

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING-APPLICANT:
HUGH HARLING, EVERGREEN PLANNED DEVELOPMENT; CASE RZ-05-03-020, MAY 19,
2005; DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Hugh Harling for Evergreen Planned Development to rezone from R-CE (Country Estate District) (1971) to PD (Planned Development District), on property generally located on the southeast corner of Beauclair Avenue and Hill Street; Parcel ID 05-20-27-0000-00-021; District 2; Section 05, Township 20, Range 27; Orange County, Florida (the legal property description is on file).

Staff outlined the request and identified the location of the subject property, the surrounding zoning classifications and the future land use map designations in the area.

The following persons addressed the Board regarding the request:

- Hugh Harling, the applicant
- Tom Bennion, area resident
- George Carpenter, area resident

The County Mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Sindler, seconded by Commissioner Fernandez, and carried with all members present and voting AYE by voice vote, the Board made a finding of consistency with the Comprehensive Policy Plan; and further, approved the request by Hugh Harling for Evergreen Planned Development (PD) to rezone from R-CE (Country Estate District) (1971) to PD (Planned Development District), on the above described property; subject to the following conditions:

1. Development shall conform to the Evergreen PD/Land Use Plan (LUP), dated "Received April 13, 2005," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.

2. The uses, densities, intensities, and all of the conditions of approval of the PD/LUP have been negotiated and agreed to by both the applicant and the County. The PD/LUP constitutes an agreement between the parties. The applicant and the applicant's successors in interest have the contract right to develop the PD with the uses, densities, and intensities approved by the County, subject to the restrictions and requirements in the conditions of approval, and neither the applicant nor the County shall have the right to rezone or downzone the property, or otherwise alter the uses, densities, and intensities, or to delete, waive, or amend any condition of approval except through an amendment to the PD/LUP that is negotiated and approved by both parties.
3. Conditions that have been agreed to by the owner/developer during the community meeting. In the cases where the following conditions differ from the LUP (dated April 13, 2005), the following conditions apply:
 - a. Maximum number of lots, 20.
 - b. Maximum number of lots fronting on the adjacent roads, 13. The other lots to be flag type lots with shared ingress/egress.
 - c. The shared ingress/egress shall be through executed easements with maintenance requirements and controlled through the homeowners' association and be a minimum of 25 feet in width.
 - d. Minimum lot width at building line to be 130 feet.
 - e. Minimum front yard building setback on road to be 50 feet with front yard setbacks varying on adjacent lots.
 - f. Minimum rear yard building setback to be 50 feet.
 - g. The 10-foot easement on the road to be identified as a utility easement.
 - h. No clear-cutting of existing planted pines during development, only house pad area buffer, grading, thinning, and fire buffer to determine limits of tree removal.
 - i. Plant a minimum of 2 live oaks per lot along the roads.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING-APPLICANT: STEVE SHEA, SEMORAN CROSS ROAD PLANNED DEVELOPMENT; CASE RZ-05-03-024, MAY 19, 2005; DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Steven Shea for Semoran Cross Road Planned Development (PD) to rezone from I-2/I-3 (Industrial District-general) (1976) to PD (Planned Development District), on property generally located on the northeast corner of Semoran Boulevard



Interoffice Memorandum

July 1, 2005

TO: Mayor Richard T. Crotty
-AND-
Board of County Commissioners

FROM: James E. Harrison, Esq., P.E., Director
Growth Management Department

CONTACT PERSON: Chris Testerman, AICP, Manager, Planning Division *CT*
(407) 836-5883

SUBJECT: July 19, 2005 – P&ZC Board Called Public Hearing
Evergreen PD (Residential)
Case RZ-05-03-020 – District 2

The request is to change the zoning from R-CE (Country Estate District) (1971) to PD (Planned Development District). The subject property totals approximately twenty-two (22.0) acres in size and the proposed use is for 20 single-family residential lots. The subject property is located at (6203) Allen Street; and more generally described as the southeast corner of Beauclair Avenue and Hill Street.

