

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Citrus Road Rezone, Request for Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential), and Rezone from A-1 (Agriculture) to R-1A and R-1AAA (Single Family Dwelling Districts) (John Percy, applicant)

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

AUTHORIZED BY: Donald Fisher **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date <u>12/09/03</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

1. Enact ordinances to ADOPT the requested Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential), and APPROVE a rezone from A-1 to R-1A and R-1AAA on the north 135' of the subject property, on 36 acres located on east side of Citrus Road, ½ mile north of Red Bug Lake Road (John Percy, applicant); or
2. DENY the requested Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential), and DENY a rezone from A-1 to R-1A and R-1AAA on the north 135' of the subject property, on 36 acres located on east side of Citrus Road, ½ mile north of Red Bug Lake Road (John Percy, applicant); or
3. Continue the item to a time and date certain.

(District 2 – Comm. Morris)

(Jeff Hopper, Senior Planner)

BACKGROUND:

The applicant requests a change in future land use designation from Suburban Estates (SE) to Low Density Residential (LDR), and a subsequent rezoning from A-1 to R-1A and R-1AAA on the north 135' of the property. Proposed development on the site is single family residential. The site is located between existing single family development to the east and west at densities appropriate to LDR.

LPA RECOMMENDATION:

On July 9, 2003, the Seminole County Land Planning Agency voted 5-0 to recommend transmittal of the request to the State of Florida for processing as a Large Scale Land Use Amendment, per Staff recommendation.

Reviewed by:	
Co Atty:	<u>RTC</u>
DFS:	
OTHER:	<u>AW</u>
DCM:	<u>SS</u>
CM:	<u>RL</u>
File No.	<u>ph130pdp05</u>

BCC ACTION:

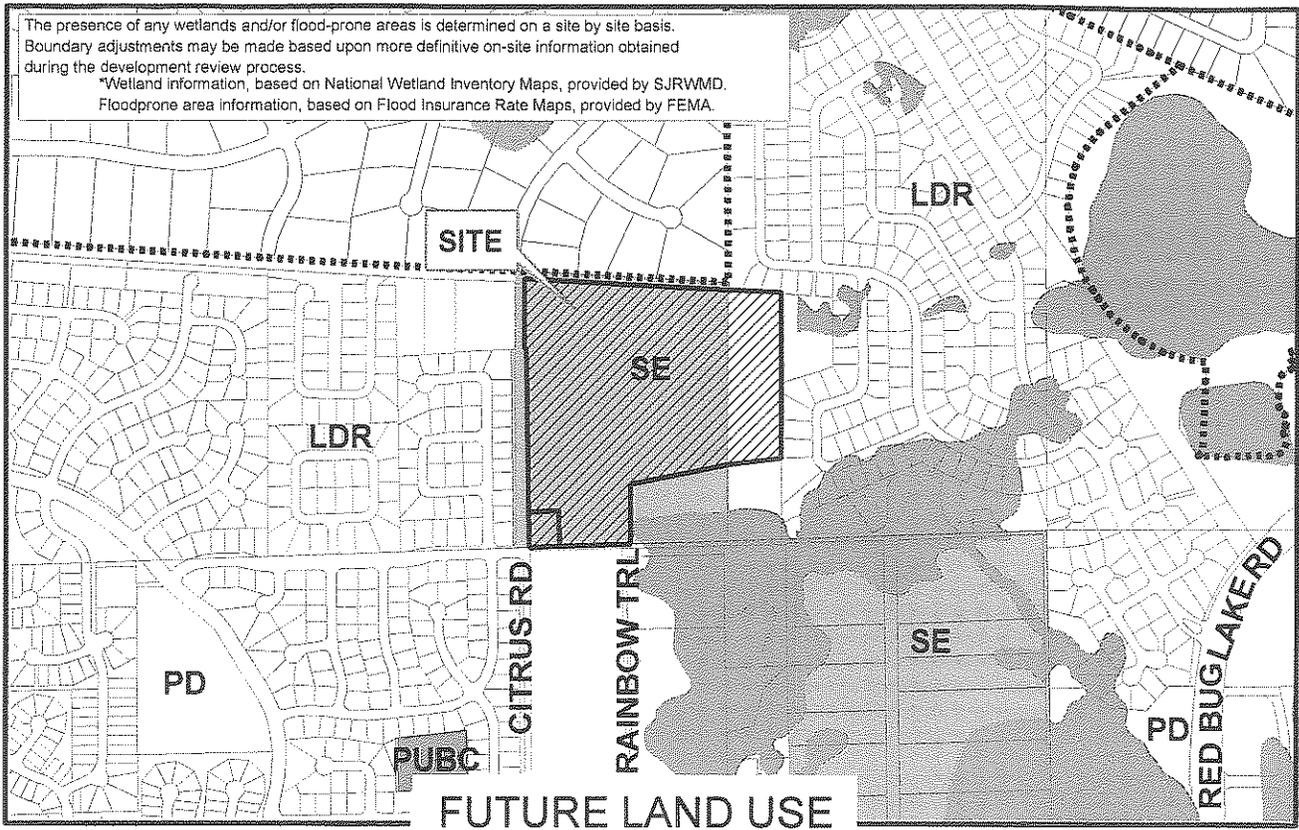
On August 12, 2003, the Board voted 5-0 to transmit the request to the Florida Department of Community Affairs per staff recommendation with R-1AAA on the north 135' of the subject property. The Board's approval was contingent on the following voluntary commitments by the applicant:

