

Phil Chrisler
Board Member

Frank Aguilar
Board Member

Susan Lomas
Board Member

Regina Dunay
Chairwoman

Debbie Younglove
Co-Chair

PUBLIC NOTICE AND PLANNING AND ZONING BOARD AGENDA
June 13, 2011

WELCOME! We are very glad you have joined us for today's Planning and Zoning meeting. The Planning and Zoning Board is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All P&Z recommendations are subject to final action by City Council. The results of today's meeting will be presented at the City Council meeting on **July 21, 2011** for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. **CAUTION:** Untimely filing by any appellant shall result in an automatic denial of the appeal.

The Planning and Zoning Board as the Local Planning Agency for the City Of Edgewood will meet at 405 Larue Avenue, Edgewood, Florida, to consider the items of business listed herein at the time and date indicated below.

Monday June 13, 2011 6:30 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.
3. DETERMINATION OF A QUORUM
4. APPROVAL OF MINUTES FROM THE MAY 9, 2011 MEETING

PUBLIC HEARINGS:

1. Acknowledge receipt of sign affidavit for Variance 2011-02
2. **Variance Application No. 2011-02 Sean Milligan** – Sean and Megan Milligan, 4905 Lake Gatlin Woods Court are requesting a variance for a minimum side set back in a R-1AA Zoning, for the purposes of constructed a boat dock.
3. **Boat Dock Application No. 2011-03 Sean Milligan** – Sean and Megan Milligan, 4905 Lake Gatlin Woods Court are requesting to construct a boat dock on Lake Gatlin.

NEW BUSINESS:

GENERAL APPEARANCES:

FUTURE MEETINGS: (SCHEDULE CONTINGENT UPON SUBMITTAL OF ITEMS THAT REQUIRE CONSIDERATION OF THE PLANNING & ZONING BOARD AS THE LOCAL PLANNING AGENCY FOR THE CITY OF EDGEWOOD)

July 11, 2011
August 8, 2011
September 12, 2011

GENERAL RULES OF ORDER

The Board is pleased to hear non-repetitive comments related to business before the Board; however, a five (5) minute time limit per person has been set by the Board. Large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request/Lobbyist Registration Form and give it to the City Clerk. When recognized by the Chairman, state your name and address and speak directly into the microphone. The City is guided by ROBERTS RULES OF ORDER in governing the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at 407-851-2920 at least 24 hours in advance of the meeting.

WE ASK THAT ALL ELECTONIC DEVICES (IE. CELL PHONES, PAGERS) BE SILENCED DURING OUR MEETING!

Thank you for participating in your government!

APPEALS: According to Edgewood City Code Section 26-24 (2), "any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk."

You are welcome to attend and express your opinion. Please be advised that Section 286.0105, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made. In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the City Clerk at (407) 851-2920.

**CITY OF EDGEWOOD
PLANNING AND ZONING BOARD
MAY 9, 2011**

The Planning and Zoning Board of the City of Edgewood, Florida met in a regular session on May 9, 2011 in the Council Chambers of City Hall, 405 Larue Avenue, at 6:30 p.m.

Board Members in Attendance

Frank Aguilar
Susan Lomas
Debbie Younglove
Regina Dunay
Phil Chrisler

Staff in Attendance

Bea L. Meeks, City Clerk
Art Miller, Engineer
Ellen Hardgrove, Planner
Kalinet Odet, City Attorney

Call to Order/Pledge of Allegiance/Determination of Quorum

Co-Chair Debbie Younglove called the meeting to order at 6:30 p.m., followed by the Pledge of Allegiance. Quorum determined, with all members present.

New Member Swear-In Ceremony

City Clerk Meeks swore in Frank Aguilar, who was appointed to the Board due to the resignation of Ray Bagshaw.

Nomination and Approval of Chair and Co-Chair

City Clerk Meeks announced that the Board needed to approve a new chair, due to the resignation of former Chair, Ray Bagshaw. *Debbie Younglove nominated Regina Dunay as Chair, second by Phil Chrisler; the Motion carried unanimously.* City Clerk Meeks announced the Board needed to nominate a co-chair. *Chairwoman Dunay nominated Debbie Younglove as the Co-chair, second by Susan Lomas; the Motion carried unanimously.*

Variance Application No. 2011—01 Russell Home – to allow the complete replacement of the existing facility with a new building and parking lot in the R-1AA zoning district. The variance request concerns the building setback on the south side of the property, more specifically:

- Approval of a variance in rear yard (south property line) setback, reduced to 30 feet instead of the required 35 feet

Chairwoman Dunay questioned the sign affidavit, and City Clerk Meeks said the sign affidavit process was according to Code, and noted that the Board needed to approve the minutes of their last meeting.

Approval of Minutes From May 9, 2011 Meeting

Board Member Lomas made the Motion to approve the Minutes, with Second by Co-chair Younglove, the Motion carried unanimously.

City Clerk Meeks confirmed receipt of sign affidavit, and Engineer Miller explained the purpose of the sign affidavit.

Chairwoman Dunay, deferred to Planner Hardgrove for the staff report. Planner Hardgrove explained the variance requests; noting that she was reporting on the setback variance request and Engineer Miller would report on the impervious surface ratio (ISR) variance request. She provided a handout to the Board for visual purposes. Planner Hardgrove emphasized that the meeting is not for the purpose of a site plan review. She explained that the primary impact is the "Hale" lot to the south. The request is for a five foot variance, which is being requested for a new structure because they are demolishing the existing building. Planner Hardgrove said that when the Russell Home was built, there was no zoning in Orange County; later, a variance was approved in 1956 for a setback variance; no increase in the number of children. Planner Hardgrove said that it is more cost effective to build a new building, as opposed to making the needed repairs. She said the subject property is in R1-AA, and should be in R3, as it is the zoning that allows multiple families. Additionally, the R-3 zoning allows a 30 foot setback even if it is near single family residential zoning.

Planner Hardgrove also noted that a masonry wall could be put in place, which is included as part of the plan. Co-chair Younglove ask if they could lose special exception, and Planner Hardgrove said it was a conditional variance which is capped at 12 children during the day, and 27 children at night. Planner Hardgrove confirmed for Board Member Lomas that the wall would be maintained by the Russell Home. Engineer Miller said he didn't see the wall as a problem. Board Member Aguilar asked about the cooler, and was told it will not be moved.

City Clerk Meeks asked Darryl Showers and Don Evans, from the Evans Group, for a formal introduction into the record, which was followed with a brief power point presentation. It was explained to the Board that the tea room is a donation only facility.

- Approval of a variance in Section 134-579 of the zoning regulation to allow a maximum impervious surface (ISR) of 70% instead of the required 45%.

