

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: COMPREHENSIVE PLAN- RURAL BOUNDARY MAP

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Dan Matthys *DM* CONTACT: April Boswell *AB* EXT. 7339

Agenda Date <u>05/10/05</u>	Regular <input type="checkbox"/>	Consent <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:

- ADOPT** an ordinance that includes the proposed text amendment to add the Rural Boundary Map and Legal Description for Rural Area authorized by the Home Rule Charter Amendment, which was approved by a majority of voters of Seminole County in the November 2004 general election, as exhibits in the Future Land Use Element (FLU) of the Seminole County Comprehensive Plan (Vision 2020 Plan) and add text to the FLU Issue 11 "Protection of Rural Areas", based on staff findings ⁽¹⁾; or
- DENY** adoption of the proposed text amendment to add the Rural Boundary Map and Legal Description for Rural Area authorized by the Home Rule Charter Amendment, which was approved by voters of Seminole County in the 2004 general election, as exhibits in the Future Land Use Element of the Seminole County Comprehensive Plan (Vision 2020 Plan) and add text to the FLU Issue 11 "Protection of Rural Areas"; or
- CONTINUE** this item to a date and time certain.

(1) For the record: A motion to adopt a plan amendment by ordinance will be enacted through a single ordinance presented to the Board as a separate agenda item following the conclusion of this large scale amendment cycle. The ordinance will contain a listing of all the amendments adopted by the Board as part of the cycle

(District: Countywide)

(April Boswell, Senior Planner)

BACKGROUND:

The Charter Amendment approved by a majority of voters of Seminole County in the November 2004 general election authorized the County to amend the Home Rule Charter to establish a "Rural Area" of the County and to establish a Rural Boundary. In addition,

Reviewed by:	<i>RR</i>
Co Atty:	_____
DFS:	_____
Other:	<i>MMW</i>
DCM:	_____
CM:	<i>AB</i>
File No.	<u>ph130pdp03</u>

the Charter Amendment preempted municipal comprehensive land use authority within the Rural Area. This item adds the Rural Boundary Map and Legal Description for Rural Area to the FLU Element of the Seminole County Comprehensive Plan, and adds text to the FLU Issue 11 "Protection of Rural Areas", which is authorized by the Charter Amendment.

STAFF RECOMMENDATION:

Staff recommends the Board adopt an ordinance that includes the proposed text amendment to add the Rural Boundary Map and Legal Description for Rural Area authorized by the Home Rule Charter Amendment, which was approved by a majority of voters of Seminole County in the November 2004 general election, as exhibits in the Future Land Use Element (FLU) of the Seminole County Comprehensive Plan (Vision 2020 Plan) and add text to the FLU Issue 11 "Protection of Rural Areas", based on staff findings ⁽¹⁾.

LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION RECOMMENDATION (01/19/05):

The LPA/Planning and Zoning Commission recommended approval (3 to 1) of the text amendment at the January 19, 2005 special meeting.

BOARD OF COUNTY COMMISSIONERS ACTION (02/08/05):

At the February 8, 2005 meeting, the Commission voted unanimously to transmit the proposed Seminole County Comprehensive Plan text amendment and exhibit additions, as amended per the recommendation of the County Attorney, to the Florida Department of Community Affairs. The proposed text amendment and exhibit additions are attached.

INTERLOCAL NOTIFICATION:

The cities of Altamonte Springs, Casselberry, Lake Mary, Oviedo, Sanford, and Winter Springs and the Seminole County School Board were notified of the May 10, 2005 public hearing on April 18, 2005.

COMMENTS FROM STATE AGENCIES AND LOCAL GOVERNMENTS:

The Department of Community Affairs (DCA) is currently reviewing the proposed Comprehensive Plan amendment and will forward an Objections, Recommendations and Comments (ORC) Report to the County upon completion of their analysis. Staff will provide a copy of the ORC Report upon receipt.

District

Attachments: Text addition for the FLU Issue 11 "Protection of Rural Areas"

