

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY/PLANNING & ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Rezoning from A-1 to PUD (South Tuskawilla Property, Aloma Development LLC, M.E. McGuire, applicant)

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

AUTHORIZED BY: Matthew West **CONTACT:** Cindy Matheny^{CM} EXT. 7430

Agenda Date 4/3/02 **Regular** **Work Session** **Briefing**
Special Hearing – 6:00 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

Denial of the rezone from A-1 to PUD for a 41.55-acre parcel located west of SR 417 and 2000 feet south of SR 426, Aloma Development, LLC, M.E. McGuire, applicant.

(District 1 – Maloy)

(Cindy Matheny-Senior Planner)

BACKGROUND:

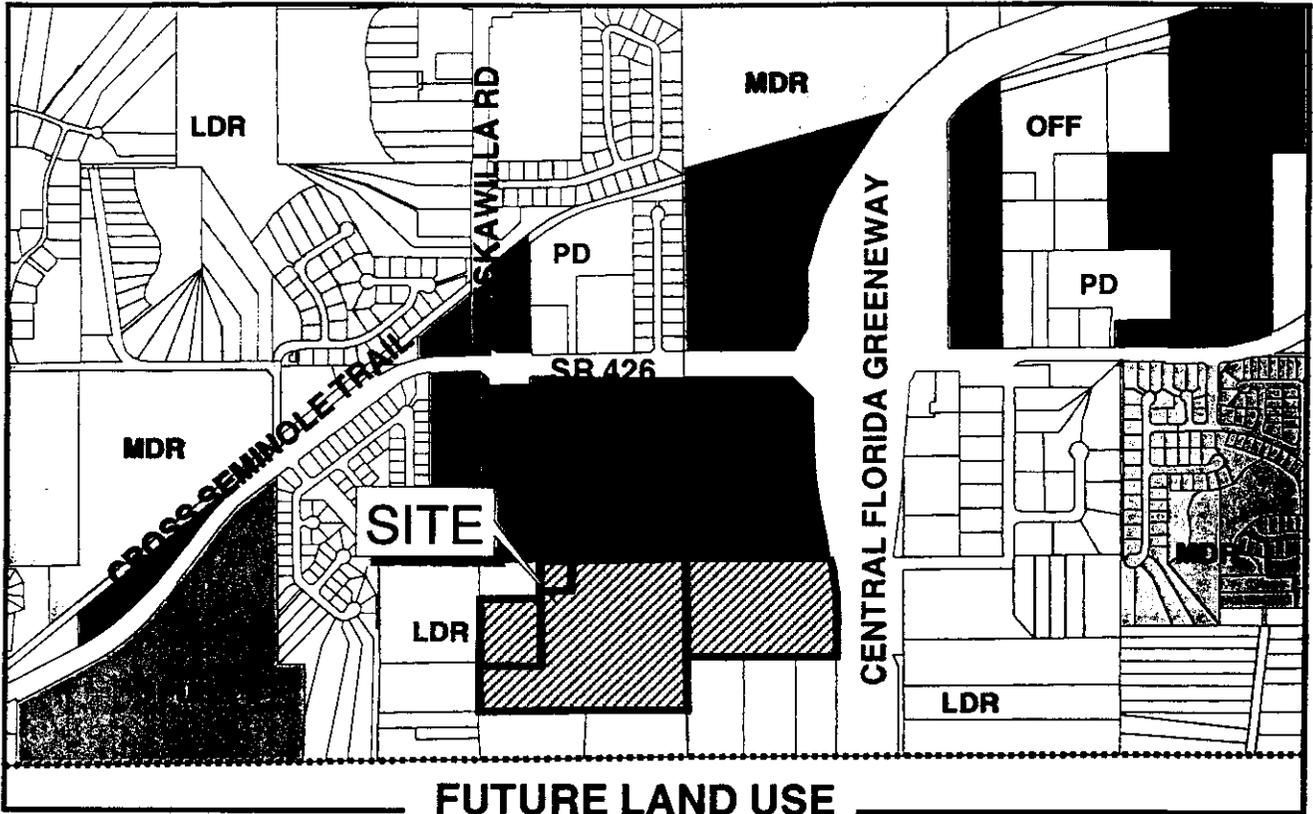
The applicant is requesting a rezoning from A-1 (Agricultural) to PUD (Planned Unit Development) in order to construct a 144 lot single-family subdivision on a 41.55-acre site. The site is designated as Low Density Residential (LDR) land use and abuts Higher-Intensity Planned Development land use to the north, and LDR to the south and west. Staff has concerns regarding legal and adequate access to the site, access to adjacent properties, and site design.

STAFF RECOMMENDATION:

Denial of PUD zoning with staff findings per the attached Administrative Order.