Engineer Miller reported on the variance regarding the ISR. He noted for the Board that the property that the County deeded to the Russell Home, was subsequently annexed into the City. He said the Russell Home is asking for variance of 45% to 70% and deferred to his Memo of April 18, 2011. Engineer Miller said drainage from the Russell Home is draining into the park. He reminded the Board that the site plan review will occur after variances are approved. He said granting the variance is not going to cause problems with the ISR, and gave the three recommended conditions that should be include with approval (in addition to any conditions from Planner Hardgrove):

1. An engineered site plan shall be submitted for review and approval by City Staff, Planning & Zoning Board and City Council as required by Chapter 134 of the City Code,

2. 2. The 6' high perimeter buffer wall shall be designed so that it will not affect existing drainage patterns or flows and will be reviewed with the final site plan, and
3. 3. Prior to site plan approval, the Applicant shall obtain and provide to the City, all necessary easements or property from Orange County to allow the drainage to flow to and be treated within the County's system as contemplated in the correspondence provided as a part of the variance application.

Chairwoman Dunay asked about the existence of any reports that allows for drainage and Engineer Miller said the Russell Home will have to prove acceptance of the drainage. Board Member Younglove asked about the area on proposed new site where the brick area is, and the reduction in ISR. Engineer Miller explained that the brick will be impervious, and he confirmed that R-3 allows 70% impervious area.

Public Hearing(s)

Variance for setback

Doris Click speaking on behalf of HAINC, is not opposed to the home, but oppose the ISR. Co-chair Younglove ask Ms. Click about the neighboring homes and if they were complaining; Ms. Click said she couldn't speak for the neighbors. (Ms. Click prepared and read notes into the record; attached to the minutes)

Carolyn Accola spoke on her own behalf, and spoke about her support of the Russell Home She said that she has attended the Tea Room at least four to five times and has never been charged; it was donation only. Ms. Accola favored support of both variances.

Janet Russell confirmed for Co-chair Younglove that the Russell Home is a 501-C3 home and donations can be seen on line.

Closed Public Hearing

Board Member Chrisler made the motion to approve the variance for the setback as recommended by Planner Hardgrove, including conditions: Construction of a 6 feet high masonry wall along the south property line, two story structures to be at least 35 feet from the rear (south) property line, and, rear setback to include one shade tree for each 40 lineal feet or fraction thereof (consistent with Code required buffers – which are not required for this property), and any conditions recommended by Engineer, with Second by Board Member Aguilar; the Motion carried unanimously.

Impervious Surface Ratio

Chairwoman Dunay asked about the existing ratio, and Engineer Miller confirmed 51%. Engineer Miller confirmed for Board Member Aguilar that the cooler is part of building site, and the air conditioner is included in the ISR.

Open to Public Hearing

No questions or comments from the public.

Board Member Chrisler made the Motion to approve the ISR variance with Engineer Miller's conditions: An engineered site plan shall be submitted for review and approval by City Staff, Planning & Zoning Board, and City Council as required by Chapter 134 of the City Code, the 6' high perimeter buffer wall shall be designed so that it will not affect existing drainage patterns or flows and will be reviewed with the final site plan, and prior to site plan approval, the Applicant shall obtain and provide to the City, all necessary easements or property from Orange County to allow the drainage to flow to and be treated within the County's system as contemplated in the correspondence provided as a part of the variance application, with Second by Co-Chair Younglove; the Motion carried unanimously.

New Business

None.

Unfinished Business

None.

Future Meeting

June 13, 2011

Adjournment: there being no further business to discuss, the meeting adjourned.

Regina Dunay, Chairwoman

ATTEST

Bea L. Meeks, MMC, CPM
City Clerk

Application: _____
 Owner/Applicant Name: _____
 Public Hearing Date: _____

This affidavit is to be presented at the public hearing before the Planning and Zoning Board.

SIGN AFFIDAVIT

STATE OF FLORIDA
 ORANGE COUNTY

Before me, the undersigned authority, personally appeared SEAN P. MILLIGAN to me well known and known to me to be the person described in and who executed the foregoing affidavit, after being first duly sworn, says:

1. That the affiant posted the notice provided by the City of Edgewood, which contains the time and date of the public hearings involved (i.e. Planning and Zoning Board and/or City Council).
2. That said posted notice also contained the relevant facts pertaining to the application.
3. That said notice was posted in a conspicuous and easily visible place on the subject property not less than ten days prior to the date of public hearing. Date posted: 05/30/2011.
4. That the affiant understands that this affidavit is intended to be submitted as a prerequisite for a public hearing, and as such, will be officially filed with the City of Edgewood, Florida.

Sean P. Milligan
 Signature of owner or authorized representative



Sworn to and Subscribed before me this 2nd day of June, 2011.

Bonnie

Print, type, or stamp commissioned name of Notary Public
 Florida

Notary Public, State of

Personally Known OR Produced Identification

Type of I.D. Produced FLDL

1. **Variance Application No. 2011-02 Sean Milligan** – Sean and Megan Milligan, 4905 Lake Gatlin Woods Court are requesting a variance for a minimum side set back in a R-1AA Zoning, for the purposes of constructed a boat dock.

Notice letters were sent to 55 owners of property within 500 feet of the subject property; no responses were received at the time the Agenda was set and distributed to Board Members.

Sec. 134-105. Hearing; notice required; decision.

(a) The board shall fix a reasonable time for the hearing of all applications. Upon the filing of an application for special exceptions and variances, the board shall mail a copy of a notice, by United States mail, with the postage prepaid, at least ten days prior to the date of the hearing as set forth in said notice, to the owner of the property and owners of all property located within 500 feet to the subject property to their last known addresses. The name of the owner of record of the property which is the subject of the hearing and a list of the owners of all property located within 500 feet thereof setting forth their last known addresses shall be furnished to the city clerk at the time of filing the application. Such notice shall be prescribed by the city council. The notice shall, at least, contain the name of the party applying for relief, the owner's name as shown by the public records of the county on the date of the filing of the application, the purpose of the hearing, the legal description of the property that is the subject of the hearing, and the date, time and place of the hearing.

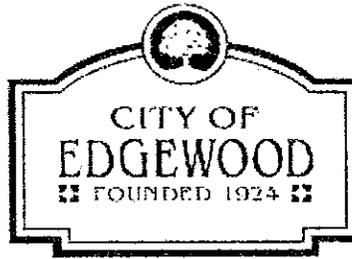
(b) In addition to such notice, at least ten days prior to the date of public hearing before the board, the person filing the application shall cause to be placed in a conspicuous and easily visible location on the property subject to the application, a sign furnished by the board, setting forth in boldface letters the relevant facts pertaining to the application and the date, time and place when the hearing shall be heard.

(c) Notice requirements for all other hearings shall be set by the city council from time to time.

(d) The procedure for the hearings shall be set from time to time by the board, but any party may appear in person or by agent or attorney.

(e) The board shall render its decision within 30 days after the completion of the hearing, which decision shall be filed with the city clerk. The city clerk shall immediately mail a copy of the decision to the applicant and transmit a copy of the same to the mayor and to each city council member as provided below.

