

RESOLUTION NO. 611-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING A THIRD 12-MONTH EXTENSION TO THE SITE PLAN FOR SHADOW RIDGE SUBDIVISION PHASE 2, SAID SITE PLAN CONTAINING THE SPECIFICATIONS TO DEVELOP 77 LOTS ON A 32.7 ACRE PARCEL, LOCATED IMMEDIATELY NORTH OF SHADOW RIDGE SUBDIVISION PHASE 1, ORANGE CITY, FLORIDA; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Shadow Ridge Subdivision Phase 2 site plan was originally approved at a public meeting held on July 24, 2007 by the City Council of the City of Orange City, via Resolution No. 419-07, said site plan containing the specifications for constructing the improvements necessary to sustain 77 proposed residential lots on a 32.7 acre parcel, said property located immediately north of Shadow Ridge Subdivision Phase 1, and

WHEREAS, in July of 2008, the applicant, Jay Chaudhari, requested a first extension to the approved Shadow Ridge Subdivision Phase 2 site plan, which said first extension was approved by City Council on July 22, 2008, via Resolution No. 488-08, which granted a 12-month extension to the site plan, said approval expired on July 24, 2009, and

WHEREAS, in June of 2009, the applicant, Jay Chaudhari, requested a second extension to the approved Shadow Ridge Subdivision Phase 2 site plan, said second extension was approved by City Council on July 14, 2009, via Resolution No. 550-09, and was granted a 12-month extension to the site plan, said approval to expire on July 24, 2010, and

WHEREAS, in June of 2010, the applicant, Jay Chaudhari, has requested a third extension to the approved Shadow Ridge Subdivision Phase 2 site plan, said third extension to be considered by City Council on July 13, 2010, via Resolution **No. 611-10**, and if approved, will grant a 12-month extension to the site plan, said approval to expire on July 24, 2011, and

WHEREAS, it is necessary for the City Council of the City of Orange City, Florida, to consider this third extension to the approved Shadow Ridge Subdivision Phase 2 site plan, as per Section 5.5 (as amended by Ordinance No. 379 on April 28, 2009) 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 Shadow Ridge Subdivision Phase 2 site plan, said site plan containing the specifications for constructing the improvements necessary to sustain 77 proposed residential lots on a 32.7 acre parcel, said parcel located immediately north of Shadow Ridge Subdivision Phase 1, said site plan attached hereto as Exhibit A, is by reference incorporated herein and approved for a third 12-month extension to expire on July 24, 2011, subject to the conditions listed in the attached Exhibit B.

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. 611-10): *(Consent Agenda)*

Jeff H. Allebach	<u>yes</u>	Thomas Laputka, Vice Mayor	<u>yes</u>
Tom Abraham	<u>yes</u>	Anthony Pupello	<u>yes</u>
Gary Blair	<u>yes</u>	Bill Crippen	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

ADOPTED THIS 13th DAY OF July, 2010.

ATTEST TO:


Deborah J. Renner, City Clerk

Authenticated this 13th day of July, 2010.


Harley Strickland, Mayor

This Resolution approved
as to form and legal sufficiency:



William Reischmann, City Attorney

Exhibit B

Resolution No. 611-10

Shadow Ridge Phase 2 Site Plan Conditions

Condition No. 1 – Utility Easements

The applicant must correct the drainage utility easements on the final subdivision plat to read 7.5 feet, and not 7.0 feet as depicted.

Condition No. 2 – Harty Access Easement

The applicant must submit an easement document or deed which provides proper access to the drainage retention area in the northeast corner of the subdivision (behind Tract F) which must be acceptable to City staff and the City Attorney.

Condition No. 3 – Compliance with New Ordinance

Compliance with Ordinance No. 355, an ordinance adopted by Orange City on June 24, 2008, which requires compliance with the National Pollutant Discharge Elimination System.