

Item # 411

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM
(Continued from September 24, 2002)

SUBJECT: Esterson/Schumacher Large Scale Amendment from Suburban Estates to Low Density Residential Land Use

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Donald S. Fisher CONTACT: Rob Walsh EXT 7446

Agenda Date <u>03-11-03</u>	Regular <input type="checkbox"/>	Consent <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>		Public Hearing – 7:00 <input checked="" type="checkbox"/>	

MOTION/RECOMMENDATION

1. Deny the Large Scale Land Use Amendment from Suburban Estates to Low Density Residential.
2. Continue the Large Scale Land Use Amendment from Suburban Estates to Low Density Residential to the Fall 2003 Amendment Cycle; or
3. Transmit the Large Scale Land Use Amendment from Suburban Estates to Low Density Residential to the Department of Community Affairs.

District 5 - McLain

Rob Walsh, Principal Coordinator

BACKGROUND

This item was continued by the Board of County Commissioners from its September 24, 2002 meeting to allow the opportunity to complete the Special Area Study for the Myrtle Street area. Preliminary results of the study were presented to the Planning and Zoning Commission at its February 19, 2003 special meeting (minutes will be provided when available). There is also a briefing scheduled on this BCC agenda.

The request is for a change in land use from Suburban Estates to Low Density Residential. It is not accompanied with a rezoning request. There are two tracts of land: one north of Myrtle Street approximately 1200 feet east of Nolan Road and the second, south of Myrtle Street and west of Nolan Road.

The request is considered inconsistent with the established rural-like character of the area north of Lake Jesup. The area east of Hester Avenue consists of primarily large acre agricultural tracts interspersed with large lot single family homes. This amendment

Reviewed by:
Co Atty: <u>SA</u>
DFS: _____
Other: <u>RW</u>
DCM: <u>SS</u>
CM: <u>RB</u>
File No.
<u>ph700pdp02</u>

would change the character of the area. The proposed Low Density Residential land use would also set a precedent for higher density single family development within the area, and does not represent an orderly progression from developed areas to the west and northwest. The Autumn Chase Subdivision to the west of the property (Low Density Residential land use and R-1A and R-1AAA zoning) was intended to serve as a transition to the larger parcels of land to the east.

LPA/P&Z RECOMMENDATION

The Planning and Zoning Commission, following a public hearing on February 20, 2002, recommended denial of the land use amendment from Suburban Estates to Low Density Residential by a 4 to 3 vote. At that time, the P&Z also voted to recommend that a Special Area Study be prepared for the Myrtle Street area.

Following a presentation of the preliminary findings of the study at its special meeting of February 19, 2003, the P&Z recommended a "do nothing" option. Several members expressed the desire to maintain the Suburban Estates land use designation in the area.

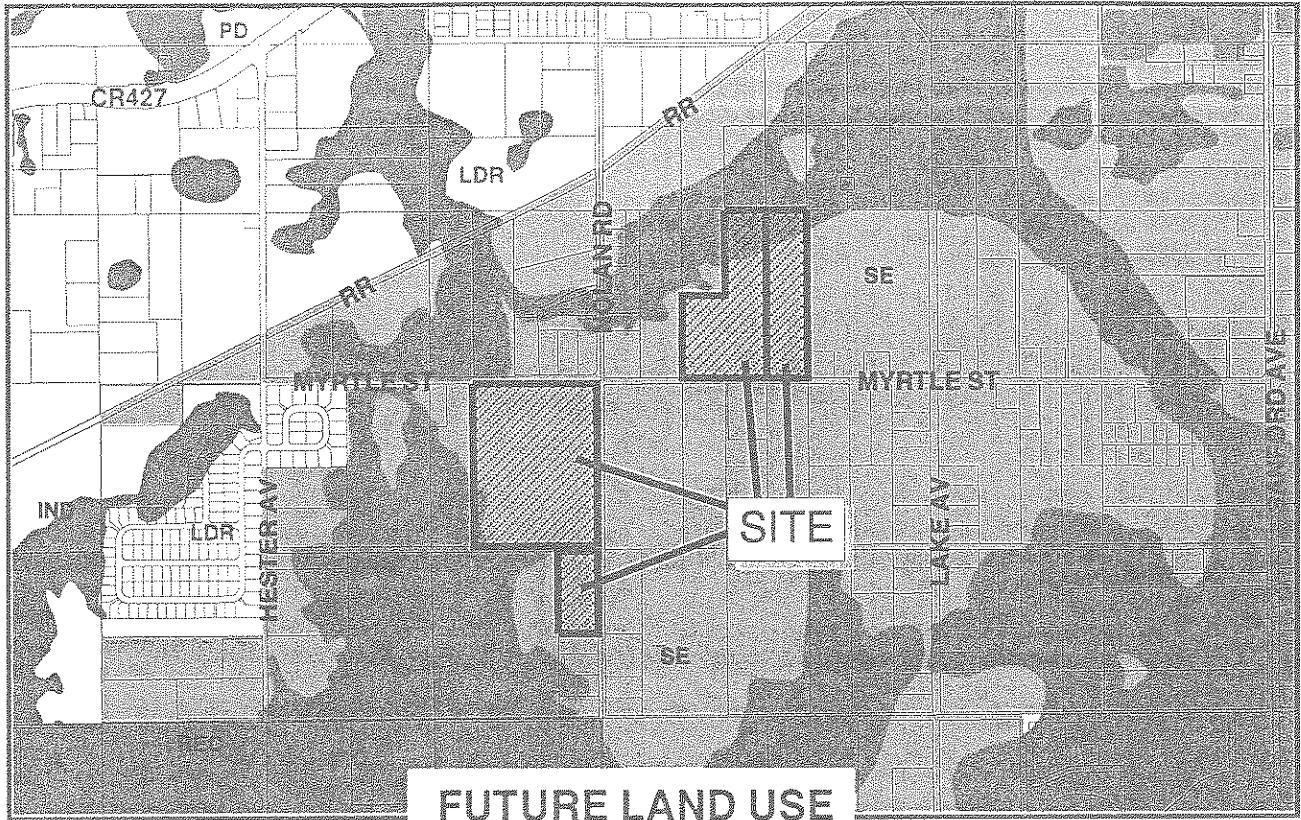
STAFF RECOMMENDATION

Staff also recommends denial, based on the preliminary results of the Special Area Study and the following findings:

1. The proposal is inconsistent with established Suburban Estates land use and a rural-like character of the area. Low density residential development of up to four dwelling units per acre would change the character of the area from a rural-like setting to one of a suburban character.
2. Hester Avenue and Myrtle Street are substandard rural roadways and can not accommodate urban low densities unless roadways are brought up to County standards for pavement width, right of way width and stormwater needs. Prior to a higher density single family development in the area, these roadways and Sanford Avenue should be constructed to County roadway standards and a funding mechanism should be established for roadway improvements.
3. The proposed Low Density Residential land use represents a precedent for higher density single family development within the area, rather than an orderly progression from developed areas to the west and northwest.

Attachments:

1. Future Land Use/Zoning Maps
2. Aerial of Site
3. Conservation Area Map
4. Executive Summary
5. Staff Analysis
6. Correspondence from the Public (from 2002)
7. Minutes of the BCC's public hearing of April 9 and September 24, 2002
8. Minutes of the LPA/P&Z public hearing of February 20, 2002

