

SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM

**SUBJECT:** Final Master Plan & Developer's Commitment Agreement for  
Deep Lake PUD (Charles Madden, applicant)  
**DEPARTMENT:** Planning & Development **DIVISION:** Planning  
**AUTHORIZED BY:** Dan Matthys **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 4/12/05 Regular  Work Session  Briefing   
Public Hearing – 1:30  Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

1. APPROVE the Final Master Plan and Developer's Commitment Agreement for Deep Lake PUD and authorize the Chairman to execute same, for property located on the south side of SR 426 and the west side of Deep Lake Road, based on staff findings (Charles Madden, applicant); or
2. DENY the Final Master Plan and Developer's Commitment Agreement for Deep Lake PUD and authorize the Chairman to execute same; located on the south side of SR 426, and the west side of Deep Lake Road, (Charles Madden, applicant); or
3. CONTINUE the public hearing until a time and date certain.

District 1 – Dallari

Jeff Hopper-Senior Planner

**BACKGROUND:**

The applicant is requesting Final Master Plan approval for the Deep Lake PUD, located on 18.6+/- acres in the Higher Intensity Planned Development (HIP) future land use designation. This request incorporates the revised Preliminary Master Plan and Amended Development Order approved by the Board on December 9, 2003. At that time, the Board approved a maximum of 100 townhouse units and approximately 3.5 acres of commercial and office uses.

All townhouse units will be configured for fee simple ownership through the platting process and will consist of minimum 1,324 square feet of habitable area, with 3 bedrooms and 2 baths. The plan shows 62 visitor parking spaces in addition to the 2 spaces per unit required by the Land Development Code. Each unit will include a 2-car garage.

Primary access to the site will be provided through a planned intersection, approved by the Florida Department of Transportation,

Reviewed by: JKR  
Co Atty: \_\_\_\_\_  
DFS: \_\_\_\_\_  
OTHER: \_\_\_\_\_  
DCM: \_\_\_\_\_  
CM: JK  
File No. ph700pdp01

on the neighboring property to the east. This intersection necessitated a slight realignment of the north end of Deep Lake Road, an eastward shift of approximately 75 feet. With this change in alignment, and expansion to a 50-foot right of way, Deep Lake Road will become the primary access to Deep Lake PUD and two other developments: the South Tuskawilla Road Property PUD, a single family development to the south; and Greenway South, a commercial PUD to the east.

In its current form, Deep Lake Road is a 14-foot easement providing access to several parcels lying south of the subject property. The affected property owners have agreed to release their respective interests in the easement in exchange for access to the public thoroughfare that Deep Lake Road will become.

Buffering and setbacks are provided per the requirements of the Development Order, including a 60-foot undisturbed area and 6-foot masonry wall adjacent to the Saliga property on the southwest corner of the site. A 54-foot setback between commercial buildings on Tract G and the north boundary of the townhouse area of the proposed development is provided per Condition 2(P)(2) of the approved Development Order and depicted as Note 7 (Site Data) on the Final Master Plan.

In approving the Development Order, the Board required the applicant hold a community meeting with residents of the Trinity Bay and Bear Creek Subdivisions regarding the Final Master Plan. This meeting was conducted by the applicant on November 18, 2004. A further stipulation by the Board was that the Final Master Plan be reviewed at a public hearing in the evening.

**STAFF RECOMMENDATION:**

Staff finds that the proposed Final Master Plan and Developer's Commitment Agreement are consistent with the Preliminary Master Plan and approved Development Order, and the Vision 2020 Plan. Therefore, staff is recommending approval of the Final Master Plan and Developer's Commitment Agreement.

ATTACHMENTS:   Staff Report  
                      Developer's Commitment Agreement  
                      Final Master Plan  
                      Building Elevations  
                      Amended Development Order

**Deep Lake  
Planned Unit Development**

Final Master Plan  
Developer's Commitment Agreement  
Commitments, Classifications and District Description

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On April 12, 2005, the Board of County Commissioners of Seminole County issued this Developer's Commitment Agreement relating to, concerning and binding the following described real property situated in Seminole County, Florida:

**I. LEGAL DESCRIPTION**

**See Exhibit "A" attached hereto and incorporated herein by this reference.**

**II. PROPERTY OWNERS**

THE RYLAND GROUP, INC.  
4700 Millenia Blvd.  
Suite 400  
Orlando, FL 32839

AND

ROCHE DEVELOPMENT GROUP, INC.  
520 N. Orlando Ave. Suite 5  
Winter Park FL 32789

(Hereinafter referred to as the "Owner")

**III. STATEMENT OF BASIC FACTS**

A.	Total Acreage of Property	18.67 Acres
B.	Zoning	PUD
C.	Commercial Use	20,000 SF Commercial Building Area 13,000 SF Office/Commercial
D.	Residential	100 townhouse units or 9.4 units per net buildable acre, whichever is greater

**IV. LAND USE BREAKDOWN**

	Land Use	Acreage
Tract A	open space / buffer areas	3.45
Tract B	open space	0.52

	<b>Land Use</b>	<b>Acreage</b>
Tract C	utility and access R/W	2.13
Tract D	conservation	2.28
Tract E	Deep Lake Road R/W	0.88
Tract F	commercial uses	2.45
Tract G	commercial / office uses	1.47
Lots 1-100	townhouse units	5.31
	sidewalks	0.18
<b>TOTAL</b>		<b>18.67</b>

## V. OPEN SPACE CALCULATIONS

### Residential

Site Area: 13.87 acres  
 Open Space Required: 13.87 acres x 0.25 = 3.47 acres  
 Open Space Provided: 3.94 acres

The residential portion of the development includes a Conservation Easement containing the designated Wetlands jurisdiction area and an Uplands Buffer around its perimeter. Under Section 30.1344 of the Land Development Code, no more than 25% of this area may be counted toward required open space. The 2.28-acre Conservation Easement shall be dedicated to Seminole County as a preservation area and permanent Open Space.