1. Minimum house size of 1,600 square feet.
2. Buffer and/or retention areas would be provided adjacent to existing lots on Needlewood Loop in the Tuska Ridge Subdivision.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to adopt the Large Scale Land Use Amendment with the condition that, if approved, the north 135' of the subject property will be rezoned to R-1AAA (Single Family Dwelling District).

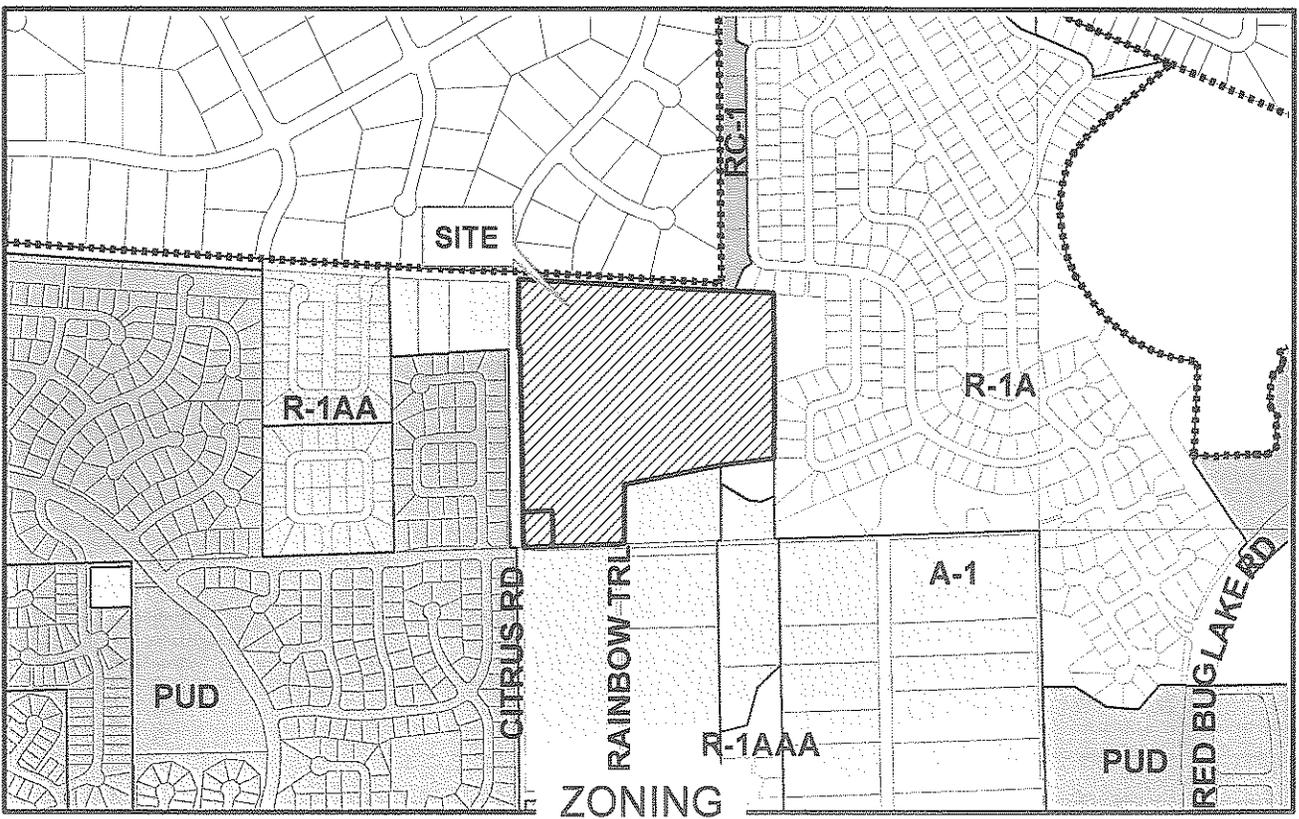
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
 Municipality
 LDR
 PD
 PUBC
 SE