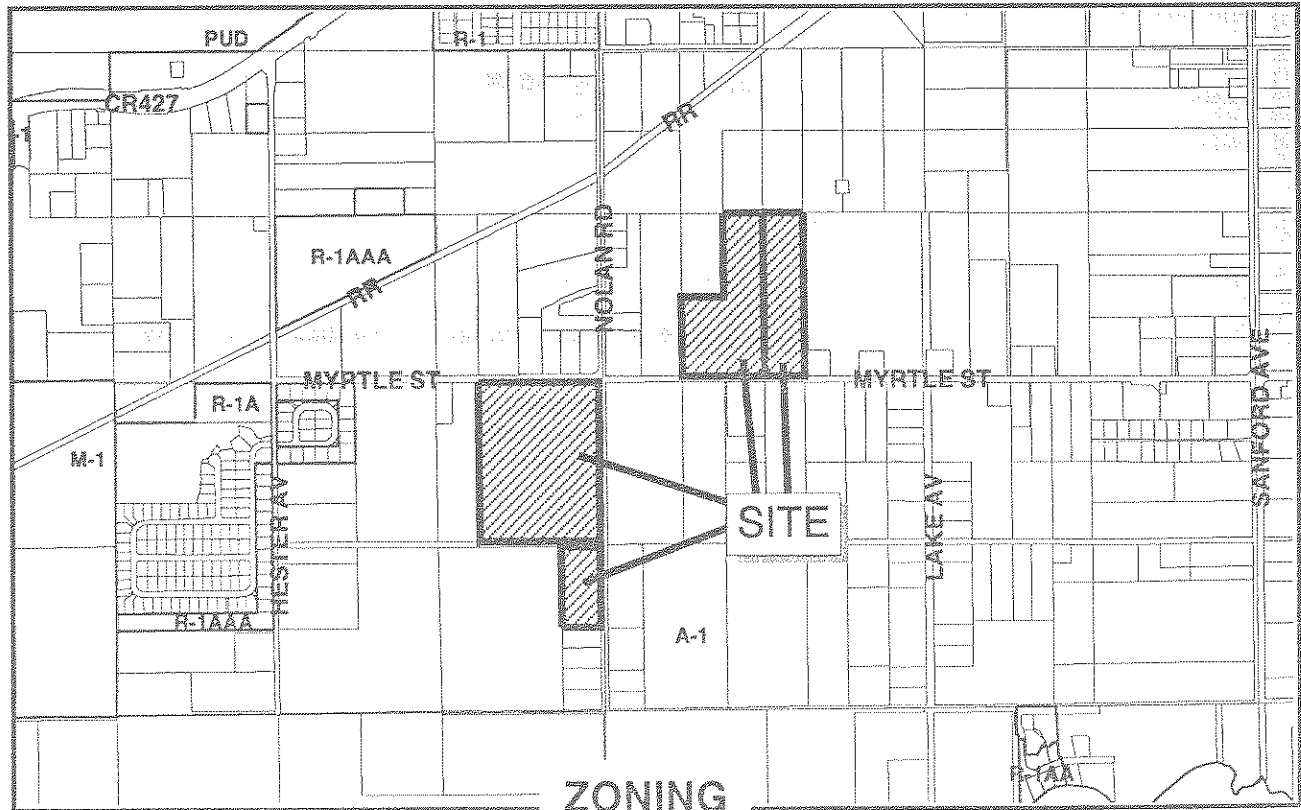


FUTURE LAND USE

Site
 Municipality
 LDR PD IND SE REC

Applicant: Ann Esterson & Henry Schumacher
 Physical STR: 24-20-30-300-0180-0000, 23-20-30-5AQ-0000-0830, 0910, & 0540
 Gross Acres: +/-60 BCC District: 5
 Existing Use: Agricultural
 Special Notes:

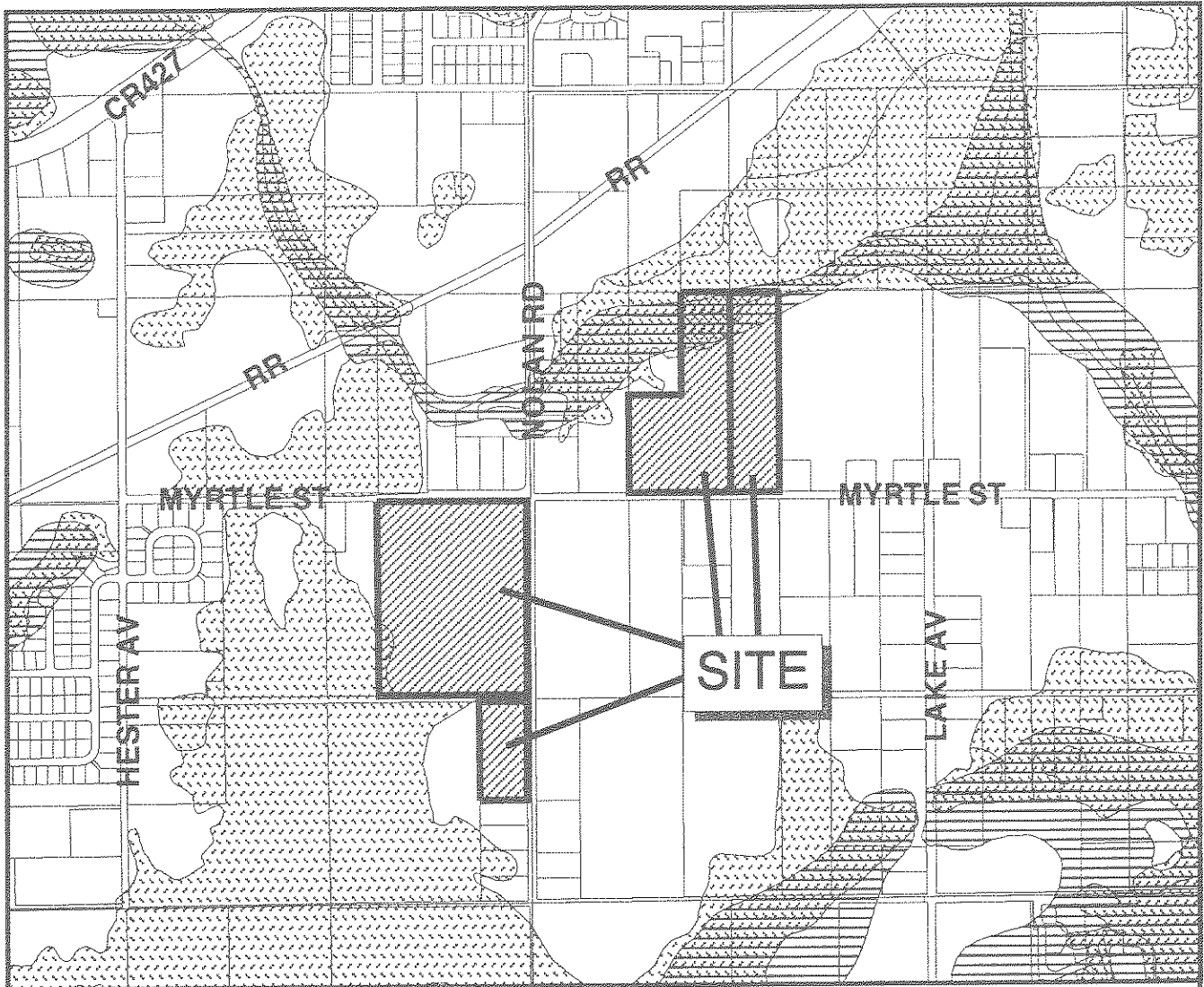
FLU	Amend/Rezone#	From	To
FLU	02S.FLU03	SE	LDR
Zoning	--	--	--



ZONING

A-1
 R-1
 R-1A
 R-1AA
 R-1AAA
 PUD
 M-1

CONSERVATION



Amendment No. 02S.FLU03
From: SE To: LDR

-  Subject Property
-  Municipality
-  Flood
-  Wetlands



The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.

**Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.*

EXECUTIVE SUMMARY

Suburban Estates to Low Density Residential		Amendment 02S.FLU03
REQUEST		
APPLICANT	Ann Esterson and Henry Schumacher	
PLAN AMENDMENT	Suburban Estates to Low Density Residential	
REZONING	Not requesting rezoning at this time	
APPROXIMATE GROSS ACRES	60+ acres represented in two pieces of property	
LOCATION	East of Hester Avenue, property both north and south of Myrtle Street.	
SPECIAL ISSUES	The site is within an area of rural-like character north of Lake Jesup in the Urban Area. Water and Sewer are available west of the properties at Hester Avenue and Myrtle Street. Roadways serving the property are rural roads that are substandard in width for urban densities.	
BOARD DISTRICT	#5 – Comm. McLain	
RECOMMENDATION		
STAFF RECOMMENDATION	<p>Planning Staff recommends denial of the Low Density Residential land use with the following findings:</p> <ol style="list-style-type: none"> 1. The proposal is inconsistent with established Suburban Estates land use and a rural-like character to the area. Low density residential development of up to four dwelling units per acre would change the character of the area from a rural-like setting to one of a suburban character. 2. Hester Avenue and Myrtle Street are substandard rural roadways and can not accommodate urban low densities unless roadways are brought up to County standards for pavement width, right of way width and stormwater needs. Prior to higher density single family development in the area, these roadways and Sanford Avenue should be constructed to County roadway standards and a funding mechanism should be established for roadway improvements. 3. The proposed Low Density Residential land use represents a precedent for higher density single family development within the area, rather than an orderly progression from developed areas to the west and northwest. 	