Reviewed by:
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____

File No. Z2001-057

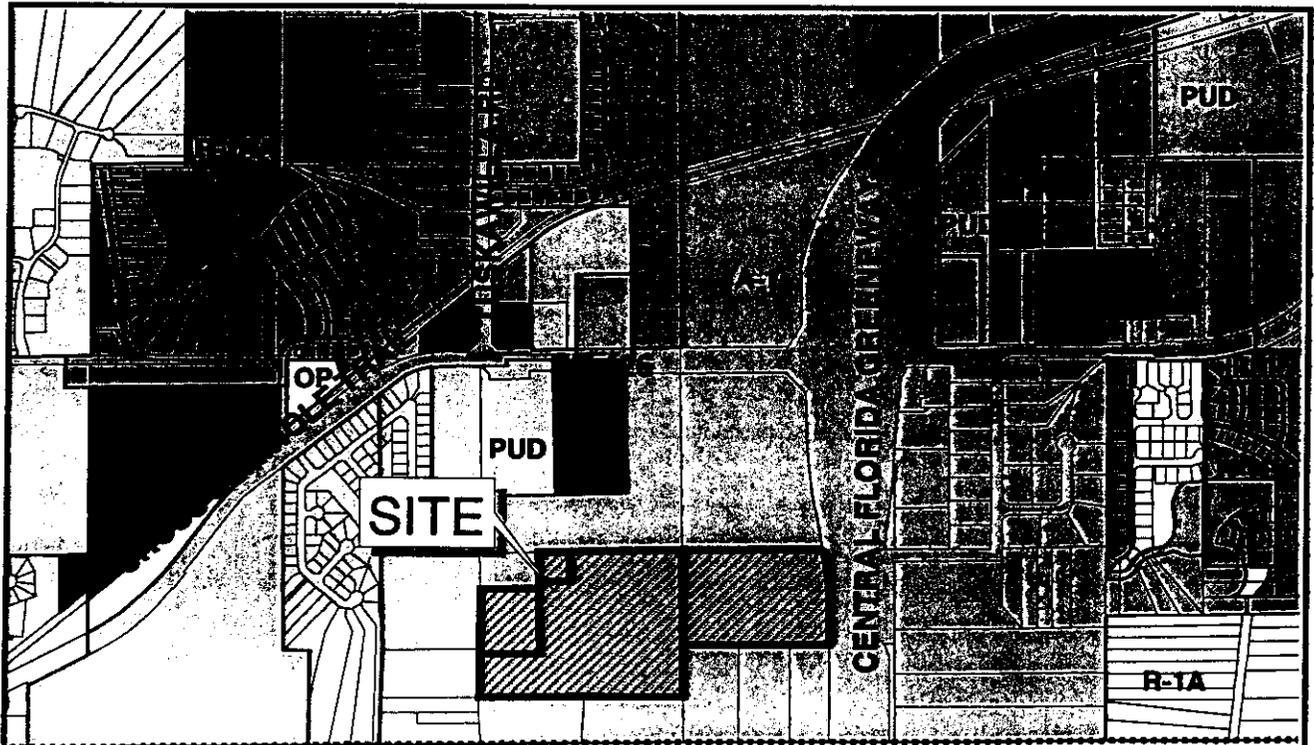


FUTURE LAND USE

Site
 Municipality
 COM
 LDR
 MDR
 PUBS
 HIP
 PD
 OFF

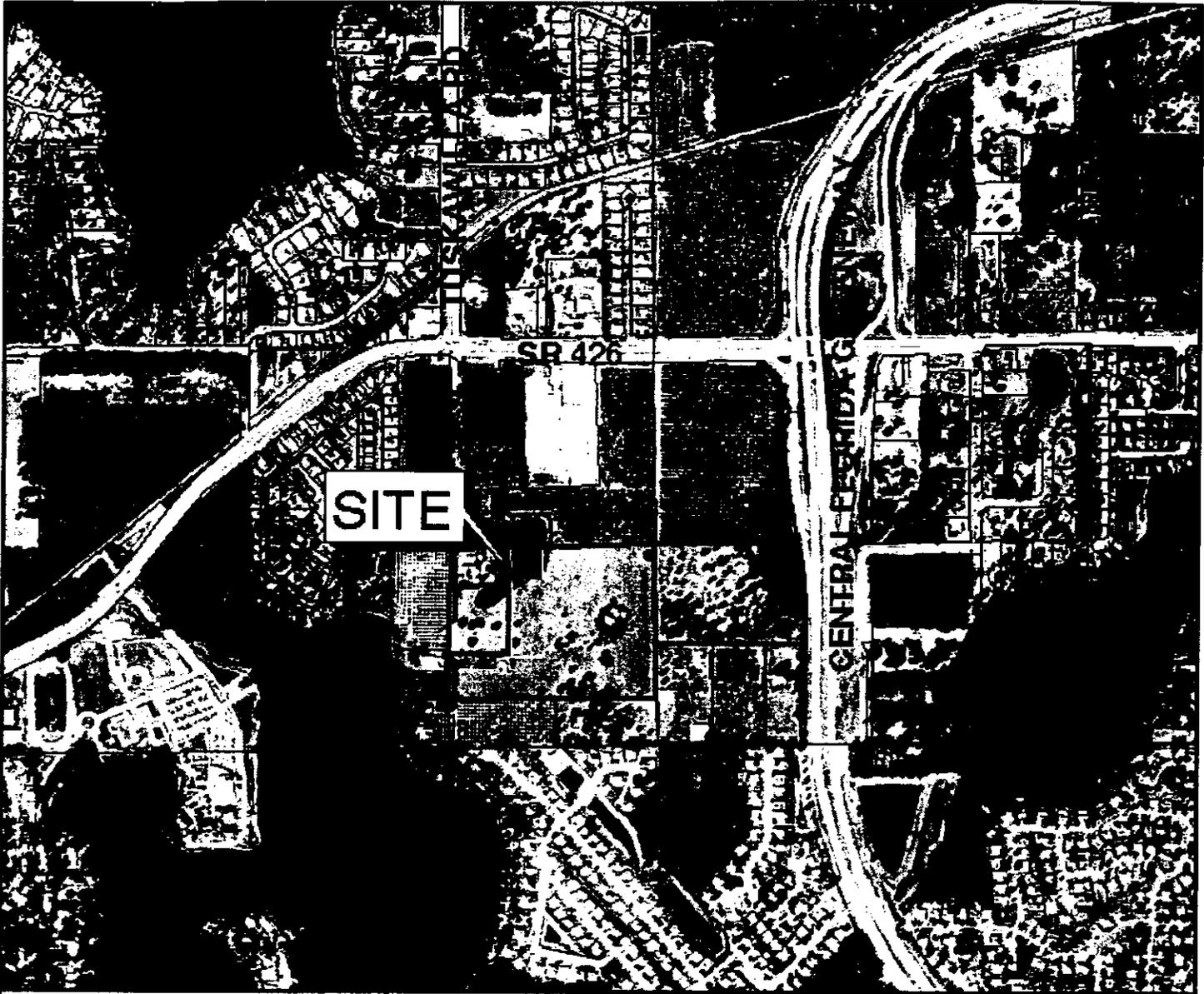
Applicant: Aloma Development, L.L.C.
 Physical STR: 31-21-31-501-0000-0180 & 36-21-30-300-0260, 026C, 0270-0000
 Gross Acres: +/-41.55 BCC District: 1
 Existing Use: Single Family House, Vacant
 Special Notes: _____

| | Amend/Rezone# | From | To |
|--------|---------------|------|-----|
| FLU | -- | -- | -- |
| Zoning | Z2001-057 | A-1 | PUD |



ZONING

A-1
 R-1A
 R-1AA
 R-1BB
 R-3A
 OP
 PCD
 PUD



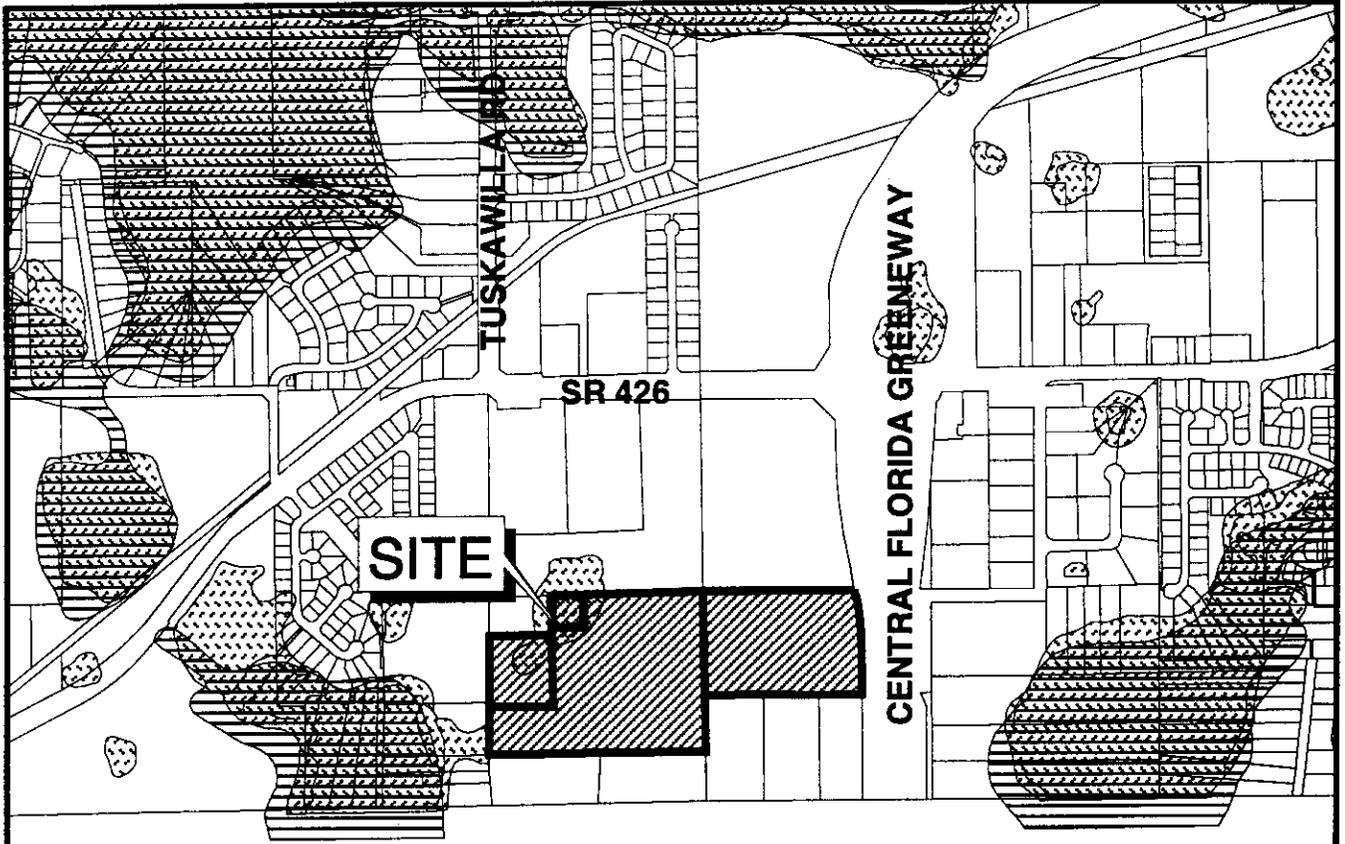
Rezone No. Z2001-057
From: A-1 To: PUD

-  Subject Property
-  Parcelbase



February 1999 Color Aerials

CONSERVATION



ORANGE COUNTY

Rezone Z2001-057
From: A-1 To: PUD
[Hatched Box] Subject Property
[White Box] Municipality
[Thick Line] Flood
[Dotted Box] Wetlands



