

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Willow Brook PUD Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development)

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

AUTHORIZED BY: Dan Matthys **CONTACT:** Tina Williamson **EXT.** 7353

Agenda Date <u>5/23/06</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:

- APPROVE** a request and enact ordinances for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and a rezone from A-1 (Agriculture) to PUD (Planned Unit Development), on 9.44 ± acres, located on the southeast corner of Red Bug Lake Road and Brooks Lane, subject to the attached Preliminary Master Plan and Development Order, based on staff findings, and authorize the Chairman to execute the aforementioned documents (Hugh Harling/Harling Locklin & Associates, Inc., applicant); or
- DENY** a request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on 9.44 ± acres, located on the southeast corner of Red Bug Lake Road and Brooks Lane (Hugh Harling/Harling Locklin & Associates, Inc., applicant); or
- CONTINUE** the item to a time and date certain.

District 1 – Comm. Dallari

Tina Williamson, Principal Coordinator

BACKGROUND:

The applicant is requesting a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and a rezone from A-1 (Agriculture) to PUD (Planned Unit Development), in order to develop a 62-unit townhouse project on the subject property.

Reviewed by:	<u>[Signature]</u>
Co Atty:	<u>[Signature]</u>
DFS:	_____
OTHER:	_____
DCM:	<u>[Signature]</u>
CM:	_____
File No.	<u>ph103pdp04</u>

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on 9.44 ± acres, located on the southeast corner of Red Bug Lake Road and Brooks Lane, subject to the attached Preliminary Master Plan and Development Order.

PLANNING AND ZONING COMMISSION/LPA RECOMMENDATION:

The Planning and Zoning Commission/LPA met on May 3, 2006 and voted 7-0 to recommend APPROVAL of a request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on 9.44 ± acres, located on the southeast corner of Red Bug Lake Road and Brooks Lane, subject to the attached Preliminary Master Plan and Development Order, based on staff findings.

Attachments:

- Location Map
- FLU/Zoning Map
- Aerial Photo
- Preliminary Master Plan
- Development Order
- Land Use Amendment Ordinance
- Rezone Ordinance
- Minutes for the 5/3/06 P&Z Meeting

Willow Brook PUD

Small Scale Land Use Amendment from LDR to PD Rezone from A-1 to PUD

APPLICANT	Hugh Harling/Harling Locklin & Associates, Inc.	
PROPERTY OWNER	Charles W. Clayton	
REQUEST	Small Scale Land Use Amendment from LDR to PD and a Rezone from A-1 to PUD	
PROPERTY SIZE	9.44 ± acres	
HEARING DATE (S)	P&Z: May 3, 2006	BCC: May 23, 2006
PARCEL ID	Part of 19-21-31-300-0090-0000	
LOCATION	On the southeast corner of Red Bug Lake Road and Brooks Lane	
FUTURE LAND USE	Low Density Residential	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2006-01, 02-06SS.01	
COMMISSION DISTRICT	#1 – Dallari	

PROPOSED DEVELOPMENT:

The applicant is proposing to develop a 62-unit townhouse project, at a maximum density of 10 dwelling units per net buildable acre.

ANALYSIS OVERVIEW:

ZONING REQUEST

The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) district and the requested PUD (Planned Unit Development) district:

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (PUD)
Minimum Lot Size	43,560 square feet	N/A
Minimum House Size	N/A	N/A
Minimum Width at Building Line	150'	30'
Front Yard Setback	50'	20' from back of sidewalk
Side Yard Setback	10'	5' on exterior units, 0' for interior units
(Street) Side Yard Setback	50'	10'
Rear Yard Setback	30'	20'
Maximum Building Height	35'	35'

PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Uses	A-1 (existing)	PUD (proposed)
Permitted Uses	Single-family residential, Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	One-and two- story townhomes and recreational facilities for the use of the residents. Home occupations and home offices.
Special Exception Uses	Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.	N/A
Minimum Lot Size	1-Acre	2,950 square feet

COMPATIBILITY WITH SURROUNDING PROPERTIES

The subject property is adjacent to Red Bug Lake Road, which is a six-lane divided roadway. A single-family townhouse project would serve as a transitional land use between the single-family residential adjacent to Brooks Lane and the assisted living

facilities and commercial development further to the east. The proposed Preliminary Master Plan maintains the existing wetlands on the site to the south and west to serve as a buffer to the single-family residential along Brooks Lane. There is also no access proposed onto Brooks Lane, which serves to further buffer the Brooks Lane residents.

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

	(North)			
	PD Red Bug Lake Road/Single-Family (avg. 11,500 sq. ft. lots) <i>PUD</i>	PD Red Bug Lake Road/Single-Family (avg. 13,000 sq. ft. lots) <i>PUD</i>	LDR Red Bug Lake Road/Single-Family (avg. 11,700 sq. ft. lots) <i>R-1AA</i>	
(West)	LDR Single-Family (avg. 9,000 sq. ft. lots) <i>R-1A</i>	LDR Vacant <i>A-1</i>	LDR Retirement Home <i>A-1</i>	(East)
	LDR Single-Family (avg. 9,000 sq. ft. lots) <i>R-1A</i>	LDR Vacant, Single-Family Residence <i>A-1</i>	LDR Vacant <i>A-1</i>	
	(South)			

Bold text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use and average house size and/or lot size if applicable (see example below). The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps

Example:

Future Land Use Existing Use (Existing average house size and/or lot size) <i>Zoning</i>

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map number # 12117C0145E, the subject property does not appear to contain any floodplains.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be 1.29 ± acres of wetlands on the subject property. Compliance with the Seminole County wetlands regulations will be required at the time of final engineering approval.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there appear to be no endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3)(c); Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

The following table depicts the estimated impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)	Proposed Development*	Net Impact
Water (GPD)	2,450	21,700	19,250
Sewer (GPD)	2,100	18,600	16,500
Traffic (ADT)	67	363	296
Schools			
Elementary	2	7	5
Middle	1	3	2
High	1	4	3

* Proposed Development is based on 62 townhome units.