### Non-Residential

Tract F Site Area: 2.45 acres  
 Open Space Required: 2.45 acres x 0.25 = 0.62 acres

Tract G Site Area: 1.47 acres  
 Open Space Required: 1.47 acres x 0.25 = 0.37 acres

Open space provided on Tracts F and G shall be established through individual site plans as the properties are developed. Maintenance of the open space shall be funded by the Owner.

## VI. BUILDING SETBACKS AND BUILDING HEIGHTS

A. Commercial/Office (Tracts F and G):

- 25' from SR 426
- 25' from Deep Lake Road
- 0' from common (internal) property line
- 10' from west property line
- 54' from south boundary of Tract G
- 35' maximum building height

B. Townhouse Residential:

- 25' from Deep Lake Road
- 10' from Tract G
- 60' from property described in Exhibit B (Parcel 36-21-30-300-0270-0000)
- 10' from other property lines

Residential structures on individual lots shall meet the following setbacks:

- Front: 20' measured from property line or nearest edge of sidewalk, whichever is less
- Side: 0'
- Rear: 10'
- Minimum separation between buildings: 20'
- 35' maximum building height

Accessory building setbacks shall be:

- |                   |                  |
|-------------------|------------------|
| screen enclosures | 5' side / rear   |
| all others        | 7.5' side / rear |

## VII. LANDSCAPING AND BUFFERING

- A. There shall be a 25-foot buffer along SR 426 and also along Deep Lake Road. This buffer shall contain 4 canopy trees per 100' having a minimum caliper of 3" as measured 1 foot above ground.
- B. A buffer shall be provided between commercial or office buildings on Tract G and the north boundary of the townhouse portion of the development as follows:
  - 1. The width of the buffer shall be 10 feet on Tract G and 10 feet on the townhouse area, for a total width of 20 feet.
  - 2. A 6-foot brick or masonry wall shall be provided along the common property line.
  - 3. The buffer on the south (residential) side of the required wall shall be planted with at least 4 canopy trees per 100 linear feet.
- C. Within the townhouse area, a 60-foot undisturbed buffer shall be provided adjacent to the property described in Exhibit B (Parcel 36-21-30-300-0270-0000). There shall be a 6-foot tall masonry wall along the south property line between South Tuskawilla Road and Tract D.
- D. Except as otherwise required in this Agreement, there will be a 10-foot buffer adjacent to all property lines. This buffer shall contain 4 canopy trees per 100' having a minimum caliper of 3" as measured 1 foot above ground.

- E. Adjacent to South Tuskawilla Road, the Owner shall install landscaping similar to and consistent with landscaping provided for the existing townhouse development on the west side of the road (reference Project # 1-20000027).
- F. The buffer between the proposed townhouses and South Tuskawilla Road shall contain 3-inch caliper oak trees at the rate of 4 per 100 linear feet. Understory trees shall be provided at 10-foot intervals. Such trees shall be a minimum 6' in height, and 1½" diameter as measured 1 foot above ground.
- G. Except as otherwise required in this Agreement, a 6-foot tall PVC screen fence shall be provided on all property lines. However, no fence shall be required along the south property line adjacent to the Conservation Easement.
- H. Parking lot landscaping and other internal landscaping shall be consistent with the standards of the Lake Mary Boulevard Overlay Ordinance and other applicable portions of the Land Development Code.
- I. All landscape plans shall be submitted to Seminole County with Final Engineering Plans for review.

## VIII. PERMITTED USES

- A. Uses allowed on Tracts F and G shall be those listed as permitted and conditional uses in the C-1 Commercial Zoning District of the Seminole County Land Development Code. However, the following uses shall be prohibited:
  - 1. Outdoor Advertising Signs
  - 2. Contractor's Equipment Storage Yard
  - 3. Paint and Body Shop
  - 4. Mechanical Garages, Bus, Cab, and Truck Repair and Storage
  - 5. Drive-in theaters
  - 6. Adult Entertainment Establishment
  - 7. Outdoor Storage
- B. The remainder of the development is approved for townhouse use, customary accessory uses, including home occupations, and recreation and open space amenities located in common areas of the development site. All units shall be 2-story townhouses to be sold fee-simple.

## IX. VEHICLE AND PEDESTRIAN CIRCULATION SYSTEM

### A. Pedestrian

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 crosswalks to visitor parking, and a sidewalk at the head of any such spaces that abut unpaved areas.

B. Vehicular Circulation

1. Owner shall construct a roadway, meeting Seminole County specifications, within Tract E – Deep Lake Road Right-of-Way including the connection to State Road 426 right-of-way during Phase I construction. Construction of left turn lane improvements within State Road 426 shall be completed prior to the issuance of a Certificate of Occupancy (CO) for any lot.
2. Off-street parking facilities shall be constructed in accordance with the requirements of Section 30.1221 of the Land Development Code as each lot develops.

