

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Casa Verde Townhomes PUD Final Master Plan

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

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Tina Williamson <sup>DFW</sup> **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 Casa Verde Townhomes PUD, consisting of 2.82 ± acres and located on the south side of County Road 46A, between Lake Boulevard and Casa Verde Boulevard, based on staff findings (Oren Gabbai/Pinecrest Development, applicant); or
2. **DENY** the Final Master Plan for the Casa Verde Townhomes PUD, consisting of 2.82 ± acres and located on the south side of County Road 46A, between Lake Boulevard and Casa Verde Boulevard (Oren Gabbai/Pinecrest Development, applicant); or
3. **CONTINUE** the request until a time and date certain.

District #5 – Carey

Tina Williamson, Principal Coordinator

**BACKGROUND:**

The applicant is seeking Final Master Plan approval for a 24-lot townhouse project. On January 24, 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.

Reviewed by: Co Atty: <u>KFT</u> DFS: _____ Other: <u>[Signature]</u> DCM: _____ CM: <u>[Signature]</u> File No. <u>rpd02</u>
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**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the Final Master Plan and the Developer's Commitment Agreement for the Casa Verde Townhomes PUD, consisting of 2.82 ± acres and located on the south side of County Road 46A, between Lake Boulevard and Casa Verde Boulevard.

**ATTACHMENTS:**

Location Map

Final Master Plan

Developer's Commitment Agreement

Approved Development Order

January 24, 2006 BCC meeting minutes





**CASA VERDE TOWNHOMES PUD FINAL MASTER PLAN  
DEVELOPER'S COMMITMENTS, CLASSIFICATIONS AND DISTRICT  
DESCRIPTION**

On August 22, 2006 the Board of County Commissioners of Seminole County, Florida issued this Developer's Commitment Agreement relating to and touching and concerning the following described property:

**1. Legal Description**

See attached Exhibit A (the Property).

(The aforementioned legal description has been provided to Seminole County by the Owner of the Property.)

The Final PUD Master Plan, a reduced copy of which is attached hereto as Exhibit B (the Final Master Plan) has been approved by the Board of County Commissioners of Seminole County concurrently with the approval of this Developer's Commitment Agreement.

**2. PROPERTY OWNERS**

The Property owner is: Dr. Charles and Bernadette Hardwick  
To be developed and under contract by: Pinecrest Development

**3. STATEMENT OF BASIC FACTS**

Total Acreage: 2.78 ± acres

Zoning: P.U.D.

Number of Lots: 24

Maximum Density for Residential: 10 units per net buildable acre

**4. LAND USE BREAKDOWN**

<u>TRACT</u>	<u>LAND USE</u>	<u>AREA (ACRES)</u>	<u>PERCENT</u>
A	ROAD RIGHT-OF-WAY	0.32	11.51
B	OPEN SPACE/ LANDSCAPE BUFFER	0.56	20.14
C	RETENTION/OPEN SPACE	0.62	22.3
D	OPEN SPACE	0.03	1.08
E	OPEN SPACE	0.03	1.08
F	OPEN SPACE TOWNHOMES	0.05	1.8
	SIDEWALK/STABILIZED TURN AROUND	1.04	37.41
	TOTAL AREA	0.13	4.68
		2.78	100.0

5. **OPEN SPACE CALCULATIONS**

Open Space shall be provided as required per the Seminole County Land Development Code, at a minimum of 25% in the form of upland and wetland conservation areas, and common recreational areas throughout the entire site. Open space (as listed below) is achieved through active recreation, passive recreation, and other green space.

Total Land Area: 2.78 acres  
Open Space Required: 0.70 acres= 25%  
Open Space Provided: 1.05 acres

6. **BUILDING SETBACKS**

Minimum Building Setbacks (from the exterior boundaries of the development):

West (adjacent to Lake Blvd) 25'  
South 50'  
North 25'  
East: (adjacent to Casa Verde Blvd) 25'

Townhomes Setbacks on Lots(Internal):

Front - 20'  
Rear - 10'  
Side - 0'. Except 20' between buildings when placed side to side

7. **PERMITTED USES**

Fee-simple townhomes, home occupations and home offices.

