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ORDINANCE 17-03

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA REZONING THAT CERTAIN REAL PROPERTY LOCATED AT 7710, 7728 AND 7740 DAETWYLER DRIVE, BELLE ISLE, FLORIDA, HAVING ORANGE COUNTY TAX PARCEL IDENTIFICATION NUMBERS 29-23-30-0000-00-013, 29-23-30-4986-00-010 AND 29-23-30-4986-00-040 OWNED BY COMINS DEVELOPMENT I, LLC, FROM MULTIPLE-FAMILY DWELLING (R-2) TO PLANNED DEVELOPMENT (PD); APPROVING A PLANNED DEVELOPMENT (PD) DISTRICT CONCEPT PLAN; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Comins Development I, LLC, (hereinafter "Owner") has made application for the rezoning of its property located at 7710, 7728 and 7740 Daetwyler Drive, Belle Isle, Florida, having Orange County Tax Parcel Identification Numbers 29-23-30-0000-00-013, 29-23-30-4986-00-010 and 29-23-30-4986-00-040 being approximately 3.791 acres and legally described in **Exhibit "A"** attached hereto (hereinafter "the Property") from Multiple-Family Dwelling (R-2) to Planned Development (PD); and

WHEREAS, the Property has a Medium Density Future Land Use Map designation; and

WHEREAS, the Planning and Zoning Board of the City of Belle Isle has reviewed the Owner's request at a public hearing and has made a recommendation to the City Council; and

WHEREAS, after public notice and due consideration of public comment, the City Council of the City of Belle hereby finds and declares the adoption of this Ordinance and the proposed development of the Property is consistent with the City of Belle Isle Comprehensive Plan and the land development regulations set forth in the City of Belle Isle Code of Ordinances; and

WHEREAS, based on competent substantial evidence in the record, the requested rezoning and preliminary concept plan set forth in this Ordinance meets all applicable criteria specified in the City of Belle Isle Comprehensive Plan and the Code of Ordinances.

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

SECTION 1. The Property described above and in Exhibit "A" attached hereto is hereby rezoned from Multiple-Family Dwelling (R-2) to Planned Development (PD) subject to the following conditions and restrictions:

- 1 A. *Concept Plan.* The Silver Isles Townhome Preliminary Concept Plan attached hereto as **Exhibit "B"** ("Concept
2 Plan") is hereby approved. All development of the Property must conform to Concept Plan, including the
3 development standards and requirements identified on the Concept Plan. Should any conflict be found between this
4 Ordinance and the Concept Plan then the standards and conditions established by this Ordinance shall control.
- 5 B. *Code Provisions.* Unless specifically noted elsewhere in the Concept Plan attached hereto, or expressly provided for
6 herein, all development on the Property must comply with the general zoning requirements of the Planned
7 Development zoning district. Such requirements include any approval or amendment procedures pertaining to the
8 Planned Development zoning district. The Land Development Code of the Belle Isle Code of Ordinances, as
9 amended, shall govern the development of the Property with respect to any matter not addressed by this
10 Ordinance or its attached exhibits.
- 11 C. *Permitted Uses.* The permitted uses for the Property are as follows: Attached single-family townhome dwellings
12 and community amenities consistent with the Concept Plan. All other uses are prohibited.
- 13 D. *Minimum Size.* The minimum size of each townhome unit shall be 2,000 square feet under air conditioning. The
14 minimum size of each lot shall be 1,703 square feet of land.
- 15 E. *Maximum Building Height.* The maximum height of structures shall be 30 feet for lakefront lots. The maximum
16 height of structures shall be 35 feet for non-lakefront lots.
- 17 F. *Garages.* Each townhome unit shall be developed with a double car garage.
- 18 G. *Setbacks.* The setbacks shall be consistent with those depicted on the Concept Plan.
- 19 H. *Density.* There shall be a maximum of thirty (30) townhome dwelling units on the Property.
- 20 I. *Architectural Features.* The lakefront townhome dwelling units shall be developed consistent with one of the
21 architectural concepts set forth in **Exhibit "C"** attached hereto and incorporated herein by this reference, and the
22 non-lakefront townhome dwelling units shall include elements from the architectural concept that is selected for the
23 lakefront units.
- 24
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1 J. *Recreational Open Space*. The Property shall be developed and maintained to preserve recreational open space as
2 depicted on the Concept Plan. The recreational open space areas located on either side of the center lakefront
3 building shown on the Concept Plan shall be developed to include hardscape elements and landscape plantings
4 substantially similar to the depiction set forth in **Exhibit "D"** attached hereto and incorporated herein by this
5 reference.

6 K. *Platting*. The Property shall be platted in a single phase. The Owner shall obtain a single final plat for the subdivision
7 of the Property to accommodate all of the proposed townhome lots and common area tracts. The final plat shall
8 contain necessary dedications of easements, including for drainage, utilities and access, with terms acceptable to the
9 City. All site infrastructure improvements (not including docks and piers) must be completed prior to final plat
10 approval, unless the completion of such improvements are secured by a performance bond, then in such case these
11 improvements shall be completed prior to occupancy of any structure.

12 L. *HOA*. The Owner shall create a homeowners association ("HOA") pursuant to Chapter 720, Florida Statutes, to
13 enforce a set of declaration of covenants, conditions and restrictions ("Declaration") binding upon the Property and
14 its lot owners and to be responsible for the operation, maintenance and repair of all common areas and
15 improvements thereon and having the power to assess the lots and lot owners within the subdivision to pay for
16 common area operation, maintenance and repair expenses. The Declaration shall also incorporate the requirements
17 and restrictions on dock and fishing/observation piers set forth in subsection N which are acceptable to the City and
18 give the City the right to enforce such restrictive covenants. As part of the platting process, the Owner shall submit
19 the proposed Declaration to the City for review and approval. The Declaration shall be executed and recorded in the
20 public records concurrently with the recording of the approved final plat. The common area tracts shall be deeded
21 to the HOA concurrently with the recording of the final plat.

22 M. *Private Right-of-Way/Roads*. The internal rights-of-way to the Project will be privately owned, operated and
23 maintained by the Project's HOA and each lot shall be given an easement by the HOA providing rights for access to
24 and from their lots and public rights-of-way. The final plat shall dedicate to the City of Belle Isle and other public
25

1 service and emergency service providers, a non-exclusive easement over and through private right-of-way
2 tract(s) and any other privately owned internal roads, alleys, paved areas and sidewalks for vehicular and
3 pedestrian ingress and egress access for the purpose of providing public and emergency services to the
4 subdivision, including but not limited to, postal, fire protection, police protection, emergency medical
5 transportation, code enforcement, garbage, utilities and other public and emergency services. The City shall
6 have no obligation to maintain the private right-of-way and improvements thereon.