On May 19, 2005, the Planning and Zoning Commission (P&ZC) made a finding of consistency with the Comprehensive Policy Plan (CPP) and approved the Evergreen PD zoning subject to three (3) conditions identified in the P&ZC recommendations of the staff report.

A community meeting was held on April 20, 2005 for this rezoning request.

ACTION REQUESTED: The action requested is to make a finding of consistency with the CPP and approve the Evergreen PD Land Use Plan, dated received April 13, 2005, subject to the three (3) conditions as identified in the P&ZC recommendations of the staff report. District 2

JEH/CRT/FJS:pm

Attachments

c: David C. Heath, AICP, Deputy County Administrator
Melvin Pittman, Director, Community and Environmental Resources Department
Mitch Gordon, Manager, Zoning Division
John Smogor, Assistant Manager, Planning Division
Read File

*Board of County Commission – P&ZC Board Called Public Hearing
July 19, 2005
Commission District: 2*

GENERAL INFORMATION

APPLICANT	Hugh Harling for Evergreen PD
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-CE (Country Estate District) (1971) to PD (Planned Development District)
LOCATION	(6203) Allen Street; and more generally described as the Southeast corner of Beauclair Avenue and Hill Street.
PARCEL ID NUMBER (S)	05-20-27-0000-00-021
PUBLIC NOTIFICATION	<p>The notification area for this public hearing was 1500 feet (Chapter 30-40 (c) (3a) of the Orange County Code requires 300 feet). Two hundred eighty one (281) notices were mailed to those property owners in the mailing area.</p> <p>A Development Review Committee (DRC) required community meeting was held for this development on April 20, 2005. Two hundred eighty (280) notices were mailed to property owners in the mailing area.</p>
TRACT SIZE	~22.0 Ac.
PROPOSED USE	20 Single-family residential dwelling units.

STAFF RECOMMENDATION

DRC RECOMMENDATION (February 23, 2005)

Make a finding of consistency with the Comprehensive Policy Plan and Approve the PD zoning subject to the following conditions:

1. Development shall conform to the Evergreen PD Land Use Plan dated "Received" April 13, 2005", and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.

2. The uses, densities, intensities, and all of the conditions of approval of the PD Land Use Plan have been negotiated and agreed to by both the applicant and the county. The PD Land Use Plan constitutes an agreement between the parties. The applicant and the applicant's successors in interest have the contract right to develop the PD with the uses, densities and intensities approved by the county, subject to the restrictions and requirements in the conditions of approval, and neither the applicant nor the county shall have the right to rezone or downzone the property, or otherwise alter the uses, densities, and intensities, or to delete, waive, or amend any condition of approval except through an amendment to the PD Land Use Plan that is negotiated and approved by both parties.
3. Conditions that have been agreed to by the Owner/Developer during the community meeting. In the cases where the following conditions differ from the Land Use Plan (dated April 13, 2005), the following conditions apply:
 - a. Maximum number of lots - 20 (twenty).
 - b. Maximum number of lots fronting on the adjacent roads - 13 (thirteen) the other lots to be flag type lots with shared ingress/egress.
 - c. The shared ingress/egress shall be through executed easements with maintenance requirements and controlled through the Home Owners Association, and be a minimum of 25 (twenty-five) feet in width.
 - d. Minimum lot width at building line to be 130 feet.
 - e. Minimum front yard building setback on road to be 50 feet with front yard set backs varying on adjacent lots.
 - f. Minimum rear yard building setback to be 50 feet.
 - g. The 10 (ten) foot easement on the road to be identified as a utility easement.
 - h. No clear-cutting of existing planted pines during development, only house pad area buffer, grading, thinning and fire buffer to determine limits of tree removal.
 - i. Plant a minimum of 2 (two) live oaks per lots along the roads.

IMPACT ANALYSIS

Land Use Compatibility

The proposed PD zoning would allow land uses that are compatible with the existing development in the area.