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.*

**SOUTH TUSKAWILLA ROAD PROPERTY/ALOMA
DEVELOPMENT LLC
REZONING FROM A-1 TO PUD**

| | | |
|----------------------------|--|--------------------|
| APPLICANT | Aloma Development, LLC | |
| PROPERTY OWNER | M.E. McGuire | |
| REQUEST | Rezone from A-1 (Agricultural) to PUD (Planned Unit Development) | |
| HEARING DATE (S) | P&Z: April 3, 2002 | BCC: April 9, 2002 |
| SEC/TWP/RNG | 31-21-31-501-0000-0180 | |
| LOCATION | West of SR 417 and 2000 feet south of SR 426 | |
| FUTURE LAND USE | Low Density Residential | |
| FILE NUMBER | Z2001-057 | |
| COMMISSION DISTRICT | # 1, Maloy | |

OVERVIEW

Zoning Request: The applicant is requesting a rezoning from A-1(Agricultural) to PUD (Planned Unit Development) to develop a 144-lot single-family subdivision on approximately 41.55 acres of property. Access to the site would be via Deep Lake Road from SR 426. There is an existing wetland in the northwest portion of the site.

The designated Land Use for the site is Low Density Residential (LDR), which potentially permits a maximum net density of 4 dwelling units per acre. The preliminary PUD plan submitted by the applicant, dated February 26, 2002, contains 144 lots and a net density calculation which appears to result in 4.0 units per acre. Staff is of the opinion that the applicant's density calculations are not consistent with the methodology specified by the Seminole County Land Development Code (SCLDC) and Seminole County Comprehensive (Vision 2020) Plan, which require that wetland and floodprone areas, power easements, and road rights-of-ways be subtracted from the gross land area. The applicant has excluded internal road rights-of-way and a power easement from the net density calculation. However, on-site wetlands were not excluded. Staff has calculated the actual net density at approximately 4.2 units per acre, exceeding the maximum allowable density in the LDR land use designation.

Included within the site is 1.89 acres of wetlands located in the northwest corner of the parcel, and the plan proposes a 25-foot wide upland buffer. The southwest portion contains a 1.75-acre power easement. Between these two features lies a proposed 11.49-acre retention pond referred to as Tract B, Park/Retention/Open Space. The plan asserts that this tract is counted towards the required 25% open space for the PUD. However, the applicant has not provided documentation that the pond would be amenitized as required by Sec. 30.1344 of the SCLDC in order to be included as part of the required open space. Examples of amenities include walking trails, fountains, picnic areas and gazebos surrounding an aesthetically-shaped water body. The applicant needs to demonstrate that

the open space requirement is met. Additionally, no details regarding height of buildings or setbacks for pools and accessory buildings have been submitted as required by Section 30.444 of the SCLDC.

The applicant is also proposing to enhance the wetland area and receive density credits at 4 dwelling units per acre for the 1.89-acre wetland site. The SCLDC does not provide for such credits, and therefore this aspect of the proposal cannot be approved.

Access to the site will be via Deep Lake Road, a 16-foot wide unimproved private road serving homeowners south of the project. Deep Lake Road provides access from SR 426 and intersects that roadway approximately 1360' east of the Tuskawilla Road extension. County records indicate that the adjacent property owners dedicated the roadway for public use but that it was never accepted by the County. The applicant is requesting that this access road be vacated for this project; however, it is privately owned and the applicant must receive permission from all the property owners for whom this road provides access. The applicant is proposing an ingress/egress easement through the site to allow access to existing homes to the south. No written documentation has been submitted showing the owners of Deep Lake Road have agreed to vacate the road.

The internal access roads are proposed to be private, and are designed with 30' right-of-way widths. Design Objective 3 of the Vision 2020 Plan provides the "essential ingredients for successful neighborhoods", which include, but are not limited to, standard pavement widths, room for on-street parking, and street trees. These objectives could not be accomplished with the proposed 30-foot right-of-way. A further concern is that the main north-south road through the project is designed to provide access to adjacent parcels that utilize Deep Lake Road and have a combined area of approximately 21 acres. Those parcels could potentially be developed at LDR densities of up to 4 units per acre. Staff is of the opinion that this road should be upgraded to a 2-lane collector to provide adequate access to the current project and potential future projects.

Existing Land Uses: The existing zoning designations and land uses are as follows:

| Direction | Existing Zoning | Future Land Use |
|------------------|--------------------------|--------------------------------------|
| North | A-1, PUD, PCD | Higher Intensity Planned Development |
| South | A-1 | Low Density Residential |
| East | Central Florida Greenway | Central Florida Greenway |
| West | A-1 | Low Density Residential |

For more detailed information regarding zoning and land use, please refer to the attached map.

SITE ANALYSIS

Facilities and Services:

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed zoning is consistent with the adopted future land use designation assigned to the property and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan.
3. The site will be served by Seminole County water and sewer.

Compliance with Environmental Regulations: The project must comply with the requirements of the W-1 Wetlands Overlay District. An undisturbed wetland buffer averaging 25' and not less than 15' is required landward of the wetland limits.

Compatibility with surrounding development: Currently, the surrounding properties have Low Density Residential, Planned Development and Higher Intensity Planned Development land use designations. The proposed Planned Unit Development zoning classification, with appropriate development standards, would be compatible with the adjacent land use designations.

STAFF RECOMMENDATION

Staff recommends that the proposed PUD zoning:

1. Is not consistent with the provisions of the Seminole County Land Development Code related to PUD zoning; and,
2. Is not consistent with the policies of the Seminole County Vision 2020 Plan related to the Low Density Residential future land use designation; and,
3. The applicant has not demonstrated the ability to meet SCLDC requirements related to access, design, density, and roadway standards.

Therefore, Staff does not recommend the proposed rezoning from A-1 to PUD on the site.

PLANNING AND DEVELOPMENT



DATE: 18 November 2001
TO: Don Fisher; Planning and Development Director
THROUGH: Mahmoud Najda, P.E.; Development Review Manager
FROM: Francisco Torregrosa; Natural Resources Officer
RE: Tuscawilla Road and SR 426 Wetland Assessment
CC: Jean Abi-Aoun, P.E.; Principal Engineer, DRD
Bryan Potts; Senior Engineer, DRD

The following are the findings of a wetland assessment for an area in question located approximately 1200 feet southeast of the intersection of Tuscawilla Road and SR 426 in Section 36, Township 21S, Range 30E. This assessment was conducted to determine if the on-site wetland is a naturally occurring wetland or was created as a cattle watering hole.

Summary

Although the wetland has incurred significant disturbance from past land use activities, all indications lead to the conclusion that the wetland was not man-made but rather a naturally occurring marsh. As such, this area meets the criteria for designation as a jurisdictional wetland following the State's Unified Wetland Delineation Methodology.

Site Conditions

Topography:

The area in question lies in a depression within the landscape. Higher elevations occur all around thus making the wetland act as a "sink" for the surrounding landscape.

Soils:

The Soil Conservation Service has identified the area as consisting of Basinger, Samsula, and Hontoon soils, depressional (10). They describe the soil type as "nearly level and very poorly drained. These soils are in swamps and depressions." Typically, these soils are inundated for six or more months per year. They are characterized by having a layer of mucky fine sand or muck from six to 30 inches thick.