**X. FACILITY COMMITMENTS**

- A. Drainage. The development will utilize Tract F of the South Tuskawilla Road Property PUD (Project #01-20500005) for an off-site “joint-use” retention area.
- B. Water and wastewater services shall be provided by Seminole County.

**XI. OTHER COMMITMENTS**

- A. Pole or building mounted site lighting shall not exceed a height of 16 feet and shall comply with Section 30.1234 of the Land Development Code as amended by Ordinance 2004-02.
- B. No street lighting shall be permitted within the required 60-foot buffer adjacent to the property described in Exhibit B. All outdoor lighting in the development shall consist of cutoff-shoebox style fixtures at a maximum height of 16’.
- C. Front walls of the townhouse units shall be staggered to create architectural relief as shown in Exhibit D.
- D. Supplemental guest parking shall be required at a rate of no less than 1 space per 3 units.
- E. No motorized watercraft shall be permitted in water features.
- F. Frosted-opaque glass shall be required on second-floor windows of units nearest to the property described in Exhibit B.
- G. Prior to Final Engineering Approval, the Owner and County staff shall assess the feasibility of utilizing traffic-calming devices along Deep Lake Road.
- H. A homeowners association will be established to maintain all common areas within the development including private road rights of ways, all open space and recreational facilities.

**XII. DEVELOPMENT COMMITMENTS**

- A. The Owner of the Property has expressly agreed to be bound by and subjected to the development conditions and commitments herein set forth

and hereby covenants and agrees to have such conditions and commitments restrict, run with and perpetually burden the Property.

- B. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including the impact fee ordinances, in effect in Seminole County at the time of permit issuance.
- C. This Developer's Commitment Agreement touches and concerns the Property, and the conditions, commitments, and provisions of this Developer's Commitment Agreement shall perpetually burden, run with and follow said Property and be a servitude upon and binding upon said Property unless released in whole or part by action of Seminole County as evidenced in writing. The Owner of said Property has expressly covenanted and agreed to this provision and all other terms and provisions of the Developer's Commitment Agreement.
- D. The terms and provisions of this Developer's Commitment Agreement are not severable and, in the event any portion of this Developer's Commitment Agreement shall be found to be invalid or illegal, then the entire Developer's Commitment Agreement shall be null and void.

**DONE AND ORDERED ON THE DATE FIRST WRITTEN ABOVE**

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

BY: \_\_\_\_\_  
CARLTON D. HENLEY  
CHAIRMAN

**OWNER'S CONSENT AND COVENANT**

COMES NOW, The Ryland Group Inc., the owner of the aforescribed property in this Development Order, 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 Developer's Commitment Agreement.

The Ryland Group, Inc.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Keith Bass, Operational Vice  
President

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

\_\_\_\_\_  
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 Keith Bass who is personally known to me or who has produced \_\_\_\_\_ as identification and who did execute 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:

**OWNER'S CONSENT AND COVENANT**

COMES NOW, Roche Development Group Inc., the owner of the aforescribed property in this Development Order, on behalf of himself and his 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.

Roche Development Group,  
Inc.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Sime Dijan, President

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

\_\_\_\_\_  
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 Sime Dijan who is personally known to me or who has produced \_\_\_\_\_ as identification and who did execute 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

The Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida, less and Except the Following two parcels of land:

The West 155.5 yards (466.50 feet) of the West 311 yards (933.00 feet) of the North 311 yards (933.00 feet) of the Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida.

AND

The East 155.5 yards ( 466.50 feet) of the West 311 yards (933.00 feet) of the North 311 yards {933.00 feet) of the Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida.

Further less and except that part taken by Seminole County Expressway Authority by Stipulated Final Judgment recorded February 16, 1993, in Official Records Book 2545, Page 1319, Public Records of Seminole County, Florida, described as:

That part of the Southeast 1/4 of Section 36, Township 21 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Southeast 1/4 of said Section 36; thence run South 00°34'41" East along the East line of said Southeast 1/4 a distance of 25.59 feet for a POINT OF BEGINNING; said point being on the South right of way line of State Road 426 (Aloma Avenue) as shown on State Road Right of Way Map Section 770060-2501, said point also being 25.00 feet South of, when measured perpendicularly from the centerline of S.R. 426; thence continue South 00°34'41" East a distance of 95.01 feet; thence departing said East line of the Southeast 1/4 run South 89°14'17" West a distance of 188.50 feet; thence run North 88°11'07" West a distance of 202.18 feet to a point on a line 933.00 feet east of, when measured perpendicularly from the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 36; thence run North 00°41'00" West parallel with said West line a distance of 85.91 feet to the aforementioned South right of way line; thence North 89°14'17" East along said right of way line a distance of 390.67 feet to the POINT OF BEGINNING.