Comprehensive Policy Plan (CPP) Consistency

The CPP Future Land Use Map designates this location as **Rural Settlement 1/1 (RS 1/1)**. The PD zoning district is consistent with this land use designation.

Future Land Use Element Policy 1.1.11 lists the maximum densities permitted under each residential future land use designation and states these densities are not intended to be the sole impetus for altering the type, density, intensity or character of an existing residential neighborhood.

Future Land Use Element Policy 1.1.14 The Future Land Use Map establishes the proposed long-range general use of property and sets the zoning and future land use correlation used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate.

Future Land Use Element Policy 2.1.2 states that every effort shall be made to preserve the existing character of the Rural Settlements as part of Orange County's heritage and historic preservation.

Future Land Use Element Policy 2.1.8 states that the permitted densities and intensities of land use within the Rural Settlements shall maintain the rural character.

Future Land Use Element Policy 3.1.1 states that a diverse mix of land uses, housing types, and densities shall be promoted.

Future Land Use Element Policy 3.1.19 states that Planned Developments (PDs) are allowed provided the land uses are consistent with the cumulative densities and intensities on the Future Land Use Map.

Future Land Use Element Policy 3.2.25 requires land use changes to be compatible with the existing development and the development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility.

SITE DATA

Existing Use	Vacant (planted pine trees)
Adjacent Zoning	N: R-CE (Country Estate District) (1971) E: Chesterhill PD Phase 4 (1979) W: Hill Avenue and Beauclaire Estates II PD (2004) S: Allen Street and R-CE (Country Estate District) (1971)
Adjacent Land Uses	N: Single-family residences E: Single-family residential and vacant W: Hill Avenue and vacant S: Allen Street and residential

ZONING DISTRICT STANDARDS (PD)

Evergreen PD District Summary *

Max. Bldg. Ht.	35 ft. (2 stories)
Min. Living Area	2,500 sq. ft.
Min. Lot Area	1 ac. (43,560 sq. ft.)
Min. Lot Width	130 ft.
Building Setbacks:	
Front:	50 ft. (to be varied on adjacent lots)
Side:	15 ft.
Side Street:	25 ft.
Rear:	50 ft.

* These regulations may not reflect all the requirements for this PD; refer to the Approved PD Land Use Plan for required information, requirements, and regulations.

Permitted Use(s)

21 Single-family dwelling units

SPECIAL INFORMATION

Subject Property - NA

Comprehensive Policy Plan Amendment - NA

Rural Settlement

Subject property is located in Tangerine Rural Settlement.

Joint Planning Area - NA

Overlay District Ordinance - NA

Environmental/Soils

Subject property is located in the Wekiva Study Area.

Soil Type(s):

- (4) Candler fine sand, 0-5% slopes, excessively drained
- (5) Candler fine sand, 5-12% slopes, excessively drained
- (47) Tavares-Millhopper fine sands, 0-5% slopes, moderately well drained

Bold denotes Potential Conservation Areas exist on the site, i.e. wetlands. Not applicable this property.

Transportation/Access

<u>Street</u>	<u>Functional Classification</u>	<u>Street</u>
Orange Blossom Trail/ US 441/17/92	4-lane principal arterial	Orange Blossom Trail/ US 441/17/92
<u>Count:</u>	2003 Peak Directional Count for Orange Blossom Trail/US 17/92 from Sadler Road to Lake County Line is 1,164 trips.	
<u>Capacity:</u>	The peak capacity on Orange Blossom Trail/US 17/92 from Sadler Road to Lake County Line is 2,890. Remaining capacity is approximately 1,214 trips (04-27-05).	

Water/Wastewater/Reclaim

	<u>Existing service or provider*</u>
Water:	Florida Water System
Wastewater:	Septic
Reclaim water:	NA

* This is provided for information only, may not reflect the actual connection point. Connection point(s) will be determined at Final Construction Plan Review.