STAFF ANALYSIS

Suburban Estates to Low Density Residential

**Amendment
02S.FLU03**

1. **Property Owner(s)**: Ann Esterson and Henry Schumacher
2. **Tax Parcel Number(s)**: 23-20-30-5AQ-0000-0540, 0830, 0910; 23-20-30-300-0180-0000

3. **Applicant's Statement**: The Applicant is requesting an amendment to the Seminole County Comprehensive Plan, known as Vision 2020, to change the land use on 60+ acres on two pieces of property from Suburban Estates (SE) to Low Density Residential (LDR). The two parcels are diagonally across from each other on Myrtle Street. The applicant is not requesting a rezoning of the property at this time. The LDR land use category allows up to four dwelling units per net buildable acre that could yield over 220 single family residential lots on these two sites. There are currently water and sewer lines to the west at the intersection of Hester Avenue and Myrtle Street serving the Autumn Chase development. Roadways, such as Hester Avenue and Myrtle Street are substandard in width.

The applicant states on the submitted application: "the proposed land use change would enhance the already favorable economic conditions by providing adequate housing in a convenient location".

4. **Development Trends**: The area consists of primarily large acre agricultural tracts interspersed with homes on large lots greater than one acre used as ranchettes or estate homes. Recent homes built in the area on large lots have been in keeping with the rural-like character of the area. There are active agricultural endeavors in the immediate area. To the immediate west of the eastern parcel is a horse stable with a lighted area for night riding.

The Autumn Chase subdivision is developing to the west of the property. This development has a Low Density Residential land use and R-1A zoning with R-1AAA zoning on the eastern perimeter of the entire subdivision. The R-1AAA Zoning was implemented as a transitional use between the R-1A properties in Autumn Chase and the larger parcels east of the subdivision.

SITE DESCRIPTION

1. EXISTING AND PERMITTED USES:

Western Parcel

Location	Future Land Use*	Zoning*	Existing Use
Site	Suburban Estates	A-1	Vacant/Pasture/Wooded land
North	Suburban Estates	A-1	Large lot homes/wooded land
South	Suburban Estates	A-1	Large lot homes/wooded land
East	Suburban Estates	A-1	Agricultural uses/storage/large lot homes
West*	Suburban Estates	A-1	Pasture/large lot homes/horse stables with night lighting

* It should be noted that to the west, at Hester Avenue is R-1A and R-1AAA zoning in the Autumn Chase subdivision.

Eastern Parcel

Location	Future Land Use*	Zoning*	Existing Use
Site	Suburban Estates	A-1	Vacant/Pasture/wooded land
North	Suburban Estates	A-1	Wooded vacant land
South	Suburban Estates	A-1	Scattered large lot homes/Agricultural uses
East	Suburban Estates	A-1	Pasture/agricultural Uses
West	Suburban Estates	A-1	Large lot homes/wooded Vacant lands

* See enclosed future land use and zoning maps for more details.

COMPREHENSIVE PLAN CONSISTENCY

2. PLAN PROGRAMS - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

Summary of Program Impacts:

A. Traffic Circulation - Consistency with Future Land Use Element:

In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element, Design Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element and adopted Design Element. (Transportation Element Policy 2.1)

Myrtle Street and Hester Avenue are substandard streets in roadway pavement, roadway width and storm drainage. The future developer would be responsible for bringing these roadways up to County standards.

As part of the review of development applications on surrounding residential neighborhoods (particularly cut-through traffic impacts) and, as may be required, conditions for approval which will mitigate the potential impacts of the proposed development on surrounding neighborhoods. (Transportation Element Policy 10.3)

This policy relates to the protection of existing residential development from the impacts of development of a more intensive nature. Because the proposed land use amendment represents a more intensive residential use than neighboring homes, its potential traffic will be greater and can impact the quality of life (roadway traffic, noise, safety of traffic) of the existing residents.

B. Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:

Figure 11.1 and Figure 14.1 display the water and sewer service area maps for Seminole County. The subject properties are within the Seminole County water and sewer service areas.

County water and sewer lines run along Hester Avenue to serve the Autumn Chase development. Concern is raised that the proposed development represents an intrusion of higher density single family development and that development of the property will require costly utility line extensions due to development not being contiguous at this time along Myrtle Street. The placement of water and sewer lines

may result in opening up additional lands to potential development greater than one dwelling unit per acre and accelerate land use changes and development affecting the rural-like character of the land.

Both Potable Water Policy 11.4.5 and Sanitary Sewer Policy 14.4.4 require that "new development fund the cost of extending water/sanitary sewer lines to serve their development". Should future development occur at urban densities greater than one dwelling unit per acre, urban services, such as potable water and sanitary sewer should be required prior to individual tracts undergoing development.

- C. **Public Safety – Adopted Level of Service:** *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2)*

The subject properties are served by the Seminole County EMS/Fire Rescue Five Points Fire Station (Station #35). Response time to the sites is less than 5 minutes, which meets the County's average response time standard.

3. REGULATIONS - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan, but are not applied in detail at this stage.

- A. **Preliminary Development Orders: Capacity Determination:** *For preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows...No rights to obtain final development orders under permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Implementation Policy 1.2.3).*

Should utility lines be extended from Hester Avenue, drainage facilities constructed and roadways, i.e., Myrtle Street and Hester Avenue brought up to standards, then there would be adequate facilities to serve the subject properties at densities greater than one dwelling unit per acre. The Myrtle Street Special Area Study will review needed facilities to support varying single family development densities and provide estimated costs of these facilities.

- B. **Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection:** *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications....(Future Land Use Policies 1.1, 1.2, 1.3).*

Wetlands are estimated to be approximately 15 percent of each of the two properties. Development of the property will require wetlands to be delineated and field verified by staff from the St. Johns River Water Management District. Mitigation plans (as required by Conservation Policy 7.9) will be required for any proposed wetland impacts. Upland buffers will be required around wetlands, not less than 15 feet and averaging 25 feet. It should be noted that lands within the Lake Jesup Drainage Basin have been designated by the St. Johns River Water Management District as a basin of "special status" which is reflected in the direction given in Conservation Policy 3.4 advising revisions to the Land Development Code for protection of wetlands in this basin.

- C. **Protection of Endangered and Threatened Wildlife:** *The County shall continue to require, as part of the Development Review Process, that prior to development approval, proposed development to coordinate with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife. (Conservation Policy 3.13)*

Prior to submission of any future final engineering plans for future development within the subject area, a survey of threatened and endangered and special concern will be required to determine the presence of any endangered or threatened wildlife. If any listed species are found to be potentially impacted by any proposed development, permits from the appropriate agencies will be required.

4. DEVELOPMENT POLICIES – Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location and timing of the proposed amendment.

- A. **Compatibility:** When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility , prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Seminole County Comprehensive Plan , known as Vision 2020, (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property, no creation of new strip commercial developments through plan amendments, etc.)

1. **Transitional Land Uses:** *The County shall evaluate Plan amendments to ensure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential...Exhibit Future Land Use: Appropriate Transitional Land Uses is to be used in determining appropriate transitional uses.*

The table indicates that Low Density Residential land uses are compatible adjacent to Suburban Estates land uses. Also the definition of Suburban Estates indicates that this land use can act as a transitional use between urban development and general rural uses. However, the need to provide a transitional land use is not an issue in this land use amendment petition. The concern is that the establishment of the Low Density Residential land use is premature in that there has not been a logical progression of the development of low density land uses east of Hester Avenue. Also the established uses are more rural-like in nature with scattered large lot homes/estates or ranchettes and long-standing agricultural uses coupled with roadways and drainage facilities that are substandard to accommodate higher density single family development.

2. **Consistency with Future Land Use Element:** *Definition of Suburban Estates from the Future Land Use Element...This land use is established to allow the development of large lot single family estates as a desired final land use; act as a transitional use between urban development and general rural uses; and to allow existing agricultural operations to continue until developed for other uses.*

The definition of Suburban Estates emphasizes that this land use category is not a holding category awaiting urbanization but one that allows for the “development of large lot single family estates as a desired final land use”.

- B. **Concurrency Review - Application to New Development:** *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public safety level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element...(Capital Improvements Policy 3.2)*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

5. **COORDINATION** – Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.

