DAK TREE)
- DAK1896 DENOTES 1896" DAK TREE AND SIZE (1896" DAK TREE)
- DAK1908 DENOTES 1908" DAK TREE AND SIZE (1908" DAK TREE)
- DAK1920 DENOTES 1920" DAK TREE AND SIZE (1920" DAK TREE)
- DAK1932 DENOTES 1932" DAK TREE AND SIZE (1932" DAK TREE)
- DAK1944 DENOTES 1944" DAK TREE AND SIZE (1944" DAK TREE)
- DAK1956 DENOTES 1956" DAK TREE AND SIZE (1956" DAK TREE)
- DAK1968 DENOTES 1968" DAK TREE AND SIZE (1968" DAK TREE)
- DAK1980 DENOTES 1980" DAK TREE AND SIZE (1980" DAK TREE)
- DAK1992 DENOTES 1992" DAK TREE AND SIZE (1992" DAK TREE)
- DAK2004 DENOTES 2004" DAK TREE AND SIZE (2004" DAK TREE)
- DAK2016 DENOTES 2016" DAK TREE AND SIZE (2016" DAK TREE)
- DAK2028 DENOTES 2028" DAK TREE AND SIZE (2028" DAK TREE)
- DAK2040 DENOTES 2040" DAK TREE AND SIZE (2040" DAK TREE)
- DAK2052 DENOTES 2052" DAK TREE AND SIZE (2052" DAK TREE)
- DAK2064 DENOTES 2064" DAK TREE AND SIZE (2064" DAK TREE)
- DAK2076 DENOTES 2076" DAK TREE AND SIZE (2076" DAK TREE)
- DAK2088 DENOTES 2088" DAK TREE AND SIZE (2088" DAK TREE)
- DAK2100 DENOTES 2100" DAK TREE AND SIZE (2100" DAK TREE)
- DAK2112 DENOTES 2112" DAK TREE AND SIZE (2112" DAK TREE)
- DAK2124 DENOTES 2124" DAK TREE AND SIZE (2124" DAK TREE)
- DAK2136 DENOTES 2136" DAK TREE AND SIZE (2136" DAK TREE)
- DAK2148 DENOTES 2148" DAK TREE AND SIZE (2148" DAK TREE)
- DAK2160 DENOTES 2160" DAK TREE AND SIZE (2160" DAK TREE)
- DAK2172 DENOTES 2172" DAK TREE AND SIZE (2172" DAK TREE)
- DAK2184 DENOTES 2184" DAK TREE AND SIZE (2184" DAK TREE)
- DAK2196 DENOTES 2196" DAK TREE AND SIZE (2196" DAK TREE)
- DAK2208 DENOTES 2208" DAK TREE AND SIZE (2208" DAK TREE)
- DAK2220 DENOTES 2220" DAK TREE AND SIZE (2220" DAK TREE)
- DAK2232 DENOTES 2232" DAK TREE AND SIZE (2232" DAK TREE)
- DAK2244 DENOTES 2244" DAK TREE AND SIZE (2244" DAK TREE)
- DAK2256 DENOTES 2256" DAK TREE AND SIZE (2256" DAK TREE)
- DAK2268 DENOTES 2268" DAK TREE AND SIZE (2268" DAK TREE)
- DAK2280 DENOTES 2280" DAK TREE AND SIZE (2280" DAK TREE)
- DAK2292 DENOTES 2292" DAK TREE AND SIZE (2292" DAK TREE)
- DAK2304 DENOTES 2304" DAK TREE AND SIZE (2304" DAK TREE)
- DAK2316 DENOTES 2316" DAK TREE AND SIZE (2316" DAK TREE)
- DAK2328 DENOTES 2328" DAK TREE AND SIZE (2328" DAK TREE)
- DAK2340 DENOTES 2340" DAK TREE AND SIZE (2340" DAK TREE)
- DAK2352 DENOTES 2352" DAK TREE AND SIZE (2352" DAK TREE)
- DAK2364 DENOTES 2364" DAK TREE AND SIZE (2364" DAK TREE)
- DAK2376 DENOTES 2376" DAK TREE AND SIZE (2376" DAK TREE)
- DAK2388 DENOTES 2388" DAK TREE AND SIZE (2388" DAK TREE)
- DAK2400 DENOTES 2400" DAK TREE AND SIZE (2400" DAK TREE)
- DAK2412 DENOTES 2412" DAK TREE AND SIZE (2412" DAK TREE)
- DAK2424 DENOTES 2424" DAK TREE AND SIZE (2424" DAK TREE)
- DAK2436 DENOTES 2436" DAK TREE AND SIZE (2436" DAK TREE)
- DAK2448 DENOTES 2448" DAK TREE AND SIZE (2448" DAK TREE)
- DAK2460 DENOTES 2460" DAK TREE AND SIZE (2460" DAK TREE)
- DAK2472 DENOTES 2472" DAK TREE AND SIZE (2472" DAK TREE)
- DAK2484 DENOTES 2484" DAK TREE AND SIZE (2484" DAK TREE)
- DAK2496 DENOTES 2496" DAK TREE AND SIZE (2496" DAK TREE)
- DAK2508 DENOTES 2508" DAK TREE AND SIZE (2508" DAK TREE)
- DAK2520 DENOTES 2520" DAK TREE AND SIZE (2520" DAK TREE)
- DAK2532 DENOTES 2532" DAK TREE AND SIZE (2532" DAK TREE)
- DAK2544 DENOTES 2544" DAK TREE AND SIZE (2544" DAK TREE)
- DAK2556 DENOTES 2556" DAK TREE AND SIZE (2556" DAK TREE)
- DAK2568 DENOTES 2568" DAK TREE AND SIZE (2568" DAK TREE)
- DAK2580 DENOTES 2580" DAK TREE AND SIZE (2580" DAK TREE)
- DAK2592 DENOTES 2592" DAK TREE AND SIZE (2592" DAK TREE)
- DAK2604 DENOTES 2604" DAK TREE AND SIZE (2604" DAK TREE)
- DAK2616 DENOTES 2616" DAK TREE AND SIZE (2616" DAK TREE)
- DAK2628 DENOTES 2628" DAK TREE AND SIZE (2628" DAK TREE)
- DAK2640 DENOTES 2640" DAK TREE AND SIZE (2640" DAK TREE)
- DAK2652 DENOTES 2652" DAK TREE AND SIZE (2652" DAK TREE)
- DAK2664 DENOTES 2664" DAK TREE AND SIZE (2664" DAK TREE)
- DAK2676 DENOTES 2676" DAK TREE AND SIZE (2676" DAK TREE)
- DAK2688 DENOTES 2688" DAK TREE AND SIZE (2688" DAK TREE)
- DAK2700 DENOTES 2700" DAK TREE AND SIZE (2700" DAK TREE)
- DAK2712 DENOTES 2712" DAK TREE AND SIZE (2712" DAK TREE)
- DAK2724 DENOTES 2724" DAK TREE AND SIZE (2724" DAK TREE)
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- DAK2748 DENOTES 2748" DAK TREE AND SIZE (2748" DAK TREE)
- DAK2760 DENOTES 2760" DAK TREE AND SIZE (2760" DAK TREE)
- DAK2772 DENOTES 2772" DAK TREE AND SIZE (2772" DAK TREE)
- DAK2784 DENOTES 2784" DAK TREE AND SIZE (2784" DAK TREE)
- DAK2796 DENOTES 2796" DAK TREE AND SIZE (2796" DAK TREE)
- DAK2808 DENOTES 2808" DAK TREE AND SIZE (2808" DAK TREE)
- DAK2820 DENOTES 2820" DAK TREE AND SIZE (2820" DAK TREE)
- DAK2832 DENOTES 2832" DAK TREE AND SIZE (2832" DAK TREE)
- DAK2844 DENOTES 2844" DAK TREE AND SIZE (2844" DAK TREE)
- DAK2856 DENOTES 2856" DAK TREE AND SIZE (2856" DAK TREE)
- DAK2868 DENOTES 2868" DAK TREE AND SIZE (2868" DAK TREE)
- DAK2880 DENOTES 2880" DAK TREE AND SIZE (2880" DAK TREE)
- DAK2892 DENOTES 2892" DAK TREE AND SIZE (2892" DAK TREE)
- DAK2904 DENOTES 2904" DAK TREE AND SIZE (2904" DAK TREE)
- DAK2916 DENOTES 2916" DAK TREE AND SIZE (2916" DAK TREE)
- DAK2928 DENOTES 2928" DAK TREE AND SIZE (2928" DAK TREE)
- DAK2940 DENOTES 2940" DAK TREE AND SIZE (2940" DAK TREE)
- DAK2952 DENOTES 2952" DAK TREE AND SIZE (2952" DAK TREE)
- DAK2964 DENOTES 2964" DAK TREE AND SIZE (2964" DAK TREE)
- DAK2976 DENOTES 2976" DAK TREE AND SIZE (2976" DAK TREE)
- DAK2988 DENOTES 2988" DAK TREE AND SIZE (2988" DAK TREE)
- DAK3000 DENOTES 3000" DAK TREE AND SIZE (3000" DAK TREE)

NOTES

1. THIS PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE WITH FINAL ENGINEERING.
2. THIS PLAN SHOWS STREET TREES AT 30 FT. CENTERS.
3. PROPOSED SIDEWALKS CAN BE SHIFTED TO SAVE EXISTING TREES WHERE POSSIBLE. ANY CHANGES IN LOCATION WILL BE SHOWN ON FINAL DEVELOPMENT PLANS.
4. PROPOSED STREET TREES TO BE LOCATED IN 5' LANDSCAPE EASEMENT BEHIND THE 10' UTILITY EASEMENT.
5. RETENTION POND TREES ARE SHOWN AT 25 FT. CENTERS.
6. EXISTING TREE LOCATIONS FROM SURVEY BY BENCHMARK SURVEYING & MAPPING CONSULTANTS, INC.
7. PROPOSED REPLACEMENT TREE DIAMETER SHALL BE 3" MINIMUM.
8. IRRIGATION AND LANDSCAPING WITHIN THE COMMON AREAS AND INDIVIDUAL LOTS, SHALL BE IN ACCORDANCE WITH THE CITY'S WATER-WISE ORDINANCE.
9. DETAILED LANDSCAPE AND IRRIGATION PLANS WILL BE PROVIDED WITH FINAL DEVELOPMENT PLANS.
10. AN ADDITIONAL 2 TREES PER LOT WILL BE PLANTED ALONG WITH STREET TREES AND RETENTION AREA TREES. FOR LOTS WHERE NO EXISTING TREES CAN BE PRESERVED, THREE ADDITIONAL TREES WILL BE PLANTED AT TIME OF LOT DEVELOPMENT, WHERE THEY CAN BE PRACTICALLY ACCOMMODATED.

- = PROPOSED STREET TREE (LIVE OAK) IN ACCORDANCE WITH CITY CODE
- X = TREES TO BE REMOVED



WALL DETAIL

DOUBLE SWING GATE DETAIL (10' STATION)

LIFT STATION WALL DETAIL

NOTE
 TREE LOCATION PLAN IS BASED ON A TREE SURVEY
 PREPARED BY BENCHMARK SURVEYING & MAPPING
 CONSULTANTS, INC. DATED OCTOBER 5, 2008.
 PLAN 2008-004, 1/10/08, Winter Park, Florida 32789
 431 West Palm Street, Suite 200, Winter Park, FL 32789
 (407) 854-8182 Fax (407) 854-4181

EXHIBIT “F”
SANDPIPER MASTER SITE PLAN DEVELOPMENT STANDARDS

[**Bold text lists the applicant’s proposed development standard that is not acceptable to city staff. Staff’s recommendation is provided.**]

A. Design Standards

1. **LOT SETBACKS:**

Front-	25'
Side -	7.5'
Lots 15, 16-	37.5'
Lots 5, 6, 21, 22 -	0' adjacent to the gas line easement
Corner Lot -	25'
Rear -	20' (lots 1-22, 32-49)
	50' (lots 23-31)
Lk. McCoy NHWE-	50'

Garage Setbacks

Front entry:	30'
Side entry:	25'

2. The minimum lot width for all lots excluding lots 6 through 12 and 32 through 39, will be 110 feet at the building setback line. The minimum lot width for all other lots will be 75 feet. The minimum lot depth will be 140 feet.
3. Maximum Building Height: 35'
4. Maximum number of Stories: Two
5. Minimum Lot Width: 75'
6. Minimum Lot Area: 10,000 sq. Ft.
7. Minimum Living Area; 2,000 sq.ft. under heat and air.
8. Each house to have a two car garage (minimum).
9. Any modification to the Master Site Plan shall be reviewed according to Section 2.02.18.N, Land Development Code.