Schools

Projected School Age Population – 9

The net increase in the number of students generated from the change in zoning is not significant and will not negatively impact school capacity.

<u>Name</u>	<u>Distance</u>	<u>Capacity*</u>	<u>Enrollment*</u>
Zellwood Elem.	~ 5.6 miles	330	572
Apopka Middle	~13.4 miles	1,118	1,574
Apopka High	~12.6 miles	3,187	3,821

* Source Orange County Public School Enrollment Summary-dated 05/02/05

Parks & Recreation

<u>Name</u>	<u>Distance</u>
Tangerine Park	~ .70 miles

Airport Noise Zone

The subject property is not located in an Airport Noise Zone

ACTION REQUESTED

P&Z Recommendation - (May 19, 2005)

Make a finding of consistency with the Comprehensive Policy Plan and Approve the PD zoning subject to the following conditions:

1. Development shall conform to the Evergreen PD Land Use Plan dated "Received" April 13, 2005", and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.
2. The uses, densities, intensities, and all of the conditions of approval of the PD Land Use Plan have been negotiated and agreed to by both the applicant and the county. The PD Land Use Plan constitutes an agreement between the parties. The applicant and the applicant's successors in interest have the contract right to develop the PD with the uses, densities and intensities approved by the county, subject to the restrictions and requirements in the conditions of approval, and neither the applicant nor the county shall have the right to rezone or downzone the property, or otherwise alter the uses, densities, and intensities, or to delete, waive, or amend any condition of approval except through an amendment to the PD Land Use Plan that is negotiated and approved by both parties.
4. Conditions that have been agreed to by the Owner/Developer during the community meeting. In the cases where the following conditions differ from the Land Use Plan (dated April 13, 2005), the following conditions apply:
 - a. Maximum number of lots - 20 (twenty)
 - b. Maximum number of lots fronting on the adjacent roads – 13 (thirteen) the other lots to be flag type lots with shared ingress/egress.
 - c. The shared ingress/egress shall be through executed easements with maintenance requirements and controlled through the Home Owners Association, and be a minimum of 25 (twenty-five) feet in width.
 - d. Minimum lot width at building line to be 130 feet.
 - e. Minimum front yard building setback on road to be 50 feet with front yard set backs varying on adjacent lots.
 - f. Minimum rear yard building setback to be 50 feet.
 - g. The 10 (ten) foot easement on the road to be identified as a utility easement.
 - h. No clear-cutting of existing planted pines during development, only house pad area buffer, grading, thinning and fire buffer to determine limits of tree removal.
 - i. Plant a minimum of 2 (two) live oaks per lots along the roads.

SYNOPSIS OF PUBLIC HEARING BEFORE THE P&Z COMMISSION

Staff presented the staff report to the Planning & Zoning Commission (P&ZC) and recommended that the P&ZC make a finding of consistency with the Comprehensive Policy Plan (CPP), find that the proposed zoning is compatible with the surrounding area and approve the PD zoning district subject to four (4) conditions.

Staff received nine (9) responses to the abutter notifications: three (3) in favor of the request and six (6) in opposition to the request.

The applicant concurred with staff's recommendation. No one appeared to speak in favor of or in opposition to the request.

The Public Hearing was closed. ***The P&ZC APPROVED the PD (Planned Development District) zoning subject to four (4) conditions, finding the request to be consistent with the CPP and that the zoning is compatible to the surrounding area.***

Motion/Second

Bryan F. Nelson / Max Hunt

Voting in Favor

Rene Albors, Max Hunt, Bryan F. Nelson, Carson Good, Debra M. Pierre, Fran Pignone. (Unanimous)