Rural Boundary Map

Legal Description for Rural Area

Economic Impact Statement

January 19, 2005 LPA/Planning and Zoning Commission meeting minutes

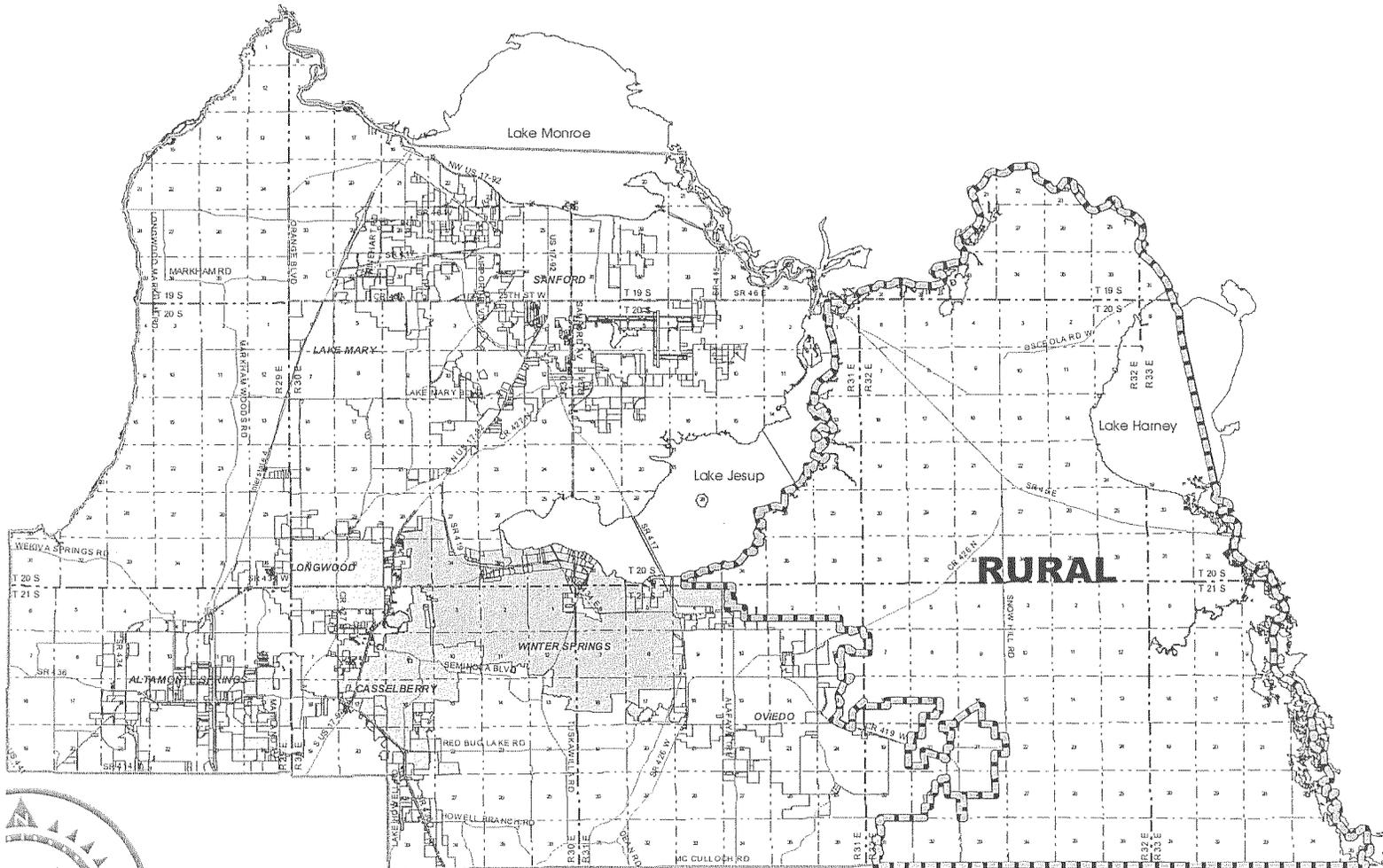
February 8, 2005 Board of County Commission meeting official minutes

Future Land Use Element Issues and Concern Section

Amendment 05S.TXT03.1

Text addition to Issue FLU 11 “Protection of Rural Areas”:

In 2004, Seminole County voters approved a County referendum that established a Rural Area and a Rural Boundary in the Home Rule Charter through a map and a legal description. The Charter Amendment also required the County to add a map and legal description to the Seminole County Comprehensive Plan, which are herein added to the FLU Exhibits as *Exhibit FLU: Rural Boundary Map* and *Exhibit FLU: Legal Description for Rural Area*. The Charter Amendment provided direction that, for the legally described Rural Area as shown in the “Rural Boundary Map”, the Future Land Use designations contained in the Seminole County Comprehensive Plan shall control the density and intensity of development. Additionally, the Board of County Commissioners must approve all changes to the Future Land Use designations regardless of whether any lands in the Rural Area are located within a municipality.



LEGEND

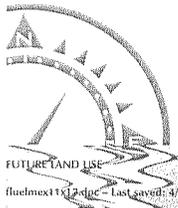
- Rural Boundary
- County Boundary

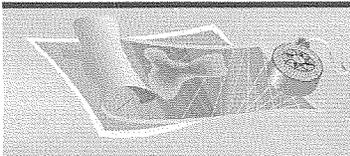
Section Lines

CODE

- Section Lines
- Twp/Rng Lines
- Airport
- Navigable Water

Amendment to Seminole County Home Rule Charter - Voter Approved November 2, 2004. (Added: Amendment 055, TX103.2, Ordinance 2005-xx, 05/10/2005)





Vision 2020 Comprehensive Plan Seminole County, Florida

Legal Description for Rural Area

(Added: Amendment 05S.TXT03.3; Ordinance 2005-XX, 05/10/2005)

August 10, 2004

The Rural Area is located in the Eastern portion of Seminole County, Florida. The calls within this description are based on the individual plats and deeds to which the rural boundary line is coincident with and are not part of a uniform basis of bearings throughout.

Being more particularly described as follows:

Begin in **Sec 1, Twp 20S, Rng 31E**, at the intersection of the thread of the St. John's River, also being the Northerly boundary of Seminole County, with the West line of the East one-half of said Section 1; Thence run southerly along said line to its intersection with the Northeasterly shoreline of Lake Jesup; Thence run Southerly and Southwesterly along said Easterly and Southeasterly shoreline of Lake Jesup to the NE Corner of the West 30 acres of Government Lot 3 of **Sec 33, Twp 20S, Rng 31E**. Thence run Southerly along the East line of said West 30 acres to a point 60.00 feet North of the South line of Govt Lot 3, Sec 33, Twp 20S, Rng 31E. Thence run East along the North line of the South 60.00 feet of Govt Lots 3, 2, & 1 to a point 60.00 feet North of the NW Corner of **Sec 3, Twp 21S, Rng 31E**. Thence, South 60.00 feet to said NW Section Corner.

Thence South along the West line of said Section 3 to a point on the Northerly Right of Way of SR 434. Thence run Easterly along said Northerly Right of Way to the East line of Lot 19, Black Hammock, Plat Book 1, Page 31 of the Official Records of Seminole County, Florida. Thence run North along said East lot line to the NE Corner of said Lot 19. Thence continue North along the Northerly extension of the East line of said Lot 19 extended North to the North Right of Way of Florida Avenue. Thence run East along said North Right of Way to the West line of the E ½ of said Section 3. Thence run South along said West line to the SW Corner of the NW ¼ of the SE ¼ of Sec 3, Twp 21S, Rng 31E. Thence run East along the South line of the North ½ of the SE ¼ of said Section 3 to the East line of said Section 3.