- A. **Plan Coordination:** *The County shall continue to coordinate its comprehensive planning activities with the plans and programs of the School Board, major utilities, quasi-public agencies and other local governments providing services but not having regulatory authority over the use of land (Intergovernmental Coordination Policy 8.2.12). Seminole County shall coordinate its comprehensive planning activities with the plans and programs of regional, State and Federal agencies ...as the County is now a charter County (Intergovernmental Coordination Policy 8.3.3)*

STAFF RECOMMENDATION
March 11, 2003

PLAN AMENDMENT: Recommend denial of a Low Density Residential land use with the following findings:

1. The proposal is inconsistent with established Suburban Estates land use and a rural-like character of the area. Low density residential development of up to four dwelling units per acre would change the character of the area from a rural-like setting to one of a suburban character.
2. Hester Avenue and Myrtle Street are substandard rural roadways and can not accommodate urban low densities unless roadways are brought up to County standards for pavement width, right of way width and stormwater needs. Prior to a higher density single family development in the area, these roadways and Sanford Avenue should be constructed to County roadway standards and a funding mechanism should be established for roadway improvements.
3. The proposed Low Density Residential land use represents a precedent for higher density single family development within the area, rather than an orderly progression from developed areas to the west and northwest.

9/16 mtg



Nancy Baillargeon
09/09/2002 02:57 PM

To: Kathy Fall/Seminole@Seminole, Tony Walter/Seminole@Seminole
cc:
Subject: myrtle street special area study

Nancy Baillargeon
Seminole County Planning Division
1101 East 1st Street, 2nd Floor
407-665-7371
nbaillar@co.seminole.fl.us

----- Forwarded by Nancy Baillargeon/Seminole on 09/09/2002 03:00 PM -----



Fryerauto@aol.com
09/08/2002 10:58 PM

To: plandesk@co.seminole.fl.us
cc:
Subject: myrtle street special area study

Lived in this zone 50 years . I got property from parents . They were from Sanford 50 years before that. All of the property in the shaded area on the map you sent me drains in Lake Jessup one way or another. Therefore because of drainage and polloution to the lake and the flooding that big development causes , when they raise their property levels much higher than the older homes here , I am against further development which would be more than one house per acre . That used to be the standard out here until greedy neighbors decided that by rezoning their property they could get rich at the expense and quality of life which we, as well as them, enjoyed all of our lives. A large majority of the property in this letter you sent me is owned or controlled by one family. Bet they don"t stay long after the development starts. I have watched the ditches south of Myrtle Ave. that have been, and are still full, as rain water tries to get into Lake Jessup. Between the greenway and the new development projects, that all raise their land and over flow their retention ponds into the small ditches and culverts , And with all the oil , gas ,pesticides runoff, it should finish off whats left of fish and wildlife in and around Lake Jessup.

Bruce Fryer

250 Fryer Lane





Nancy Baillargeon
09/09/2002 02:56 PM

To: Kathy Fall/Seminole@Seminole, Tony Walter/Seminole@Seminole
cc:
Subject: myrtle st. study.

Nancy Baillargeon
Seminole County Planning Division
1101 East 1st Street, 2nd Floor
407-665-7371
nbaillar@co.seminole.fl.us

----- Forwarded by Nancy Baillargeon/Seminole on 09/09/2002 03:00 PM -----



Utrd01@aol.com
09/08/2002 08:45 AM

To: plandesk@co.seminole.fl.us
cc:
Subject: myrtle st. study.

<PRE>i live here for the country. which seems to be running out. i,d like to see this area stay as it is. these wetlands house a lot of wildlife. where will they go??? afterall this is there home. dont treat them like we did the indians. take the land for our own profit. to much greed now a days. leave things as they are. thank you..from 265 myrtle st.

✓



Nancy Baillargeon
09/09/2002 02:56 PM

To: Kathy Fall/Seminole@Seminole, Tony Walter/Seminole@Seminole
cc:
Subject: Myrtle St. special study area

Nancy Baillargeon
Seminole County Planning Division
1101 East 1st Street, 2nd Floor
407-665-7371
nbaillar@co.seminole.fl.us

----- Forwarded by Nancy Baillargeon/Seminole on 09/09/2002 02:59 PM -----



"Nancy Mankins"
<nancy_mankins@ntm
.org>

09/05/2002 03:31 PM

To: <plandesk@co.seminole.fl.us>
cc:
Subject: Myrtle St. special study area

I can't be at this next meeting, but I did think about one other issue that I didn't hear mentioned at the last meeting. Our electricity out here goes off quite often. This usually just affects resetting the clocks, stove, and microwave. It doesn't stay off long, but isn't very good for our appliances. With more growth in this area I really believe this problem will need to be addressed.

Thanks,
Nancy Mankins
405 Myrtle St.

SEP 18 2002

Planning Division:

In regards to the Myrtle Street special area study.

I am 85 + my wife is 82. We have lived here at 4340 South Sanford Ave. for 63 years. We all know that the area in question, especially from Myrtle Street south to Lake Jessup is very flood prone.

Please consider the excessive traffic in our neighborhood as a result of this type of out of control developments. Also it is impossible for the aquifer to supply water fast enough to all of these developments that the County Commissioners are allowing to exist.

The County Commissioners haven't been fair to us citizens by accepting money from the Developers and allowing the Developers to proceed with their run away building of houses & apartments. Please oppose this Hummer project.

Yours Truly
Randall D. Priest
4340 Sanford Avenue



Nancy Baillargeon
09/09/2002 02:53 PM

To: Tony Walter/Seminole@Seminole, Kathy Fall/Seminole@Seminole
cc:
Subject: Myrtle St. special study area

Nancy Baillargeon
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1101 East 1st Street, 2nd Floor
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----- Forwarded by Nancy Baillargeon/Seminole on 09/09/2002 02:57 PM -----



"Nancy Mankins"
<nancy_mankins@ntm
.org>

09/05/2002 03:31 PM

To: <plandesk@co.seminole.fl.us>
cc:
Subject: Myrtle St. special study area

I can't be at this next meeting, but I did think about one other issue that I didn't hear mentioned at the last meeting. Our electricity out here goes off quite often. This usually just affects resetting the clocks, stove, and microwave. It doesn't stay off long, but isn't very good for our appliances. With more growth in this area I really believe this problem will need to be addressed.

Thanks,
Nancy Mankins
405 Myrtle St.





Annette Hatch

04/09/02 08:06 AM

To: Kevin Grace/Seminole@Seminole, Robert Frank/Seminole@Seminole, Sally Sherman/Seminole@Seminole, Don Fisher/Seminole@Seminole, Matt West/Seminole@Seminole, Amanda Smith/Seminole@Seminole, Alice Gilmartin/Seminole@Seminole

cc:

Subject: proposed Lake Jesup Woods

Annette M. Hatch, Executive Assistant to
Commissioner Daryl G. McLain, District 5
Seminole County Board of County Commissioners
1101 East First Street, Sanford, FL 32771
407-665-7209 FAX 407-665-7958
ahatch@co.seminole.fl.us

----- Forwarded by Annette Hatch/Seminole on 04/09/2002 08:08 AM -----



"Debi Driskel"

<ddriskel@cfl.rr.com>

04/09/2002 07:26 AM

To: <ahatch@co.seminole.fl.us>, <dmerkt@co.seminole.fl.us>, <deswine@co.seminole.fl.us>, <istabler@co.seminole.fl.us>, <gwalter@co.seminole.fl.us>

cc:

Subject: proposed Lake Jesup Woods

I am a resident of Autumn Chase at the corner of Hester and Myrtle directly next to the proposed development for Lake Jesup Woods. Unfortunately, I am unable to attend the meeting tonight due to family obligations. However, I have been to all the other meetings in which this subject has been discussed. Although I will not be able to be at tonight's meeting, I wanted to make my views known to the members of the Board. I am **OPPOSED** to the change in zoning to this area. The developer has blatantly ignored the Board's previous recommendations of having the proper testing done to determine the exact amount of wetlands and planning for a PUD. My backyard, which butts up to the proposed area, is extremely wet. The drainage in the area is awful. There is valuable wildlife in these woods. Where would they go? This is a relatively quiet, rural-type community. We moved here for this type of environment, not to have it destroyed. The roads in this area are not equipped to handle the amount of traffic currently using them, much less the addition that the amount of vehicles the proposed changes would bring with residents, work vehicles and busses. The area schools are already overcrowded with no plans for expansion. Although I would love to have no development of this land, I know that is unrealistic. So in lieu of that, I feel that the current zoning of one dwelling per acre would provide the least disruption to the land and still provide the developer with sufficient profit. I also feel that it should be a PUD as previously recommended to preserve the integrity of the land and surrounding community. There should also be a sufficient buffer of wooded area kept between the new development and the existing Autumn Chase development. I sincerely hope you will take into consideration the views of myself and the other residents in this area who are fighting for our community and will be the ones who will have to live with your decision!



