

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Brook's Landing PUD (F.K.A. Willow Brook) Final Master Plan

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

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Tina Williamson **EXT.** 7353

Agenda Date <u>8/22/06</u> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

1. **APPROVE** the Final Master Plan and authorize the Chairman to execute the Developer's Commitment Agreement for the Brook's Landing PUD, consisting of 9.44 ± acres and located on the southeast corner of Red Bug Lake Road and Brooks Lane, based on staff findings (Hugh Harling/Harling Locklin & Associates, Inc., applicant); or
2. **DENY** the Final Master Plan for the Brook's Landing PUD, consisting of 9.44 ± acres and located on the southeast corner of Red Bug Lake Road and Brooks Lane (Hugh Harling/Harling Locklin & Associates, Inc., applicant); or
3. **CONTINUE** the request until a time and date certain.

District #1 – Dallari

Tina Williamson, Principal Coordinator

BACKGROUND:

The applicant is seeking Final Master Plan approval for a 62-lot townhouse project. On May 23, 2006, the Board adopted a Small Scale Future Land Use Amendment from Low Density Residential to Planned Development and a rezoning from A-1 (Agriculture) to PUD (Planned Unit Development) on the subject property. The maximum residential density is 10.0 dwelling units per net buildable acre. Staff finds that the proposed Final Master Plan and Developer's Commitment Agreement provided by the applicant comply with all of the conditions contained in the approved Development Order.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the Final Master Plan and the Developer's Commitment Agreement for the Brook's Landing PUD, consisting of 9.44 ± acres and located on the southeast corner of Red Bug Lake Road, and Brooks Lane.

Reviewed by: Co Atty: <u>KA</u> DFS: _____ Other: <u>DF</u> DCM: <u>AD</u> CM: <u>CE</u>
File No. <u>rpd03</u>

ATTACHMENTS:

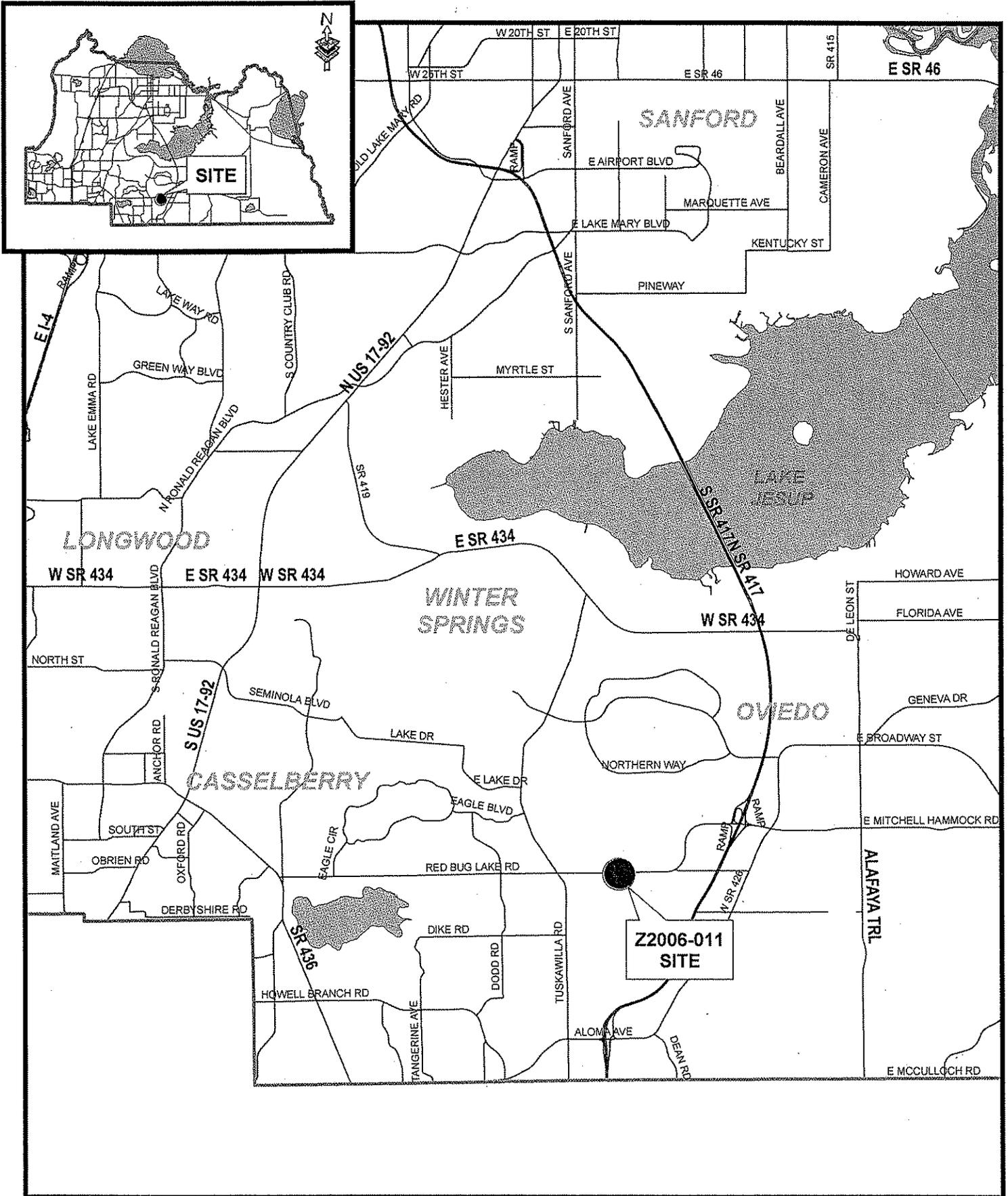
Location Map

Final Master Plan

Developer's Commitment Agreement

Approved Development Order

May 23, 2006 BCC meeting minutes



BROOKS LANDING P.U.D.

FINAL MASTER PLAN DEVELOPER'S COMMITMENT AGREEMENT COMMITMENTS, CLASSIFICATIONS AND DISTRICT DESCRIPTION

On August 22, 2006, the Board of County Commissioners of Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEGAL DESCRIPTION

A portion of the North ½ of the Northeast ¼ of the Southwest ¼, 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 ¼ 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, 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 unnamed 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 S46°46'23"E a distance of 38.38 feet; Thence S01°43'29"E a distance of 533.74 feet; Thence N88°31'06"E a distance of 30.00 feet; Thence S01°43'29"E a distance of 15.04 feet; Thence S88°26'12"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.

PROPERTY OWNERS

CWC Investments, Ltd.
Charles W. Clayton
615 Wymore Rd.
Winter Park, FL. 32789

STATEMENT OF BASIC FACTS

- A. Total Area: 9.44 Acres
- B. Zoning: Planned Unit Development
- C. Density of Residential Tract A (below): 9.33 dwelling units per net buildable acre
- D. 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.
- E. The owners of the property have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.
- F. The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owners are as follows:

TRACTING PLAN – LAND USE BREAKDOWN

Tract	<i>Name</i>	<i>Max. # of Dwelling Units</i>	Gross Area	<i>% of Site</i>
A	Multi-Family	62	4.27 ac.	45%
B	Active/ Passive Recreation		.44	5%
C	Retention Pond		.43	5%
D	Open Space		2.79	29%
E	Road "A"		1.51	16%
	Total		9.44	100%

OPEN SPACE CALCULATIONS

Owners shall provide Open Space at an overall rate of 25%, or a minimum of 2.36 acres throughout the entire PUD. A retention pond will serve as the major Open Space element for the PUD, designed to serve this project, and shall be amenitized per Section 30.1344 (e)(3)(A) of the Seminole County Land Development Code. Remaining Open Space (as listed below) is achieved through Active Recreation, Passive Recreation and other Green Space in the PUD, subject to approval by the Current Planning Manager during final site approval.

Total Land Area: 9.44 acres
Required Open Space: 25% = 9.44 acres x 0.25 = 2.36 acres Open Space

Open Space Provided:

Tract 'A' – Active / Passive Recreation within multi-family Tract	0.44 acres
Tract 'C' – Retention.....	0.43 acres
Tract 'D' – Open Space	2.79 acres
TOTAL OPEN SPACE PROVIDED	3.66 ACRES

BUILDING SETBACKS

Townhomes:

Front.....	20'
Side Exterior.....	5'
Side Interior Unit.....	0'
Side (Street)	10'
Rear	20'
Maximum Building Height.....	35'

A minimum 20' building setback shall apply from the project perimeter.

PERMITTED USES

Fee-simple townhomes, home offices, home occupations and customary recreational facilities for the use of the residents.

LANDSCAPE & BUFFER CRITERIA

- 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.

DEVELOPMENT COMMITMENTS

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. All development shall comply with the architectural rendering attached as Exhibit C.
- b. The project shall be developed at a maximum density of 10 dwelling units per net buildable acre, not to exceed 62 townhouse units.
- c. In accordance with Section 30.451(e) 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.
- d. A minimum 20' building setback will apply from the project perimeter.
- e. The individual townhouse lots will contain a minimum of 2,950 square feet and have a minimum lot width of 30'.
- f. The existing median opening located near the center of this site on Red Bug Lake Road shall be closed as part of this development.