Thence continue East along the South line of the NW ¼ of the SW ¼ of **Sec 2, Twp 21S, Rng 31E** to the SE Corner of said NW ¼ of the SW ¼ of Section 2. Thence run the following courses through Black Hammock, Plat Book 1, Page 31 of the Official Records of Seminole County, Florida: Easterly across Canal Street Right of Way to the SW Corner of Lot 140; East along the South line of said lot to the SE Corner of Lot 140, Easterly across Elm Street Right of Way to the SW Corner of Lot 153, East along the South line of said lot to the SE Corner of Lot 153; Easterly across Kansas Street Right of Way to the SW Corner of Lot 236; East along the South line of said lot to the SE Corner of Lot 236; Easterly across Oklahoma Street Right of Way to the SW Corner of Lot 245; East along the South line of said lot to the SE Corner of Lot 245; Easterly across Orange Street Right of Way to the SW Corner of Lot 333; East along the South line of said lot to the SE Corner of Lot 333; Easterly across Stone Street Right of Way to the SW Corner of Lot 342; South along the West line of Lots 341, 340, 339 and 338 to the SW Corner of Lot 338; East along the South line of said lot to the SE Corner of Lot 338, Black Hammock, Plat Book 1, Page 31 of the Official Records of Seminole County, Florida, being the end of above referenced courses through said subdivision.

Thence Easterly across Van Arsdale Street Right of Way to the NW Corner of Lot 1, Swope's 2nd Addition to Black Hammock, Plat Book 3, Page 14 of the Official Records of Seminole County, Florida. Thence run Southerly 204.00 feet to the SW Corner of said Lot 1. Thence run Northeasterly along Southerly lot line of said Lot 1 a distance of 741.50 feet to the Easterly most point of said Lot 1. Thence, run Easterly along the North line of **Sec 12, Twp 21S, Rng 31E** to the NE Corner of said Section 12.

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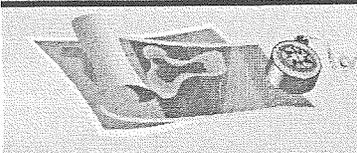
Vision 2020 Comprehensive Plan Seminole County, Florida

Thence run South along the East line of said Section 12 a distance of 667.50 feet to the NW Corner of Lot 25, Lee's Iowa City, Plat Book 7, Page 35 of the Official Records of Seminole County, Florida. Thence continue South along the West line of Lots 25 & 30, said Plat of Lee's Iowa City, a distance of 1,979.90 feet to the SW Corner of said Lot 30. Thence run along the South line of Lot 31, said subdivision, for the following courses: West a distance of 631.50 feet; North a distance of 25.00 feet, and West a distance of 660.00 feet to the SW Corner of said Lot 31. Thence run Westerly across Van Arsdale Street Right of Way to the SE Corner of Lot 18, Swope's 2nd Addition to Black Hammock, Plat Book 3, Page 14 of the Official Records of Seminole County, Florida. Thence run North along the East line of said lot to the NE Corner of said Lot 18. Thence run West along the North line of said Lot 18 a distance of 330.00 feet. Thence run North to the North line of the South $\frac{3}{4}$ of Lot 17, said Swope's 2nd Addition to Black Hammock. Thence run West along said North line of the S $\frac{3}{4}$ a distance of 726.00 feet. Thence run South to the North line of said Lot 18. Thence, West along said North lot line to the NW Corner of said Lot 18. Thence run South along the West lot line to the SW Corner of said lot 18. Thence continue South along the Southerly extension of the West line of said Lot 18, across Cabbage Avenue Right of Way, to the North line of the South $\frac{1}{2}$ of Sec 12, Twp 21S, Rng 31E.

Thence West along the North line of the S $\frac{1}{2}$ of said Section 12 to the NW Corner of the SE $\frac{1}{4}$ of said Section 12. Thence run South along the West line of said SE $\frac{1}{4}$ a distance of 349.50 feet; N76-38-00W a distance of 329.00 feet; S13-07-00E a distance of 530.00 feet; N65-28-00E a distance of 219.20 feet. Thence run South along the West line of said SE $\frac{1}{4}$ a distance of 567.70 feet to the NW Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 12. Thence run East along said North line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 132.00 feet. Thence, South to the South line of the N $\frac{1}{4}$ of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$. Thence run West along South line of said N $\frac{1}{4}$ a distance of 132.00 feet to the West line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$. Thence run South along the West line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the **South $\frac{1}{4}$ Corner of Sec 12, Twp 21S, Rng 31E**. Thence run South along the East line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 13, Twp 21S, Rng 31E a distance of 1,316.16 feet. Thence, West along the South line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 13 a distance of 1,310.32 feet to the SE Corner of Lockwood Boulevard Complex, Plat Book 48, Page 17 of the Official Records of Seminole County, Florida. Thence run the following courses: S89-34-53W along the South line of said subdivision a distance of 820.11 feet to the SW Corner of Lot 2; N00-52-30W along the West line of said lot 2 a distance of 662.32 feet to the NW Corner of said Lot 2; S89-41-03W along the North line of said subdivision a distance of 550.03 feet to the West line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of **Sec 13, Twp 21S, Rng 31E**. Thence South along the West line of said Section 13 to the Northerly Right of Way of CR 419. Thence run Southeasterly along the Southwesterly boundaries of Riverside Landings First Amendment, Plat Book 63, Pages 64-66, Riverside Landings, Plat Book 55, Pages 1-2, and River Oaks Reserve Commercial, Plat Book 63, Pages 20-21, all recorded in the Official Records of Seminole County, Florida, to the Southerly most point of said River Oaks Reserve Commercial. Thence continue Southeasterly along said Northerly Right of Way of CR 419 to the East line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of **Sec 24, Twp 21S, Rng 31E**. Thence departing said Right of Way, run Northerly along said East line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24 to the NE Corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 24. Thence, continue Northerly along the East line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of **Sec 13, Twp 21S, Rng 31E** a distance of 1320 feet more or less to the Southeasterly Right of Way of Willingham Road as recorded in Plat Book 6, Page 10 of the Official Records of Seminole County, Florida. Thence, Northeasterly along said Right of Way to the East Line of said Section 13.