B. Buildings and Accessory Structures

1. Home design shall meet the intent of the City’s Development Design Guidelines.
2. Pools, sheds, buildings, gazebos, fences and other accessory structures are prohibited in the side yard setbacks and within the 30 foot conservation easement at the rear of lots 23 to 31.
3. Existing structures will be removed prior to platting of the respective phase

C. Utilities and Infrastructure

1. Water service shall be provided by the City of Apopka. The water system shall be designed to city standards.
2. An oversize agreement is necessary to install 12" diameter force main along sandpiper road.

2. Storm water management system shall be designed to comply with the requirements of the City of Apopka and St. Johns River Water Management District.
3. A final drainage report and soils report will be submitted with final development plans
4. Sanitary service shall be provided by the City of Apopka. The sanitary system shall be designed to city standards.
5. Utility easements to be dedicated to the City of Apopka.
6. Drainage easements to be dedicated to the home owners association unless otherwise accepted by the City of Apopka.
7. All stormwater and utility pipes may be moved to save existing trees in the right-of-way. Any change in the location of these pipes will be shown on the final engineering plans.
8. On-site streets are to be constructed per City of Apopka standards.
9. A signage plan will be provided with the final development plan submittal.
10. If community is to be gated, entrance gate shall conform to city codes. Entrance gate to be equipped with emergency access system through an opti-com type visual gate activation and yelp siren. There must also be a keypad with an emergency access code.
11. If streets remain private, a blanket ingress/egress easement will be granted for access to the city over Tract F
12. Stabilized access roadways and fire hydrants must be in place before building construction may begin
13. Street names will be provided with the final development plans
14. Solid waste collection and public safety (police and fire) provided by the City of Apopka.
15. All/any overhead utility lines must be placed underground, coordination with City's Public Service Dept.
16. At this time the proposed street row is to be private; however the applicant may, at their discretion and with acceptance by the city, change the row to City of Apopka prior to final development plan and final plat approval.
17. A 5' wide sidewalks to be constructed adjacent to internal roads throughout the entire project in compliance with the City of Apopka Land Development Code. Sidewalk alignment may be adjusted at final development plan to preserve existing trees.
18. In lieu of installation of sidewalk along Ustler Road, the owner may pay into the city sidewalk fund at the rate of \$3.50/sf for 4" thick sidewalk and \$4.25 for 6" sidewalk.
19. **No sidewalk will be provided along Sandpiper Street.**
Staff Recommendation: A five-foot wide sidewalk shall be constructed along Sandpiper Road from Ustler Road to the northeast corner of the project boundary.

D. Recreation, Open Space, Lake Access

1. The active park area shall be a minimum of 15,000 sq.ft. within Tract "A". A park site plan and recreation equipment shall be provided with the Final Development Plan. Design of the park shall comply with the Land Development Code.
2. Only the eight lot owners who will have lots backing up to Lake McCoy will have access to the lake and be able to build private docks to access said lake. All eight lot owners will be required to join the Lake McCoy taxing district. No other docks or recreation will be allowed from this development. Dock details will be evaluated with the final

development plan and is to include language allowing a 15-foot wide access to the lake for each lot.

3. A Park site plan and recreational amenities will be provided with final development plans.
4. Project open space:
 - Required = 20%
 - Provided = 45.85% (26.70 acs.).

E. Buffers and Landscaping

1. A 30 foot wide conservation easement will be provided on the back of Lots along the southern property line, except against lake, wetland, retention, or gas easement. Easement shall be dedicated to the HOA. No building, fence, gazebo, swimming pool, or accessory structure shall be placed within the thirty-foot conservation easement. The buffer shall remain as natural vegetated buffer. Trees that die, fall, or are removed shall be replaced. Any removal of trees or vegetation within the bufferyard must be approved by the HOA and the City of Apopka. Easement boundary markers will be placed at the interior of the easement line for all lots (Lots 23 to 32, and 15, 16) abutting the 30-foot conservation easement.
3. **A 10 foot wide buffer tract for landscaping will be provided on the northern property line, except against lake, wetland, retention, or gas easement this easement will be dedicated to HOA.**
Staff Recommendation: A ten foot wide buffer tract with a six foot high masonry wall shall be placed from the northeast corner of Lot 12 to a point near the eastern edge of Road A, and said buffer will include a six-foot high brick or masonry wall placed adjacent to the interior tract line. From Road A westward to a point directly north of the northwest corner of Lot 40, a ten foot wide landscape area shall be provided within Tract A, and a wrought-iron style fence with a masonry or brick posts shall be place ten from the northern project boundary line.
4. Entrance feature and community sign will be provided with final development plans.
5. Final landscape plans for the buffer area along Sandpiper Street will be provided with the final development plans.

F. Maintenance and Plat

1. Home owners association will maintain all common areas, roads, and walls. If the internal streets are recorded as public streets at the final development plan, the City shall maintain the public streets.
2. The final development plan shall include the plat document, and the plat shall be in final form.
3. Lots 5, 6, 21, and 22 have access to the gas easement surface area as allowed by the recorded easement. Easement details will be provided with the final development plan.

G. Wetlands and Environmental

1. All acreage regarding developable and conservation areas (wetlands and buffers) are considered approximate until finalized during a review by the St. Johns River Water Management District and the City of Apopka. The SJRWMD concurrency will be provided at final plan review.

2. The jurisdictional wetland areas are to be placed in a conservation easement.
3. Any development in a special flood hazard area will require the finish floor elevation to be 20-inches above the 100 yr. Flood elevation, minimum.
4. An erosion protection plan will be submitted with final development plans.
5. The habitat inventory and management report shall be provided to the city at the final development plan stage.
6. Tree removal, tree replacement, and landscaping shall be in conformance with Article V of the City of Apopka Land Development Code.
7. Individual lot arbor/clearing permit is required prior to issuance of building permit.
8. In order to save existing trees stem walls/retaining walls will be utilized on individual lots.
9. The 25 foot wide (average)/15 foot wide minimum wetland buffer/conservation easement within Lots 32 to 39 and Tract A is to be dedicated to the SJRWMD. Lot owners may not clear any vegetation within the conservation easement on their lot except to accommodate a maximum 15 foot wide path to reach the water's edge.

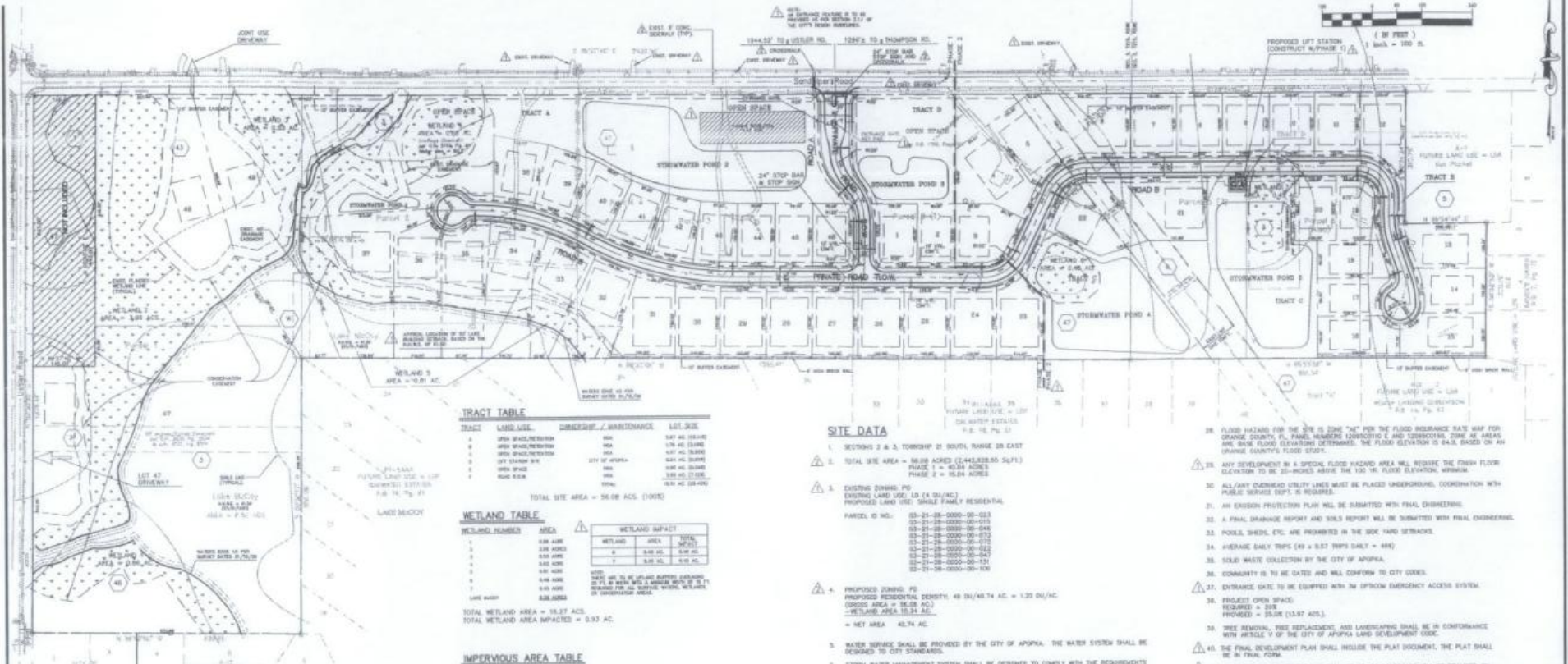
EXHIBIT "G"



PRELIMINARY DEVELOPMENT PLAN FOR SANDPIPER ROAD

C. & G. AT SANDPIPER, INC.
 111 SOUTH WATLORD AVE., SUITE 101
 MAITLAND, FL. 32751
 (407) 639-4101

ENGINEER IN CHARGE:
 CHANDLER H. MCKAY, P.E., P.L.L.C.
 111 SOUTH WATLORD AVE., SUITE 101
 MAITLAND, FL. 32751
 (407) 639-4101



TRACT TABLE

TRACT	SUBDIVISION / INTEREST	ACRES
1	LOT 48	0.08
2	LOT 49	0.08
3	LOT 50	0.08
4	LOT 51	0.08
5	LOT 52	0.08
TOTAL		0.40

WETLAND TABLE

WETLAND NUMBER	AREA (ACRES)	WETLAND TYPE	IMPACT
1	1.50	S1B	1.50 AC. LOST
2	1.50	S1A	1.50 AC. LOST
3	1.50	S1A	1.50 AC. LOST
4	1.50	S1A	1.50 AC. LOST
5	1.50	S1A	1.50 AC. LOST
6	1.50	S1A	1.50 AC. LOST
7	1.50	S1A	1.50 AC. LOST
TOTAL	9.00		9.00 AC. LOST