8. **LANDSCAPE & BUFFER CRITERIA** (along property boundaries)

- a. West (adjacent to Lake Avenue) : 6' brick or combination of brick wall/wrought iron fence
- b. East: Existing brick wall
- c. South: A 6' brick wall
- d. North: 6' brick or combination of brick wall/wrought iron fence

9. **DEVELOPMENT COMMITMENTS**

The following conditions shall apply to the development of the Property:

- a. All townhouse units shall be located on individual platted lots.
- b. Balconies shall be prohibited where abutting the southern boundaries of the development.
- c. Density within the development shall be limited to ten (10) units per net buildable acre.

- d. Front walls of the townhouse units shall be staggered.
- e. No accessory buildings shall be allowed on individual townhouse lots.
- f. The developer shall provide a pedestrian sidewalk system which provides access throughout the development as well as connecting to existing sidewalks outside the development.
- g. The developer shall continue the existing pedestrian sidewalk along Lake Boulevard frontage to connect to the existing pedestrian sidewalk along County Road 46A.
- h. All landscape buffers, walls, fences and common areas shall be maintained by a homeowners association. Landscape plantings shall meet minimum code requirements according to Section 30.1232 of the Seminole County Land Development Code.
- i. The developer shall install and maintain a 6' foot wrought iron fence with brick columns and additional landscaping; or a 6' brick wall along the northern and southern boundaries of the property, Lake Boulevard and 46A.
- j. The developer shall comply with all active/passive buffer requirements as outlined in Section 30.1232 of the Land Development Code.
- k. The developer shall preserve the existing canopy trees along the eastern buffer and augment them with four (4) understory trees per 100 linear feet. The understory trees shall be 8 to 10-feet tall with 3 to 4-foot spread and one and a half (1½) to (2) inches in diameter at time of planting. This landscape material shall be installed along the existing plant bed on the east side of the existing brick wall.
- l. All required canopy trees shall be three (3) inches in diameter as measured 1-foot above the ground at time of planting.
- m. The developer shall preserve the existing brick wall along the eastern buffer except for the entrance area for the proposed development. The developer shall provide a plan that depicts the proposed entrance design for the development to be reviewed and approved as part of the Final Master Plan process. (Attached as Exhibit C)
- n. The developer shall provide recreational facilities accessible to the residents of the development per Section 30.445 (l) (5) of the Land Development Code.
- o. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16-feet in height, and no more than 0.5 foot-candles in intensity at the property lines per Section 30.1234 of the Land Development Code.
- p. Existing trees that are preserved during construction may satisfy applicable landscaping requirements where they are located in buffer areas.
- q. A minimum of 2.33 parking spaces per unit shall be provided for each platted lot. Storage of recreation vehicles, boats on trailers, or trailers of any kind must be accommodated off-site.
- r. Garages shall not be converted to living space.
- s. Screened patios/porches will be subject to a two-(2') foot setback from the rear lot line.
- t. Ingress/egress to the development shall be limited to Casa Verde Boulevard. The development's internal roadway shall meet the Seminole County Land

Development Code subdivision standards for pavement composition and roadway design.

- u. No townhouse unit shall exceed a height of thirty-five-(35') feet or 2 stories, or shall consist of less than 1,200 square feet in size.

## 10. **PUBLIC FACILITIES**

The Owners have received the Notice of Concurrency Review Test Results, Application Number 05-22000008, dated September 30, 2005, evidencing that all Concurrency Review Requirements as provided by Chapter 10, Seminole County Land Development Code, have been satisfied. Among the conditions relating to concurrency public facilities are the following:

### **WATER:**

Water service shall 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 shall be provided by Seminole County. Design of lines and pump stations shall conform to all Seminole County and Department of Environmental Protection Standards.

### **STORM DRAINAGE:**

Storm water drainage treatment and storage for pre-post conditions are to be provided on-site according to Seminole County and the St. Johns River Water Management District ERP regulations.

