

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

*[continued from 12/14/04]
[continued from 1/25/05]
[continued from 3/08/05]*

SUBJECT: Walden Chase, Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD to PUD (Thomas Daly, applicant)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Dan Matthys **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date <u>03/22/05</u>	Regular <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input checked="" type="checkbox"/>	Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION:

1. Enact ordinances to APPROVE the request for Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and for a rezone from PUD to PUD on approximately 8.1 acres subject to the attached development order and authorize the Chairman to execute said documents, and DENY the request for Final Master Plan approval; located on the north side of Palm Valley Drive, 600' east of Alafaya Trail, (Thomas Daly, applicant); or
2. Enact ordinances to APPROVE the request for Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and for a rezoning from PUD to PUD on approximately 8.1 acres subject to the attached development order and authorize the Chairman to execute said documents, and CONTINUE the request for Final Master Plan approval to a time and date uncertain; located on the north side of Palm Valley Drive, 600' east of Alafaya Trail (Thomas Daly, applicant); or
3. DENY the request for Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and for a rezoning from PUD to PUD on approximately 8.1 acres, located on the north side of Palm Valley Drive, 600' east of Alafaya Trail, (Thomas Daly, applicant); or
4. CONTINUE the request until a time and date certain.

(District 1 – Comm. Dallari) (Jeff Hopper, Senior Planner)

BACKGROUND:

[This item was continued from 12/14/04 to 1/25/05 at the request of the applicant. It was continued from 1/25/05 to 3/08/05 to allow the applicant to meet with the property owners and residents of Palm Valley Mobile Home Park to resolve several issues with the proposal. The most recent continuance

Reviewed by:	_____
Co Atty:	_____
DFS:	_____
OTHER:	<u>MW</u>
DCM:	<u>JSP</u>
CM:	<u>KS</u>
File No.	<u>ph130pdp03</u>

was granted to allow Commissioners and staff adequate time to evaluate a request by the applicant to delay the Final Master Plan and obtain approval only of the PUD rezoning and Land Use amendments at this time.]

The applicant proposes a 74-unit townhouse development on an 8.1-acre site on Palm Valley Drive, at a maximum density of 11.6 units per net buildable acre. The subject property is a PUD currently approved for C-2 and OP uses. The proposed development requires both a small scale land use amendment and a rezoning, since the proposed land use is not allowed under the current Planned Development (PD) category.

Up to this point, the request also included a request for Final Master Plan approval, which established a specific layout for the site and proposed building sizes and locations, parking, sidewalks and stormwater retention. Due to several unresolved issues with the homeowners association of the adjacent Palm Valley Mobile Home Park, the applicant has revised his request to propose access to Park Road to the north of the site, rather than Palm Valley Drive to the south. Because this change will require a substantial revision of the Final Master Plan previously presented, the applicant now requests approval only of the small scale land use amendment, a PUD rezoning and approval of a Preliminary Master Plan as stated in the attached letter dated March 4, 2005. The Final Master Plan would be considered by the Board at a later date, following staff's review of the newly proposed access and site layout.

The current proposal is a request for a small scale land use amendment and PUD rezoning with an associated Preliminary Master Plan that shows a general site layout with access to Park Road. The Preliminary Master Plan is accompanied by a Development Order which includes the commitments previously presented to the Board by staff and the applicant. Approval of the request would allow townhouses as a permitted use on the site with the understanding that detailed site design issues would be addressed during the Final Master Plan process.

Access from Park Road is not preferable, in terms of traffic circulation associated with the project. There is an existing signalized intersection at Palm Valley Drive, which could accommodate southbound traffic generated by the development. The Park Road access would require motorists to travel north to Econ River Place, where they could cross the median and turn south. Unlike Palm Valley Drive, Park Road is a public street and the applicant cannot be prohibited from using it. Road improvements, such as the provision of stacking lanes or additional right-of-way, may be necessary and will be evaluated as part of the Final Master Plan review.

STAFF RECOMMENDATION:

The applicant is requesting motion/recommendation number 2. However, in light of the change in the request, staff recommends APPROVAL of the small scale land use amendment, PUD amendment and Preliminary Master Plan as amended by the applicant, subject to alignment of the access with the existing commercial driveway on the north side of Park Road and other conditions listed in the attached Development Order and DENIAL of the Final Master Plan (motion/recommendation number 1). The Final Master Plan may be submitted for review and approval at a later date. If staff

review subsequent to this report indicates that additional or revised development criteria are needed, those findings will be presented prior to or at the time of the public hearing.

PLANNING & ZONING COMMISSION RECOMMENDATIONS:

On November 3, 2004 the Planning & Zoning Commission voted 6-0 to recommend APPROVAL of the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and for a rezoning from PUD to PUD on approximately 8.1 acres subject to the attached development order/Developer's Commitment Agreement and Final Master Plan; located on the north side of Palm Valley Drive, 600' east of Alafaya Trail, subject to the added requirement that the project entrance connect to Park Drive if permission to access Palm Valley Drive cannot be obtained from the owner(s) of that private road.

ATTACHMENTS:

Staff Report
Future Land Use / Zoning Maps
Aerial Photographs
Preliminary Master Plan
Elevation Illustrations for Proposed Townhouses
P&Z Minutes from November 3, 2004
Proposed Development Order
Proposed Ordinance
Letter from Applicant amending application
Comments from Seminole County Sheriff's Office

INSERT:

**COLOR MAPS
AERIAL MAP
SITE PLAN**

Walden Chase

Small Scale Land Use Amendment

Staff Report

Planned Development (PD) to Planned Development (PD) & PUD to PUD	Amendment (Z2004-048, 9- 04SS.02)
REQUEST	
APPLICANT	Thomas Daly
PLAN AMENDMENT	Planned Development to Planned Development
REZONING	PUD to PUD
APPROXIMATE GROSS ACRES	8.1
LOCATION	North side of Palm Valley Dr., 600' east of Alafaya Trail
BCC DISTRICT	District 1, Dallari
RECOMMENDATIONS AND ACTIONS	
PLANNING & ZONING COMMISSION November 3, 2004	The Planning & Zoning Commission voted 6-0 to recommend APPROVAL of the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and for a rezoning from PUD to PUD on approximately 8.1 acres subject to the attached development order/Developer's Commitment Agreement and Final Master Plan subject to the added requirement that the project entrance connect to Park Drive if permission to access Palm Valley Drive cannot be obtained from the owner(s) of that private road.
STAFF RECOMMENDATION March 8, 2005	Staff recommended APPROVAL per the attached staff report and Developer's Commitment Agreement. This recommendation was based on master plan different than the one submitted to the Board for March 22, 2005.
STAFF RECOMMENDATION March 22, 2005	Staff recommends APPROVAL of the proposed small scale land use amendment, PUD rezoning and Preliminary Master Plan, subject to alignment of the access with the existing commercial driveway on the north side of Park Road, and other conditions stated in the attached Development Order and DENIAL of the Final Master Plan.