Utilities:

The site is located in the Seminole County utility service area, and will be required to connect to public utilities. There is a 16-inch water main on the south side of Red Bug Lake Road and a 6-inch force main on the east side of Brooks Lane. The subject property is in the ten year master plan for reclaimed water. An alternative source for irrigation water,

such as a shallow well, will be required until reclaimed water becomes available. Approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

The property proposes access onto South Citrus Road on the east side of the project, which is classified as a Local Street. South Citrus Road connects to Red Bug Lake Road, which is classified as a Collector and is currently operating at a Level-Of-Service "B" in this area. Red Bug Lake Road is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

School Impacts:

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately 14 school age children. This subject site is currently zoned for, and will affect, the following schools:

Schools Impacted	Proposed Impact	Current Capacity	Enrollment as of 2/10/06	Percent Capacity
Rainbow Elementary	7	837	912	109.0%
Tuskawilla Middle	3	1250	1130	81.4%
Lake Howell High	4	2363	2181	87.7%

Public Safety:

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station #27, which is located at 5280 Red Bug Lake Road and meets the Level-Of-Service standard.

Drainage:

The proposed project is located within the Howell Creek Drainage Basin and has limited downstream capacity. The stormwater system will be further evaluated in more detail prior to final engineering approval.

Parks, Recreation and Open Space:

In accordance with Section 30.1344 of the Land Development Code, the applicant is required to provide 25% common, useable open space within the development. The Preliminary Master Plan indicates that the project contains 25% open space.

Buffers and Sidewalks:

The following buffer standards contained in the attached Development Order will apply:

North: Minimum 15' with a 6' masonry wall

South: Minimum 5' with a 6' masonry wall

East: Minimum 5' with a 6' masonry wall

West: Minimum 5' with a 6' masonry wall

Adjacent to any post-development wetlands: 25' average, not less than 15' upland buffer

The developer will be required to build internal sidewalks and a 5' sidewalk along the property frontage on South Citrus Road.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant running the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

The subject property is not located within any special districts or overlays.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy FLU 2.5: Transitional Land Uses

Policy CIE 3.2: Application to New Development

Policy POT 4.5: Potable Water Connection

Policy SAN 4.4: Sanitary Sewer Connection

Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

An Intergovernmental Notice was sent to the Seminole County School Board on April 14, 2006.

LETTERS OF SUPPORT OR OPPOSITION:

At this time, Staff has received no letters of support or opposition.

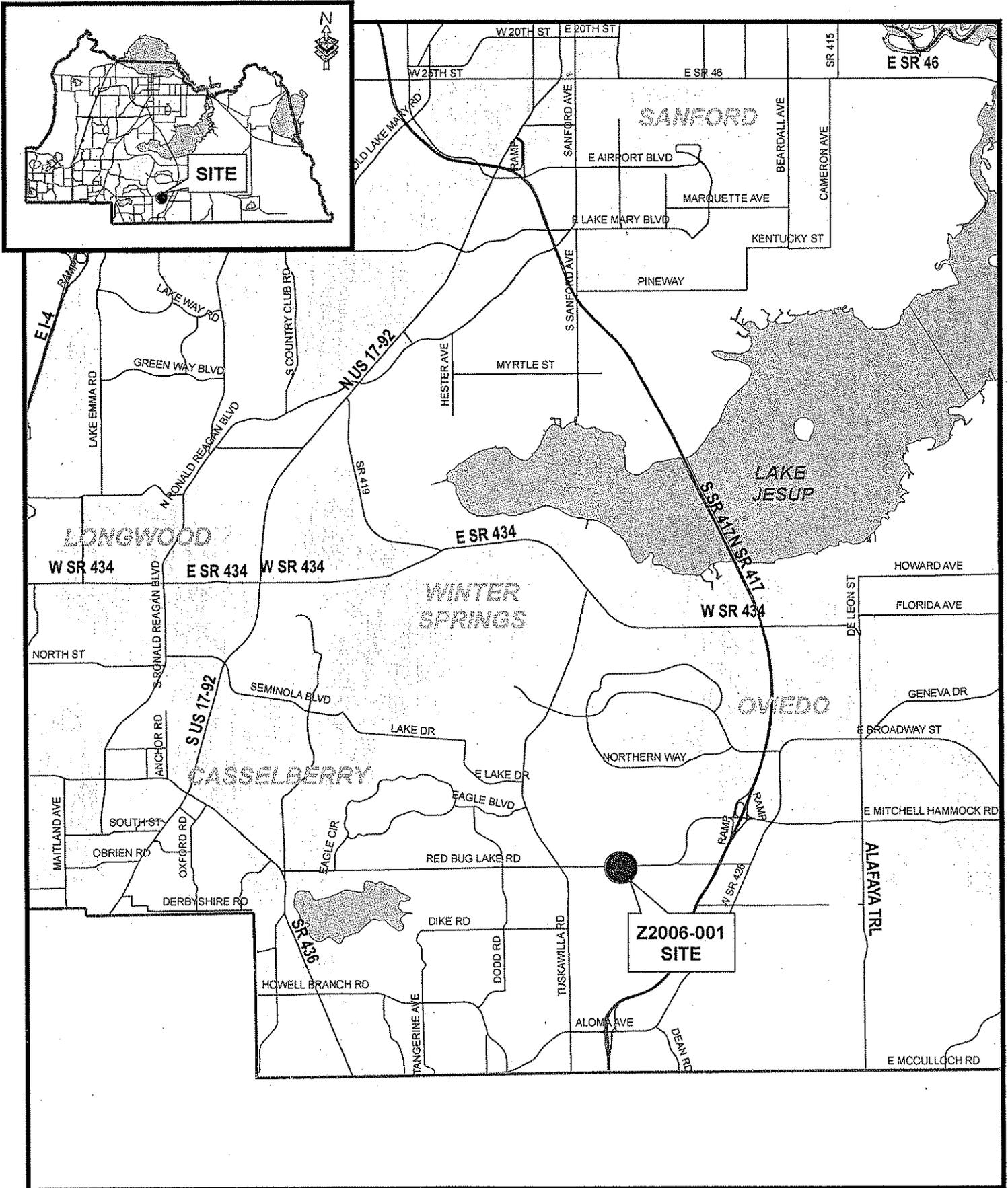
STAFF RECOMMENDATION:

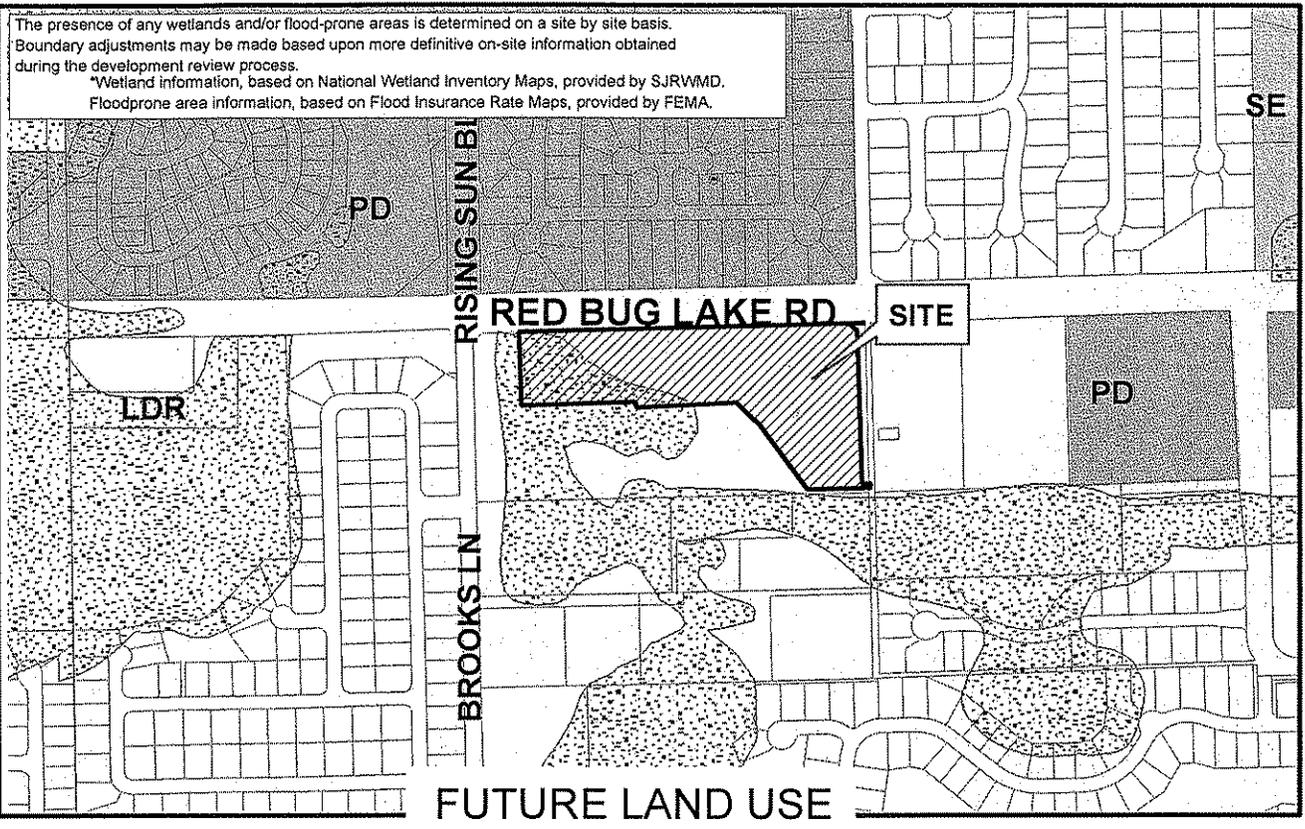
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southeast corner of Red Bug Lake Road and Brooks Lane, subject to the attached Preliminary Master Plan and Development Order.

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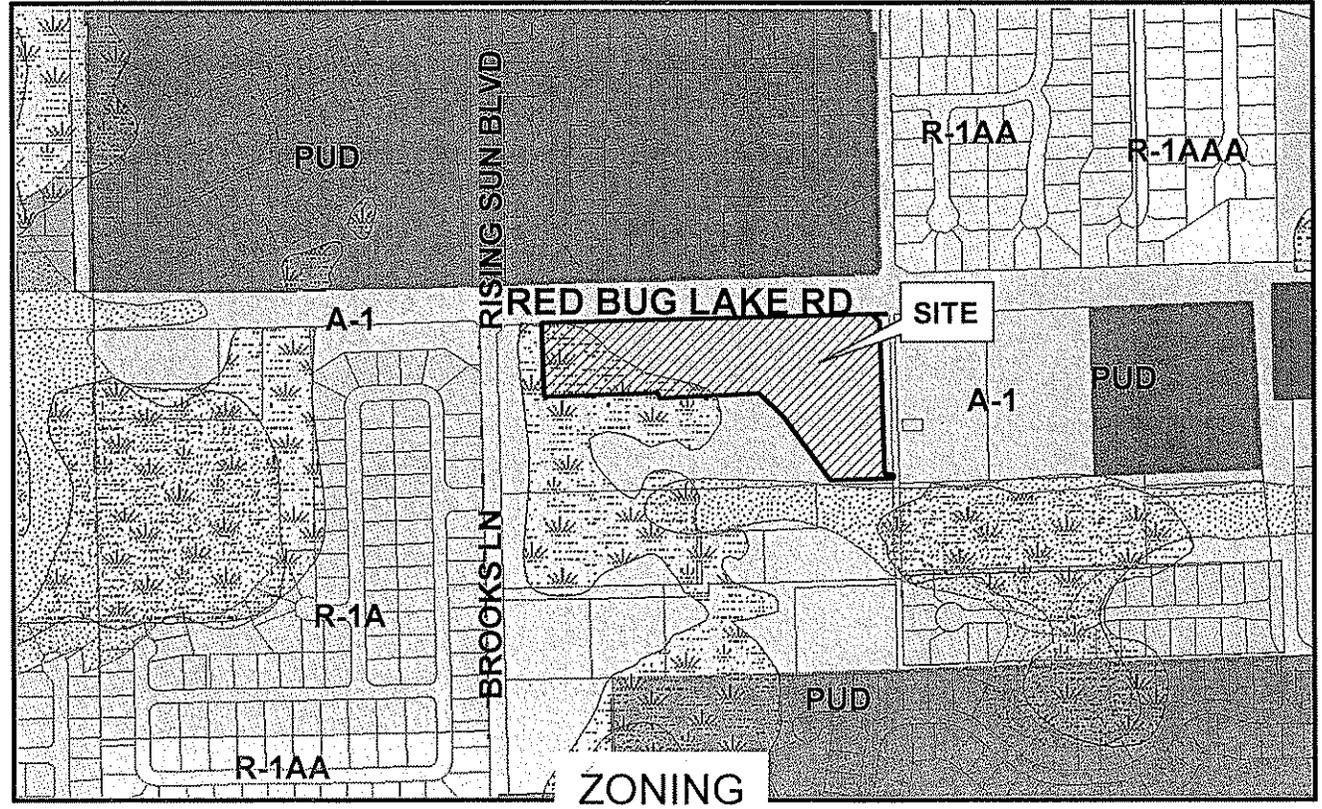