### **FIRE PROTECTION:**

Fire protection shall be provided by Seminole County. Fire hydrant shall be located according to Seminole County regulations.

## 11. **STANDARD COMMITMENTS**

- a. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including the impact fee ordinance, in effect in Seminole County at the time of permit issuance.
- b. The conditions upon which the Developer's Commitment Agreement and related commitments are made are accepted by and agreed to by the Owner of the Property.
- c. This Agreement touches and concerns the Property, and the conditions, commitments and provisions of the Agreement shall perpetually burden, run with, and follow the said property and be a servitude upon and binding

upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The Owner of the property has expressly covenanted and agreed to this provision and all other terms and provisions of the Agreement.

- d. The terms and provisions of this Agreement are not severable, and in the event any portion of this Agreement shall be found to be invalid or illegal, then the entire Agreement shall be null and void.
- e. The development approval sought is consistent with the Seminole County Vision 2020 Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.
- f. The Owner of the Property has expressly agreed to be bound by and subject to the development conditions and commitments stated above and have covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the Property.

**12. 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 05-22000008, the terms of the Developer's Commitment Agreement shall control.

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

**ATTEST:**

\_\_\_\_\_  
**MARYANNE MORSE**  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

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

By: \_\_\_\_\_  
**CARLTON D. HENLEY, Chairman**

**OWNERS' CONSENT AND COVENANT**

COMES NOW, the Owner, Charles and Bernadette Hardwick, on behalf of themselves and their heirs, successors, assigns and transferees of any nature whatsoever and consent to, agree with and covenant to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Agreement.

WITNESSES:

\_\_\_\_\_

By: \_\_\_\_\_

Charles Hardwick,  
Property Owner

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

By: \_\_\_\_\_

Bernadette Hardwick,  
Property Owner

\_\_\_\_\_

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 and Bernadette Hardwick, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take 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:

EXHIBIT A

LEGAL DESCRIPTION

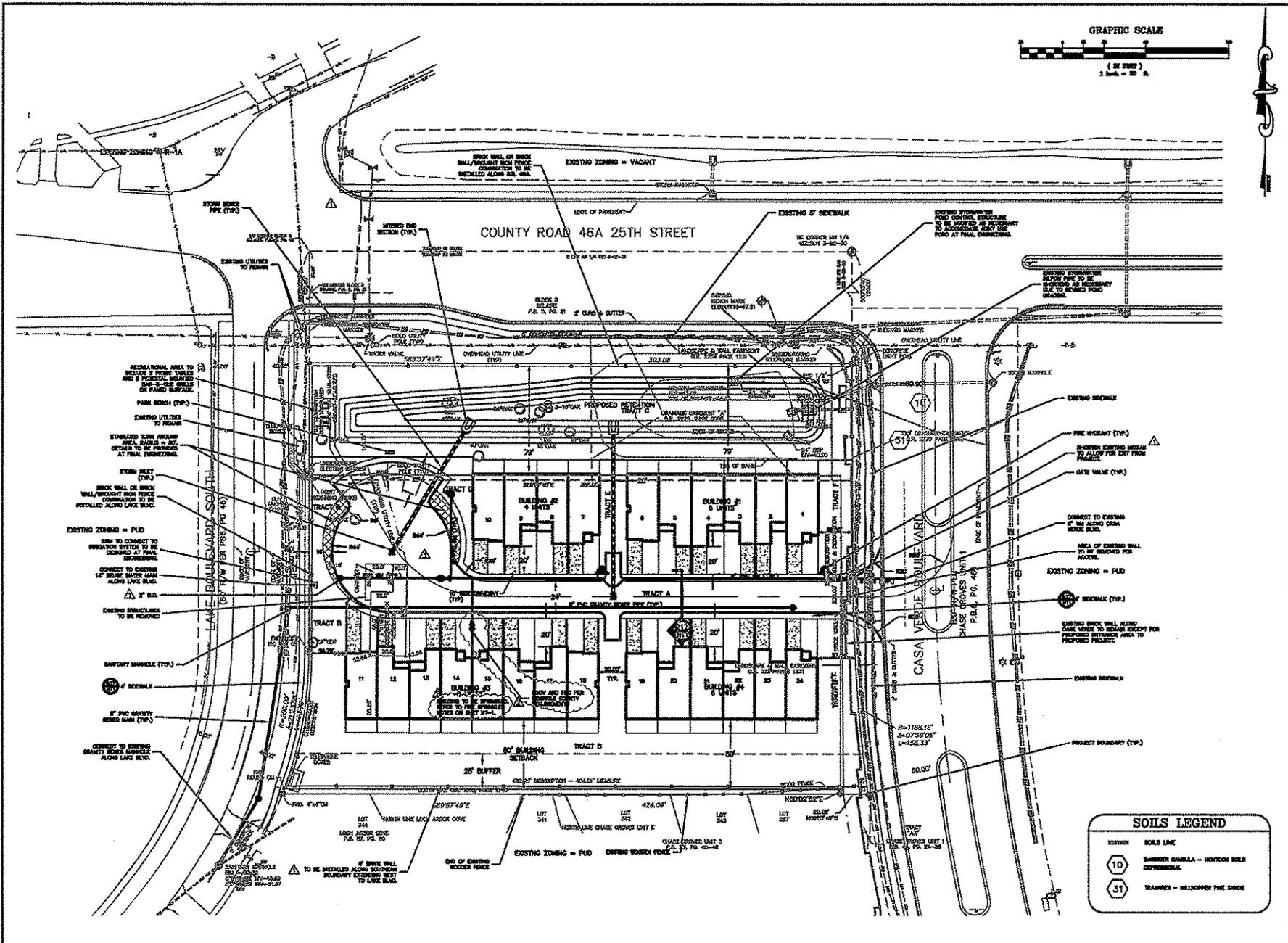
That part of Section 3, Township 20 South, Range 30 East, Seminole County, Florida, described as follows:

