

CITY OF APOPKA
DEVELOPMENT REVIEW COMMITTEE

DATE: February 03, 2016
TIME: 9:00 AM Development Review Committee Meeting
LOCATION: 120 E. Main Street (Community Development Conference Room)

I. Staff Comments on the following:

A. Special Events:

1. Event: Telemundo Orlando
Date: April 30, 2016 or May 7, 2016
Time: 11:00 A.M. thru 8:00 P.M.
Location: Amphitheater – Northwest Recreation Center

B. Concept Plan:

C. Site Plans:

D. Plats:

E. Street Name Review

F. FLUM / Rezoning:

G. Special Exception:

II. Other Business:

A. Public Hearing:

B. Vacate/Variance:

C. Request for Extension:

2. Gilkey Apopka LLC/Gilkey Organization/Dennis E. Gilkey
Ordinance No. 2363 – Change of Zoning
Request for Extension

D. Discussion:

E. Peddlers Permit:

F. Plan Final Review and Sign-off: **Projects at "Zoning Counter"**

Please direct any comments or questions concerning the items scheduled for this meeting to the Community Development Department at (407) 703-1712.



David B. Moon, AICP,
Planning Manager

Backup material for agenda item:

1. Event: Telemundo Orlando
Date: April 30, 2016 or May 7, 2016
Time: 11:00 A.M. thru 8:00 P.M.
Location: Amphitheater – Northwest Recreation Center

CITY OF APOPKA

APPLICATION FOR SPECIAL EVENT/OUTDOOR ASSEMBLY PERMIT

APPLICANT'S NAME: David Diaz
MAILING ADDRESS: 1650 Sand Lake Road Suite 340 Orlando Florida 32809
PO BOX OR STREET CITY STATE ZIP+4
PHONE: CELL 407-985-8001 HOME _____ WORK 407-888-2288 ext 104
NAME OF GROUP/ORGANIZATION: Telemundo Orlando
MAILING ADDRESS: _____
PO BOX OR STREET CITY STATE ZIP+4
PHONE: _____ CONTACT PERSON: David Diaz
CHAIRPERSON OF PARADE: _____
MAILING ADDRESS: _____
PO BOX OR STREET CITY STATE ZIP+4
PHONE: CELL _____ HOME _____ WORK _____

DATE(S) OF EVENT: April 30th or May 7th
HOURS OF EVENT (BEGIN): 11 am (END): 8 pm
EXACT LOCATION OF EVENT: Amphitheater

(ATTACH MAP)

PUBLIC FACILITIES OR EQUIPMENT TO BE USED: _____

ANTICIPATED # OF DAILY PARTICIPANTS: _____ ANTICIPATED # OF DAILY SPECTATORS: 5K

DESCRIBE ALL ACTIVITIES WHICH WILL OCCUR DURING THE EVENT: Cultural Music event geared towards Mexican community in celebration of cinco de Mayo - Event would include music, food and business vendors and talent

WILL ALCOHOLIC BEVERAGES BE SOLD? YES X NO _____ IF YES, EXPLAIN: Cultural event that is a Mexican Festival

DESCRIPTION OF ANY EQUIPMENT AND/OR PRODUCTS, TO BE USED: (TENTS, AMPLIFIERS, BANNERS, SIGNS, ANIMALS, ETC.): Tents, Banners, Signs,

APPLICANT MUST PROVIDE ADEQUATE RESTROOM FACILITIES DURING EVENT, APPLICANT IS RESPONSIBLE TO PROVIDE POLICE AND FIRE PROTECTION IF DEEMED NECESSARY BY THE POLICE CHIEF AND/OR FIRE CHIEF. APPLICANT MUST PROVIDE WRITTEN AUTHORIZATION FOR APPLICANT TO APPLY FOR PERMIT ON BEHALF OF GROUP OR ORGANIZATION.

PLEASE CONTINUE ON REVERSE SIDE.