Site
 Municipality
 LDR
 PD
 SE
 CONS

Applicant: Hugh W. Harling, Jr.
 Physical STR: 19-21-31-300-0090-0000
 Gross Acres: 9.24 acres +/- BCC District: 1
 Existing Use: Vacant
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	02-06SS.01	LDR	PD
Zoning	Z2006-01	A-1	PUD



A-1
 R-1A
 R-1AA
 R-1AAA
 PUD
 FP-1
 W-1

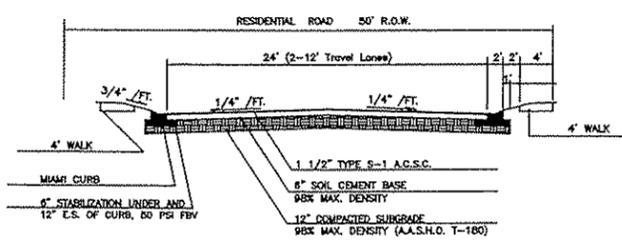
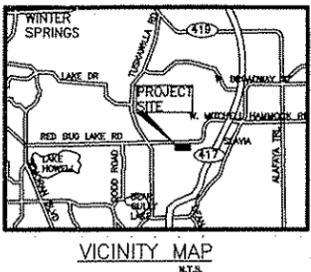
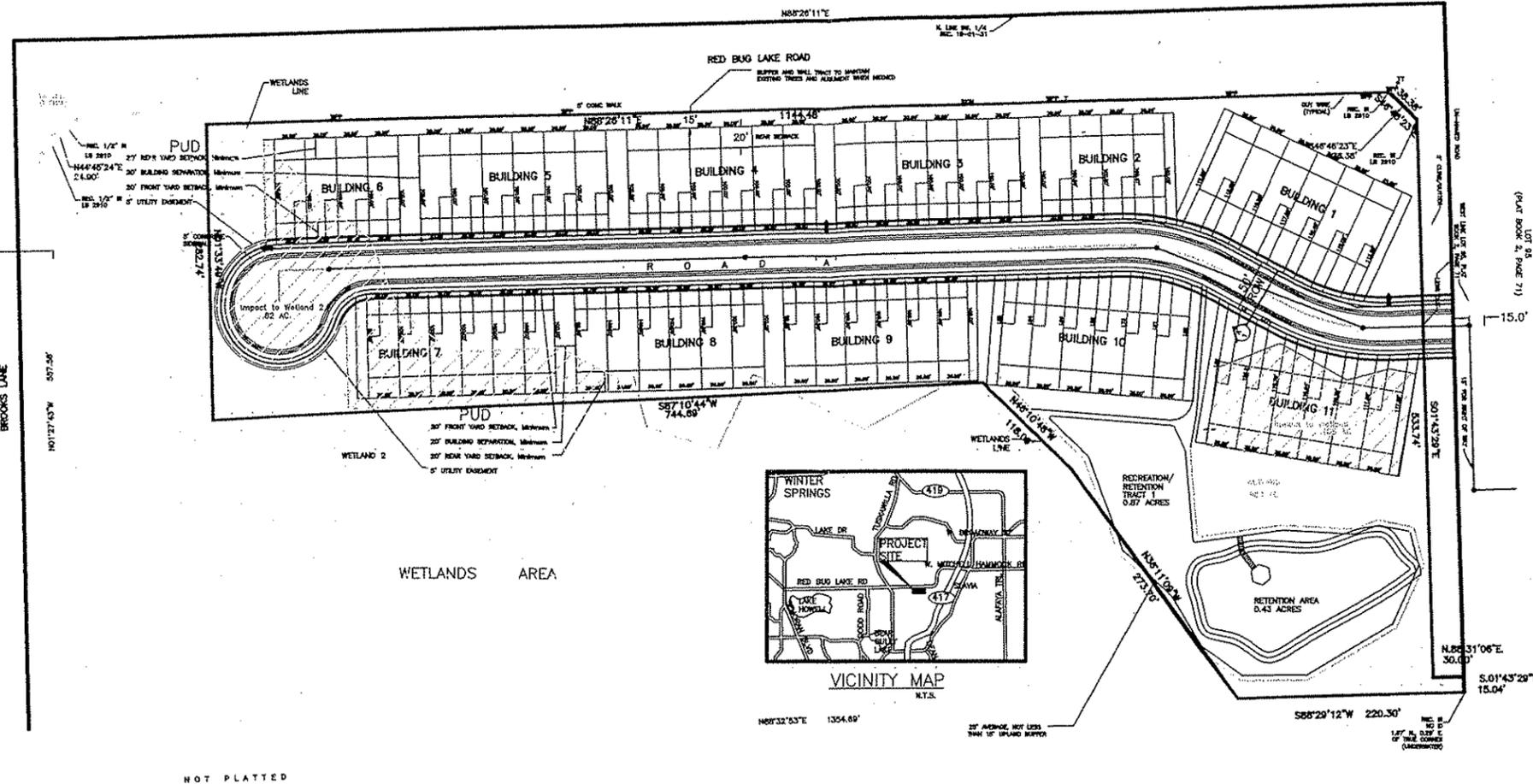


FLU No: 02-06SS.01
From: LDR To: PD
Rezone No: Z2006-001
From: A-1 To: PUD

-  Parcel
-  Subject Property



January 2004 Color Aerials



TYPICAL ROADWAY SECTION
RESIDENTIAL ROAD, (50' R.O.W.) N.T.S.

OWNER:
CWC INV. LTD.
CHARLES W. CLAYTON
615 WYMORE RD.
WINTER PARK, FL 32789
407-644-0000

PREPARED BY:
HARLING LOCKLIN & ASSOCIATES, INC.
350 COURTLAND ST.
ORLANDO, FL 32804
407-629-1061 407-629-2855 fax
hharling@harlinglocklin.com

RETENTION:	18,713 SQ.FT.	.43 ACRES
RECREATION:	19,163 SQ.FT.	.44 ACRES
OPEN SPACE:	121,801 SQ.FT.	2.79 ACRES
ROADWAY:	85,520 SQ.FT.	1.51 ACRES
LOTS:	186,000 SQ.FT.	4.27 ACRES
TOTAL:	411,197 SQ.FT.	9.44 ACRES
LESS WETLANDS:	56,084 SQ.FT.	1.29 ACRES
LESS ROADWAY:	85,520 SQ.FT.	1.51 ACRES
NET BUILDABLE AREA:	289,593 SQ.FT.	6.64 ACRES