Commence at the Northeast corner of the Northwest of Section 3, Township 20 South, Range 30 East, and run S00°13'45"E along the East line of said Northwest for a distance of 120.00 feet to the Southeast corner of lands described in Official Records Book 3122, Page 1138, of the Public Records of Seminole County, Florida, being on the Westerly line of Casa Verde Boulevard and the POINT OF BEGINNING; thence continue S00°13'45"E along said right of way line for a distance of 150.82 feet to the point of curvature of a curve concave Northeasterly having a radius of 1188.16 feet and a central angle of 07°38'05"; thence run Southeasterly along the arc of said curve and said right of way line for a distance of 158.33 feet to the Northeast corner of Tract AA, CHASE GROVES UNIT 1, according to the Plat thereof as recorded in Plat Book 44, Pages 24 through 28, of said Public Records; thence run N89°57'49"W along the North line of said Tract AA and the North line of CHASE GROVES UNIT 3, as recorded in Plat Book 57, Pages 48 and 49, of said Public Records for a distance of 20.08 feet; thence run N00°02'52"E along the East line of lands described in Official Records Book 2658, Page 926 of said Public Records and the Southerly prolongation thereof for a distance of 228.55 feet to the Northeast corner of said lands; thence run N89°57'08"W along the North line of said lands for a distance of 385.00 feet to the Northwest corner thereof; thence run N00°02'52"E along the Easterly right of way line of Lake Boulevard South (an 80' wide right of way) for a distance of 80.00 feet to the Southwest corner of the aforesaid Official Records Book 3122, Page 1138; thence run S89°57'49"E along the South line of said Official Records Book 3122, Page 1138, for a distance of 393.06 feet to the POINT OF BEGINNING

ALSO:

Begin 170 feet South of the Northwest corner of Block 3 of Bel-Air as recorded in Plat Book 6, Page 46, Public Records of Seminole County, Florida, said Point being 200 feet South of the Township line between Township 19 and 20 South, thence run South 127.23 feet to the PC of a curve to the right having a central of 44° and a radius of 280 feet; thence along said curve a chord distance of 99.25 feet; thence East 402.55 feet, thence North 225 feet, thence West 385 feet to the point of beginning.

