

Avenue and Brisson Avenue. The request is for a single-family residential development at a maximum density of four units per net buildable acre. The proposal includes a rezone from A-1 to PUD and a Large Scale Land Use Amendment from Suburban Estates to Low Density Residential.

A detailed report of objections, recommendations, and/or comments from the Florida Department of Community Affairs (DCA) will be provided upon availability and in advance of the public hearing.

STAFF RECOMMENDATION:

Staff recommends APPROVAL and ADOPTION of the requested Large Scale Land Use Amendment, rezone, subject to the attached Preliminary Master Plan and Development Order.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on June 2, 2004 and voted 4-0 to recommend transmittal of the Large Scale land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential), and approval of the rezone from A-1 to PUD, subject to the attached Preliminary Master Plan and Development Order.

BOARD OF COUNTY COMMISSIONERS ACTION:

The Seminole County Board of Commissioners met on July 13, 2004 and voted 3-0 to transmit the Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) to the Florida Department of Community Affairs.

Attachments:

- Development Order
- Preliminary Plan
- Ordinances
- P&Z Minutes
- School Board Statement
- Locator Map
- Aerial Map

Celery Estates South Large Scale Land Use Amendment and Rezone Staff Report

Suburban Estates to Low Density Residential	Amendment (Z2004-012, 04F.FLU01)
REQUEST	
APPLICANT	Suncor Properties and Robert Horian
PLAN AMENDMENT	Suburban Estates to Low Density Residential
REZONING	A-1 (Agriculture District) to PUD (Planned Unit Development)
APPROXIMATE GROSS ACRES	14.27
LOCATION	Southeast corner of Celery Avenue and Brisson Avenue
BCC DISTRICT	District 5 – Commissioner Carey
RECOMMENDATIONS AND ACTIONS	
STAFF RECOMMENDATION	Staff recommends APPROVAL and ADOPTION of the requested Large Scale Land Use Amendment and rezone, subject to the attached Preliminary Master Plan and Development Order.
LPA RECOMMENDATION	On June 2, 2004, the Board voted 4-0 to recommend transmittal of the Large Scale land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential), and approval of the rezone from A-1 to PUD, subject to the attached Preliminary Master Plan and Development Order.
BCC ACTION	The Board met on July 13, 2004 and voted 3-0 to transmit the Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) to the Florida Department of Community Affairs.

STAFF ANALYSIS

Suburban Estates to Low Density Residential	Amendment (Z2004-012, 04F.FLU01)
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1. **Property Owner:** Legacy Investment, LLC
2. **Tax Parcel Number:** 32-19-31-300-0140-0000
3. **Development Trends:** The subject property is the second phase of a single-family residential project that is being developed in the City of Sanford, immediately north of the subject property across Celery Avenue, known as Celery Estates North. Both projects are proposed at a maximum density of 4 dwelling units per net buildable acre. The Celery Estates South project is designed in accordance with the draft Celery Avenue Overlay Standards, except that in lieu of the six-foot clay brick wall required as part of the twenty-five foot buffer along Celery Avenue, the applicant is requesting a landscaped earthen berm and wall combination. Staff believes that an earthen berm/wall combination would be acceptable if the City of Sanford approves such a combination for the Celery Estates North project, in order to provide continuity between the landscaping concepts of both developments. Since the Celery Avenue Overlay Standards have not been adopted yet, the standards in the draft ordinance are included as conditions of approval in the staff report, and as requirements in the proposed development order.

SITE DESCRIPTION

1. **EXISTING AND PERMITTED USES:** The current future land use designation of the subject property is Suburban Estates, which permits single-family homes at a density of 1 unit per acre.

Location	Future Land Use*	Zoning*	Existing Use
Site	Suburban Estates	A-1	Vacant
North	City of Sanford RLD	SF-1 (Celery Estates North)	Vacant
South	City of Sanford, Low Density Residential	AG (Agriculture), R-AH (Affordable Housing Subdivision)	Vacant
East	Suburban Estates	A-1	Vacant
West	Suburban Estates	A-1, PUD	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).

A. **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 Celery Avenue, which is classified as a collector and has an adopted Level of Service standard of "E". The roadway is currently operating at a Level of Service standard of "C".

B. Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:

The subject property is within the City of Sanford water and sewer service areas and water and sewer service are available to the site.

C. 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 2.1).*

The property is served by the Seminole County EMS/Fire Station #41. 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.

A. 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, or that such facilities could be made available, and that the proposed Plan amendment would create no adverse impacts to public facilities.

B. 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.

C. 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.

A. **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, the proposed Low Density Residential land use, with the attendant PUD zoning and Preliminary Master Plan, would be compatible with the LDR (Low Density Residential) and SE (Suburban Estates) land use designations on adjoining properties. It is proposed to be developed at the same density (4 units per acre) as the residential project that has been approved by the City of Sanford immediately across the street (Celery Estates North).

Other applicable plan policies include, but are not limited to:

FLU 2.1 Subdivision Standards.

FLU 2.11 Determination of Compatibility in the PUD Zoning Classification

FLU 5.5: Water and Sewer Service Expansion

LDR 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. The applicant has elected to defer concurrency review and the site will have to demonstrate concurrency compliance at the time of final engineering.