PROPOSED DEVELOPMENT DATA:

DEVELOPMENT NAME: WILLOW BROOK
FKA: CITRUS CENTER CLUB

PROPOSED DEVELOPMENT: SINGLE FAMILY ATTACHED

TOTAL SITE AREA: 9.44 GROSS ACRES

NET BUILDABLE AREA: 6.64 NET ACRES

NUMBER OF UNITS: 62 UNITS

PROPOSED DENSITY: 6.6 DU / ACRE

PROPOSED NET DENSITY: 9.33 DU / ACRE

PROPOSED ZONING: PUD

MINIMUM OPEN SPACE: 25% (2.31 ACRES)

DESIGNATED RECREATIONAL AREA: MINIMUM 0.46 ACRES, FACILITIES INCLUDE (1) GAZEBO, (1) WALKWAY & DOCK

MAXIMUM BUILDING HEIGHT: 35 FEET

MINIMUM LOT AREA: 3,000 SF

MINIMUM LOT WIDTH: 30 FEET (AT R.O.W. LINE)

MINIMUM LOT FRONTAGE: 20 FEET (AT R.O.W. LINE)

MINIMUM SETBACKS:
20' FRONT-FROM BACK OF SIDEWALK
20' REAR
5' SIDE ON EXTERIOR UNITS, 0' FOR INTERIOR UNITS
10' SIDE STREET SETBACK
20' PERIMETER SETBACK

SERVICE PROVIDERS:
WATER: SEMINOLE COUNTY
SEWER: SEMINOLE COUNTY
SOLID WASTE: FLORIDA RECYCLE OR OTHER LOCAL FRANCHISE
ELECTRIC: PROGRESS ENERGY
POLICE/FIRE: SEMINOLE COUNTY
PUBLIC SCHOOLS: SEMINOLE COUNTY

TRAFFIC IMPACT: TOTAL RESIDENTIAL UNITS = 62.
TRIP GENERATION RATE = PER CATEGORY #230 RESIDENTIAL CONDO TOWNHOMES = 5.86 ADT / UNIT
= 0.54 TRIPS / UNIT FOR PM PEAK HOURS CHANGE

ANTICIPATED ACF = 410.2
PM PEAK = 37.8 TRIPS
ANTICIPATED TRAFFIC DISTRIBUTION: 50% NORTHBOUND, 50% SOUTHBOUND

UTILITY DEMAND:
WATER: DEMAND ESTIMATE = 62 UNITS X 350 GPD = 21,700 GPD
SEWER: DEMAND ESTIMATE = 62 UNITS X 300 GPD = 18,600 GPD
PROPOSED UTILITIES SHALL MEET SEMINOLE COUNTY REQUIREMENTS.

STORMWATER MANAGEMENT:
STORMWATER MANAGEMENT SYSTEM SHALL MEET ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT, F.D.O.T., AND SEMINOLE COUNTY REQUIREMENTS. STORMWATER RUNOFF SHALL BE COLLECTED VIA STREET INLETS AND DIRECTED TO PROPOSED STORMWATER POND FROM WHICH IT CAN BE DISCHARGED THROUGH AN OUTFALL STRUCTURE ONTO SR 434 AND ARTESIA AVENUE SWALES.

STREET DESIGN:
STREETS SHALL BE DESIGNED IN ACCORDANCE WITH THE SEMINOLE COUNTY'S ENGINEERING STANDARDS.
ALL LOTS SHALL BE WITHIN 400' OF A FIRE HYDRANT.

LIGHTING DESIGN:
EXTERIOR LIGHTING ON ANY PART OF A BUILDING SHALL BE PER SEMINOLE COUNTY'S LAND ORDINANCE # 2004-2. LIGHT SOURCES SHALL BE SHIELDED AND DIRECTED DOWNWARD TO PREVENT GLARE. STREET LIGHTING WILL BE PROVIDED BY PROGRESS ENERGY.

COMMON AREAS:
COMMON AREAS WILL BE OWNED AND MAINTAINED BY A HOMEOWNER'S ASSOCIATION.

PARKING:
DOUBLE CAR PARKING GARAGES ARE PROPOSED WITH 2 ADDITIONAL PARKING SPACES FOR EACH DRIVEWAY.

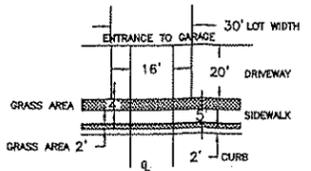
MEDIAN OPENING:
THE EXISTING MEDIAN OPENING ON RED BUG LAKE ROAD IS USED BY THE PUBLIC FOR U-TURNS. WILL BE CLOSED AS PART OF THIS PROJECT.

DESCRIPTION:

A PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 19, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA.

COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF RED BUG LAKE ROAD (84.00 FEET SOUTHERLY OF AND PARALLEL WITH NORTH LINE OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 19 ACCORDING TO SEMINOLE COUNTY ENGINEERING DEPARTMENT RIGHT-OF-WAY MAPS FOR RED BUG LAKE ROAD (SHEET 11 OF 35) AND THE WEST BOUNDARY OF LOT 95, SLAVA COLONY COMPANY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 71 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA; THENCE S. 88°26'11" W. ALONG THE SOUTH RIGHT-OF-WAY LINE OF RED BUG LAKE ROAD FOR 15.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF A UN-NAMED STREET ACCORDING TO AFORESAID PLAT OF SLAVA COLONY COMPANY'S SUBDIVISION; THENCE CONTINUE ALONG AFORESAID SOUTH RIGHT OF WAY LINE OF RED BUG LAKE ROAD, S. 88°26'11" W. A DISTANCE OF 57.22 FEET FOR A POINT OF BEGINNING; THENCE S.46°46'23"E. A DISTANCE OF 38.38 FEET; THENCE S. 01°43'29"E. A DISTANCE OF 533.74 FEET; THENCE N. 88°31'05"E. A DISTANCE OF 30.00 FEET; THENCE S. 01°43'29"E. A DISTANCE OF 15.04 FEET; THENCE S. 88°29'12" W. A DISTANCE OF 220.30 FEET; THENCE N. 36°11'09" W. FOR 273.70 FEET; THENCE N. 46°10'48" W. A DISTANCE OF 118.09 FEET; THENCE S. 8°17'10" W. A DISTANCE OF 744.69 FEET; THENCE N. 01°33'49" W. A DISTANCE OF 282.74 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID RED BUG LAKE ROAD; THENCE N. 88°26'11" E. ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1144.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 411,197 SQUARE FEET, OR 9.44 ACRES MORE OR LESS.