**EXHIBIT "B"**  
**FINAL MASTER PLAN**



**MADDEEN**  
 CIVIL ENGINEERS  
 431 E. Horatio Avenue  
 Suite 200  
 Maitland, Florida 32751  
 (407) 828-8330

**FINAL MASTER PLAN/P&E**  
 FOR  
**CASA VERDE TOWNHOMES**  
 SEMINOLE COUNTY  
 FLORIDA

**PRELIMINARY DEVELOPMENT**  
 PREPARED BY  
 MADDEN CIVIL ENGINEERS  
 431 E. HORATIO AVENUE, SUITE 200  
 MAITLAND, FLORIDA 32751  
 (407) 828-8330

**ENGINEER IN CHARGE**  
 CHADWICK H. MADDEEN, P.E., #12729  
 (LICENSED PROFESSIONAL ENGINEER IN THE STATE OF FLORIDA)

**DATE REVISIONS**

NO.	DATE	REVISIONS

JOB # - 28113  
 DATE - 4/9/08  
 SCALE - 1" = 20'  
 DESIGNED BY - CDM  
 DRAWN BY - DAS  
 APPROVED BY - CDM

**ST-1**

**EXHIBIT "C"**

**ENTRANCE SIGN PLAN**

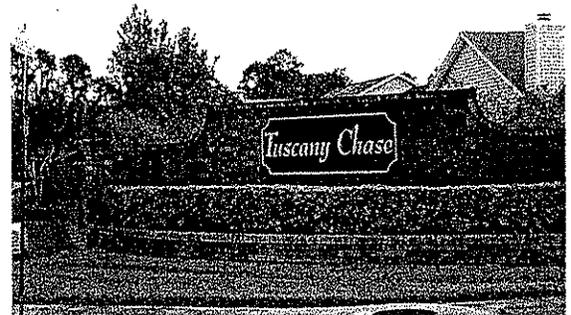
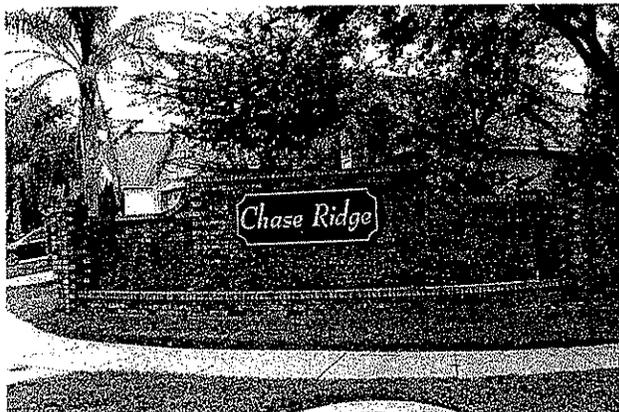
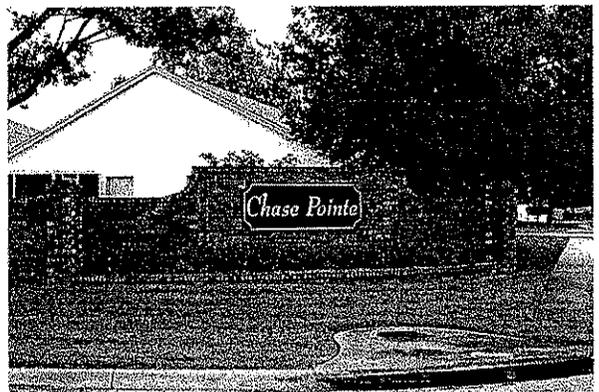
In order to maintain a uniform appearance with the rest of the Chase Grove community we plan to construct our entrance to the townhome development similar to the other neighborhoods within Chase Grove. Attached you will see that the main entrance to Chase Grove and all the neighborhoods within Chase Grove (which we are a part of) all have a similar design. When we met with the Chase Grove HOA they requested that we keep the uniformity of the neighborhood and have a similar entrance.