5. SCHOOL IMPACTS – The proposed project would be served by the Northeast Cluster for elementary schools, Millennium Middle School and Seminole High School. The proposed residential units will generate an estimated thirty-seven elementary school students, seventeen middle school students, and nineteen high school students. A statement by Dianne Kramer of the Seminole County School System is attached.

6. REVIEWING AGENCY COMMENTS – At the time this report was prepared, the final Objections, Recommendations, and Comments (ORC) Report had yet to be received from the Florida Department of Community Affairs (DCA). The attached e-mail presents an overview of the Department's objections, recommendations and comments for the proposed amendments, which can be summarized as follows:

- a. **Objection to inadequate information & recommendation:** Determine the effect of the change that development potential will have on the annual growth rate for the service area that is included in the County's consumptive use permit (CUP) application and the St. Johns River Water Management District's (SJRWMD) draft Water Supply Assessment - 2003.
- b. **Objection to inadequate information & recommendation:** Coordinate with SJRWMD staff regarding any changes in service area growth projections to determine whether or not the CUP application needs to be modified based on water supply population and demand projections.
- c. **Comment:** Coordinate with the Seminole County School Board to resolve its objection to the proposed amendment without the payment of additional fees to fund school capacity improvements.

Detailed information will be provided to the Board upon availability and in advance of the public hearing.

STAFF RECOMMENDATION:

Staff recommends APPROVAL and ADOPTION of the requested Large Scale Land Use Amendment from SE to LDR and the rezone from A-1 to PUD, subject to the attached Preliminary Master Plan, the following conditions and the attached Development Order:

- a. The project shall be developed at a maximum density of 4 units per net buildable acre.

- b. Open space amenities shall include a tot lot, picnic tables, and a pavilion. Wet retention areas to be counted as open space shall be amenitized in accordance with the design criteria of Section 30.1344 of the Land Development Code and shall include a landscaped walking path. The applicant shall demonstrate on the Final PUD Master Plan that the open space requirements have been met.
- c. The buffer adjacent to Celery Avenue shall be a minimum of 25 feet in width and shall contain a six-foot high clay brick wall, within the five feet of the buffer furthest from the post-development Celery Avenue right-of-way line. A landscaped earthen berm/wall combination shall be allowed to be substituted for the six-foot clay brick wall if an earthen berm/wall combination is approved by the City of Sanford for the Celery Avenue buffer associated with the Celery Estates North project. The buffer shall be landscaped (on the Celery Avenue side of the berm/wall) to include at a minimum, the following per every 100 linear feet along Celery Avenue:
 - 1. Two canopy trees of a minimum 4-inch caliper
 - 2. Four understory/sub-canopy trees of a minimum 1.5 inch caliper
 - 3. A continuous hedge line of at least 30 inches in height and 30 inches on center (as measured at the time of planting) located behind the required landscape trees. The hedge may be interrupted for ingress or egress.
- d. The residential lots shall have a minimum width of 50 feet at the building line and shall contain a minimum of 5,000 square feet. Corner lots shall have a minimum width of 60 feet at the building line and shall contain a minimum of 6,000 square feet.
- e. The following minimum building setbacks shall apply to the single-family homes:
 - 1. Front: 20 foot
 - 2. Rear: 20 foot
 - 3. Side: 5 foot
 - 4. Side Street: 20 foot
- f. The following setbacks shall apply for accessory structures, pools, and pool screen enclosures:
 - 1. Pools and other accessory structures: Rear -- 7.5 foot, Side -- 7.5 foot
 - 2. Screen enclosures: Rear -- 5 foot, Side -- 5 foot
- g. Building heights shall not exceed a maximum of 35-feet.
- h. Permitted uses for the residential portion of the project shall be single-family homes and customary accessory uses, home occupations, and home offices.
- i. All landscape buffers and common areas shall be maintained by a homeowners association.
- j. The developer shall provide a pedestrian circulation system giving access to all public portions of the development as well as connecting to existing sidewalks outside the development.

- k. The developer shall construct a 5-foot wide sidewalk along the south side of Celery Avenue.
- l. The developer shall provide a bus stop for the use of school children. The location and details shall be provided with the Final Master Plan.
- m. Architectural renderings of the buildings shall be provided with the Final Master Plan.
- n. A subdivision entrance sign plan shall be included with the Final Master Plan.
- o. Construction activity shall be permitted only between the hours of 7:00 am to 9:00 pm, Monday through Saturday. Exceptions may be granted by the County Engineer or the Development Review Manager.
- p. The developer shall dedicate a 5 feet strip of Right-of-Way along Brisson Avenue and a 30 feet strip of Right-of-Way along Celery Avenue to Seminole County. Appropriate turnlanes, tapers, and traffic improvements to accommodate the development will be identified at the time of Final Master Plan.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on June 2, 2004 and voted 4-0 to recommend transmittal of the Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential), and approval of the rezone from A-1 to PUD, subject to the attached Preliminary Master Plan and Development Order.

BOARD OF COUNTY COMMISSIONERS ACTION:

The Seminole County Board of Commissioners met on July 13, 2004 and voted 3-0 to transmit the Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) to the Florida Department of Community Affairs (DCA).