SITE DATA

- SECTION 2 & 3, TOWNSHIP 21 NORTH, RANGE 28 EAST
- TOTAL SITE AREA = 56.08 ACRES (2,442,328.80 SQ. FT.)
 PHASE 1 = 40.00 ACRES
 PHASE 2 = 16.08 ACRES
- EXISTING ZONING: PD (EXISTING LAND USE: LD (14 DU/AC)
 PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
 PARCEL ID NO.: 03-21-28-0000-08-033, 03-21-28-0000-08-015, 03-21-28-0000-08-048, 03-21-28-0000-08-012, 03-21-28-0000-08-042, 03-21-28-0000-08-043, 03-21-28-0000-08-131, 03-21-28-0000-08-109
- PROPOSED ZONING: PD
 PROPOSED RESIDENTIAL DENSITY: 48 DU/40.74 AC = 1.20 DU/AC (GOODS AREA = 38.68 AC)
 -WETLANDS AREA 16.24 AC
 -NET AREA 42.74 AC
- WATER SERVICE SHALL BE PROVIDED BY THE CITY OF APOPKA. THE WATER SYSTEM SHALL BE DESIGNED TO CITY STANDARDS.
- STORM WATER MANAGEMENT SYSTEM SHALL BE DESIGNED TO COMPLY WITH THE REQUIREMENTS OF THE CITY OF APOPKA AND ST. JOHNS RIVER WATER DISTRICT.
- SANITARY SERVICE SHALL BE PROVIDED BY THE CITY OF APOPKA. THE SANITARY SYSTEM SHALL BE DESIGNED TO CITY STANDARDS.
- PROPOSED SCHOOL AGE POPULATION: 48 (24 IN LOT 48 & 24 IN LOTS 49-52)
- RECREATION FACILITIES SHALL BE PROVIDED ON SITE. RECREATION AREA IS 2.5 ACRES PER FOOD RESERVATION. REQUIRED RECREATION = 4.83 ACRES
- LOT STRACKS: FRONT = 25', REAR = 30', SIDE = 1.5', PERMITS STRACK = 30', L.A. MOUTH WEDGE = 30'
- MAXIMUM BUILDING HEIGHT IS 30' AND TWO STORIES.
- MINIMUM LOT SIZE = 85X100'.
- MINIMUM LOT AREA IS 11,850 SQ. FT.
- MINIMUM LIVING AREA IS 3,000 SQ. FT. UNDER HEAT AND AIR.
- EACH HOUSE TO HAVE A TWO CAR GARAGE (DRANKAS).
- UTILITY EXPOSURES TO BE DEDICATED TO THE CITY OF APOPKA.
- ON-SITE STREETS ARE TO BE PRIVATE AND CONSTRUCTED PER CITY OF APOPKA STANDARDS.
- IRRIGASION EXPOSURES TO BE DEDICATED TO THE HOME OWNERS ASSOCIATION.
- HOME OWNERS ASSOCIATION WILL MAINTAIN ALL COMMON AREAS, ROADS, AND WALLS.
- 5' WIDE SIDEWALKS TO BE CONSTRUCTED THROUGHOUT THE ENTIRE PROJECT IN COMPLIANCE WITH THE CITY OF APOPKA L.C. SIDEWALK SECTION. THE MINIMUM LOT WIDTH FOR ALL OTHER LOTS WILL BE 60 FEET. THE MINIMUM LOT WIDTH WILL BE 130 FEET.
- THE MINIMUM LOT WIDTH FOR ALL LOTS BACKING UP TO LAKE MUDDY OR THE SOUTH PROPERTY LINE WILL BE 110 FEET AT THE BUILDING SETBACK LINE. THE MINIMUM LOT WIDTH FOR ALL OTHER LOTS WILL BE 60 FEET. THE MINIMUM LOT WIDTH WILL BE 130 FEET.
- ONLY THE 8 LOT OWNERS WHO WILL HAVE LOTS BACKING UP TO LAKE MUDDY WILL HAVE ACCESS TO THE LAKE AND BE ABLE TO BUILD PRIVATE DOCKS TO ACCESS SAID LAKE. ALL 8 LOT OWNERS WILL BE REQUIRED TO JOIN THE LAKE MUDDY (SAND) DISTRICT. NO OTHER DOCKS OR RECREATION WILL BE ALLOWED FROM THIS DEVELOPMENT.
- EXISTING STRUCTURES WILL BE REMOVED PRIOR TO PLATING OF THE RESPECTIVE PHASE.
- ALL ADDRESS REGARDING DEVELOPMENT AND CONSERVATION AREAS (WETLANDS AND BUFFERED ARE CONSERVATION APPROXIMATE DATE: FINALIZED DURING A REVIEW BY THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND THE CITY OF APOPKA. THE SAME CONSERVATION WILL BE PROVIDED AT FINAL PLAN REVIEW.
- PUBLIC SAFETY (FIRE AND POLICE PROTECTION) PROVIDED BY THE CITY OF APOPKA.
- SO DEVELOPMENT RIGHTS TO THE JURISDICTIONS, WETLAND AREAS ARE TO BE DEDICATED TO THE CITY WITH OWNERSHIP & MAINTENANCE OF THE LAKE.
- FLOOD HAZARD FOR THE SITE IS ZONE "X" PER THE FLOOD INSURANCE RATE MAP FOR ORANGE COUNTY, FLORIDA. ZONES 1 AND 2 ARE DESIGNATED AS FLOOD HAZARD ZONES. THE FLOOD ELEVATION IS 84.5, BASED ON AN ORANGE COUNTY FLOOD DISTRICT.
- ANY DEVELOPMENT IN A SPECIAL FLOOD HAZARD AREA WILL REQUIRE THE FINISH FLOOR ELEVATION TO BE 30-INCHES ABOVE THE 100-YR. FLOOD ELEVATION MINIMUM.
- ALL ANY OVERHEAD UTILITY LINES MUST BE PLACED UNDERGROUND. COORDINATION WITH PUBLIC SERVICES DEPT. IS REQUIRED.
- AN EROSION PROTECTION PLAN WILL BE SUBMITTED WITH FINAL ENGINEERING.
- A FINAL EROSION REPORT AND SOILS REPORT WILL BE SUBMITTED WITH FINAL ENGINEERING.
- POOLS, SHEDS, ETC. ARE PROHIBITED IN THE SOIL YARD SETBACKS.
- AVERAGE DAILY TRIPS (AD + BUS TRIPS DAILY) = 480.
- SOLID WASTE COLLECTION BY THE CITY OF APOPKA.
- COMMUNITY IS TO BE GATED AND WILL CONFORM TO CITY CODES.
- ENTRANCE GATE TO BE EQUIPPED WITH 24 HOUR EMERGENCY ACCESS SYSTEM.
- PROJECT OPEN SPACE: REQUIRED = 20%
- PROVIDED = 25.00% (13,47 AC.)
- TREE REMOVAL, TREE REPLACEMENT AND LANDSCAPING SHALL BE IN CONFORMANCE WITH ARTICLE V OF THE CITY OF APOPKA LAND DEVELOPMENT CODE.
- THE FINAL DEVELOPMENT PLAN SHALL INCLUDE THE PLAT DOCUMENT. THE PLAT SHALL BE IN FINAL FORM.
- A 10 FT. BUFFER EXEMPT FOR WALL, FENCE, OR LANDSCAPE SHALL BE PROVIDED ON THE BACK OF LOTS ALONG THE BOUNDARY PROPERTY LINE, EXCEPT ADJACENT LAKE, WETLAND, WATERWAY, OR GAS EXHAUST.
- A 10 FT. BUFFER EXEMPT FOR LANDSCAPING WILL BE PROVIDED ON THE NORTHERN PROPERTY LINE, EXCEPT ADJACENT LAKE, WETLAND, RECREATION, OR GAS EXHAUST.
- INDIVIDUAL LOT ADJACENT/REAR POINT IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- IN ORDER TO SAVE EXISTING TREES STEM WALLS/RETAINING WALLS WILL BE UTILIZED ON INDIVIDUAL LOTS.

IMPERVIOUS AREA TABLE

IMPERVIOUS FEATURE	AREA
STREET	0.26 ACRES
ROADWAY	0.78 ACRES
DRIVE DRIVE	0.22 ACRES
TOTAL IMPERVIOUS	1.26 ACRES (568,878 SQ. FT.)

LEGAL DESCRIPTION

Parcel 1:
 The West 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less road right of way on the North for E. Sandpiper Street and on the West for Water Road less the West 145.00 feet of the North 343.00 feet thereof.

Parcel 2:
 The Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida.

Parcel 3:
 The West 1/4 of the North 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 330 feet of the East 300 feet of the West 220 feet thereof.

Parcel 4:
 The North 220.00 feet of the West 220.00 feet of the North 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 330 feet thereof, and less the West 25.00 feet thereof.

Parcel 5:
 The Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida.

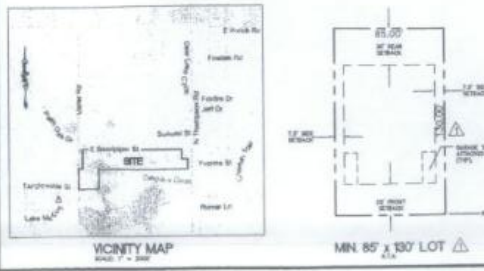
Parcel 6:
 The West 25.00 feet of the Southwest 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet thereof.

Parcel 7:
 The East 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, beginning at a point South 00°27'00" West, 30.0 feet and North 89°20'00" East, 350.0 feet from the Northeast corner of said Southwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 50.0 feet along the South line of Sandpiper Road, thence run South 00°17'00" West, 312.00 feet; thence run North 89°50'00" East, 143.00 feet; thence run South 00°17'00" West, 350.00 feet; thence run South 89°50'00" West, 301.81 feet; thence run North 00°17'00" East, 632.27 feet to the Point of Beginning.

ALSO: The East 275.0 feet of the West 500.0 feet of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 3, Township 21 South, Range 28 East, Orange County, Florida, less the North 30 feet shared by Sandpiper Road.

SOILS LEGEND

3 SANDIER FINE SAND	43 SEPTER FINE SAND
5 SANDY FINE SAND	46 TAMPA FINE SAND
6 SANDY-FINE SAND	47 TAMPA-HILLOPPER FINE SANDS
37 ST. JOHNS FINE SAND	W WATER



PROJECT TEAM MEMBERS:

OWNER / DEVELOPER:
 C & G REAL ESTATE
 111 SOUTH WATLORD AVE., SUITE 101
 MAITLAND, FL. 32751
 PHONE: (407) 639-4101

ENGINEER:
 MADDEN, MCKAY, & CLINT, INC.
 431 E. FLORIDA AVE., SUITE 200
 MAITLAND, FLORIDA 32751
 PHONE: (407) 639-8330

GEOTECHNICAL ENGINEER:
 UNIVERSAL ENGINEERING SCIENCES
 3322 MAGDO BLVD.
 ORLANDO, FLORIDA 32811
 PHONE: (407) 432-0084

ENVIRONMENTALIST:
 MORGAN ENVIRONMENTAL CONSULTANTS
 740 FLORIDA CENTRAL PARKWAY, SUITE 2004
 LORNSWOOD, FLORIDA 32750
 PHONE: (407) 260-0448

TELEPHONE:
 (540) 681-7003
 WATER GARDEN, FL 24177-0029
 PHONE: (407) 841-6336
 ATRN. ATRN 820048

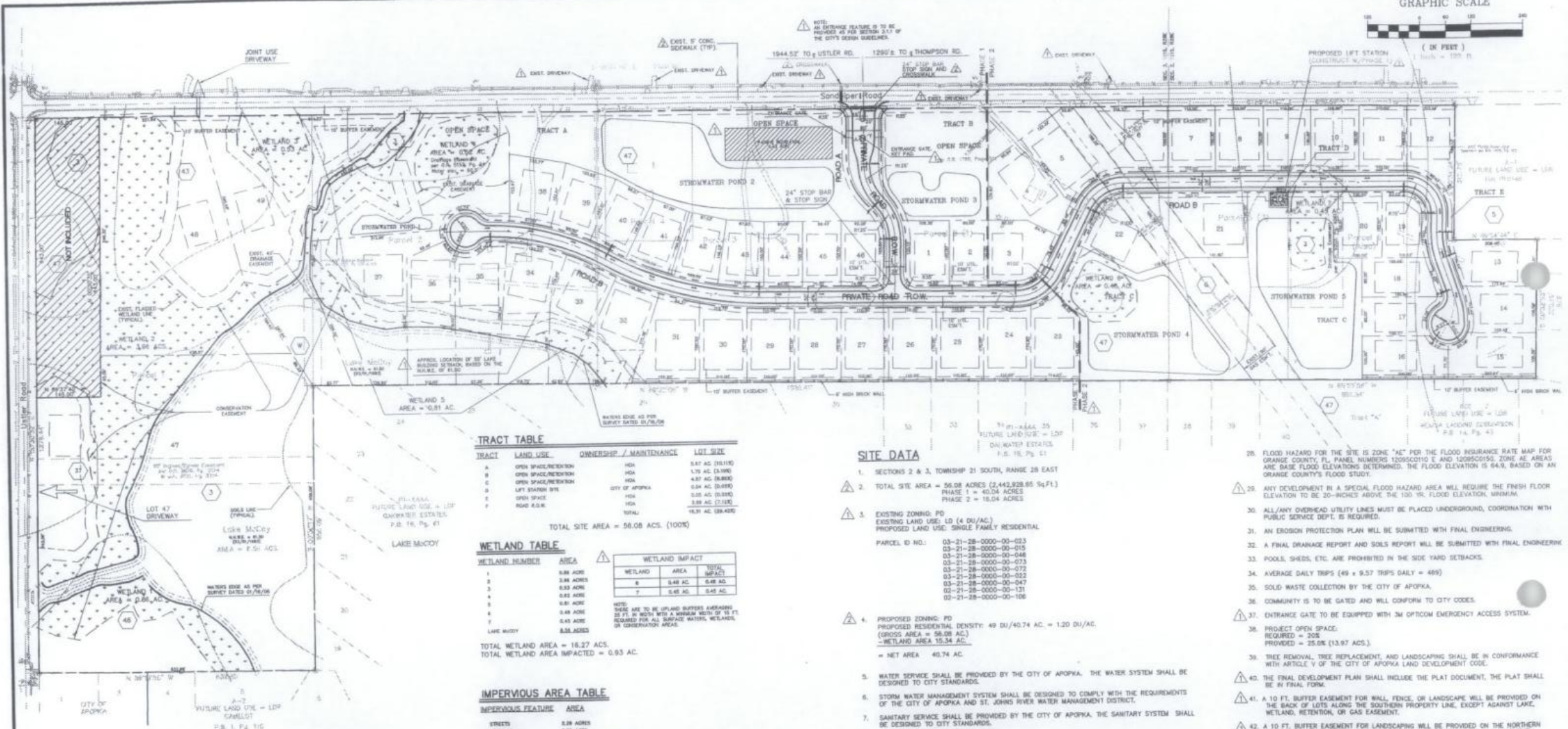
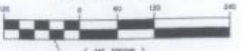
GAS:
 LAKE APOPKA NATURAL GAS
 P.O. BOX 771075
 WATER GARDEN, FL 34777
 PHONE: (407) 858-2734
 ATRN. JOHN FEXELL EXT 112