Thence, Southerly along the East line of said Section 13 a distance of 660 feet plus or minus to the South line of the North $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of **Sec 18, Twp 21S, Rng 32E**. Thence, run Easterly along said South line to the SE Corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 18, said point being on the South line of Willingham Acres (an unrecorded subdivision).





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Thence, continue Easterly along the South line of the North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 18 to the East line of the SW $\frac{1}{4}$ of Section 18. Thence run Northerly along said East line to the Southerly Right of Way of said Willingham Road. Thence, run Easterly along said Southerly Right of Way of Willingham Road to the NW Corner of Sanctuary Phase 1, Village 4, as recorded in Plat Book 58, Pages 85-90 of the Official Records of Seminole County, Florida. Thence, continue Easterly along the Northerly line of the subdivision to the NE Corner of said subdivision, also being the NW Corner of Sanctuary Phase 2, Villages 7 and 8, as recorded in Plat Book 63, Pages 70-83 of the Official Records of Seminole County, Florida.

Thence, continue Easterly along the Northerly line of said Phase 2, Villages 7 and 8, to its NE Corner. Thence, run S00-59-27E along the Easterly boundary of said subdivision and Westerly Right of Way of said Willingham Road 1246.29 feet. Thence, departing said Right of Way, continue along said subdivision boundary the following courses: S89-13-27W a distance of 459.52 feet; S04-03-44E a distance of 500.82 feet; S89-13-27W a distance of 1524.20 feet; S00-58-45E a distance of 855.08 feet to the Southern most Corner of Sanctuary Phase 2, Villages 7 & 8, also being the NE Corner of Sanctuary Phase 2, Village 10 as recorded in Plat Book 63, Page 35-42 of the Official Records of Seminole County, Florida. Thence, continue along said boundary of Phase 2, Village 10 the following courses: S00-26-46E a distance of 1328.77 feet; S89-14-36W a distance of 1324.20 feet; S00-19-28E a distance of 700.89 feet to the southern most Corner of said Phase 2, Village 10.

Thence, departing said subdivision boundary, run Easterly along the North line of the West 165.00 feet of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of **Sec 20, Twp 21S, Rge 32E** a distance of 165.00 feet. Thence, Southerly along the East line of the West 165.00 feet of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 20, Twp 21S, Rge 32E to the Southerly Right of Way of County Road 419. Thence, run Northwesterly along said Right of Way to the East line of the West $\frac{7}{8}$ of the East $\frac{1}{2}$ of Sec 19, Twp 21S, Rng 32E. Thence, departing said Right of Way, run Southerly along said East line to the NE Corner of the West $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 19. Thence, run N85-51-30E along the South line of Lake Eva Estates (an unrecorded subdivision) a distance of 2000.93 feet to the SE Corner of said Lake Eva Estates. Thence, run N12-25-35W along the East boundary of Lake Eva Estates a distance of 595.53 feet. Thence, departing said subdivision boundary, continue N12-25-35W a distance of 1080 feet more or less to the Southerly Right of Way of CR 419. Thence, run Southeasterly along said Right of Way to the West line of the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 20, Twp 21S, Rge 32E. Thence, run Southerly on said West line to the South line of the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$. Thence run Easterly on said South line to the West boundary of Townsite of North Chuluota as recorded in Plat Book 2, Pages 54-58 of the Official Records of Seminole County, Florida. Thence, run Northerly on said West boundary to the NW Corner of said North Chuluota. Thence, run Easterly along the Northerly boundary of said North Chuluota to its intersection with the Southerly extension of the West line of Lake Lenelle Woods as recorded in Plat Book 37, Pages 67-69 of the Official Records of Seminole County, Florida; Thence run N00?00'21"W to the SW corner of said Lake Lenelle Woods.

Thence, run along the boundary of said Lake Lenelle Woods the following courses: N00-00-21W a distance of 1131.60 feet; S89-50-55E a distance of 143.67 feet; N00-00-21W a distance of 606.40 feet; N89-50-55W a distance of 593.67 feet; N00-00-21W a distance of 399.90 feet; S89-51-06W a distance of 450.00 feet; N00-00-21W a distance of 483.00 feet; N89-51-06E a distance of 450.00 feet; N89-51-06E a distance of 936.41 feet. Thence continue N89-51-06E on an extension of said subdivision boundary, across Jacob's Trail Right of Way, a distance of 100.00 feet to a point on the West boundary of Osprey Lakes Phase 1 as recorded in Plat Book 60, Pages 38-45 of the Official Records of Seminole County, Florida. Thence, run along the boundary of said Osprey Lakes Phase 1 the following courses: N89-54-05E a distance of 25.00 feet; N00-08-38E a distance of 383.95 feet; N54-30-00E a distance of 2524.44 feet to the Northern most Corner of said Osprey Lakes