Jana.Williams@dca.state.fl.us
11/17/2004 10:44 AM

To DBoyer@seminolecountyfl.gov
cc
bcc

Subject Re: Request regarding Fall 2004 ORC

ORC preview
mmw/em/jw

Dick:

Good morning! I can definitely give you an update concerning the Department's review of the proposed 04-2 Comprehensive Plan amendment package.

The Department has identified an objection to the second and third proposed FLUM amendments (Mikler Shoppes and Florence Arbor) related to inadequate data and analysis regarding potable water capacity based on the restrictions of the consumptive use permit issued by the St. Johns Water Management District (SJRWMD). In order to link the County's land use planning and the District's water supply planning and permitting processes, the Department is recommending that the County address the following items before adopting the proposed FLUM changes:

- (1) Determine the effect the change in development potential will have on the annual growth rate for the service area that is included in the County's consumptive use permit (CUP) application and the District's draft Water Supply Assessment-2003; and
- (2) Coordinate with District staff regarding any changes in service area growth projections to determine whether or not the CUP application and water supply population and demand projections need to be modified.

The Department also identified a comment in regards to the third FLUM amendment (Florence Arbor) due to the fact that the Seminole County School Board opposed the proposed FLUM amendment without the payment of additional fees to fund school capacity improvements. The Department strongly recommends that the County coordinate with the Seminole County School Board in order to resolve this issue.

I hope this helps. Please give me a call if you have any questions.

Jana Z. Williams, Senior Planner
Office of Comprehensive Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
PH: (850) 922-1827
FAX: (850) 488-3309

DBoyer@seminolecountyfl.gov

11/16/2004 11:06 AM

To
Jana.Williams@dca.state.fl.us
cc
MWest@seminolecountyfl.gov,
TWalter@seminolecountyfl.gov,
AGilmartin@seminolecountyfl.gov,
CConsoli@seminolecountyfl.gov
Subject
Request regarding Fall 2004 ORC

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On December 14, 2004, 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: Legacy Investment, LLC
550 N. Palmetto Ave.
Sanford, FL 32771

Project Name: Celery Estates South

Requested Development Approval: Rezoning from A-1 (Agriculture District) to PUD
(Planned Unit Development)

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: Tina Deater, Senior Planner
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. The project shall be developed at a maximum density of 4 units per net buildable acre.
- b. Open space amenities shall include a tot lot, picnic tables, and a pavilion. Wet retention areas to be counted as open space shall be amenitized in accordance with the design criteria of Section 30.1344 of the Land Development Code and shall include a landscaped walking path. The applicant shall demonstrate on the Final PUD Master Plan that the open space requirements have been met.
- c. The buffer adjacent to Celery Avenue shall be a minimum of 25 feet in width and shall contain a six-foot high clay brick wall, within the five feet of the buffer furthest from the post-development Celery Avenue right-of-way line. A landscaped earthen berm/wall combination shall be allowed to be substituted for the six-foot clay brick wall if an earthen berm/wall combination is approved by the City of Sanford for the Celery Avenue buffer associated with the Celery Estates North project. The buffer shall be landscaped (on the Celery Avenue side of the berm/wall) to include at a minimum, the following per every 100 linear feet along Celery Avenue:
 1. Two canopy trees of a minimum 4-inch caliper
 2. Four understory/sub-canopy trees of a minimum 1.5 inch caliper
 3. A continuous hedge line of at least 30 inches in height and 30 inches on center (as measured at the time of planting) located behind the required landscape trees. The hedge may be interrupted for ingress or egress.
- d. The residential lots shall have a minimum width of 50 feet at the building line and shall contain a minimum of 5,000 square feet. Corner lots shall have a minimum width of 60 feet at the building line and shall contain a minimum of 6,000 square feet.
- e. The following minimum building setbacks shall apply to the single-family homes:
 1. Front: 20 foot
 2. Rear: 20 foot
 3. Side: 5 foot

4. Side Street: 20 foot
- f. The following setbacks shall apply for accessory structures, pools, and pool screen enclosures:
 1. Pools and other accessory structures: Rear – 7.5 foot, Side – 7.5 foot
 2. Screen enclosures: Rear – 5 foot, Side – 5 foot
- g. Building heights shall not exceed a maximum of 35-feet.
- h. Permitted uses for the residential portion of the project shall be single-family homes and customary accessory uses, home occupations, and home offices.
- i. All landscape buffers and common areas shall be maintained by a homeowners association.
- j. The developer shall provide a pedestrian circulation system giving access to all public portions of the development as well as connecting to existing sidewalks outside the development.
- k. The developer shall construct a 5-foot wide sidewalk along the south side of Celery Avenue.
- l. The developer shall provide a bus stop for the use of school children. The location and details shall be provided with the Final Master Plan.
- m. Architectural renderings of the buildings shall be provided with the Final Master Plan.
- n. A subdivision entrance sign plan shall be included with the Final Master Plan.
- o. Construction activity shall be permitted only between the hours of 7:00 am to 9:00 pm, Monday through Saturday. Exceptions may be granted by the County Engineer or the Development Review Manager.
- p. The developer shall dedicate a 5 feet strip of Right-of-Way along Brisson Avenue and a 30 feet strip of Right-of-Way along Celery Avenue to Seminole County. Appropriate turnlanes, tapers, and traffic improvements to accommodate the development will be identified at the time of Final Master Plan.