ELECTRIC:
 PROGRESS ENERGY
 402 E. OAKWOOD POINTE RD.
 WATER GARDEN, FL 34787
 PHONE: (407) 905-3352
 ATRN. ED STOVICH

WATER AND SEWER:
 CITY OF APOPKA
 740 E. CLEVELAND STREET
 APOPKA, FL 32704
 PHONE: (407) 703-1729

CABLE:
 BRIGHT HOUSE NETWORKS
 844 MAGDO ROAD
 DOODLE, FL 34760
 PHONE: (407) 838-8811
 ATRN. BRADY SOWDGETY

GRAPHIC SCALE



TRACT TABLE

TRACT	LAND USE	OWNERSHIP / MAINTENANCE	LOT SIZE
A	OPEN SPACE/RECREATION	HOA	5.67 AC (241,190)
B	OPEN SPACE/RECREATION	HOA	1.79 AC (78,190)
C	OPEN SPACE/RECREATION	HOA	4.87 AC (212,890)
D	LIFT STATION SITE	CITY OF APOPKA	0.24 AC (10,590)
E	DRIVE SPACE	HOA	0.88 AC (38,980)
F	ROAD R.O.M.	HOA	0.89 AC (39,120)
	TOTAL		19.31 AC (850,440)

TOTAL SITE AREA = 56.08 ACS. (100%)

WETLAND TABLE

WETLAND NUMBER	AREA	WETLAND IMPACT
1	0.84 ACRES	
2	0.88 ACRES	
3	0.83 ACRES	
4	0.81 ACRES	
5	0.81 ACRES	
6	0.48 ACRES	
7	0.48 ACRES	
8	0.48 ACRES	
9	0.48 ACRES	
10	0.48 ACRES	
11	0.48 ACRES	
12	0.48 ACRES	
13	0.48 ACRES	
14	0.48 ACRES	
15	0.48 ACRES	
16	0.48 ACRES	
17	0.48 ACRES	
18	0.48 ACRES	
19	0.48 ACRES	
20	0.48 ACRES	
21	0.48 ACRES	
22	0.48 ACRES	
23	0.48 ACRES	
24	0.48 ACRES	
25	0.48 ACRES	
26	0.48 ACRES	
27	0.48 ACRES	
28	0.48 ACRES	
29	0.48 ACRES	
30	0.48 ACRES	
31	0.48 ACRES	
32	0.48 ACRES	
33	0.48 ACRES	
34	0.48 ACRES	
35	0.48 ACRES	
36	0.48 ACRES	
37	0.48 ACRES	
38	0.48 ACRES	
39	0.48 ACRES	
40	0.48 ACRES	
41	0.48 ACRES	
42	0.48 ACRES	
43	0.48 ACRES	
44	0.48 ACRES	
45	0.48 ACRES	
46	0.48 ACRES	
47	0.48 ACRES	
48	0.48 ACRES	
49	0.48 ACRES	
50	0.48 ACRES	
51	0.48 ACRES	
52	0.48 ACRES	
53	0.48 ACRES	
54	0.48 ACRES	
55	0.48 ACRES	
56	0.48 ACRES	
57	0.48 ACRES	
58	0.48 ACRES	
59	0.48 ACRES	
60	0.48 ACRES	
61	0.48 ACRES	
62	0.48 ACRES	
63	0.48 ACRES	
64	0.48 ACRES	
65	0.48 ACRES	
66	0.48 ACRES	
67	0.48 ACRES	
68	0.48 ACRES	
69	0.48 ACRES	
70	0.48 ACRES	
71	0.48 ACRES	
72	0.48 ACRES	
73	0.48 ACRES	
74	0.48 ACRES	
75	0.48 ACRES	
76	0.48 ACRES	
77	0.48 ACRES	
78	0.48 ACRES	
79	0.48 ACRES	
80	0.48 ACRES	
81	0.48 ACRES	
82	0.48 ACRES	
83	0.48 ACRES	
84	0.48 ACRES	
85	0.48 ACRES	
86	0.48 ACRES	
87	0.48 ACRES	
88	0.48 ACRES	
89	0.48 ACRES	
90	0.48 ACRES	
91	0.48 ACRES	
92	0.48 ACRES	
93	0.48 ACRES	
94	0.48 ACRES	
95	0.48 ACRES	
96	0.48 ACRES	
97	0.48 ACRES	
98	0.48 ACRES	
99	0.48 ACRES	
100	0.48 ACRES	

TOTAL WETLAND AREA = 16.27 ACS.
TOTAL WETLAND AREA IMPACTED = 0.93 ACS.

IMPERVIOUS AREA TABLE

IMPERVIOUS FEATURE	AREA
STREETS	0.88 ACRES
SEWER	0.76 ACRES
TURF AREA	0.82 ACRES
TOTAL IMPERVIOUS	2.46 ACRES (56% NET LAND AREA)
TOTAL IMPERVIOUS	2.42 ACRES (11% GROSS LAND AREA)

LEGAL DESCRIPTION

Parcel 1
The West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 20 East, Orange County, Florida, less road right of way on the North for E. Sandpiper Street and on the West for Ustler Road. Less the West 145.00 feet of the North 843.00 feet thereof.

Parcel 2
The Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 20 East, Orange County, Florida.

Parcel 3
The West 1/2 of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 20 East, Orange County, Florida, LESS the North 330 feet of

- ### SITE DATA
- SECTIONS 2 & 3, TOWNSHIP 21 SOUTH, RANGE 20 EAST
 - TOTAL SITE AREA = 56.08 ACRES (2,442,928.85 Sq.Ft.)
PHASE 1 = 40.04 ACRES
PHASE 2 = 16.04 ACRES
 - EXISTING ZONING: PD
EXISTING LAND USE: LD (4 DU/AC)
PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL
 - PROPOSED ZONING: PD
PROPOSED RESIDENTIAL DENSITY: 49 DU/40.74 AC. = 1.20 DU/AC.
(GROSS AREA = 56.08 AC.)
- WETLAND AREA 16.27 AC.
= NET AREA 40.74 AC.
 - WATER SERVICE SHALL BE PROVIDED BY THE CITY OF APOPKA. THE WATER SYSTEM SHALL BE DESIGNED TO CITY STANDARDS.
 - STORM WATER MANAGEMENT SYSTEM SHALL BE DESIGNED TO COMPLY WITH THE REQUIREMENTS OF THE CITY OF APOPKA AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT.
 - SANITARY SERVICE SHALL BE PROVIDED BY THE CITY OF APOPKA. THE SANITARY SYSTEM SHALL BE DESIGNED TO CITY STANDARDS.
 - PROJECTED SCHOOL AGE POPULATION:
49 LOTS X 0.404 = 20 STUDENTS
 - RECREATION FACILITIES SHALL BE PROVIDED ON SITE. RECREATION AREA IS 2.5 ACRES PER 1,000 RESIDENTS.
REQUIRED RECREATION = 0.43 ACRES
 - LOT SETBACKS:
FRONT = 35'
REAR = 30'
SIDE = 7.5'
15' (STREET SIDE)
PERIMETER SETBACK = 25'
LK. MCCOY DRIVE = 50'
 - MAXIMUM BUILDING HEIGHT IS 35' AND TWO STORES.
 - MINIMUM LOT SIZE = 85'x130'
 - MINIMUM LOT AREA IS 11,050 SQ. FT.
 - MINIMUM LIVING AREA IS 3,000 SQ. FT. UNDER HEAT AND AIR.

- FLOOD HAZARD FOR THE SITE IS ZONE "AE" PER THE FLOOD INSURANCE RATE MAP FOR ORANGE COUNTY, FL. PANEL NUMBERS 12095C010 E AND 12095C010 S. ZONE AE AREAS ARE BASE FLOOD ELEVATIONS DETERMINED. THE FLOOD ELEVATION IS 84.9, BASED ON AN ORANGE COUNTY'S FLOOD STUDY.
- ANY DEVELOPMENT IN A SPECIAL FLOOD HAZARD AREA WILL REQUIRE THE FRESH FLOOR ELEVATION TO BE 20-INCHES ABOVE THE 100-YR FLOOD ELEVATION, MINIMUM.
- ALL ANY OVERHEAD UTILITY LINES MUST BE PLACED UNDERGROUND, COORDINATION WITH PUBLIC SERVICE DEPT. IS REQUIRED.
- AN EROSION PROTECTION PLAN WILL BE SUBMITTED WITH FINAL ENGINEERING.
- A FINAL DRAINAGE REPORT AND SOLS REPORT WILL BE SUBMITTED WITH FINAL ENGINEERING
- POOLS, SHEDS, ETC. ARE PROHIBITED IN THE SIDE YARD SETBACKS.
- AVERAGE DAILY TRIPS (49 X 9.57 TRIPS DAILY = 469)
- SOLID WASTE COLLECTION BY THE CITY OF APOPKA.
- COMMUNITY IS TO BE GATED AND WILL CONFORM TO CITY CODES.
- ENTRANCE GATE TO BE EQUIPPED WITH 3M OPTICON EMERGENCY ACCESS SYSTEM.
- PROJECT OPEN SPACE:
REQUIRED = 20%
PROVIDED = 25.0% (13.97 ACS.)
- TREE REMOVAL, TREE REPLACEMENT, AND LANDSCAPING SHALL BE IN CONFORMANCE WITH ARTICLE V OF THE CITY OF APOPKA LAND DEVELOPMENT CODE.
- THE FINAL DEVELOPMENT PLAN SHALL INCLUDE THE PLAT DOCUMENT, THE PLAT SHALL BE IN FINAL FORM.
- A 10 FT. BUFFER EASEMENT FOR WALL, FENCE, OR LANDSCAPE WILL BE PROVIDED ON THE BACK OF LOTS ALONG THE SOUTHERN PROPERTY LINE, EXCEPT AGAINST LAKE, WETLAND, RETENTION, OR GAS EASEMENT.
- A 10 FT. BUFFER EASEMENT FOR LANDSCAPING WILL BE PROVIDED ON THE NORTHERN PROPERTY LINE, EXCEPT AGAINST LAKE, WETLAND, RETENTION, OR GAS EASEMENT.
- INDIVIDUAL LOT ARBOR/CLEARING PERMIT IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
- IN ORDER TO SAVE EXISTING TREES STEM WALLS/RETAINING WALLS WILL BE UTILIZED ON INDIVIDUAL LOTS.

PROJECT TEAM MEMBERS:

OWNER / DEVELOPER
C & S REAL ESTATE
111 SOUTH WATLAND AVE., SUITE 101
WATLAND, FL 32751
PHONE: (407) 639-4166

ENGINEER
MAZDEN, MOORHEAD, & OLUNI
431 E. HORATIO AVE., SUITE 2E
WATLAND, FLORIDA 32751
PHONE: (407) 629-8330

SURVEYOR
MCMARK SURVEYING & MAPPING

GEOTECHNICAL ENGINEER
UNIVERSAL ENGINEERING SCIEN

SOILS LEGEND

3	BASHNER FINE SAND	43	SEPPNER FINE SAND
5	CANDLER FINE SAND	46	TAVARES FINE SAND
6	CANDLER-APOPKA FINE SAND	47	TAVARES-MILHOPPER FINE SANDS
37	ST. JOHNS FINE SAND	W	WATER