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Phase 1 said corner being the Northwesterly Corner of Osprey Lakes Phase 3 as recorded in Plat Book 62, Pages 4-6 of the Official Records of Seminole County, Florida. Thence, continue along the boundary of said Osprey Lakes Phase 3 the following courses: N54-30-00E a distance of 184.63 feet; N90-00-00E a distance of 721.00 feet; S00-00-00E a distance of 1,988.08 feet to the SE Corner of the SW $\frac{1}{4}$ of **Sec 16, Twp 21S, Rng 32E**. Thence, departing said boundary, run Easterly on the South line of said Section 16 to the Northeasterly Corner of Osprey Lakes Phase 2 as recorded in Plat Book 62, Pages 1-3 of the Official Records of Seminole County, Florida. Thence run S00-00-49W along the Easterly boundary of said Osprey Lakes Phase 2 a distance of 1332.68 feet to the SE Corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of **Sec 21, Twp 21S, Rng 32E**. Thence, run S88-58-07E along the South line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 21 a distance of 1302.25 feet to a point 25.00 feet West of the East line of the NE $\frac{1}{4}$ of Sec 21, Twp 21S, Rng 32E.

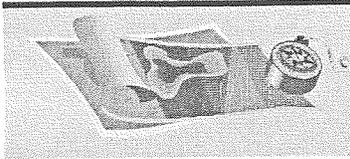
Thence run Southerly along a line parallel to and 25.00 feet West of said East line to the Easterly extension of the Northerly Right of Way of Brumley Road (being a 50' Right of Way).

Thence Westerly along said Northerly Right of Way to the Southerly extension of the Easterly Right of Way of Avenue H. Thence, Southerly along said Easterly Right of Way a distance of 500 feet more or less to the Northwesterly Corner of Estates on Lake Mills as recorded in Plat Book 60, Pages 85-92 of the Official Records of Seminole County, Florida. Thence, continue along the westerly Boundary of said Estates of Lake Mills and the Easterly Right of Way of Avenue H the following courses: S03-00-24E a distance of 165.41 feet; S00-55-07E a distance of 314.50 feet; thru a curve concave to the Northwest an arc distance of 70.66 feet. Thence departing said Right of Way and continuing on said Estates on Lake Mills boundary the following courses: S00-46-27E 155.97 feet; S01-06-36E a distance of 727.01 feet; S00-57-02E a distance of 709.22 feet; S01-13-59E a distance of 73.56 feet; S01-02-19E a distance of 1929.43 feet to the South line of the North $\frac{1}{2}$ of **Sec 28, Twp 21S, Rng 32E**.

Thence, run Westerly along said South line to the Easterly Right of Way line of SR 13 (per SRD Right of Way Map; also shown in the Townsite of North Chuluota, Plat Book 2, Pages 54-58). Thence, Southerly along said Easterly Right of Way to the South line of the SW $\frac{1}{4}$ of Sec 28, Twp 21S, Rng 32E. Thence, run Westerly along the South line to the SW Corner of said Section. Thence, run Northerly along the West line of said Section 28 to the South boundary of Townsite of North Chuluota as recorded in Plat Book 2, Pages 54-58 of the Official Records of Seminole County, Florida. Thence, run West along said subdivision to the SW Corner of said Townsite of North Chuluota. Thence, run Northerly along the Westerly boundary of said Townsite of North Chuluota to the SW Corner of Lot 5, Block 54 of said Townsite of North Chuluota. Thence, run West a distance of 50.00 feet. Thence run North to the Southeasterly shoreline of North Horseshoe Lake. Thence, run Easterly along said shoreline to a point on the Westerly boundary of said Townsite of North Chuluota. Thence, Northerly along said boundary to a point 100.00 feet South of the NE Corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of **Sec 29, Twp 21S, Rng 32E**.

Thence, Westerly along a line 100 feet South of and parallel to the North line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 29 to a point on the Westerly line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$. Thence, Southerly on said Westerly line to the SW Corner of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$. Thence, Westerly along the North line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 29 to the NW Corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$. Thence, Southerly along the Westerly line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the NE Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 29. Thence, Westerly on the North line of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the NW Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$. Thence, Southerly on the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 29 to the North line of the SW $\frac{1}{4}$ of said Section 29.





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Thence, Westerly on the North line of the SW $\frac{1}{4}$ of said Section 29 to the NE Corner of the Westerly 22 acres of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 29. Thence, Southerly along the Easterly line of the Westerly 22 acres of said NE $\frac{1}{4}$ to the North line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 29.

Thence, run Westerly along said North line to the NW Corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 29. Thence, run Southerly along the West line of said SE $\frac{1}{4}$ to the SW Corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 29.

Thence, run Westerly on the South line to the SW Corner of said Section 29. Thence, continue Westerly on the South line of **Sec 30, Twp 21S, Rng 32E** a distance of 3,400 feet plus or minus to the thread of the Econlockhatchee River. Thence, run Southerly along the thread of said river to the South line of **Sec 31, Twp 21S, Rng 32E**, also being the Southern most boundary of Seminole County. Thence run along the boundary of Seminole County (per Florida Statutes Chapter 6511, No. 91, the "Creation of Seminole County") the following courses: Easterly along said Southern most boundary, also being the Southerly line of Twp 21S, Rng 32E and Twp 21S, Rng 33E, to the thread of the St. John's River and the Easterly most point of Seminole County, located within **Sec 35, Twp 21S, Rng 33E**; Northwesterly along the thread of said river, also being the Eastern boundary of Seminole County, to and through Lake Harney, returning to the thread of the St. John's River; continue Northwesterly and then Southwesterly along the thread of said river, being the Eastern and Northern boundary of Seminole County, to the Point of Beginning of the Rural Boundary Description.