Annette Hatch
04/09/02 08:02 AM

To: Dianne Eswine/Seminole@Seminole, Diane Merkt/Seminole@Seminole, Lois Stabler/Seminole@Seminole, Gretchen Walker/Seminole@Seminole, Kevin Grace/Seminole@Seminole, Robert Frank/Seminole@Seminole, Sally Sherman/Seminole@Seminole, Don Fisher/Seminole@Seminole, Matt West/Seminole@Seminole, Amanda Smith/Seminole@Seminole, Alice Gilmartin/Seminole@Seminole

cc:
Subject: Agenda Items #68 and #73

Annette M. Hatch, Executive Assistant to
Commissioner Daryl G. McLain, District 5
Seminole County Board of County Commissioners
1101 East First Street, Sanford, FL 32771
407-665-7209 FAX 407-665-7958
ahatch@co.seminole.fl.us

----- Forwarded by Annette Hatch/Seminole on 04/09/2002 08:05 AM -----



Lakewhippets@aol.co
m
04/08/2002 09:16 PM

To: ahatch@co.seminole.fl.us
cc: asmith@co.seminole.fl.us
Subject: Agenda Items #68 and #73

Commissioner McLain,

I am writing you in reference to the Tuesday Board meeting agenda items #68 and #73. Scheduled for 6PM on April 9th.

I have lived in Seminole County for 45 of my 50 years. It saddens me greatly to see all of our Rural areas slowly being covered in housing projects. How are our roads and schools going to support this growth? What about our wildlife? Will we have any left in this county when all the building is done?

I reside at 570 Myrtle St., Sanford 32773. As a Homeowner I am asking you to deny a change from Suburban Estates to Low Density Housing on Myrtle St.

I moved to this rural location 10 years ago hoping to enjoy Country living. I have survived a Tornado and have chosen to rebuild on the same property. I believe this type of Development would be more devastating than the Tornado was.

Sincerely, Mary Beth Lake



Annette Hatch

04/09/02 08:01 AM

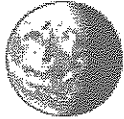
To: Dianne Eswine/Seminole@Seminole, Diane Merkt/Seminole@Seminole, Lois Stabler/Seminole@Seminole, Gretchen Walker/Seminole@Seminole, Kevin Grace/Seminole@Seminole, Robert Frank/Seminole@Seminole, Sally Sherman/Seminole@Seminole, Don Fisher/Seminole@Seminole, Matt West/Seminole@Seminole, Amanda Smith/Seminole@Seminole, Alice Gilmartin/Seminole@Seminole

cc:

Subject: Esterson Property on Myrtle

Annette M. Hatch, Executive Assistant to
Commissioner Daryl G. McLain, District 5
Seminole County Board of County Commissioners
1101 East First Street, Sanford, FL 32771
407-665-7209 FAX 407-665-7958
ahatch@co.seminole.fl.us

----- Forwarded by Annette Hatch/Seminole on 04/09/2002 08:03 AM -----



"Lanzon, Kathy"
<KLanzon@wm.com>

04/08/2002 04:35 PM

To: "ahatch@co.seminole.fl.us" <ahatch@co.seminole.fl.us>

cc:

Subject: Esterson Property on Myrtle

Mr. McLain:

My husband and I bought property on North Carolina Run 5 years ago and built our dream home just a little over a year ago. You may remember us, we had a huge issue with getting our building permit because of the railroad crossing at the end of Bedford. We have both worked in the Waste Industry all of our lives and helped George Geletko when he asked with neighborhood campaigns for you.

Now, we are faced with the fact that the land around us may be developed into subdivisions. I understand that you use to live out near us and am sure that you understand the concern that we have. Most of the folks that live in our area moved there to live in the country. Many of them have horses or chickens or pigs. It's already difficult for the people that have horses to ride them now because of the increased traffic in the area. We have had three subdivisions built around us over the last several years. It's bad enough that those are there please don't bring one right in the center of our community. This new subdivision would be right at the back of my property. How will I keep the children off of my property? I can't afford to fence in 5 acres. Will I be liable if they come on to my property and get hurt or bitten by something?

I understand that this property is already zoned for 1 home per acre. Isn't that enough? Why do we need to change it? Who will it benefit? Not the folks that already live out there. Most of us plan on leaving our land and homes in our families for generations to come, that's not something that happens with homes in a subdivision. We are long term residents, they usually are not. We have invested our life savings in this home and I'm sure you know that having a subdivision built behind me is going to do nothing but bring my property value down. I planned on this being a good investment, otherwise I would have never gone through all the hassles we went through to build this home.

I'm appealing to you to keep in mind the best interest of the residents in that area. There is no way that this could be a positive change for any of us. The only ones that benefit from this are the Estersons and the developer. The Estersons can still sell that property for other use and benefit from it (it just wouldn't be as large of a benefit).

I've decided not to speak at the meeting on Tuesday but wanted to be sure that my opinion was heard as well.
Thank you for your time,
Kathy Lanzon

P.S. I also wanted to bring to your attention that the last hearing we attended we were told that there would be a small area study done by staff. Doesn't that normally include the residents of the community? To our knowledge this has not been done. Also, why would this issue and the Lake Jessup Woods issue not be scheduled together at the hearing tomorrow night. These two issues effect all of the same residents and should be heard contiguously.



Redlinexpressbc@aol.
com

02/12/2002 04:53 PM

To: plandesk@co.seminole.fl.us
cc:
Subject: land use amend # 02S.FLU03

I STRONGLY object to a change of land use to low density residential. Most of us live in this area to get away from this type of crowded neighborhoods. Furthermore, the eastern site backs up to natural woods and a stream that flows along the back property line. These woods and stream are used as a bases of life for many animal species. It's time to put a stop to the destruction of their habitat. There are enough crowded neighbors in central florida. Building one here would destroy the quality of life for both existing residence and animals alike.

Signed,
Bruce Chaney
4560 Bedford Road

SEPTEMBER 24, 2002

LARGE SCALE AMENDMENT/Esterson/Schumacher

Continuation of a public hearing to consider request for a Large Scale Amendment from Suburban Estates to Low Density Residential Land Use; property described as two tracks of land, one north of Myrtle Street, 1200 ft. east of Nolan Road and the second, south of Myrtle Street, west of Nolan Road, as described in the proof of publication, Esterson/Schumacher.

Chairman McLain advised that the applicant has submitted a letter (received and filed) requesting that this item be continued to the 2003 Spring Cycle.

No one spoke in support or in opposition.

Motion by Commissioner Van Der Weide, seconded by Commissioner Henley to continue to the 2003 Spring Cycle the request for a Large Scale Amendment from Suburban Estates to Low Density Residential Land Use; property described as two tracks of land, one north of Myrtle Street, 1200 ft. east of Nolan Road and the second, south of Myrtle Street, west of Nolan Road, as described in the proof of publication, Esterson/Schumacher.

Districts 1, 3, 4 and 5 voted AYE.

CELERY AVE. CORRIDOR AREA ADMINISTRATIVE LARGE SCALE LAND USE AMENDMENT/Seminole County

Proof of publication, as shown on page _____, calling for a public hearing to consider Celery Ave. Corridor Area Administrative Large Scale Land Use Amendment from Suburban Estates to Low Density Residential and Mixed Development for approximately 640 acres located on the north and south sides of Celery Avenue, Seminole County, received and filed.

Chairman McLain advised that staff is recommending that this item be continued to the 2003 Spring Cycle. A letter to the Board from Don Fisher, Planning & Development Director, requesting that this item be continued was received and filed.

APRIL 9, 2002

Upon inquiry by Chairman McLain, Mr. Fisher advised what his recommendation would be as it relates to the small area study affecting this land use change.

District Commissioner McLain asked for a motion in support of the staff recommendation.

Motion by Commissioner Morris, seconded by Commissioner Henley, to support the staff recommendation to transmit the land use amendment from Suburban Estates to Low Density Residential; property described as Lake Jesup Woods located on the south side of Myrtle Street and west of Hester Avenue; as described in the proof of publication, Hugh Harling, with commitments made by the applicant tonight and the comments by the Planning Manager relative to the Small Area Study.

Districts 1, 2, 3, 4, and 5 voted AYE.