STAFF ANALYSIS

Planned Development (PD) to Planned Development (PD) PUD to PUD

Amendment
(Z2004-048,
9-04SS.02)

1. **Property Owner:** Fradkin Brothers Realty Co. LLC
2. **Tax Parcel Number:** 34-21-31-503-0000-022A
3. **Development Trends:** The subject property is surrounded by Industrial future land use to the north and west, and Medium and High Density Residential to the east and south. The proposed density of 11.6 units per net buildable acre is slightly higher than the allowable density in MDR to the east (developed as a mobile home park). The proposed project is consistent with permitted densities of HDR future land use to the south, although this property is developed as a single-family subdivision. Adjacent properties to the north and west are developed as heavy commercial uses.

SITE DESCRIPTION

1. **EXISTING AND PERMITTED USES:** The future land use designation of Planned Development, currently assigned to the subject property, permits general commercial and office uses.

<u>NW</u> IND Warehouse <i>M-1A</i>	<u>N</u> IND Warehouse <i>M-1A</i>	<u>NE</u> LDR SF residential <i>R-1A</i>
<u>W</u> IND mini-warehouse / vacant <i>M-1A / C-1</i>	<u>Site</u> PD Vacant <i>PUD</i>	<u>E</u> MDR Mobile Home park <i>RM-2</i>
<u>SW</u> HDR Subdivision retention area <i>R-1BB</i>	<u>S</u> HDR SF residential <i>R-1BB</i>	<u>SE</u> MDR Mobile Home park <i>RM-2</i>

***Bold** text depicts future land use designation and *italicized* text depicts zoning district. See attached 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: The proposed amendment does not alter the options or long-range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan. The amendment request would not be in conflict with the Metroplan Orlando Plan or the Florida Department of Transportation's 5-Year Plan (Transportation Policy 14.1).

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 and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element and adopted Design Element (Transportation Policy 2.1).*

The subject property has access to Park Road, an abutting public local road to the north. The nearest arterial is SR 434, approximately 600' west of the site. The most recent available Level of Service (LOS) information on this portion of SR 434 indicated a rating of "D" (This is based on 2002 traffic data. Traffic count information from 2004 is not yet available.). SR 434 was recently widened to 6 lanes, which significantly increased its capacity. The adopted LOS standard is "D."

B. **Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:** *Exhibits POT-1 and SAN-1 are the water and sewer service area maps for Seminole County.*

The subject property is not located within the Seminole County utility service area as established by the Vision 2020 Plan. It was recently removed from the Palm Valley service area, and the applicant is requesting utility service from the County. Seminole County is able to provide utility service to the proposed development, subject to available capacity under the County's Consumptive Use Permit (CUP) issued by the St. Johns River Water Management District. This determination will be made through the Concurrency process, and capacity can be reserved by the developer at the time of Final Engineering approval.

Under the existing CUP, Seminole County's Southeast service area can provide and/or reserve additional capacity of approximately 300,000 gallons/day for new and approved development. As calculated by the Environmental Services Department,

the projected water use for this request is 22,200 gallons/day. No capacity has been reserved for the 12,000 gallons/day that would be required by the commercial/office uses permitted under the current PUD approval. Therefore, the actual impact of this request on the Southeast service area is the total projected use for the development rather than the difference between the two alternative uses.

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 (Policy PUB 2.1).*

The property is served by the Seminole County EMS/Fire Station #65. Response time to the site is less than 5 minutes, which meets the County's average response time standard of 5 minutes.

The Seminole County Sheriff's Office has submitted comments objecting to the proposed development as having the potential to place increased demand on present law enforcement resources and staffing in the area (see attached memo).

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 Vision 2020 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 which development activity impacting public facilities may ensue, or to obtain development 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 (Policy IMP 2.4).*

A preliminary analysis of public facilities indicates there is adequate capacity to serve the proposed project, or that such facilities could be made available, and that the proposed Plan amendment would not create any adverse impacts to public facilities.

B. **Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection:** *The County shall continue to 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...(Policy FLU 1.1,1.2 and 1.3).*

The site contains less than 5% wetlands or flood prone areas, and is permitted to be developed per the policies and requirements of the Vision 2020 Plan and Land Development Code.

C. **Protection of Endangered and Threatened Wildlife:** *The County shall continue to require, as part of the Development Review Process, proposed development to coordinate those processes 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 prior to development approval (Conservation Policy 3.13).*

A threatened and endangered species report is required prior to final engineering approval for any proposed development on the subject property.

4. DEVELOPMENT POLICIES - Additional criteria and standards are also included in the Plan that describes 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 Vision 2020 Plan (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property rights, no creation of new strip commercial developments through plan amendments, etc.).

Based upon a preliminary evaluation, the proposed amendment to the PD land use is potentially compatible with the Industrial land use designation on adjoining properties to the north and west. Compatibility can be achieved through the application of sensitive site design features such as setbacks, buffers, and fences or walls to screen the proposed residential use from more intensive industrial and commercial uses. The amendment also represents an appropriate transition of land use intensity between the Industrial properties to the north and west, and the less intense residential uses to the east and south of the subject property.

Transitional Land Uses. *The County shall evaluate plan amendments to insure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential uses, and in managing the redevelopment of areas no longer appropriate as viable residential areas. "Exhibit FLU: Appropriate Transitional Land Uses" is to be used in determining appropriate transitional uses. (Policy FLU 2.5)*

The proposed development would be in a Planned Development (PD) land use designation, with a net density of 11-12 units per acre. As such, the project density is consistent with the lower range of densities allowable in the High Density Residential (HDR) future land use designation. Exhibit FLU: Appropriate

Transitional Land Uses indicates that HDR is an appropriate transitional use adjacent to MDR and HDR to the east and south. Also, HDR can be compatible with the adjacent light industrial uses to the north and west. This can be achieved with appropriate design features such as buffer areas and walls to minimize any adverse impacts.

Other applicable plan policies include:

FLU 2.1 Subdivision Standards.

FLU 2.11 Determination of Compatibility in the PUD Zoning Classification

FLU 5.5: Water and Sewer Service Expansion

PD Future Land Use Definition

B. Concurrency Review - Application to New Development: *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public facilities 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).*