PUBLIC FACILITIES

The Owners have submitted the property for a concurrency review. Among conditions relating to concurrency public facilities are the following:

WATER:

Water service will be provided by Seminole County. Design of lines and fire hydrants shall conform to all Seminole County and Florida Department of Environmental Protection Standards.

SANITARY SEWER:

Central sanitary sewer will be provided by Seminole County. Design of collection system shall conform to all Seminole County and Florida Department of Environmental Protection Standards.

STORM DRAINAGE:

Stormwater drainage treatment and storage for pre-post conditions are to be provided on-site according to Seminole County and St. John's River Water Management District's stormwater regulations.

FIRE PROTECTION:

The Owners shall install a fire hydrant at the Southwest corner of the site, accessible to the adjacent properties prior to a certificate of occupancy being issued. Fire protection will be provided by Seminole County. Fire flow will be a minimum of 1,250 G.P.M. with 20 P.S.I. Fire hydrant shall be located according to Seminole County regulation.

STANDARD PROVISIONS

1. 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.
2. This development order touches and concerns the aforescribed property and the conditions, commitments and provisions of the development order shall perpetually burden, run with and follow the said property and be servitude upon and binding upon said property unless released in whole or in part by action of Seminole County by virtue of a document of equal dignity herewith. The Owners have expressly covenanted and agreed to this provision and all other terms and provisions of the development order.
3. The terms and provisions of the development order are not severable and in the event any portion of this development order shall be found to be invalid or illegal then the entire development order shall be null and void.

INTERPRETATION: RELATIONSHIP TO FINAL MASTER PLAN AND DEVELOPMENT ORDER

This Developer's Commitment Agreement is intended to summarize material provisions of the Final Master Plan of the Property approved concurrently herewith by the Board of County Commissioners of Seminole County. In the event of an inconsistency between this Developer's Commitment Agreement and the Final Master Plan, the terms and conditions of the Developer's Commitment Agreement shall control. Furthermore, in the event of a conflict between the terms of the Developer's Commitment Agreement and Development Order Number 05-22000011, the terms of the Developer's Commitment Agreement shall control.

DONE AND ORDERED ON THE DATE FIRST WRITTEN ABOVE.

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

OWNERS' CONSENT AND COVENANT

COMES NOW, the Owner, CWC Investments Ltd., on behalf of itself and its heirs, successors, assigns and 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.

WITNESSES:

OWNERS:

Witness (Sign and print name)

Thomas R. Allen, Registered Agent for
CWC Investments Ltd.

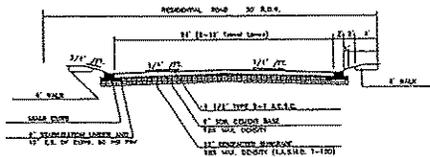
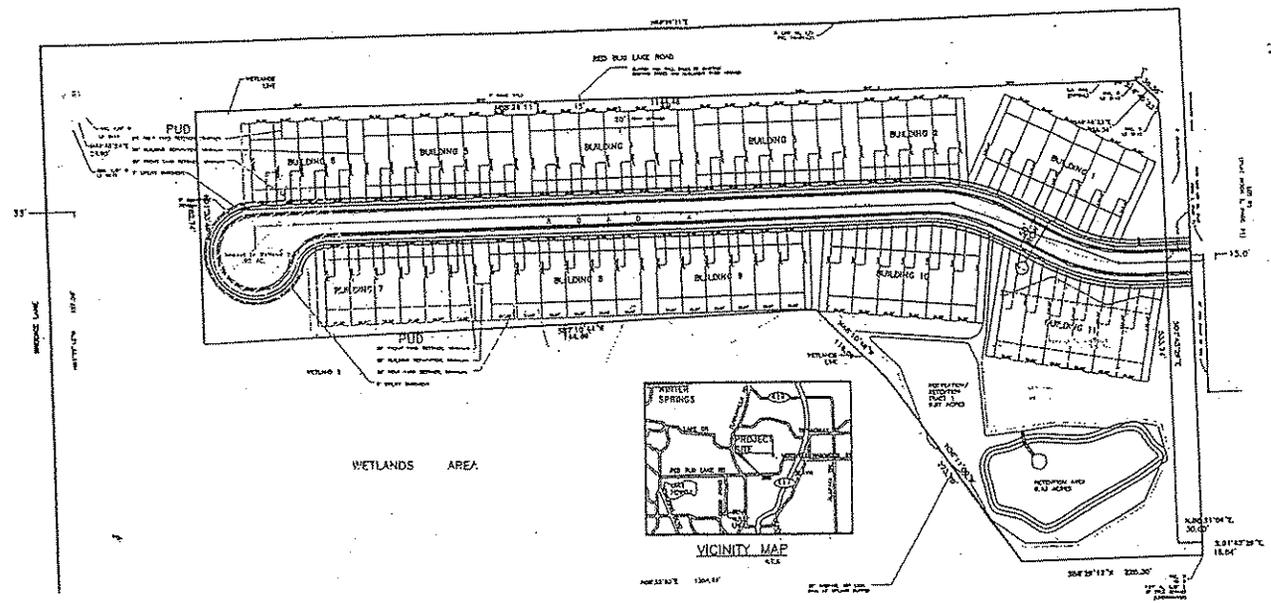
Witness (Sign and print name)