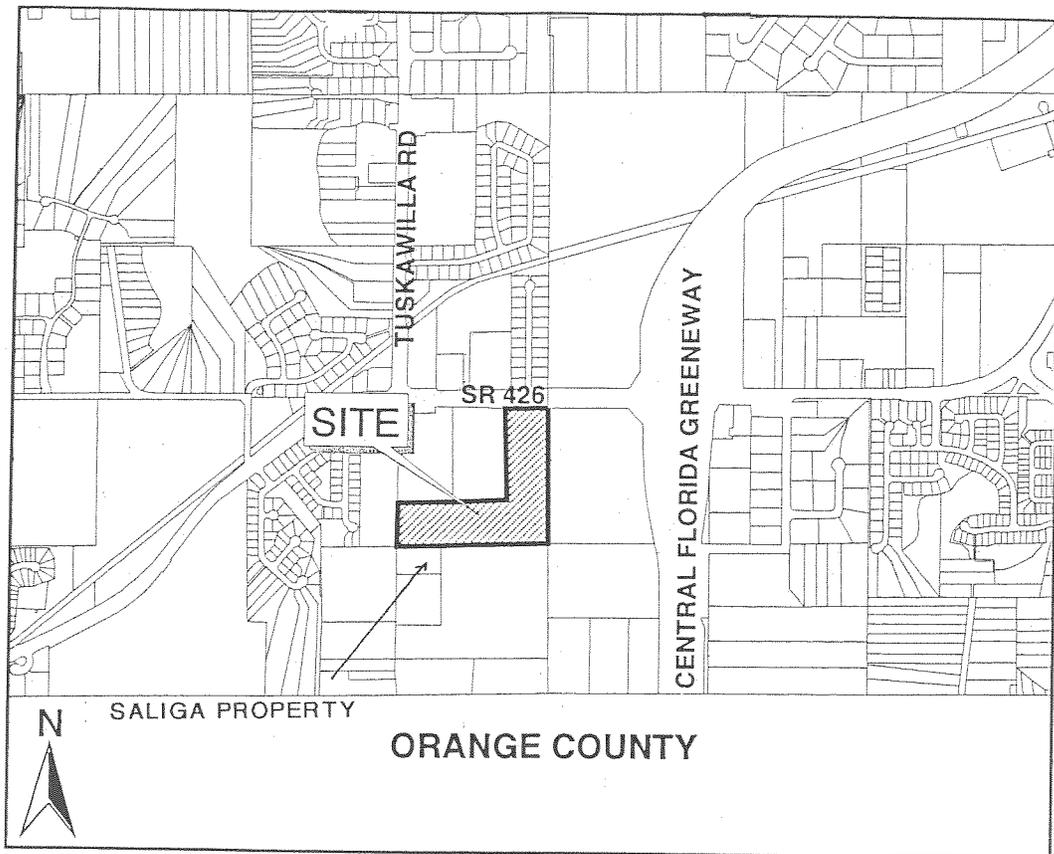
**EXHIBIT B**

**Saliga Property**

LEGAL DESCRIPTION:

SEC 36 TWP 21S RGE 30E W 375 FT OF N 250 FT OF SE 1/4 OF SE 1/4

Parcel 36-21-30-300-0270-0000



**EXHIBIT C**

**Final Master Plan**

**TRACT TABLE**

TRACT	TRACT USE	ACREAGE	PERCENT
A	OPEN SPACE / LANDSCAPE BUFFER / BUILDING SETBACK	3.40 AC.	18.38%
B	OPEN SPACE	0.52 AC.	2.80%
C	UTILITY AND ACCESS RIGHT-OF-WAY	2.13 AC.	11.4%
D	CONSERVATION	2.29 AC.	12.28%
E	DEEP LAKE ROAD RIGHT-OF-WAY	0.80 AC.	4.26%
F	COMMERCIAL C-1 EQUIVALENT	2.43 AC.	12.9%
G	COMMERCIAL AND/OR OFFICE C-1 EQUIVALENT	1.47 AC.	7.80%
H	FEES SIMPLE TOWNHOMES	5.31 AC.	28.4%
I	SIDEWALK	0.18 AC.	0.96%
<b>TOTAL SITE AREA:</b>		<b>18.67 AC.</b>	<b>100%</b>

TRACTS F AND G ARE APPROVED FOR PERMITTED AND SPECIAL EXCEPTION USES WITHIN THE C-1 ZONING DISTRICT, WITH THE EXCEPTION OF OFF-SITE SIGNAGE (BILLBOARDS), MECHANICAL GARAGES, PAINT AND BODY SHOPS, CONTRACTOR'S EQUIPMENT STORAGE YARDS, DRIVE-IN THEATERS, AND ADULT ENTERTAINMENT ESTABLISHMENTS.

**PROJECT TEAM MEMBERS:**

**OWNER / DEVELOPER**

RYLAND HOMES  
4700 MILENA BLVD.  
ORLANDO, FL 32838  
PHONE: (407) 872-1203

**ENGINEER**

MADDEN ENGINEERING, INC.  
431 E. NORATTO AVE., SUITE 200  
MILWAUKEE, FLORIDA 32701  
PHONE: (407) 828-8330

**SURVEYOR**

ALLEN & COMPANY, INC.  
18 E. PLANT STREET  
WINTER GARDEN, FL 34787  
PHONE: (407) 834-5556

**UTILITY PROVIDERS:**

**ELECTRIC:**

FLORIDA POWER & LIGHT  
2801 S. R. 426  
DUNEDIN, FL 32726  
PH: 407-338-4428

**PHONE:**

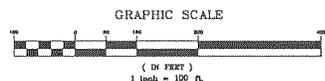
SPRINT  
P.O. BOX 15000  
MIAMI, FL 33187  
ALTIMATE SPRINGS, FL 32715-3000  
PH: 407-830-2475