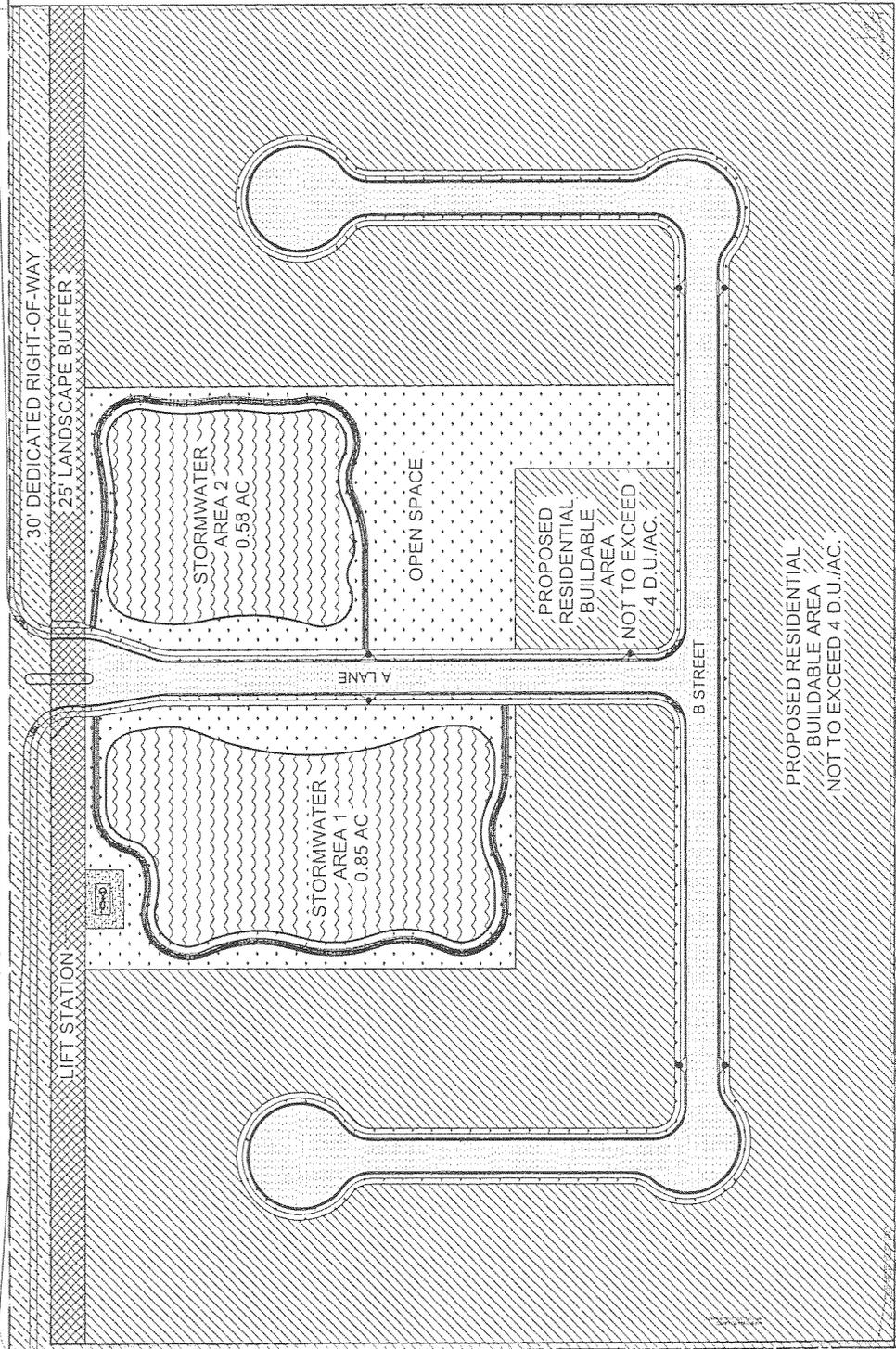
(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by 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: _____
Chairman, Board of County Commissioners

CELERY AVENUE (COUNTY ROAD 415)



SITE DATA
 PROJECT SITE AREA: 589,347 SQ. FT. (13.33 AC)
 CURRENT FUTURE LAND: SE (SUBURBAN ESTIMATES)
 PROPOSED FUTURE LAND: LCH (LOW DENSITY RESIDENTIAL)
 USE DESIGNATION: A1 (SINGLE-FAMILY)
 CURRENT ZONING: A1 (SINGLE-FAMILY)
 PROPOSED DENSITY: 4 D.U./AC
 MINIMUM LOT SIZE: 5,000 SQ. FT.
SETBACKS:
 FRONT: 20 FEET
 SIDE: 5 FEET
 REAR: 20 FEET
NET BUILDABLE ACREAGE
 GROSS SITE AREA: 14.97 AC
 EXTERNAL RAW REDUCTIONS: -0.74 AC
 PRIVATE ROAD WAY: -1.12 AC
 NET BUILDABLE AREA: 11.81 AC

COMMON USABLE OPEN SPACE
 GROSS SITE AREA: 14.97 AC
 PRIVATE RAW REDUCTIONS: -1.12 AC
 RESIDENTIAL LOTS: -7.74 AC
 EXTERNAL RAW REDUCTIONS: -0.74 AC
 TRANSMISSION LINE EASEMENTS: -0.28 AC
 LIFT STATION EASEMENT: -0.09 AC
 USABLE OPEN SPACE: 3.17 AC = 43 %