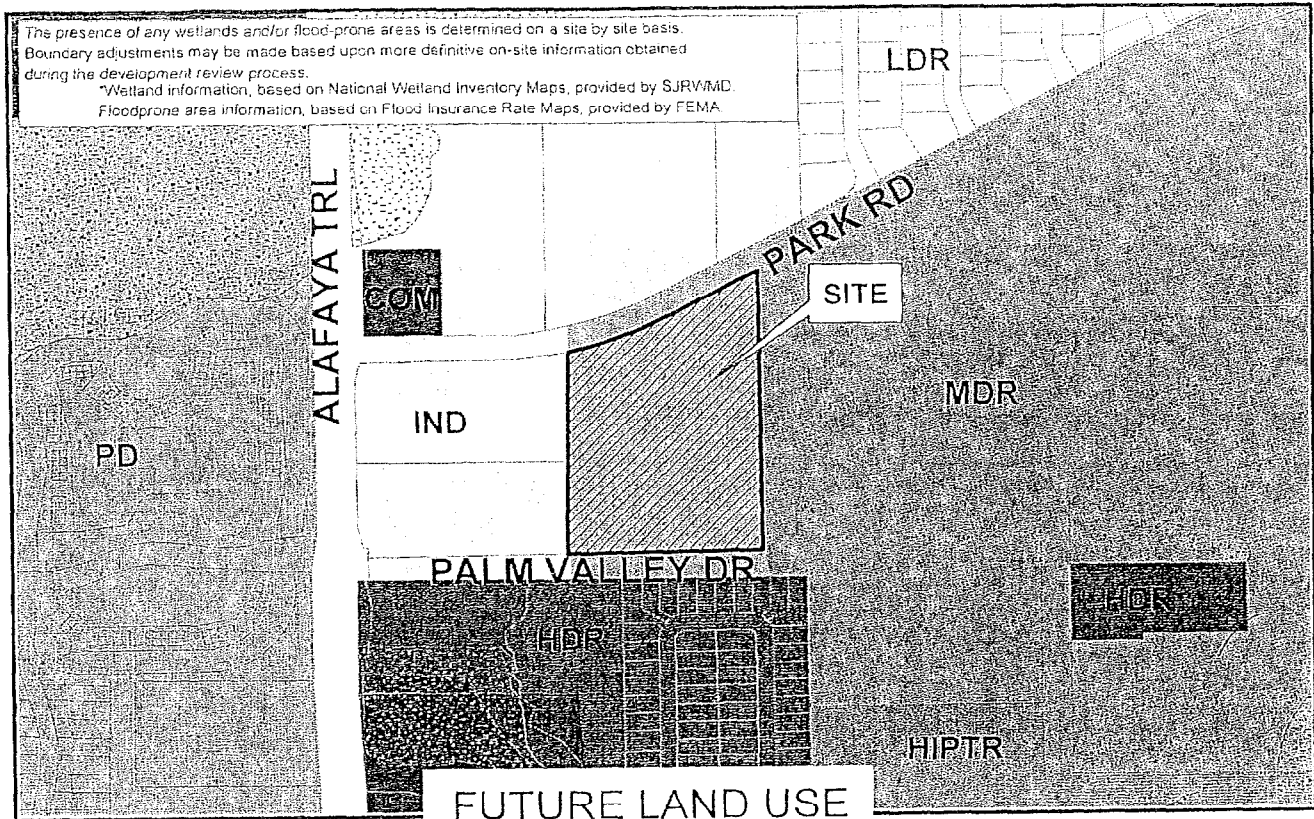
This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued only if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development 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 County approval of the preliminary development order. The applicant has elected to defer concurrency review and the site will have to demonstrate concurrency compliance at the time of final engineering.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed small scale land use amendment from Planned Development (PD) to Planned Development (PD), rezoning from PUD to PUD and Preliminary Master Plan, subject to alignment of the access with the existing commercial driveway on the north side of Park Road, and other conditions stated in the attached Development Order and DENIAL of the Final Master Plan.

PLANNING & ZONING COMMISSION RECOMMENDATIONS:

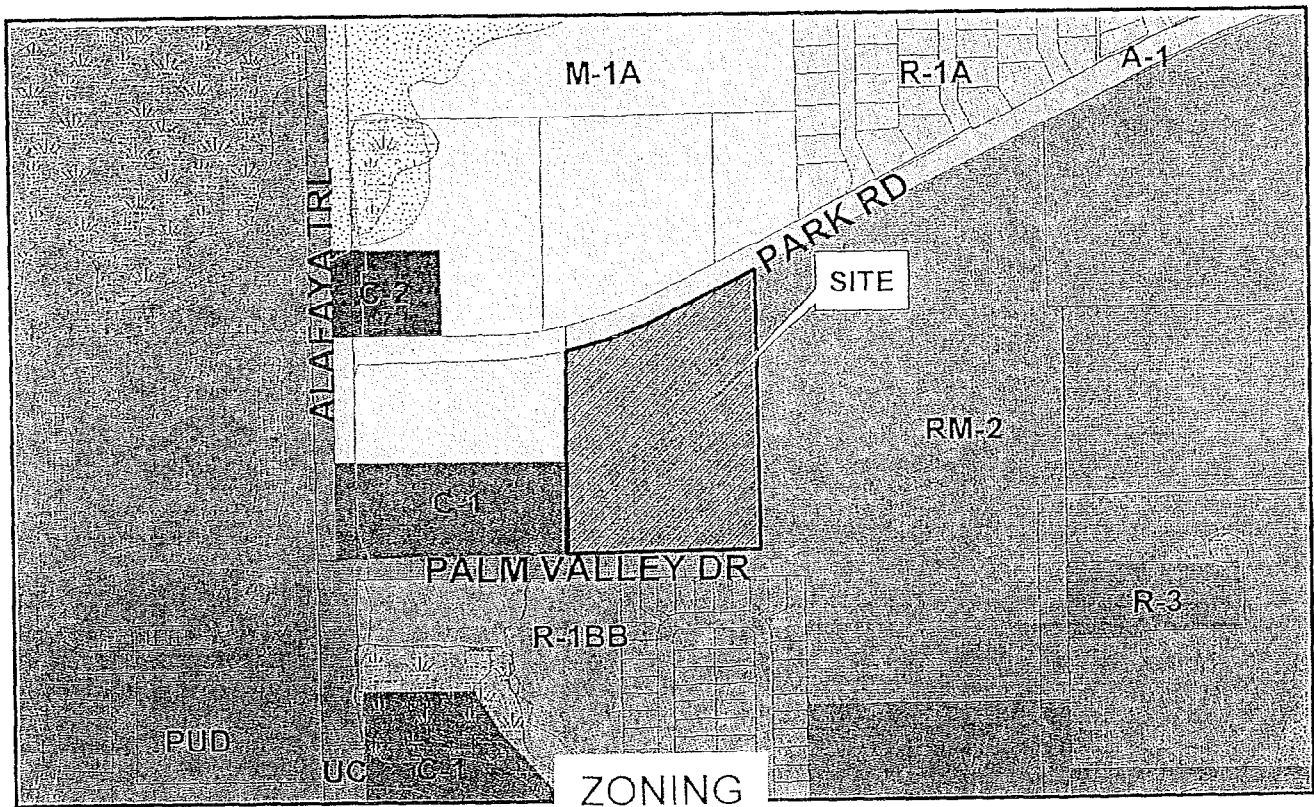
The Planning & Zoning Commission voted 6-0 to recommend APPROVAL of the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and for a rezoning from PUD to PUD on approximately 8.1 acres subject to the attached development order/Developer's Commitment Agreement and Final Master Plan subject to the added requirement that the project entrance connect to Park Drive if permission to access Palm Valley Drive cannot be obtained from the owner(s) of that private road.