OPEN SPACE TABLE

TRACT A	5.67 AC
TRACT B	1.79 AC
TRACT C	4.87 AC
CONSERVATION AREAS/UNDEVELOPED WETLANDS	2.22 AC
TOTAL	14.55 AC



PRELIMINARY DRAINAGE AND UTILITY PLAN
FOR
SANDPIPER ROAD
FLORIDA

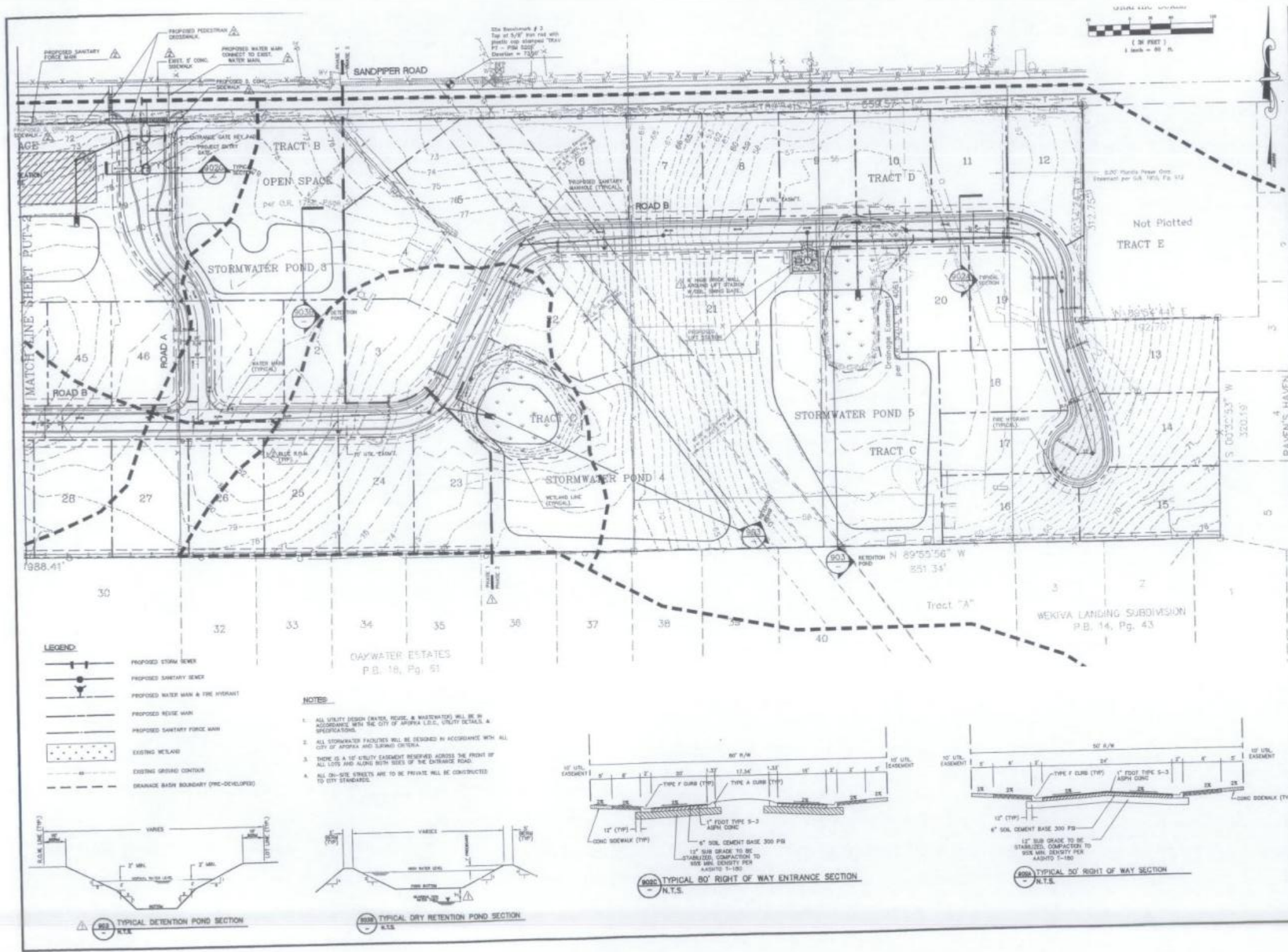
CLIENT
C & G AT SANDPIPER, INC.
111 NORTH ANDALUS AVE., SUITE 100
WESLEY, FL 32795
(407) 428-1988

ENGINEER IN CHARGE
DANIEL W. HIGGINS, P.E., #11720
CHECKED BY: [Signature]
DATE: [Blank]

REVISIONS	DATE	REVISIONS

JOB # 20112
DATE 06/27/08
SCALE 1" = 60'
DESIGNED BY CHM
DRAWN BY RHM
APPROVED BY CHM

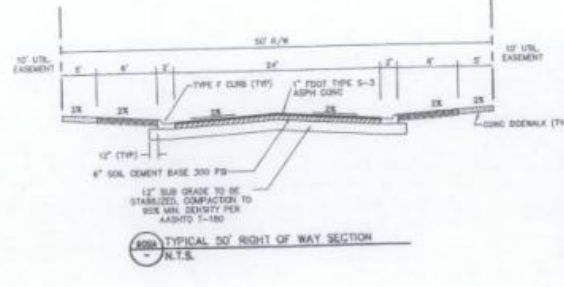
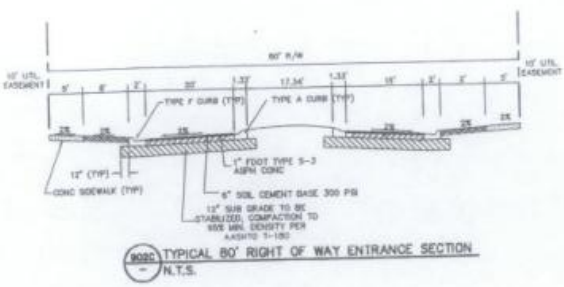
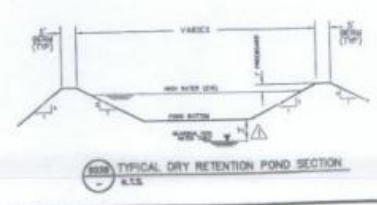
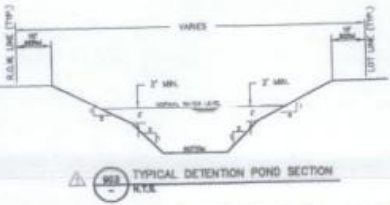
PUT-1



- LEGEND:**
- PROPOSED STORM SEWER
 - PROPOSED SANITARY SEWER
 - PROPOSED WATER MAIN & FIRE HYDRANT
 - PROPOSED GAS MAIN
 - PROPOSED SANITARY FORCE MAIN
 - EXISTING WETLAND
 - EXISTING GROUND CONTOUR
 - DRAINAGE BASIN BOUNDARY (PRE-DEVELOPED)

NOTES:

1. ALL UTILITY DESIGN (WATER, GAS, & WASTEWATER) WILL BE IN ACCORDANCE WITH THE CITY OF WESLEY L.D.C. UTILITY DETAILS & SPECIFICATIONS.
2. ALL STORMWATER FACILITIES WILL BE DESIGNED IN ACCORDANCE WITH ALL CITY OF WESLEY AND STATE CRITERIA.
3. THERE IS A 10' UTILITY CLEARANCE REQUIRED ACROSS THE FRONT OF ALL LOTS AND ALONG BOTH SIDES OF THE ENTRANCE ROAD.
4. ALL ON-SITE STREETS ARE TO BE PRIVATE AND SHALL BE CONSTRUCTED TO CITY STANDARDS.



UTILITY COMPANIES

TELEPHONE
 GIBARD
 P.O. BOX 770239
 MIAMI GARDENS, FL 33177-0239
 PHONE: (407) 814-5386
 ATTN: MIKE JEROMEAN

WATER AND SEWER
 CITY OF APOPKA
 7415 E. CLEVELAND STREET
 APOPKA, FL 32704
 PHONE: (407) 743-1774

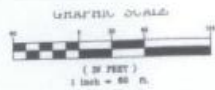
GAS
 LAKE APOPKA NATURAL GAS
 P.O. BOX 770278
 MIAMI GARDENS, FL 33177
 PHONE: (407) 808-3724
 ATTN: JOHN FEASSEL, EXT 112

CABLE
 BRIGHT HOUSE NETWORKS
 844 MADISON ROAD
 GORRA, FL 32701
 PHONE: (407) 830-8911
 ATTN: TRACY DOWDSTON

ELECTRIC
 PROGRESS ENERGY
 402 E. CROWN POINT RD.
 MIAMI GARDENS, FL 33178
 PHONE: (407) 808-3302
 ATTN: ED STEVENS

FDEP SEPARATION REQUIREMENTS UNDER 62-555.314 EFFECTIVE 8-28-2003

HAZARD	HORIZONTAL SEPARATION	VERTICAL SEPARATION	
		WATER ABOVE	WATER BELOW
TRUCK ROAD	20' MIN	120' MIN	120' MIN
RAILROAD	20' MIN	120' MIN	120' MIN
WATER MAIN	20' MIN	120' MIN	120' MIN
SEWER MAIN	20' MIN	120' MIN	120' MIN
STORMWATER MAIN	20' MIN	120' MIN	120' MIN
UTILITY TRENCH	20' MIN	120' MIN	120' MIN
PROP. SANITARY FORCE MAIN	20' MIN	120' MIN	120' MIN
PROP. WATER MAIN	20' MIN	120' MIN	120' MIN
PROP. GAS MAIN	20' MIN	120' MIN	120' MIN



MADDEN ENGINEERS
 CIVIL ENGINEERS
 431 E. Harelbe Avenue
 Suite 280
 Maitland, Florida 32751
 (407) 839-6300

PRELIMINARY DRAINAGE AND UTILITY PLAN
 FOR
SANDPIPER ROAD
 APOPKA, FLORIDA

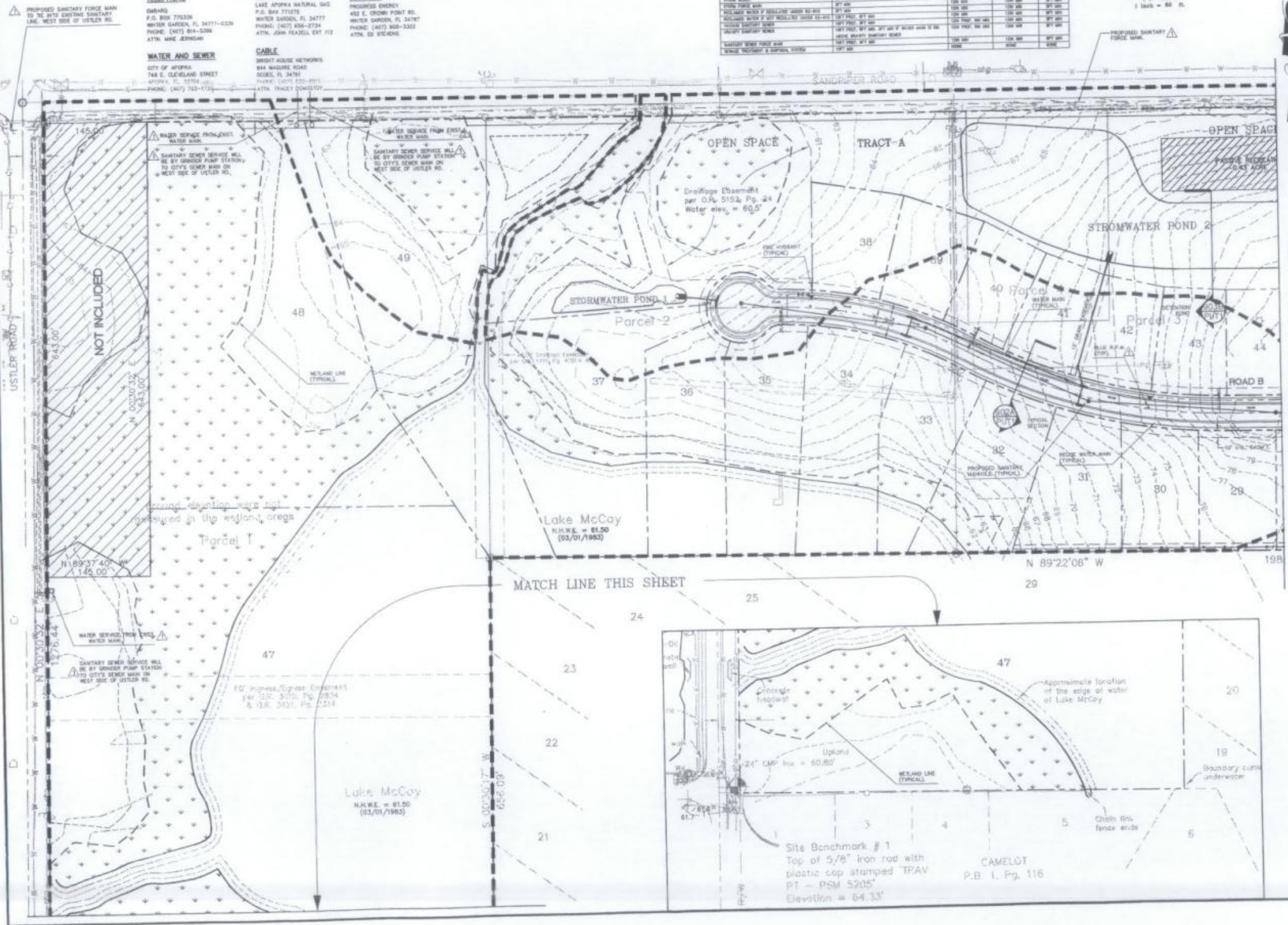
CLIENT
C. & G. AT SANDPIPER, INC.
 111 SOUTH WINDWARD AVE., SUITE 107
 MAITLAND, FL 32751
 (407) 834-6888