Absent

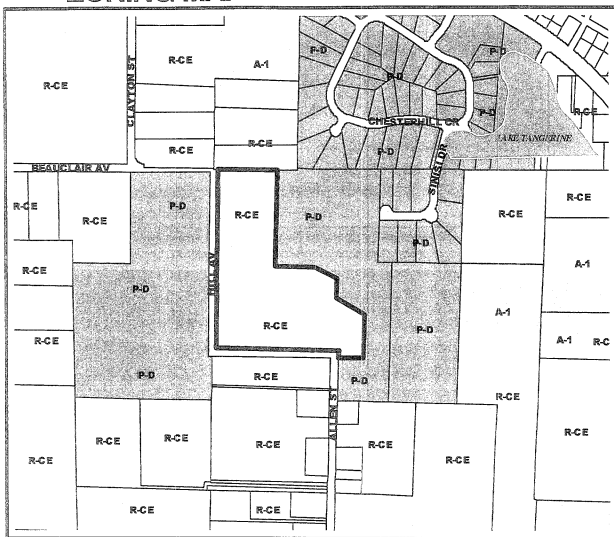
Stina D'Uva, John D. Ellis, Jr., Lorraine Tuliano

Planner: F. Jay Sargent

S:\Dev_Review\IP & Z\Rezoning\Year 2005\05-May-05\RECOMMENDATION BOOK\Rec. Report Book 05-19-05 Section 2.doc

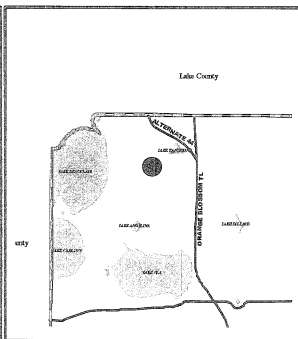
ZONING MAP

KZ-05-03-020



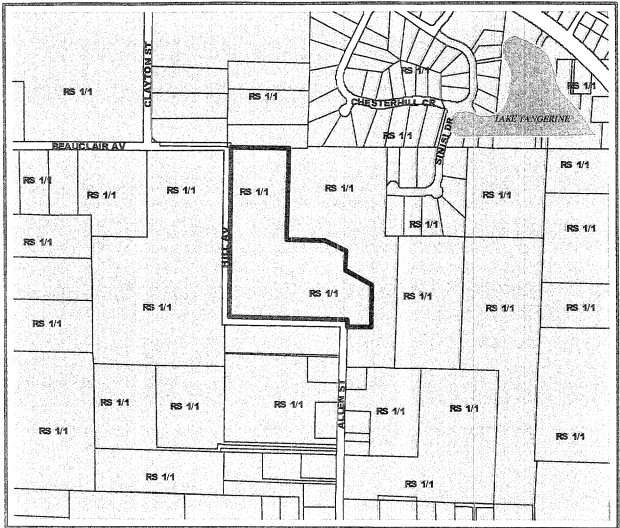
REQUEST: R-CE to PD
 APPLICANT: Hugh Harting for Evergreen PD
 DISTRICT: # 2
 SEC/TWN/RNG: 05/20/27
 ADDRESS: (6230) Allen Street
 TRACT SIZE: ~22.00 Acres

