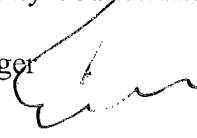


## MEMORANDUM

**TO:** Honorable Mayor Strickland and City Council Members

**FROM:** Eugene Miller, Interim City Manager 

**DATE:** April 13, 2010

**SUBJECT:** **Sparkman Ridge Subdivision Plat – Extension of Development Order**

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**Introduction:** The purpose is to approve a second 12-month extension to the development order consisting of the preliminary subdivision plat for Sparkman Ridge Subdivision, to be located on West Rhode Island Avenue, Orange City, Florida.

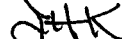
**Background:** The subject property consists of a 50.72-acre parcel, which is located on the northwest corner of West Rhode Island Avenue and South Sparkman Avenue. The subject property maintains an (RL) Residential Low land use designation and an (R-PUD) Residential Planned Unit Development zoning classification. The subject property is currently vacant, undeveloped and wooded. The applicant proposes to divide the property into 94 single family residential and 108 townhouse building lots.


The original preliminary plat application was reviewed and approved by the City Council on April 22, 2008 via Resolution 469-08. On April 28, 2009, the Sparkman Ridge preliminary plat was granted a 12-month extension via Resolution No. 543-09, which will expire on April 22, 2010.

**Discussion:** Since this development was originally approved in April of 2008, the market for residential development has dwindled considerably. The applicant is requesting a 12-month extension until the market can support the proposed development. This extension, if approved, will be the second of seven possible extensions.

**Budget Impact:** Based on the proposed 2009 tax roll information, the taxable value of the vacant property is \$421,202, thereby creating a potential City ad valorem revenue of \$2,188.27. However, once the property is fully developed as a 202 lot subdivision, the City revenue will increase significantly. Additional revenues will be realized from utility taxes following development of the property.

**Recommendation:** The Interim City Manager recommends City Council give approval of Resolution No. 606-10, thereby granting a 12-month extension to the development order for the Sparkman Ridge preliminary subdivision plat.

**Prepared by:** Jim Kerr, City Planner 

**Reviewed by:** Elaine Wilson, Interim Development Services Director 

## **RESOLUTION NO. 606-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING A SECOND 12-MONTH EXTENSION OF THE DEVELOPMENT ORDER FOR THE SPARKMAN RIDGE PRELIMINARY SUBDIVISION PLAT, SAID PLAT CONTAINING THE SPECIFICATIONS TO DIVIDE A 50.72-ACRE PARCEL INTO 94 SINGLE FAMILY RESIDENTIAL LOTS AND 108 TOWNHOUSE RESIDENTIAL LOTS, SAID PARCEL LOCATED ON THE NORTHWEST CORNER OF WEST RHODE ISLAND AVENUE AND SOUTH SPARKMAN AVENUE, ORANGE CITY, FLORIDA; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, The Sparkman Ridge preliminary subdivision plat was originally approved at a public meeting held on April 22, 2008 by the City Council of the City of Orange City, via Resolution No. 469-08, said subdivision intended to divide a 50.72 acre parcel into 94 single family residential lots and 108 townhouse residential lots, said parcel located on the northwest corner of West Rhode Island Avenue and South Sparkman Avenue, said approval was due to expire on April 22, 2009, and

**WHEREAS**, in April of 2009, the applicant Ron Schwartz, requested a first extension to the development order for the approved Sparkman Ridge preliminary subdivision plat, said extension was approved by City Council on April 28, 2009, via Resolution No. 543-09, which granted the first 12-month extension to the preliminary subdivision plat, said approval due to expire on April 22, 2010, and

**WHEREAS**, in March of 2010, the applicant, Ron Schwartz, requested a second extension to the development order for the approved Sparkman Ridge preliminary subdivision plat, said extension to be considered by City Council on April 13, 2010, via Resolution No. 606-10, and if approved, will grant the second 12-month extension to the preliminary subdivision plat, said approval to expire on April 22, 2011, and

**WHEREAS**, it is necessary for the City Council of the City of Orange City, Florida, to consider this second extension to the development order for the approved preliminary subdivision plat for Sparkman Ridge, as per Section 5.5 of the Land Development Code of the City of Orange City, Florida.

**NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:**

**SECTION 1.** That the development order for the preliminary subdivision plat for Sparkman Ridge is herein approved for a second 12-month extension to expire on April

22, 2011, said preliminary subdivision plat being attached hereto as Exhibit B, all said exhibits by reference incorporated herein with full force and effect.