Acknowledgement

STATE OF FLORIDA }
COUNTY OF SEMINOLE }

The foregoing instrument was acknowledged before me this _____ day of _____, 2006, by Thomas R. Allen who is personally known to me or who has produced their Driver's License as identification.

Notary Public
Print Name:
My Commission expires:



TYPICAL ROADWAY SECTION
RESIDENTIAL ROAD (50' R.O.W.)

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 33) AND THE WEST BOUNDARY OF LOT 85, SLAVA COLONY COMPANY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 71 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA; THENCE S. 88°28'11" W. ALONG THE SOUTH RIGHT-OF-WAY LINE OF RED BUG LAKE ROAD FOR 13.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF A UN-NAMED STREET ACCORDING TO ATROSPAD PLAT OF SLAMA COLONY COMPANY'S SUBDIVISION; THENCE CONTINUE ALONG AFORESAID SOUTH RIGHT OF WAY LINE OF RED BUG LAKE ROAD, S. 88°28'11" W. A DISTANCE OF 37.22 FEET FOR A POINT OF BEGINNING; THENCE S. 48°48'23" E. A DISTANCE OF 38.38 FEET; THENCE S. 01°42'29" E. A DISTANCE OF 333.74 FEET; THENCE N. 88°31'04" E. A DISTANCE OF 30.00 FEET; THENCE S. 81°43'29" E. A DISTANCE OF 15.04 FEET; THENCE S. 28°25'42" W. A DISTANCE OF 220.30 FEET; THENCE N. 38°10'00" W. FOR 213.70 FEET; THENCE N. 48°10'40" W. A DISTANCE OF 116.08 FEET; THENCE S. 87°10'44" W. A DISTANCE OF 744.88 FEET; THENCE N. 01°33'48" W. A DISTANCE OF 282.74 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID RED BUG LAKE ROAD; THENCE N. 88°28'11" 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.

OWNER:
CFC INV. LTD.
CHARLES W. CLAYTON
815 WHOLEY RD.
WINTER PARK, FL 32789
407-844-0000

PREPARED BY:
HARLING LOCKLIN & ASSOCIATES, INC.
850 COMFLAND ST.
ORLANDO, FL 32804
407-829-1061 407-829-2855 fax
hlocking@hlocklin.com

REVENUE:	18,713 SQ.FT.	.43 ACRES
RECREATION:	18,182 SQ.FT.	.44 ACRES
OPEN SPACE:	121,801 SQ.FT.	2.79 ACRES
ROADWAY:	35,520 SQ.FT.	1.31 ACRES
LOTS:	186,593 SQ.FT.	4.27 ACRES
UTIL:	311,197 SQ.FT.	7.14 ACRES
LESS WETLANDS:	88,084 SQ.FT.	1.98 ACRES
LESS ROADWAY:	65,520 SQ.FT.	1.51 ACRES
NET BUILDABLE AREA:	226,593 SQ.FT.	5.64 ACRES

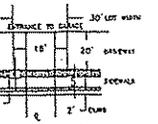
PROPOSED DEVELOPMENT DATA:

DEVELOPMENT NAME: WILLOW BROOK
PROPOSED DEVELOPMENT: PALM CITRUS CENTER CLUB
SINGLE FAMILY ATTACHED.
TOTAL SITE AREA: 9.44 GROSS ACRES
NET BUILDABLE AREA: 5.64 NET ACRES
NUMBER OF UNITS: 81 UNITS
PROPOSED DENSITY: 8.8 DU / ACRE
PROPOSED NET DENSITY: 9.33 DU / ACRE
PROPOSED TOWNSHIP: 25A (1.31 ACRES)
MINIMUM OPEN SPACE: MINIMUM 0.48 ACRES, PARAGRAPHS INCLUDE
DESIGNATED RECREATIONAL AREA: (1) EXERCISE, (1) WALKWAY & DOCK
(1) BAZOOKA, (1) WALKWAY & DOCK

