

RESOLUTION NO. 641-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, ACKNOWLEDGING AND APPROVING A FOURTH 12-MONTH EXTENSION TO THE PRELIMINARY SUBDIVISION PLAT FOR SHADOW RIDGE SUBDIVISION PHASE 2, WITH THE INTENT TO DIVIDE A 32.7 ACRE PARCEL INTO 77 RESIDENTIAL LOTS, SAID 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 preliminary subdivision plat 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. 418-07, of which, said subdivision is intended to divide a 32.7 acre parcel into 77 proposed residential lots, said parcel located immediately north of Shadow Ridge Subdivision Phase 1, said approval to expire on July 24, 2008, and

WHEREAS, in July of 2008, the applicant, Jay Chaudhari, requested a first extension to the approved preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, said extension was approved by City Council on July 22, 2008, via Resolution No. 487-08, which granted the first 12-month extension to the preliminary subdivision plat, said approval to expire on July 24, 2009, and

WHEREAS, in June of 2009, the applicant, Jay Chaudhari, requested a second extension to the approved preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, said extension was approved by City Council on July 14, 2009, via Resolution No. 549-09, which granted a second 12-month extension to the preliminary subdivision plat, said approval to expire on July 24, 2010, and

WHEREAS, in June of 2010, the applicant, Jay Chaudhari, requested a third extension to the approved preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, said extension was approved by City Council on July 13, 2010, via Resolution

No. 610-10, which granted a third 12-month extension to the preliminary subdivision plat, said approval to expire on July 24, 2011, and

WHEREAS, in May of 2011, the applicant, Jay Chaudhari, requested a fourth extension to the approved preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, said extension to be considered by City Council on June 28, 2011, via Resolution No. 641-11, and if approved, will grant a fourth 12-month extension to the preliminary subdivision plat, said approval to expire on July 24, 2012, and

WHEREAS, it is necessary for the City Council of the City of Orange City, Florida, to consider this fourth extension to the approved preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, 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 preliminary subdivision plat for Shadow Ridge Subdivision Phase 2, intended to divide a 32.7 acre parcel into 77 subdivision lots, said parcel located immediately north of Shadow Ridge Subdivision Phase 1, said preliminary subdivision plat attached hereto as Exhibit A, is by reference incorporated herein and approved for a fourth 12-month extension to expire on July 24, 2012, 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.

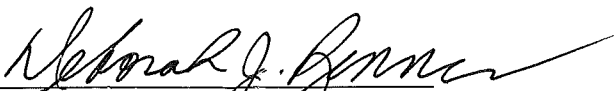
SECTION 3. That this resolution shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS (Resolution No. 641-11): *Consent Agenda*

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

ADOPTED THIS 28th DAY OF June, 2011.

ATTEST TO:


Deborah J. Renner, City Clerk

Authenticated this 28th day of June, 2011.


Harley Strickland, Mayor

This Resolution approved
as to form and legal sufficiency:

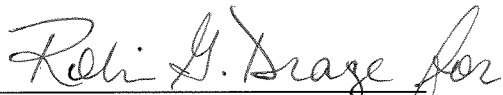

William Reischmann, City Attorney

Exhibit B

Resolution No. 641-11

Shadow Ridge Phase 2 Preliminary Subdivision Plat 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

Prior to construction of the infrastructure, the applicant shall comply with Ordinance No. 355, adopted on June 10, 2008, and Ordinance No. 406 adopted on October 13, 2009, said two ordinances requiring compliance with the National Pollutant Discharge Elimination System.