**CABLE:**

THE WARNER CABLE  
844 MADRID ROAD  
DOCKEE, FL 34781  
PH: 407-532-8511

**WATER & WASTE WATER:**

SEMIWOLE COUNTY  
500 W. LAKE MARY BLVD.  
SEMIWOLE, FL 32773  
PH: 407-885-2028

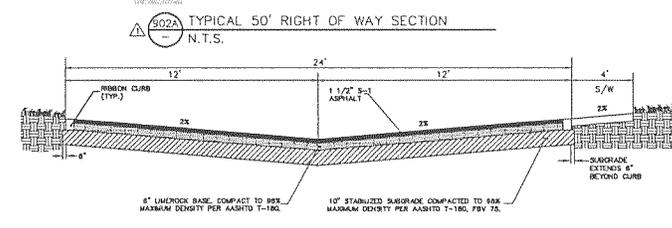
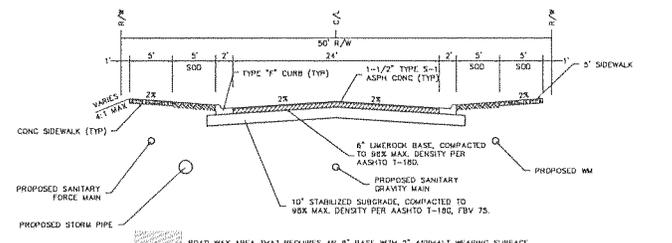
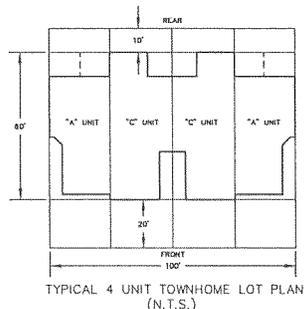


- SITE DATA:**
1. PARCEL ID # 36-21-30-300-0200-0000
  2. EXISTING ZONING: PUD, PLANNED UNIT DEVELOPMENT
  3. TOTAL SITE AREA: 18.67 AC.
  4. LAND USE DESIGNATION: HP-TL, HIGH INTENSITY PLANNED DEVELOPMENT - TARGET INDUSTRIES.
  5. TOTAL NUMBER OF UNITS (TRACTS F AND G NOT INCLUDED) = 100
  6. ALLOWABLE NET DENSITY: 8.0 U/AC, OR 100 UNITS, WHICHEVER IS GREATER (PER D.O.)  
= 4 UNITS / (GROSS SITE AREA-DEEP LAKE ROAD-COMMERCIAL OUTPARCELS-WATER/ROAD-NETLANDS)  
= (100 UNITS) / (18.67 AC. - 0.88 AC. - 3.82 AC. - 1.84 AC. - 1.78 AC.) = 8.77 DU/AC.  
\*WATER/ROAD AREA DOES NOT INCLUDE PARKING.
  7. BUILDING SETBACKS:  
25' FROM DEEP LAKE ROAD  
50' ADJACENT TO SAUGA PROPERTY (PARCEL I.D. 36-21-30-300-0270-0000)  
34' FOR COMMERCIAL BUILDINGS ON TRACT G FROM THE TOWNHOMES BOUNDARY.  
10' ADJACENT TO OTHER PROPERTY LINES.
  8. LOT SETBACKS:  
FRONT: 20' (MEASURED FROM THE PROPERTY LINE, OR NEAREST EDGE OF SIDEWALK, WHICHEVER IS LESS.)  
SIDE: 0'  
REAR: 10'  
MINIMUM DISTANCE BETWEEN BUILDINGS: 20'
  9. MINIMUM LOT SIZE = 2,350 S.F.
  10. THE MINIMUM UNIT SIZE IS 1,324 S.F. OF HABITABLE AREA. ALL UNITS SHALL HAVE AT LEAST 3 BEDROOMS, 2 BATHS, AND A 2 CAR GARAGE.
  11. MAXIMUM ALLOWED BUILDING HEIGHT:  
TRACTS F AND G  
COMMERCIAL OR OFFICE COMMERCIAL = 35'  
MULTIFAMILY TOWN HOMES = 35'
  12. PER THE FIRM MAP PANEL NO. 1211700210 E, DATED APRIL 17, 1995, NO PORTION OF THE SITE IS LOCATED WITHIN THE 100 YEAR FLOOD HAZARD AREA. THE SITE IS DESIGNATED ZONE X.
  13. UTILITY EASEMENTS DEDICATED TO SEMIWOLE COUNTY SHALL BE PROVIDED OVER ALL WATER AND SEWER MAINS LOCATED OUTSIDE THE PUBLIC RIGHT OF WAY.
  14. ALL UTILITY LINES AND STORM SYSTEM TO MEET SEMIWOLE COUNTY AND FOOT SPECIFICATIONS.
  15. ALL UTILITY LINES TO HAVE LOCATOR TAPE.
  16. THERE SHALL BE A MINIMUM OF 10' HORIZONTAL AND 18" VERTICAL SEPARATION BETWEEN SANITARY AND POTABLE WATER LINES, WHERE THESE SEPARATIONS CANNOT BE MAINTAINED, UPGRADS WILL BE PER THE SEMIWOLE COUNTY AND FDEP REQUIREMENTS.
  17. ALL CONSTRUCTION MATERIALS AND OTHER PROPOSED IMPROVEMENTS WILL MEET THE APPLICABLE CODES OF SEMIWOLE COUNTY. SEMIWOLE COUNTY DETAILS WILL BE UTILIZED IN THE FINAL ENGINEERING PLANS.
  18. LANDSCAPE PLANS SHALL BE SUBMITTED WITH FINAL CONSTRUCTION PLANS.
  19. DRAINAGE TO BE ACCOMMODATED FOR BY THE S. TUSKAWILLA RD. PUD, IN THE S. TUSKAWILLA RD. MASTER PLAN.
  20. LIFT STATION TO BE BUILT WITH THE S. TUSKAWILLA RD. PROPERTY.
  21. LAYOUT ASSUMES 4' SIDEWALK ON ONE SIDE ONLY.
  22. TOTAL NUMBER OF RESIDENT PARKING:  
2 GARAGE SPACES + 2 STACK SPACES PER TOWNHOME = 400 SPACES  
TOTAL NUMBER OF GUEST PARKING = 48 SPACES  
TOTAL NUMBER OF SPACES PROVIDED = 488
  23. 25' AVERAGE REQUIRED WETLAND BUFFER AREA = 0.48 AC.  
PROPOSED WETLAND BUFFER AREA = 0.48 AC.
  24. PER THE DEEP LAKE ROAD DEVELOPMENT AGREEMENT, INITIAL DRIVEWAY LOCATIONS TO ACCESS TRACTS F, G, AND THE CLAYTON PROPERTY FROM THE NEW STREET SHALL BE LOCATED AND CONSTRUCTED AT A LATER DATE BY THE INDIVIDUAL PROPERTY OWNERS.