(Ord. No. 89-346, § 2(26-21), 3-21-1989)



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that at its regular meeting on **Monday, June 13, 2011** the Planning and Zoning Board of the City of Edgewood, acting as the Board of Adjustment, will consider **Variance Application No. 2011-02** to allow a minimum side set back in a R-1AA Zoning, for the purposes of constructed of a boat dock (City Code of Ordinances, Reference Section 134-579) and a **Boat Dock Application No. 2011-03** request to construct a boat dock on Lake Gatlin. The application was submitted by Sean Milligan and Megan Milligan, owner for property located at 4905 Lake Gatlin Woods Court, Edgewood, FL 32806. The meeting will be held in the Council Chamber of City Hall, 405 Larue Avenue, Edgewood, Florida beginning at **6:30 p.m.**

The Planning and Zoning Board's recommendation will be forwarded to City Council on June 21, 2011 for final action.

The subject property is legally described as: 13-23-29-4440-00-010, Lot 1, Lake Gatlin Woods LAKE GATLIN WOODS 7/16 LOT 1 (LESS BEG AT NWLY COR OF LOT 1 TH S11-48-47E 123.33 FT N82-18-13E 74.38 FT N06-23-47W 121 FT N74-37-47W 19.24 FT S74-42-13W 68.50 FT TO POB)

Interested parties may attend this meeting and be heard with respect to this variance application. In addition the application may be inspected by the public at the City Clerk's Office, 405 Larue Avenue, Edgewood, Florida (407-851-2920).

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the Planning and Zoning Board and City Council on this topic to properly noticed hearings or to written communication to the City Clerk's Office.

This public hearing may be continued to a future date of dates. Any interested party is advised that the date, time, and place of any continuation shall be announced during the public hearing and that no further notices regarding this matter will be published.

Any person aggrieved by a recommendation of the Planning and Zoning Board may file a notice of appeal to the City Council within seven days after such recommendation is filed with the City Clerk.

The City of Edgewood desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26, Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

Dated: May ²⁵16, 2011

LILLY WARD GILLMAN ROGERS
PARTNERSHIP
C/O RAYMOND ROGERS JR | 300 GATLIN AVE
ORLANDO, FL. 32806

BORGON FRANK A
6517 CAY CIR
BELLE ISLE, FL. 32809

LILLY WARD GILLMAN ROGERS PARTNERSHIP
C/O RAYMOND ROGERS JR | 300 GATLIN AVE
ORLANDO, FL. 32806

SMITH RYAN C
510 GATLIN AVE
ORLANDO, FL. 32806

BARTRAM RONNIE J
123 LAKE GATLIN RD
ORLANDO, FL. 32806

FLETCHER PROPERTIES INC
PO BOX 1618
JACKSONVILLE, FL. 32201

FRITZ JAMES T
209 HARBOUR GARDENS CT
ORLANDO, FL. 32806

HARBOUR GARDENS HOMEOWNERS ASSOC
INC
209 HARBOUR GARDENS CT
ORLANDO, FL. 32806

HARBOUR GARDENS HOMEOWNERS ASSOC
INC
209 HARBOUR GARDENS CT
ORLANDO, FL. 32806

SKROBKO ROMAN
4407 CAROLWOOD ST
ORLANDO, FL. 32812

COSTANTINI VINCENT B
450 GATLIN AVE
ORLANDO, FL. 32806

BAEZ IGNACIO A
300 GATLIN AVE
ORLANDO, FL. 32806

WHITE GREGORY D
233 HARBOUR GARDENS CT
ORLANDO, FL. 32806

MILLIGAN SEAN P
4905 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

HARBOUR GARDENS HOMEOWNERS ASSOC
INC
209 HARBOUR GARDENS CT
ORLANDO, FL. 32806

ABBOTT LIONEL
200 HARBOUR GARDENS CT
ORLANDO, FL. 32806

SHARMA ARUN
911 N MAIN ST STE 3
KISSIMMEE, FL. 34744

CLAYTON KEVIN C
1265 OLD MILL RD
ORLANDO, FL. 32806

ANDREWS CATHERINE
4910 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

ELMER JAMES G
4920 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

DUONG THANH VAN
649 SANDRINGHAM DR
JACKSONVILLE, FL. 32225

BRINKMAN RICHARD A
4853 S ORANGE AVE STE A
ORLANDO, FL. 32806

MARK MICHAEL D
218 HARBOUR GARDENS CT
ORLANDO, FL. 32806

RON JONS AUTOMOTIVE INC
4854 S ORANGE AVE
ORLANDO, FL. 32806

ERNESTO ROMANO ENTERPRISES OF FL INC
4922 S ORANGE AVE
ORLANDO, FL. 32806

JOHNSON KATHRYN B
4935 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

NICHOLSON MYRA P
4950 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

LANCASTER RYAL M
4940 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

BURKE JAMES
217 HARBOUR GARDENS CT
ORLANDO, FL. 32806

AMOS GLEN
201 HARBOUR GARDENS CT
ORLANDO, FL. 32806

55 10160

JAMNADAS PRADIP
234 HARBOUR GARDENS CT
ORLANDO, FL. 32806

DENN MARTINE JOCELIA
226 HARBOUR GARDENS CT
ORLANDO, FL. 32806

MCGREGOR ERVIN R
4909 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

SEGARRA SELENA T
4913 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

FLOYD LA GLENNEAN 1/3 INT
PO BOX 5743
WINTER PARK, FL. 32793

ROSS BREUNIG TRUST
4945 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

PHILLIPS DAVID A
4955 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

MARCANO JOSE
4861 S ORANGE AVE
ORLANDO, FL. 32806

CAVIEZEL FAMILY TRUST
524 HARBOUR ISLAND RD
ORLANDO, FL. 32809

STONEHINGED ENTERPRISES LLC
1111 S ORANGE AVE FL 2
ORLANDO, FL. 32806

WILLIAMS MARK A
225 HARBOUR GARDENS CT
ORLANDO, FL. 32806

WOODLING KATHRYN H TR
1805 HOLLENBECK DR
ORLANDO, FL. 32806

ERBER JACQUELINE R
4930 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

EDGEWOOD PROFESSIONAL CENTER
OWNERS ASSN INC
4861 S ORANGE AVE
ORLANDO, FL. 32806

MARCANO JOSE
206 HARBOUR GARDENS CT
ORLANDO, FL. 32806

STARCEVICH ROD
4902 S ORANGE AVE
ORLANDO, FL. 32806

ENZFELDER DAVID B
480 GATLIN AVE
ORLANDO, FL. 32806

COSTANTINI VINCENT B
450 GATLIN AVE
ORLANDO, FL. 32806

CAVIEZEL FAMILY TRUST
524 HARBOUR ISLAND RD
ORLANDO, FL. 32809

RIDER RACHELLE U
4915 LAKE GATLIN WOODS CT
ORLANDO, FL. 32806

ABBOTT LIONEL C
200 HARBOUR GARDENS CT
ORLANDO, FL. 32806

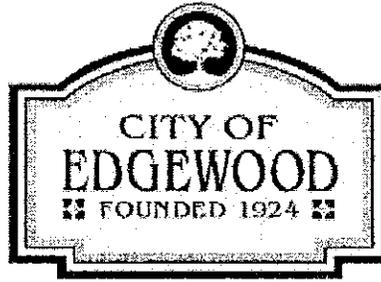
MARCANO JOSE
4861 S ORANGE AVE STE A
ORLANDO, FL. 32806

KANTER KEITH G
4861 S ORANGE AVE STE C
ORLANDO, FL. 32806

BORNSTEIN MARK D
4861 S ORANGE AVE STE D
ORLANDO, FL. 32806

BORNSTEIN MARK D
4861 S ORANGE AVE STE D
ORLANDO, FL. 32806

2011-02



APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

PLANNING & ZONING BOARD

MAKE PAYMENTS TO:

CITY OF EDGEWOOD

FEE: \$350 RESIDENTIAL

\$750 COMMERCIAL

RECEIVED

MAY 04 2011

CITY OF EDGEWOOD

Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

PLANNING & ZONING MEETING DATE:	June 13, 2011
CITY COUNCIL DATE:	June 21, 2011

IMPORTANT: FILE BY THE SECOND WEDNESDAY OF THE MONTH FOR FIRST HEARING ON THE SECOND MONDAY OF THE FOLLOWING MONTH

Please note this fee is non refundable.