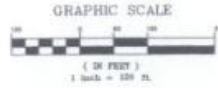
ENGINEER IN CHARGE
DAVIDSON, H. ADRIAN, P.E., M.S.C.E.
 DAVIDSON & ASSOCIATES, P.C. (MFL237)
 10000 N. WINDWARD AVE., SUITE 100
 MAITLAND, FL 32751

DATE: 08/27/08
 SCALE: 1" = 60'
 DESIGNED BY: CHM
 DRAWN BY: THM
 APPROVED BY: CHM

JOB # - 25112
 DATE - 08/27/08
 SCALE - 1" = 60'
 DESIGNED BY - CHM
 DRAWN BY - THM
 APPROVED BY - CHM

PUT-2





CONCEPTUAL LANDSCAPE PLAN
FOR
SANDPIPER ROAD
FLORIDA

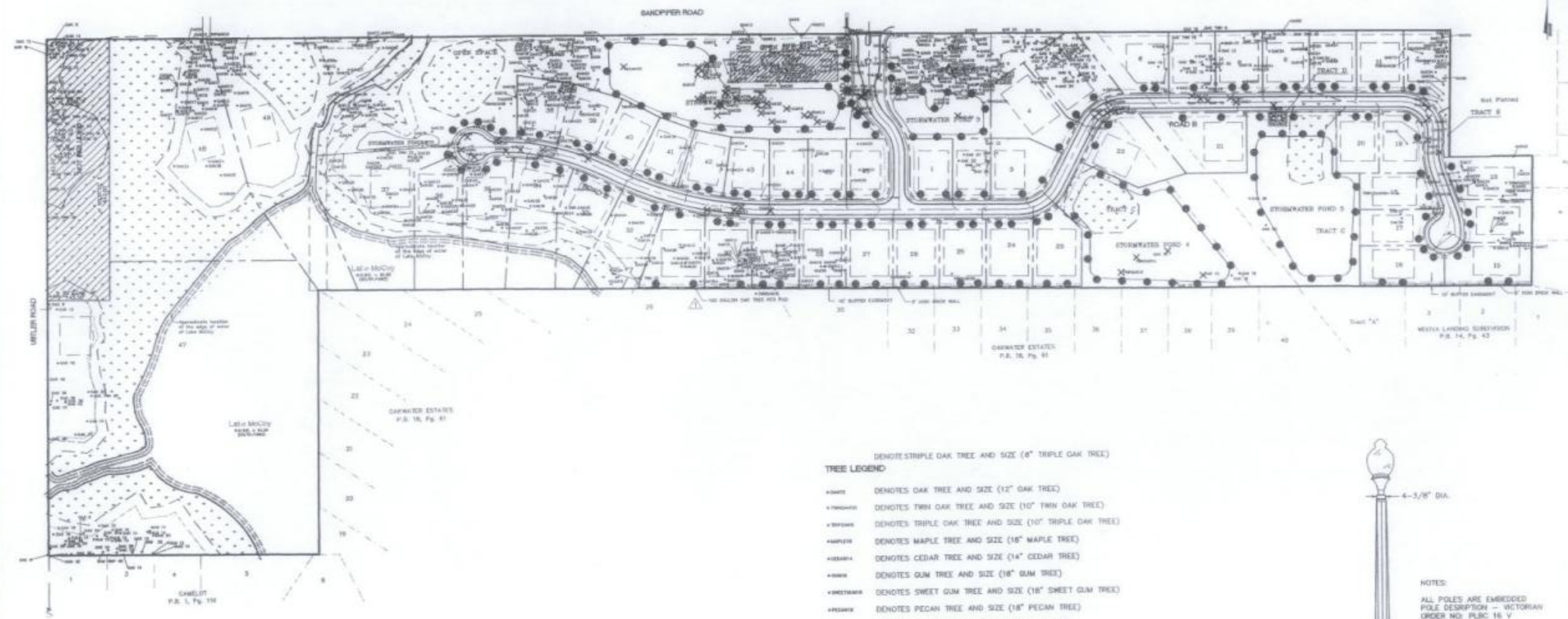
CLIENT
C & G AT SANDPIPER, INC.
111 SOUTH WILSON AVE., SUITE 101
MELBOURNE, FL 32950
(407) 468-1888

ENGINEER IN CHARGE:
QUANTON H. MORRIS, P.E. #11731
OFFICE OF ARCHITECTURE NO. 04-000125

DATE	REVISIONS

JOB # 20112
DATE 08/27/08
SCALE 1"=100'
DESIGNED BY: CHM
DRAWN BY: PHM
APPROVED BY: CHM

CLP-1



- TREE LEGEND**
- (with circle) DENOTES SINGLE OAK TREE AND SIZE (4" TRIPLE OAK TREE)
 - (with square) DENOTES OAK TREE AND SIZE (12" OAK TREE)
 - (with diamond) DENOTES TRIPLE OAK TREE AND SIZE (10" TRIPLE OAK TREE)
 - (with triangle) DENOTES TRIPLE OAK TREE AND SIZE (10" TRIPLE OAK TREE)
 - (with cross) DENOTES MAPLE TREE AND SIZE (16" MAPLE TREE)
 - (with asterisk) DENOTES CEDAR TREE AND SIZE (14" CEDAR TREE)
 - (with plus) DENOTES GUM TREE AND SIZE (18" GUM TREE)
 - (with dot) DENOTES SWEET GUM TREE AND SIZE (18" SWEET GUM TREE)
 - (with x) DENOTES PECAN TREE AND SIZE (18" PECAN TREE)
 - (with slash) DENOTES PALM TREE AND SIZE (10" PALM TREE)

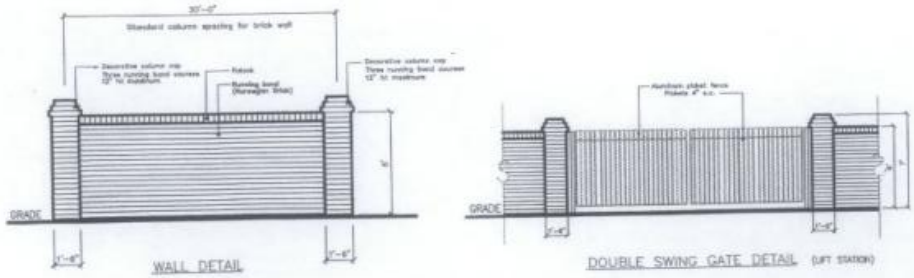
- NOTES:**
1. THIS PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE WITH FINAL ENGINEERING.
 2. THIS PLAN SHOWS STREET TREES AT 30 FT. CENTERS.
 3. PROPOSED SIDEWALKS CAN BE SHIFTED TO SAVE EXISTING TREES WHERE POSSIBLE.
 4. PROPOSED STREET TREES TO BE LOCATED IN 5' LANDSCAPE EASEMENT BEHIND THE 10' UTILITY EASEMENT.
 5. RETENTION POND TREES ARE SHOWN AT 25 FT. CENTERS.
 6. EXISTING TREE LOCATIONS FROM SURVEY BY BENCHMARK SURVEYING & MAPPING CONSULTANTS, INC.
 7. PROPOSED REPLACEMENT TREE DIAMETER SHALL BE 3" MINIMUM.
 8. IRRIGATION AND LANDSCAPING WITHIN THE COMMON AREAS AND INDIVIDUAL LOTS, SHALL BE IN ACCORDANCE WITH THE CITY'S WATER-WISE ORDINANCE.
 9. DETAILED LANDSCAPE AND IRRIGATION PLANS WILL BE PROVIDED WITH FINAL DEVELOPMENT PLANS.
 10. TWO - 100 GALLON LIVE OAKS, ON LOTS 15, 16 & 23 THROUGH 31 ARE REQUIRED PER PG CONDITIONS.

- = PROPOSED STREET TREE (LIVE OAK) IN ACCORDANCE WITH CITY CODE.
- ✕ = TREES TO BE REMOVED.



NOTES:
ALL POLES ARE EMBEDDED
POLE DESCRIPTION - VICTORIAN
ORDER NO. PULSC 16 V
SHAFT LENGTH = 4'
LAMP CH. (NORMAL) = 13'
WEIGHT (lbs.) = 525
LAMP HP'S = 175 WATT
MOUNTING HEIGHT = 12' TO 10'
POLE = DECORATIVE CONCRETE

TYPICAL DECORATIVE LIGHT POLE
N.T.S.



△ DECORATIVE WALL DETAIL



MADDEN CIVIL ENGINEERS
 431 E. Nashville Avenue
 Suite 200
 Maitland, Florida 32751
 (407) 626-6332

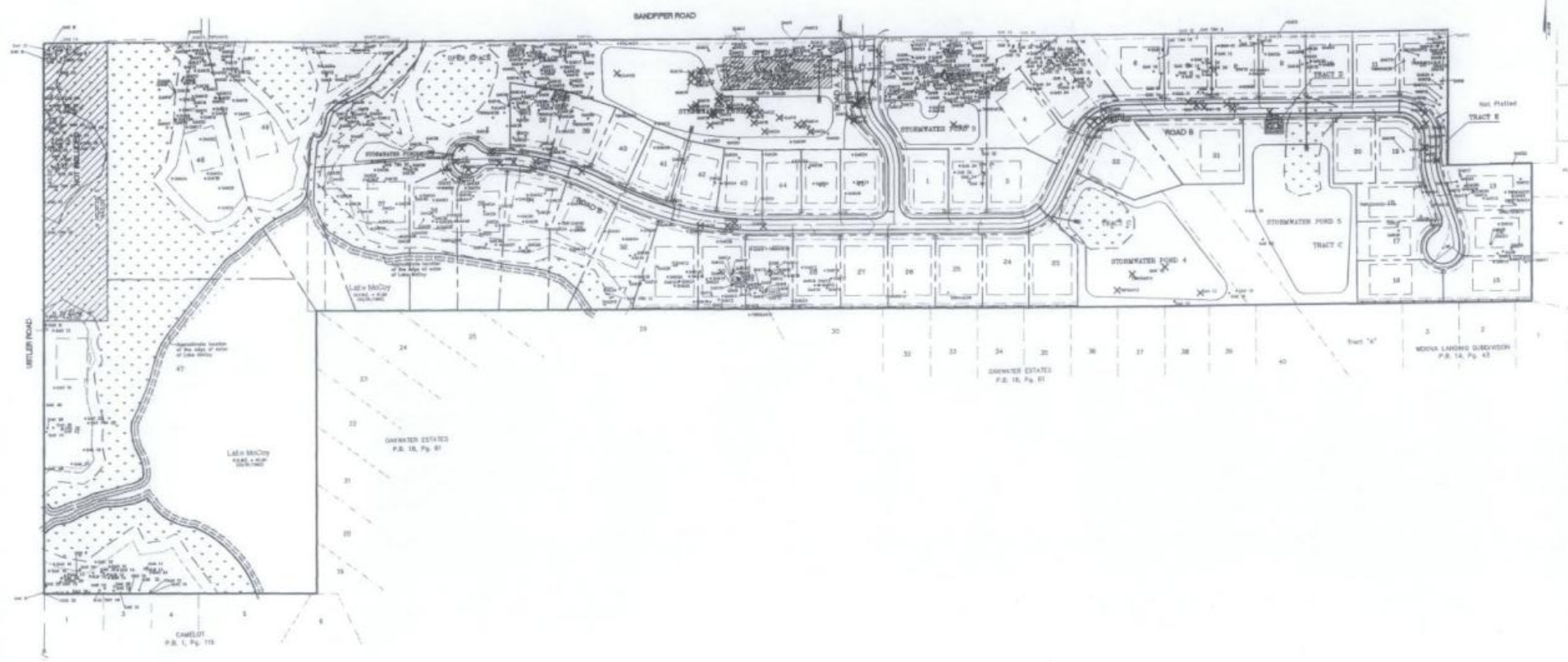
CLIENT
 C. & G. AT SANDPIPER, INC.
 111 BOWLING GREEN, SUITE 100
 MAITLAND, FL 32751
 (407) 626-4558

ENGINEER IN CHARGE:
 CHANDLER H. MARRAS, P.E., #12121
 STATE OF FLORIDA

NO.	DATE	REVISIONS

JOB # 2812
DATE 08/27/08
SCALE 1"=100'
DESIGNED BY C.M.
DRAWN BY P.M.
APPROVED BY C.M.