Applicant: Glattig Jackson
 Physical STR: 18-21-31-300-0040 & 004A-0000
 Gross Acres: 36 BCC District: 2
 Existing Use: Grazing Land
 Special Notes: _____

	Amend/Rezoned#	From	To
FLU	03F.FLU01	SE/LDR	LDR
Zoning	Z2003-009	A-1	R-1A



A-1
 PUD
 RC-1
 R-1A
 R-1AA
 R-1AAA



Amendment No: 03F.FLU01
From: SE/LDR To: LDR
Rezone No: Z2003-009
From: A-1 To: R-1A

-  Parcel
-  Subject Property



February 1999 Color Aerials

LPA MINUTES 7/09/03

MINUTES FOR THE SEMINOLE COUNTY LPA/P&Z COMMISSION
WEDNESDAY, JULY 9, 2003
6:00 P.M.

Members present: Ben Tucker, Beth Hattaway, Chris Dorworth, Alan Peltz

Members absent: Dick Harris, Dudley Bates

School Board Representative Present: Dianne Kramer

Also present: Matt West, Planning Manager, Earnest McDonald, Principal Coordinator, J.V. Torregrosa, Planner, Jeff Hopper, Senior Planner, Tony Matthews, Principal Coordinator, Karen Consalo, Assistant County Attorney, and Candace Lindlaw-Hudson, Senior Staff Assistant.

F. Citrus Road Rezone And Land Use Amendment; Glatting Jackson/John Percy, applicant; approximately 36 acres; Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential); and Rezone from A-1 (Agriculture) to R-1A (Single Family Residential); east side of Citrus Road, ½ mile north of Red Bug Lake Road. (Z2003-009) (03F.FLU01)

Commissioner Morris – District 2

Jeff Hopper, Senior Planner

Mr. Hopper stated that the staff recommendation was for approval with R-1AAA zoning on the northern tier of lots.

Dianne Kramer stated that this project will have a minimum impact on schools.

John Percy stated that there is a trail on the north side of the property.

M. Pevlakni stated that there are larger lots to the north. There is a serious water problem here. There is also a school crowding problem. There is a need for one acre lots.

Carol Medico said that she wanted a 50 foot buffer of trees. She also would like a 6 foot masonry wall.

Tracy Peffler stated that this area will be filled with children. The schools will be impacted. There is also major flooding here. She is concerned with wildlife and would like 2 homes per acre.

Adrian Starichuvich was opposed to further development in the area.

Commissioner Mahoney made a motion to recommend approval as per the staff report.

Commissioner Hattaway seconded the motion.

Commissioner Mahoney stated that the trend of development is to exceed minimum criteria for development. R-1A is compatible.

Matt West stated that this will probably be 2 to 2.5 units per acre, including the roads.

Commissioner Tucker questioned the minimum house size.

The applicant stated that the homes would exceed minimum for the zoning. He is planning to do the building in the future, not now.

Commissioner Tucker said that 1,600 square feet is too small. 2,000 square feet is better.

Commissioner Mahoney said that these homes will be 2,100 to 3,000 square feet in size due to the area.

Commissioner Mahoney restated his motion recommending transmittal from SE to LDR and rezone from R-1A and the northern tier to R-1AAA, with 1,600 square feet minimum house size.

Commissioner Dorworth seconded the motion.

The motion passed by a vote of 4 – 1. Commissioner Tucker was opposed.

BCC MINUTES 8/12/03

LARGE SCALE LAND USE AMENDMENT
AND REZONE/John Percy

Proof of publication, as shown on page _____, calling for a public hearing to consider approving for transmittal the Large Scale Land Use Amendment from Suburban Estates to Low Density Residential; and Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District); on 36 acres located on the east side of Citrus Road, ¼ mile north of Red Bug Lake Road, John Percy, received and filed.