LAND USE AMENDMENT
ESTERSON/SCHUMACHER

Proof of publication, as shown on page 2131, calling for a public hearing to consider a Large Scale Land Use Amendment from Suburban Estates to Low Density Residential; property described as two tracts of land, one north of Myrtle Street approximately 1200 feet east of Nolan Road and the second, south of Myrtle Street and west of Nolan Road, Esterson/Schumacher, received and filed.

Alice Gilmartin, Planning, addressed the Board to state she would like to amend the staff recommendation to consider continuing this item until after the Small Area Study is completed.

Mr. West stated at no additional cost to the applicant, staff would bring this item back, possibly during the fall cycle, and this item would be considered in conjunction with the Small Area Study.

APRIL 9, 2002

Upon inquiry by Chairman McLain, Mr. Harling stated the applicant would like to move forward and he explained why.

Chairman McLain recessed the meeting at 7:20 p.m. and reconvened at 7:30 p.m.

Mr. Harling stated he met with his clients and they are willing to request a continuance to the next amendment cycle of the Comprehensive Plan. They are looking forward to working with the staff and community on a small area study during that period.

Chairman McLain asked for those who indicated they wish to speak to address whether they agree with the Small Area Study and continuance or not. He recommended a motion for the continuance and staff is to conduct a Small Area Study.

Motion by Commissioner Van Der Weide, seconded by Commissioner Morris, to continue consideration of the Large Scale Land Use Amendment from Suburban Estates to Low Density Residential; property described as two tracts of land, one north of Myrtle Street approximately 1200 feet east of Nolan Road and the second, south of Myrtle Street and west of Nolan Road; as described in the proof of publication, Esterson/Schumacher, to allow staff to conduct a Small Area Study.

Under discussion, Commissioner Morris clarified that the continuance is for Parcels 1 and 3 of the Esterson property while the Small Area Study is being conducted.

Upon inquiry by Chairman McLain the following persons stated they agree to the continuance: Catherine Times; Ann Esterson; Eric Esterson; Nancy Jasmin; Robert Jasmin; Mary Baker; Linda Short; and B.J. Simons.

Mr. Fisher advised how the community meeting will be conducted and noticed.

APRIL 9, 2002

Chairman McLain recommended holding the meetings at the Agricultural Center at Five Points on Highway 17-92.

No one else spoke in support or in opposition.

Speaker Request and Written Comment Forms were received and filed.

Districts 1, 2, 3, 4, and 5 voted AYE.

PLAN AMENDMENT AND TEXT AMENDMENT
YANKEE LAKE PROPERTY

Continuation of a public hearing from March 26, 2002, to consider the Yankee Lake Property-Wekiva Administrative Large Scale Comprehensive Plan Amendment from Public-Quasi Public to Recreation and associated Text Amendment to the Recreation and Open Space Element of Vision 2020, as described in the proof of publication, as shown on page 2165.

Craig Shadrix, Planner, addressed the Board to state the text amendment language was revised and copies were submitted to the Board (copy received and filed).

Dick Boyer, Senior Planner, addressed the Board to state the amended language is the policy that goes with Yankee Lake to still allow the Board to use it in the future. He explained the amendment as noted in his memorandum (copy received and filed) to the Board regarding the revision to the policy.

Keith Schue, Chairman of the Sierra Club Central Florida Group, addressed the Board to state he is in favor of the land use change. He submitted two letters to the Record (received and filed) regarding the Yankee Lake Natural Lands Transfer and Policy REC 7.8, Preservation of Future Water Supply Options. He stated as an enhancement to the Policy, the Sierra Club has suggested another sentence be considered that spell out that "the County shall substantially provide for preservation and passive recreation on lands assigned a future land use

SPECIAL MEETING OF THE
LOCAL PLANNING AGENCY/
PLANNING AND ZONING COMMISSION
COUNTY SERVICES BUILDING
ROOM 1028
February 20, 2002 – 7:00 P.M.
MINUTES

Board Present:

Ben Tucker, Chairman
Tom Mahoney, Vice Chairman
Don Nicholas
Beth Hattaway
Alan Peltz
Dick Harris
Paul Tremel

Staff Present:

Matt West, Planning Division
Cindy Matheny, Planning Division
Amanda Smith, Planning Division
Alice Gilmartin, Planning Division
Dick Boyer, Planning Division
Craig Shadrix, Planning Division
Tony Matthews, Planning Division
Karen Consalo, Assistant County Attorney

I. CALL TO ORDER

Chairman Tucker convened the meeting to order at 7:00 p.m.

II. ROLL CALL

Quorum was established.

III. ACCEPTANCE OF PROOF OF PUBLICATION

Motion by Commissioner Peltz to accept proof of publication. Second by Commissioner Mahoney.

Motion passed unanimously. (7-0)

602 the ground water table. We would accomplish that in such a manner that we are able to
603 not fill around the tree cover and the tree canopy and the large trees that are located in
604 this area because if you do fill around them, you kill them. That is our engineering
605 solution to what many people feel is going to be another Autumn Chase. It is our intent
606 to engineer it in such a way to allow the tree canopy to stay.

607 He requested Board approval for this request.

608 **Commissioner Tremel pointed out that Autumn Chase was another "line in
609 the sand". There wasn't going to be any development to the west of that.
610 He has not heard anything tonight to change the Board's decision from
611 August. This is just not an appropriate request.**

612 **Commissioner Harris said that there is no reason that at one acre a very high
613 value development can't be done on this property. It can be done very
614 profitably and very environmentally friendly. This is a prime piece of
615 property for a high end, very high quality development that could save the
616 trees, provide minimal impact to area in terms of runoff, number of homes ,
617 impact on roads, schools and all of those things and be done very profitably.
618 After looking at Autumn Chase, he is sorry that he supported it.**

619 **Motion by Commissioner Tremel to deny the Large Scale Comprehensive Plan
620 Amendment from Suburban Estates to Low Density Residential. Second by
621 Commissioner Harris.**

622 **Commissioner Mahoney said that while it is possible from an engineering
623 prospective to use underdrains and perhaps artfully use a PUD to cluster, it
624 doesn't get past the first step which is density and the density set by the land
625 use and the land use says 1/du per acre. The reason to support the motion
626 to deny is strictly a compatibility issue. It is not compatible to have 2½ or 3
627 units per acre when the appropriate use in this case is 1/du per acre and it
628 should stay that way.**

629 **Motion to deny this request for the Large Scale Comprehensive Plan
630 Amendment passed unanimously. (7-0)**

631 **Motion by Commissioner Mahoney to deny the rezoning from Agriculture (A-
632 1) to Single-Family Residential (R-1AA). Second by Commissioner Peltz.**

633 **Motion to deny the rezoning request passed unanimously (7-0)**

634 *C. ESTERSON & SCHUMACHER (LSLUA); APPROXIMATELY 60 ACRES MORE
635 OR LESS; LARGE SCALE COMPREHENSIVE PLAN AMENDMENT FROM
636 SE(SUBURBAN ESTATES) TO LDR (LOW DENSITY RESIDENTIAL); (1) NORTH
637 OF MYRTLE STREET, APPROXIMATELY 1200' EAST OF NOLAN ROAD; (2)
638 SOUTH OF MYRTLE STREET & WEST OF NOLAN ROAD.
639 COMMISSIONER MCLAIN - DISTRICT #5 ALICE GILMARTIN*

640 The request is for a change in land use from Suburban Estates to Low Density
641 Residential. It is not accompanied with a rezoning request.

642 The request is considered inconsistent with the established rural-like character of the
643 area north of Lake Jesup. The area east of Hester Avenue consists of primarily large
644 acre agricultural tracts interspersed with large lots, typically greater than one acre, with
645 estate homes or ranchettes. Current homeowners in the vicinity settled in this rural-like
646 area for its character and assumed assurance that the area would continue to be
647 developed with large lot intensities or the continuance of agricultural uses. To allow
648 residential development at a density up to four dwelling units per acre would change
649 the character of the area. The proposed Low Density Residential land also represents a
650 precedent for leap frog development within the area, rather than an orderly progression
651 from developed areas to the west and northwest. The Autumn Chase Subdivision to the
652 west of the property has a Low Density Residential Land Use and R-IA and R-IAAA
653 zoning categories. Autumn Chase Subdivision was approved with two zoning categories
654 to facilitate a transition to the larger parcels to the east.

655 The site is within an area of rural character north of Lake Jesup in the Urban Area.
656 Water and Sewer are available west of the properties at Hester Avenue and Myrtle
657 Street. Roadways serving the property are rural roads that are substandard in width for
658 urban densities.