7
8 N. *Dock*. The following conditions shall apply to the dock and fishing/observation piers:

- 9 i. Dock permitting shall only occur after approval and recording of a final plat and the creation of the HOA
10 for the Property;
- 11 ii. The applicant for any dock or fishing/observation piers shall be the HOA;
- 12 iii. The dock and fishing/observation piers shall be owned and maintained by the HOA. The HOA may lease
13 boat slips to individual owners of the townhomes units in this PD;
- 14 iv. No boathouses shall be allowed on the dock or on the fishing/observation piers;
- 15 v. No storage lockers shall be located on the dock or the fishing/observation piers;
- 16 vi. No dock or fishing/observation pier shall be located within thirty feet (30') from the residential property
17 to the north of the Property or twenty feet (20') from the property to the south of the Property.
- 18 vii. No overnight mooring, or other mooring more than 1 hour per vessel in a 24-hour period, shall be
19 allowed on a fishing/observation pier. Drop-off and pick-up of boat passengers from the southern
20 fishing/observation pier is allowed.
- 21 viii. The length and location of the dock and the fishing/observation piers shall be governed by the City
22 Code permitting process; provided, however, that the size of the dock and of the fishing/observation
23 piers shall comply with the following conditions set forth below that were recommended by the
24 Planning and Zoning Board on April 25, 2017. In the event of a conflict between the City Code and the
25 conditions set forth in this subsection, the conditions set forth in this subsection shall control.
- ix. The existing boat docks and boat ramp on the Property as of the Effective Date of this Ordinance shall
be removed prior to the installation of any new boat dock and fishing and observation docks;
- x. The proposed docks shall not be permitted by the City nor constructed prior to 25% of the total number
of dwelling units approved with this Ordinance are permitted, constructed, and receive a certificate of
occupancy;
- xi. The proposed boat dock shall be deed restricted for use only by residents/lot owners within the
development and not utilized for commercial lease or profit; and

1 xii. The location, length and layout and design of the boat dock and fishing/observation piers shall be
2 determined through a separate Belle Isle permitting process in accordance with the Belle Isle boat dock
3 regulations, except that the terminal platform of the fishing/observation piers shall be no larger than
4 ten feet by twenty feet (10' X 20'), the height of the dock and the fishing/observation piers shall be no
5 greater than five feet (5') above the Normal High Water Line ("NHWL"), and the maximum size of the
6 boat dock terminal platform shall be 3,600 square feet.

7 O. *Development Plan/PD Expiration.* The Owner shall submit a development plan for review and approval pursuant
8 to the provisions of Chapter 54, Section 54-77 (e) (4) of the Land Development Code of the Belle Isle Code of Ordinances.
9 Copies of the State Department of Environmental Protection (DEP) and Orange County permits issued for lakefront
10 clearing shall be provided with the Development Plan submittal. If the Owner fails to obtain final approval of said
11 development plan within one year of the Effective Date of this Ordinance, the entitlements under this Ordinance shall
12 become null and void and the zoning classification of the Property shall revert to R-2 pursuant to the provisions of Section
13 54-77 (e) (4), Land Development Code of the Belle Isle Code of Ordinances.

14 P. *Violation.* A violation of this Ordinance or any of its Exhibits is considered a violation of the Land Development
15 Code of the Belle Isle Code of Ordinances and zoning of the Property.

16 **SECTION 2.** Zoning Map. The City Manager is hereby authorized and directed to amend the Official City of Belle Isle Zoning
17 Map consistent with the provisions of this Ordinance.

18 **SECTION 3.** Severability. If any word, phrase, sentence, clause or other portion of this Ordinance is determined to be
19 invalid, void or unconstitutional, the remainder of this Ordinance shall remain in effect.

20 **SECTION 4.** Effective date. This Ordinance shall take effect immediately upon adoption.

21 First Reading held this 7th day of November, 2017

22 Second Reading held this 21st day of November, 2017

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YES

NO

ABSENT

Ed Gold

Anthony Carugno

Jeremy Weinsier

Bobby Lance

Harvey Readey

OPEN SEAT

Sue Nielsen

LYDIA PISANO, MAYOR

ATTEST: _____
Yolanda Quiceno, CMC-City Clerk

Approved as to form and legality
City Attorney

STATE OF FLORIDA

COUNTY OF ORANGE

I, **Yolanda Quiceno, CITY CLERK** of the City of Belle Isle do hereby certify that the above and foregoing document
ORDINANCE 17-03 was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of
_____ 2017, at which session a quorum of its members were present.

Yolanda Quiceno, CMC-City Clerk

EXHIBIT A

LEGAL DESCRIPTION:

TRACT 1:

THAT PART OF THE SOUTH 75 FEET OF THE NORTH 235 FEET OF THE SOUTH ONE HALF OF GOVERNMENT LOT 3, OF SECTION 29, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, LYING WEST OF THE COUNTY PAVED ROAD.

TRACT 2:

BEGINNING AT A POINT WHICH IS 823.5 FEET SOUTH AND 1792.55 FEET WEST OF THE NORTHEAST CORNER OF GOVERNMENT LOT 3, OF SECTION 29, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, SAID POINT OF BEGINNING, BEING IN THE ORIGINAL GOVERNMENT MEANDER LINE OF THE EASTERLY SHORE OF "LAKE CONWAY"; RUN WITH THE SAID ORIGINAL GOVERNMENT MEANDER LINE SOUTH 3 DEGREES 57 MINUTES WEST, 75.16 FEET TO A POINT IN THE SOUTH LINE OF THE SOUTH 75 FEET OF THE NORTH 235 FEET OF THE SOUTH HALF OF GOVERNMENT LOT 3; THENCE WITH THE EXTENSION OF SAID SOUTH LINE, WESTERLY 64.0 FEET TO A 4" X 4" CONCRETE MONUMENT SET ON THE 86.4 FOOT CONTOUR LINE AS ESTABLISHED FROM THE UNITED STATES COAST AND GEODETIC SURVEY DATUM THENCE WITH SAID 86.4 FOOT CONTOUR LINE NORTH 0 DEGREES 29 MINUTES WEST, 75.0 FEET TO A POINT IN THE NORTH LINE OF THE SOUTH 75 FEET OF THE NORTH 235 FEET OF THE SOUTH HALF OF SAID GOVERNMENT LOT 3, EXTENDED WESTERLY; THENCE WITH NORTH LINE EASTERLY 70.0 FEET TO THE POINT OF BEGINNING.

TRACT 3:

THE NORTH 160 FEET OF THE SOUTH ONE HALF OF GOVERNMENT LOT 3, OF SECTION 29, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, LYING WEST OF THE COUNTY ROAD.