Jeff Hopper, Senior Planner, addressed the Board to state staff finds this will be compatible with existing lots in Sunrise and Tuskaridge to the east. Staff is recommending R-1AAA rezoning on the north 135 feet of the property if the land use amendment is approved. With that condition, staff is recommending approval of the request.

John Rinehart, Glatting Jackson, representing the Lloyd Family, addressed the Board to state he concurs with the staff recommendations. It is his understanding that all houses would be a minimum 1600 square feet throughout the entire property.

Shirley Rubens, 1164 Needlewood Loop, addressed the Board to state her concern is for the size of the homes. She is recommending a change to R-1AA or the stipulation of 1900 square foot homes. She said in her development (Tuskaridge), which is R-1A and abuts this site, there is nothing smaller than 1900 square feet so she doesn't want anything smaller going behind her. She has no comments against the sale of the property.

David Rybat, 1164 Needlewood Loop, addressed the Board to state the sale of the property is fine. He would like the Board to require a buffer zone behind his house and the property that will be developed. This would be on the east boundary between the subject property and Tuskaridge. He advised he was also

AUGUST 12, 2003

speaking for four other residents that abut on the eastern boundary. He explained that their property goes right up to the property line with no buffer. The buffer would provide them some privacy. As it is now, they are in a bind with the runoff, as their property line is four feet below elevation. He also asked if they could have single-story houses in the new development.

No one else spoke in support or in opposition.

Speaker Request Forms were received and filed.

Mr. Rinehart returned to address comments made. He said this is an infill site so it is always difficult to put in and work with the variety of surrounding uses. He explained that R-1A has the permitted house size of 1100 square feet and they have committed to 1600 square feet, which is the minimum for R-1AAA. Until they do the final engineering, they don't know what the final elevation would be. He said he understands that not all the houses that abut this property are single story, but some are two story. He is not sure it would be fair to have them do one story. He advised Chairman McLain that the applicant is not prepared to commit at this time to one story.

Commissioner Morris discussed the drainage and sheet flow in the area with Mr. Rinehart. He suggested if the applicant could put in a retention pond at the backside of Mr. Rybat's property that might begin to give him some of the buffer.

Motion by Commissioner Morris, seconded by Commissioner Van Der Weide, to transmit the requested Large Scale Land Use Amendment from Suburban Estates to Low Density Residential on 36 acres located on the east side of Citrus Road, ½ mile north of Red Bug Lake Road; as described in the proof of publication, John Percy; noting the voluntary commitment of the applicant for

1600 minimum square feet per house on the entire parcel and with notes to go with site planning of the concerns posed by the Commission.

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

ORDINANCE AMENDING THE SEMINOLE
COUNTY LAND DEVELOPMENT CODE

Proof of publication, as shown on page _____, calling for a public hearing to consider adoption of Ordinance amending the Seminole County Land Development Code to provide for the installation of a reclaimed water system, received and filed.

Mahmoud Najda, Development Review Manager, addressed the Board to present the request. He stated staff is requesting to change the date on page 4 of the proposed ordinance from June 1, 2003, to July 14, 2003. He advised the proposed ordinance was approved unanimously by the P&Z Commission.

Gary Rudolph, Utilities Manager, addressed the Board to answer questions by Commissioner Maloy concerning the infrastructure and potable water. He said there would have to be some sort of meter fee to the customer to offset the infrastructure.

Mr. McMillan advised that the ordinance tonight is for amending the Land Development Code, which gets the lines in. There will be a second hearing that actually deals with hookups. Some of these issues raised by Commissioner Maloy will be dealt with when the second public hearing comes forth.

Commissioner Morris said the Commission is to be complimented for the Energy Element as Seminole is the first County to implement this in the State of Florida. This Commission also drove this ordinance. He thinks they should move for approval of it. When staff brings this back, he wants Mr. McMillan to discuss the stub outs being put on the wrong

Citrus Road Large Scale Land Use Amendment Staff Report

Suburban Estates (SE) to Low Density Residential (PD)		Amendment (Z2003-009 03F.FLU01)
<i>REQUEST</i>		
APPLICANT	John Percy / Glatting Jackson	
PLAN AMENDMENT	Large Scale Land Use Amendment from Suburban Estates (SE) to Low Density Residential (LDR)	
REZONING	A-1 (Agriculture) to R-1A and R-1AAA (Single Family Dwelling Districts)	
APPROXIMATE GROSS ACRES	36	
LOCATION	east side of Citrus Road, ½ mile north of Red Bug Lake Road	
BCC DISTRICT	District 2 – Morris	
<i>RECOMMENDATIONS AND ACTIONS</i>		
BCC ACTION	On August 12, 2003, the Board voted 5-0 to transmit the request per staff recommendation with R-1AAA on the north 135' of the subject property.	
LPA RECOMMENDATION	On July 9, 2003 the Land Planning Agency (LPA) voted 5-0 to recommend transmittal of the request to the State of Florida, per Staff recommendation.	
STAFF RECOMMENDATION	Staff recommends ADOPTION of the requested land use amendment and rezone, with R-1AAA on the north 135' of the subject property.	