659 Planning Staff recommends denial of the Low Density Residential land use with the
660 following findings:

- 661 1. The proposal is inconsistent with established Suburban Estates land use and a rural-
662 like character to the area incorporating active agricultural uses intermixed with large
663 lot single family homes/estates or ranchettes. Low density residential development
664 of up to four dwelling units per acre would change the character of the area from a
665 rural-like setting to one of a suburban character.
- 666 2. Hester Avenue and Myrtle Street are substandard rural roadways and can not
667 accommodate urban low densities unless roadways are brought up to County
668 standards for pavement width, right of way width and stormwater needs.
- 669 3. The proposed Low Density Residential land use represents a precedent for leap frog
670 development within the area, rather than an orderly progression from developed
671 areas to the west and northwest.
- 672 4. Current homeowners in the vicinity settled in the rural-like area for its character
673 (uses and lot sizes allowed under the Suburban Estates land use) and assumed
674 assurance of the current intensity of development to continue. Recent development
675 east of Autumn Chase has been to homes on large lots, as in estate homes or
676 ranchettes.

677 Should the LPA/P&Z or the BCC consider approving this petition for Low Density
678 Residential Development, policy direction is needed on whether it is perceived that this
679 area is ripe for conversion to Low Density Residential and how extensive, how
680 substandard roadways will be brought up to standards to accommodate urban low
681 densities, and protection of homes where the rural-like character is the desired lifestyle
682 of the homeowners.

683 Hugh Harling, representing the applicant, said there are some significant differences to
684 these parcels. The wetlands are easily identifiable as you can see by looking at the
685 aerial. The majority of this property has been in agricultural pursuits for the past 60-
686 100 years and it is being brought forward today for residential inclusion into the area
687 that would allow urban services to come in and a slightly higher density. The applicant
688 is also willing to cap the density at 2.5 units per acre.

689 If you have a 1/3 acre lot in a well developed subdivision, it can have a rural character
690 if you provide rural character along the road systems that front it. That would be the
691 intent in this development. It also can have a rural character with that density if you
692 can save existing vegetation and if you have a property that is used agriculturally you
693 can plant significantly additional vegetation around those existing houses.

694 The level of service on Myrtle Street is very little traffic at this time. The County has
695 approved development on Orange Boulevard and NW Seminole County that also has
696 substandard roads. There are many developments that have been approved on roads
697 that are less than 24' in width and less than urban in nature. Those road systems get
698 improved on a piece meal basis. These two developments would be required to
699 improve the roads in front of them and bring them up to County code which is typically
700 done and then as additional development takes place along Hester Road, there would
701 be a widening of Hester Road that would take place at the same time.

702 It is very important from an efficient delivery of services and efficient delivery of
703 government to get a higher density than Suburban Estates. Suburban Estates in this
704 particular location are going to be on wells and septic tanks. The well water out here is
705 not drinkable and most of the people out there have spent significant money to treat
706 the water themselves in this particular location. The break-even analysis to provide
707 sewer service and water service in a particular area is usually 2.2-2.3 units per acre if
708 you want to come in and provide. We would provide a lift station and the County has
709 provided for additional capacity on 427. The County is putting some very large water in
710 and they are also putting T's in that come down Hester and increase the size of utilities
711 in that particular location. Those services are being provided and in order for that to be
712 a break-even type of system, you need a density that averages about 2.2 units per
713 acre. We would ask that you consider these additional things in your discernment
714 tonight. From a capability standpoint, an almost a half acre lot in this particular location
715 with water and sewer service to it serves the public better and is a much better and is a
716 much more efficient use of the land than the Suburban Estates than presently exists
717 there.

718 Mr. and Mrs. Eric Esterson, the applicants, live at 1235 Myrtle Street, which is
719 contiguous to the two parcels being brought before the Board tonight. Ms. Esterson's
720 family owned and farmed this property for over 60 years. At the end of the 80s,
721 farming was no longer viable. We have maintained various agricultural operations for
722 the past 10 years but it has become increasingly evident that the need for agricultural
723 production in Seminole County has disappeared while the demand for quality housing
724 has strongly increased. Therefore, at this time, we are requesting a future land use
725 amendment, which would change some of our farm property from Suburban Estates to

726 Low Density Residential. We would still own property between these two parcels that
727 will remain agricultural. Our land use request is in compliance with the goals of the
728 future land use plan for Seminole County. As Seminole County continues to pursue
729 quality industrial and commercial businesses, we must also address the need for quality
730 housing for the employees of these businesses. Adequate and desirable housing is a
731 prime consideration for many businesses when they relocate or expand. Our proposed
732 land use change would enhance the already favorable economic conditions by providing
733 adequate housing in a convenient location and that is one of the goals of the future
734 land use plan of Seminole County.

735 The majority of our property is cleared and has been farmed so there will be no impact
736 to any environmentally sensitive land. Removing the land from agricultural production
737 will end the use of pesticides and fertilizers that are inherent to a farming operation.
738 This discontinued use will add to the protection to the environment, which is another
739 goal of the future land use plan.

740 According to the Seminole County Future Land Use Plan, Low Density Residential land is
741 compatible with Suburban Estates and it states that it is compatible to be adjacent to
742 Suburban Estates development. A Low Density Residential land use would be
743 compatible with existing Suburban Estates and Low Density Residential uses in the
744 immediate area.

745 We want to ensure our neighbors that our intent is to maintain a neighborhood with a
746 high quality of life.

747 Mr. Simon was concerned about the flooding. Previous to the 1998 tornado that passed
748 through our property, there was a good size ditch that was maintained by the County
749 on the north side of Myrtle Street. There was a ditch on the north and the south side
750 that was maintained by the County. Since the tornado passed through and the FEMA
751 money was available, the ditch configuration changed from a drainage ditch to a
752 shallow swale. It used to go down and turn and go under Myrtle Street and drain down
753 that ditch that Mr. Harling stated he would maintain. The flooding problem that is north
754 of Myrtle is simply because the County is not maintaining it's ditches as it used to.

755 In the County's road plan, the County will be paving Nolan Road, which connect Myrtle
756 Street to 427. So people in these two parcels will then have a choice of three entrances
757 and exits to these parcels. They can go out by the way of Hester or Nolan or Sanford
758 Avenue. So the traffic would be disbursed in three different directions.

759 Mr. Harling requested Board approval of this item.

760 Jack Rosier, 4850 Hester Avenue, is opposed to the request but did not speak.

761 Lois DeCiryran, 1581 Silk Tree Circle, is opposed to the request. Even though she lives
762 in Autumn Chase she doesn't feel that Autumn Chase should have been developed but
763 we can't make two wrongs equal a right. We are still only about 75% built out and
764 there are a lot of problems being experienced and it would be wise to look at this
765 development and the impact it has had on the environment. We are having big water

766 problems and we need to really look at water and land use. We need to look at the
767 traffic access and exit routes out of this area.

768 Robert Jasmin, 1153 Myrtle Street, is opposed to the request. He is concerned about
769 the compatibility issue. He has a horse farm on three acres and he doesn't want to lose
770 that rural way of life. There already is a traffic problem out there now and it will
771 increase if this request is approved.

772 Alexander Dickison, 4851 Hester Avenue, is not opposed to development because he
773 knows development is going to come. The thing that bothers him is the approach to
774 the development. Ms. Esterson should be able to develop her property but she
775 shouldn't be bringing in two parcels at a time. There are not parks in that area. The
776 roads are terrible. There are no schools down in that area.

777 Mary Ann Baker, 651 Myrtle Street, is opposed to the request. The water in that area
778 straight from the well is undrinkable. She paid a fortune to get the water up to
779 drinkability. She paid a lot of money to have her septic put in. She would not
780 appreciate the County coming in, making her use their sewerage and city water, and
781 charging per month after she has already paid to have good water and good sewerage.
782 She is concerned about the traffic issues.

783 Linda Shore, 5150 Plato Cove, is opposed to the request. She lives there because of
784 the rural character of the area and wants it to stay that way. One acre estate homes is
785 realistic and would make a nice development. She feels the higher density would effect
786 the quality of the water and the artesian well that goes under her property. She feels
37 this development, as proposed, will devalue the area. The traffic is a problem and will
788 increase if this request is approved.

789 B.J. Simons, 1550 Myrtle Avenue, is opposed to the request. He said the runoff from
790 Autumn Chase still has not been taken care and he doesn't see why anyone would think
791 it will be any different on any other subdivisions that are low density or high density or
792 anything over the one unit per acre.

