



**PLANNING & ZONING COMMISSION RECOMMENDATION:**

On September 7, 2005 the Planning & Zoning Commission voted 5-0 to recommend APPROVAL subject to home buyers receiving written notice of possible noise associated with Interstate 4 traffic.

**ATTACHMENTS:**

Staff report  
P & Z Minutes 9/07/05  
Location Map  
Future Land Use/Zoning Maps  
Aerial Photograph  
Site Plan  
Development Order  
Rezone Ordinance

<b>LONG POND PUD REZONE</b>	
<b>Rezone from A-1 to PUD</b>	
<b>APPLICANT</b>	Dennis Casey
<b>PROPERTY OWNER</b>	Rockwell Developers Inc.
<b>REQUEST</b>	A-1 (Agriculture) to PUD (Planned Unit Development)
<b>HEARING DATE (S)</b>	P&Z: September 7, 2005   BCC: Oct. 25, 2005
<b>PARCEL NUMBER</b>	13-20-29-300-005B-0000
<b>LOCATION</b>	North side of Long Pond Rd., 0.6 mile east of Markham Woods Rd., adjacent to I-4
<b>FUTURE LAND USE</b>	Suburban Estates (SE)
<b>FILE NUMBER</b>	Z2005-018
<b>COMMISSION DISTRICT</b>	5- Carey

**Proposed Development:**

The applicant is proposing to develop 48 single-family dwelling units at a net density of 1.0 unit per net buildable acre.

**ANALYSIS OVERVIEW:**

**ZONING REQUEST**

The applicant is requesting a change in zoning from A-1 to PUD on a 51.4-acre site located on the north side of Long Pond Road adjacent to I-4. Consisting of 48 single family lots, the development plan submitted to staff indicates a density of 1.0 unit per net buildable acre, consistent with the SE (Suburban Estates) future land use designation. In order to maintain compatibility with adjoining single family neighborhoods developed at a minimum lot size of 1 acre, the applicant proposes 0.7 acre lots along the west property line. Also proposed is a 25-foot landscape buffer easement along this property line. The development will include a variety of lot sizes, with a minimum size of 0.48 acre.

The subject property is in an area predominantly developed in Agricultural zoning on 1-acre lots. It is adjacent to the subdivisions Orange Ridge Farms on the west and Mandarin on the south. However, it borders more intensive uses to the east and north: Interstate 4 and Oakmonte Senior Village respectively. Therefore, a transition to somewhat smaller lots on the site is appropriate. The proposed development will be buffered from Interstate traffic to the east by open space and retention areas.

<b>DISTRICT REGULATIONS</b>	<b>Existing Zoning (A-1)</b>	<b>Proposed Zoning (PUD)</b>
Minimum Lot Size	43,560 s.f.	21,000 s.f.
Minimum House Size	N/A	Not stated
Min. Width at Building Line	150 feet	120 feet

<b>DISTRICT REGULATIONS</b>	<b>Existing Zoning (A-1)</b>	<b>Proposed Zoning (PUD)</b>
Front Yard Setback	50 feet	30 feet
Side Yard Setback	10 feet	10 feet
Side Street Setback	50 feet	25 feet
Rear Yard Setback	30 feet	35 feet
Max. Building Height	35 feet	35 feet

**PERMITTED & SPECIAL EXCEPTION USES**

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

<b>Zoning District</b>	<b>Permitted Uses</b>	<b>Special Exception Uses</b>	<b>Minimum Lot Size</b>
A-1 (existing)	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, silviculture, 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.	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.	1 acre
PUD (proposed)	Single Family Residential	None proposed	21,000 s.f.

**COMPATIBILITY WITH SURROUNDING PROPERTIES**

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

(North)

	<b>SE</b> SF residential <i>A-1/ RC-1</i> <i>1± acre lot &amp; 2,500± house</i>	<b>PD</b> <i>Oakmonte Senior Village</i> <i>PUD</i>	<b>I-4</b>	
(WEST)	<b>SE</b> SF residential <i>A-1</i> <i>1± acre lot &amp; 2,500± house</i>	<b>SE</b> vacant <i>A-1</i>	<b>I-4</b>	(EAST)
	<b>SE</b> SF residential <i>A-1</i> <i>1± acre lot &amp; 2,500± house</i>	<b>SE</b> SF residential <i>A-1</i> <i>1± acre lot &amp; 2,500± house</i>	<b>I-4</b>	

(South)

\***Bold** text depicts future land use designation, plain text depicts the existing use, and *italicized* text depicts zoning district. Shaded square indicates subject property. See enclosed future land use and zoning map for more details.

**SITE ANALYSIS:**

**ENVIRONMENTAL IMPACTS**

*Floodplain Impacts:*

Based on the Casselberry Quadrangle Map (FEMA), none of the property is located in "Zone A", which is identified as an area located within the 100-year floodplain. Compliance with the Land Development Code regarding floodprone areas is required prior to the issuance of any building permits.

*Wetland Impacts:*

Based on preliminary aerial photo and County wetland map analysis, the site contains no significant wetlands.

*Endangered and Threatened Wildlife:*

At this time there are no concerns relating to endangered and threatened wildlife. A listed species survey must be submitted prior to final engineering approval.

**PUBLIC FACILITY IMPACTS**

Rule 9J-5.0055(3)(c)1-2, Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant is required to undergo Concurrency review prior to subdivision approval.