Site
 LDR
 MDR
 HDR
 PD
 COM
IND
 HIPTR
 CONS

Applicant: Thomas Daly, Daly Design Group Inc.
 Physical STR: part of 34-21-31-503-0000-022A
 Gross Acres: ±/- 8.09 BCC District: 1
 Existing Use: Vacant
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	09-04SS.02	PD	PD
Zoning	Z2004-048	PCD	PUD



Site
 R-1A
 R-3
 RM-2
 C-1
 C-2
 M-1A
 PUD
 A-1
 UC
 R-1BB
 FP-1
 W-1

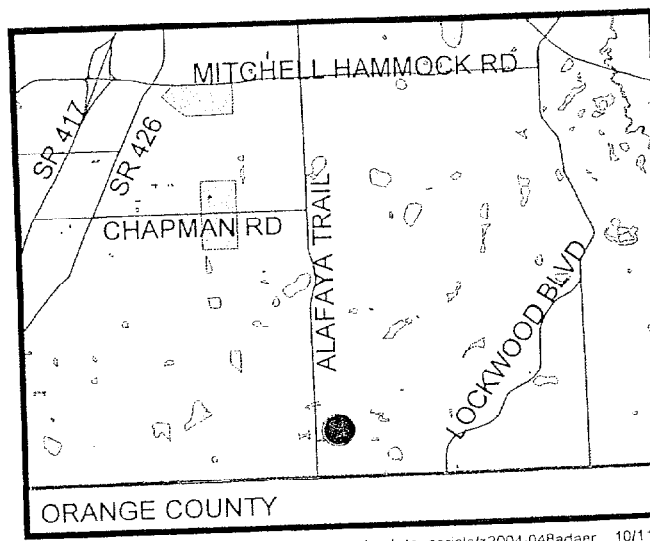


Amendment No: 09-04SS.02
 From: PD To: PD
 Rezone No: Z2004-048
 From: PCD To: PUD

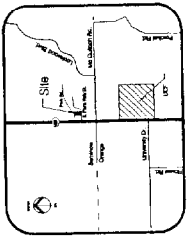
Parcel
 Subject Property



January 2004 Color Aerials



ORANGE COUNTY



Location Map

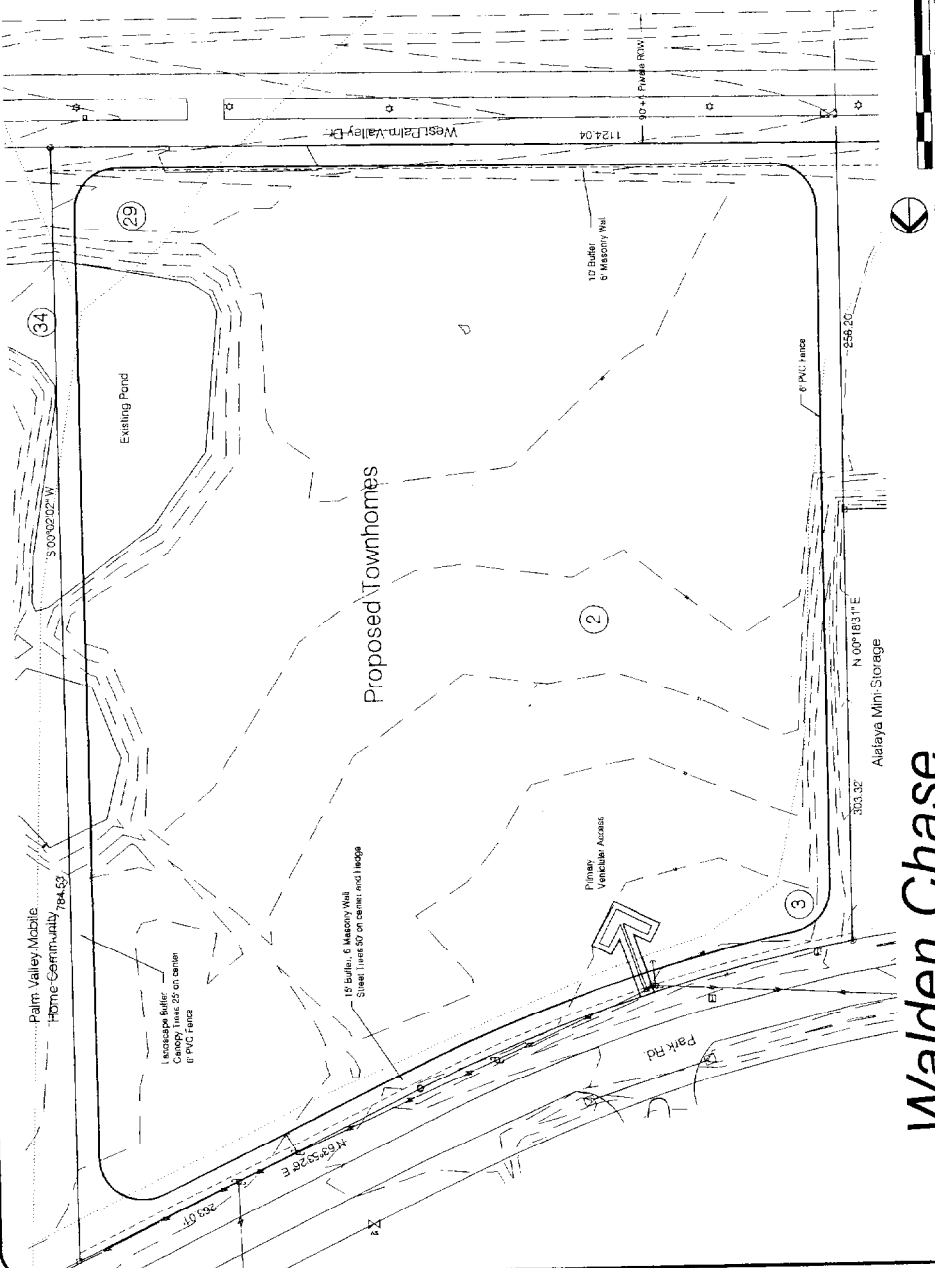
- Soils Legend**
- (2) Adairsville - Spartan fine sands
 - (3) Arenis, 0 to 5 percent slope
 - (34) St. Johns and Engadale fine sands
 - (34) Urban Land, 0 to 12 percent slope

Soil information provided by SCS
 Seminole County Soil Survey
 Survey information provided by
 Allen & Company Surveying

Legal Description
 A parcel of land comprising a portion of Lot 23, Block 10, SPSLA, PARK, according to the Plat thereof as recorded in Plat Book 10, Page 10, of the Public Records of Seminole County, Florida.

Being more particularly described as follows:
 Begin at the Northwest corner of aforesaid Lot 23, on the Southern right-of-way line of Park Road, also being a point on a non-tangent curve concave Northwestward and having a radius of 1152.78 feet, thence from a tangent bearing of North 75°23'35" East run Northwesterly along the Northern right-of-way line of said Lot 23, also being said Southern right-of-way line of said Lot 23, for an arc distance of 315.37 feet to a point of tangency, thence continuing along said Northern line and said Southern right-of-way line run North 53°53'26" East for a distance of 263.01 feet to a point on a line 125.00 feet West of and parallel with the Eastern line of said Lot 23, thence due West along said Eastern line of said Lot 23, thence due South 00°02'02" West along said parallel line for a distance of 784.53 feet to a point on the Northern right-of-way line of an unnamed private roadway, thence departing said Northern right-of-way line for a distance of 150.00 feet to a point on the Eastern line of aforesaid Lot 23, thence due East Northwesterly, perpendicular to the Eastern line of said Lot 23, for a distance of 551.53 feet to aforesaid POINT OF BEGINNING.