MAXIMUM BUILDING HEIGHT: 35 FEET
MINIMUM LOT AREA: 3000 SF
MINIMUM LOT WIDTH: 20 FEET (AT R.O.W. LINE)
MINIMUM LOT FRONTAGE: 20 FEET (AT R.O.W. LINE)

MINIMUM SETBACKS:
20' FRONT-FRONT BACK OF SIDEWALK
10' REAR
5' SIDE ON EXTERIOR UNITS, 0' FOR INTERIOR UNITS
10' SIDE STREET SETBACK
10' 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 = 82
TRIP GENERATION RATE = PER CATEGORY 220 RESIDENTIAL CONDO TOWNHOUSES
= 3.88 ADF / UNIT
= 0.54 TRIPS / UNIT FOR PM PEAK HOURS CHANGE
ANTICIPATED ADF = 410.2
PM PEAK = 37.8 TRIPS
ANTICIPATED TRAFFIC DISTRIBUTION: 30A NORTHBOUND, 30A SOUTHBOUND

UTILITY DEMAND:
WATER: DEMAND ESTIMATE = 82 UNITS X 250 GPD = 21,700 GPD
SEWER: DEMAND ESTIMATE = 82 UNITS X 300 GPD = 18,800 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 EXISTING STRUCTURE ON SR 424 AND ANTERIA 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 LUID 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 HOMEOWNERS' ASSOCIATION.

PARKING:
COMBINE CAR PARKING GARAGES ARE PROPOSED WITH 1 ADDITIONAL PARKING SPACES FOR EACH DRIVEWAY.

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

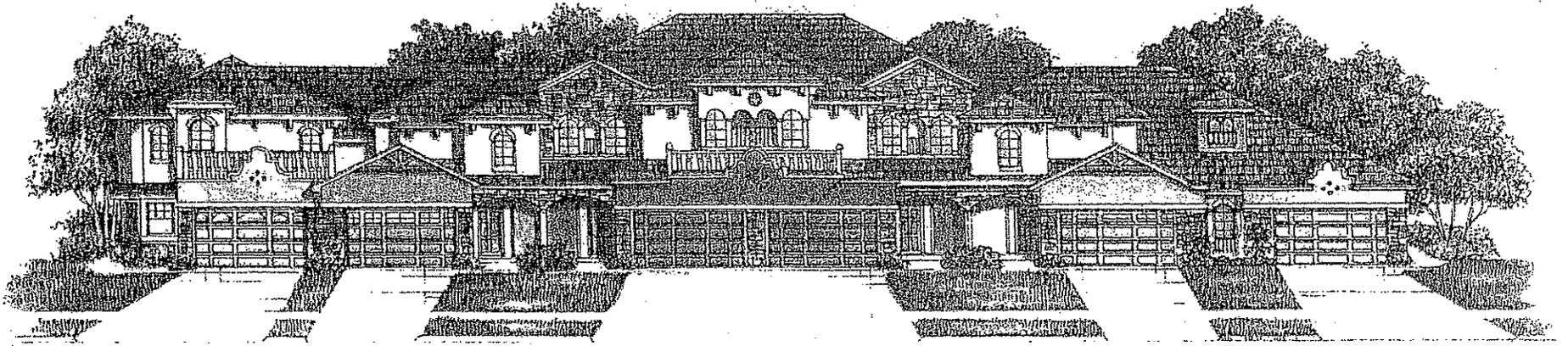
LEGIBILITY UNSATISFACTORY FOR SCANNING

Rezore / Prelim. Master Plan
PUD MULTI-FAMILY DEVELOPMENT
BROOKS LANDING
FNA Willow Brook / Citrus Center Club
Seminole County, Florida

Drawn by: COP
Checked by: COP
Reviewed by: SHIRLEY
Scale: 1" = 150'
Date: January 30, 2006

Sheet 1 of 1

EXHIBIT C



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

RETURN TO SANDY MCCANN

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
BK 06291 Pgs 0517 - 523; (7pgs)
FILE NUM 2006098130
RECORDED 06/16/2006 03:47:51 PM
RECORDING FEES 61.00
RECORDED BY G Harford

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA
BY Eva Rosal
DEPUTY CLERK

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. All development shall comply with the architectural rendering attached as Exhibit C.
- b. The project shall be developed at a maximum density of 10 dwelling units per net buildable acre, not to exceed 62 townhouse units.
- c. 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.
- d. A minimum 20' building setback will apply from the project perimeter.
- e. The individual townhouse lots will contain a minimum of 2,950 square feet and have a minimum lot width of 30'.

f. 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'

g. 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

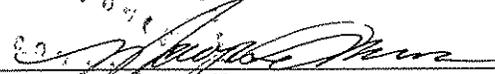
Adjacent to any post-development wetlands: 25' average, not less than 15' upland buffer

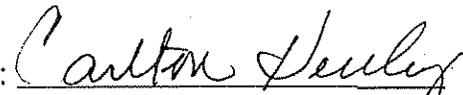
h. The existing median opening located near the center of this site on Red Bug Lake Road shall be closed as part of this development.