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

<b>Public Facility</b>	<b>Existing Zoning (A-1)</b>	<b>Proposed Development*</b>	<b>Net Impact</b>
Water (GPD)	17,850	16,800	-1050
Sewer (GPD)	15,300	14,400	-900
Traffic (ADT)	485	456	-29
Schools			
Elementary	12	11	-1
Middle	6	5	-1
High	8	6	-2

\* Estimates based on the preliminary master plan submitted with this application.

*Utilities:*

The site is located in Seminole County’s Northwest service area, and will be required to connect to public utilities. There is a 16-inch water main and a 16-inch reclaimed water main on the east side of the property along I-4. The nearest sewer connection would be an 8-inch gravity system with a Seminole County lift station approximately 3,000 feet to the north in Oakmonte Park. Easements and Right-of-Way verification will be required during final engineering approval if this is available.

*Transportation / Traffic:*

The site will access Long Pond Road, a local road connecting Markham Woods Road to the west. Markham Woods Road currently operates at Level of Service (LOS) “C”.

*School Impacts:*

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately 22 school age children. This subject site is currently zoned for, and will affect, the following schools:

<b>Schools Impacted</b>	<b>Proposed Impact</b>	<b>Current Capacity</b>	<b>05/06 Enrollment</b>	<b>Percent Capacity</b>
Heathrow Elementary	11	1060	1164	109.8%
Greenwood Lakes Middle	5	1637	1492	82.0%
Lake Mary High	6	2985	2883	91.8%

*Public Safety:*

The nearest response unit to the subject property is Station # 36, which is located at 6200 Lake Mary Boulevard. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 4 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

*Drainage:*

The site has no positive outfall and will be required to retain the 100-year storm event.

*Parks, Recreation and Open Space:*

Per the Land Development Code, the applicant will be required to provide 25 percent common usable open space within the development. This will be evaluated at Final Master Plan review.

**APPLICABLE POLICIES:**

**FISCAL IMPACT ANALYSIS**

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

**COMPREHENSIVE PLAN (VISION 2020)**

The following policies are applicable with the proposed project:

- Policy FLU 2.5: Transitional Land Uses
- Policy FLU 2.11: Determination of Compatibility in PUD and PCD Zoning Classifications
- Policy POT 4.5 Potable Water Connection
- Policy SAN 4.4: Sanitary Sewer Connection
- Policy PUB 2.1 Public Safety Level-of-Service
- Definition of Low Density Residential (LDR) Future Land Use Designation

**INTERGOVERNMENTAL NOTIFICATION:**

Intergovernmental notice to cities is not required since none are affected. Staff sent an Intergovernmental Notice of the proposed rezone to the Seminole County School Board on September 29, 2005.

**PLANNING & ZONING COMMISSION RECOMMENDATION:**

On September 7, 2005 the Planning & Zoning Commission voted 5-0 to recommend APPROVAL subject to home buyers receiving written notice of possible noise associated with Interstate 4 traffic.

**LETTERS OF SUPPORT OR OPPOSITION:**

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

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request subject to the attached Development Order.

MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/  
PLANNING AND ZONING COMMISSION

WEDNESDAY, SEPTEMBER 7, 2005  
7:00 P.M.

**Members present:** Ben Tucker, Rob Wolf, Matt Brown, Walt Eismann, Jason Brodeur

**Members absent:** Beth Hattaway, Dudley Bates

**Also present:** Dan Matthys, Director of Planning and Development; Tony Walter, Planning Manager; Rebecca Hammock, Principal Coordinator, Development Review; Jeffrey Hopper, Senior Planner; Brian Nelson, Principal Coordinator; Denny Gibbs, Senior Planner; and Candace Lindlaw-Hudson, Senior Staff Assistant.

**C. Long Pond PUD; Dennis Casey/Rockwell Developers, Inc, applicant;** approximately 51.4 acres; Rezone from A-1 (Agriculture District) to PUD (Planned Unit Development District); located on the north side of Long Pond Road, 0.6 mile east of Markham Woods Road, adjacent to west side of I-4. (Z2005-018)

Commissioner Carey – District 5  
Jeffrey Hopper, Senior Planner

Mr. Hopper stated that the applicant is requesting PUD zoning for a subdivision consisting of 48 single family lots. Net density is 1 unit per net buildable acre, consistent with the Suburban Estates future land use designation assigned to the property. The site is adjacent to I-4 on the east and Oakmonte Senior Village on the north. However, all access will be from the west, over Long Pond Road, connecting to Markham Woods Road.

Lot sizes within the PUD range from just under ½ acre to approximately ¾ acre, with the larger lots adjacent to Orange Ridge Farms subdivision to the west. Lots along the west property line would include a 25-foot landscape buffer.

Staff recommends approval of the request subject to conditions listed in the Development Order, which include the following:

- Minimum lot size of 31,200 square feet along the west property line, 21,000 square feet for all others

- 25-foot landscape buffer adjacent to Orange Ridge Farms, containing 4 canopy trees per 100 feet

George Garrett, engineer on the project, stated that he was available to answer any questions the commissioners may have.

Jack Hannahs said that he was concerned about water usage. With this property and the upcoming L & L Acres PUD, he wanted to be sure that there would be adequate recharge to the aquifer. He also wanted reclaimed water to be available on site for this project.

Debra Wert said that she is concerned about the PUD. She said that what is approved may not be what is finished. Also, there will be a large amount of dirt moved on the site. She would like to know that the hill will be equal in height to what it is now. It is a noise buffer now. Noise is a concern. Also, will there be a change in rainwater run-off patterns?