Contains 8.095 acres more or less.



Site Data

DATE	BY	REVISIONS
08/11/04	Allen & Company	Final
08/11/04	Allen & Company	Revised per DHC meeting 09/15/04
08/11/04	Allen & Company	Revised per Client Request
08/11/04	Allen & Company	Final

Surveyor
 Allen & Company
 14 E Palm St.
 Winter Garden, FL 34787
 407-654-5355
 Contact: James L. Hickman

Applicant/Agent
 Day Design Group
 913 N. Pennsylvania Ave.
 Winter Park, FL 32789
 407-659-8330
 Contact: Thomas Davy ASLA

Engineer
 Madison Engineering, Inc.
 431 E. Hurst Ave., Suite 260
 Maitland, FL 32751
 407-659-8330
 Contact: Christie Madison

Owner/Developer
 Frutkin Brothers Heavy Co. LLC
 9199 Huster Town Rd.
 Owings Mills, MD 21117
 410-450-7871
 Contact: Mark Frutkin

Developer
 Centex Homes
 365 Douglas Ave., Suite 2000
 Altamonte Springs, FL 32714
 (407) 851-2189
 Contact: Michael Omer PE

Walden Chase

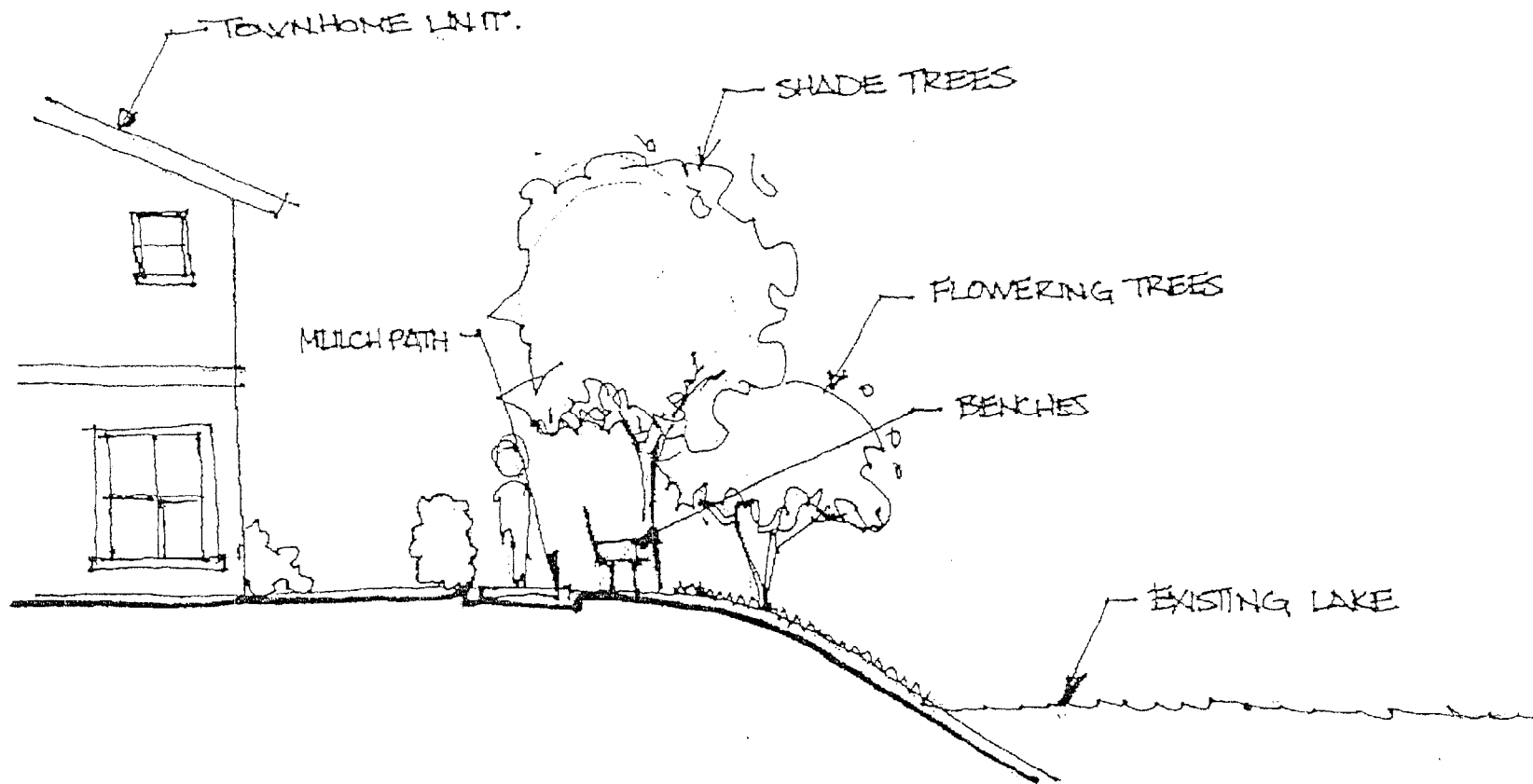
Planned Development

Preliminary Master Plan

Seminole County, Florida

August 2004
 Revised per DHC meeting 09/15/04
 Revised per Client Request
 Prepared for:
 Centex Homes
 385 Douglas Avenue, Suite 2000
 Altamonte Springs, FL 32714

daily design group inc.
 615 E. Palm Street, Suite 200
 Winter Park, Florida 32789
 Phone 407-740-7373 • Fax 407-740-7661 • www.dailydesign.com
 Date: August 2004 Scale: As Noted Job No.: 2421



TYPICAL LAKE/PARK SECTION

WALDEN CHASE PUD,
SEMINOLE CO.
11/2/04 JOB NO. 2421
DALY DESIGN GROUP.

B. Walden Chase; Thomas Daly / Daly Design Group, applicant; approximately 8.09 acres; Small Scale Land Use Amendment from PD to PD; and Major PUD Amendment, located on the north side of Palm Valley Drive, 600 feet east of Alafaya Trail. (Z2004-048 and 09-04SS.02)

Commissioner Maloy – District 1
Jeff Hopper, Senior Planner

Mr. Hopper said that this is a proposal for a 74-unit townhouse development at a maximum density of 11.6 units per net buildable acre. The site is currently approved for C-2 and OP uses. Access to the development will be from Palm Valley Drive, with no connection to Park Drive on the north. Amenities include a swimming pool and walking paths, and there will be extensive landscaping on the east adjacent to Palm Valley PUD.

Our staff report recommended continuance due to some unresolved issues, but the applicant has provided additional information that addresses our concerns. The existing lake on the east side of the property will be amenitized with sodding, landscaping, and benches to make the area into a recreational amenity so that it can count toward required usable common open space. In addition, a typical architectural elevation has been provided for review.