(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

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.

Nancy Husselman
Witness

NANCY HUSSELMAN

Print Name

Charles W. Clayton, Jr.
Charles W. Clayton

Betty Jane Zorian
Witness

BETTY JANE ZORIAN
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 31ST day of May, 2006.

Nancy Husselman
Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

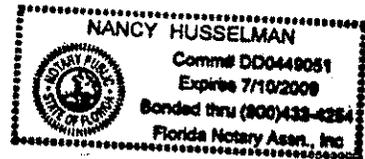


EXHIBIT A

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.

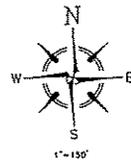
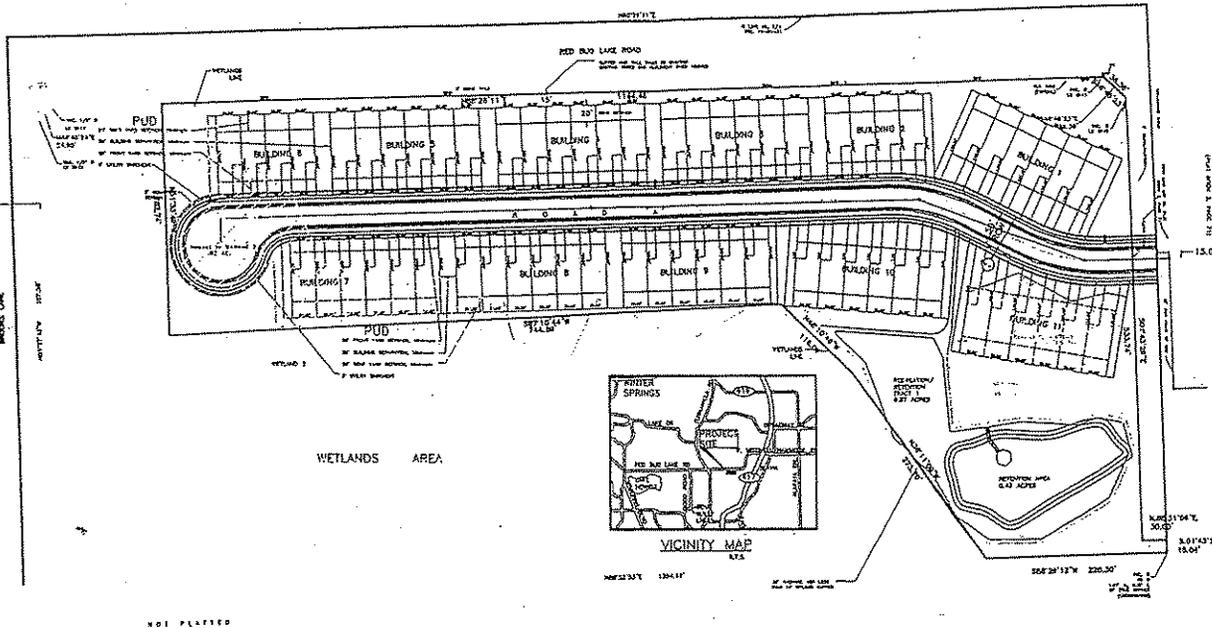
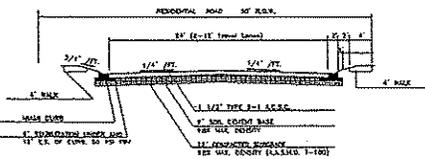