Russell James said that he lives at the end of Long Pond Road. All of the lots in the area are one acre. These should be also. There are 2 dead-end roads that could be used for access, instead using the road which passes behind numerous homes.

Quentin Bob Beitel spoke on behalf of the Markham Wood Road Homeowners Association. He said that this property is barren. He hopes the density will be one house per acre. He is also concerned about the buffering.

Jack Hannahs said that there were 24 homes in Orange Ridge; 12 homes are on each cul de sac.

George Garrett, speaking in rebuttal, stated that there is a 16 inch reclaimed water line available for the project to hook up to. Some of the dirt will be used to raise the lots. An arborist will relocate some of the trees. There is Type A soil there, which is sandy. He is making 48 lots, with a net density of one unit per net buildable acre.

Chairman Tucker said that a calculation of net density usually assumes that 20 percent of the site area goes to road right-of-way and other features.

Commissioner Eismann asked how much the hill was being lowered.

Mr. Garrett said that there is a 30-foot elevation now. He will probably bring the elevation down by 5 feet and use the dirt down by the retention pond.

Commissioner Tucker asked if there were anything that could be done, such as putting a clause in the Development Order, which would keep the homes from later demanding a wall to abate noise.

Dan Matthys stated that conditions might be imposed on a PUD.

Commissioner Tucker said that such a thing would be like a deed restriction. He asked for a legal opinion on this.

Kim Romano said that there will be a way to put such a thing in the Development Order.

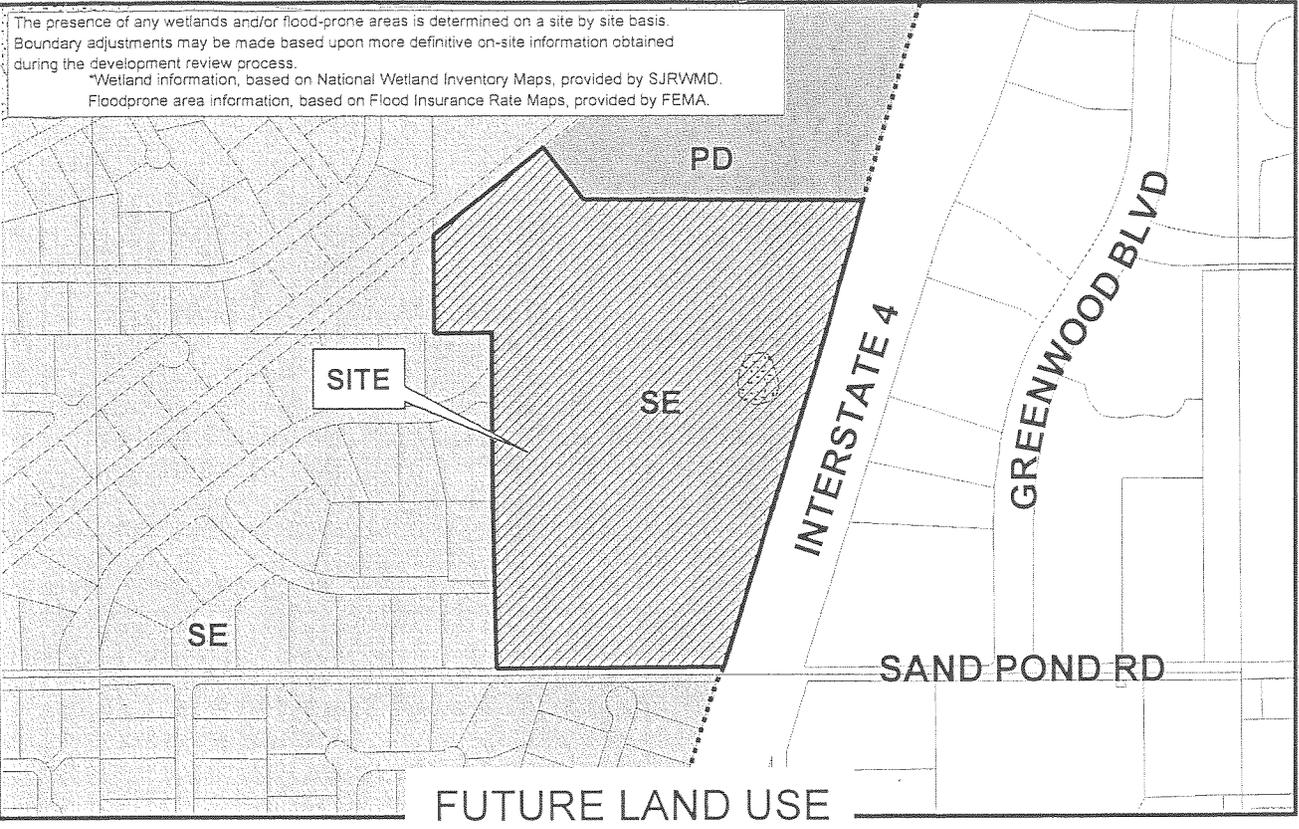
Dan Matthys stated that there would be a way to make notations on the final plat and in the development order concerning noise abatement issues.

**Commissioner Brown made a motion to recommend approval with staff recommendations and the stipulation that buyers be made aware of potential noise issues.**

**Commissioner Brodeur seconded the motion.**

Commissioner Brown stated that these actions will not stop people from asking for a noise abatement wall along I-4 if the road right-of-way is widened.