NET BUILDABLE ACREAGE
 GROSS SITE AREA: 14.97 AC
 EXTERNAL RAW REDUCTIONS: -0.74 AC
 PRIVATE ROAD WAY: -1.12 AC
 NET BUILDABLE AREA: 11.81 AC

COMMON USABLE OPEN SPACE
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TYPICAL LOT DETAIL

KEY
 BUILDABLE AREA
 STORMWATER AREA
 OPEN SPACE AREA
 PAVEMENT AREA
 RIGHT-OF-WAY AREA
 LANDSCAPE BUFFER AREA
 LIFT STATION AREA

NOTES
 1. NO RIGHT-OF-WAY PAVEMENTS REQUESTED.
 2. CIPN AREAS AND EMBANKMENT AREAS SHALL BE MAINTAINED BY THE HOMEOWNER.
 3. CIPN AREAS AND EMBANKMENT AREAS SHALL BE MAINTAINED BY THE HOMEOWNER.
 4. DRAINAGE RETENTION PONDS SHALL BE MAINTAINED BY THE HOMEOWNER.
 5. NO MATERIAL FROM A SUBURBAN OPERATION IS PLANNED FOR EXPORT OFF-SITE.
 6. DETAIL FOR PEDESTRIAN TRAIL FEATURES ARE PROVIDED.
 7. PARK AMENITIES SHALL INCLUDE 10' LOT "POUCH" TABLES AND PAVILION. SEE LANDSCAPE PLAN FOR DETAILS.
 8. ALL STREET SPACES SHALL BE MAINTAINED BY THE HOMEOWNER.
 9. ALL STREET SPACES SHALL BE MAINTAINED BY THE HOMEOWNER.
 10. STORMWATER AREA WILL INCORPORATE AN AMENITIZED, MEASURING LANDSCAPE BED LOG PATH.

Rev.	Date	Approved	Rev.	Date	Approved
A			A		
A			A		

Approved	Design/Draw	N.I.C.E.	Scale	Sheet	1" = 40'	Scale	Sheet

CELERY ESTATES
 SOUTH
 SEMINOLE COUNTY, FLORIDA

PROPOSED FUTURE
 LAND USE PLAN

Stamp: **gph** (Professional Engineer Seal)
 Stamp: **JAMES E. MULLOUP, P.E.**
 Stamp: **C-1** (Professional Engineer Seal)
 Stamp: **STATE OF FLORIDA**

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION; 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, "Celery Estates South Large Scale Land Use Amendment and Rezone 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 to PUD:

SEE ATTACHED EXHIBIT A

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 filing this order by the Department and recording of Development Order #04-10000001 in the official land records of Seminole County.

ENACTED this 26th day of October, 2004.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____

Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

**LEG SEC 32 TWP 19S RGE 31E W $\frac{3}{4}$ OF N $\frac{1}{2}$ OF NW $\frac{1}{4}$ OF NE $\frac{1}{4}$, ALL LYING IN
SEMINOLE COUNTY, FL, LESS ROADS ROW'S**

NOTICE OF AMENDMENT ORDINANCE

Adoption of the 2004 Fall Cycle Large Scale Amendment Ordinance

Should the Board of County Commissioners ("the Board") move to adopt an amendment ordinance for this hearing item, a single ordinance will be presented to the Board for enactment following the last large scale amendment hearing of this cycle. The ordinance presented to the Board for enactment will include all the previously approved hearing items, if any, for this large scale amendment cycle. The proposed ordinance title is:

AN ORDINANCE AMENDING THE VISION 2020 SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATIONS OF CERTAIN PROPERTIES BY VIRTUE OF LARGE SCALE DEVELOPMENT AMENDMENTS; AMENDING THE TEXT OF THE CAPITAL IMPROVEMENTS, CONSERVATION, FUTURE LAND USE AND POTABLE WATER ELEMENTS OF THE COMPREHENSIVE PLAN; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Cindy Crane of 820 Banana Lake Road spoke in opposition. She is concerned with the density of the project. The height of the condominiums should be restricted to 2 stories. She is also concerned about the impact this project will have on the schools. The intersection near this project will be a nightmare.

In rebuttal, John Gilmartin stated that the proposed use will not be as intense as it would be at the current office use.

Commissioner Hattaway read the comments of Dianne Kramer, representing the Seminole County School Board.

Commissioner Tucker asked if the existing single-family homes on the property would be demolished.

Mr. Pelloni stated that they would be.

Commissioner Tucker made a motion to recommend approval of the rezone and transmittal of the Large Scale Land Use Amendment and attached Master Plan.

Commissioner Hattaway seconded the motion.

The motion passed by a vote of 4 – 1.