TRACT 4:

BEGINNING AT A POINT 666.53 FEET SOUTH AND 1784.45 FEET WEST OF THE NORTHEAST CORNER OF GOVERNMENT LOT 3, SECTION 29, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, SAID POINT BEING AT THE INTERSECTION OF THE ORIGINAL GOVERNMENT MEANDER LINE OF LAKE CONWAY WITH THE PROJECTED SOUTH LINE OF LOT 7, BLOCK 2, OF SILVER BEACH SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK L, PAGE 72, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT OF BEGINNING BEING WESTERLY ALONG THE PROJECTION OF THE SOUTH LINE OF SAID LOT 7 AND 60.9 FEET FROM THE ORIGINAL SOUTHWEST CORNER OF LOT 7, BLOCK 2 OF SILVER BEACH SUBDIVISION, RUN THENCE WITH THE ORIGINAL GOVERNMENT MEANDER LINE SOUTH 3 DEGREES 57 MINUTES WEST 160.38 FEET TO A CONCRETE MONUMENT IN THE SOUTH LINE OF THE NORTH 160 FEET OF THE SOUTH HALF OF GOVERNMENT LOT 3; THENCE WITH SAID LINE WEST 70.0 FEET TO A 4" X 4" CONCRETE MONUMENT SET IN THE 86.4 FOOT CONTOUR LINE AS ESTABLISHED BY THE UNITED STATES COAST AND GEODETIC SURVEY DATUM; THENCE WITH THE SAID 86.4 FOOT CONTOUR LINE, NORTH 15 DEGREES 33 MINUTES EAST, 166.08 FEET TO A 4" X 4" CONCRETE MONUMENT IN THE SOUTH LINE OF SILVER BEACH SUBDIVISION; THENCE WITH SAID LINE EAST 36.5 FEET TO THE POINT OF BEGINNING.

LESS THAT PART OF TRACTS 3 AND 4 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LAND DESCRIPTION CREATED: A TRACT OF LAND SITUATED IN SECTION 29, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE ORIGINAL GOVERNMENT MEANDER LINE OF LAKE CONWAY WITH THE PROJECTED SOUTH LINE OF LOT 7, BLOCK 2 OF SILVER BEACH SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK L, PAGE 72, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT OF BEGINNING BEING WESTERLY ALONG THE PROJECTION OF THE SOUTH LINE OF SAID LOT 7 AND 60.9 FEET FROM THE ORIGINAL SOUTHWEST CORNER OF SAID LOT 7; THENCE RUN NORTH 89 DEGREES 36 MINUTES 25 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTH HALF OF GOVERNMENT LOT 3 BEING THE PROJECTED SOUTH LINE OF SAID SILVER BEACH SUBDIVISION FOR A DISTANCE OF 45.42 FEET TO A POINT OF INTERSECTION WITH THE NORMAL HIGH WATER LINE OF LAKE CONWAY; THENCE ALONG SAID NORMAL HIGH WATER LINE THE FOLLOWING COURSE AND DISTANCE: SOUTH 10 DEGREES 58 MINUTES 06 SECONDS WEST, 7.89 FEET; SOUTH 25 DEGREES 24 MINUTES 46 SECONDS EAST, 17.24 FEET; SOUTH 10 DEGREES 37 MINUTES 44 SECONDS WEST, 47.43 FEET; SOUTH 12 DEGREES 39 MINUTES 16 SECONDS WEST, 17.64 FEET; SOUTH 13 DEGREES 16 MINUTES 08 SECONDS WEST, 13.50 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 25 SECONDS EAST PARALLEL WITH SAID NORTH LINE OF SAID SOUTH HALF OF GOVERNMENT LOT 3, A DISTANCE OF 143.92 FEET; THENCE NORTH 10 DEGREES 37 MINUTES 44 SECONDS EAST, A DISTANCE OF 101.84 FEET TO A POINT OF INTERSECTION WITH SAID NORTH LINE; THENCE NORTH 89 DEGREES 38 MINUTES 25 SECONDS WEST ALONG SAID NORTH LINE, 107.31 FEET TO SAID POINT OF BEGINNING.

TRACT 5:

A TRACT OF LAND SITUATED IN SECTION 29, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE ORIGINAL GOVERNMENT MEANDER LINE OF LAKE CONWAY WITH THE PROJECTED SOUTH LINE OF LOT 7, BLOCK 2 OF SILVER BEACH SUBDIVISION, AS PER PLAT THEREOF RECORDED IN PLAT BOOK L, PAGE 72, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, SAID POINT OF BEGINNING BEING WESTERLY ALONG THE PROJECTION OF THE SOUTH LINE OF SAID LOT 7 AND 60.9 FEET FROM THE ORIGINAL SOUTHWEST CORNER OF SAID LOT 7; THENCE RUN NORTH 89 DEGREES 38 MINUTES 25 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTH HALF OF GOVERNMENT LOT 3 BEING THE PROJECTED SOUTH LINE OF SAID SILVER BEACH SUBDIVISION FOR A DISTANCE OF 45.42 FEET TO A POINT OF INTERSECTION WITH THE NORMAL HIGH WATER LINE OF LAKE CONWAY; THENCE ALONG SAID NORMAL HIGH WATER LINE THE FOLLOWING COURSE AND DISTANCE: SOUTH 10 DEGREES 58 MINUTES 06 SECONDS WEST, 7.89 FEET; SOUTH 25 DEGREES 24 MINUTES 46 SECONDS EAST, 17.24 FEET; SOUTH 10 DEGREES 37 MINUTES 44 SECONDS WEST, 47.43 FEET; SOUTH 12 DEGREES 39 MINUTES 16 SECONDS WEST, 17.64 FEET; SOUTH 13 DEGREES 16 MINUTES 08 SECONDS WEST, 13.50 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 25 SECONDS EAST, PARALLEL WITH SAID NORTH LINE OF SAID SOUTH HALF OF GOVERNMENT LOT 3, A DISTANCE OF 143.92 FEET; THENCE NORTH 10 DEGREES 37 MINUTES 44 SECONDS EAST, A DISTANCE OF 101.84 FEET TO A POINT OF INTERSECTION WITH SAID NORTH LINE; THENCE NORTH 89 DEGREES 38 MINUTES 25 SECONDS WEST ALONG SAID NORTH LINE, 107.31 FEET TO SAID POINT OF BEGINNING.

CONTAINS 116,262 SQUARE FEET OR 2.6690 ACRES MORE OR LESS.

W6
P16
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AND

LOTS 1 THROUGH 4, LARKINVILLE USA, ACCORDING TO THE PLAT
THEREOF, RECORDED IN PLAT BOOK 15, PAGE 16, OF THE PUBLIC
RECORDS OF ORANGE COUNTY, FLORIDA.

CONTAINS 48,895 SQUARE FEET OR 1.1225 ACRES MORE OR LESS.