Historical:

Aerial photography from 1940 was reviewed to assess historical site conditions. The photography revealed the area in question to be a shallow lake surrounded by a marshy ring of vegetation. Land uses in 1940 included citrus groves to the north which terminated on the shores of this wetland, and

forested pastureland to the south. A distinct vegetational difference is evident around the wetland. This ring of vegetation does not appear broken by the actions of cattle coming in the drink.

Conclusion

In conclusion, it appears that topography, soils, and archival photography indicate the wetland is natural and not created to provide a water hole for cattle. As such, Land Development Code regulations for areas afforded a W-1 designation will apply to this area.

STORM L. RICHARDS & ASSOCIATES, INC.
ENVIRONMENTAL ASSESSMENTS, FEASIBILITY STUDIES, & PERMITTING
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SANFORD, FLORIDA 32771-3358
(407) 323-9021 FAX: (407) 366-0538

DR. JEANNE FILLMAN-RICHARDS, President
DR. STORM L. RICHARDS

February 25, 2002

Mr. Javier Torregrosa
Natural Resources Officer
Environmental Compliance
Development Review Division
Seminole County
1101 East First Street
Sanford, Florida 32771-1468

Re: Proposed increase in density credits for on-site wetland restoration, enhancement, and creation on the proposed South Tuskawilla Road development site previously delineated by Storm L. Richards & Associates, Inc., the site consisting of the following two parcels:

Northern parcel, located southeast of the intersection of Tuskawilla Road and Highway 426, in portions of Section 36, Township 21 South, Range 30 East, southwest of Oviedo, Seminole County, Florida
32765

Southern parcel, located southeast of the intersection of Tuskawilla Road and Highway 426, in portions of Section 36, Township 21 South, Range 30 East and Section 31, Township 21 South, Range 31 East, southwest of Oviedo, Seminole County, Florida
32765

Dear Mr. Torregrosa:

The isolated wetland located on the east side of Tuskawilla Road in Section 36, Township 21 South, Range 30 East, has been flagged, surveyed, and had preliminary review by the St. Johns River Water Management District. A final review by the St. Johns

Mr. Javier Torregrosa
Natural Resources Officer
Environmental Compliance
Development Review Division
Seminole County
February 25, 2002

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River Water Management District will take place when permitting submission is made. The wetlands are predominantly herbaceous vegetation with dog fennel (Eupatorium capillifolium) as the predominant species in the wetland (see Appendix 3--Current Site Photography, along with Appendix 1--Wetland Analysis on Northern Parcel, Dated February 14, 2002, and Appendix 2--Wetland Analysis on Southern Parcel, Dated February 14, 2002). It has been well documented both by aerial photography and letters from adjacent property owners that past agricultural activities have significantly changed the wetland character of the existing wetland area.

Description of Wetlands

The existing wetlands are herbaceous vegetation and consist of predominantly dog fennel and low marsh grasses (Florida Land Use, Cover, and Forms Classification System, FLUCFCS, Type 6415). Some habitat value is derived from this wetland including, but not limited to feeding resources and aquatic-dependent species of floral and faunal habitat. It is likely that during severe drought conditions the wetland does not maintain water and the hydroperiod varies considerably. This seasonal fluctuation is evident in the photographs of the southeastern quadrant of the property, which is an area that will likely support forested wetland species (FLUCFCS Types 620--Wetland Coniferous Forests and 621--Cypress) including bald cypress (Taxodium distichum var. distichum), red maple (Acer rubrum), sweetgum (Liquidambar styraciflua), and slash pine (Pinus elliottii).

The northeastern and northwestern quadrants of the wetland area represents an area that shows past excavation of the wetlands, an approximately 10' fall from the existing surface grade to the wetlands. The planted pine and citrus are located at-grade and the wetland areas consist predominantly of dog fennel (Eupatorium capillifolium) and low marsh grasses (FLUCFCS Type 6415) in this area. There are isolated shelves located in both the northeastern and northwestern quadrants. The shelves (see Appendix 3--Current Site Photography) provide an excellent location for both forested and herbaceous vegetation planting which will add to plant diversity in these wetlands, current photography of these quadrants showing proposed planting areas.

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The southeastern and southwestern quadrants are arbitrarily located where the wetlands have been stripped of dog fennel and consist of open water (FLUCFCS Type 600) (see Appendix 3--Current Site Photography).

The wetland reports prepared for Aloma Development, L.L.C. on the two parcels of the subject site are included as Appendices 1 and 2 of this letter report. These wetland reports give the FLUCFCS types and Soils Conservation Service soils types along with mapping information on the subject site.

Proposed Mitigation

The wetlands described in this report are anticipated not to be impacted. An average 25' buffer not to be less than an average of 15' unless agreed upon prior to development will be maintained. The proposed mitigation is not presented for wetland impacts. The restoration, enhancement, and creation of the wetlands is proposed for density credit on the proposed project in lieu of off-site mitigation because of possible impacts to the wetlands for development purposes. This proposal of density credits and proposed mitigation was discussed with the Development Review Division of Seminole County.

All areas of the existing wetlands will have plantings. The herbaceous vegetation plantings will focus on the littoral zones and islands located throughout the northern quadrants. The existing herbaceous vegetation shelves located in the northwestern quadrant will be planted with both forested wetland species and herbaceous vegetation species. The southern quadrants will be cut at-grade with no impacts to the existing wetlands and planted with diverse herbaceous vegetation wetland species including, but not limited to, the following local wetland species: spartina (Spartina spp.), pickerelweed (Pontederia cordata), duck potato (Sagittaria latifolia), needlerush (Juncus effusus), maidencane (Panicum hemitomon), cordgrass (Spartina bakeri), yellow-eyed grass (Xyris spp.), water lily (Nymphaea spp.), and other submerged aquatic species.

The plantings of freshwater marsh species will be done in plugs, not in individual species (stems), in order to foster greater species diversity and success.

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Natural Resources Officer
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The majority of the herbaceous vegetation plantings will be on 5' centers for plugs and greater for larger specimen plantings, where a total of 2,000 sets or equivalent clusters will be planted. Island areas, which are associated with past dredging of the wetlands, will be planted more densely with greater attention to species diversity; for example, in areas seasonally submerged, pickerelweed (Pontederia cordata), duck potato (Sagittaris latifolia), fireflag (Thalia geniculata), and spartina (Spartina spp.) will be used in these areas for erosion control. No grades will be changed on the site.

The forested component of the mitigation will cover the entire wetland area and will be planted predominantly in clusters for 4'-6' trees on 10' centers throughout the site. There will be a minimum of 200 specimen trees planted. An additional 100 specimen trees from 2'-3' high will be planted. A standard 80% survival on all trees and herbaceous vegetation will be guaranteed. The developer will be required to monitor the entire mitigation site annually. A three (3) year cumulative evaluation will be requested if monitoring is 80% successful and the developer believes monitoring requirements have been met. If additional monitoring is necessary based on standards of the Seminole County Natural Resource Officer and the St. Johns River Water Management District, these points will be agreed upon.

Summary of Proposed Plantings

The objective of the existing wetland enhancement is threefold as follows:

1. Add forested component to existing herbaceous wetlands;
2. Significantly increase herbaceous vegetation diversity of wetlands and improve condition of existing wetlands; and
3. Provide a conservation easement of the existing wetlands and monitor wetland system ensuring 80% survival of forested and herbaceous vegetation wetland species.

Forested species of trees include, but are not limited to, the following:

Mr. Javier Torregrosa
Natural Resources Officer
Environmental Compliance
Development Review Division
Seminole County
February 25, 2002

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Bald cypress (Taxodium distichum var. distichum)
Sweetgum (Liquidambar styraciflua)
Red maple (Acer rubrum)
Laurel oak (Quercus laurifolia)
Sweetbay (Magnolia virginiana)
Slash pine (Pinus elliottii)
Pop ash (Fraxinus caroliniana)
Swamp tupelo (Nyssa sylvatica var. biflora)
Loblolly bay (Gordonia lasianthus)

Herbaceous vegetation species include, but are not limited to, the following:

Spartina (Spartina spp.)
Pickerelweed (Pontederia cordata)
Duck potato (Sagittaris latifolia)
Needlerush (Juncus effusus)
Maidencane (Panicum hemitomon)
Cordgrass (Spartina bakeri)
Yellow-eyed grass (Xyris spp.)
Waterlily (Nymphaea spp.)