COMMENTS BY APPLICANT: _____

I, David Diaz, HEREBY REPRESENT, STIPULATE, CONTRACT AND AGREE THAT Telemundo Orlando WILL JOINTLY AND SEVERALLY INDEMNIFY AND HOLD THE CITY HARMLESS AGAINST LIABILITY, INCLUDING COURT COSTS AND ATTORNEY'S FEES, AND INCLUDING ATTORNEY'S FEES FOR AN APPEAL, FOR ANY AND ALL CLAIMS FOR DAMAGE TO PROPERTY OR INJURY TO OR DEATH OF PERSONS ARISING OUT OF OR RESULTING FROM THE ISSUANCE OF THE PERMIT OR THE CONDUCT OF THE ASSEMBLY OR ANY OF ITS PARTICIPANTS.

[Signature]
SIGNATURE OF APPLICANT

David Diaz
PRINTED NAME OF APPLICANT

1/29/16
DATE SUBMITTED TO COMMUNITY DEV. DEPT.

STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____, WHO IS PERSONALLY KNOWN OR PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC SIGNATURE

NOTARY PUBLIC PRINTED NAME

FOR OFFICIAL USE ONLY

DRC APPROVAL: _____ **DATE:** _____

DRC COMMENTS: _____

FIRE APPROVAL: _____ **DATE:** _____

FIRE COMMENTS: _____

POLICE APPROVAL: _____ **DATE:** _____

POLICE COMMENTS: _____

CITY COUNCIL WILL CONSIDER THIS REQUEST SUBJECT TO APPLICANT MEETING ALL CITY REQUIREMENTS ON:

MEETING DATE: _____ **APPROVED:** _____ **DENIED:** _____

PERMIT FEE: \$50.00 **DATE PAID:** _____ **REC'D BY:** _____ **DATE EXEMPTED:** _____

HOLD HARMLESS AGREEMENT

I, David Diaz, HEREBY REPRESENT, STIPULATE CONTRACT AND AGREE THAT Telemundo Orlando WILL JOINTLY AND SEVERALLY INDEMNIFY AND HOLD THE CITY OF APOPKA HARMLESS AGAINST LIABILITY, INCLUDING COURT COSTS AND ATTORNEY'S FEES, AND INCLUDING ATTORNEY'S FEES FOR AN APPEAL, FOR ANY AND ALL CLAIMS FOR DAMAGE TO PROPERTY OR INJURY TO OR DEATH OF PERSONS ARISING OUT OF OR RESULTING FROM THE ISSUANCE OF THE PERMIT OR THE CONDUCT OF THE ASSEMBLY OR ANY OF ITS PARTICIPANTS.

[Signature]
SIGNATURE OF APPLICANT

David Diaz
PRINTED NAME OF APPLICANT

11/26/16
DATE SUBMITTED

STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20____ BY _____, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED _____ AS IDENTIFICATION.

NOTARY PUBLIC SIGNATURE

NOTARY PUBLIC PRINTED NAME

Backup material for agenda item:

2. Gilkey Apopka LLC/Gilkey Organization/Dennis E. Gilkey
Ordinance No. 2363 – Change of Zoning
Request for Extension



RECEIVED
JAN 29 2016

January 26, 2016

Mr. David Moon, Planning Manager
City of Apopka
City Hall
120 E. Main Street 2nd Floor
PO Box 1229
Apopka FL 32704-1229

Re: Ordinance No. 2363

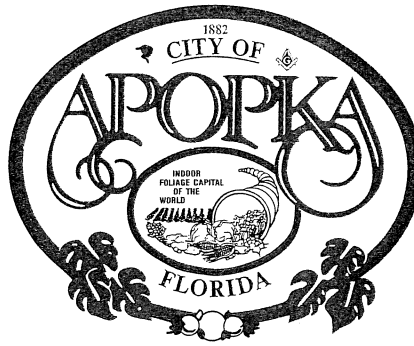
Dear Mr. Moon:

With this letter, we are respectfully requesting a six month extension of the requirement to submit a Preliminary Development Plan, as referenced in Section 1.C.1. of the Planned Unit Development (PUD/R-2) approved by Ordinance No. 2363.