NOTE: Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner

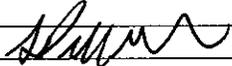
Applicant's Name:	SEAN MILLIGAN	Owner's Name:	SEAN AND MEGAN MILLIGAN
Address:	4905 LAKE GATLIN WOODS CT ORLANDO, FL 32806	Address:	4905 LAKE GATLIN WOODS CT ORLANDO, FL 32806
Telephone:	407-340-6533	Telephone:	407-340-6533
Fax:		Fax:	
Email:	seanpatrickm.milligan@hotmail.com	Email:	seanpatrickm.milligan@hotmail.com
Parcel ID/Legal description:	LOT 1, LAKE GATLIN WOODS		13-23-29-4440-00-010
Zoned:	R-1AA		
Cite section of the Zoning Code from which variance is requested:			14-11-b-1 minimum side set back
Existing on site:			
Request:			

To justify this variance, applicant must demonstrate the following:

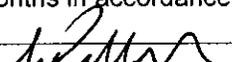
1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do no result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non conforming use or other non conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will no authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

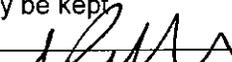
1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

AGREE:		DISAGREE:	
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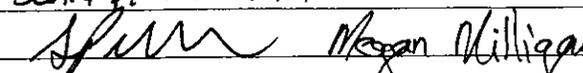
2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE:		DISAGREE:	
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3. Concerning Ex parte communications, the applicant shall not speak to members of the Planning and Zoning Board of the City Council prior to the public hearing related to said variance request in order that said board members shall no prejudice themselves prior to said variance request coming before the City in an open proceeding where the decision making process and determination will be in full view of the public, thereby providing due process involving a fair opportunity for the presentation of both sides of the case in an open proceeding where a record of the proceedings may be kept

AGREE:		DISAGREE:	
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The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:		Date:	04/11/2011
Applicant's Printed Name:	SEAN P. MILLIGAN		
Owner's Signature:		Date:	04/11/2011
Owner's Printed Name:	SEAN P. MILLIGAN Megan Milligan		

Please submit your completed application to City Hall via email at cityhallstaff@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Rec'd Date:	May 4, 2011
Rec'd By:	Bombers - City Clerk
Forwarded to:	
Notes:	

To: The City of Edgewood, Florida
and
Orange County, Florida

Date: May 02, 2011

Re: Dock Plans for 4905 Lake Gatlin Woods Ct

Dear Sir/Madam,

I, ERVIN R. MCGREGOR who resides at 4909 LAKE GATLIN WOODS COURT
Orlando, FL 32806, have reviewed the attached site and construction plans for the
proposed dock to be constructed on Lake Gatlin at 4905 Lake Gatlin Woods Ct, Orlando,
FL 32806. I show no objection to these plans as presented on the attached pages.

In addition, we have no objection if the walkway portion of the dock is constructed three
feet farther to the north, which would make the dock five feet consistently from the north
abutting property.

Sincerely,

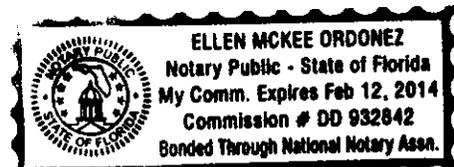
Ervin R. McGregor

Sign

ERVIN R. MCGREGOR 5/2/2011

Print

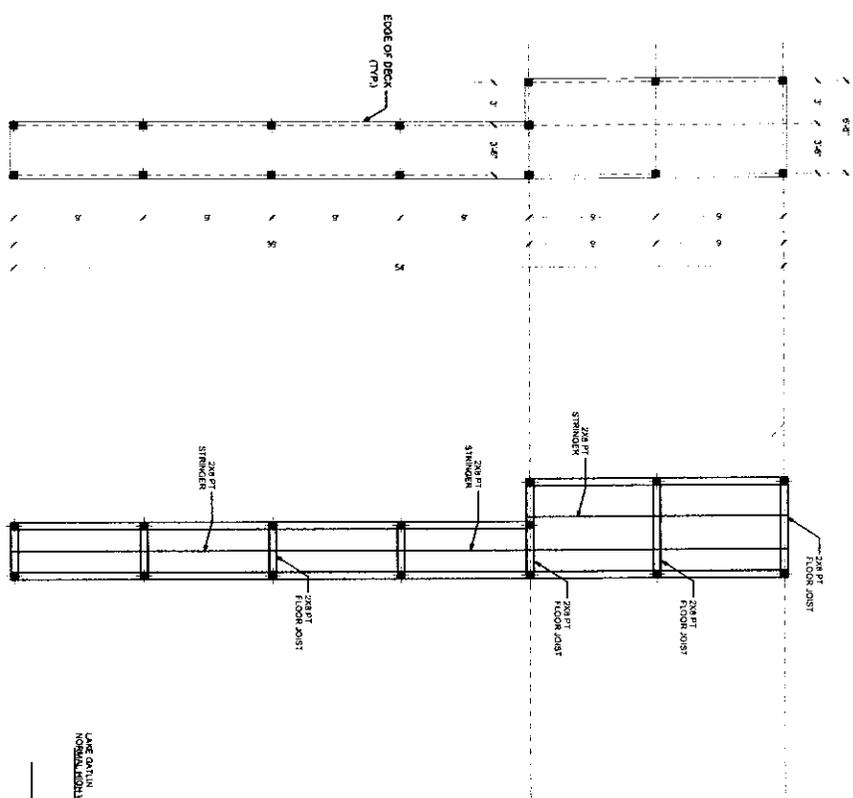
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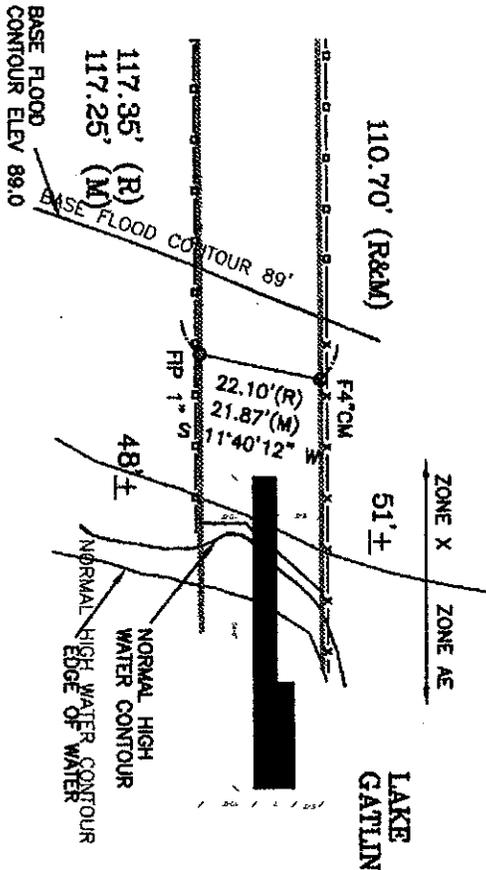
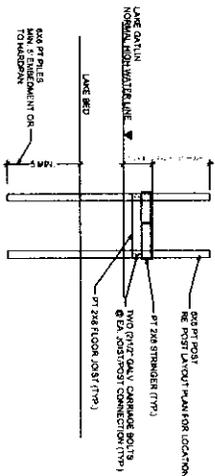
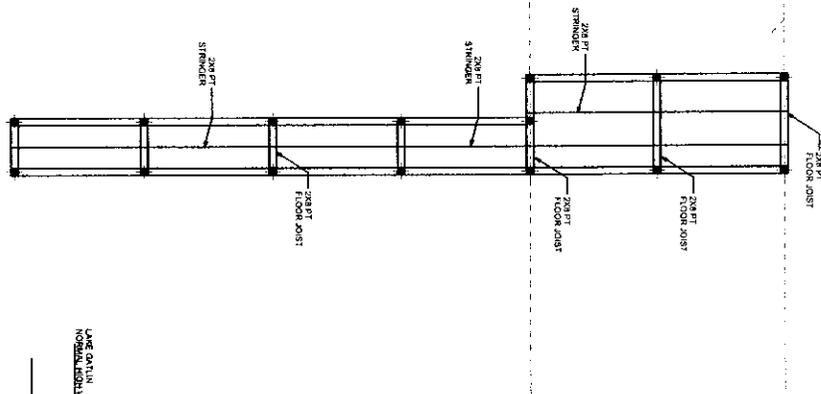
Ellen McKee Ordonez
5/2/2011