TR-1



- TREE LEGEND**
- OAK12 DENOTES OAK TREE AND SIZE (12" OAK TREE)
 - OAK18 DENOTES TWIN OAK TREE AND SIZE (10" TWIN OAK TREE)
 - OAK24 DENOTES TRIPLE OAK TREE AND SIZE (8" TRIPLE OAK TREE)
 - MAPLE18 DENOTES MAPLE TREE AND SIZE (18" MAPLE TREE)
 - CEDAR14 DENOTES CEDAR TREE AND SIZE (14" CEDAR TREE)
 - GUM16 DENOTES GUM TREE AND SIZE (16" GUM TREE)
 - SWEET16 DENOTES SWEET GUM TREE AND SIZE (16" SWEET GUM TREE)
 - PECAN18 DENOTES PECAN TREE AND SIZE (18" PECAN TREE)
 - PALM10 DENOTES PALM TREE AND SIZE (10" PALM TREE)

TREE INFORMATION TABLE

TOTAL TREE INCHES ON SITE	= 15,175"
TOTAL TREE INCHES REMOVED	= 1,360"
TOTAL TREE INCHES REPLACED (Ø 5" D.B.H.)	= 1,086"
SPECIMEN TREES GREATER THAN 24" BEING REMOVED*	= 22

* TREES IN RETENTION AREA & ROAD R.O.W. ONLY.
 X TREES TO BE REMOVED.
 NOTE: APPLICANT WILL PROVIDE MITIGATION FOR THE TREE REPLACEMENT DEFICIENCY.

TREE REPLACEMENT TABLE

OPEN SPACE AREAS	— TREES AT — INCHES=000
RETENTION AREAS	61 TREES AT 3 INCHES= 183
STREET TREES	105 TREES AT 3 INCHES= 315
LOT TREES	196 TREES AT 3 INCHES= 588
BUFFER AREAS*	— TREES AT — INCHES=000

* TREES IN BUFFER ARE INCLUDED IN THE STREET TREE LINE.

NOTE:
 TREE LOCATION PLAN IS BASED ON A TREE SURVEY
 PREPARED BY BENCHMARK SURVEYING & MAPPING
 CONSULTANTS, INC., DATED OCTOBER 6, 2005.
 Field Office: Box 171065, White Garden, Florida 32771-1065
 221 West Palm Street, White Garden, Florida 32787
 (407) 656-8553 Fax (407) 656-8266

CITY OF APOPKA

Minutes of the regular City Council meeting held on September 17, 2014, at 8:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Bill Arrowsmith
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Sam Ruth
Assistant City Attorney Drew Smith

PRESS PRESENT: Roger Ballas - The Apopka Chief
Steve Hudak - The Orlando Sentinel
Various TV News Reporters and Cameramen

INVOCATION - Pastor Todd Lamphere - The Venue Church at Apopka - Commissioner Ruth introduced Pastor Todd Lamphere of The Venue Church at Apopka, who gave the Invocation.

PLEDGE OF ALLEGIANCE - Mayor Kilsheimer said today is Constitution Day and on this day in 1787, following months of debates at the Constitutional Convention in Philadelphia, The Constitution of the United States was signed by our Framers. As part of the compromise to ratify the new Constitution, additional amendments were debated upon and drafted. Two years later, on September 25, 1789, the first Congress of the United States adopted 12 amendments to the Constitution, 10 of which would later be ratified and known as the Bill of Rights. He asked all to reflect upon the wisdom, deliberation, careful consideration, and prudence of those who helped create our Constitution as he led in the Pledge of Allegiance.

PRESENTATIONS

1. Wekiva Parkway Update - Mary Brooks, Public Information Officer.

Mary Brooks provided an update on the landmark Wekiva Parkway project, 30 years in the making. She said the Wekiva Parkway will complete the missing link of Central Florida's beltway, as well as taking traffic off of roads such as State Road 441, State Road 46, and enhance safety in this area. The Wekiva Parkway includes tremendous environmental considerations, passing through the Wekiva River Basin. She advised the Parkway will feature all electronic tolling and will be a cashless system, requiring a transponder for tolls, which reduces noise and pollution. She reviewed a power point presentation of the project with time frames which is on file in the Clerk's office. She affirmed there will be a preconstruction community open house meeting, open to the public, on September 25, 2014, 5:30 to 7:30 p.m., at Apopka High School Cafeteria. She reported the entire Parkway will be open by 2021.

In response to Commissioner Dean's inquiry if there were minorities receiving any work given the magnitude of this project, Ms. Brooks responded in the affirmative.

CONSENT AGENDA

1. Approve the minutes from the regular City Council meeting held on September 3, 2014, at 1:30 p.m.
2. Approve the minutes of a special City Council meeting held on September 3, 2014, at 5:15 p.m.
3. Approve the minutes from a City Council workshop held on September 9, 2014, at 2:00 p.m.
4. Approve the minutes of Administrative Bid No. 2014-02, for Heavy Rescue Apparatus, held on September 8, 2014, at 10:15 a.m.
5. Approve the minutes of Administrative Bid Opening No. 2014-10, for Apopka Northwest Recreation Complex Excavating & Selling Generated Dirt, held on September 10, 2014, at 10:15 a.m.
6. Approve and Authorize the Mayor or his designee to prepare and execute the Open Space Mitigation Agreement between the City of Apopka and Shoot Straight Holding Co., LLC.
7. Extend the Orchid Estates Final Development Plan - PR11-05R (112 lot subdivision) and the Orchid Estates Mass Grading Final Development Plan - PR11-06 until January 8, 2017.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to approve the seven items of the Consent Agenda.

Commissioner Ruth requested to discuss Item 6 and inquired if the Council could be involved in some of this process.

Mayor Kilsheimer explained this specific agreement allows them to expand the existing warehouse.

Motion carried unanimously, with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

SPECIAL REPORTS AND PUBLIC HEARINGS - There were no special reports or public hearings.

ORDINANCES AND RESOLUTIONS

Mayor Kilsheimer requested the consensus of the Council to move to and hear Item 10, Resolution No. 2014-10 at this time. With no objection, Council proceeded to Item 10.

10 RESOLUTION NO. 2014-10 - ADOPTION - STREET NAME CHANGE - Changing the name of the southern segment of the City street known as "Piedmont-Wekiwa Road," between North Hiawassee Road and Apopka Boulevard, to "Armando Borjas Jr Way." The City Clerk read the title, as follows:

RESOLUTION NO. 2014-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, TO CHANGE THE SOUTHERN SEGMENT OF THE CITY STREET NAME KNOWN AS "PIEDMONT-WEKIWA ROAD," BETWEEN NORTH HIAWASSEE ROAD AND APOPKA BOULEVARD,

AS RECORDED IN PLAT BOOK 7, PAGE 139, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, TO "ARMANDO BORJAS JR WAY;" PROVIDING AN EFFECTIVE DATE.

Mayor Kilsheimer read the Resolution into the record.

MOTION was made by Commissioner Ruth, and seconded by Commissioner Velazquez, to adopt Resolution No. 2014-10. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

Mayor Kilsheimer presented a copy of Resolution 2014-10 to the family of Armando Borjas Jr. A street sign was also presented to the family by the Apopka Fire Department.

Mayor Kilsheimer requested to move to Item 9, Ordinance No. 2386. Hearing no objection, the Council proceeded to Item 9.

- 9 **ORDINANCE NO. 2386 - FIRST READING – CHANGE OF ZONING - Florida Land Trust #111 - ZDA at Sandpiper, LLC** - From "County" PD to "City" Planned Unit Development (PUD/R-1A) for property located south of Sandpiper Street, west of North Thompson Road, east of Ustler Road. (Parcel ID Nos.: 02-21-28-0000-00-106, 02-21-28-0000-00-131, 03-21-28-0000-00-015, 03-21-28-0000-00-022, 03-21-28-0000-00-073, and 03-21-28-0000-00-119). The City Clerk read the title, as follows:

ORDINANCE NO. 2386

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" PD TO "CITY" PLANNED UNIT DEVELOPMENT (PUD/R-1A) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF SANDPIPER STREET, WEST OF NORTH THOMPSON ROAD, EAST OF USTLER ROAD, COMPRISING 58.23 ACRES MORE OR LESS AND OWNED BY FLORIDA LAND TRUST #111 – ZDA AT SANDPIPER, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

David Moon, Planning Manager, provided an overview of the project. He explained this property was annexed into the City in September, 2008, and prior to that, in 2007 the Board of County Commissioners approved a County PD zoning on the property with a maximum of 49 single family residential units. He reviewed the Master Site Plan proposed for this project and advised that except for two exceptions, the sidewalk and wall, it is consistent with the City Comprehensive Plan and Land Development Code. He declared a 30-foot wide conservation easement runs along all of the lots and this easement will be deeded to the homeowners association who will be charged with the responsibility of overseeing the preservation of that conservation easement. He confirmed the trees and natural vegetation are to remain and the development standards prohibit use of the conservation easement for pools, fences, or any other accessory structures. He affirmed staff recommends approval with exceptions. The Development Review Committee recommended a six foot wall from the project entrance to the easternmost lot, then from the entrance to the westernmost lot staff recommended a brick or masonry post

with a wrought iron style fence. He advised sidewalks are proposed within the community along each of the 49 lots as well as along Sandpiper Road. He further reported the Planning Commission, at the September meeting made a recommendation to not approve the PUD zoning with the proposed Master Site Plan as presented. He advised this recommendation did not come with a Finding of Facts to explain this decision. A copy of the staff report is incorporated as a part of the minutes.

Commissioner Arrowsmith inquired as to what became of the agreement from 2009 on how this property was to be developed. He stated the majority of the people here to speak are county residents and he affirmed at that time the City worked hard to give these people some trust in the City.

Mr. Moon said the applicant from 7 years ago and today is the same person/entity. They approached the City and addressed a larger number of residential units at a higher density. He advised the agreement Commissioner Arrowsmith referenced from 7 years ago was recognized and honored. The plan before the Council is for 49 single family homes, not on the same lot configuration as in 2007, but very similar and compatible, creating more open space along Ustler Road and the northwest corner of Sandpiper Road.

Commissioner Velazquez pointed out that the Planning Commission did not approve this by a 6/0 vote. She inquired if the Council could send it back before the Planning Commission.

Mr. Moon advised the Planning Commission made a recommendation based upon the evidence and information presented to them at the hearing. He suggested the Council could choose to ask the Planning Commission to prepare and present to the Council Findings of Fact as to why they recommended denial.

Attorney Smith affirmed the Council does have the right to request the Planning Commission explain why they made the decision they made, as they are an advisory board to the Council.

Mayor Kilsheimer said when the Council is in a quasi-judicial hearing, it is the job of the Council and the Planning Commission to make Findings of Fact. In this case, the Findings of Fact required to be made is whether or not the application is consistent with the Comprehensive Plan of the City of Apopka. He inquired if there were any further considerations allowed.

Attorney Smith responded in the affirmative and stated if it is consistent with the Comprehensive Plan, they may look at the surrounding areas for consistency of development, concurrency issues, whether the infrastructure is there to support the development, and that type of detail.

Mayor Kilsheimer opened the meeting for a public hearing.

The following people spoke in opposition to the project citing concerns regarding proper notice of the public hearing, stormwater drainage into Lake McCoy, impact on traffic, higher density in that many moved to the area for the rural setting, acreage for conservation, impact on the wildlife, removal of older trees and asking they be preserved, impact on property tax values, loss of privacy, safety of school children, as well as how the transfer of ownership was handled.

Ron Edenfield	Jill Cooper
Lou Haubner	Jack Cooper
Ellen O'Conno	Jennie McGee
Mary Schwarberg	Beau Schwarberg
Les Hess	Kenneth Sumner
Katherine Youmans	Mary Smothers
Lillian Myers	Alex Toledo

Allan Goldberg, property owner, said he has been a developer in Central Florida for over 20 years. He stated he respects all of the speakers here tonight, the majority of which are from Oakwater Estates which is south of this property. He provided the history on this property starting with 2007 when it was taken through Orange County for PD zoning and they were originally requesting 59 lots and they were maxed down to 49 lots. The County's future land use at the time was LDR which is 4 units to the acre and at that time they were still 1 unit to the acre which has not changed. He advised in 2008 they brought this to the City of Apopka where annexation was approved and the preliminary development plan was approved. In 2013 they annexed the remainder of the property. He pointed out that the City's land use was low density suburban on this property, which allows 2 units per acre. He is proposing half of that, 1 unit per net acre. He stated at the Planning Commission meeting there was a blanket decision of denial made with no Findings of Fact concerning staff approvals or reports, and no recommendations made. A total of 49 lots were approved by the City in 2008 and this is remaining the same. After meeting with the homeowners of the southern border of this property, he changed from a brick wall to natural buffer. He read a letter into the record from Mike Corbin where he was informed that the majority voted in favor of the 30 foot natural buffer with the existing trees, vegetation, and fence. He moved three lots within the subdivision so to maintain 15 acres undisturbed and as recreation area. He spoke regarding the petition that was turned in, stating this was done a year ago at the time he was asking for more lots and he came back to the original plan of 49 lots. He said that he feels he has addressed most of the concerns on this petition. He reviewed the surrounding developed areas, many of which do not have sewer and he will be bringing in sewer to this development. He declared the staff report recommended approval of this project as it meets all requirements of the future land use and zoning. Staff made two recommendations, one being sidewalks for safety. He would suggest using the internal sidewalks and he will construct a path through the recreation area so that it attaches to the corner of Ustler Road. This will keep the students off of Sandpiper Road and will be a safer alternative. The second issue was a boundary treatment and this has already been discussed.