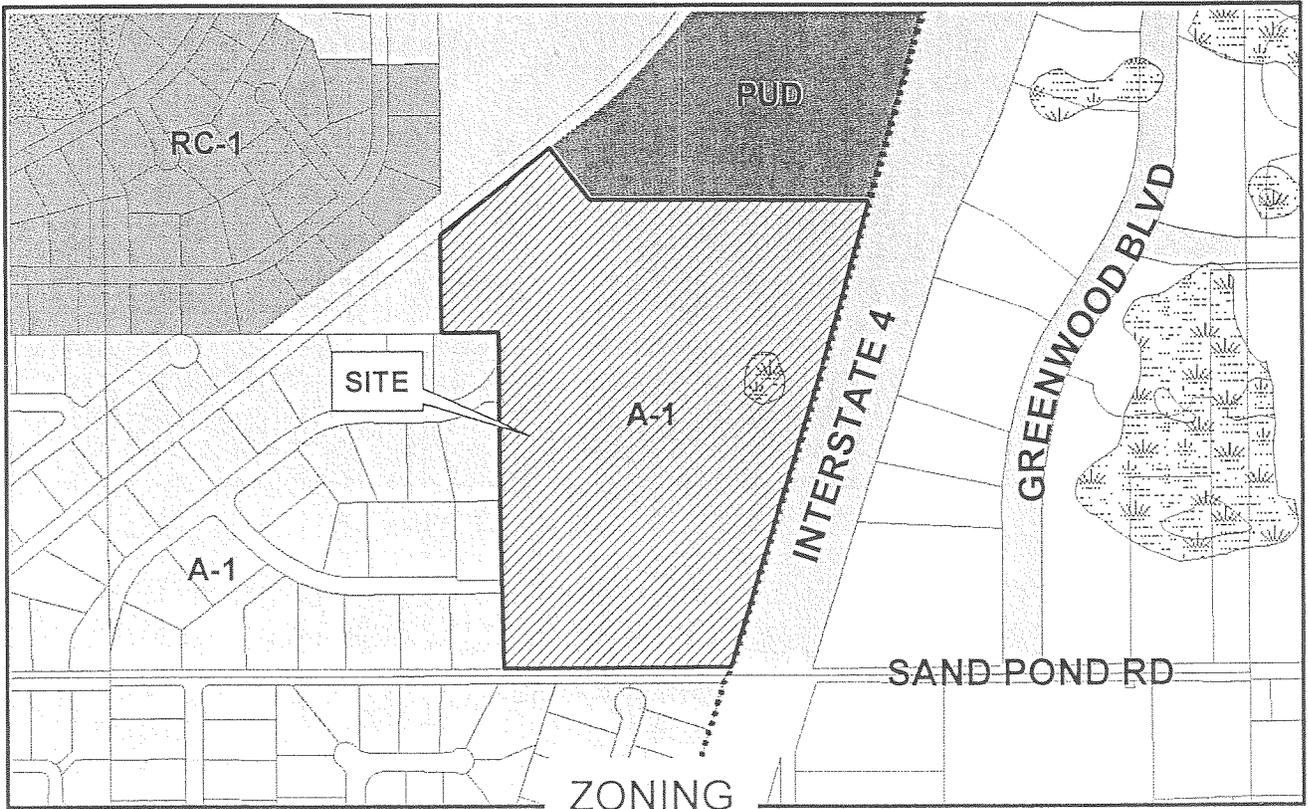
**The motion passed 5 – 0.**



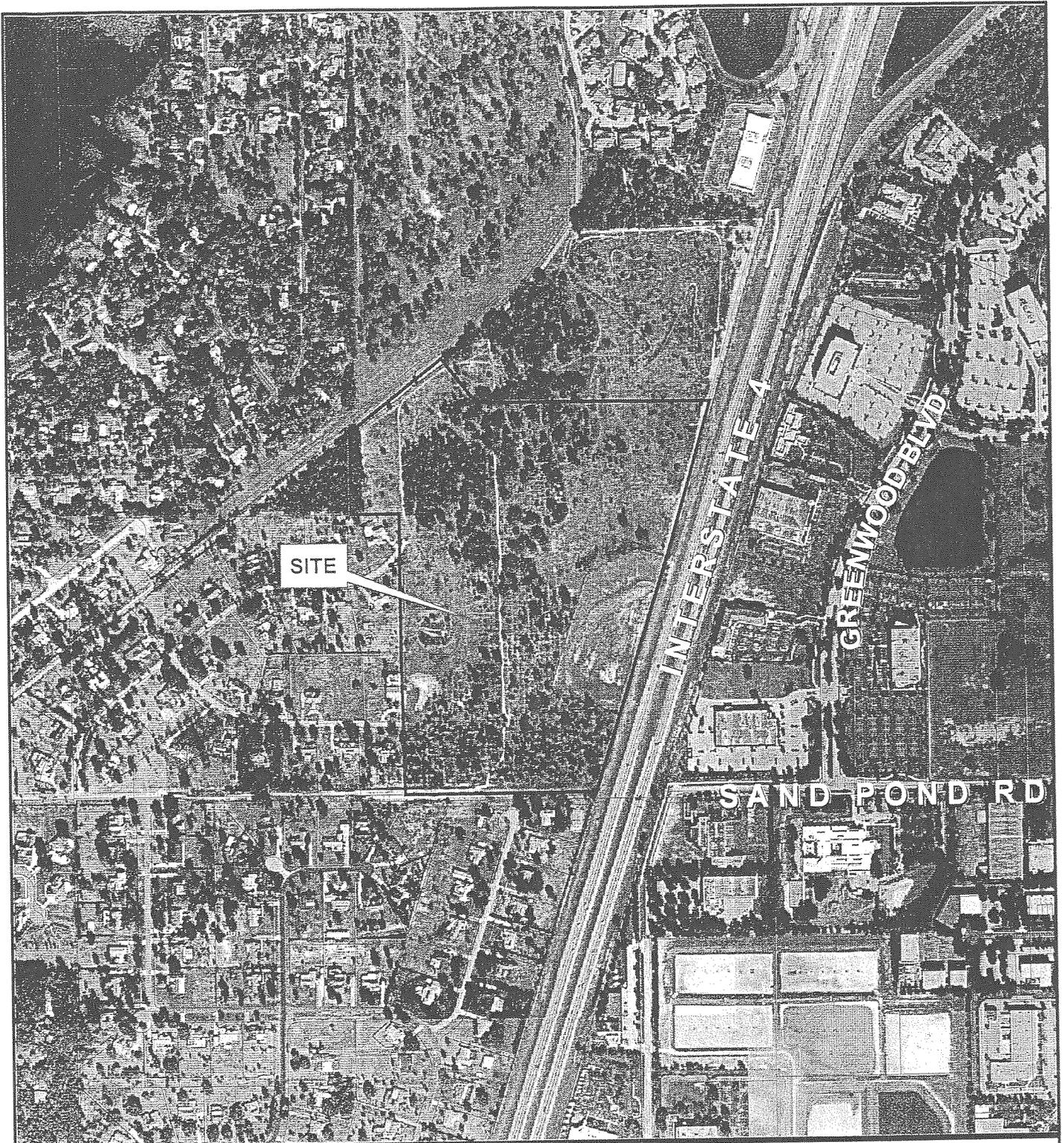
Site
  Municipality
  SE
  PD
  CONS

Applicant: Dennis J. Casey  
 Physical STR: 13-20-29-300-005B-0000  