G. Celery Estates South; Suncor Properties, Inc. / Robert Horian, applicants; approximately 14.27 acres; Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) and rezone from A-1 (Agriculture) to PUD (Planned Unit Development); located on the southeast corner of the intersection of Celery Ave. and Brisson Ave. (04F.FLU01 and Z2004-012)

Commissioner McLain – District 5
Tina Deater - Senior Planner

Ms. Deater stated that this is the second phase of Celery Estates. The applicants are proposing a single-family residential subdivision with a maximum density of 4 dwelling units per net buildable acre. The applicant is requesting an earthen berm/wall combination to be substituted for the 6 foot clay brick wall, pending approval by the City of Sanford for the Celery Avenue buffer associated with the Celery Estates North project. Staff recommends approval of the request for a Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) and Rezone from A-1 (Agriculture District) to PUD (Planned Unity Development District) on approximately 14.27 acres, and approval of the associated Preliminary Master Plan.

Scott Phillips of CPH Engineers, Sanford, stated that he agreed with the terms stated in the staff report and that he asked for approval of the request.

No one spoke from the audience concerning the request.

Commissioner Tucker asked why a clay brick wall was being recommended. There are other attractive alternatives that cost less.

Matt West stated that this comes from the Overlay Standards. The people from the public who gave input in the drafting of the Overlay Standards specified brick.

Karen Consalo stated that the County wanted the red brick wall to avoid the placement of a concrete block wall.

Commissioner Tucker expressed concern for the placement of sidewalks.

Mr. West stated that this project (Celery Estates North and Celery Estates South) is split between two jurisdictions. The developer will put sidewalks along Celery Avenue. When other portions are developed, sidewalks will come.

Commissioner Tucker asked if there would be enclosed drainage along Celery Avenue in this area.

Jim Potter, Senior Engineer with the Development Review Division, stated that the project presented to him thus far has been only conceptual. If they are going to widen the road, drainage will have to be addressed. Either swales or pipes would be considered.

Jim McMullen of CPH Engineers spoke also. He is the Engineer of Record on the project. He said that he is trying to be compatible with existing development. There is a stormwater culvert nearby on Brisson Avenue. They are giving 30 feet of right of way on either side of the road. Eventually there will be 100 feet of right of way for Celery Avenue in this area. There is plenty of traffic capacity on Celery Avenue according to Traffic Engineering. There will be 47 homes. There will be interior sidewalks. School Bus Stop placement will be designated at the time of Final Master Plan approval. Turn lanes have been designated off Celery Avenue.

Commissioner Tucker stated that school bus stops have been designated near the entrance to the subdivision in other projects.

Tina Deater pointed out that item "L" states that school bus stops will be worked out at the time of final master plan approval.

Commissioner Hattaway asked about screen enclosure setbacks.

Mr. McMullen said that setbacks listed should be good without requiring home owners to get a variance to have screen enclosures.

Commissioner Hattaway asked that if berms were used, would they be irrigated.

Mr. McMullen stated that irrigation was required.

There was no further discussion.

Commissioner Bates made a motion to recommend approval and transmittal of the request for a Large Scale Land Use Amendment from Suburban Estates to Low Density Residential and Rezone from Agriculture 1 to Planned Unit Development and approval of the Preliminary Master Plan, according to Staff recommendations.

Commissioner Hattaway seconded the motion.

The motion passed unanimously (4-0).

There was no further business to be discussed.

The meeting adjourned at 10:00 P.M.

Respectfully submitted,

Candace Lindlaw-Hudson, Secretary

JULY 13, 2004

appellant and only three people total living there. He said the appellants were hauling the sewage away. The County had been on site and there was no evidence of sewage disposal. He said the appellants are very conscientious of the environment.

No one else spoke in support or in opposition.

Speaker Request Forms were received and filed.

Motion by Commissioner Van Der Weide, seconded by Commissioner Henley, to support the District Commissioner's recommendation to reverse the Board of Adjustment's decision, thereby granting a special exception for the continued placement of a recreational vehicle as a limited use in the A-5 (Rural Zoning Classification) District for a six-month period at 1290 Bee Lane; as described in the proof of publication, Michelle Chalstrom; Decision on Appeal, as shown on page _____.

Districts 3, 4, and 5 voted AYES.

LARGE SCALE LAND USE AMENDMENT
SUNCOR PROPERTIES AND ROBERT HORIAN

Proof of publication, as shown on page _____, calling for a public hearing to consider approval of transmittal of a Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) to the Florida Department of Community Affairs on approximately 14.27 acres, located on the southeast corner of Celery Avenue and Brinson Avenue, Suncor Properties and Robert Horian, received and filed.

Tina Deater, Senior Planner, addressed the Board to present the request. She asked Mr. West to provide some background information.

Mr. West gave background information on the Celery Avenue Planning Agreement, stating that since the Celery Avenue Overlay Standards have not been officially adopted, staff had to provide those in the development order for this project. He said the

JULY 13, 2004

project is for west of the Agricultural Station and is for four dwelling units per net buildable acre. Staff has had several meetings with the City of Sanford over this project. A mirror project will occur on the east side of Celery Avenue.

Upon inquiry by Commissioner Henley, Mr. West said he anticipates the adoption date for this amendment and rezone to be in November or December 2004. Commissioner Henley stated Ms. Kramer had raised the issue about schools in this area being overcrowded but there is some relief coming. He was wondering when the project would be ready for the certificate of occupancy.

Chairman McLain said he thinks Ms. Kramer indicated they would like to have the school open before the 2005-06 school year.

Mr. West stated it would probably be early next year that they could start billing dirt.