EXHIBIT B



1 TYPICAL ROADWAY SECTION
MEDIAN ROAD, [30' R.O.W.]

OWNER
CMC INV. LTD.
CHARLES W. CLAYTON
815 WYMORE RD.
WINTER PARK, FL 32789
407-644-0000

DESIGNER
HARLING LOCKLIN & ASSOCIATES, INC.
850 COURTLAND ST.
DULAND, FL 32604
407-629-1001 407-629-2855 fax
hlo@hlo.com

PROPOSED DEVELOPMENT DATA

DEVELOPMENT NAME: WILLOW BROOK
PROPOSED DEVELOPMENT: PUD SINGLE FAMILY ATTACHED.
TOTAL SITE AREA: 8.44 GROSS ACRES
NET BUILDABLE AREA: 8.84 NET ACRES
NUMBER OF UNITS: 82 UNITS
PROPOSED DENSITY: 9.33 DU / ACRE
VARIABLE OPEN SPACE: 25% (2.11 ACRES)
DESIGNATED RECREATIONAL AREA: MINIMUM 0.48 ACRES, FACILITIES INCLUDE (1) GAZEBO, (1) WALKWAY & BENCH
MINIMUM BUILDING HEIGHT: 33 FEET
MINIMUM LOT AREA: 3,000 SF
MINIMUM LOT WIDTH: 30 FEET (AT R.O.W. LINE)
MINIMUM LOT FRONTAGE: 30 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 = 82
TRIP GENERATION RATE = PER CATEGORY / 230 RESIDENTIAL EDGDS TOWNHOUSES = 0.84 ADF / UNIT
SINGLE FAMILY ATTACHED = 0.54 TRIPS / UNIT FOR PM PEAK HOURS CHANGE
ANTICIPATED AGV = 416.2
PM PEAK = 31.6 TRIPS
ANTICIPATED TRAFFIC DISTRIBUTION: 50% NORTHBOUND, 50% SOUTHBOUND

UTILITY DEMAND:
WATER: GUESSWORK ESTIMATE = 62 UNITS X 350 GPD = 21,700 GPD
SEWER: GUESSWORK 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.A.T. AND SEMINOLE COUNTY REQUIREMENTS. STORMWATER RUNOFF SHALL BE COLLECTED VIA STREET GULLIES AND DIRECTED TO PROPOSED STORMWATER POND FROM WHICH IT CAN BE DISCHARGED THROUGH AN OUTFALL STRUCTURE ONTO SR 434 AND ARTESIA AVERAGE 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.

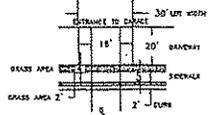
LIGHTING DESIGN:
EXTERIOR LIGHTING ON ANY PART OF A BUILDING SHALL BE PER SEMINOLE COUNTY'S LAUD GRADUATION / 2004-1. LIGHT SOURCES SHALL BE SHIELDED AND DIRECTED DOWNWARD TO PREVENT GLARE. STREET LIGHTING WILL BE PROVIDED BY PROGRESS ENERGY.

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 OVERSEER.

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

RECREATION	18,715 SQ.FT.	0.43 ACRES
RECREATION	19,163 SQ.FT.	0.44 ACRES
OPEN SPACE	121,801 SQ.FT.	2.79 ACRES
ROADWAY	65,520 SQ.FT.	1.51 ACRES
LOTS	186,000 SQ.FT.	4.27 ACRES
TOTAL	311,197 SQ.FT.	7.14 ACRES
LESS WETLANDS	24,004 SQ.FT.	0.55 ACRES
LESS ROADWAY	65,520 SQ.FT.	1.51 ACRES
NET BUILDABLE AREA	289,593 SQ.FT.	6.64 ACRES



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 (64.00 FEET SOUTHWESTLY 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 33) AND THE WEST BOUNDARY OF LOT 92, SLAWA COLONY COMPANY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 71 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA; THENCE S. 88°28'11" W. ALONG THE SOUTH RIGHT-OF-WAY LINE OF RED BUG LAKE ROAD FOR 13.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF A UN-HAILED STREET ACCORDING TO AFORESAID PLAT OF SLAWA COLONY COMPANY'S SUBDIVISION; THENCE CONTINUE ALONG AFORESAID SOUTH RIGHT OF WAY LINE OF RED BUG LAKE ROAD, S. 88°28'11" W. A DISTANCE OF 57.22 FEET FOR A POINT OF BEGINNING; THENCE S. 46°45'23" E. A DISTANCE OF 38.38 FEET; THENCE S. 01°43'29" E. A DISTANCE OF 533.74 FEET; THENCE N. 88°31'06" E. A DISTANCE OF 30.00 FEET; THENCE S. 01°43'29" E. A DISTANCE OF 18.04 FEET; THENCE S. 88°29'12" W. A DISTANCE OF 220.20 FEET; THENCE N. 88°10'06" W. FOR 273.70 FEET; THENCE N. 46°45'23" E. A DISTANCE OF 116.09 FEET; THENCE S. 87°04'44" E. A DISTANCE OF 744.69 FEET; THENCE N. 01°33'48" W. A DISTANCE OF 282.74 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID RED BUG LAKE ROAD; THENCE N. 88°28'11" 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.