● PROPERTY LOCATION
 ——— SUBJECT PROPERTY



FUTURE LAND USE MAP

RZ-05-03-020



FLU: Rural Settlement 1/1

FLU MAP #: Pg. 1

APPLICANT: Hugh Harling for
Evergreen PD

DISTRICT: # 2

SEC/TWVRNG: 05/20/27

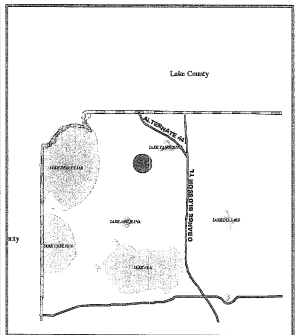
TRACT SIZE: ~22.00 Acres



PROPERTY LOCATION



SUBJECT PROPERTY



Chami, Tammilea

From: Smith, Katie
Sent: Friday, April 29, 2005 7:21 AM
To: Azim, Abdul; Baxter, Bill; Cain, Roger; Chami, Tammilea; Cruz, Pedro (PW); Cummings, Jennifer; Czapka, Damian; DeLeon, Jorge; Dougenik, Andrea; Enage, Romy; Geiger, John; Guerra, Rebeca; Heath, David; Johnson, Liz; Kuruvilla, Santhosh; Mejdoub, Mounir; Mullan, Vicki; Pearce, David; Perez, Joe; Pugh, Galen; Puryear, Nelson; Relvini, Rocco; Retherford, Jean; Rigby, Michael; Sargent, Jay; Senzee, Charles; Smith, Katie; Smith, Tyrone; Smogor, John; Sohail, Mohammad; Stewart, Judy; Tweedy, Christine; Van Hala, Mark; Ward, Jim; Warren, Kirsten; Watson, Sue; Windom, Bob; Zill, Phyllis
Subject: Evergreen Land Use Plan - Revised Plan Approval

The revised plan dated "APRIL 13, 2005" has been approved by staff subject to conditions of approval as stated February 23, 2005. This item may move forward to P & Z. Please note the following comment from the Planning Division:

No access points have been shown on the plans. As there is only one right-of-way connected to this project, Planning has no objections as long as it is clarified at the public hearing.

Katie Smith
Project Coordinator
Development Review Committee
Development Engineering Division
4200 S. Jolin Young Parkway
Orlando, Florida 32819
407-836-7759 (Phone)
407-836-7780 (Fax)
Katie.Smith@OCFL.net (Email)

Chami, Tammilea

From: Chami, Tammilea
Sent: Thursday, April 21, 2005 10:43 AM
To: Mullan, Vicki; Smith, Katie
Cc: Windom, Bob
Subject: Revised Plan-Evergreen Land Use Plan

Plans dated "Received APR 13, 2005" are fine by zoning.

Tammilea Chami
Zoning
(407)836-5943



Interoffice Memorandum

April 14, 2005

TO: DRC Staff

FROM: Katie Smith, Project Coordinator
407-836-7758

SUBJ: ***EVERGREEN LAND USE PLAN***
Revised Plan

Attached is a revised plan for the above project dated "Received APRIL 13, 2005" as requested during review held on February 23, 2005.

Please review and forward any comments you may have on the plans no later than:

APRIL 27, 2005

If all issues have been addressed, this item may move forward to P & Z.

Attachment(s)

PLAN NAME: EVERGREEN LAND USE PLAN

COMMISSION DISTRICT: 2

Representing the developer was Hugh Harling.

DRC members present for discussion:

Chairman of DRC
Planning Division
Utilities Department
Public Works Department
Zoning Division

DAVID HEATH
JOHN SMOGOR
JOE PURYEA
BILL BAXTER
BOB WINDOM

Present for discussion:

Development Engineering Division
Development Engineering Division
Development Engineering Division
Environmental Protection Division
Planning Division
Utilities Department
Orange County Fire Rescue Department
Orange County Health Department
Parks and Recreation Department

ROGER CAIN
VICKI MULLAN
KATIE SMITH
JOHN GEIGER
REBECA GUERRA
CHRISTINE TWEEDY
JOE DONOVAN
ELKE URSIN
KIRSTEN WARREN

1. PROJECT ANALYSIS

A. Location: EAST OF HILL AVENUE, SOUTH OF BEAUCLAIRE DRIVE
PARCEL ID# 05-20-27-0000-00-021

B. Total Acres: 22 Density: 1 DU/AC

C. Water Supply: INDIVIDUAL WELLS

D. Sewer System: SEPTIC SYSTEM

E. Schools: ZELLWOOD ES 5.6 MI 330 CAP 581 ENR
APOPKA MS 13.4 MI 1118 CAP 1639 ENR
APOPKA HS 12.6 MI 3187 CAP 4058 ENR

F. School Pop: 9

G. Parks: Tangerine Park ± 0.7 miles

H. Proposed Uses: SINGLE FAMILY 20 DWELLING UNITS

I. Lot Dimension: MAXIMUM BLDG HT:
35' (2 STY)

MINIMUM LVG AREA: 2500 SF

MINIMUM LOT SIZE: 1 ACRE

MINIMUM LOT WIDTH: 125'