Staff recommends approval of the request, subject to the conditions listed in the staff report, including the following:

- Adjacent to commercial and industrial property along the north and west property lines, the developer will provide 4 canopy trees per 100 feet and a 6-foot PVC fence
- Sales materials will clearly indicate the proximity of these commercial and industrial uses
- Building setbacks will be a minimum of 20 feet from sidewalks
- Sidewalks will be provided adjacent to all units, on both sides of the road.

Thomas Daly of Daly Design Group spoke next, giving background on the property. He said that the property began in 1989 as part of Palm Valley. It was changed from RM-2 to PCD. In 1994 it changed from PCD to PUD. Now it has office and C-2 zoning uses. Mr. Fradkin rezoned adjacent parcels to C-1. Now it can be C-2 uses and office, multi-family with medium to high density use. This with R-3 zoning is more to apartment standards. During the pre-application conference we decided to amend the planned development to eliminate commercial uses. The second page of the Sheriff's Department comments involve apartments. We have here a fee simple town home project. In August we met with Sandy Sara, the local property manager for Palm Valley. She had no objection.

Annabelle Clausen of Palm Valley Drive stated that she was concerned with the rezoning of Parcel 23. There have been changes in the Board of Palm Valley since August. There should be a one story limitation, as agreed upon in the past documents on this property. Mr. Fradkin had a Lot 23 agreement with Palm Valley residents. There is a stipulation for a wall between the retirement community and Walden Chase.

Ms. Claussen noted that on December 4 of 1996 access to Lot 22 is provided with Lot 23. Fox Run and East Point have only right turns to get out. The access easement was to allow Lot 22 to get out of the area to Palm Valley. There was an agreement to develop sidewalk 4 feet wide to go to Publix on Palm Valley. There was a traffic study done. The egress road was originally on the south. This plan has 71 parking spaces for 74 homes.

Ms. Claussen pointed to the retention pond. She said that she had a pretty community, and that this was a leach pond with half the use coming from Palm Valley and shared use with Walden Chase. She wants to know where the wall will be put to separate the mobile home park from Walden Chase. After the construction starts, gates will go in on Park Road. We would prefer one-story town homes, as agreed on in 1994. This has not been rescinded anywhere.

Commissioner Harris stated that the issue in 1996 was the ingress and egress. There was a concern for no signalization. Ms. Claussen's community did not want additional traffic. Now that the traffic signal is there, isn't the argument mute?

Ms. Claussen said that her neighborhood was having a problem with outside subdivision traffic cutting through the Palm Valley community.

Commissioner Harris said that there are restrictions in place to reduce the traffic on Palm Valley. People are only making a right out of their subdivision and driving to the light. The subdivision to the north passes through your neighborhood to access Alafaya Trail.

Ms. Claussen stated that her community could not put in a gate because they do not own the property. The past agreement says that gates go in when construction starts.

Mr. Daly stated that this is a private agreement. Palm Valley is a private road not built to County standards. As for the access question, Mr. Fradkin in the rezoning gave cross access agreement to Lot 22. We must have a formal agreement for access and maintenance. Allow us to get the agreement. He is unaware of any agreement to put in a road giving access to Palm Valley Drive. He is opposed to any cut-through traffic. There is \$25,000. in escrow right now for the installation of a gate.

Mr. Daly said that the plan has 71 guest parking spaces, which is 2 per unit. The community pool will be 25 feet by 50 feet and will have restrooms as required by the state. There will be a home owner association. Units will be 3 bedroom, 2 bath. It is not an over 55 community. It will be fee simple ownership for sale product. A playground may go in when the developer takes over.

Mr. Daly said that a landscape berm will be constructed on the east side. The north pond will be dug out and made attractive. This is not being used for storm water. A PVC fence will be installed on the north with landscaping.

Commissioner Harris asked Mr. Daly if he would object to putting in more trees on the side near the mobile home park.

Mr. Daly said that he would agree to put in extra trees if necessary.

Mr. Daly stated that he would be dealing with the Lamplighter Association, the Palm Valley Association, and Mr. Fradkin.

Commissioner Hattaway pointed out the former agreement stating that there was to be no 2 story development.

Mr. Daly stated that that language pertained to the commercial development that was going on Mr. Fradkin's property. He would like to amend the PUD as requested, and work out an agreement with interested parties.

Commissioner Tucker asked about units 54, 55, and 70. Do they have side windows?

Mr. Daly said that they may have small windows.

Commissioner Tucker asked if there were patios and balconies on units 71 to 75.

Mr. Daly said that there would be no second story balconies. He would not object to making the end windows opaque.

Commissioner Tucker said that he had no objection to the project conditions as restated by Mr. Daly. He was not sure how germane the traffic issue was to tonight's request.

Commissioner Harris stated that the 1996 issue pertained to the area not having a traffic light. Now there is a light, and many of the past concerns are not relevant. This will reduce traffic that would have been from other uses.

Mr. Daly stated that if he cannot work out an access agreement, he will put it in the agreement that he would access Park Drive.

Commissioner Dorworth made a motion to recommend approval of the request with the notation that if an access agreement is not worked out, access will be to Park Drive.

Commissioner Peltz seconded the motion.

The vote was 6 – 0 in favor of the motion.

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On March 22, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Fradkin Brothers Realty Co. LLC
9199 Reisterstown Road
Owings Mills MD 21117

Project Name: WALDEN CHASE PUD

Requested Development Approval: SMALL SCALE LAND USE AMENDMENT
FROM PLANNED DEVELOPMENT (PD) TO
PLANNED DEVELOPMENT (PD) AND
REZONING FROM PUD TO PUD TO PERMIT
TOWNHOUSE DEVELOPMENT

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: JEFF HOPPER
1101 East First Street
Sanford, Florida 32771

WALDEN CHASE TOWNHOMES PUD
DEVELOPMENT ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- 1. The aforementioned application for development approval is **GRANTED**.
- 2. All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- 3. The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

4. STATEMENT OF BASIC FACTS

- A. Total Area: 8.09 Acres
- B. Zoning: Planned Unit Development
- C. Net Density 11.6 units/acre
- D. The development approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance with all other applicable regulations and ordinances.

5. LAND USE BREAKDOWN

LAND USE	AREA (acres)	% OF SITE
Residential Lots	2.89	35.7
Utility & access R/W	1.71	21.1
Buffer, Drainage & Open Space tract	3.49	43.2
TOTAL AREA	8.09	100.00

6. OPEN SPACE AND RECREATION AREAS

Required Open Space: 25% = 8.01 acres x 0.25 = 2.02 acres
 Open Space Provided: 3.47 Acres

7. BUILDING SETBACKS

Building setbacks from the perimeter of the site shall be as follows:

North 25'
 South 35'
 East 25'
 West 20'

Minimum required setbacks on individual lots shall be:

Front	22'
Rear	10'
Side	0'

In the event that sidewalks are installed in easements on privately owned lots, the front building setback shall be no less than 20 feet from the nearest edge of the sidewalk.

8. PERMITTED USES

- A. Attached single family dwelling units
- B. Single family homes
- C. Home occupations and home offices

9. LANDSCAPE & BUFFER CRITERIA

All landscape buffers and common areas shall be maintained by a homeowners association. Landscaping plantings shall meet minimum code requirements according to the Seminole County Land Development Code.