 Gross Acres: 52.79 +/- BCC District: 5  
 Existing Use: Vacant  
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-018	A-1	PUD



A-1
  RC-1
  PUD
  FP-1
  W-1

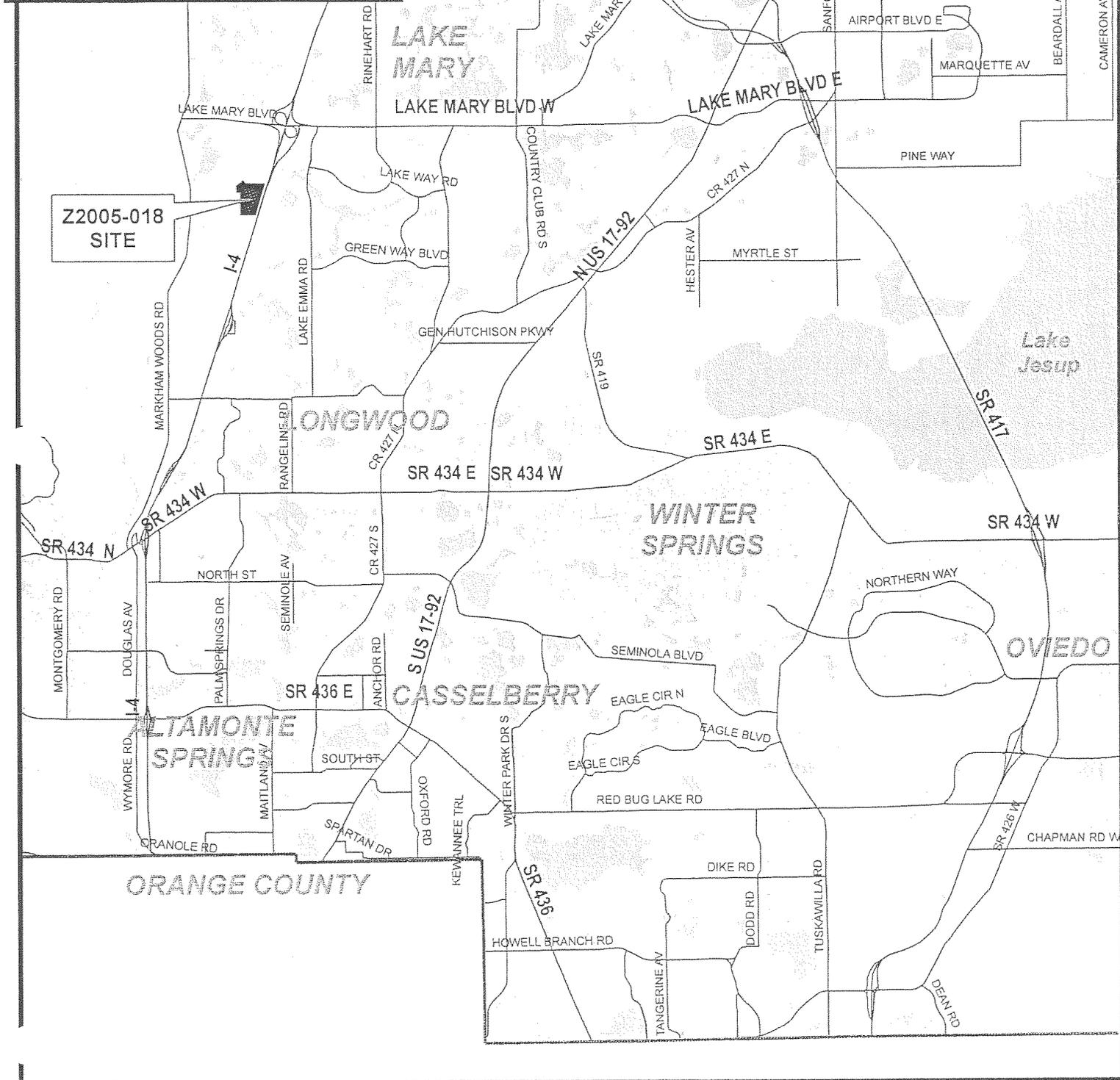
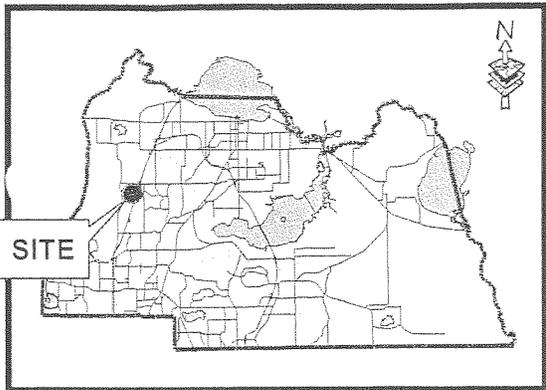