**SECTION 2.** That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

**SECTION 3.** That this resolution shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

**ROLL CALL VOTE AS FOLLOWS (Resolution No. 606-10):**

|                          |       |                         |       |
|--------------------------|-------|-------------------------|-------|
| Gary Blair               | _____ | Anthony Pupello         | _____ |
| Jeff H. Allebach         | _____ | Tom Abraham             | _____ |
| O. William Crippen       | _____ | Tom Laputka, Vice Mayor | _____ |
| Harley Strickland, Mayor | _____ |                         |       |

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

ATTEST TO:

\_\_\_\_\_  
Deborah J. Renner, City Clerk

Authenticated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Harley Strickland, Mayor

This Resolution approved  
as to form and legal sufficiency:

\_\_\_\_\_  
William Reischmann, City Attorney

**Exhibit A  
Resolution 606-10  
Legal Description**

**Sparkman Ridge Subdivision**

Name: **Sparkman LLC**

Street Address: **West Rhode Island Avenue**

Parcel ID: **8010-00-00-0020**

Acreage: **50.72**

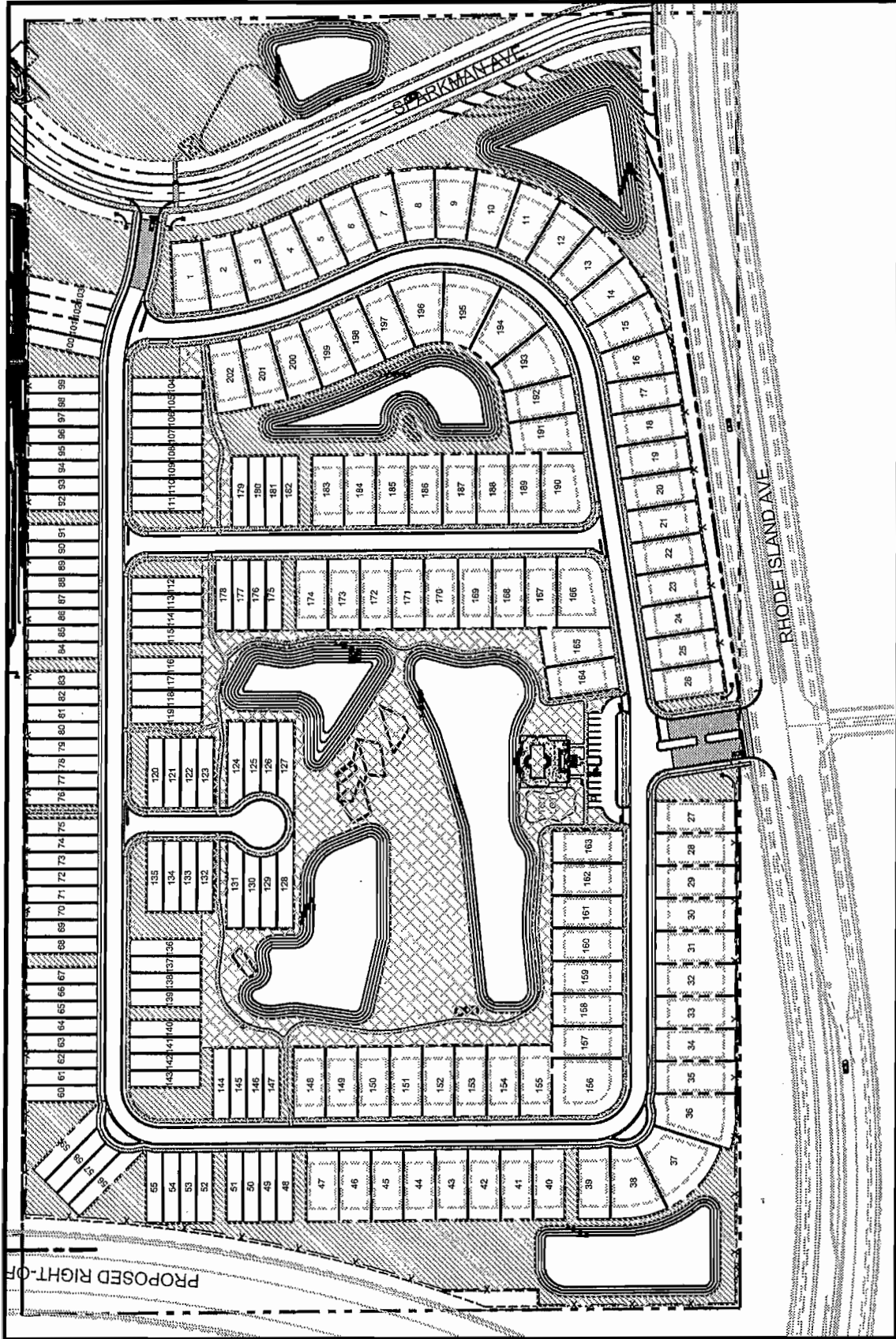
Legal Description: **A portion of Section 10, Township 18 South, Range 30 East, being in Volusia County, Florida, being more particularly described as follows:**