POST LEGEND
 1x4 PT DECK POST

POST LAYOUT PLAN
 SCALE: 1/4" = 1'-0"



DECK FINISHING PLAN
 SCALE: 1/4" = 1'-0"



SITE PLAN
 SCALE: 1" = 10'

- GENERAL NOTES**
1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH STAMPED APPROVED DRAWINGS.
 2. TURNBURY MUST BE COMPLIED TO THE PERMITTED APPLICANCES AS APPLICABLE TO THE PROJECT, UNLESS IT CAN BE DEMONSTRATED THAT STATE WATER QUALITY STANDARDS ON TURNBURY ARE NOT BEING VIOLATED.
 3. THE PERMIT MUST BE POSTED IN CONSPICUOUS PLACE ON THE PROJECT SITE WITH THE PERMIT AND MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 4. A SEPARATE PERMIT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IF APPLICABLE, WILL BE OBTAINED PRIOR TO THIS PERMIT BECOMING VALID.
- GENERAL COMMENTS**
1. DESIGN LOADS: DECK DESIGN LOAD = 40 PSF, FPC 2007
 2. ROOF W/EF: 20 PSF
 3. DECK JOISTS: 2x8 GALLY CHANNEL JOISTS
 4. ALL JOIST CONNECTIONS SHALL BE FULLY BOLTED
 5. ALL LUMBERS: PT 2x8 (4x4) (U.O.N.)
 6. JOISTS: 2x8 PT 2x8 MIN 3" BELOW LAKE BOTTOM
 7. THIS STRUCTURE HAS BEEN DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE AND LOCAL BUILDING CODE. RESISTANCE TO 120 MPH WINDS IS ASSUMED.

DW

DOCK PLAN

DATE	2/20/11
BY	427/11
REV	2011 - 31

Sean Milligan
 4905 Lake Gatlin Woods Ct.
 Orlando, Florida

DW Gildart, Inc.
 Engineering and Planning
 600 North Goldenrod Road
 (407) 529-7750 P
 (407) 381-2939 F

REV.	DATE	DESCRIPTION

To: The City of Edgewood, Florida
and
Orange County, Florida

Date: May 02, 2011

Re: Dock Plans for 4905 Lake Gatlin Woods Ct

Dear Sir/Madam,

We, MARYLIN LARNER ABBOTT and LIONEL C ABBOTT who reside
at 200 HARBOUR GARDENS CT Orlando, FL 32806, have reviewed the attached
site and construction plans for the proposed dock to be constructed on Lake Gatlin at
4905 Lake Gatlin Woods Ct, Orlando, FL 32806. We show no objection to these plans
as presented on the attached pages.

In addition, we have no objection if the walkway portion of the dock is constructed three
feet farther to the north, which would make the dock five feet consistently from the north
abutting property.