LEGIBILITY UNSATISFACTORY FOR SCANNING

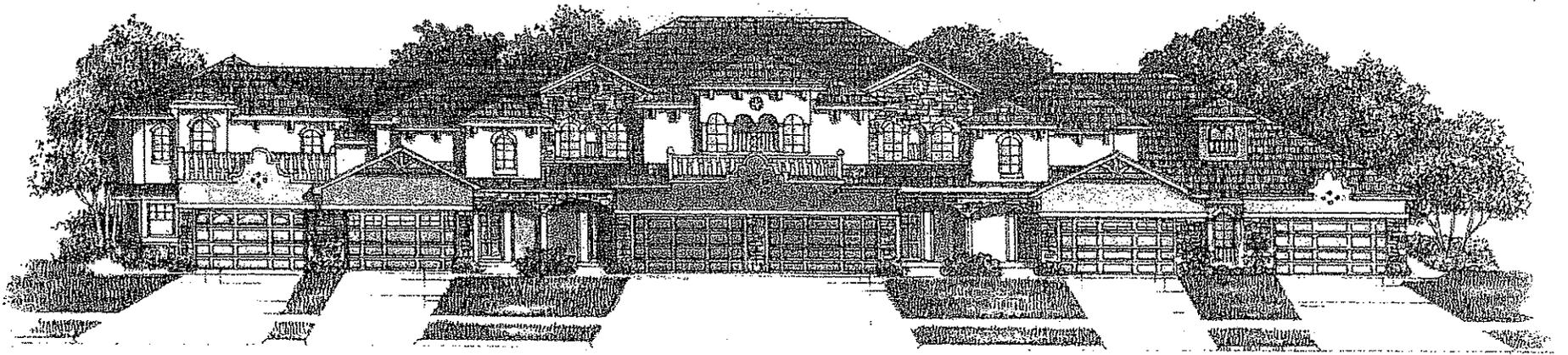
Reszone / Prelim. Master Plan
PUD MULTI-FAMILY DEVELOPMENT
BROOK'S LANDING
FKA Willow Brook / Circus Center Club
Seminole County, Florida

Harling Locklin & Associates, Inc.
10000 N. W. 11th St., Suite 1100
Miami, FL 33150
Tel: 305-444-1100
Fax: 305-444-1101
www.harlinglocklin.com

Project No. 0521
Date: January 20, 2006

Sheet 1 of 1

EXHIBIT C



in the proof of publication, William E. Burkett/Burkett Engineering, Inc., with staff findings.

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

**WILLOW BROOK PUD SMALL SCALE
LAND USE AMENDMENT AND REZONE/
HARLING LOCKLIN & ASSOCIATES, INC.**

Proof of publication, as shown on page _____, calling for a public hearing to consider approval of 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., received and filed.

Ms. Williamson presented the request, stating staff is recommending approval subject to the Preliminary Master Plan and Development Order, based on the staff findings. The P&Z voted unanimously to recommend approval also subject to the Preliminary Master Plan and the Development Order.

Upon inquiry by Commissioner Dallari, Ms. Williamson stated there will be 15 feet of landscape buffer and brick or masonry wall that parallels Red Bug Road.

Hugh Harling, Harling Locklin & Associates, representing the applicant, addressed the Board to state there will be a decorative wall. He distributed a booklet (copy received and filed) of the location map and plans for the Brook's Landing Townhomes and described the plans, stating the elevation shown will be the ones provided. There will be a homeowners' association that will be in charge of maintenance and architecture review.

Commissioner Dallari confirmed with Mr. Harling that (1) he is making a voluntary commitment that the rendering presented, with exception of the color, will be the building the applicant will build; (2) the homeowners' association will be responsible for architecture review and maintenance; and (3) commitment by the applicant that the wall will be some type decoration that matches the architecture of the site.

No one spoke in support or in opposition.

Motion by Commissioner Dallari, seconded by Commissioner Carey, to enact Ordinance #2006-33, as shown on page _____, approving a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD); and enact Ordinance #2006-34, as shown on page _____, approving 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 Preliminary Master Plan and Development Order, as shown on page _____; as described in the proof of publication, Hugh Harling/Harling Locklin & Associates, Inc., based on staff findings and including the three voluntary commitments the applicant presented today.

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

**CAMERON HEIGHTS ADDITION - 2006
LARGE SCALE LAND USE AMENDMENT
AND REZONE/ROBERT ZLATKISS**

Proof of publication, as shown on page _____, calling for a public hearing to consider adopting an ordinance that includes the proposed map amendment from Suburban Estates (SE) to Planned Development (PD); and adopt an ordinance rezoning the 13.51 +/- acres from A-1 (Agriculture District) to PUD (Planned Unit Development) for property located on the