**FILE COPY**

MAIN ENTRANCE TO CHASE GROVE



ENTRANCES WITHIN CHASE GROVE





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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
  - a. All townhouse units shall be located on individual platted lots.
  - b. Balconies shall be prohibited where abutting the southern boundaries of the development.
  - c. Density within the development shall be limited to ten (10) units per net buildable acre.
  - d. Front walls of the townhouse units shall be staggered.
  - e. No accessory buildings shall be allowed on individual townhouse lots.
  - f. The developer shall provide a pedestrian sidewalk system which provides access throughout the development as well as connecting to existing sidewalks outside the development.
  - g. The developer shall continue the existing pedestrian sidewalk along Lake Boulevard frontage to connect to the existing pedestrian sidewalk along County Road 46A.
  - h. All landscape buffers, walls, fences and common areas shall be maintained by a homeowners association. Landscape plantings shall meet minimum code requirements according to Section 30.1232 of the Seminole County Land Development Code.
  - i. The developer shall install and maintain a 6' foot wrought iron fence with brick columns and additional landscaping; or a 6' brick wall along the northern and southern boundaries of the property, Lake Boulevard and 46A.
  - j. The developer shall comply with all active/passive buffer requirements as outlined in Section 30.1232 of the Land Development Code.
  - k. The developer shall preserve the existing canopy trees along the eastern buffer and augment them with four (4) understory trees per 100 linear feet. The understory trees shall be 8 to 10-feet tall with 3 to 4-foot spread and one and a half (1½) to (2) inches in diameter at time of planning. This landscape material shall be installed along the existing plant bed on the east side of the existing brick wall.
  - l. All required canopy trees shall be three (3) inches in diameter as measured 1-foot above the ground at time of planting.
  - m. The developer shall preserve the existing brick wall along the eastern buffer except for the entrance area for the proposed development. The developer shall provide a plan

- that depicts the proposed entrance design for the development to be reviewed and approved as part of the Final Master Plan process.
- n. The developer shall provide recreational facilities accessible to the residents of the development per Section 30.445 (l) (5) of the Land Development Code.
  - o. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16-feet in height, and no more than 0.5 foot-candles in intensity at the property lines per Section 30.1234 of the Land Development Code.
  - p. Existing trees that are preserved during construction may satisfy applicable landscaping requirements where they are located in buffer areas.
  - q. A minimum of 2.33 parking spaces per unit shall be provided for each platted lot. Storage of recreation vehicles, boats on trailers, or trailers of any kind must be accommodated off-site.
  - r. Garages shall not be converted to living space.
  - s. Screened patios/porches will be subject to a two-(2') foot setback from the rear lot line.
  - t. Ingress/egress to the development shall be limited to Casa Verde Boulevard. The development's internal roadway shall meet the Seminole County Land Development Code subdivision standards for pavement composition and roadway design.
  - u. No townhouse unit shall exceed a height of thirty-five-(35') feet or 2 stories, or shall consist of less than 1,200 square feet in size.

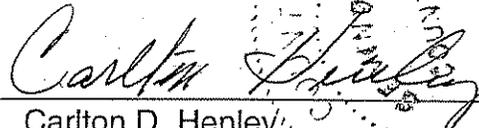
(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a ~~document of equal dignity herewith. The owner of the said property has expressly~~ covenanted and agreed to this provision and all other terms and provisions of this Development Order.

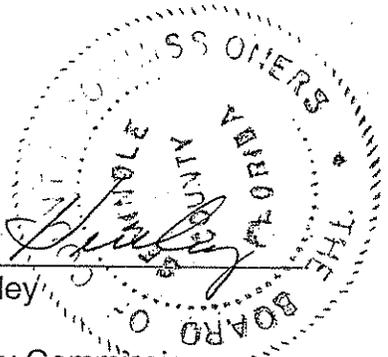
(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

(6) This Development Order shall control in the event of any conflict between the terms and conditions of the development order and the terms, conditions, or notes of any site plan or master site plan.