- A. Buffer along the east and west property lines shall contain four (4) canopy trees per 100 linear feet, understory trees (minimum 6 feet tall at planting) and a six-foot (6') tall PVC fence.
- B. Buffer along Park Road shall be 15 feet wide and contain a six feet tall masonry wall with street trees 25 feet on center.
- C. Buffer along Palm Valley Drive shall be 10 feet wide and contain a 6-foot tall masonry wall. The buffer shall include 4 canopy trees per 100 feet.

10. DEVELOPMENT COMMITMENTS

- A. All townhouse units shall be located on individual platted lots.
- B. Balconies and similar appurtenances shall be prohibited on units having rear walls within 50 feet of the east property line.
- C. Use of common areas shall be limited to open space, recreational amenities, and utility facilities serving all residents of the development.
- D. Front walls of townhouse units shall be staggered.
- E. No accessory buildings shall be allowed on individual townhouse lots.
- F. Sidewalks shall be provided adjacent to all dwelling units, and crosswalks shall be designated to establish continuous pedestrian access to all parts of the development. This shall include a crosswalk to visitor parking at the north end of the site, and a sidewalk at the head of any such spaces that abut unpaved areas.
- G. Sales materials on the proposed development shall clearly indicate the presence of industrial and commercial land uses to the north and west.
- H. Building height shall be limited to 35 feet.
- I. Existing trees that are preserved during construction may satisfy applicable landscaping requirements where they are located in buffer areas.

- J. The development shall not be designed or marketed as student housing. The Residential Property Owner shall record restrictive covenants encumbering the Property which shall be enforced by the Residential Association and which shall prohibit: (i) less than 80 percent of the residential units on the property from being owner occupied; (ii) any residential unit from being leased for a term of less than one (1) year; and (iii) more than 2 leases for any one residential unit during any 12 month period.
- K. The project entrance shall be on Park Drive. Access will be allowed onto Palm Valley Drive subject to the applicant providing Seminole County proof of an executed agreement between the property owners of Palm Valley Mobile Home Park, The Palm Valley Homeowners Association and the applicant.

11. WATER, SEWER AND STORMWATER

SANITARY SEWER: Sanitary sewer shall be provided by Seminole County.

STORMWATER: Stormwater drainage and stormwater management shall be according to Seminole County's regulations.

FIRE PROTECTION: Fire protection shall be provided by Seminole County. Fire flow will be a minimum of 1,250 gpm with 20 p.s.i. Fire hydrant shall be located according to Seminole county regulations.

12. PHASING

The development will be constructed in 1 phase.

13. STANDARD COMMITMENTS

- A. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including impact fee ordinances, in effect in Seminole County at the time of permit issuance.
- B. The conditions upon this development approval have been accepted by and agreed to by the Owners of the property.
- C. This development order touches and concerns the aforescribed property, and the conditions, commitments, and provisions of the development order shall perpetually burden, run with, and follow the said property and be a servitude upon and binding upon said property unless released in whole or by part by action of Seminole County by virtue of a document of equal dignity herewith. The Owners of said property have expressly covenanted and agreed to this provision and all other terms and provisions of the development order.

- D. The terms and provisions of the development order are not severable, and in the event any portion of this development order shall be found to be invalid or illegal, then the entire development order shall be null and void.

DONE AND ORDERED ON
THE DATE FIRST WRITTEN ABOVE

By: _____

Carlton D. Henley
Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Fradkin Brothers Realty Company LLC, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

_____ By: _____
Print Name MARK FRADKIN
Officer

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared MARK FRADKIN, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State Aforementioned

My Commission Expires:

EXHIBIT A

Legal Description

A parcel of land comprising a portion of Lot 23, ORLANDO INDUSTRIAL PARK, according to the Plat thereof as recorded in Plat Book 10, Page 100 of the Public Records of Seminole County, Florida.

Being more particularly described as follows:

Begin at the Northwest corner of aforesaid Lot 23; also being a point on the Southerly right-of-way line of Park Road, also being a point on a non tangent curve concave Northwesterly and having a radius of 1156.78 feet; thence from a tangent bearing of North 79°30'39" East run Northeasterly along the Northerly line of said Lot 23, also being said Southerly right-of-way line, also being said curve through a central angle of 15°37'13" for an arc distance of 315.37 feet to a point of tangency; thence continuing along said Northerly line and said Southerly right-of-way line run North 63°53'26" East for a distance of 263.01 feet to a point on a line 125.00 feet West of and parallel with the Easterly line of said Lot 23; thence departing said Northerly line and said Southerly right-of-way line run South 00°02'02" West along said parallel line for a distance of 784.53 feet to a point on the Northerly right-of-way line of an unnamed private roadway; thence departing said parallel line run North 89°05'16" West along said Northerly right-of-way line for a distance of 537.29 feet to a point on the Westerly line of aforesaid Lot 23; thence departing said Northerly right-of-way line thence run North 00°18'31" East along said Westerly line for a distance of 561.53 feet to aforesaid POINT OF BEGINNING.

Contains 8.096 acres more or less.

AN ORDINANCE AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF A SMALL SCALE DEVELOPMENT AMENDMENT; CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTIES FROM PLANNED DEVELOPMENT TO PLANNED DEVELOPMENT; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE SEMINOLE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 2001-21 which adopted the Vision 2020 Seminole County Comprehensive Plan ("the Plan"); and

WHEREAS, the Board of County Commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Land Planning Agency held a Public Hearing, with all required public notice, on November 3, 2004, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held a Public Hearing on March 22, 2005, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Land Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent, is consistent and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, the State Comprehensive Plan, and the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council, based upon the "Walden Chase Small Scale Land Use Amendment Staff Report".

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. RECITALS/LEGISLATIVE FINDINGS:

- (a) The above recitals are true and correct in form and include legislative findings which are a material part of this Ordinance.
- (b) The Board of County Commissioners hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

ORDINANCE 2005-

SEMINOLE COUNTY, FLORIDA

Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION:

- (a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 2001-21, as previously amended, is hereby further amended by amending the future land use designation assigned to the property which is depicted on the Future Land Use Map and further described below:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

<u>Amendment Number</u> 09-04SS02	<u>Amendment</u> Amendment from Planned Development to Planned Development
---	--

- (b) The associated rezoning request was completed by means of Ordinance Number 2005-_____.

Section 3. SEVERABILITY:

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 4. EXCLUSION FROM COUNTY CODE/CODIFICATION:

- (a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

ORDINANCE 2005-

SEMINOLE COUNTY, FLORIDA

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

Section 5. EFFECTIVE DATE:

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66 and 163.3187, Florida Statutes.

(b) This Ordinance shall take effect upon:

- (1) Filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the Plan amendment set forth herein shall be thirty-one (31) days after the date of enactment by the Board of County Commissioners or, if challenged within thirty (30) days of enactment, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendment is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on an amendment may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the affected amendment may nevertheless be made effective by the Board of County Commissioners adopting a resolution affirming its effective status, a copy of which resolution shall be provided to the Florida Department of Community Affairs, Bureau of

ORDINANCE 2005-

SEMINOLE COUNTY, FLORIDA

Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners; and,

- (2) The recording date of Development Order #4-22000005 in the Official Land Records of Seminole County.