A diagram of the proposed wetland plantings along with a conceptual cross section of these planting schemes is presented in Appendix 4--Conceptual Planting Scheme.

Conclusions

The proposed mitigation plan is presented to Seminole County for consideration and approval for mitigation for additional density credits on the proposed project. The mitigation includes restoration, enhancement, and creation of a more diverse wetland system. The proposed mitigation also includes monitoring of the wetlands for a minimum of three (3) years and an 80% guarantee of viability of the wetlands. A conservation easement agreeable to Seminole County and the St. Johns River Water Management District will be executed.

Thank you for your consideration of this matter. If I can provide you with additional information and/or if you would like

Mr. Javier Torregrosa
Natural Resources Officer
Environmental Compliance
Development Review Division
Seminole County
February 25, 2002

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to review the site in the field, please do not hesitate to
contact me at any time.

Respectfully submitted,



Storm L. Richards, Ph.D.
Certified Environmental Professional
Florida Association of Environmental
Professionals, Member



Appendices:

- Appendix 1: Wetland Analysis on Northern Parcel, Dated
February 14, 2002
- Appendix 2: Wetland Analysis on Southern Parcel, Dated
February 14, 2002
- Appendix 3: Current Site Photography
- Appendix 4: Conceptual Planting Scheme

cc: Mr. Jim Stelling
Mr. Marty E. McGuire

APPENDIX 1

**WETLAND ANALYSIS ON NORTHERN PARCEL,
DATED FEBRUARY 14, 2002**

STORM L. RICHARDS & ASSOCIATES, INC.
ENVIRONMENTAL ASSESSMENTS, FEASIBILITY STUDIES, & PERMITTING
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DR. JEANNE FILLMAN-RICHARDS, President
DR. STORM L. RICHARDS

February 14, 2002

Mr. M. E. McGuire
Aloma Development, L.L.C.
222 South New York Avenue
Winter Park, Florida 32789

Re: Wetland analysis for the proposed South Tuskawilla Road development site--northern parcel, located southeast of the intersection of Tuskawilla Road and Highway 426, in portions of Section 36, Township 21 South, Range 30 East, southwest of Oviedo, Seminole County, Florida 32765

Dear Mr. McGuire:

The subject proposed South Tuskawilla Road development site--northern parcel is located on a rural site southwest of Oviedo, Seminole County, Florida, in portions of Section 36, Township 21 South, Range 30 East. The subject site is located southeast of the intersection of Tuskawilla Road and Highway 426 (see Appendix "A"--Location Maps of Site). The subject property is predominantly upland unimproved pasture and abandoned citrus grove with an isolated wetland which was dredged in the 1950s for agricultural purposes. There is dominant forested vegetation on a portion of the site including live and laurel oak (Quercus virginiana and Quercus laurifolia). The site consists of unimproved pasture areas and earlier citrus groves currently abandoned.

The Florida Land Use and Cover Classification System (FLUCFCS) was used to differentiate the vegetative types on the site. The

Level III designations were used for habitat evaluation and are as follows:

Uplands:

210--Crop and Pastureland:

This category includes agricultural land which is managed for the production of row or field crops and improved, unimproved, and woodland pastures. Cropland and Pastureland includes:

1. Cropland harvested or land from which crops are harvested other than tree and bush crops and horticultural crops
2. Lands on which crops and pasture grasses are grown in rotation with one another
3. Pastureland used more or less permanently for livestock grazing

Numerous variables must be recognized in identifying crop and pasture uses of land in different parts of Florida. Field size and shape are highly variable depending upon topographic conditions as well as soil types, size of farms, kind of crops and pastures, capital investments, labor availability, and other conditions.

In Florida, supplemental irrigation of cropland and pastureland by use of overhead rotary sprinklers can be detected from photography where distinctive circular patterns are created. Drainage or water control on land used for cropland and pastureland sometimes creates a recognizable pattern that may be helpful in identifying this type of land use from photography.

The duration of crop growth in the field may be rather limited. A false impression of non-agricultural use in a field may result if the conditions of temporary inactivity are not recognized. However, this can be substantiated by field checking areas which are in question.

Pastures may be drained and/or irrigated lands. Where the management objective is to establish or maintain stands of grasses, such as bahia grass (Paspalum notatum), pangola grass (Digitaria eriantha), or bermuda grass (Cynodon dactylon), either alone or in mixtures with white clover (Trifolium repens) or other legumes, land is categorized as pastureland regardless of treatments. Much of the "permanent" pastures occur on land which usually is not tilled or used as cropland. Topographically rough land, stream floodplains, wooded areas, and wetlands often may be used for pasture more or less permanently.

211--Improved Pastures:

This category in most cases is composed of land which has been cleared, tilled, reseeded with specific grass types, and periodically improved with brush control and fertilizer application. Water ponds, troughs, feed bunkers, and, in some cases, cow trails are evident.

212--Unimproved Pastures:

This category includes cleared land with major stands of trees and brush where native grasses have been allowed to develop. Normally, this land will not be managed with brush control and/or fertilizer application.

221--Citrus Groves <Orange, grapefruit, tangerines, etc.>:

This category includes citrus groves.

260--Other Open Lands <Rural>:

This category includes those agricultural lands whose intended usage cannot be determined.

Water:

530--Reservoirs:

Reservoirs are artificial impoundments of water. They are used for irrigation, flood control, municipal and

rural water supplies, recreation, and hydro-electric power generation. Dams, levees, other water control structures or the excavation itself usually will be evident to aid in the identification.

534--Reservoirs Less than 10 Acres in Size Which are Dominant Features:

This category includes reservoirs less than 10 acres in size as the dominant feature.

Wetlands:

641--Freshwater Marshes:

The communities included in this category are characterized by having one or more of the following species predominate:

| | |
|-------------|----------------------------------|
| Sawgrass | <u>Cladium jamaicense</u> |
| Cattail | <u>Typha domingensis</u> |
| | <u>Typha latifolia</u> |
| | <u>Typha angustifolia</u> |
| Arrowhead | <u>Sagittaria spp.</u> |
| Maidencane | <u>Panicum hemitomon</u> |
| Buttonbush | <u>Cephalanthus occidentalis</u> |
| Cordgrass | <u>Spartina bakeri</u> |
| Switchgrass | <u>Panicum virgatum</u> |
| Bulrush | <u>Scirpus americanus</u> |
| | <u>Scirpus validus</u> |
| | <u>Scirpus robustus</u> |
| Needlerush | <u>Juncus effusus</u> |
| Common Reed | <u>Phragmites communis</u> |
| | <u>Phragmites australis</u> |
| Arrowroot | <u>Thalia dealbata</u> |
| | <u>Thalia geniculata</u> |

6415--Dog Fennel and Low Marsh Grasses:

This community is 66% or more dominated by dog fennel (Eupatorium capillifolium) and low marsh grasses.

According to the Soil Conservation Service map of the subject site, there was one hydric soil type located on the subject site: Type #10--Basinger, Samsula, and Hontoon soils,

depressional. There are six (6) soil types associated with the subject site: Type #2--Adamsville-Sparr fine sands; Type #6--Astatula-Apopka fine sands, 0-5% slopes; Type #10--Basinger, Samsula, and Hontoon soils, depressional; and Type #31--Tavares-Millhopper fine sands, 0-5% slopes, which are described as follows:

Type #2--Adamsville-Sparr fine sands:

The soils in this map unit are level to nearly level and somewhat poorly drained. They are on the low ridges on the uplands and on low knolls on the flatwoods. The slopes are dominantly less than 2%.