STAFF ANALYSIS

Suburban Estates (SE) to Planned Development (PD)

**Amendment
(Z2003-011
03F.FLU02)**

1. **Property Owner:** Blanche N. Lloyd, Trustee
2. **Tax Parcel Numbers:** 18-21-31-300-0040-0000
18-21-31-300-004A-0000
3. **Development Trends:** The development trend in the area consists almost entirely of single family subdivisions at densities compatible with the requested LDR land use designation. While an adjacent subdivision in Winter Springs to the north was developed at just under 1 unit per acre, other developments in Seminole County to the east and west are comparable to the requested density for this site.

SITE DESCRIPTION

1. **EXISTING AND PERMITTED USES:** The future land use designation of Suburban Estates (SE), currently assigned to the majority of the subject property, permits single family residential development at a maximum density of 1 dwelling unit per net buildable acre. (The easterly 275 feet of the site, approximately 5.5 acres, already has the LDR designation.) Existing A-1 zoning allows agricultural and related low-intensity uses. The subject property contains a single family home.

Location	Future Land Use*	Zoning*	Existing Use
North	CITY	CITY	Single family residential
South	LDR	A-1	Rainbow Elementary
East	LDR	R-1A	Single family residential
West	PD/LDR	PUD/A-1	Single family residential

**See enclosed future land use and zoning maps for more details.*

COMPREHENSIVE PLAN CONSISTENCY

2. PLAN PROGRAMS - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

Summary of Program Impacts: The proposed amendment does not alter the options or long-range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan. The amendment request would not be in conflict with the Metroplan Orlando Plan or the Florida Department of Transportation's 5-Year Plan (Transportation Policy 14.1).

B. Traffic Circulation - Consistency with Future Land Use Element: *In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element (Transportation Policy 2.1).*

Access to the subject property is via Citrus Road, a local road connecting to Red Bug Lake Road. The existing Level of Service (LOS) on this portion of Red Bug Lake Road is "C", with an adopted LOS standard of "E".

D. Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps: *Figure 11.1 and Figure 14.1 are the water and sewer service area maps for Seminole County*

The subject property is within the Seminole County water and sewer service area. Water and sewer service are currently available to the site

E. Public Safety – Adopted Level of Service: *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2).*

The property is served by the Seminole County EMS/Fire Station #27. Response time to the site is less than 5 minutes, which meets the County's average response time standard of 5 minutes.

3. REGULATIONS - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Vision 2020 Plan, but are not applied in detail at this stage.

B. Preliminary Development Orders: Capacity Determination: *For preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows...No rights to obtain final development orders under which development activity impacting public facilities may ensue, or to obtain development permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Implementation Policy 1.2.3).*

A review of the availability of public facilities to serve this property indicates that there would be adequate facilities to serve this area, and that the proposed Plan amendment would create no adverse impacts to public facilities.

C. Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection: *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications...(Policy FLU 1.2 and 1.3).*

The site contains less than 5% wetlands or flood prone areas, and can be developed within requirements of the Vision 2020 Plan and Land Development Code.

D. Protection of Endangered and Threatened Wildlife: *The County shall continue to require, as part of the Development Review Process, proposed development to coordinate those processes with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife prior to development approval (Conservation Policy 3.13).*

A threatened and endangered species report shall be required prior to final engineering approval for any proposed development on the subject property.

4. DEVELOPMENT POLICIES - Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

B. Compatibility: When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Vision 2020 Plan (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private

property rights, no creation of new strip commercial developments through plan amendments, etc.).

Based upon an initial evaluation of compatibility, the proposed LDR land use would be compatible with future land use designations on adjoining properties to the east and west. It is also considered to be compatible with Suburban Estates, the County land use designation most nearly equivalent to the existing subdivision adjacent to the north in Winter Springs.