No one spoke in support or in opposition.

Motion by Commissioner Van Der Weida, seconded by Commissioner Henley, to support the staff recommendation to approve and transmit the requested Large Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential); Rezone from A-1 (Agriculture District) to PUD (Planned Unit Development District); and Preliminary Master Plan to the Florida Department of Community Affairs, on approximately 14.27 acres, located on the southeast corner of Celery Avenue and Brisson Avenue; as described in the proof of publication, Suncor Properties and Robert Horian, subject to the Development Order, as shown on page _____.

Districts 3, 4, and 5 voted AYE.



Dianne_Kramer@scps.k12.fl.us
05/18/2004 09:46 AM

To: TDeater@seminolecountyfl.gov
cc: Board-Members_DL/scps_esc@mail.scps.k12.fl.us
Subject: RE: Large Scale Land Use Amendments

Even though there are only 320 condos/townhomes, we are very much opposed to any change of land use that converts office, commercial, or industrial land use designations to designations that include residential land uses. The area that you have described for Florence Arbor is served by the Northwest Cluster for elementary schools (Wilson, Bentley, Idyllwilde, and Wicklow); Sanford Middle School; and Seminole High School. All of these schools are currently over capacity. Classroom additions at Wilson and Bentley will open in August 2005 and a new middle school next to Heathrow Elementary will open in August 2006. High School attendance zones will be revised this year to create an attendance zone for Hagerty High School that opens in the Oviedo area in August 2005. Additions and renovations at Seminole High School are currently in progress. No other improvements are planned for the area surrounding Florence Arbor, and the current plans will accommodate only the current population and the previously approved residential development.

The Celery Estates South project will have minimal impact, but it is also located in an area where all of the schools are over capacity. It would be served by the Northeast Cluster (Midway, Hamilton, and Pine Crest) for elementary schools; Millennium Middle School; and Seminole High School. A new Midway Elementary School will be built on 20th Street between Brisson and Sipes Ave. That school should be open by August 2006.

Please let me know if you need additional information. Thanks.

Dianne L. Kramer, Deputy Supt./Operations
Seminole County Public Schools
407.320.0060 direct line
407.320.0292 FAX

mailto:dianne_kramer@scps.k12.fl.us

-----Original Message-----

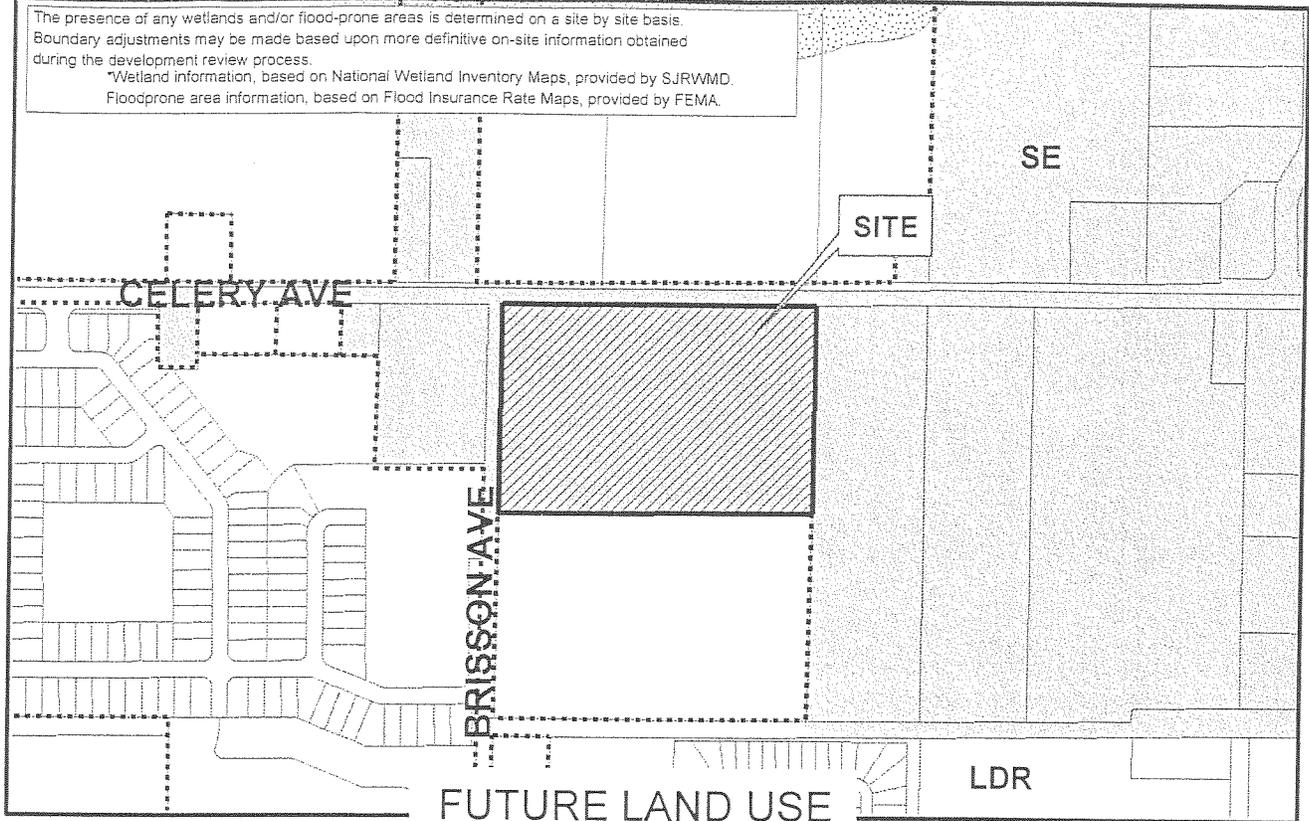
From: TDeater [mailto:TDeater@seminolecountyfl.gov]
Sent: Tuesday, May 18, 2004 9:15 AM
To: Dianne Kramer
Subject: Large Scale Land Use Amendments