Sincerely,

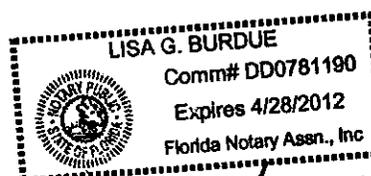
Marylin Abbott
Lionel C Abbott

MARYLIN LARNER ABBOTT 5/3/11
LIONEL C ABBOTT 5/3/11

Sign

Print

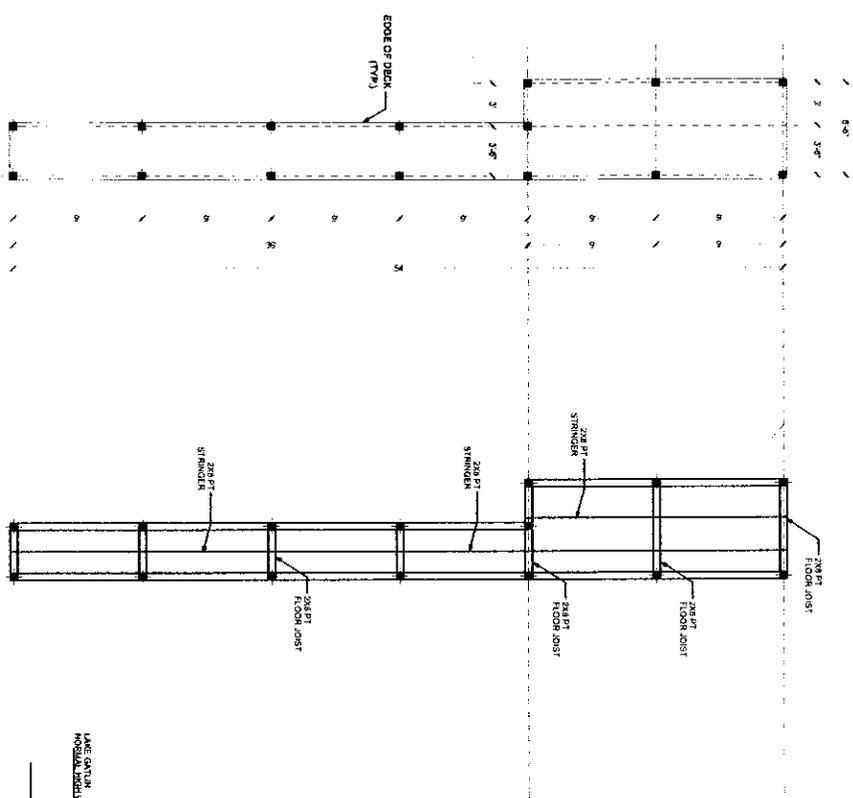
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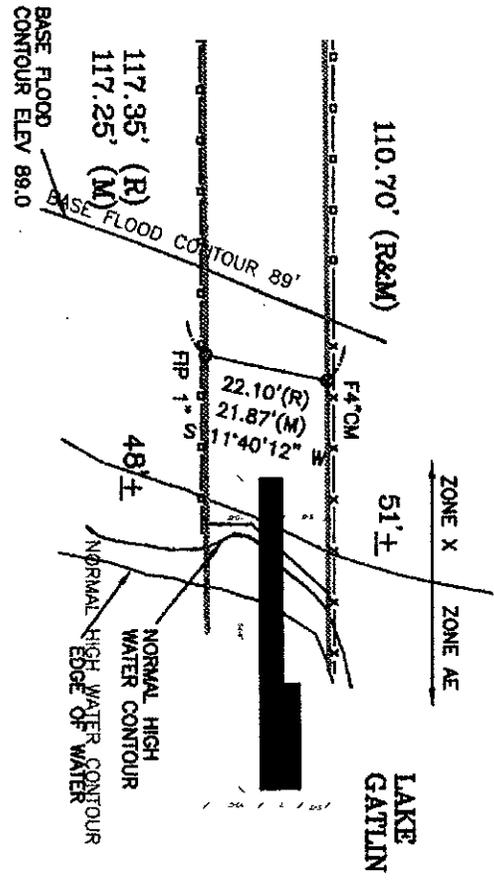
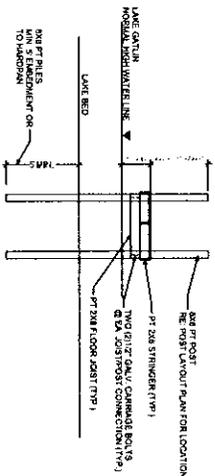
Lisa Burdue 5/3/2011



POST LAYOUT PLAN
SCALE 1/8" = 1'-0"



DECK FRAMING PLAN
SCALE 1/8" = 1'-0"



SITE PLAN
SCALE 1" = 10'

- GENERAL NOTES**
1. GENERAL NOTES
 2. DESIGN LOADS
 3. DESIGN WIND SPEED - 40 MPH, ASCE 7-05
 4. ROOF LIVE LOAD - 20 PSF
 5. DECKING SHALL BE 2x8 (12 OAK) CARBONIZED SOLIDS
 6. ALL CONNECTIONS SHALL COMPLY WITH APPLICABLE
 7. THIS STRUCTURE HAS BEEN DESIGNED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE AND FLORIDA BUILDING CODE REGULATIONS 2007 WITH AMENDMENTS
 8. THE PERMIT MUST BE POSTED IN A CONSPICUOUS PLACE ON SITE BEFORE ANY CONSTRUCTION
 9. A SEPARATE PERMIT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IF APPLICABLE, WILL BE OBTAINED PRIOR TO THE PERMIT BECOMING VALID.

DOCK PLAN

DATE	02/11
BY	2011-11

Sean Milligan
4905 Lake Gatlin Woods Ct.
Orlando, Florida

DW Gildart, Inc.
Engineering and Planning
600 North Goldenrod Road
(407) 529-7750 P
(407) 381-2939 F

REV.	DATE	DESCRIPTION

CITY OF EDGEWOOD

405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920

MEMORANDUM

TO: MS. BEA MEEKS, CITY CLERK
MS. DEBBIE WALLACE, CODE ENFORCEMENT OFFICER
FROM: ARTHUR R. MILLER, III, PE, PLS - CITY ENGINEER
DATE: JUNE 8, 2011
SUBJECT: REVIEW OF DOCK APPLICATION & VARIANCE - LAKE GATLIN
4905 LAKE GATLIN WOODS COURT - SEAN MILLIGAN, OWNER

Pursuant to your request, we have reviewed the application for a dock and dock variance received 5/06/11 for the above referenced address. The request is for the construction of a dock on Lake Gatlin that does not meet the side setback requirements, although all other aspects of the proposed dock meet the provisions of Chapter 14 of the City Code.

This lot only has a limited access area to Lake Gatlin - approximately 20' in width. The Code requires a minimum 10 foot side setback (if notarized consent forms from the adjoining neighbors are obtained - otherwise 15 feet). The proposed dock is shown to be 5 feet from the north property line and 10 feet from the south property line. Notarized consent forms from both adjoining property owners have been provided indicating "no objection" to the proposed dock.

The side setback requirement is primarily for safety reasons, to prevent docks being closer than 20 feet apart. In this case, existing docks on either side have already been constructed. The dock to the south will be approximately 32 feet from the proposed dock and the dock to the north will be approximately 93 feet from the proposed dock. The dock length and area waterward of the Normal High Water Line (NHWL) meet the provisions of the Code.

Pursuant to Section 14-11(d)(2) of the City Code, the following are the requirements for granting a dock variance:

- Average length of other docks in the surrounding 300-foot area;
- The reasonable use of the property by the owner;
- The effects the dock will have on navigation and safety of boaters;
- The overall general welfare of the neighborhood;
- Whether special conditions exist such that strict compliance with the provisions of this article would impose a unique and unnecessary hardship on the applicant;
- The effect of the proposed variance on abutting shoreline property owners;
- Whether the granting of the variance would be contrary to the intent and purpose of this article; and
- A variance from the maximum length of 65 feet [non-canal waterbodies] may be granted if it is necessary to reach a water depth suitable for boating, but in no event shall a dock be extended in length beyond where the water depth will exceed five feet as measured from the normal high water elevation.