Done and Ordered on the date first written above.

By:

  
\_\_\_\_\_  
Carlton D. Henley  
Chairman  
Board of County Commissioners



FILE # Z2005-050

DEVELOPMENT ORDER # 5-22000008

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Charles and Bernadette Hardwick, on behalf of themselves and their 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.

<p>X <u>Barbara L. Goertz</u> Witness</p>	<p>X <u>Charles W Hardwick</u> Charles and Bernadette Hardwick, Property Owner</p>
<p>X <u>Victoria A. McCormack</u> Witness</p>	<p><u>Bernadette Hardwick</u> Bernadette Hardwick</p>

STATE OF FLORIDA )

COUNTY OF SEMINOLE )

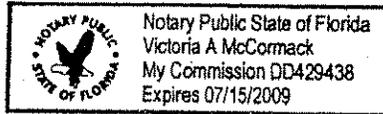
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared CHARLES HARDWICK & BERNADETTE HARDWICK who is personally known to me or who has produced \_\_\_\_\_ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of May, 2006.

Victoria A. McCormack

Notary Public, in and for the County and State Aforementioned

My Commission Expires:



**AMENDMENT TO CHASE GROVES PUD/  
Gabbai/Pinecrest Development**

Proof of publication, as shown on page \_\_\_\_\_, calling for a public hearing to consider request for an Amendment to the Chase Groves PUD Master Plan and Third Amended and Restated Development Order; Small Scale Land Use Amendment from LDR (Low Density Residential) to PD (Planned Development); and Rezone from A-1 (Agriculture) and PUD (Planned Unit Development) to PUD (Planned Unit Development) located on the south side of CR 46A between Lake Blvd. and Casa Verde Blvd., Oren Gabbai/Pinecrest Development, received and filed.

Brian Nelson, Planning, addressed the Board to state the Board reviewed a rezone request in November 2003 to rezone the parcels to PCD and to remove the northern parcel (.78 acres). It was determined at that time that removing the .78 acres would not reduce the open space requirement below the minimum 25% as specified in the Chase Groves development order. The East Central Florida Regional Planning Council (ECFRPC) issued a letter indicating that removal of the northern parcel from the Chase Groves PUD/DRI would not result in a substantial deviation. The ECFRPC determined that no additional review would be required. The applicant is further requesting a Small Scale Land Use Amendment from LDR to PD and to change the zoning from A-1 and PUD to PUD. The Planning & Zoning Commission (P&Z) recommended approval of the request. He stated staff has received a letter from the Chase Groves Homeowner's Association opposing the request. He said staff also has received a letter of support from the Loch Arbor Homeowner's Association. Staff is recommending approval of the request with the following changes to

the development order: Item C, "Use of common areas shall be limited to open space and utility facilities serving all residents of the development", be deleted; Add the following sentence after the first sentence in Item L, "The understory trees shall be 8 to 10 feet tall with a 3 to 4 foot spread and 1½ to 2 inches in diameter at the time of planting"; Delete the following sentence in Item M, "Required understory trees shall be 8 to 10 feet tall with a 3 to 4 foot spread and 1½ to 2 inches in diameter at the time of planting:; Delete the following in Item O "that include at minimum, two picnic tables and two pedestal mounted barbeque grills located within a paved area, and add "Per Section 30.445 (1)(5) at the end of the sentence; and Delete the word "on" in the first sentence in Item R, and add the word "for". An E-mail, a letter from ECFRPC, and a copy of the revised development order were received and filed.

Charlie Madden, Madden Engineering, addressed the Board to give a brief history of the project. He stated he is basically in agreement with staff's recommendations, but he has a few clarifications. He referred to Item J of the development order and stated it is his intention to build a 6 ft. wall along the southern boundary and along all perimeters. He said he would like to propose that at the final master plan stage the wall would be brick columns with wrought-iron and heavy landscaping. That will be reviewed with the Loch Arbor residents as he received mixed feelings on that. He stated he would prefer it to be landscaped so they can get some air through that area. If a solid 6 ft. wall is placed along every perimeter, the breeze will be stifled. His intention is to do some sort of 6 ft. wall along there as well and not a stockade fence. He stated he would recommend a 35 ft. height limitation and the minimum

square footage to be 1200 sq. ft.