BUILDING SETBACKS:

50' FRONT

25' REAR

15' SIDE

25' CORNER

10' FPC EASEMENT

J. Fire Station: 20 - 3200 N. WASHINGTON

23-FEB-2005

PLAN NAME: EVERGREEN LAND USE PLAN

2. COMPREHENSIVE POLICY PLAN:

This project has a Future Land Use Designation of Rural 1/1 (1 d.u. per acre), and is therefore consistent with the CPP. (P)

3. ZONING:

R-CE; PD Proposed

4. Revised Plan - The parcel ID numbers and PD name need to be shown prominently on the cover sheet. Use type 30 point font. (DE) (P)

5. Revised Plan - Request discussion regarding a note on the plans which reads, "Each lot shall retain pollution abatement in an individual swale. Runoff from each lot shall be less than or equal to pre-development runoff for the 25-year/24-hour storm". Remove this note and add a note to read, "The stormwater management system shall comply with Orange County Regulations and the Water Management District criteria". (DE)

6. Revised Plan - Orange County Code Section 34-152(c) requires that all lots shall have access from an internal subdivision street. (DE)

7. Revised Plan - The proposed retention swales shown on the plans need to be removed and a conventional system provided. (DE) (P)

8. Information - Orange Blossom Trail/US 441/17/92 (4-lane principal arterial Sadler Road to Lake County Line) CAP = 2,890 trips - PM PK trips remaining = 1,138 trips (12-27-04 Concurrency Report). Currently, there are no scheduled improvements for this segment of roadway Plans show 30' of ROW for Allen Street. (TP)

9. Information - This project is proposing to be developed in 1 phase. (P)

23-FEB-2005

PLAN NAME: EVERGREEN LAND USE PLAN

10. Information - This project is located within District #2. (P)

11. Information - This project is proposing to construct 20 single-family residential units with a minimum living area of 1,500 square feet on a total of 22 acres. (P)

12. Information/Part of Motion - The Planning Division shall schedule a community meeting for this project. (P)

13. Revised Plan - The school age population appears to be calculated incorrectly. This number shall be derived by multiplying the number of units by .404 (for a total of 9 children). (P)

14. Deleted Per Discussion - What is the status of the school agreement? (P)

VESTED UNDER EXISTING ZONING

15. Revised Plan - What is the dashed parcel shown adjacent to the site's eastern property line? (P)

REMOVE DASHED LINE FROM REVISED PLAN

16. Revised Plan - Add a note to the plan that recreation shall be provided at the rate of 2.5 acres per 1,000 population generated. (P)

17. Revised Plan - Remove the note regarding open space. Add a note to the plan that the minimum open space to be provided shall be 10%. (P)

18. Revised Plan - This submittal should be a "bubble plan." Remove all lot lines, roadways, setback lines, etc. from the plan. (P) (Z)

19. Revised Plan - List the Minimum Building Area as under heat

23-FEB-2005

PLAN NAME: EVERGREEN LAND USE PLAN

and air. (P) (Z)

20. Information - The Capital Improvement Section of the Public Works Engineering Division has reviewed the plans and has stated that additional right-of-way is not requested at this location. (PWE)

21. Revised Plan - Add that the proposed zoning is PD to Site Data. (Z)

22. Revised Plan - Add a note that open space and recreation requirements will be addressed on the PSP. (Z)

23. Information - A tree survey will be required at PSP submittal. (Z)

24. Deleted Per Discussion - When the PSP is submitted, interior streets/access should be provided. Lots may be less than 1 full acre to accomodate the street/pond requirements, and still retain density. (Z)

25. Revised Plan - The Minimum Lot Width is listed as 128 feet, however several lots are 125 feet. This shall be addressed at the time of PSP review. (P) (Z)

26. Information - This Land Use Plan is beyond the recommended response distance of 2.5 miles in the Fire Rescue Element of the Orange County Comprehensive Plan. (OCFRD)