**Begin at the south quarter corner of Section 10, Township 18 South, Range 30 East, being in Volusia County, Florida; thence run S 89°38'34" W, along the south line of the southwest quarter of said Section 10 for a distance of 1998.87 feet to the east line of the west 660.00 feet of the southwest quarter of said Section 10; thence N 00°37'21" W, along the east line of the west 660.00 feet of the southwest quarter of said Section 10 for a distance of 1109.76 feet; thence N 89°52'06" E, along the south line of the north 216.50 feet of the south half of the southwest quarter of said Section 10 for a distance of 1997.29 feet to a point on the centerline of Sparkman Avenue, Block 30, Map of Orange City as recorded in Map Book 3, page 86, of the Public Records of Volusia County, Florida, and also being the east line of the southwest quarter of said Section 10; thence S 00°42'33" E along the east line of the southwest quarter of Section 10 for a distance of 1101.91 feet to the point of beginning.**

**And less the following:**

**Beginning at the southeast corner of the southwest 1/4 (one-quarter) of said Section 10; thence S 89°38'34" W, along the south line of said southwest out 1/4 (one-quarter), a distance of 1060.83 feet; thence, departing said south line, N 81°19'43" E, a distance of 413.18; thence N 81°48'17" E, a distance of 240.76 feet; thence N 87°11'51" E, a distance of 102.59 feet to a point of curvature of a curve concave southeasterly, said curve having a radius of 2,148.00 feet; thence run easterly, along the arc of said curve, through a central angle of 8°10'08", an arc distance of 306.24 feet to the point of tangency of said curve; thence N 89°29'51" E, a distance of 6.03 feet to a point on the east line of aforesaid southwest 1/4 (one-quarter); thence S 00°42'33" E, along said east line, a distance of 130.00 feet to the point of beginning. Containing 1.807 acres more or less.**

Exhibit B  
Resolution 606-10  
Sparkman Ridge Subdivision





**City of Orange City**  
 205 E. Graves Avenue, Orange City, FL 32763  
 386-775-5415, Fax 386-775-5420

**Development Order Extension Application**

Date Received 3-19-10 JHK

**Applicant Information**

Name of Proposed Development SPARKMAN RIDGE

Applicant's Name RON SCHWARTZ Phone 407-342-3648

Business Name SPARKMAN, LLC Phone \_\_\_\_\_

Business Address \_\_\_\_\_ Fax \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Mailing Address PO BOX 536428 Email address RON 2632@AOL.COM

City ORLANDO State FL Zip Code 32853-6428

Is applicant property owner?  Yes  No

If applicant **DOES NOT** own property, please provide the following:

Property Owner/Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ Fax \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Property Information**

Address NORTHWEST CORNER 1 SPARKMAN AVE & RHODE ISLAND

Original Development approval was issued on 4-22-08 / EXTENDED 4/09 UNTIL 4/22/10

Anticipated construction and completion date UNKNOWN

Parcel # 10-18-30-00-00-0020 Acres 50.72

Width \_\_\_\_\_ Depth \_\_\_\_\_

**Justification**

A Development Extension is necessary for the following reasons

CURRENT MARKET CONDITIONS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Notarization**

Print Name RONALD S. SCHWARTZ

Print Name \_\_\_\_\_

Signature [Handwritten Signature]

Signature \_\_\_\_\_

Subscribed and sworn to (or affirmed) before me on this the 19 day of MARCH, <sup>2010</sup>~~2009~~  
who is/are personally known to me or has/have produced personally known  
as identification.

[Handwritten Signature]  
Signature, Notary Public



ASHLEY MODUCKI  
MY COMMISSION # DD 801396  
EXPIRES: October 27, 2012  
Bonded Third Budget Notary Services

Notary Stamp