With the consent of the adjoining neighbors, this application appears to meet the requirements for granting a dock variance, although the final decision will rest with the Planning & Zoning Board and City Council. If the Board agrees, we recommend approval subject to the following conditions:

1. Dock design and construction shall meet all requirements of Section 14 of the City Code (side setback excepted).

2. Prior to construction a building permit issued by Orange County Building Department shall be obtained after the City has approved the zoning/variance.
3. The survey shows the NHWL (elevation 86.9) pursuant to the ordinance. A scaled distance between the existing shoreline at the point where the dock is to be constructed and a permanent reference point shall be shown on the final dock plans.
4. Deck shall be at least 1' above the NHWL elevation of 86.9 (1.0' shown); no roof is shown. Enclosed side walls are not permitted.
5. The application shows a total deck area of 214 s.f. waterward of the NHWL (1,000 s.f. maximum allowed).
6. If approved by the City, no other work (i.e. clearing, removal of vegetation, excavation or filling, etc.) is authorized waterward of the NHWL.
7. City approval does not authorize removal of vegetation, trees or disturbing the shoreline. If trees are to be removed, a separate tree removal permit will be required. A shoreline alteration permit issued by Orange County is required to remove shoreline vegetation.
8. All construction shall adhere to the City of Edgewood's Erosion and Sediment Control Ordinance. Silt fences, turbidity barriers, hay bales or other measures shall be placed to prevent runoff into the lake, environmental swale or drainage system.
9. **Under Edgewood's current rules, notification shall be provided to all properties within 500 feet (due to the variance) as well as Orange County/Lake Conway Navigation & Control District Advisory Board (c/o Orange County EPD). If no objections are received within 15 days of notification, City Staff can complete processing the permit application (when completed). If objections are received, the application shall be reviewed by the City Council at a regular meeting.**

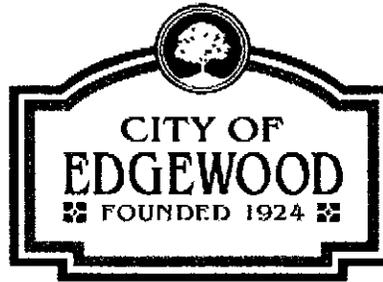
I will attend the June 13th Planning & Zoning Board meeting to answer questions at that time. The Applicant should be advised that their presence at the meeting is recommended also, to answer questions from the Board. Please review this information and contact our office if you have any questions. Thank you.

END OF MEMORANDUM

cc: Mayor
Applicant (by City Hall Staff)

FILE: WARM\EDGEWD6511

2011-03



Reference: City of Edgewood Code of Ordinances, Section 14-11

Please note the fee of \$350 is non refundable

Complete applications must be received by the City on or before 4 P.M. of the posted deadline date.
AN APPLICATION IS CONSIDERED COMPLETE BASED ON THE CITY ENGINEER'S DETERMINATION AND WHEN THE FEE IS PAID AT EDGEWOOD CITY HALL.
APPLICATIONS DEEMED INCOMPLETE AND/OR UNACCOMPANIED BY FEES WILL BE DEFERRED TO THE NEXT POSTED DEADLINE DATE.

NOTE: THE APPLICATION WILL NOT BE CONSIDERED BY THE PLANNING AND ZONING BOARD UNLESS THE APPLICANT OR REPRESENTATIVE IS IN ATTENDANCE.
The applicant is advised that individual board members can only be addressed during board proceedings.

RECEIVED

MAY 04 2011

CITY OF EDGEWOOD

Applicant's Name:	Sean Milligan	Owner's Name:	Sean and Megan Milligan
Address:	4905 Lake Gatlin Woods Ct Orlando, FL 32806	Address:	4905 Lake Gatlin Woods Ct Orlando, FL 32806
Telephone:	407-340-6533	Telephone:	407-340-6533
Cell:	407-340-6533	Cell:	407-340-6533
Fax:		Fax:	
Email:	seanpatrickmilligan@hotmail.com	Email:	seanpatrickmilligan@hotmail.com
Name of Lake or Body of Water:	Lake Gatlin	NHWE:	49'
Parcel ID/ Legal description:		13-23-29-4440-00-010 Lot 1, Lake Gatlin Woods	

Names and Addresses of adjoining property owners:

1.	Ervin R and Marthe S McGregor – 4909 Lake Gatlin Woods Ct, Orlando, FL 32806
2.	Lionel C and Marylin L Abbott – 200 Harbour Gardens Ct, Orlando, FL 32806
3.	
4.	
5.	
6.	
7.	

Notarized consent forms shall be provided from adjoining property owners if the side setback is less than 15 feet

1. Exact distance of setbacks from adjacent property lines:

A. (side):	10'0"	B. (side):	5'0"	C. (Rear):	+300'
------------	-------	------------	------	------------	-------

NOTE: IF REAR SETBACK IS LESS THAN 25 FEET, A VARIANCE IS REQUIRED

2. Brief description of work to be done (dock and site plans must be attached):

3. Electric Power to dock:

Yes:	X	No:	
------	---	-----	--

If yes, an electrical permit must be obtained by Orange County Building Department

4. Total area of structure:

(Area lake ward of NHWL; 1,000 sq. ft. maximum allowed)

214	Square feet
-----	-------------

5. Length extending lake ward from NHWE shoreline:

(65 feet maximum allowed)

40	Feet
----	------

6. Depth of water on date of application at end of proposed dock:

5'-1"

7. Height of structure above NHWE contour:

5'0" (w/ posts), 1'0" (w/out)	Feet
-------------------------------	------

8. Is width of water body less than 200 feet?

Yes:		No:	X
------	--	-----	---

If yes, width of water body (from the NHWL) at proposed dock:

	Feet
--	------

9. Type of materials to be used:

1/2" x 8" Galv Carriage Bolts
 2 1/2" Deck Screws
 Pressure Treated Lumber 2x8 #1 (U.O.N.) (decking)
 Pressure Treated Lumber 6x6 sunk min 5' (posts)

I have complied with all requirements and procedures and proclaim this application to be complete. I understand that an incomplete application will be deferred to the next posted deadline date.

I also understand that following the administrative approval by the City Council (when applicable), an approved building permit from the Orange County Building Department is required **before any construction shall commence**.

The application fees are established by the City Council. The application fee does not, in any way, ensure the applicant a favorable decision. All applications will be reviewed on the merits of the request alone, regardless of the application fee. All fees are non refundable.

Following approval from the City Engineer and the City Council (when applicable), the following must be submitted for zoning stamp approval from the City of Edgewood

- Completed building permit application
- Recorded notice of commencement
- Proof of contractor's worker's compensation, naming the City of Edgewood as certificate holder

Applicant's Signature:		Date:	05/02/11
Applicant's Printed Name:	Sean Milligan		
Owner's Signature:		Date:	05/02/11
Owner's Printed Name:	Sean and Megan Milligan		

BOAT DOCK APPLICATION PROCESS

1. Submit application with
 - a. 3 site plans
 - b. 3 sets of engineered construction plans
2. Application will be forwarded to the City Engineer
3. If a variance from the provisions is requested or required, the City Engineer is not authorized to approve the application
4. Notices will be mailed to the neighboring property owners who have a legal interest in the shoreline within 300' of the property via mail
5. Written comments from neighboring property owners are due within 15 calendar days after mailing
6. If **NO** written objections are received it shall be deemed that property owners have given consent and have waived their right not to object to the construction of the dock. The application is then approved based on recommendation by the City Engineer 15 calendar days from the date notices are sent as long as the application is complete in all other aspects.
7. If one written objection is received or the City Engineer believes the application should be approved by City Council, the Council will consider the application during a regularly scheduled council meeting with
 - a. 9 site plans
 - b. 3 sets of engineered construction plans as submitted by the applicant
8. When City Council must decide the application, it shall approve, deny or approve with conditions taking into consideration comments or objections from all parties who were previously notified and staff's review of the proposed
9. Copies of City Council's decision shall be sent to the applicant and those who filed written objections with the date of the decision
10. If **NO** objections have been filed and City Council approved the application, the application will be effective immediately.
11. Following City Council's action and within 15 days, applicant or parties who have submitted written objections may submit written Notice of Appeal to the City Clerk.
12. If a Notice of Appeal is filed, it shall be heard by City Council during a regular council meeting. Notice of Appeal shall be provided to the applicant and parties who previously objected in writing
13. During Notice of Appeal hearing, City Council may affirm, reverse or modify their previous decision
14. If **NO** Notice of Appeal is received, City Council's ruling is final
15. City Council's decision on appeal is final