793 Mack Thorne, 1416 Myrtle Street, is opposed to the request. It was the understanding
794 that Autumn Chase was the "line in the sand" and now here we go again. The traffic is
795 very, very bad. We are close neighbors and would like to keep it that way.

796 Earl Lord, 4835 Hester Avenue, is opposed to the request. When he came to this area
797 and built his home, the zoning of Suburban Estates was and still is in place. Zoning to
798 Low Density Residential is out of compliance with the area. He wants to see the
799 neighborhood grow in the manner for which it was started.

800 Mr. Harling said the comprehensive plan that was passed by the State was intended to
801 provide a framework that was flexible and allowed change and growth to take place. It
802 allowed people to come in and change as the character of the land changed and as the
803 intensity and the jobs that were being provided in the area changed. Seminole County
804 has been through a significant number of comp plan updates that have been updated
805 by staff as mandated by the State but also the State mandates that you are allowed to

806 make a comp land change twice a year for someone who wants to provide for a better
807 use of their property.

808 Low density residential is compatible with Suburban Estates. The two can work
809 together in harmony and the people who reside in each of those two types of areas can
810 reside in harmony and live together and that's what we would like to see accomplished.

811 Mr. Harling said artesian wells are being plugged. The St. Johns Water Management
812 District has a team that will come out and plug artesian wells because artesian wells are
813 a drain on the conservation of ground water.

814 He feels that 2.5 units can be compatible with the existing area and that a quality
815 development can be provided that is very high in character with expensive houses and
816 also would provide water and sewer service to the area.

817 He requested approval of his application from the Board.

818 **Commissioner Harris said one of the problems that we have in Seminole**
819 **County is evident right here. We have agricultural land that has been in**
820 **family ownership for 40, 50, 60 years and in some cases more. The economic**
821 **conditions have changed so that the family, if they are depending on the**
822 **state of their wealth, may even be endangering at times of losing the land**
823 **because it is no longer productive. The problem is that piece of land is**
824 **cleared for agricultural purpose which makes it not a great candidate for**
825 **larger plot homes. These parcels are very different from the first parcel that**
826 **is undeveloped, not farmed, totally treed. So the issue that comes before us**
827 **is not just the issue of that particular parcel, but the issue of fairness to the**
828 **owners and to the community and it is not an easy decision. These parcels**
829 **come forward, one or two and in this case, three at a time and that will**
830 **continue to happen in this area no matter what decision we make. Rather**
831 **than approve, deny or otherwise just act on single parcels, this area will**
832 **continue to be under pressure. There will continue to be agricultural land**
833 **that has been in families that comes up for sale where the highest and best**
834 **use is not agricultural and the pressure is there to development into low**
835 **density residential.**

836 **As the Airport and the area new Judicial Center develops, this area will be**
837 **under continuing and increasing pressure and the opportunity arises for an**
838 **investor to quietly put together several of these parcels and then bring them**
839 **in and ask for a rezoning.**

840 **Rather than act on this tonight in absence of a plan for the entire area, it**
841 **would be his suggestion that this Board defer action on this and instead**
842 **request that staff take this entire area, along Lake Jesup and south of the**
843 **Airport going all the way over to 17-92 and do a small area study and**
844 **suggest what the final development trend in that area should be.**

845 **Motion by Commissioner Harris to defer action and instead based on the his**
846 **comments, refer this issue back to staff for a small area study so all the**

847 issues can be properly considered in this particular area. Second by
848 Commissioner Tremel.

849 Commissioner Mahoney said he is for the motion, however, if the applicant
850 chooses to proceed to the BCC and seek from them an answer to their
851 request for a land use amendment, we might want to consider the alternate
852 that they do choose to proceed. He thinks the best plan of attack is to defer
853 the request and to do a study. However, we don't control that. The applicant
854 paid the money, they get to control the process, and they get to go before
855 the Board. We might want to consider that if they do proceed, what would
856 our opinion be today. He feels the answer today would be no.

857 Chairman Tremel said that by recommending to defer, the Board is
858 recommending that it not stay in this plan cycle. He asked staff if that was
859 correct.

860 Ms. Gilmartin said that was correct.

861 Chairman Harris revised the motion to include that as part of the deferral it is
862 premature and the Board does not have the basis to act affirmatively on this
863 request this evening.

864 Commissioner Tremel added that if you look at the staff recommendation,
865 after Condition 4, staff is basically taking that position.

866 Chairman Tucker said he didn't disagree but as a recommending body this
867 Board should pass it on, up or down to the BCC with the recommendation
868 that the County Commission request a study. His recommendation is to deny
869 this request.

870 Commissioner Tremel withdrew his second.

871 Motion dies for lack of a second.

872 Motion by Commissioner Tremel to deny this request for reasons stated in
873 the staff report and also attach a recommendation to the Board of County
874 Commissioners that they request staff to do a small area study in this area.
875 Second by Commissioner Mahoney.

876 Commissioner Hattaway said the only way a "line in the sand" can be
877 respected is if all that are concerned have a say so in drawing that line. This
878 has not been done. The applicants have offered to cut in half the density that
879 they originally requested. Even two units per acre might be amenable. What
880 we are proposing to this old and respected Seminole County family is that
881 they now take their farm land, that they can no longer use, out of the loop
882 for a minimum for 6 months and sit on it and hope that the study will be
883 finished in 6 months so they can come back in the next cycle. This is very
884 unfair to this landowner. This landowner has been here and most of you are
885 out there because some farmer sold you his land. This is a farmer that has
886 hung on until the very last. They don't have a viable business farming any

887 longer. They wish to use the property that they paid taxes on many, many
888 years in a productive manner. They are not raping the land or building
889 apartments. They are trying to do something that will fit in with their
890 environment because they are going to live right there beside it. Two units
891 to an acre is more than most of us have to live on. She will be voting against
892 the motion.

893 Commissioner Tremel said they have not denied the use of their property.
894 They can develop it in accordance with the Comprehensive Plan, which is one
895 unit per acre. Sine quite a few people have chosen to do that, there is a use
896 of the property just not at the use they are requesting.

897 Commissioner Nicholas said that at some time this property is going to be
898 developed somehow and probably more than just Suburban Estates. He
899 doesn't want to see apartment complexes and those kinds of things. Two
900 units to the acre is fairly reasonable. He thinks the small area study is a good
901 thing to do but his concern is with split parcels. He thinks this whole area
902 needs to be looked at because there is some developable acreage out there
903 although the first parcel that was looked at tonight was appropriate because
904 of the wetlands. These parcels seem a little more reasonable for somebody
905 to develop their property a little more as they see fit.

906 Motion passed 4-3. Commissioner Harris, Commissioner Nicholas, and
907 Commissioner Hattaway voted against the motion.

908 *D. VISION 2020 - GUIDE TO THE JOURNEY AHEAD; SPRING CYCLE*
909 *AMENDMENT REGARDING TRANSMITTAL TO THE FLORIDA DEPARTMENT OF*
910 *COMMUNITY AFFAIRS (FDCA) OF PROPOSED LARGE SCALE TEXT*
911 *AMENDMENTS TO THE SEMINOLE COUNTY COMPREHENSIVE PLAN (SCCP).*
912 *PROPOSED TEXT AMENDMENTS WILL BE INCORPORATED INTO THE NEWLY*
913 *ADOPTED SCCP (MAY 8, 2001), KNOWN AS VISION 2020-A GUIDE TO THE*
914 *JOURNEY AHEAD (AND REFERRED TO AS "VISION 2020"). THE SUBJECT*
915 *TEXT AMENDMENTS WILL REPLACE PLAN ELEMENTS OF THE SCCP.*
916 *ALICE GILMARTIN, PRINCIPAL COORDINATOR*

917 The Text Amendments to the Seminole County Comprehensive Plan, (Vision 2020) were
918 given to the LPA at the meeting of January 9, 2002, in preparation for their public
919 hearing on February 20, 2002. The Local Planning Agency (LPA) met on July 18, 2001,
920 for a briefing with staff to discuss the text amendments to eight Elements of the
921 Comprehensive Plan. The LPA was unable to open the public hearing on these Text
922 Amendments on August 1, 2001, due to a lack of a quorum. The Board of County
923 Commissioners at their next meeting opted to withdraw the Text Amendments to the
924 Comprehensive Plan from the Fall Cycle Amendments and directed staff to resubmit
925 them for the next Spring Cycle of Comprehensive Plan Amendments. Before the LPA are
926 the same Text Amendments as they previously reviewed last summer. The only
927 changes to the document involve the references to the one cent sales tax that