Rezone / Prelim. Master Plan
PUD MULTI-FAMILY DEVELOPMENT
BROOK'S LANDING
FKA Willow Brook / Citrus Center Club
Seminole County, Florida

HARLING LOCKLIN & ASSOCIATES, INC.
Consulting Engineers, Planners, Surveyors
890 Courtyard Street Orlando, Florida 32804
Phone: 407-629-1061
Fax: 407-629-2855
E-mail: hharling@harlinglocklin.com

Engineer: Hugh W. Harding, E. Reg. No. 11629
Job Number: 0521
Scale: 1" = 150'
Date: January 20, 2006

Drawn by: CWR
Designed by: CWR
Finance: 051PSP
Check: []

No.	Date	Revisions
3	4/7/06	REVISED PER SEMINOLE COUNTY COMMENTS
2	3/28/06	REVISED PER SEMINOLE COUNTY COMMENTS
1	2/9/06	REVISED PER SEMINOLE COUNTY COMMENTS

Sheet 1 of 1

SEMINOLE COUNTY DEVELOPMENT ORDER

On May 23, 2006 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: Charles W. Clayton

Project Name: Willow Brook PUD Small Scale Future Land Use Amendment from LDR to PD and Rezone from A-1 to PUD

Requested Development Approval:

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 owners of the property have 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: Tina Williamson
1101 East First Street
Sanford, Florida 32771

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's approval, all of which have been accepted by and agreed to by the owner of the property are as follows;

Standard Conditions:

- a. All development shall comply with the Development Plan attached as Exhibit B.
- b. All townhouse units shall be located on individual platted lots.
- c. The maximum building height shall be two stories, not to exceed 35'.
- d. Accessory structures shall be prohibited on the individual townhouse lots.
- e. Permitted uses shall be fee-simple townhouse units, home offices, home occupations, and customary recreational facilities for the use of the residents.
- f. All landscape buffers and common areas shall be maintained by a homeowners association.
- g. The development shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside the development.
- h. Sidewalks shall be required on both sides of the internal streets.
- i. Converting garages to living space shall be prohibited.
- j. Storage of RVs and boats on the site shall be prohibited.
- k. Guest parking shall be provided at a minimum rate of 1 space per 3 dwelling units in addition to the required two spaces per dwelling unit.

Project Specific Conditions:

- a. The project shall be developed at a maximum density of 10 dwelling units per net buildable acre, not to exceed 62 townhouse units.
- b. In accordance with Section 30.454 of the Land Development Code, a minimum of twenty-five (25) percent of the project area must be designated as useable open space per the requirements of the Land Development Code.
- c. A minimum 20' building setback will apply from the project perimeter.
- d. The individual townhouse lots will contain a minimum of 2,950 square feet and have a minimum lot width of 30'.

e. The following setback standards shall apply to the individual townhouse units:

Front Yard Setback	20' from back of sidewalk
Side Yard Setback	5' on exterior units, 0' for interior units
(Street) Side Yard Setback	10'
Rear Yard Setback	20'

f. The following minimum buffer standards shall apply:

North: Minimum 15' with a 6' masonry wall

South: Minimum 5' with a 6' masonry wall

East: Minimum 5' with a 6' masonry wall

West: Minimum 5' with a 6' masonry wall

Adjacent to any post-development wetlands: 25' average, not less than 15' upland buffer

g. The existing median opening located near the center of this site on Red Bug Lake Road shall be closed as part of this development.

(4) This Development Order touches and concerns the aforescribed 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 owners of the said property have expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) 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 written above.

Attest: _____
 Maryanne Morse
 Clerk to the Board of County Commissioners

By: _____
 Board of County Commissioners
 Carlton D. Henley, Chairman

File # Z2006-01

DEVELOPMENT ORDER #05-22000011

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Charles W. Clayton, 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.

Witness

Print Name

Charles W. Clayton

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 Charles W. Clayton, who is personally known to me or who has produced _____ has identification and who executed the foregoing instrument and sworn an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

BROOKS LANDING DESCRIPTION

A portion of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 19, Township 21 South, Range 31 East, Seminole County, Florida.

Commence at the intersection of the South right-of-way line of Red Bug Lake Road 84.00 feet Southerly of and parallel with North line of the Southeast $\frac{1}{4}$ of aforesaid section 19 according to Seminole County Engineering Department right-of-way maps for Red Bug Lake Rd. (Sheet 11 of 35) and the West Boundary of Lot 95, Slavia Colony Company's Subdivision, As recorded in Plat Book 2, Page 71 of the Public Records of Seminole County Florida; Thence S88°26'11"W along the South right-of-way line of Red Bug Lake Road for 15.00 feet to the west right-of-way line of an un-named street according to aforesaid Plat of Slavia Colony Company's Subdivision; Thence continue along aforesaid South right-of-way line of Red Bug Lake Road S88°26'11"W a distance of 57.22 feet for a Point of Beginning; Thence N88°31'06"E a distance of 30.00 feet; Thence S01°43'29"E a distance of 15.04 feet; Thence S88°29'12"W a distance of 220.30 feet; Thence N36°11'09"W for 273.70 feet; Thence N46°10'48"W a distance of 118.09 feet; Thence S87°10'44"W a distance of 744.69 feet; Thence N01°33'49"W a distance of 282.74 feet to the South right-of-way line of said Red Bug Lake Road; Thence N88°26'11"E along said south right-of-way line a distance of 1144.48 feet to the Point of Beginning.

Containing 411,197 square feet or 9.44 acres more or less.