ENACTED this 22nd day of March, 2005.

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley,
Chairman

EXHIBIT A

A parcel of land comprising a portion of Lot 23, ORLANDO INDUSTRIAL PARK, according to the Plat thereof as recorded in Plat Book 10, Page 100 of the Public Records of Seminole County, Florida.

Being more particularly described as follows:

Begin at the Northwest corner of aforesaid Lot 23; also being a point on the Southerly right-of-way line of Park Road, also being a point on a non tangent curve concave Northwesterly and having a radius of 1156.78 feet; thence from a tangent bearing of North 79°30'39" East run Northeasterly along the Northerly line of said Lot 23, also being said Southerly right-of-way line, also being said curve through a central angle of 15°37'13" for an arc distance of 315.37 feet to a point of tangency; thence continuing along said Northerly line and said Southerly right-of-way line run North 63°53'26" East for a distance of 263.01 feet to a point on a line 125.00 feet West of and parallel with the Easterly line of said Lot 23; thence departing said Northerly line and said Southerly right-of-way line run South 00°02'02" West along said parallel line for a distance of 784.53 feet to a point on the Northerly right-of-way line of an unnamed private roadway; thence departing said parallel line run North 89°05'16" West along said Northerly right-of-way line for a distance of 537.29 feet to a point on the Westerly line of aforesaid Lot 23; thence departing said Northerly right-of-way line thence run North 00°18'31" East along said Westerly line for a distance of 561.53 feet to aforesaid POINT OF BEGINNING.

Contains 8.096 acres more or less.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM PUD (PLANNED UNIT DEVELOPMENT) DISTRICT TO PUD (PLANNED UNIT DEVELOPMENT) DISTRICT; PROVIDING FOR SPECIFIC DEVELOPMENT CONDITIONS BY MEANS OF A DEVELOPMENT ORDER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the document titled "Walden Chase Small Scale Land Use Amendment Staff Report."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONING.

The zoning classification assigned to the following described property is changed from PUD (Planned Unit Development) to PUD (Planned Unit Development):

Legal Description Attached as Exhibit A

Section 3. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 4. EFFECTIVE DATE.

A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes. This Ordinance shall become effective upon filing by the Department and of recording of Development Order #4-22000005 in the official land records of Seminole County.

ENACTED this 22nd day of March, 2005.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

FILE # Z2004-048

EXHIBIT "A"

A parcel of land comprising a portion of Lot 23, ORLANDO INDUSTRIAL PARK, according to the Plat thereof as recorded in Plat Book 10, Page 100 of the Public Records of Seminole County, Florida.

Being more particularly described as follows:

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Contains 8.096 acres more or less.

March 4, 2005

Mr. Robert Dallari
Seminole County Commissioner, District 5
1101 E. First St.
Sanford, FL 32771

Re: Walden Chase Townhomes

Job no. 2421

Commissioner Dallari,

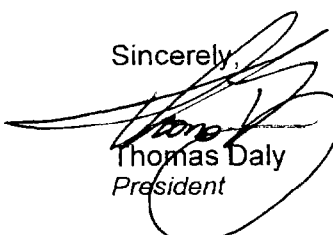
As you are aware, Centex Homes has been working with the Palm Valley Homeowners association to secure access from Palm Valley Drive to service this project. There is in place a private, tri-party agreement in place that controls access to this private road. Since August 2004 we have had numerous meetings with the Homeowners Association board and members to review this matter. Unfortunately, every time Centex agrees to specific conditions, the HOA board places new additional requirements. The most recent being providing a joint-use dog walk park, requesting two (2) \$33,000 gates, asking for a \$50,000 slush fund to maintain the entrance and asking for brick and wrought iron fencing around the entire project.

Centex Homes has reached a point contractually that they need the zoning resolved. Therefore, they have decided to place the access to the project from park road and buffer the palm valley mobile home park consistent with Seminole county standards. Due to the fact that we received the additional requests from the HOA last week we were not able to revise the final master plan and have a staff review prior to our hearing on March 8, 2005.

The action we are requesting from the Board of County Commissioner's on March 8th is to review the amendment to the existing PUD zoning only. If the Board approves our zoning request the final master plan be continued until Seminole county staff has had the time to review and make recommendations.

We look forward to discussing this matter at the March 8, 2005 hearing. If you have any questions or comments please contact our office.

Sincerely,



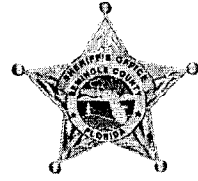
Thomas Daly
President

Cc; Commissioner Randy Morris
Commissioner Brenda Carey
Commissioner Dick Vanderweide
Commissioner - Chairman Carlton Henley
Mr. Michael Oliver & John Alvarez, Centex Homes



SHERIFF DONALD F. ESLINGER

Seminole County Sheriff's Office
Community Services Section
100 Bush Blvd., Sanford, FL 32773
(407) 665-6977 or 665-6748



Seminole County Sheriff's Office Response to Applicant's Comments
Proposed Development: Walden Chase
Project Number 04-22000005
Location: North Side of E. Palm Valley Drive 600' East of Alafaya Trail
October 28, 2004

The Community Services Section of the Seminole County Sheriff's Office has reviewed the comments submitted by the Applicant, Thomas Daly/Daly Design Group dated 10/14/04 and hereby submits the following response:

1. Historically, Home Owners' Association rules and deed restrictions have been shown to be insufficient in preventing violations of such rules and restrictions for the following two reasons:
 - a. If civil action is pursued by the HOA, the lengthy amount of time required to investigate and subsequently seek a civil remedy for these violations often exasperates the problem and discourages HOA's from proceeding with legal action against a violator.
 - b. The cost of seeking a civil remedies against such violators would discourage Homeowners' Association from enforcing their own covenants or rules; especially new or start up associations with little or no cash reserve.
2. In addition, Homeowners' Associations provide a valuable role to law enforcement by acting as a point of contact for the purpose of relaying information to the residents from law enforcement. Their role does not include assisting law enforcement in either law enforcement or code enforcement issues as the developer suggests by "coordinating any service calls to the community".

In addition to the above comments, the Community Services Section took the liberty of researching the number of calls for service for an apartment complex, which is located just north of where the proposed development to illustrate a thumbnail sketch of the typical calls for service initiated in a housing complex

with student tenants. Grandville At River Place Apartment complex has a total of 850 residents. From January 2004 to the present date, there have been a total of 393 calls for service, requiring a Community Service Deputy to respond. This would total 46% of the residents or almost one out of two requiring a call for service by a deputy. Although Seminole County Deputies continue to do a remarkable job in handling not only these calls in this one complex in an efficient and professional manner, but also in the rest of the District Four Service or Patrol Area; adding another development along this corridor would put an increased demand on present resources and staffing.

It is for the above reasons and those submitted previously, that the Seminole County Sheriff's Office opposes the change in zoning and development of the project.

Thank you for your kind consideration of this matter.

Respectfully submitted,

The Community Services Section
Seminole County Sheriff's Office
(407) 665-6977 or 665-6748