Thank you for your consideration of this request, and we would appreciate your scheduling this for City Council approval at the earliest opportunity.

Sincerely,

By: Gilkey Organization, LLC, its Manager
By: Dennis E. Gilkey, its Manager
Gilkey Apopka LLC



P.O. BOX 1229 • APOPKA, FLORIDA 32704-1229
PHONE (407) 703-1700

June 19, 2014

Debra L. Jones
Steven Patrick Gill
288 Calypso Court
Ponte Vedra Beach, Florida 32082
And
Gilkey Realty, Inc.
c/o Jason Gilkey
2227 Loch Lomond Drive
Winter Park, Florida 32792

RE: Debra L. Jones, Steven Patrick Gill and Apopka Gilkey, LLC
Change of Zoning - Ordinance No. 2363
Property Tax ID Numbers 06-21-7172-15-090 & 06-21-28-7172-15-130

The City Council, at its meeting on May 21, 2014, adopted Ordinance No. 2363 changing the Zoning from R-1AA (0-5 DU/AC) and Planned Unit Development (PUD/R-2) (0-5 DU/AC – Residential). A Copy of the executed Ordinance is enclosed for your record.

Sincerely,

David B. Moon, AICP
Planning Manager

Enclosures: Ordinance No. 2363

C: R. Jay Davoll, P.E., Community Development Director/City Engineer
DRC Members

ORDINANCE NO. 2363

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM R-1AA AND PLANNED UNIT DEVELOPMENT (PUD/R-2) TO PLANNED UNIT DEVELOPMENT (PUD/R-2) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED EAST OF PLYMOUTH SORRENTO ROAD, SOUTH OF SCHOPKE ROAD, COMPRISING 14.7 ACRES, MORE OR LESS AND OWNED BY DEBRA L. JONES, STEVEN P. GILL, AND APOPKA GILKEY, LLC, C/O JASON GILKEY; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, to manage the growth, the City of Apopka, Florida, finds it in the best interest of the public health, safety and welfare of its citizens to establish zoning classifications within the City; and

WHEREAS, the City of Apopka has requested a change in zoning on said property as identified in Section I of this ordinance; and

WHEREAS, the proposed Planned Unit Development (PUD/R-2) zoning has been found to be consistent with the City of Apopka Comprehensive Plan, and the City of Apopka Land Development Code.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Apopka, Florida, as follows:

Section I. That the zoning classification of the following described properties be designated as Planned Unit Development (PUD/R-2), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning 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-2 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 Preliminary Development Plan submitted in association with the PUD district.
- C. If a preliminary 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 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.

D. 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. The maximum number of single family homes allowed in this PUD is forty-seven (47). Duplexes will not be allowed.
2. Minimum lot area for a single family home shall be 8,625 sq. ft. Lots with a rear-yard facing Plymouth Sorrento Road are allowed a minimum lot size of 8,400 square feet.
3. Wrought-iron style fences shall not be allowed within subdivision buffer tracts placed along Plymouth Sorrento Road or Schopke Road. A brick or masonry wall will not be required where the subject property abuts lands used for agriculture purposes or assigned an agriculture zoning category; but in lieu thereof the City may require a six-foot high vinyl or wood screen fence.
4. Minimum livable area for a single family dwelling unit is 1,500 sq. ft.
5. Unless otherwise addressed within the PUD development standards, the R-2 zoning standards will apply to the subject property.
6. Unless otherwise approved by City Council, road access to any residential development occurring within the subject property shall not occur from Plymouth Sorrento Road.
7. A thirty-foot wide tract along the western property line shall be reserved for future right-of-way (ROW) for Plymouth Sorrento Road. In the event the ROW reservation is not dedicated to the City of Apopka, the ROW shall be valued at the zoning in effect prior to the effective date of the zoning ordinance (i.e., R-1AA (3.88 +/- acres) and R-1AAA (10.88 +/- acres)).
8. A ten-foot wide landscape buffer with a six-foot high masonry wall shall be placed eastward of the land reserved for future right-of-way.
9. Common open space shall be provided at a minimum of twenty percent (20%) of the subject property, as set forth in and according to Section 2.02.18.D of the Land Development Code (2014). Any lot area exceeding 7,500 sq. ft. will qualify toward meeting the minimum open space requirement, as will the buffers and park areas. Land reserved for future road right-of-way for Plymouth-Sorrento Road will not be counted as towards meeting the open space requirement.
10. Planted pine currently existing on the northern parcel may be harvested for silviculture purposes. If harvested for timber product, planted pine shall not be subject to the City's arbor mitigation standards.