**PLANNED DEVELOPMENT/
 PRELIMINARY SUBDIVISION PLAN
 FOR
 SILVER ISLES TOWNHOME PROJECT
 7710, 7728, AND 7740 DAETWYLER DRIVE
 BELLE ISLE, ORANGE COUNTY, FLORIDA**

PARCEL I.D. Nos. 29-23-30-4986-00-010, 29-23-30-4986-00-040, AND 29-23-30-4986-00-013

OWNER/APPLICANT: COMINS DEVELOPMENT
 9145 NARCOOSSEE RD. #102
 ORLANDO, FL 32832
 PHONE: 407-281-8455

GEOTECHNICAL: UNIVERSAL ENGINEERING SCIENCES
 3532 MAGGIE BLVD.
 ORLANDO, FLORIDA 32811
 PHONE: 407-423-0504

SURVEYOR: IRELAND & ASSOCIATES SURVEYING INC
 1300 INTERNATIONAL PKWY #2001
 LAKE MARY, FLORIDA 32746
 PHONE: 407-678-3366

PERMITTING AGENCIES
 S.J.R.W.M.D.: ENVIRONMENTAL RESOURCE PERMIT
 F.D.E.P.: WATER AND WASTEWATER SYSTEM PERMITS
 F.D.E.P.: NOTICE OF INTENT (NPDES PERMIT)
 CITY OF BELLE ISLE: SUBDIVISION PLAN APPROVAL
 ORLANDO UTILITIES COMMISSION: WATER SYSTEM PERMITS

UTILITY COMPANIES
 WATER: (407) 434-2576
 WASTEWATER: (407) 254-9764
 WASTEWATER: (407) 246-3525
 ELECTRIC: (407) 905-3321
 TELEPHONE: (561) 997-0240
 CABLE: (407) 532-8509
 CABLE: (352) 516-3824

ORLANDO UTILITIES COMMISSION
 ORANGE COUNTY UTILITIES
 CITY OF ORLANDO BUREAU OF WASTEWATER
 DUKE ENERGY
 AT&T
 SPECTRUM
 COMCAST CABLE COMMUNICATIONS

SITE VICINITY MAP



NOT TO SCALE

PLAN INDEX

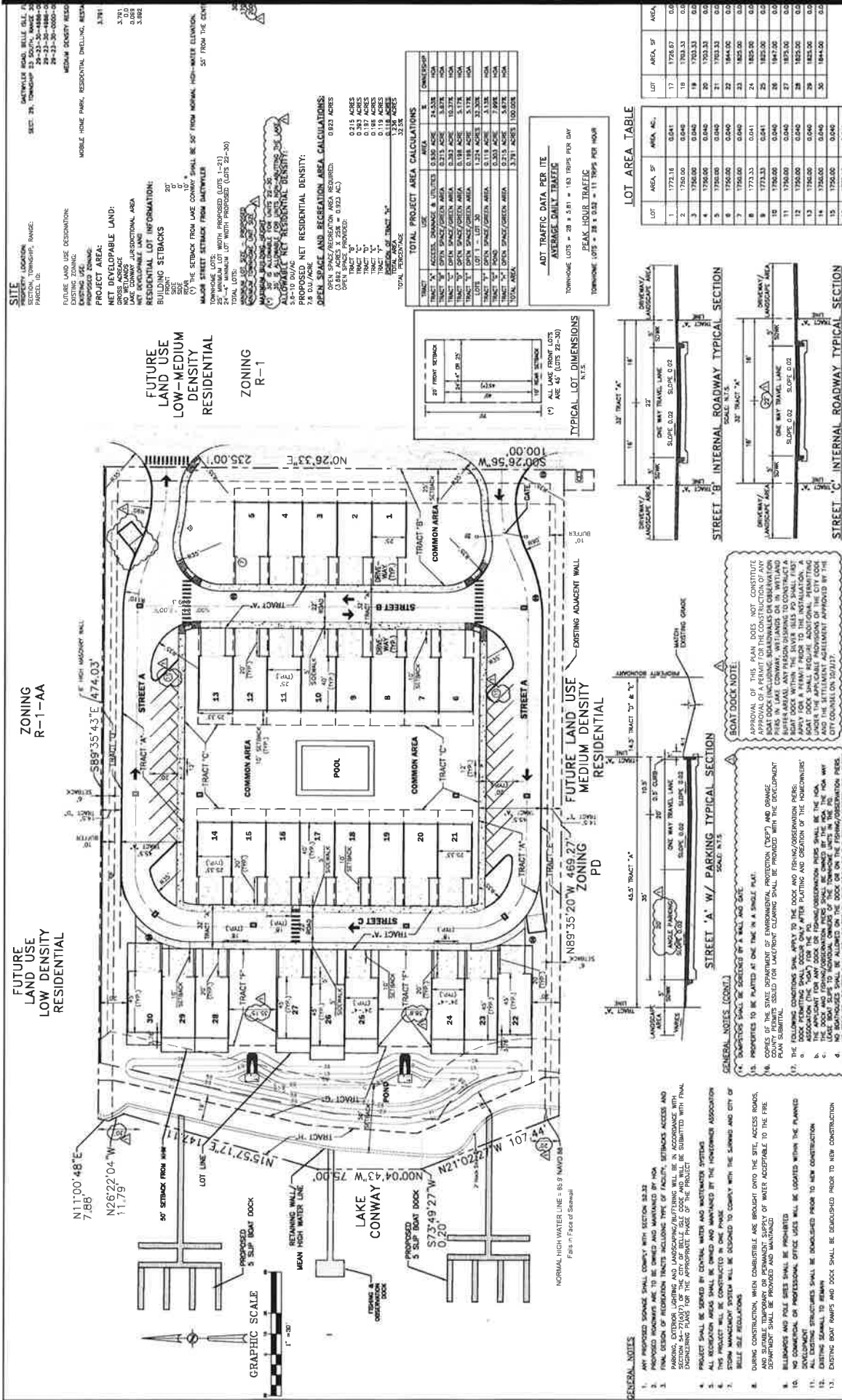
- C-1 COVER SHEET
- C-2 BOUNDARY & TOPOGRAPHIC SURVEY, SHEET 1 OF 2
- C-3 BOUNDARY & TOPOGRAPHIC SURVEY, SHEET 2 OF 2
- C-4 SITE GEOMETRY PLAN
- C-5 PRELIMINARY SITE DRAINAGE & UTILITY PLANS

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



Engineering the Future
www.feg-inc.us

FLORIDA ENGINEERING GROUP
 STATE LICENSE NO. 15384
 PROFESSIONAL ENGINEERS
 EXPIRES 12/31/2011



PRELIMINARY SITE GEOMETRY

5227 S. Orange Avenue, Suite 200
 Orlando, FL 32835-0324
 Phone: 407-895-0324
 Fax: 407-895-0325
 www.feg-inc.us

FEG FLORIDA ENGINEERING GROUP
 Engineering the Future

PLANNED DEVELOPMENT
 PRELIMINARY SUBDIVISION PLAN
 FOR
SILVER ISLES
 7728, 7728, AND 7740 DAETWYLER DRIVE
 BELLE ISLE, ORANGE COUNTY, FLORIDA

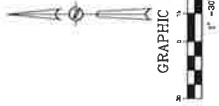
REVISIONS

NO.	DATE	BY	CHKD	AM
01/17/17				

10/11/17 REVISION PER CLIENT TO ADD A NOTE ON THE PLAN

DATE 10/11/17
BY JJA
CHKD JJA
AM JJA

PROJECT NO. 15-084
SHEET NO. 1 OF 20
DATE OCTOBER 2016
SCALE C-4



SANITARY SEWER SERVICE NOTES

1. CONSTRUCTION OF THE SANITARY SEWER SERVICE SYSTEM SHALL MEET ORANGE COUNTY UTILITIES AND FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REQUIREMENTS.

CLEAN-OUT NOTE

1. ALL SANITARY CLEAN-OUTS SHALL HAVE COVERS IDENTIFIED AS "SANITARY".

WASTEWATER NOTE

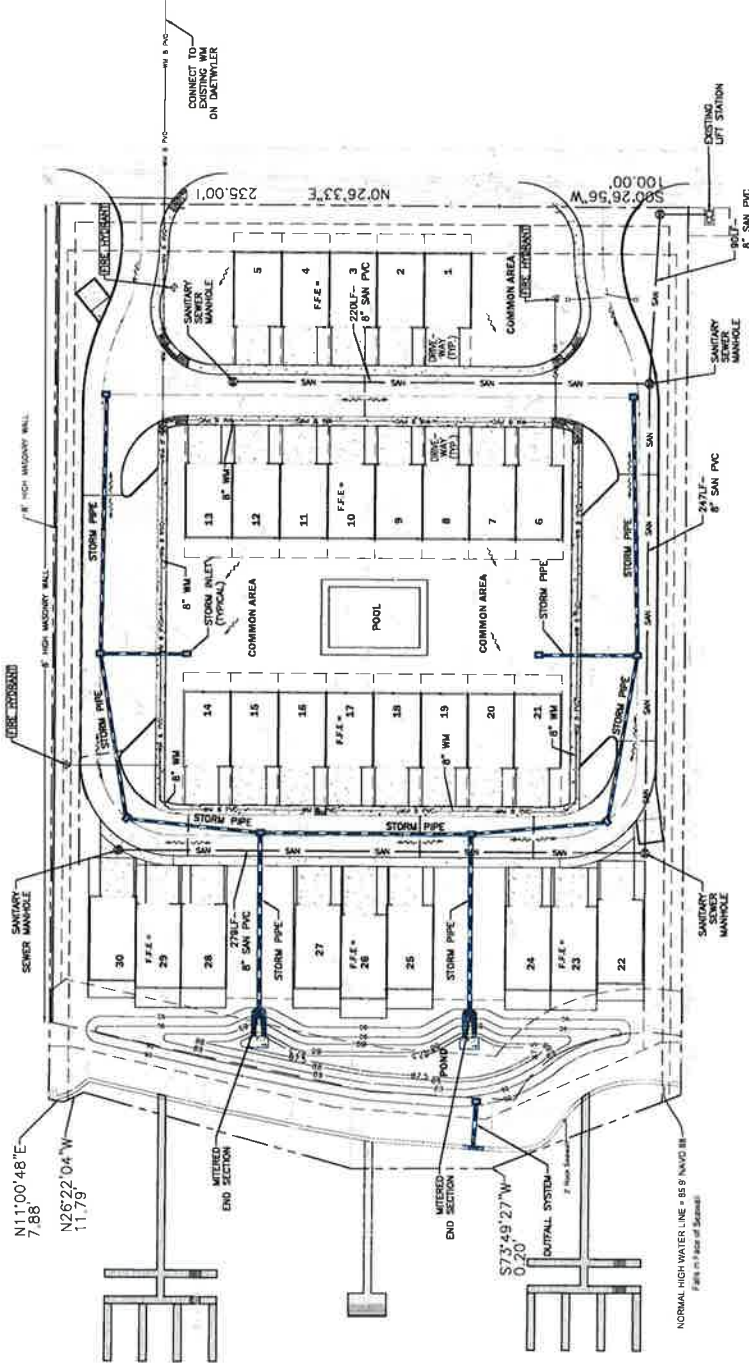
LOTS SHALL BE SERVED BY A GRAVITY SEWER COLLECTION SYSTEM WHICH WILL DISCHARGE TO THE STORMWATER MANAGEMENT SYSTEM. A UTILITY AGREEMENT WILL BE IN PLACE AND APPROVED BY ORANGE COUNTY PRIOR TO THE CONNECTION.

STORMWATER MANAGEMENT SYSTEM

THE STORMWATER SYSTEM WILL BE DESIGNED TO MEET WATER QUALITY STANDARDS OF THE STORMWATER MANAGEMENT DISTRICT. THE DESIGN FLOW RATE FOR WATER MANAGEMENT DISTRICT "H" IMPERVIOUS AREA IS DESIGNED UP TO 55%.

IMPERVIOUS AREA CALCULATIONS:

PAVEMENT & SIDEWALK AREA	0.281 ACRES
DRIVEWAY AREAS	0.251 ACRES
ROOF AREAS	1.088 ACRES
TOTAL IMPERVIOUS:	1.620 ACRES
PERCENT IMPERVIOUS:	48.00%



N11°00'48"E
7.88'
N26°22'04"W
11.79'

S73°49'27"W
0.20'

NORMAL HIGH WATER LINE = 65.8 NAVD83
Falls on Face of Structure

NOT VALID FOR CONSTRUCTION UNLESS SIGNED IN THIS BLOCK	08/21/17	REVISIONS	BY	CHECKED	VP	JAM	PLANNED DEVELOPMENT/ PRELIMINARY SUBDIVISION PLAN FOR SILVER ISLES 7710, 7728, AND 7740 DAETWYLER DRIVE BELLE ISLE, ORANGE COUNTY, FLORIDA	Engineering the Future	5127 S. Orange Avenue, Suite 200 Orlando, FL 32809 Phone: 407-895-0324 Fax: 407-895-0325 www.feg-inc.us	PRELIMINARY SITE DRAINAGE AND UTILITY PLANS			PROJECT NO. 15-084
	DATE	REVISIONS	BY	CHECKED	VP	JAM				C-5	SHEET NO. 1 OF 3	DATE PLOTTED: OCTOBER 2016	PROJECT NO. 15-084

10/11/17 REVISION PER CLIENT TO ADD A NOTE ON THE PLAN

DATE: 08/23/2017

PROJECT: Silver Isles Townhomes



Silver Isles Townhomes
 Belle Isle, Orange County, Florida

Elevation - West Side
 3-3-3 Units Buildings - Lake View - Elevation A



Silver Isles Townhomes
 Belle Isle, Orange County, Florida

Elevation - West Side
 3-3-3 Units Buildings - Lake View - Elevation B



Lake View Elevation

Building 1

Building 2

Building 3



Lake View Elevation Building 1



Lake View Elevation Building 2



Lake View Elevation Building 3

Silver Isles Townhomes
 Belle Isle, Orange County, Florida

Elevation - West Side
 3-3-3 Units Buildings - Lake View - Elevation C

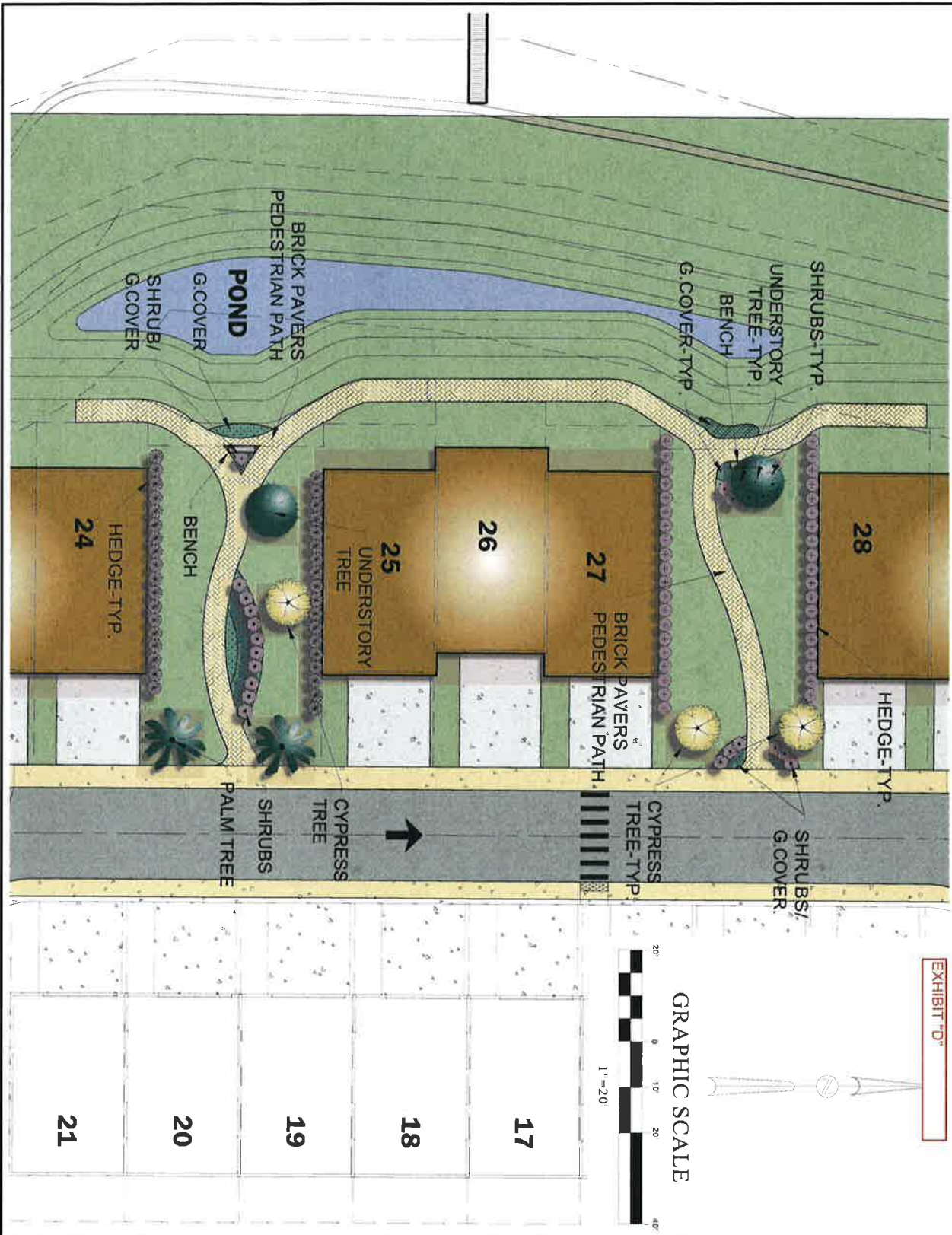


EXHIBIT "D"



GRAPHIC SCALE

PROJECT NAME: LANDSCAPE CONCEPT PLAN
SILVER ISLES TOWNHOME PROJECT
7710, 7728, AND 7740 DAETWYLER DRIVE
BELLE ISLE, ORANGE COUNTY, FLORIDA

CLIENT: COMINS DEVELOPMENT
9145 NARCOOSSEE RD. #102

F.E.G. PROJECT NO.: 15-084

DATE: 08/31/2017

SCALE: 1" = 20'

FEG FLORIDA ENGINEERING GROUP
Engineering the Future

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



Aquatic Plant Control Permit
 FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
 Division of Habitat and Species Conservation
 Invasive Plant Management Section
 3800 Commonwealth Boulevard, Mail Station 705
 Tallahassee, Florida 32399

Permittee Name: Christopher Comins Permit Number: IPM-17-00034
 Permittee Address: Comins Development Effective Date: 01/27/2017
 6413 Pine Castle Blvd. Expiration Date: 01/27/2020
 ORLANDO, FLORIDA 32806
 UNITED STATES
 Agent Name: Robert Williamson
 Agent Address: Aquascapes of Central Florida LLC-
 President
 PO BOX 1354
 WINDERMERE, FLORIDA 34786
 UNITED STATES

IS AUTHORIZED TO:

1. Pursuant to the Agency's authority under Chapter 369.20 Florida Statutes and Chapter 68F-20 Florida Administrative Code, the Permittee is authorized to control aquatic plants under the conditions listed below and in accordance with any site map that may be attached to this permit. A copy of this permit must be present on site and available for review during any aquatic plant control activities.

AUTHORIZED LOCATION(S): **Area of operation:** Conway, Lake (ORANGE)
Site Address: 7740 Daetwyler Drive
POS: Latitude 28° 27' 16.71' N Longitude 81° 20' 23.22' W

Permittee Signature: _____ Date: _____
 Not valid unless signed. By signature, confirms that all information provided to issue the permit is accurate and complete, and indicates acceptance and understanding of the provisions and conditions listed below. **Any false statements or misrepresentations when applying for this permit may result in felony charges and will result in revocation of this permit.**

Authorized By: Ed Harris Authorized for: Nick Wiley, Executive Director

Authorizing Signature: Ed Harris Date: 01/27/2017
 Invasive Plant Management Section

Is Authorized To (Continued):

PLANT	ACRES	METHOD
Cattail (Typha spp.)	0.10	2,4-D (liquid), Glyphosate, Hand Removal
Torpedo grass (Panicum repens)	0.10	2,4-D (liquid), Glyphosate, Hand Removal

Primrose Willow (<i>Ludwigia octovalvis/peruviana</i>)	0.10	2,4-D (liquid), Glyphosate, Hand Removal
Wedelia (<i>Sphagneticola trilobata</i>)	0.10	2,4-D (liquid), Glyphosate, Hand Removal
Lake Rush (<i>Fuirena</i> spp.)	0.10	2,4-D (liquid), Glyphosate, Hand Removal

PERMIT CONDITIONS AND PROVISIONS:

- 1 Permittee must manage the above listed aquatic plants in accordance with the attached site plan which is made part of this permit.
- 2 Permittee may maintain clear the above listed aquatic plants from within an access corridor not to exceed 50 feet in width, of sufficient length waterward from the shore to allow access to open water.
- 3 Lake rush may be removed within the access corridor only.
- 4 Permittee shall notify the Commission in writing upon the sale of this property. A copy of this permit shall be provided to prospective buyers of this property.
- 5 Areas to be revegetated shall be planted with native aquatic plants in a minimum of 15 rows on no more than two-foot centers. The site must be revegetated within 90 days after the issue date of this permit. If the permitted aquatic plants are not removed from the revegetation areas in time to meet the revegetation time frame stated above, the permittee must notify the Commission's regional biologist, in writing, when the removal of aquatic vegetation began. There must be 80 percent survival of any revegetated plants one year after the issue date of this permit or 180 days after notifying the Commission, in writing, when the removal of aquatic vegetation began. If 80 percent survival is not achieved within these time frames, additional plantings may be required until 80 percent survival is achieved.
- 6 Issuance of this permit does not relieve the permittee of the responsibility to comply with all applicable federal, state, county, and municipal law, ordinances, or rules; nor is the permittee relieved of the responsibility to obtain any other license or permits. Please contact the Orange County Environmental Protection Department at (407) 836-1400 for information on County Permitting requirements.
- 7 All aquatic vegetation removed pursuant to this permit shall be deposited on a self-contained upland site which shall be located so as to prevent the reintroduction of the removed vegetation into waters of the State.
- 8 Permittee shall not disturb or destabilize the shoreline substrate while using any mechanical equipment. If substrate will/may be disturbed or removed while using a tractor/mower, bush-hog or other mechanical equipment, then a dredge & fill permit may be required by the Department of Environmental Protection.
- 9 Permittee may remove entire plant (including roots) from the site, as long as no offsite turbidity occurs or sediment is removed. If substrate is removed while conducting the above permitted activities then a dredge & fill permit may be required by the Department of Environmental Protection.
- 10 The permit or a copy of the permit must be present and available for review on site during the time of any aquatic plant control activities.
- 11 This permit is valid for only the activities printed on the front of this document.
- 12 If an aquatic herbicide(s) is authorized for use by this permit, the permittee is required to use the permitted herbicide(s) in a manner that is consistent with the application directions on the product label.
- 13 The Permittee agrees to hold and save the State of Florida, the Fish and Wildlife Conservation Commission, its inspectors and employees, harmless from any damage, no matter how occasioned and no matter what the amount, to persons or property, which might result from the aquatic plant management activities pursuant to the permit. [If the Permittee is a Florida "state agency or subdivision" as defined in 768.28, F.S., this provision does not constitute a waiver of the Permittee's sovereign immunity or extend the Permittee's liability beyond the limits established in Section 768.28, F.S.]

- 14 The Permittee is responsible for complying with the restrictions/requirements of any recorded conservation easement along the shoreline. If the activities authorized by this permit are inconsistent or contrary with the restrictions/requirements of a conservation easement, then the permittee must obtain authorization from the conservation easement holder prior to conducting any aquatic plant control activities at the site.
- 15 The removal of aquatic plants is exempt from chapters 373 and 403, Florida Statutes, dredge and fill permitting requirements, provided the activities are performed in compliance with the conditions of paragraph 403.813(1)(r), Florida Statutes (copy attached). Turbidity caused by aquatic plant control activities must be contained on site so as to prevent violation of state water quality standards.

A person whose substantial interests are affected by FWC's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. A person seeking a hearing on FWC's action shall file a petition for hearing with the agency within 21 days of receipt of written notice of the decision. The petition must contain the information and otherwise comply with section 120.569, Florida Statutes, and the uniform rules of the Florida Division of Administration, chapter 28-106, Florida Administrative Code. If the FWC receives a petition, FWC will notify the Permittee. Upon such notification, the Permittee shall cease all work authorized by this permit until the petition is resolved. The enclosed Explanation of Rights statement provides additional information as to the rights of parties whose substantial interests are or may be affected by this action.



Environmental Protection Division

LAKESHORE PROTECTION PERMIT

Permit Number: LSP-16-12-103

Date Issued: February 21, 2017

A Permit Authorizing:

The removal of Category I and II invasive exotic vegetation as listed in the Florida Exotic Pest Plant Council's (FLEPPC) most recent List of Invasive Plant Species (List) on the property described below located adjacent to Lake Conway.

This permit is issued pursuant to Orange County Code, Chapter 15, Article VII, Orange County Lakeshore Protection Regulations and is subject to the permit conditions provided on the following pages.

Activity Location:

7740 Daetwyler Drive
Belle Isle, FL 32812
Lake Conway
Parcel ID Number: 29-23-30-4986-00-040
Orange County Commission District: 3

Permittee:

Comins Development I LLC
E-mail: steve@realtygroupfl.com

Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803.
407-836-1400 Fax: 407-836-1499
www.OCEPD.org

It is the property owner's responsibility to ensure that all of the following conditions are met, even if you are using a contractor to perform the authorized activities. If you fail to meet any of the conditions, the Environmental Protection Division (EPD) staff may cite you and you may be subject to penalties.

Approval of this permit is subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the fifteen (15) calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.
2. This permit authorizes only selective removal of invasive exotic vegetation. **Replanting of native vegetation is required.** The planting plan must be implemented in accordance with the 'Planting Plan' as dated as received on December 15, 2016 by EPD. New plantings must be installed within thirty (30) days of completion of removal of invasive exotic vegetation. The permitted work must be completed within one (1) year from the date of issuance of the permit. Requests for permit extension must be submitted to EPD prior to the expiration date.
3. Native vegetation, including but not limited to Arrowhead (*Sagittaria lancifolia*), may not be removed from the shoreline outside of the specified access corridor.
4. Cleared vegetation must be removed landward of the Normal High Water Elevation (NHWE) on Lake Conway, within twenty-four (24) hours.
5. Removal of native trees, including but not limited to, cypress (*Taxodium* spp.), red maple (*Acer rubrum*), or sweetbay (*Magnolia virginiana*) is prohibited.
6. Successful establishment will have occurred when:
 - i. At least 80 percent cover by appropriate wetland/aquatic species (outside of the access corridor) has been obtained; and
 - ii. The enhancement/ restoration area comprises less than five (5) percent exotic vegetation, as listed in the Florida Exotic Pest Plant Council's 2015 List of Invasive Species Category I and II (as amended from time to time).
7. The Permittee is required to submit an initial planting report upon completion of the shoreline plantings (time zero) and an annual monitoring report, utilizing the attached EPD Qualitative Monitoring Form(s). If at the end of the one year monitoring period, the restoration area is not meeting the success criteria, the Permittee shall be required to provide a restoration plan (which may include additional planting) and continue monitoring until success has been demonstrated, or the permit shall be voided and the property may be determined to be in violation of County Code (Chapter 15, Article VII).
8. EPD staff may conduct a site inspection at any time in order to determine if the project is in compliance with the permit conditions and/or if success criteria has been met. If, at any time,

EPD determines the lakeshore area has less than an eighty (80) percent vegetative coverage (outside of the access corridor), the Permittee may be required to install additional plantings and continue monitoring until the success of the plantings areas has been demonstrated. Once the area has met success criteria, to EPD's satisfaction, this permit shall allow continued maintenance activities, in perpetuity, so long as the restoration area maintains appropriate vegetative coverage and all permit conditions are being met.

9. The permittee may maintain a clear access corridor below the NHWE of 86.90 feet above mean sea level (NGVD 1929) for Lake Conway, not to exceed thirty (30) feet or twenty (20) percent of the shoreline in width, whichever is greater to a sufficient length waterward from the shoreline to gain access to the water. Any structures such as boat ramps and boat docks shall be located within the access corridor. No access corridor is allowed within a conservation easement and/or area.

General Conditions:

10. Anyone who uses herbicides for management of aquatic plants must be certified in accordance with the Florida Pesticide Law administered by the Florida Department of Agriculture and Consumer Services. All aquatic herbicides must have an aquatic-use label and must be applied in strict compliance with the directions stated on the product label. It is a violation of state and federal law to use herbicides in a manner that is inconsistent with its label. The label is the law. Before using any herbicide, the applicator should read the label to determine any water use restrictions, herbicide toxicity, location and sites where herbicide can be used and what personal protective clothing and equipment is required.
11. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.
12. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
13. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to conduct any activity authorized herein and any such activity is done at the sole risk of the permittee. In the event that any activity permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, the permittee agrees to either obtain written consent or to remove the offending encroachment within sixty (60) days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.

14. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article VII of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. The permittee shall immediately notify EPD of any conflict between the conditions of this permit and any other permit or approval.
15. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereign lands or other state-owned lands.
16. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
17. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
18. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.
19. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
20. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
21. The permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
22. **Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC).** Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the

permittee shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.

23. The Florida Fish and Wildlife Conservation Commission (FWC) may require a permit for the proposed activities. Please contact Ed Harris of the FWC at 407-858-6170 for more information.
24. Pursuant to Section 125.022, Florida Statutes, issuance of this permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of the activity authorized herein.


If you should have any questions concerning this review, please contact Aimee Krivan at (407) 836-1496 or Aimee.krivan@ocfl.net.

Project Manager:



Aimee Krivan, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:



Lori Cunniff, Environmental Protection Officer

AK/EC/ERJ/LC:gdjr

Attachment: Site Plans
EZ Monitoring Report Forms(s)

Cc: FWC – Invasive Plant Management Section, Ed Harris ed.harris@myfwc.com



**ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION
BASELINE EZ MONITORING REPORT**

Return form to:

Email: Orangetogreen@ocfl.net Attn: Permitting Supervisor

FAX: 407-836-1499

DATE: _____

PERMIT # _____

Date project planting completed: _____

Complete the following table for the planting area(s) associated with the permitted activities:

STRATA	Check If Used	APPROXIMATE % COVER	APPROXIMATE % SURVIVAL	SPECIES NAMES (If Other)
Trees				
Cypress				
Red Maple				
Sweet Bay				
Dahoon Holly				
Loblolly Bay				
Other(s)				
Shrubs				
Wax Myrtle				
Buttonbush				
Other(s)				
Ground Covers				
Canna Lily				
Pickerelweed				
Duck Potato				
Sand Cord Grass				
Spike Rush				
Fachahatchee				
Blue Flag Iris				
Muhly Grass				
Maldencane				
Other(s)				
TOTAL % COVER				
Exotic/Nuisance				

Attach the following information:

- A copy of the approved planting plan.
- Representative photographs of the planting area(s).
- A description of any problems encountered _____

I hereby certify that the above information is true and factual.

Printed Name

Signature

Date



ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION ANNUAL EZ MONITORING REPORT

Return form to:

DATE: _____

Email: Orangetogreen@ocfl.net Attn: Permitting Supervisor

FAX: 407-836-1499

PERMIT # _____

Year# _____

Date project planting completed: _____

Date(s) of site inspection(s)/maintenance visit(s) since previous report: _____

Complete the following table for the planting area(s) associated with the permitted activities:

STRATA	Check If Used	APPROXIMATE % COVER	APPROXIMATE % SURVIVAL	SPECIES NAMES (If Other)
Trees				
Cypress				
Red Maple				
Sweet Bay				
Dahoon Holly				
Loblolly Bay				
Other(s)				
Shrubs				
Wax Myrtle				
Buttonbush				
Other(s)				
Ground Covers				
Canna Lily				
Pickerelweed				
Duck Potato				
Sand Cord Grass				
Spike Rush				
Fachahatchee				
Blue Flag Iris				
Muhly Grass				
Maidencane				
Other(s)				
TOTAL % COVER				
Exotic/Nuisance				

Please attach the following information:

- A copy of the approved planting plan.
- Representative photographs of the planting area(s).
- A description of any problems encountered _____

• Are you requesting signoff for successful completion of the planting activities: Yes _____ No _____

I hereby certify that the above information is true and factual.

Printed Name

Signature

Date



APPROVED BY THE
ORANGE COUNTY
ENVIRONMENTAL PROTECTION DIVISION
DATE: 2/20/2017
INITIAL: AK

LS# - 16-12-103

Lake Conway

30 feet access



L.S.P.

5 ft.

4 ft.

3 ft

2 ft

1 ft

torpedo grass & cat tails

torpedo grass & cat tails

sea wall NWWE: 86.90

250.00' linear feet

REMOVAL PLAN

**Comins Development
7710 Daetwyler Dr.**

APPROVED BY THE
ORANGE COUNTY
ENVIRONMENTAL PROTECTION DIVISION
DATE: 2/20/2017
INITIAL: AK

LSP-16-12-103



Lake Conway

30 feet access



L.S.P.

5 ft.

4 ft

3 ft

2 ft

1 ft

P P P P P P
d P d P d P d

r P P P P P
d P d P d P d

sea wall NWWE: 86.90

250.00' linear feet

P = pickerel weed
d = duck potato

PLANTING PLAN

DCFPD DEC152016PK4:22

Comins Development

7710 Daetwyler Dr.