LESS the following areas within the Rural Boundary located within the city limits of Winter Springs, further described as:

- SEC 03 TWP 21S RGE 31E NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ (LESS S 340 FT OF E 660 FT)
- SEC 03 TWP 21S RGE 31E W $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF NW $\frac{1}{4}$
- SEC 03 TWP 21S RGE 31E N $\frac{2}{3}$ OF S $\frac{3}{4}$ OF E $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ (LESS S 100 FT OF E 264 FT)
- LOT 19, BLACK HAMMOCK, PB 1 PG 31 & R/W ADJ ON N & W

Also LESS the following areas within the Rural Boundary located within the city limits of Oviedo, further described as:

- PT OF LOTS 25 & 30 DESC AS BEG NW COR LOT 25 RUN E 608.44 FT S 1979.42 FT W 608.15 FT N 1980.3 FT TO BEG, LEES IOWA CITY, PB 7 PG 35
- SEC 13 TWP 21S RGE 31E THAT PART OF N $\frac{1}{2}$ OF NE $\frac{1}{4}$ LYING W OF A LINE 550 FT W OF SHORE LI ECONLOCKHATCHEE CREEK
- SEC 13 TWP 21S RGE 31E THAT PART OF S $\frac{3}{4}$ LYING W OF A LINE 550 FT W OF SHORE LI ECONLOCKHATCHEE CREEK & E OF WLY R/W LINE OF LOCKWOOD RD & NELY OF CR 419 (LESS RIVER OAKS RESERVE COMMERCIAL, PB 63 PGS 20 & 21)
- RIVER OAKS RESERVE COMMERCIAL, PB 63 PGS 20 & 21
- LOT 1, LOCKWOOD BLVD COMPLEX, PB 48 PG 17 & EVANS ST R/W ADJ ON S
- SEC 13 TWP 21S RGE 31E THAT PART OF S $\frac{3}{4}$ LYING W OF WLY R/W LINE OF LOCKWOOD RD & NELY OF CR 419



ECONOMIC IMPACT STATEMENT

DATE: April 6, 2005

DEPT./DIVISION: Planning

CONTACT PERSON: April Boswell

EXTENSION: 7339

DESCRIBE PROJECT/PROPOSAL: Comprehensive Plan text amendment to add the Rural Boundary Map and Legal Description for Rural Area authorized by the Home Rule Charter Amendment.

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT/ PROPOSAL UPON THE OPERATION OF THE COUNTY:

There will be no direct economic impact because no land use or zoning designation is being changed, therefore this will not require additional operations for the County. Landowners in the Rural Area are afforded the same land the same land use and zoning rights as they had prior to the enactment of this amendment.

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT/ PROPOSAL UPON THE PROPERTY OWNERS/TAX PAYERS/CITIZENS WHO ARE EXPECTED TO BE AFFECTED:

There will be no direct economic impact because no land use or zoning designation is being changed, therefore this does not take away any rights or change any existing land use or zoning designation of any landowners in the Rural Area.

IDENTIFY ANY POTENTIAL INDIRECT ECONOMIC IMPACTS, POSITIVE OR NEGATIVE WHICH MIGHT OCCUR AS A RESULT OF THE PROJECT PROPOSAL:

There will not be any indirect negative economic impacts, since no land use or zoning designations are changing. Everything will remain the way it is now for properties in the Rural Area.

NOTICE OF AMENDMENT ORDINANCE

Adoption of the 2005 Spring Cycle Large Scale Amendment Ordinance

Should the Board of County Commissioners (the " Board") move to adopt an amendment ordinance for this hearing item, a single ordinance will be presented to the Board for enactment following the last large scale amendment hearing of this cycle. The ordinance presented to the Board for enactment will include all the previously approved hearing items, if any, for this large scale amendment cycle. The proposed ordinance title is:

AN ORDINANCE AMENDING THE VISION 2020 SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATIONS OF CERTAIN PROPERTIES BY VIRTUE OF LARGE SCALE DEVELOPMENT AMENDMENTS; AMENDING THE TEXT OF THE FUTURE LAND USE AND TRANSPORTATION ELEMENTS OF THE COMPREHENSIVE PLAN; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING & ZONING COMMISSION
SPECIAL MEETING
JANUARY 19, 2005**

Mr. Matthews stated that the reference was to the developer.

Commissioner Tucker reviewed section 5, stating that this section referred to any future development that goes on there.

Tony Matthews said that this section refers to mixed use development which was started in 1995 and adopted in 1997. Until the Lake Mary Boulevard extension is completed, no development will occur.

Commissioner Tucker asked about the aerial fire equipment, not related to the airport.

Mr. Matthews said that this is an urban service for the HIP area. In relationship with the JPA, an agreement was executed last year and approved.

Larry Dale said that the proposed language says that the cooperation and support will continue to be a tri-party agreement.

Commissioner Eismann made a motion to recommend transmittal of this item.

Commissioner Brown seconded the motion.

The motion passed 4 – 0.

B. Text Amendment and Exhibit Addition to the Future Land Use Element of the Seminole County Comprehensive Plan as Directed by the Home Rule Charter Amendment; Seminole County, applicant; Text Amendment to the Future Land Use Element of the SCCP to add text to the FLLU Issue 11 “Protection of Rural Areas” and add a new exhibit defining the Rural Area, the “Rural Boundary Map” and the “Legal Description for Rural Area” established in the 2004 Home Rule Charter Amendment approved by Seminole County voters on November 2, 2004; (05STXT.03).

Countywide
April Boswell, Senior Planner

April Boswell explained that the amendment is to include the rural boundary map, legal description, and a paragraph which explains why the boundary map and legal description are being added. Ms. Boswell explained that the County is moving forward with implementing the Charter Amendment because the County has appealed the judge’s decision in the Winter Springs lawsuit.