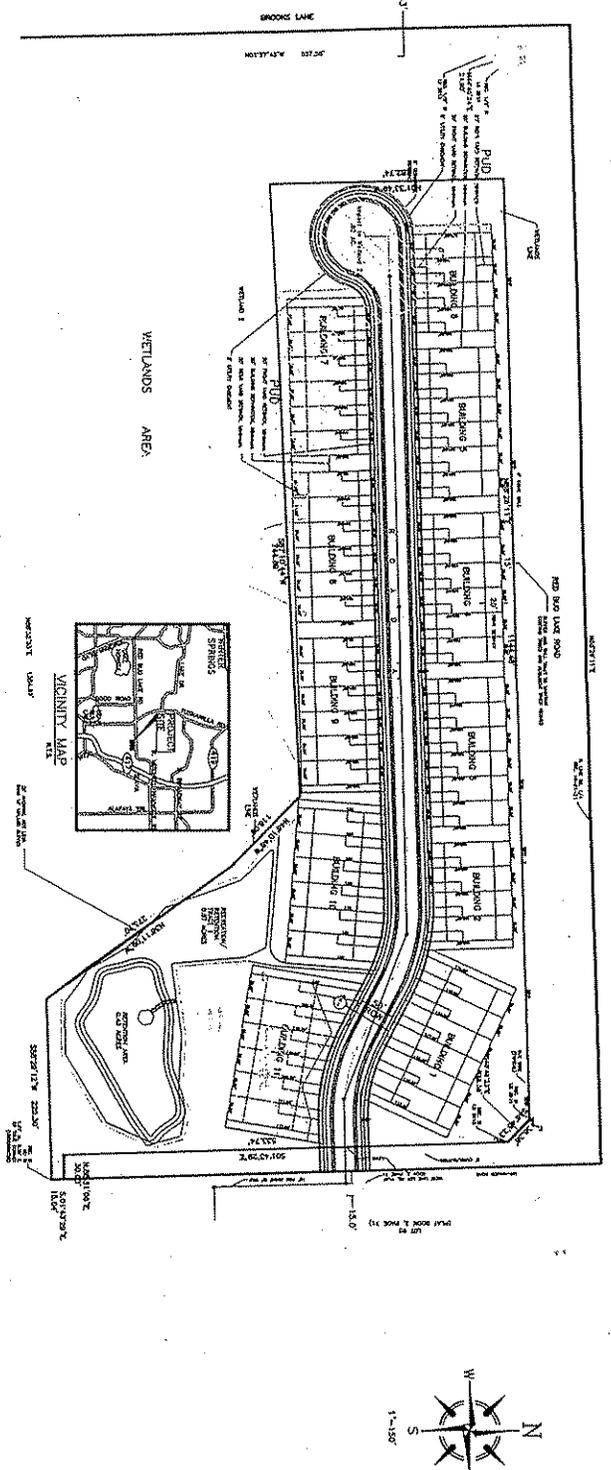


EXHIBIT B



DESCRIPTION
 A SECTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 15, TOWNSHIP 21 SOUTH, RANGE 21 EAST, SEMINOLE COUNTY, FLORIDA.

DESCRIPTION
 A PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SECTION 15, TOWNSHIP 21 SOUTH, RANGE 21 EAST, SEMINOLE COUNTY, FLORIDA.

REGISTRATION	15-21-001	15-21-002	15-21-003	15-21-004	15-21-005	15-21-006	15-21-007	15-21-008	15-21-009	15-21-010
REGISTRATION	15-21-001	15-21-002	15-21-003	15-21-004	15-21-005	15-21-006	15-21-007	15-21-008	15-21-009	15-21-010
ACRES	1.31	1.31	1.31	1.31	1.31	1.31	1.31	1.31	1.31	1.31
TOTAL ACRES	13.10									
NET BUILDABLE AREA	28,843 SQ. FT. 0.64 ACRES									

PROPOSED DEVELOPMENT DATA

DEVELOPER: CMC ANY LIFE LIVING
 515 WINDY RD
 WINTER PARK, FL 32789
 407-244-0000

DESIGNER: HARTING LOCKLIN & ASSOCIATES, INC.
 1000 W. UNIVERSITY BLVD., SUITE 100
 ORLANDO, FL 32804
 407-252-2828

PROPOSED DEVELOPMENT DATA

DEVELOPER: WILLOW BROOK SINGLE FAMILY CLUB
 644 GROSS ACRES
 64 UNITS
 64 UNITS / PHASE
 64 UNITS / PHASE
 64 UNITS / PHASE

PROPOSED DEVELOPMENT DATA

DEVELOPER: WILLOW BROOK SINGLE FAMILY CLUB
 644 GROSS ACRES
 64 UNITS
 64 UNITS / PHASE
 64 UNITS / PHASE
 64 UNITS / PHASE

PROPOSED DEVELOPMENT DATA

DEVELOPER: WILLOW BROOK SINGLE FAMILY CLUB
 644 GROSS ACRES
 64 UNITS
 64 UNITS / PHASE
 64 UNITS / PHASE
 64 UNITS / PHASE

PROPOSED DEVELOPMENT DATA

DEVELOPER: WILLOW BROOK SINGLE FAMILY CLUB
 644 GROSS ACRES
 64 UNITS
 64 UNITS / PHASE
 64 UNITS / PHASE
 64 UNITS / PHASE

Signature: Date: Title: Project:	Drawn by: Designed by: Plotted by: Scale: Date:	Rezone / Prelim. Master Plan PUD MULTI-FAMILY DEVELOPMENT BROOK'S LANDING FKA Willow Brook / Citrus Center Club Seminole County, Florida	HARLING LOCKLIN & ASSOCIATES, INC. 430 Crawford Street Orlando, Florida 32804 Phone: 407-424-1661 Fax: 407-424-1245 E-mail: hrl@haringlocklin.com	<table border="1"> <tr> <th>No.</th> <th>Date</th> <th>Revisions</th> </tr> <tr> <td>3</td> <td>4/7/06</td> <td>REVISED PER SEMINOLE COUNTY COMMENTS</td> </tr> <tr> <td>2</td> <td>2/28/06</td> <td>REVISED PER SEMINOLE COUNTY COMMENTS 2/27/06</td> </tr> <tr> <td>1</td> <td>2/7/06</td> <td>REVISED PER SEMINOLE COUNTY COMMENTS 1/27/06</td> </tr> </table>	No.	Date	Revisions	3	4/7/06	REVISED PER SEMINOLE COUNTY COMMENTS	2	2/28/06	REVISED PER SEMINOLE COUNTY COMMENTS 2/27/06	1	2/7/06	REVISED PER SEMINOLE COUNTY COMMENTS 1/27/06
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1	2/7/06	REVISED PER SEMINOLE COUNTY COMMENTS 1/27/06														

AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 91-13, AS PREVIOUSLY AMENDED, KNOWN AS THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF SMALL SCALE DEVELOPMENT AMENDMENT (LEGAL DESCRIPTION IS SET FORTH AS AN APPENDIX TO THIS ORDINANCE); CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM LOW DENSITY RESIDENTIAL 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 91-13 which adopted the 1991 Seminole County Comprehensive Plan (“the Plan”), which Plan has been subsequently amended from time-to-time and in accordance with State law; 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 Local Planning Agency held a Public Hearing, with all required public notice, on May 3, 2006 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 May 23, 2006, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local 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 Comprehensive Regional Policy Plan of the East Central Florida Regional Planning Council.