27. Information - This project lies within the Wekiva Study Area. Legislation is proposed that shall require a more stringent level of wastewater treatment. Final approval of any septic system is contingent on the final legislative outcome. (HEALTH)

23-FEB-2005

PLAN NAME: EVERGREEN LAND USE PLAN

28. Information - If septic and well will be utilized, the property shall conform to the requirements set forth in Article XVII of the Orange County Code, Chapter 64E-6 of the Florida Administrative Code, and Chapter 381 of the Florida Statutes. (HEALTH)
29. Revised Plan - Update the soil name. It should be listed as "Candler". (HEALTH)
30. Information - This project is located in AquaAmerica's service area for water and Orange County Utilities service area for wastewater. No wastewater facilities are located in this area. (UD)
31. Information - The Environmental Protection Division has reviewed the plans and has found no concerns at this time. (EPD)
32. Revised Plan - Lots 17, 18 and 19 and 20 are flag lots with a joint access easement necessary for each lot the adjacent lots. These lots shall have 20' frontage. (DE)

RECOMMENDATION:

The recommendation shall be determined. In the event the DRC recommends approval of this project, the following Conditions of Approval shall apply:

1. Development shall conform to the Evergreen Land Use Plan dated "Received * "; and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the Board of County Commissioners (BCC), or by action of the BCC.

* DATE OF APPROVED PLAN TO BE DETERMINED

2. The uses, densities, intensities, and all of the conditions of approval of the PD Land Use Plan have been negotiated and agreed to

23-FEB-2005

PLAN NAME: EVERGREEN LAND USE PLAN

by both the applicant and the county. The PD Land Use Plan constitutes an agreement between the parties. The applicant and the applicant's successors in interest have the contract right to develop the PD with the uses, densities and intensities approved by the county, subject to the restrictions and requirements in the conditions of approval, and neither the applicant nor the county shall have the right to rezone or downzone the property, or otherwise alter the uses, densities, and intensities, or to delete, waive, or amend any condition of approval except through an amendment to the PD Land Use Plan that is negotiated and approved by both parties.

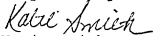
CONCLUSION:

After review/discussion of the above listed findings, the following action was taken:

MOTION by Joe Puryear, seconded by Bob Windom TO RECOMMEND APPROVAL OF THE LAND USE PLAN subject to Conditions of Approval and to a revised plan submitted and approved prior to P & Z and a neighborhood meeting prior to requesting a public hearing.

MOTION CARRIED.

Respectfully submitted,



Katie Smith
Project Coordinator
Development Engineering Division

DATE: 23-FEB-2005

TO: Chairman, Development Review Committee

From:

Plan Number: 5029082

PLAN NAME: EVERGREEN LAND USE PLAN

PROJECT ANALYSIS

A. Location: EAST OF HILL AVENUE, SOUTH OF BEAUCLAIRE
DRIVE PARCEL ID# 05-20-27-0000-00-021
B. Total Acres: 22
C. Water Supply: INDIVIDUAL WELLS
D. Sewer System: SEPTIC SYSTEM
E. Proposed Uses: SINGLE FAMILY 20 DWELLING UNITS

ZONING:

R-CE; PD Proposed

Revised Plan - Add that the proposed zoning is PD to Site Data.
(Z)

Revised Plan - Minimum lot width is stated at 128', while some
lots are 125'. (Z)

Revised Plan - Remove details from LUP. (Z)

Revised Plan - Add that the minimum living area is under
a/c/heat. (Z)

Revised Plan - Add a note that open space and recreation
requirements will be addressed on the PSP. (Z)

Information - A tree survey will be required at PSP submittal.
(Z)

Discussion - When the PSP is submitted, interior streets/access
should be provided. Lots may be less than 1 full acre to
accommodate the street/pond requirements, and still retain
density. (Z)

CONDITIONS:

RECOMMENDATION: