



CITY COUNCIL DISCUSSION

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, March 05, 2024 at 1:00 PM

MINUTES

A. CALL TO ORDER

Council President Horn called the meeting to order at 1:00 pm.

B. ROLL CALL & DETERMINATION OF QUORUM

City Clerk Riffle confirmed that a quorum was present.

Mayor and Councilmembers Present:

John Dowless, Mayor

Richard A. Horn, Council President

Chris Rader, Council President Pro-Tem

Susan Lomas, Councilmember

Staff Present:

Sandy Riffle, City Clerk

Dean DeSchryver, Police Chief

Drew Smith, City Attorney

Allen Lane, City Engineer

Ellen Hardgrove, City Planner

Toll Brothers Representatives Present:

Stuart McDonald, Land Development Manager

Mark McIntosh, V.P. Land Development

C. NEW BUSINESS

Council President Horn opened the discussion and explained that the developers of Haven Oaks Planned Development requested that the Council consider the creation of a performance bond for the subdivision infrastructure to meet the development order and obtain a Certificate of Completion (COC) and Certificate of Occupancy (CO).

Planner Hardgrove explained that a CO for the subdivision is required before COs for homes can occur. She said several items are holding up the subdivision's CO. There are also noncompliance issues with some of the homes; particularly lots 5, 41, 42, and 43 with the biggest issues being air conditioning (a/c) unit placement and upgraded garage doors.

Lot 5 – Resolution of lack of upgraded garage door. Resolution of insufficient side yard width to allow maneuverability of maintenance equipment from front yard to rear yard due to a/c placement.

Lot 41- Resolution of the noncompliance with side treatment (no mix of materials and no window treatments on side facing the side street). Resolution of lack of upgraded garage door. Resolution of insufficient side yard width to allow maneuverability of maintenance equipment from front yard to rear yard due to a/c placement.

Lot 42 – Resolution of the lack of required architectural trim on windows. Compliance with the minimum driveway width. Resolution of lack of upgraded garage door. Resolution of insufficient side yard width to allow maneuverability of maintenance equipment from front yard to rear yard due to a/c placement.

Lot 43 – Compliance with the minimum driveway width. Resolution of lack of upgraded garage door. Resolution of insufficient side yard width to allow maneuverability of maintenance equipment from front yard to rear yard due to a/c placement.

Planner Hardgrove said sidewalks at the front of the subdivision were constructed at seven feet, but some were cut back in areas to the east and west. Orange County said they were too close to the travel lane and gave the developer the choice to cut them back or move them. They chose to cut them back. Orange County was unaware that the sidewalk width was part of the approval process.

In response to Council President Horn, Planner Hardgrove said she expects the performance bond to be more than \$200,000. Toll Brothers will submit the list to the city engineer who will review it and estimate the costs. Mr. McIntosh said landscaping will be done before the subdivision CO. Garage doors can be worked out with the buyers as it is an upgrade.

A discussion ensued regarding the location of air conditioning units. Planner Hardgrove said she spoke to Charlie Crawford, and he said it was unusual to have the units back-to-back on one side of the house. She said he suggested raising the units by installing brackets on the wall, allowing homeowners to mow underneath them without having to step on a neighbor's property.

In response to Councilmember Lomas, Mr. McIntosh said they would adjust the spacing for the existing air conditioning units. Planner Hardgrove said this needs to be addressed because when the developer leaves, it becomes the property owners' problem.

Engineer Lane suggested moving the tubing from the side of the pad to the front and rear to make more room on the side.

In response to Councilmember Rader, Mr. McIntosh said the upgraded garage doors can be included in the closing documents.

Councilmember Rader noted the need for a date certain for the resolution of all items, no later than the April council meeting.

Discussion ensued regarding the side treatment on lot 41.

Councilmember Rader said he was not in favor of just proposing landscaping. Planner Hardgrove confirmed that the sides facing the road must have the same elements as the front. Mr. McIntosh said he favored landscaping to avoid removing stucco.

Councilmember Lomas asked if it was Toll Brothers' typical procedure to not follow plans. Mr. McIntosh responded that engineered plans are never perfect and for this reason, they supply as-builts to reflect changes made in the field. Councilmember Rader remarked that the changes were architectural features, not engineering.

Planner Hardgrove said the side lot is a big item because it is a big blank wall. That elevation was not designed for a side lot. She and Councilmember Rader said they are looking for a rendering of the proposed solution.

In response to Planner Hardgrove, Mr. McIntosh said they would ask for waivers on the utility poles but not for the houses.

There was no public comment.

Councilmember Rader made a motion to allow a performance bond for the Haven Oaks subdivision be the guarantee for compliance with the subdivision items found to be non-compliant with the approved land use plan, development plan, and development agreement, as listed in the staff report for the 3/5/2024 agenda, in order to allow certificates of occupancy for lots 5, 41, 42, and 43 which are closing within the next two months. In addition, the following items needed to be completed before the certificates of occupancy are issued:

- ***Compliant driveway width on lots 42 and 43;***
- ***resolution of physical spacing of air conditioner units on lots 5, 41, 42 and 43 to provide maneuverability of lawn and other maintenance equipment from front yard to rear yard;***
- ***resolution of lack of side treatment on Lot 41 to be brought to the 3/26/2024 council meeting for consideration;***
- ***resolution of lack of architectural trim and treatments on lot 42 to be brought to the 3/26/2024 council meeting for consideration;***
- ***upgraded garage doors on lots 5, 41, 42, and 43, allowing them to get a Certificate of Occupancy subject to the condition that the buyer be informed that the upgraded garage door will be installed when delivered;***
- ***this does not include the authority to approve lots 41 and 42 as they are contingent on the 3/26/2024 City Council meeting.***

The Performance bond will be reviewed and accepted by staff with the itemized value provided by Toll Brothers. The motion was seconded by Council President Horn. Motion approved by roll call vote (3/0).

Councilmember Rader	Favor
Council President Horn	Favor
Councilmember	Favor

C. ADJOURNMENT

At 1:47 pm, Councilmember Rader made a motion to adjourn the meeting.



Richard A. Horn, Councilmember

Attest:



Sandra Riffle, City Clerk

Approved in the 3/26/2024 City Council meeting.