Applicable Plan policies include, but are not limited to, the following:

Transitional Land Uses: *The County shall evaluate plan amendments to insure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential uses, and in managing the redevelopment of areas no longer appropriate as viable residential areas. "Exhibit FLU: Appropriate Transitional Land Uses" is to be used in determining appropriate transitional uses. (Policy FLU 2.5)*

"Exhibit FLU: Appropriate Transitional Land Uses" indicates that the proposed LDR is an appropriate transitional use adjacent to other LDR areas.

Other applicable plan policies include:

FLU 2.1 Subdivision Standards.

FLU 2.12 On-Site Traffic Flow

FLU 5.5: Water and Sewer Service Expansion

Low Density Residential Future Land Use Definition

B. Concurrency Review - Application to New Development: *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public facilities level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element... (Capital Improvements Policy 3.2).*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued only if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

STAFF RECOMMENDATION:

Staff recommends ADOPTION of the requested land use amendment subject to the north 135 feet being rezoned to R-1AAA.

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On December 9 2003, 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: BLANCHE N. LLOYD

Project Name: CITRUS ROAD REZONE AND LAND USE AMENDMENT

Requested Development Approval: Large Scale Land Use Amendment from Suburban Estates (SE) to Low Density Residential (LDR); and Rezoning from A-1 (Agriculture) to R-1A and R-1AAA (Single Family Dwelling Districts)

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.

The owner of the property has expressly and voluntarily 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. Minimum house size shall be 1,600 square feet of habitable living area.
- b. No lots within the development shall be adjacent to existing lots fronting on Needlewood Loop in Tuska Ridge Unit 5. Said lots shall be separated by common area tracts not less than 20 feet in width, functioning as buffer and/or retention areas.

(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: _____
Daryl G. McLain
Chairman
Board of County Commissioners

Attest:

Maryanne Morse
Clerk to the Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, BLANCHE N. LLOYD, on behalf of herself and her heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

_____ By: _____
Print Name BLANCHE N. LLOYD
Property Owner

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 BLANCHE N. LLOYD, 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 _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION

LEG SEC 18 TWP 21S RGE 31E BEG 30 FT S OF NW COR LOT 1 RUN S TO SW COR LOT 1 E 525 FT N 275 FT N 81 DEG 40 MIN E 868.1 FT N TO PT 30 FT S OF N LINE LOT 1 WLY TO BEG (LESS 1 AC HX)

LEG 1 AC HOMESTEAD LOCATED IN SEC 18 TWP 21S RGE 31E BEG 30 FT S OF NW COR LOT 1 RUN S TO SW COR LOT 1 E 525 FT N 275 FT N 81 DEG 40 MIN E 868.1 FT N TO PT 30 FT S OF N LINE LOT 1 WLY TO BEG

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 R-1A and R-1AAA (SINGLE FAMILY DWELLING DISTRICT) ZONING CLASSIFICATIONS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; 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 "Citrus Road Large Scale Land Use Amendment 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 R-1AAA (Single Family Dwelling District):

LEGAL DESCRIPTION ATTACHED EXHIBIT A

The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to R-1A (Single Family Dwelling District):

LEGAL DESCRIPTION ATTACHED EXHIBIT B

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

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes. This Ordinance shall become effective upon the date of recording of Development Order #3-2300001 in the official land records of Seminole County.

ENACTED this 9th day of December, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A

LEGAL DESCRIPTION

The North 135 feet of the following described property:

LEG SEC 18 TWP 21S RGE 31E BEG 30 FT S OF NW COR LOT 1 RUN S TO SW COR
LOT 1 E 525 FT N 275 FT N 81 DEG 40 MIN E 868.1 FT N TO PT 30 FT S OF N LINE LOT
1 WLY TO BEG (LESS 1 AC HX)

EXHIBIT B

LEGAL DESCRIPTION

The following described property less and except the north 135 feet:

LEG SEC 18 TWP 21S RGE 31E BEG 30 FT S OF NW COR LOT 1 RUN S TO SW COR LOT 1 E 525 FT N 275 FT N 81 DEG 40 MIN E 868.1 FT N TO PT 30 FT S OF N LINE LOT 1 WLY TO BEG (LESS 1 AC HX)

LEG 1 AC HOMESTEAD LOCATED IN SEC 18 TWP 21S RGE 31E BEG 30 FT S OF NW COR LOT 1 RUN S TO SW COR LOT 1 E 525 FT N 275 FT N 81 DEG 40 MIN E 868.1 FT N TO PT 30 FT S OF N LINE LOT 1 WLY TO BEG