Typically, Adamsville soil has a surface layer of grayish brown fine sand about 4" thick. The upper part of the underlying material, to a depth of about 45", is light grayish brown and very pale brown fine sand and has brownish yellow mottles. The lower part to a depth of about 80" is light gray fine sand.

Typically, Sparr soil has a surface layer of very dark grayish brown fine sand about 4" thick. The upper part of the subsurface layer, to a depth of about 15", is grayish brown fine sand. The lower part, to a depth of about 41", is pale brown and light yellowish brown fine sand. The upper part of the subsoil, to a depth of about 43", is very pale brown sandy loam. The middle part, to a depth of about 72", is light gray fine sandy loam. The lower part to a depth of about 80" is a gray sandy loam.

A seasonal high water table is within 12" to 36" of the surface of Adamsville and Sparr soils for up to 6 months. The permeability of Adamsville soil is rapid. The permeability of Sparr soil is rapid in the surface and subsurface layers and is slow or moderately slow in the subsoil. The available water capacity is low to very low in Adamsville soil, and it is low in the surface and subsurface layers and moderate in the subsoil of Sparr soil. Natural fertility is low in Adamsville and Sparr soils.

The soils in this map unit are used mainly as rangeland and pasture. These soils are also used for urban

development or have been left in natural vegetation. The natural vegetation consists mostly of longleaf pine (Pinus palustris) and slash pine (Pinus elliottii) and of laurel oak (Quercus laurifolia), live oak (Quercus virginiana), water oak (Quercus nigra), blackjack oak (Quercus incana), and turkey oak (Quercus laevis). The understory includes scattered saw palmetto (Serenoa repens), pineland threeawn (Aristida stricta), gallberry (Ilex glabra), and waxmyrtle (Myrica cerifera).

Type #6--Astatula-Apopka fine sands, 0-5% slopes:

The soils in this map unit are nearly level to gently sloping and excessively drained and well drained. These soils are on hillsides and ridges on the uplands. Astatula soil is excessively drained, and Apopka soil is well drained. The slopes are smooth to convex.

Typically, Astatula soil has a surface layer of grayish brown fine sand about 4" thick. The underlying material to a depth of about 80" is very pale brown fine sand. In the mapped areas are soils that are similar to Astatula fine sand, but they have lamellae or spodic bodies in the lower part of the underlying material.

Typically, Apopka soil has a surface layer of gray fine sand about 3" thick. The subsurface layer extends to a depth of about 64". It is pale brown fine sand in the upper part and is very pale brown fine sand in the lower part. The subsoil to a depth of about 80" is yellowish brown sandy clay loam. In the mapped areas are soils that are similar to Apopka fine sand, but they have a subsoil within 20" to 40" of the surface.

The soils in this map unit have a seasonal high water table at a depth of more than 80". The permeability of Astatula soil is very rapid. The permeability of Apopka soil is rapid to a depth of 64" and is moderate between depths of 64" and 80". The available water capacity is very low in Astatula soil. In Apopka soil, it is very low to a depth of about 64" and is moderate in the subsoil. Natural fertility and the content of organic matter are low in Astatula and Apopka soils.

The soils in this map unit are used mainly for homesites and other urban development. They are also used as rangeland and pasture or have been left in natural vegetation. A small acreage is used for citrus crops. The natural vegetation consists of bluejack oak (Quercus incana), Chapman oak (Quercus chapmanii), laurel oak (Quercus laurifolia), turkey oak (Quercus laevis), scattered live oak (Quercus virginiana), slash pine (Pinus elliottii), and longleaf pine (Pinus palustris). The understory includes dogfennel (Eupatorium capillifolium), eastern bracken (Pteridium spp.), grassleaf goldaster (Pityopsis oligantha), lopsided indiagrass (Sorghastrum secundum), dwarf huckleberry (Gaylussacia dumosa), creeping bluestem (Schizachyrium stoloniferum), and pineland threeawn (Aristida stricta).

Type #10--Basinger, Samsula, and Hontoon soils, depressional:

The soils in this map unit are nearly level and very poorly drained. These soils are in swamps and depressions. The slopes are dominantly less than 2%.

Typically, Basinger soil has a surface layer of very dark gray mucky fine sand about 6" thick. The subsurface layer, to a depth of about 18", is light gray fine sand. The subsoil, to a depth of about 35", is dark grayish brown and light brownish gray fine sand. The substratum to a depth of about 80" is light gray fine sand. In the mapped areas are soils that are similar to Basinger soil, but they have a thick dark surface layer, they do not have a brownish color subsurface layer, or they have a yellow or yellowish brown subsurface layer.

Typically, Samsula soil has a surface layer of muck about 30" thick. It is dark reddish brown in the upper part and black in the lower part. Below that layer to a depth of about 45", is dark gray fine sand. The underlying material to a depth of about 80" is gray fine sand. In the mapped areas are soils that are similar to Samsula soil, but the organic material in these soils is less decomposed than that in the Samsula soil, or it is less than 16" thick.

Typically, Hontoon soil has a surface layer of dark reddish brown muck about 18" thick. The next layer, to a depth of about 48", is very dark brown muck. The lower layer to a depth of about 80" is black muck. In the mapped areas are soils that are similar to Hontoon soil, but the organic material in these soils is less decomposed than that in the Hontoon soil.

In most years, the undrained areas of the soils in this map unit are ponded for from 6 to 9 months or more. If drained, the organic material in Samsula and Hontoon soils initially shrinks and then subsides further as a result of compaction and oxidation. These losses are more rapid during the first 2 years. If the soils in this map unit are drained, organic material continues to subside at the rate of about 1" per year. The lower the water table, the more rapid the loss. The permeability is rapid in Basinger, Samsula, and Hontoon soil. It is very high in the organic material of Samsula and Hontoon soils and is very low in the sandy part of Samsula soil.

In most areas, the soils in this map unit have been left in natural vegetation. Some areas have been drained and are used as rangeland and pasture. Other areas have been filled and are used for homesites or other urban development. The natural vegetation consists mostly of mixed stands of cypress (Taxodium spp.), red maple (Acer rubrum), sweetgum (Liquidambar styraciflua), cabbage palm (Sabal palmetto), sweetbay (Magnolia virginiana), and blackgum (Nyssa sylvatica). The understory includes cutgrass (Leersia spp.), maidencane (Panicum hemitomon), Jamaica sawgrass (Cladium jamaicense), sedges, ferns, and other water-tolerant grasses.

Type #31--Tavares-Millhopper fine sands, 0-5% slopes:

The soils in this map unit are nearly level to gently sloping and moderately well drained. These soils are on low ridges and knolls on the uplands. The slopes are nearly smooth to slightly convex.

Typically, Tavares soil has a surface layer of very dark grayish brown fine sand about 6" thick. The

underlying material to a depth of about 80" is yellowish brown, light yellowish brown, very pale brown, and white fine sand. In the mapped areas are soils that are similar to Tavares fine sand, but these soils are in slightly lower positions on the landscape, and they are somewhat poorly drained.

Typically, Millhopper soil has a surface layer of gray fine sand about 7" thick. The subsurface layer, to a depth of about 45", is very pale brown and pale brown fine sand. The upper part of the subsoil, to a depth of about 54", is very pale brown sandy loam. The lower part to a depth of about 80" is light gray sandy clay loam. In the mapped areas are soils that are similar to Millhopper fine sand, but in these soils the upper part of the subsoil is within 40" of the surface.

The soils in this map unit have a seasonal high water table at a depth of from 36" to 60" for from 2 to 6 months. The permeability of Tavares soil is rapid or very rapid. The permeability of Millhopper soil is rapid in the surface and subsurface layers and moderately slow in the subsoil. The available water capacity is very low in Tavares soils. The available water capacity of Millhopper soil is low in the surface and subsurface layers and moderate in the subsoil. Natural fertility is very low in Tavares soil and low in Millhopper soil. The content of organic matter is very low in Tavares soil and low to moderately low in Millhopper soil.