11. If a school capacity enhancement determination has not been approved by Orange County Public Schools within six months of the effective date of this ordinance, the Master Plan provisions shall expire. An application for a preliminary development plan or master site plan shall not be processed by the City until school capacity enhancement determination or mitigation agreement has been obtained from Orange County Public Schools.
12. At the time both parcels are under the same ownership, the owner shall consolidate the two parcels into one parcel by filing a parcel combination application through the Orange County Property Appraiser's Office.

Section II. That the zoning classification of the following described property, being situated in the City of Apopka, Florida, is hereby Planned Unit Development (PUD/R-2) as defined in the Apopka Land Development Code.

Legal Description:

Lot 13, (less south 100 feet) Block O, Town of Plymouth, as the same appears in Plat Book B, Pages 17 and 18, public records of Orange County, Florida.
Parcel ID No. 06-21-28-7172-15-130
3.88 +/- Acres

And

Map of Plymouth, Plat Book B, Page 17, Lots 9 & 12, Block O, Lying in Section 31, Township 20 South, Range 28 East, Northwest ¼, Orange County, Florida, according to the Public Records of Orange County, Florida.
Parcel ID No.: 06-21-28-7172-15-090
10.82 +/- Acres

Combined Total Acreage: 14.70 +/- Acres

Section III. That the zoning classification is consistent with the Comprehensive Plan of the City of Apopka, Florida.

Section IV. That the Community Development Director, or the Director's designee, is hereby authorized to amend, alter, and implement the official zoning maps of the City of Apopka, Florida, to include said designation.

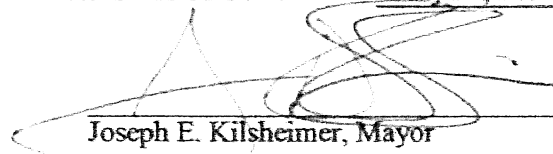
Section V. That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or portion of section or subsection or part of this ordinance.

Section VI. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

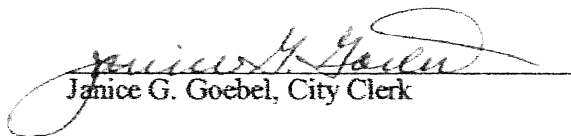
Section VII. That this Ordinance shall take effect upon the date of adoption.

READ FIRST TIME: May 7, 2014

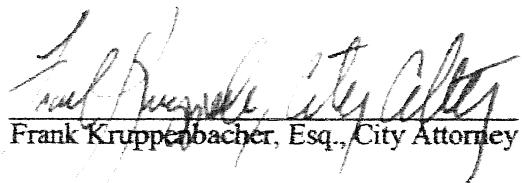
READ SECOND TIME
AND ADOPTED: May 21, 2014


Joseph E. Kilsheimer, Mayor

ATTEST:


Janice G. Goebel, City Clerk

APPROVED AS TO FORM:


Frank Kruppenbacher, Esq., City Attorney

DULY ADVERTISED FOR TRANSMITTAL HEARING:

March 21, 2014
April 18, 2014
May 9, 2014