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 and form and include legislative findings which are a material part of this Ordinance.**
- (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. 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 91-13, as previously amended, is hereby further amended by amending the future land use designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Appendix "A" to this Ordinance:

Amendment Appendix "A"

- (b) The associated rezoning request was completed by means of Ordinance Number 06- _____.
- (c) The development of the property is subject to the development intensities and standards permitted by the overlay Conservation land use designation, Code requirements and other requirements of law.

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.

(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 and the Florida Department of Community Affairs 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 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 adoption by the Board of County Commissioners or, if challenged within thirty (30) days of adoption, 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 Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners.

ENACTED this 23rd day of May, 2006.

**BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**

By: _____

Carlton D. Henley, Chairman

BROOKS LANDING DESCRIPTION

A portion of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 19, Township 21 South, Range 31 East, Seminole County, Florida.

Commence at the intersection of the South right-of-way line of Red Bug Lake Road 84.00 feet Southerly of and parallel with North line of the Southeast $\frac{1}{4}$ of aforesaid section 19 according to Seminole County Engineering Department right-of-way maps for Red Bug Lake Rd. (Sheet 11 of 35) and the West Boundary of Lot 95, Slavia Colony Company's Subdivision, As recorded in Plat Book 2, Page 71 of the Public Records of Seminole County Florida; Thence S88°26'11"W along the South right-of-way line of Red Bug Lake Road for 15.00 feet to the west right-of-way line of an un-named street according to aforesaid Plat of Slavia Colony Company's Subdivision; Thence continue along aforesaid South right-of-way line of Red Bug Lake Road S88°26'11"W a distance of 57.22 feet for a Point of Beginning; Thence N88°31'06"E a distance of 30.00 feet; Thence S01°43'29"E a distance of 15.04 feet; Thence S88°29'12"W a distance of 220.30 feet; Thence N36°11'09"W for 273.70 feet; Thence N46°10'48"W a distance of 118.09 feet; Thence S87°10'44"W a distance of 744.69 feet; Thence N01°33'49"W a distance of 282.74 feet to the South right-of-way line of said Red Bug Lake Road; Thence N88°26'11"E along said south right-of-way line a distance of 1144.48 feet to the Point of Beginning.

Containing 411,197 square feet or 9.44 acres more or less.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) DISTRICT CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) DISTRICT ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR EXCLUSION FROM CODIFICATION; 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 documents titled "Willow Brook PUD SSLUA and Rezone."

(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. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) district to PUD (Planned Unit Development) district:

SEE ATTACHED EXHIBIT A

Section 3. EXCLUSION FROM CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this ordinance shall not be codified.

Section 4. 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 5. 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, and this Ordinance shall be effective on the recording date of the Development Order # 05-22000011 in the Official Land Records of Seminole County.

ENACTED this 23rd day of May 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

BROOKS LANDING DESCRIPTION

A portion of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 19, Township 21 South, Range 31 East, Seminole County, Florida.

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Containing 411,197 square feet or 9.44 acres more or less.

**MINUTES FOR THE SEMINOLE COUNTY LAND PLANNING AGENCY
PLANNING AND ZONING COMMISSION
MAY 3, 2006**

Members present: Ben Tucker, Beth Hattaway, Dudley Bates, Matt Brown, Jason Brodeur, Walt Eismann, and Rob Wolf.

Also present: Tina Williamson, Principal Coordinator; Michael Rumer, Senior Planner; Jeffrey Hopper, Senior Planner; Benjamin Dunn, Senior Planner; Tony Walter, Planning Manager; Katharine Furey-Tran, Assistant County Attorney; Brian Walker, Planner; Cynthia Sweet, Planner; Denny Gibbs, Senior Planner; Dan Matthys, Director of Planning and Development; and Candace Lindlaw-Hudson, Senior Staff Assistant.

Willow Brook PUD; Hugh W. Harling, Jr./Harling Locklin & Associates, Inc., applicant; 9.24 ± acres; Small Scale Land Use Amendment from LDR (Low Density Residential) to PD (Planned Development) (02-06SS.01) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development); located on the southeast corner of Red Bug Lake Road and Brooks Lane. (Z2006-01)

Commissioner Dallari – District 1
Tina Williamson, Principal Coordinator

Tina Williamson stated that the applicant would like to develop a 62 unit town house project with a maximum density of 10 units per net buildable acre, adjacent to Red Bug Lake Road and Brooks Lane. This project serves as a transition for surrounding area uses. The master plan preserves wetland adjacent to Brooks Lane. Staff recommendation is for approval, subject to the findings in the staff report and the conditions in the development order and the preliminary master plan.

Hugh Harling stated that he is in agreement with the staff report. There is a distance of 185 feet from the end of the internal cul-de-sac to Brooks Lane. The distance from the south property line to the nearest building is approximately 300 feet. The wetland will be a conservation easement dedicated to the County and the Water Management District. There will be no access to Brooks Lane from this project. The entrance will be at Citrus Lane by the assisted living facility. There is a light at the corner of Citrus Lane. The project will be tied into water and sewer. The town houses will be 30 feet wide, with two car garages. He will save the trees along the highway and have a wall there and along Citrus Avenue. There will be a 15-foot buffer in addition to the back yards.

Mr. Harling said that he is proposing this project for people like the empty nesters in the aging population who would like to stay in the Tuskawilla area but have

less maintenance. He has met with the Red Bug Coalition and has integrated their comments into the design of the project.

Commissioner Wolf asked if the wetland will be put into to a permanent conservation easement.

Mr. Harling said that a few strips would be taken out for mitigation and the rest would be put into a permanent conservation easement that could not be developed.

Stephanie Black of 1800 Brooks Lane said that she was not opposed to the project, but was concerned about the traffic speeding on Brooks Lane.

Bill Watts of Gabriella Lane was concerned about the drainage percolation and engineering in the area.

Commissioner Tucker said that drainage is taken care of at the time of final engineering.

Hugh Harling said that the drainage would be running in a ditch under Citrus and Mikler to a ditch on the other side.

Commissioner Eismann urged the citizens to pursue getting traffic calming devices for the area of concerns.

Commissioner Eismann made a motion to recommend approval.

Commissioner Hattaway seconded the motion.

The motion passed 7 – 0.