Catherine Latore of 225 E. Robinson Street represents the City of Winter Springs. She stated that moving forward with this item while an appeal is being considered is inappropriate.

Linda Radun of Longwood stated that the majority of the residents voted to approve the Charter Amendment.

Commissioner Tucker stated that what is being considered tonight is about the map and paragraph only.

Jay Jurie of Sanford asked that this item be approved. He disagreed with the attorney who had just spoken (Ms. Latore).

No further comments were made from the floor.

The public hearing was now closed.

Commissioner Tucker asked if the commission was being asked to stamp that everything inside this boundary was rural. He asked the purpose of the map.

Ms. Boswell stated it was to identify the rural boundary, to define the County's rural area.

Commissioner Tucker asked how the word "rural" was to be defined.

Ms. Boswell stated that the County Comprehensive Plan included a definition.

Commissioner Tucker stated that some areas are mixed in character.

Matt West said that there are some areas that don't meet the definition. Some areas do not fit the definition of the A-3, A-5, and A-10 areas and are "grandfathered in." The Staff is not asking for verification that the area is rural. Staff is asking the Commission to implement the amendment as directed by the voters.

Commissioner Tucker said that agriculture zoning has been discussed before as to whether it was rural or agricultural. What is a development of 5 acre lots? If we are going to do a rural area, it ought to be defined in a manner that it can be protected. This is a political line arbitrarily drawn. He did not see how this is going to accomplish what we want accomplished. It does not serve the purpose of the community at large.

Commissioner Brown asked if this change a person's private home to a legal, non-conforming use because it is in the rural area. He was also concerned about limiting lot splits. Commissioner Brown questioned whether this was taking away individual's property rights.

Mr. West explained the procedure with lots splits and stated that this is not taking away property owner's rights. The Comprehensive Plan, created in 1991, has sections protecting existing legal lots of record.

Commissioner Brown said that the voters wanted this line.

Commissioner Tucker said that there are better planning ways to accomplish what we want to accomplish. This is not the best way.

Commissioner Brown agreed with the possibility of that and the question of property owner rights.

Commissioner Eismann made a motion to recommend approval.

Commissioner Brown seconded the motion.

The motion passed 3 – 1. Commissioner Tucker voted "no."

**Special Workshop for the Land Planning Agency/
Planning and Zoning Commission
Evaluation and Appraisal Meeting
January 19, 2005**

Alice Gilmartin now opened the Workshop segment of the meeting.

Alice Gilmartin introduced the workshop segment of the meeting, stating that this workshop will provide feedback from Commission members and the public for the Evaluation and Appraisal Report (EAR) for the Vision 2020 Plan. Ms. Gilmartin stated that this presentation will review the elements of the Seminole County Comprehensive Plan, introduce the updating process of the EAR, identify issues to guide the update, and give an opportunity for sharing of information and ideas with the Commission and the public.

The Comprehensive Plan, which was developed in 1998, ensures livable community, manages growth, provides facilities and services for the citizens, protects the environment, and improves the quality of life for County citizens. It provides a community blueprint, giving us a vision of the community, and guiding us toward it. The Vision 2020 Plan responds to changing community priorities. It is flexible in that it is amended twice a year through public hearings. Changes are made to maps and text.

BOARD OF COUNTY COMMISSIONERS

SEMINOLE COUNTY, FLORIDA

FEBRUARY 8, 2005

The following is a non-verbatim transcript of the BOARD OF COUNTY COMMISSIONERS MEETING OF SEMINOLE COUNTY, FLORIDA, held at 9:30 a.m., on Tuesday, February 8, 2005, in the SEMINOLE COUNTY SERVICES BUILDING at SANFORD, FLORIDA, the usual place of meeting of said Board.

Present:

Chairman Carlton Henley (District 4)
Vice Chairman Brenda Carey (District 5)
Commissioner Bob Dallari (District 1)
Commissioner Randy Morris (District 2) (Late)
Commissioner Dick Van Der Weide (District 3)
County Manager Kevin Grace
County Attorney Robert McMillan
Deputy Clerk Sandy McCann

Associate Pastor Elias Caffey, Calvary Temple of Praise Church, Sanford, gave the Invocation.

Commissioner Bob Dallari led the Pledge of Allegiance.

AWARDS & PRESENTATIONS

Motion by Commissioner Carey, seconded by Commissioner Van Der Weide to adopt appropriate Resolution #2005-R-17, as shown on page _____, proclaiming the month of February as "Black History Month".

Commissioner Morris entered the meeting at this time.

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

The Resolution was presented to Paul Wyche of the

between permitted uses within the Higher Intensity Planned Development-Airport Area and the operations and expansion of the Orlando Sanford International Airport, as described in the proof of publication, with staff findings.

Under discussion and upon inquiry by Commissioner Carey, Commissioner Van Der Weide advised the motion includes the amendments and map.

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

**TEXT AMENDMENT TO THE RURAL BOUNDARY
MAP AND LEGAL DESCRIPTION FOR RURAL AREA**

Proof of publication, as shown on page _____, calling for a public hearing to consider Text Amendment to add the Rural Boundary Map and Legal Description for Rural Area authorized by the Home Rule Charter Amendment, approved by a majority of voters of Seminole County in the November 2004 General Election, as an exhibit in the Future Land Use Element (FLU) of the Seminole County FLU Issue 11 "Protection of Rural Areas", received and filed.

April Boswell, Planning, addressed the Board to state this item is a follow up to the Home Rule Charter Amendment that was approved by the voters in 2004. She pointed out that the Rural Boundary Map will be added to the Comprehensive Plan. She stated the item also adds text that describes why the map and description is being added. The item was challenged and the Court decided not to uphold the Charter amendment and because the County has appealed that decision, the staff was able to move forward with implementing this.