Rezone No: Z2005-018  
From: A-1 To: PUD

-  Parcel
-  Subject Property



January 2004 Color Aerials



# DEVELOPMENT PLAN FOR LONG POND SUBDIVISION SEMINOLE COUNTY, FLORIDA

MAY, 2005

## PROJECT INFORMATION

**SURVEYOR:** SEARS SURVEYING COMPANY  
2107 N. PARK AVENUE  
WINTER PARK, FLORIDA 32789  
407-897-6220

**EXISTING ZONING:** A-1

**PROPOSED ZONING:** RESIDENTIAL PUD

**FUTURE LAND USE:** SUBURBAN ESTATE

**SITE AREA:** 51.443 ACRES

**PROPOSED DEVELOPMENT:** 48 SINGLE FAMILY LOTS

**MINIMUM LOT SIZE:** 120' X 175' (0.48 ACRE)

**GROSS DENSITY:** 0.93 LOTS/ACRE (48 LOTS/51.443 ACRE)

**NET DENSITY:** 51.443 ACRES  
-3,200 ACRES (PROPOSED 30' R/W)  
48.243 ACRES (NET PROJECT AREA)  
1.00 LOT/ACRE (48 LOTS/48.243 ACRE)

**BUILDING SETBACKS:** 30' - FRONT  
10' - SIDE  
35' - REAR  
25' - SIDE (STREET)

**OPEN SPACE:** 2.03 ACRES OPEN SPACE / BUFFERS  
11.12 ACRES STORMWATER AREAS  
13.15 ACRES OPEN SPACE (25.6%)

NOTE: STORMWATER AREAS SHALL BE LANDSCAPED/AMENITIZED PER SECTION 30.1344, LAND DEVELOPMENT CODE.

**POTABLE WATER SERVICE:** SEMINOLE COUNTY

**FIRE PROTECTION:** SEMINOLE COUNTY

**SEWER SERVICE:** SEMINOLE COUNTY

**EXIST. LAND USE:** VACANT

**EXIST. VEGETATION:** PASTURE GRASS / SCATTERED TREES

**CONSERVATION AREA:** N/A

**FLOOD ZONE:** ZONE "X" (AREAS OF MINIMAL FLOODING), FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL # 1202B9 0130 E, SEMINOLE COUNTY, FLORIDA, EFFECTIVE DATE APRIL 17, 1995

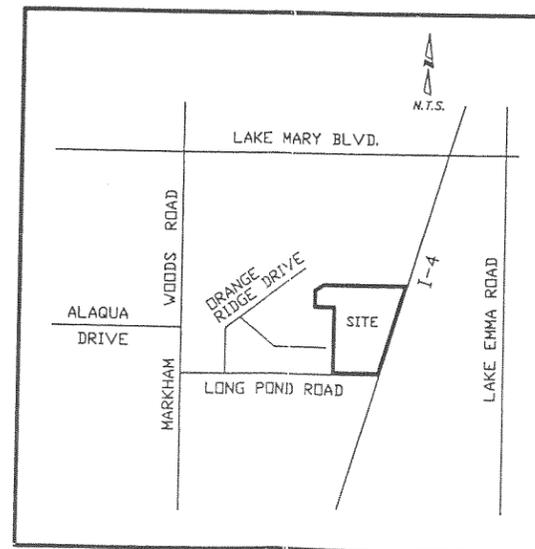
**OWNER/DEVELOPER:**  
**ROCKWELL DEVELOPMENT, INC.**