**SOILS LEGEND**

7	ADAMSVILLE-SPARR FINE SANDS
8	ASTATULA-APOPKA FINE SANDS
10	BASINGER, SANSULA, AND HORTON SOILS
31	TAVANES-MILHOPPER FINE SANDS

--- SOILS LINE



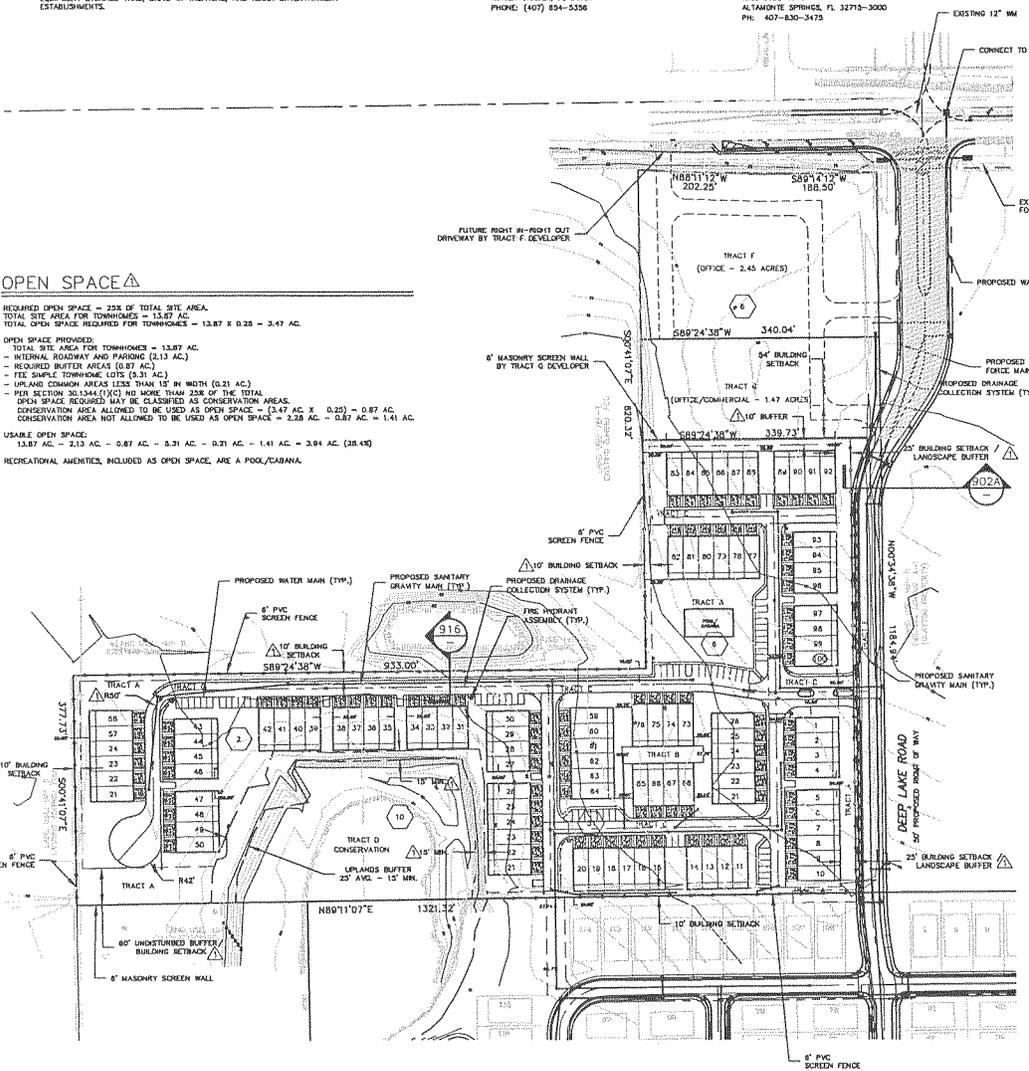
**OPEN SPACE**

REQUIRED OPEN SPACE = 23% OF TOTAL SITE AREA.  
TOTAL SITE AREA FOR TOWNHOMES = 13.87 AC.  
TOTAL OPEN SPACE REQUIRED FOR TOWNHOMES = 13.87 x 0.23 = 3.17 AC.