In most areas, the soils in this map unit are used for citrus crops, as pasture and rangeland, or for homesites and other urban development. In a few areas, these soils are used for cultivated crops. Some areas have been left in natural vegetation, which consists mostly of laurel oak (Quercus laurifolia), turkey oak (Quercus laevis), live oak (Quercus virginiana), slash pine (Pinus elliottii), and longleaf pine (Pinus palustris). The understory includes creeping bluestem (Schizachyrium stoloniferum), lopsided indiagrass (Sorghastrum secundum), panicum (Panicum spp.), and pineland threeawn (Aristida stricta).

In conclusion, the subject site appears to have a wetland component to the project site based on current and historic

Mr. M. E. McGuire
Aloma Development, L.L.C.
February 14, 2002

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information. The site has been flagged and will be surveyed. Mr. Anthony Miller of the St. Johns River Water Management District has reviewed the wetlands on-site and a determination has been made that the wetlands are similar and consistent with the 1940s map of the site. The wetlands are approximately 6-8' from the water's edge and are represented by a littoral zone of pennywort (Hydrocotyle spp.), torpedograss (Panicum repens), and herbaceous wetland species. The upland areas adjacent to the wetland are predominantly bahia grass (Paspalum notatum) pasture. Please do not hesitate to call if you have any questions.

Respectfully submitted,



Storm L. Richards, Ph.D.
Certified Environmental Professional
Florida Association of Environmental
Professionals, Member



Enclosures:

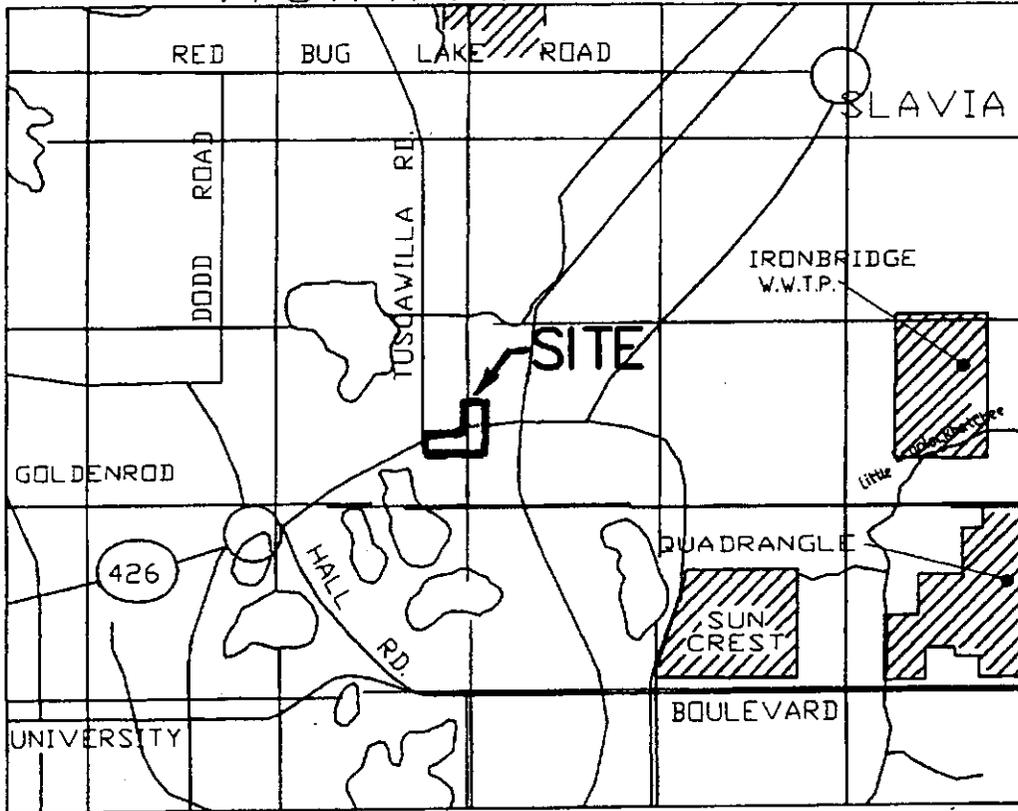
- Appendix "A": Location Maps of Site
- Appendix "B": Aerial Photography of Site

APPENDIX "A"