1017 EAST SOUTH STREET, SUITE B  
ORLANDO, FLORIDA 32801  
407-895-5578

**ENGINEER:**  
**GEORGE GARRETT P.E.**

P.O. BOX 531085  
ORLANDO, FLORIDA 32853  
407-256-5852

## VICINITY MAP



PARCEL ID: 13-20-29-300-005B-0000

## LEGAL DESCRIPTION:

A PORTION OF LAND IN THE SOUTH 1/2 OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF BLOCK "C", OAKMONT PARK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 53, PAGE 75 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AS A POINT OF REFERENCE, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF STATE ROAD No. 400; THENCE RUN S 16°11'40" W, ALONG SAID WEST RIGHT OF WAY LINE, 850.93 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89°45'37" W, 1087.66 FEET; THENCE RUN N 37°49'36" W, 240.65 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEMINOLE WEDIVA TRAIL (A 50' RIGHT OF WAY); THENCE RUN S 82°10'24" W, ALONG SAID WEST 1/4 OF SAID SECTION 13; THENCE RUN S 00°11'33" E, ALONG SAID WEST LINE, 308.18 FEET TO THE NORTH LINE OF ORANGE RIDGE FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 12 OF THE SEMINOLE COUNTY PUBLIC RECORDS; THENCE RUN N 89°58'07" E, ALONG SAID NORTH LINE, 215.18 FEET TO THE EAST LINE OF SAID PLAT; THENCE RUN S 00°13'48" E, ALONG SAID EAST LINE, 1284.26 FEET TO THE NORTH RIGHT OF WAY LINE OF LONG POND ROAD (A 60' RIGHT OF WAY); THENCE RUN N 89°52'43" E, ALONG SAID NORTH RIGHT OF WAY LINE, 897.06 FEET TO THE AFORESAID WEST RIGHT OF WAY OF STATE ROAD No. 400; THENCE RUN N 17°20'28" E, ALONG SAID WEST RIGHT OF WAY, 1139.79 FEET; THENCE RUN N 18°11'40" E, CONTINUING ALONG SAID WEST RIGHT OF WAY, 727.37 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 51.443 ACRES MORE OR LESS.

## TABLE OF CONTENTS

SHEET	TITLE
1	COVER SHEET
2	DEVELOPMENT PLAN
3	PROJECT DETAILS

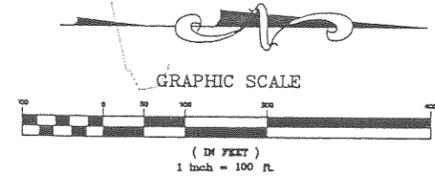
### REVISIONS:

6-30-05 REVISED PER DEVELOPMENT REVIEW 6-22-05

LONG POND SUBDIVISION  
DEVELOPMENT PLAN

LONG POND ROAD (66' R/W)

LONG POND ROAD SHALL BE PAVED TO COUNTY STANDARDS FROM THE END OF EXISTING PAVEMENT TO THE PROJECT ENTRANCE (APPROX. 1000-000 L.L.)



- SOILS LEGEND**
- ⑦ ASTATULA FINE SAND 5-8% SLOPE
  - ⑥ ASTATULA FINE SAND 0-5% SLOPE
  - SOIL BOUNDARY

- LANDS SHOWN HEREON WERE ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD, BY FIRST AMERICAN TITLE INSURANCE CO. IN COMMITMENT No. 7A-00-01.03772(9).
- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF BLOCK "C" OAKMONTE PARK PER THE PLAT THEREOF AS BEING S 88°36'45"W.
- UNDERGROUND IMPROVEMENTS AND INSTALLATIONS HAVE NOT BEEN LOCATED.

STATE ROAD No. 400 (INTERSTATE No. 4)

NO.	DATE	REVISION	APP'D. BY
1	6-30-05	REVISED PER DEVELOPMENT REVIEW 6-22-05	

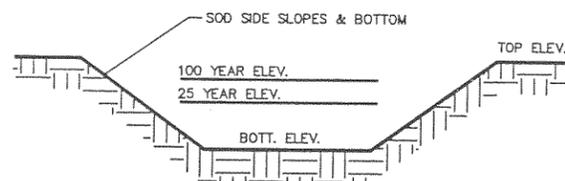
GEORGE GARRETT, P.E.  
 P.O. BOX 531085  
 ORLANDO, FLORIDA 32853  
 407-256-5852 FAX: 321-636-1035

LONG POND SUBDIVISION  
 SEMINOLE COUNTY, FLORIDA

DEVELOPMENT PLAN

GEORGE GARRETT, P.E.  
 FLORIDA #31956

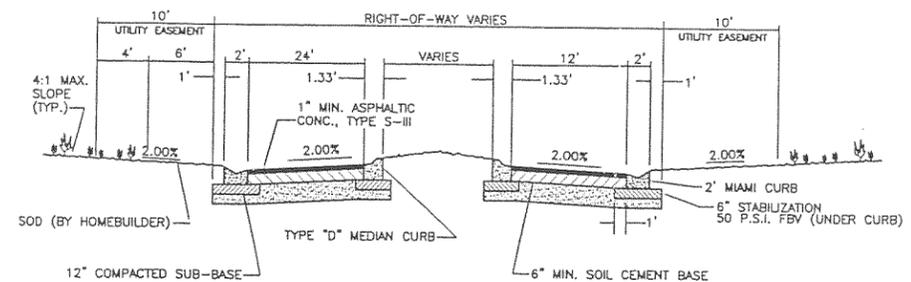
SCALE N/A  
 JOB NO. UAP  
 FILE SITEPLAN  
 DRAWN BY GG  
 DATE 4-25-05  
 SHT C-2



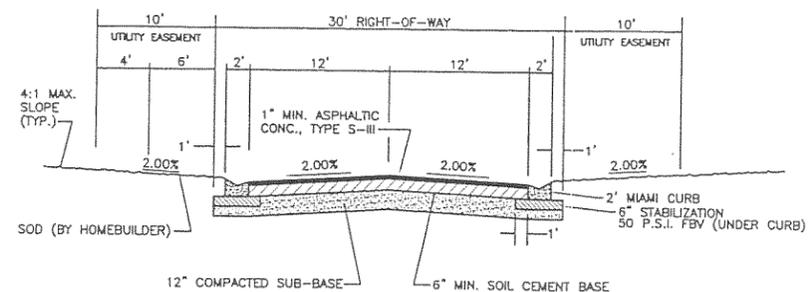
**STORMWATER POND SECTION**  
 N.T.S.