OPEN SPACE PROVIDED:  
TOTAL SITE AREA FOR TOWNHOMES = 13.87 AC.  
- INTERNAL ROADWAY AND PARKING (2.13 AC.)  
- REQUIRED BUFFER AREAS (0.87 AC.)  
- FEES SIMPLE TOWNHOME LOTS (5.31 AC.)  
- UPLAND COMMON AREAS LESS THAN 15' IN WIDTH (0.31 AC.)  
- PER SECTION 303.14(1)(C) NO MORE THAN 23% OF THE TOTAL OPEN SPACE REQUIRED MAY BE CLASSIFIED AS CONSERVATION AREAS.  
CONSERVATION AREA ALLOWED TO BE USED AS OPEN SPACE = (3.47 AC. x 0.23) = 0.87 AC.  
CONSERVATION AREA NOT ALLOWED TO BE USED AS OPEN SPACE = 2.28 AC. - 0.87 AC. = 1.41 AC.

USABLE OPEN SPACE:  
13.87 AC. - 2.13 AC. - 0.87 AC. - 5.31 AC. - 0.31 AC. - 1.41 AC. = 3.84 AC. (28.4%)

RECREATIONAL AMENITIES, INCLUDED AS OPEN SPACE, ARE A POOL/CABANA.



**DEEP LAKE PUD**  
SEMIWOLE COUNTY, FLORIDA

RYLAND HOMES  
4700 MILENA BOULEVARD  
ORLANDO, FLORIDA 32839  
PH: (407) 872-1203

ENGINEER IN CHARGE:  
CHARLES N. MADDEN, P.E. #29772  
CORPORATE OFFICE: 1000 W. 10TH AVENUE, SUITE 200, GAITHERSBURG, MD 20878

DATE REVISIONS

NO.	DATE	DESCRIPTION
1	05/18/04	ISSUED FOR PERMIT

Drawn by: MJC  
Designed by: MJC  
Checked by: MJC  
Approved by: CMH

MP-1

**FINAL MASTER PLAN**

**EXHIBIT D**

**Building Elevations**



© 2005

**SEMINOLE COUNTY AMENDED DEVELOPMENT ORDER**

On December 9, 2003, 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 Owners:** THE RYLAND GROUP INC., A MARYLAND CORP.  
LARRY T. NICHOLSON, OPERATIONAL VICE PRESIDENT  
  
ROCHE DEVELOPMENT GROUP, INC.  
SIMI DIJAN, PRESIDENT

**Project Name:** DEEP LAKE PUD

**Requested Development Approval:** MAJOR REVISION TO PUD PRELIMINARY MASTER PLAN

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

MARYANNE MORSE, CLERK OF CIRCUIT COURT  
CLERK OF SEMINOLE COUNTY  
BK 05558 PGS 0742-0751  
FILE NUM 2004198204  
RECORDED 12/27/2004 08:25:52 AM  
RECORDING FEES 86.50  
RECORDED BY J Eckenroth

CERTIFIED COPY  
MARYANNE MORSE  
CLERK OF CIRCUIT COURT  
SEMIMOLE COUNTY, FLORIDA  
BY Charles Cole  
DEPUTY CLERK

BK 0 3 1 8 PG 1 7 4 3

RETURN TO SANDY HOOVER

## NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for a major revision to the Deep Lake PUD Preliminary Master Plan is **GRANTED**.

(2) The Deep Lake PUD Preliminary Master Plan is hereby amended as follows:

- (A) The developer must obtain approval from the Florida Department of Transportation for the proposed temporary access as shown on the amended Preliminary Master Plan or, in the absence of such approval, the developer must do one of the following:
1. Execute and maintain an agreement with the property owner to the east regarding a joint access road to SR 426. Said agreement shall include, but not be limited to, the following issues:
    - Provision of utilities such as water and sewer specifying location, sizes and capacity to serve on each side of the joint access road.
    - Aligning the joint access road with the proposed driveway for the development on the north side of SR 426 (Greenway Center North).
    - Specifying driveway locations along the joint access road for development on both sides.
  2. Provide a right-in/right-out access to the development at the west edge of the subject property.
- (B) Covenants and marketing materials for the development shall clearly depict the project entrance on the existing Deep Lake Road alignment as "temporary."
- (C) In the event that condition (A)(1) above is not met and the Clayton property directly east of Deep Lake PUD or the Clayton property on the north side of SR 426 (Greenway Center North) obtains site plan approval and FDOT permits to install a signalized intersection east of Deep Lake PUD, the temporary access must be closed and the western driveway access on SR 426 must be utilized as the main entrance for Deep Lake PUD. Said western access shall be restricted to right turn movements only.
- (D) When use of the temporary project entrance on Deep Lake Road is discontinued, the developer shall vacate the existing easement if possible. If the necessary release of easements cannot be obtained from the affected property owners, the developer shall restore the road to its 14-foot, unpaved pre-development condition. In this case, the Deep Lake PUD traffic shall not be permitted to utilize the 14-foot access easement.
- (E) Prior to Final Engineering Approval, the Owner and County staff shall assess the feasibility of utilizing traffic-calming devices along Deep Lake Road.