Mr. Goldberg discussed trees and wildlife, stating he wanted to keep trees also as it creates much more value for the community, and 27 acres are being left as open space, 15 of which are an undisturbed park, and a 30 foot undisturbed buffer. He is committed to not clearing lots, only roadways and retention ponds. Each lot, when applying for a building permit, they must also apply for an arbor permit. A wildlife survey only listed gopher tortoises which will be required to be relocated. He declared this project will create many jobs and will generate additional property tax revenues. He stated this will be a great asset to the city, bringing in infrastructure. He has made a conservative effort to alleviate neighbors' concerns and has made changes to the original plan based upon these concerns. He thanked the Council for their time and said he looked forward to their approval in constructing a beautiful, viable community.

Commissioner Velazquez left the meeting at 10:09 p.m.

Steve Harmon said at one time he tried to annex in to the City of Apopka, but couldn't due to his location. He would like to keep his trees in his community and has lived in his house since 1978. He is a former Deputy Sheriff and has written many citations on Sandpiper, as well as responding to several accidents on this road. He declared speed and traffic were of paramount importance.

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

Commissioner Velazquez returned at 10:12 p.m.

Mayor Kilsheimer said there has been some discussion regarding the Planning Commission providing Findings of Fact regarding their decision. He inquired if that would be more proper, or should the Council consider this issue at this time.

Attorney Smith advised the Council could do either. If they decide to request the Planning Commission's input regarding their recommendation, it can be sent back to them, or Council can act upon the evidence and testimony heard at this meeting.

Commissioner Arrowsmith said he would like to have staff provide on a larger scale the differences to be able to have something on a more comparative nature. He stated he would like more time to review this prior to making a decision in order to be fair to all concerned.

It was the consensus of the Council to request the Findings of Fact from the Planning Commission.

Attorney Smith advised their decision is based upon competent substantial evidence. He affirmed they were not turning the project down by sending it back to the Planning Commission.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to send it back to the Planning Commission to reconsider and develop Findings of Fact to substantiate their decision. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

The Council recessed at 10:19 and reconvened at 10:23.

1. **ORDINANCE NO. 2378 – FIRST READING – VACATE – GK MAUDEHELEN, LLP**
- Vacating a portion of a platted right of way (cul de sac) located on the east side of Binion Road, south of Orange Blossom Trail, and west of Willet Avenue. The City Clerk read the title, as follows:

ORDINANCE NO. 2378

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE
A PORTION OF A PLATTED RIGHT-OF-WAY LOCATED EAST SIDE**

OF BINION ROAD, SOUTH OF ORANGE BLOSSOM TRAIL, WEST OF WILLET AVENUE; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to accept the First Reading of Ordinance No. 2378, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

- 2. ORDINANCE NO. 2379 – FIRST READING – ANNEXATION - Jason M. Lee,** property located at 2300 West Ponkan Road. (Parcel I.D. # 19-20-28-0000-00-007) (3.65 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2379

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY JASON M. LEE, LOCATED AT 2300 WEST PONKAN ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Ruth, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2379, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

- 3. ORDINANCE NO. 2380 – FIRST READING – ANNEXATION - Metzler Family Trust,** property located at 2133 Vick Road. (Parcel I.D. # 28-20-28-0000-00-010) (5.00 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2380

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY METZLER FAMILY TRUST, LOCATED AT 2133 VICK ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Dean, and seconded by Commissioner Arrowsmith, to accept the First Reading of Ordinance No. 2380, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

4. **ORDINANCE NO. 2381 - FIRST READING – ANNEXATION - Property Industrial Enterprises, LLC**, properties located at 320 and 328 West 2nd Street. (Parcel I.D. #s 09-21-28-0868-01-250 (0.42 +/- ac) and 09-21-28-0868-01-260 (0.42 +/- ac) (0.84 +/- acre). The City Clerk read the title, as follows:

ORDINANCE NO. 2381

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY PROPERTY INDUSTRIAL ENTERPRISES, LLC, LOCATED AT 320 AND 328 WEST 2ND STREET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Ruth, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2381, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

5. **ORDINANCE NO. 2382 - FIRST READING – ANNEXATION - Dewar Keene 40 LLC**, property located at 632 West Keene Road. (Parcel I.D. # 28-21-28-0000-00-024) (9.52 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2382

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DEWAR KEENE 40 LLC, LOCATED AT 632 WEST KEENE ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Velazquez, and seconded by Commissioner Arrowsmith, to accept the First Reading of Ordinance No. 2382, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

6. **ORDINANCE NO. 2383 - FIRST READING – ANNEXATION - Alexander E. & Mary E. Dewar**, properties located at 205 and 251 East Keene Road. (Parcel I.D. #s 22-21-28-0000-00-168) (12.74 +/- ac) and 22-21-28-0000-00-137 (4.94 +/- ac) (17.68 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2383

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY ALEXANDER E. AND MARY E. DEWAR LOCATED AT 205 AND 251 EAST KEENE ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Ruth, and seconded by Commissioner Velazquez, to accept the First Reading of Ordinance No. 2383, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

7. **ORDINANCE NO. 2384 - FIRST READING – ANNEXATION - City of Apopka**, property located at 225 East Keene Road. (Parcel I.D. # 21-21-28-00000-00-033 (1.57 +/- acres). The City Clerk read the title, as follows:

ORDINANCE NO. 2384

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CITY OF APOPKA, LOCATED AT 225 WEST KEENE ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2384, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

8. **ORDINANCE NO. 2385 - FIRST READING – CHANGE OF ZONING - Allan Akbar Ali, a/k/a All Akbar Ali, from R-1A (0-5 du/ac) (Residential) to AG-E (0-5 du/ac) (Residential/Barns/Stables/Livestock) for property located east of Lakeville Road, west of North Hiawassee Boulevard, north of Foxwood Court (2277 Lakeville Road). (Parcel ID No: 23-21-28-0000-00-044). The City Clerk read the title, as follows:**

ORDINANCE NO. 2385

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM R-1A (0-5 DU/AC) to AG-E (0-5 DU/AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF LAKEVILLE ROAD, WEST OF NORTH HIAWASSEE BOULEVARD, AND NORTH OF FOXWOOD COURT (2277 LAKEVILLE ROAD), COMPRISING 9.86 ACRES MORE OR LESS, AND OWNED BY ALLAN AKBAR ALI A/K/A ALL AKBAR ALI; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Dean, and seconded by Commissioner Ruth, to accept the First Reading of Ordinance No. 2385, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

9. **ORDINANCE NO. 2386 - FIRST READING – CHANGE OF ZONING - Florida Land Trust #111 - ZDA at Sandpiper, LLC - From “County” PD to “City” Planned Unit Development (PUD/R-1A) for property located south of Sandpiper Street, west of North Thompson Road, east of Ustler Road. (Parcel ID Nos.: 02-21-28-0000-00-106, 02-21-28-0000-00-131, 03-21-28-0000-00-015, 03-21-28-0000-00-022, 03-21-28-0000-00-073, and 03-21-28-0000-00-119).**

NOTE: This item was heard second under Ordinances and Resolutions.

10. **RESOLUTION NO. 2014-10 - ADOPTION - STREET NAME CHANGE - Changing the name of the southern segment of the City street known as “Piedmont-Wekiwa Road,” between North Hiawassee Road and Apopka Boulevard, to “Armando Borjas Jr Way.”**

NOTE: This item was heard first under Ordinances and Resolutions.

11. **RESOLUTION NO. 2014-11 - Imposing the uniform method of collections for non-ad valorem special assessments levied within the Mainline Village subdivision, an incorporated**

area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector. The City Clerk read the title, as follows:

RESOLUTION NO. 2014-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREN TAX ASSESSMENT ROLL FOR THE MAINLINE VILLAGE SUBDIVISION; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve Resolution No. 2014-11. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

12. RESOLUTION NO. 2014-12 - Imposing the uniform method of collections for non-ad valorem special assessments levied within the Main Avenue Villas subdivision, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector. The City Clerk read the title, as follows:

RESOLUTION NO. 2014-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREN TAX ASSESSMENT ROLL FOR THE MAINE AVENUE VILLAS SUBDIVISION; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to approve Resolution No. 2014-12.

Commissioner Kilsheimer opened the meeting for public comment.

Tenita Reid said she had read where the legislature had imposed a cap on assessments and inquired if this applied to special assessments for code violations. She further inquired if this was a set price or could it change.

Attorney Smith advised this was not a tax, but a special assessment. He advised that non-ad valorem does not follow the same caps or exemptions as Save our Homes.

Mr. Vavrek advised these assessments are pure costs solely for providing the service. This went through a bid process and the current bid was for a three year contract, but they do have an out should the costs rise.

Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

13. **RESOLUTION NO. 2014-13** - Imposing the uniform method of collections for non-ad valorem special assessments levied within the Cimarron Hills subdivision, an incorporated area of the City of Apopka, and certifying the rate to the Orange County Property Appraiser and Tax Collector. The City Clerk read the title, as follows:

RESOLUTION NO. 2014-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING A NON-AD VALOREN TAX ASSESSMENT ROLL FOR THE CIMARRON HILLS SUBDIVISION; PROVIDING DIRECTION TO THE FINANCE DIRECTOR FOR CERTIFICATION AND TRANSMISSION OF THE ASSESSMENT ROLL TO THE ORANGE COUNTY TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve Resolution No. 2014-13. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

SITE APPROVALS - There were no site approvals.

DEPARTMENT REPORTS AND BIDS

1. **Administrative Report** - Richard D. Anderson, City Administrator said his report was on the city's website and the Council had a copy before them and he would answer any questions.

MAYOR'S REPORT - Mayor Kilsheimer reported Janice Goebel, City Clerk, has announced her intention to retire from the City as of October 31, 2014, filling her dream of moving to North Carolina. He said he appreciates all she has done and stated she has done yeoman's work and has been a stalwart assistant during this transition.

Mayor Kilsheimer reported he had been approached by Richard Anderson in that he was interested in retiring from the City and transitioning into a new role wherein he would serve as a lobbyist and consultant. He advised an agreement has been reached and asked Attorney Smith to review these terms.

Attorney Smith reviewed the agreement, the first being with regards to the retirement. The next paragraphs relate to the transition of his contract for lobbying services, and project management for the Downtown project, the Hospital project, and Kelly Park DRI. He reviewed the job duties and advised he will be reporting to the Mayor. He affirmed in this role, Mr. Anderson will be an independent contractor.

Mayor Kilsheimer said that Mr. Anderson's new role in advocating, lobbying, and working on behalf of the city will put us in a strong position to be successful for the future.

In response to questions by Commissioners Arrowsmith and Dean regarding what cost this would be to the city and what process would be used to replace the position; Tom Callan, representing Mr. Anderson, said there was no additional expense with regards to the lobbying, this is being transferred to Mr. Anderson. He reviewed the expense involved with the project management. Mr. Anderson added that this was a \$140,352 savings to the city. Additionally Mayor Kilsheimer advised there would be a National search to fill the position of City Administrator.

MOTION was made by Commissioner Dean and seconded by Commissioner Velazquez to ratify this agreement. Motion carried by a four/one roll call vote with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, and Velazquez voting aye and Commissioner Ruth voting nay.

OLD BUSINESS

1. **COUNCIL** - There was no old business from the City Council.
2. **PUBLIC** -

Ray Shackelford said he really appreciated the services of the City Administrator. He stated as they come to the final budget preparations, he again asked the Council to dig deep into the budget to try and find funds for a summer program for the youth, as well as an outreach program for the youth. He further inquired if the committee looking for a new City Administrator would be one of diversity.

Mayor Kilsheimer responded in the affirmative regarding the committee.

NEW BUSINESS

1. **COUNCIL** – Commissioner Dean inquired as to the progress of the project at 436/441.

Mr. Anderson advised it was progressing very well and they hope to have some resolve on this project to present in the very near future.

In response to an inquiry by Commissioner Ruth with regards to the cost involved with the remaining 9 contracts, Mayor Kilsheimer said these were employee contracts that were signed by Mayor Land and his conversations with the City Attorney are that they are valid contracts. Mr. Anderson added that the contracts would not cost anything unless the employee is fired without just cause. Commissioner Ruth also expressed concern regarding an environment that was created with some that are "double dipping" and how this will be addressed moving forward, to which Mayor Kilsheimer said these will be addressed on an individual basis as well as a policy level moving forward.

2. **PUBLIC** - There was no new business from the public.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 11:08 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST:

Janice G. Goebel, City Clerk

DRAFT