**NOTES:**

1. STORMWATER SHALL RETAIN THE 100 YEAR STORM EVENT.
2. STORMWATER SHALL COMPLY WITH CHAPTER 30, PART 54, LAND DEVELOPMENT CODE, SEMINOLE COUNTY MOST EFFECTIVE RECHARGE AREA.
3. POND SLOPES SHALL COMPLY WITH APPENDIX B, LAND DEVELOPMENT CODE.



**TYPICAL RIGHT-OF-WAY ENTRANCE**  
 N.T.S.



**TYPICAL 30' RIGHT-OF-WAY**  
 CUL-DE-SAC PAVEMENT RADIUS SHALL BE 45'  
 N.T.S.

NO.	DATE	REVISION	APP'D. BY
1	6-30-05	REVISED PER DEVELOPMENT REVIEW 6-22-05	

GEORGE GARRETT, P.E.  
 P.O. BOX 531085  
 ORLANDO, FLORIDA 32853  
 407-256-5852 FAX: 321-636-1035

LONG POND SUBDIVISION  
 SEMINOLE COUNTY, FLORIDA

PROJECT DETAILS

GEORGE GARRETT, P.E.  
 FLORIDA #31956

DATE 4-25-05  
 SHT. C-3

SCALE N/A  
 JOB NO. UAP  
 FILE DETAIL  
 DRAWN BY GG  
 DATE 4-25-05  
 SHT. C-3

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

On October 25, 2005, 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:** ROCKWELL DEVELOPERS INC.  
DENNIS J. CASEY, PRESIDENT

**Project Name:** LONG POND PUD

**Requested Development Approval:** Rezone from A-1 to PUD

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: JEFF HOPPER  
1101 East First Street  
Sanford, Florida 32771

**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. Permitted uses shall be single family residences, home offices, and home occupations.
- b. Minimum lot size shall be 31,200 square feet adjacent to the west property line, and 21,000 square feet in other locations.
- c. Required building setbacks shall be:

<i>Residential Units</i>	
front	30'
side	10'
side street	25'
rear	35'

<i>Accessory Buildings and Pool Screen Enclosures</i>	
side	10'
side street	25'
rear	10'

- d. Maximum building height shall be 35 feet.
- e. Retention areas to be counted toward the minimum 25% open space requirement shall be landscaped, sodded and amenitized in accordance with the Land Development Code (Section 30.1344). This shall be evaluated at Final Master Plan.
- f. Open space parcels provided within right-of-way shall be sodded, landscaped, and identified as open space tracts on the Final Master Plan.
- g. An irrigated 25-foot landscape buffer shall be provided along the west property line adjacent to Orange Ridge Subdivision. This buffer shall be dedicated to and maintained by a homeowners association, and shall contain 4 canopy trees per 100 feet. Fences within the buffer shall be prohibited.

(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.

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

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

**OWNER'S CONSENT AND COVENANT**

COMES NOW, ROCKWELL DEVELOPERS INC., on behalf of itself and its 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

\_\_\_\_\_  
Dennis J. Casey,  
President

\_\_\_\_\_  
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 DENNIS J. CASEY, and is personally known to me or who has produced \_\_\_\_\_ as identification and who acknowledged and executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

EXHIBIT A

**Project Legal Description:**

SEC 13 TWP 20S RGE 30E THAT PT OF GOVT LOT 2 & E 1/2 OF SW 1/4 S OD RY & W OF I-4 (LESS W 215.7 FT OF 1321.92 FT & BEG SE COR OF BLK C OAKMONTE PARK PB 53 PG 75 RUN S 16 DEG 11 MIN 40 SEC W 850.93 FT W 1087.66 FT N 37 DEG 49 MIN 36 SEC W 240.65 FT N 52 DEG 10 MIN 24 SEC E 182.38 FT NELY ALG CURVE 679.05 FT E 875.51 FT TO BEG & S 33 FT FOR RD)

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; 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 "Long Pond PUD Staff Report."

(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) to PUD (Planned Unit Development) District:

**LEGAL DESCRIPTION ATTACHED EXHIBIT A**

**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. This Ordinance shall become effective upon the date of recording of Development Order #5-23000002 in the official land records of Seminole County.

ENACTED this 25th day of October, 2005.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Carlton D. Henley  
Chairman

## EXHIBIT A

### LEGAL DESCRIPTION

SEC 13 TWP 20S RGE 30E THAT PT OF GOVT LOT 2 & E 1/2 OF SW 1/4 S OD RY & W OF I-4 (LESS W 215.7 FT OF 1321.92 FT & BEG SE COR OF BLK C OAKMONTE PARK PB 53 PG 75 RUN S 16 DEG 11 MIN 40 SEC W 850.93 FT W 1087.66 FT N 37 DEG 49 MIN 36 SEC W 240.65 FT N 52 DEG 10 MIN 24 SEC E 182.38 FT NELY ALG CURVE 679.05 FT E 875.51 FT TO BEG & S 33 FT FOR RD)