- (F) The developer shall reserve a corridor across the commercial properties for possible use as a road entrance to the development.
- (G) Prior to receiving site construction permits, the developer shall post a bond for construction of the west entrance, and restoration of Deep Lake Road to its pre-development condition, if necessary.
- (H) Residential density shall not exceed 9.4 units per net buildable acre, as defined in the Seminole County Land Development Code, or 100 dwelling units, whichever is greater.
- (I) Landscaping and lighting shall be consistent with the standards of the Lake Mary Boulevard Overlay Ordinance, except that lighting height shall be limited to 16 feet.
- (J) There shall be a 60-foot setback and buffer, to be left undisturbed, and a 6-foot masonry wall provided along the common property line with the property described in Exhibit B.
- (K) The developer shall ensure that landscaping on the west property line, adjacent to South Tuskawilla Road, shall be consistent and of a similar design with that provided by Centex on the townhouse project located on the west side of the road (reference Project # 1-20000027).
- (L) Within the buffer between townhomes and South Tuskawilla Road, the Owner shall install four 3" caliper oak trees per 100 linear feet, and understory trees at 10 foot intervals.
- (M) Tracts I and J are approved for permitted and special exception uses within the C-1 zoning district, with the exception of off-site signage (billboards), mechanical garages, paint and body shops, contractor's equipment storage yard, drive-in theaters, and adult entertainment establishments.
- (N) Tract K is approved for townhouse use, customary accessory uses, and recreation and open space amenities located in common areas of the development site.
- (O) The Owner shall provide recreational amenities consistent with the requirements of the Land Development Code.
- (P) A landscape buffer shall be provided as follows between Tract J and Tract K:
  - 1. The width of the buffer shall be 10 feet on Tract J and 10 feet on Tract K.
  - 2. Commercial buildings on Tract J shall be subject to a minimum setback requirement of 54 feet from the Tract K boundary.
  - 3. A 6-foot brick or masonry wall shall be provided along the common property line.
  - 4. The buffer on the south (residential) side of the required wall shall be planted with at least 4 canopy trees per 100 linear feet.
- (Q) All units shall include no less than 3 bedrooms and 2 baths, with a minimum habitable living area of 1,324 square feet.
- (R) All units shall be 2-story townhomes to be sold fee-simple.
- (S) Front walls of the units shall be staggered to create architectural relief.
- (T) Each unit shall have a 2-car garage.
- (U) Supplemental guest parking shall be required.
- (V) No motorized equipment shall be permitted in water features.

- (W) A tree survey shall be required prior to Final Engineering approval. Staff shall ensure protection of trees during construction.
- (X) Frosted-opaque glass shall be required on second-floor windows of units nearest to the property described in Exhibit B.
- (Y) Maximum permitted building height shall be 35'.
- (Z) No street lighting shall be permitted within the required 60-foot buffer adjacent to the property described in Exhibit B. All outdoor lighting in the development shall consist of cutoff-shoebox style fixtures at a maximum height of 16'.
- (AA) The following meetings shall be required prior to Final Master Plan approval:
  1. A community meeting, with notice provided to homeowners in the Trinity Bay and Bear Creek Subdivisions, to permit interested persons to review and comment on the proposed Final Master Plan.
  2. A public hearing before the Board of County Commissioners, held at an evening meeting, to permit interested persons to review and comment on the proposed Final Master Plan. Surrounding property owners, and speakers at the Preliminary Master Plan public hearing, shall receive notice in accordance with normal procedures prior to such hearing being held.
- (BB) Any and all necessary agreements with the Florida Department of Transportation regarding access shall be finalized prior to Final Master Plan approval.

(3) This Development Order touches and concerns the afordescribed property and the conditions, commitments and provisions of this 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 part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(4) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first above.**

By:  \_\_\_\_\_  
 Daryl G. McLain, Chairman  
 Board of County Commissioners







EXHIBIT A

## LEGAL DESCRIPTION:

The Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida, less and Except the Following two parcels of land:

The West 155.5 yards (466.50 feet) of the West 311 yards (933.00 feet) of the North 311 yards (933.00 feet) of the Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida.

## AND

The East 155.5 yards ( 466.50 feet) of the West 311 yards (933.00 feet) of the North 311 yards (933.00 feet) of the Northeast Quarter of the Southeast Quarter of Section 36, Township 21 South, Range 30 East, Seminole County, Florida.

Further less and except that part taken by Seminole County Expressway Authority by Stipulated Final Judgment recorded February 16, 1993, in Official Records Book 2545, Page 1319, Public Records of Seminole County, Florida, described as:

That part of the Southeast 1/4 of Section 36, Township 21 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Southeast 1/4 of said Section 36; thence run South 00°34'41" East along the East line of said Southeast 1/4 a distance of 25.59 feet for a POINT OF BEGINNING; said point being on the South right of way line of State Road 426 (Aloma Avenue) as shown on State Road Right of Way Map Section 770060-2501, said point also being 25.00 feet South of, when measured perpendicularly from the centerline of S.R. 426; thence continue South 00°34'41" East a distance of 95.01 feet; thence departing said East line of the Southeast 1/4 run South 89°14'17" West a distance of 188.50 feet; thence run North 88°11'07" West a distance of 202.18 feet to a point on a line 933.00 feet east of, when measured perpendicularly from the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 36; thence run North 00°41'00" West parallel with said West line a distance of 85.91 feet to the aforementioned South right of way line; thence North 89°14'17" East along said right of way line a distance of 390.67 feet to the POINT OF BEGINNING.

FILE NO. - Z2003-049

DEVELOPMENT ORDER # 3-21700007

EXHIBIT B

LEGAL DESCRIPTION:

SEC 36 TWP 21S RGE 30E W 375 FT OF N 250 FT OF SE 1/4 OF SE 1/4

FILE NO. - Z2003-049

DEVELOPMENT ORDER # 3-21700007

EXHIBIT C

PRELIMINARY MASTER PLAN