Commissioner Morris stated he believes a column with wrought iron fence would be better aesthetically.

Mr. Madden stated he would like to propose box-style lighting or acorn lighting.

Commissioner Morris stated any lighting on the back side of the houses can be controlled in the homeowner's documents or deed restrictions.

Mr. Madden stated they can add a condition or put it in the homeowners' association documents.

Commissioner Morris stated he would ask the District Commissioner to look at that.

Bob White, 300 Lake Blvd., addressed the Board to state on behalf of the Loch Arbor Homeowner's Association, he would like to reiterate that they support the project as it has been presented. The residents of Loch Arbor would like to make sure that the wall along Lake Blvd. is included in the development documents as well. He stated he doesn't want any access onto Lake Blvd., which is a two-lane residential street. When CR 46A is widened, Lake Blvd. will be able to turn right only and there will not be a left turn. He said at some point he would like to discuss the possibility of Loch Arbor being able to get out on CR-46A.

Upon inquiry by Commissioner Carey, Mr. White advised they just want to try to have sign at the end of the project before it comes to 171 Lake Blvd.

Mr. Madden stated they will do a corner clip at the curb and then cut it over at some point. At the some point, they will angle the wall back and they can work that out the sign placement.

Mr. White stated he would go along with a wall with wrought iron just so it is definitely placed along the side. Discussion ensued.

No one else spoke in support or in opposition.

Speaker Request and Written Comment Forms were received and filed.

District Commissioner Carey advised the Board received a letter from Chase Groves Homeowner's Association expressing their concerns about this development relating to the access point onto Casa Verde. She stated she spoke with Sharon Sullivan of the Chase Groves Homeowner's Association indicating that she understands the situation but wanted to make sure that their wall will be protected. The homeowner's association recently received a settlement from FDOT relative to fixing their entryway on SR 46 as it was destroyed during the SR 417 project improvements. She said she would recommend approval of the request subject to the corrections in the development order submitted by staff. She stated Item J refers to a 6-ft. high wooden stockade fence and she would recommend adding the language that there will be a 6-ft brick column with wrought iron and additional landscaping or a 6 ft. brick wall along Lake Blvd., SR 46A, and the southern boundary of this property. She said she would also recommend that the following be changed to "garages shall not be converted to living space" in Item S. She added she would like to include a 35-ft. height with two-story restrictions. The PUD requirement would require a minimum of 1200 sq. ft. living area. She stated there are some nice trees on the northwest section and she would like to have them preserved as much as possible. Along the northern boundary of this property, the County, Chase Groves and FDOT have easements and all of them need to be protected. She added she

would recommend that the developer may want to consider a pedestrian opening along the northwest corner of the site as this would allow the school-age children to be able to get to Idyllwilde Elementary.

**Motion** by Commissioner Carey, seconded by Commissioner Morris to approve Amendment to the Chase Groves PUD Master Plan and Third Amended Development Order; adopt Ordinance #2006-3, as shown on page \_\_\_\_\_, approving a Small Scale Land Use Amendment from LDR (Low Density Residential) to PD (Planned Development); and adopt Ordinance #2006-4, as shown on page \_\_\_\_\_, approving rezone from A-1 (Agriculture) and PUD (Planned Unit Development) to PUD (Planned Unit Development) located on the south side of CR 46A between Lake Blvd. and Casa Verde Blvd., and authorize the Chairman to execute the Development Order, as shown on page \_\_\_\_\_, as described in the proof of publication, Oren Gabbai/Pinecrest Development, subject to the amendments and additions previously outlined.

Under discussion and upon inquiry by Acting County Manager Don Fisher, Commissioner Carey advised the language that she referred to in Item J will be replacement language.

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