Upon inquiry by Commissioner Carey, Ms. Boswell advised they are currently in the Large Scale Amendment cycle for Comprehensive Plan Amendments.

Upon further inquiry by Commissioner Carey, Mr. McMillan advised with regard to the lawsuit, the brief is due March 15 and staff will be finishing the briefing within the next 90 days.

Commissioner Carey stated she is concerned that with the Board taking this action of amending the Comp Plan it will further the situation with the cities.

Mr. McMillan stated the Charter amendment mandates they put the map and legal description in the Comprehensive Plan. That is required by a Charter Amendment. If the ultimate recording validates the language, it has no legal bearing on anything that goes on with that property.

Upon inquiry by Commissioner Morris, Mr. McMillan advised this does not change the Comprehensive Plan rural boundary. The County already has a Comprehensive Plan rural boundary right now and this is a separate boundary imposed by the Charter Amendment. The County is required to place this in the Comprehensive Plan by virtue of the Charter Amendment. It wouldn't be placed in the Charter Amendment until May, and it doesn't have any effect on what the cities do. Discussion ensued.

Anthony Garganese, City Attorney of Winter Springs, addressed the Board to state the City objects to the County trying to implement the Charter Amendment due to the fact that

Judge Alley declared it invalid. He requested that the Board not transmit the amendment at this time and wait to see what the court does on the appeal. He submitted a copy of Judge Alley's opinion (received and filed) and asked that it be included in the transmittal to DCA.

Mr. McMillan stated there are a couple of language changes in the text amendment. In the first sentence, as it currently reads, that the voters approved a referendum that "authorize the County to establish a rural area". It did not authorize the County to establish a rural area, it established a rural area. Therefore, the wording "authorize the County to" should be deleted from that sentence. The sentence should read: "referendum that established a Rural Area and a Rural Boundary in the Home Rule Charter". The next sentence indicates that the County authorized to add a map, therefore it should be changed to "the Charter Amendment require the County to add a map and legal description to the Seminole County Comprehensive Plan". If the Board didn't put this in the charter and it was challenged, the Board would fail to comply with the requirements of the Charter Amendment. He advised if the Board doesn't adopt this during this transmittal, they can adopt it as part of the Comp Plan during the next cycle. If the Court invalidates the Charter Amendment, there is no harm and it doesn't affect the city as well. He stated he would recommend the Board go ahead with the request and it will not affect the rights of the city.

Commissioner Carey stated she is going to support the text amendment recommendation since, from a legal standpoint, they

can do that. She stated she is concerned that the County may be stepping on the City's toes since they are working on their City/County relationships.

Commissioner Henley stated what the County is doing here has nothing to do with the cities because the city properties are exempted out of this and they will not be affected.

No one spoke in support or in opposition.

Motion by Commissioner Morris, seconded by Commissioner Dallari to transmit to the DCA request for a Text Amendment to add the Rural Boundary Map and Legal Description for Rural Area authorized by the Home Rule Charter Amendment, approved by a majority of voters of Seminole County in the November 2004 General Election, as an exhibit in the Future Land Use Element (FLU) of the Seminole County Comprehensive Plan (Vision 2020 Plan) and add text to the FLU Issue 11 "Protection of Rural Areas", based on staff findings, noting the amendment to the FLU 11 as striking in the first line "authorize the County to" changing the word "establish" to "established" in line 2 and in line 3 striking the word "authorize" and replacing it with the word "required".

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

Chairman Henley stated he doesn't believe any information submitted from the public has ever been transmitted to the DCA.

Mr. McMillan stated it is public record and he has no problem transmitting it to the DCA. He clarified that there is one parcel that the city has annexed and is within the rural boundary. Prior to the Charter Amendment hearing, the County

has challenged that.

COMMUNICATIONS AND/OR REPORTS

The following Communications and/or Reports were received and filed:

1. Copy of letter dated 1/20/05 to Charlie Morgan (with original correspondence attached) from Don Fisher, Deputy Co. Manager, re: Bookertown Heritage Celebration.
2. Copy of letter dated 1/27/05 to Stan Bessmer (with original correspondence attached) from Anne Brewer, FDOT District Project Development & Environment Engineer, re: US 17/92 interchange at State Road 436. (cc: Co. Manager, Deputy Co. Managers, Co. Attorney)
3. Copy of letter dated 12/30/04 to Tina Deater, Lead Planner, from Egerton K. and Caroline M. van den Berg re: Proposed San Pedro Plan Amendment. (cc: BCC, Co. Manager, Deputy Co. Managers)
4. Letter dated 1/25/05 to Chairman from D. Ray Eubanks, Administrator, Plan Review & Processing, Dept. of Community Affairs, re: No compliance review on Small Scale Development Plan Amendments. (cc: BCC, Co. Manager, Deputy Co. Managers)
5. Memorandum dated 1/27/05 to BCC (with attachment) from Lee Bailey, Grant Administrator, re: Grant Track Report - 1st Quarter FY 05.
6. Copy of letter dated 1/27/05 to Robert McMillan, Co. Attorney and Stephen Lee, Deputy Co. Attorney, from Steven Mason, Attorney, re: Amending Seminole County Public Decency Ordinance.
7. Copy of letter dated 1/27/05 to Teresa Lyons, Director of Markham Woods Association, from Lenor Bromberg, Principal Engineer-Special Projects, re: Proposed Trailhead at Long Pond Road and Markham Woods Road.
8. Copy of memorandum dated 1/28/05 to Sandy McCann, Supervisor, Co. Commission Records, from Becky Noggle, Sr. Coordinator, Environmental Services, re: Submission into Co. Records.