Hello,

I am working on staff reports for two Large Scale Land Use Amendments and rezones that will be heard by the Planning and Zoning Board on 6/2/04 and the BCC on 7/13/04. I wanted to get some information about school impacts prior to finishing the reports. Here is the information about the two cases:

Florence Arbor Rezone; Justin Pelloni, applicant; approximately 27.2 acres; Large Scale Land Use Amendment from Office to Planned Development and rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for a

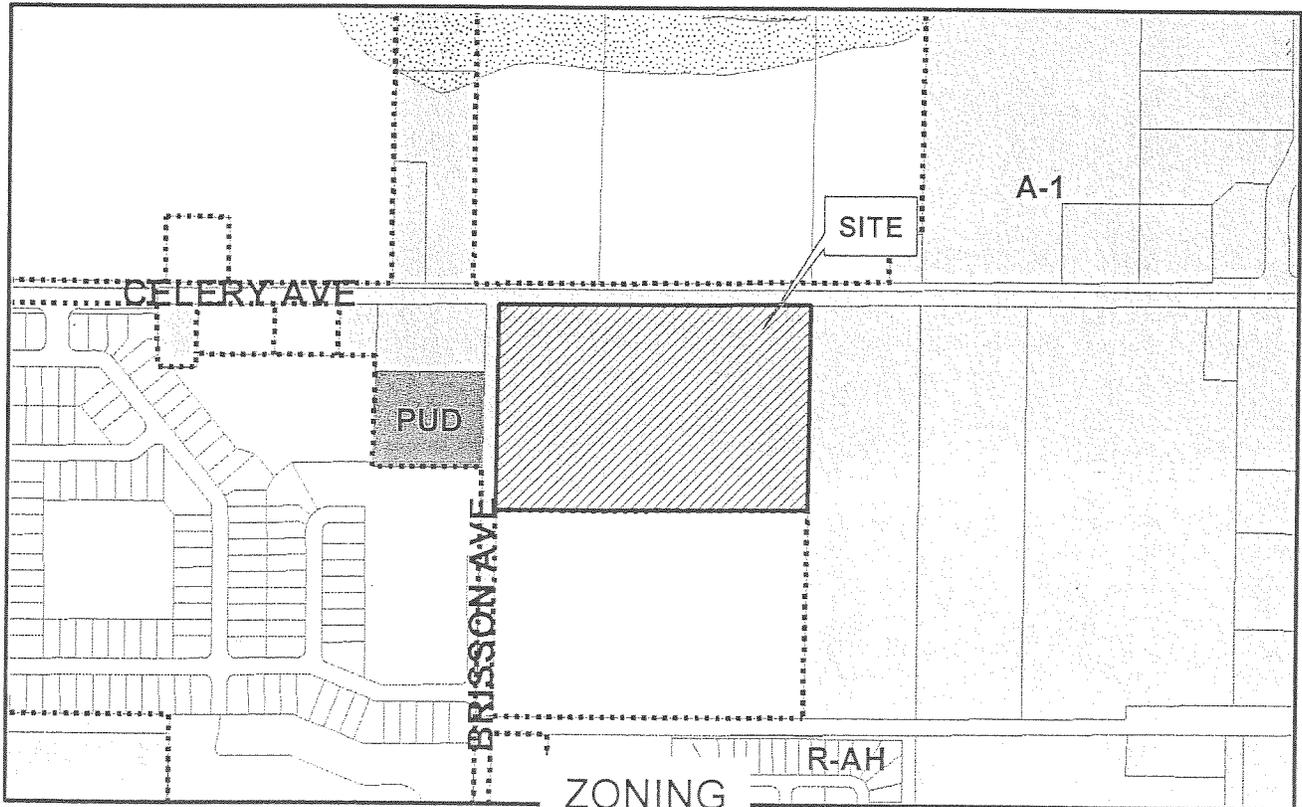
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



Site
 Municipality
 SE
 LDR
 CONS

Applicant: Suncor Properties, Inc.
 Physical STR: 32-19-31-300-0140-0000
 Gross Acres: +/- 14 BCC District: 5
 Existing Use: Miscellaneous Residential
 Special Notes: None

	Amend/ Rezoning#	From	To
FLU	04F.FLU01	SE	LDR
Zoning	Z2004-012	A-1	PUD



A-1
 R-AH
 PUD
 FP-1
 W-1



Amendment No: 04F.FLU01

From: SE To: LDR

Rezone No: Z2004-012

From: A-1 To: PUD

 Parcel

 Subject Property



February 1999 Color Aerials