BOAT DOCK VARIANCE APPLICATION PROCESS

Revised 4/1/08

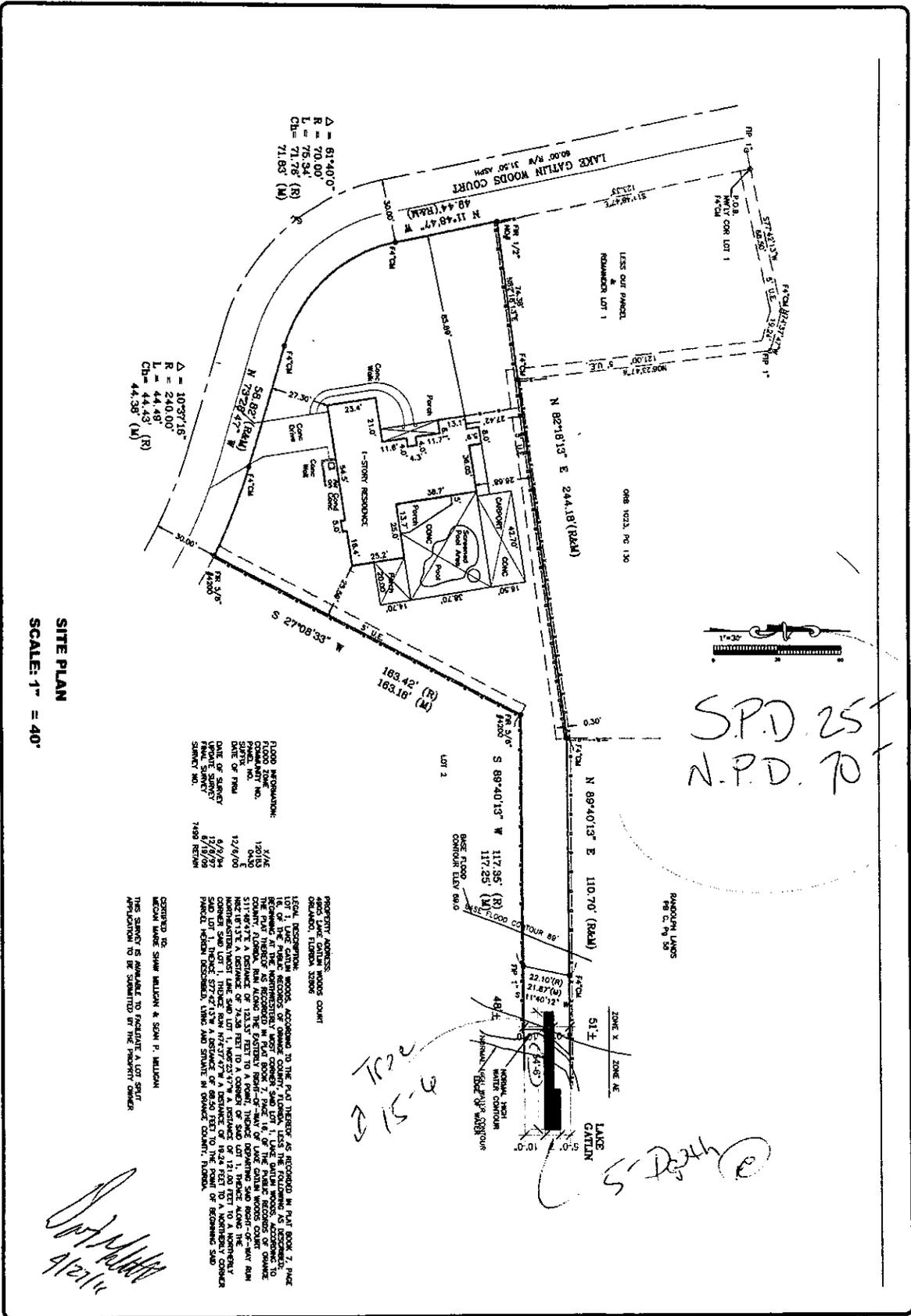
4 of 5

405 Larue Avenue, Edgewood, Florida, 32809-3406
Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov

1. Applicant must apply for a variance to the Edgewood Planning and Zoning Board, simultaneous with the submission of the Boat Dock Application and the required processing fee
2. When a variance is requested the applicant shall submit to the City Clerk's office
 - a. 9 site plans
 - b. 3 sets of engineered construction plans as submitted by the applicant
3. Applications for a variance shall follow the variance procedures as outlined in the Code (See Chapter 126, Section 126-588)
4. Following the approval of a boat dock application, either by the City engineer or by the City Council, the applicant is also required to obtain a building permit prior to commencing construction
5. In the event electricity is run to the boat dock, the proper electrical permit must also be obtained from Orange County.
6. All construction must be commenced, or completed, or both within the guidelines established by the City of Edgewood
7. The applicant is responsible for all fees associated with the procurement of necessary permits
8. Approval of a boat dock permit by the City of Edgewood does not eliminate the applications of any other government requirements or the necessity for required other permits or fees

Please submit your completed application to City Hall via email at cityhallstaff@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
	Three (3) Site Plans
	A survey of the property with the normal high water elevation (NHWE) as established by Orange County and performed by a Florida Registered Surveyor or mapper
	Three (3) sets of engineered construction plans (signed and sealed)
	Non refundable application fee of \$350.00
Rec'd Date:	May 4, 2011
Rec'd By:	Bonnie City Clerk
Forwarded to:	
Notes:	



SITE PLAN
SCALE: 1" = 40'

S.P.D. 25
N.P.D. 70

△ = 61°40'0"
R = 70.00'
L = 75.34' (R)
Ch = 71.83' (M)

△ = 10°37'16"
R = 240.00'
L = 44.48' (R)
Ch = 44.43' (R)
44.38' (M)

FLOOD INFORMATION:
FLOOD ZONE: X
FLOOD HAZARD NO. 12010
DATE OF FLOOD: 12/9/00
DATE OF SURVEY: 9/2/04
DATE OF PLAN: 6/19/09
PROJECT NO.: 1489 RETURN

PROPERTY ADDRESS:
4905 LAKE GATLIN WOODS COURT
ORLANDO, FLORIDA 32808

LEGAL DESCRIPTION: NONE, ACCORDING TO THE P.L. THEREOF AS RECORDED IN PART BOOK 7, PAGE 16, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LESS THE FOLLOWING AS INTERESTS RECEIVED AT THE NORTHWEST CORNER SHED LOT 1, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 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Sean Milligan
4/21/11

Site Plan

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