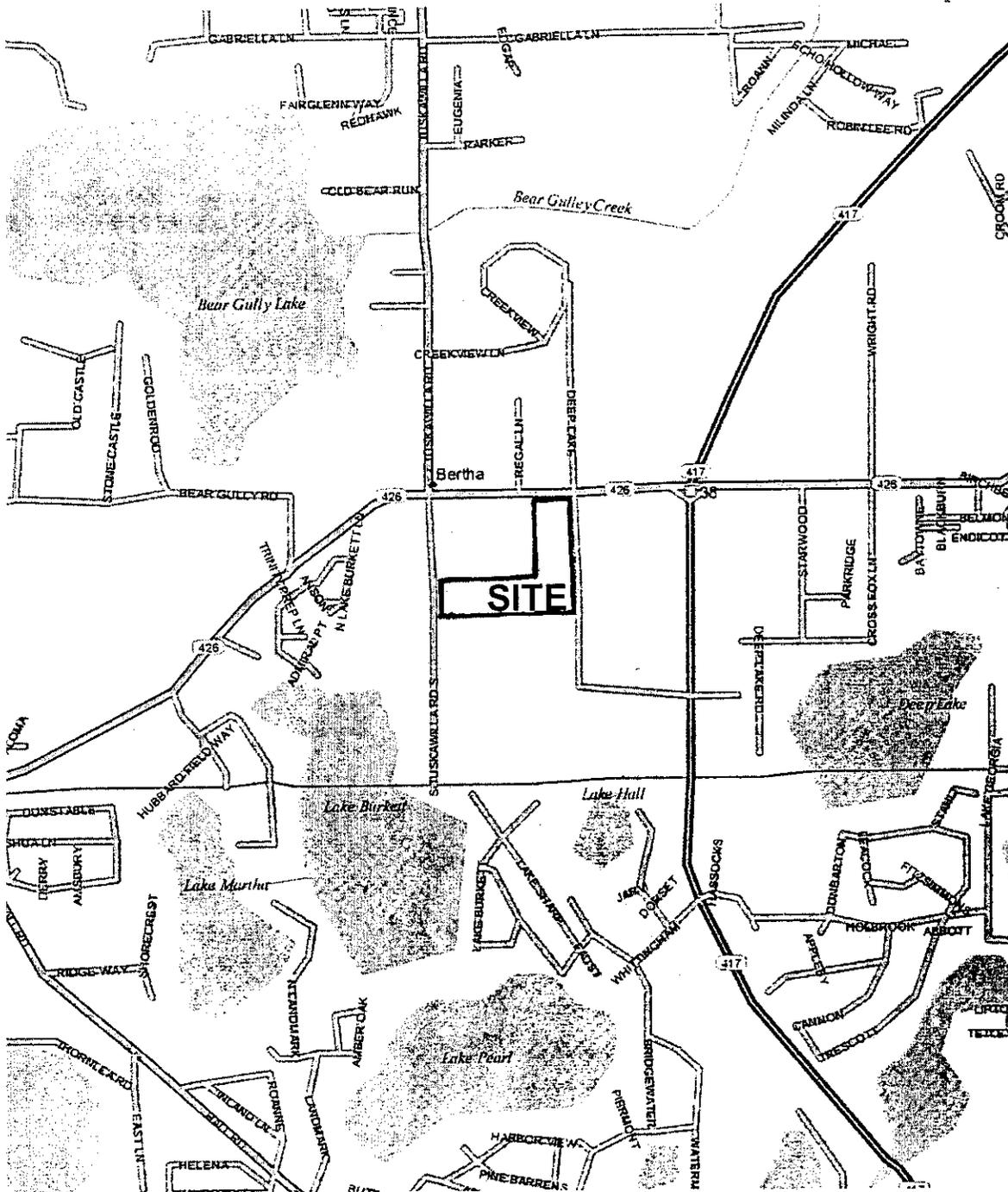
LOCATION MAPS OF SITE

VICINITY MAP OF SUBJECT SITE

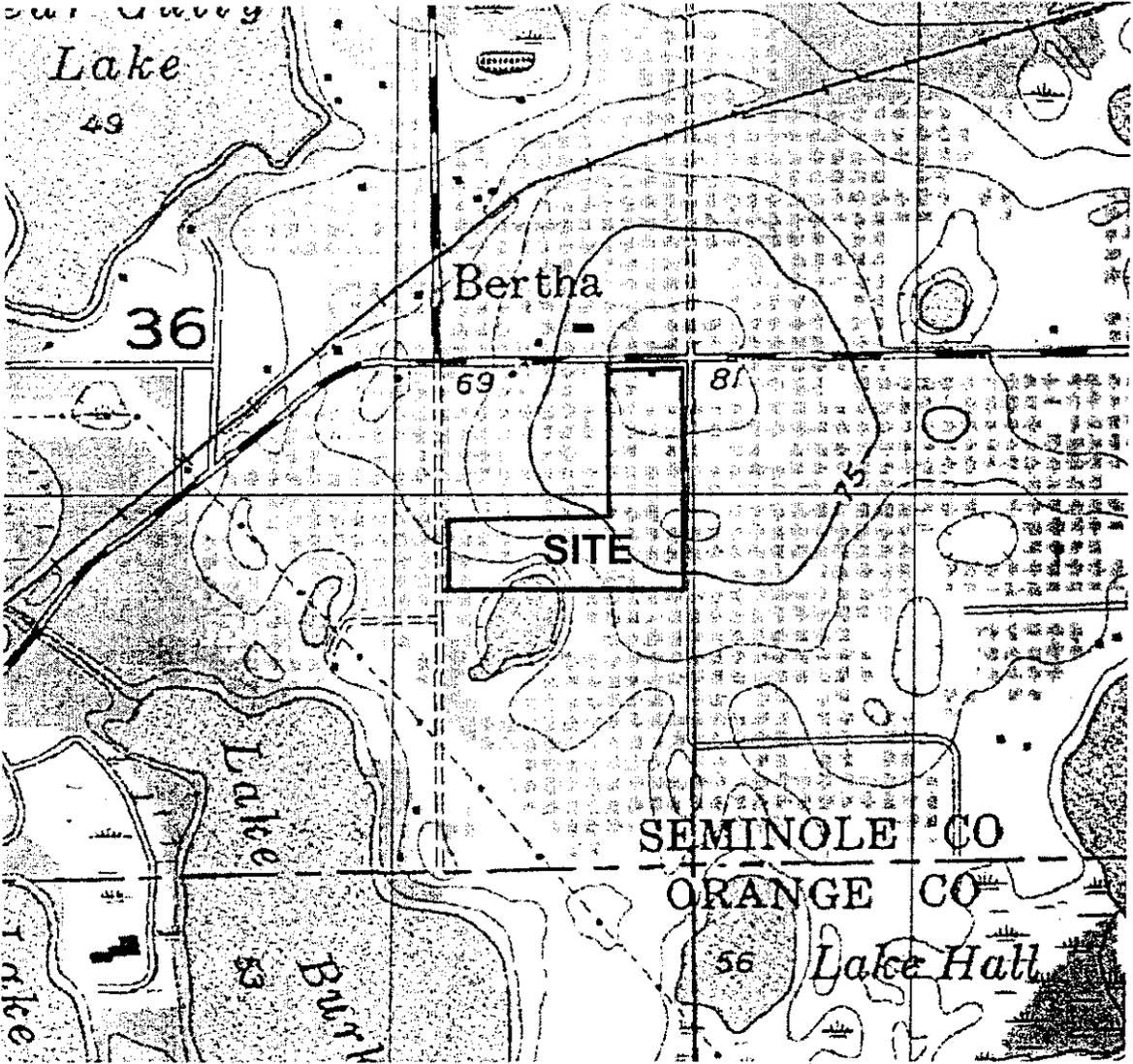
VICINITY MAP



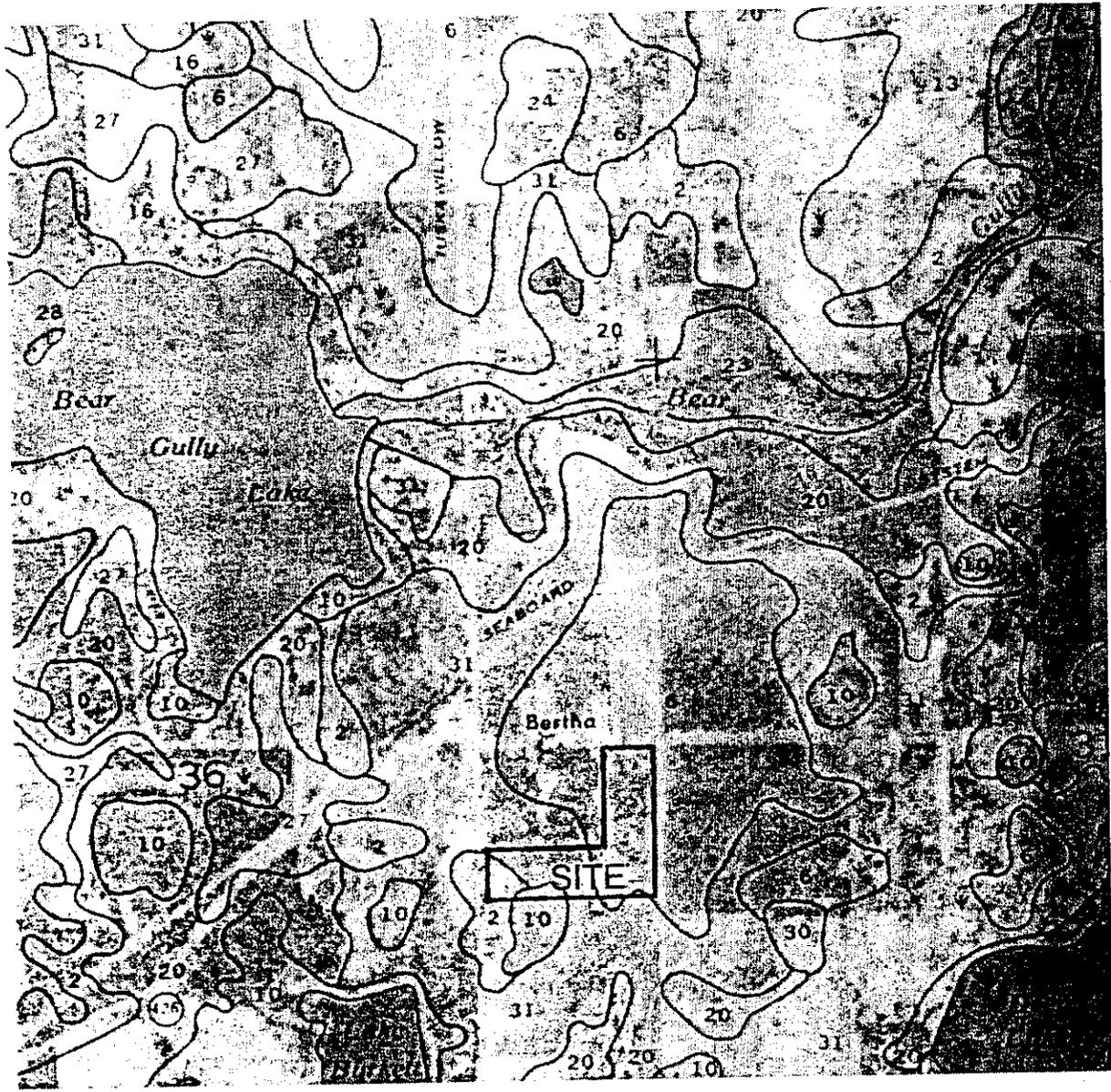
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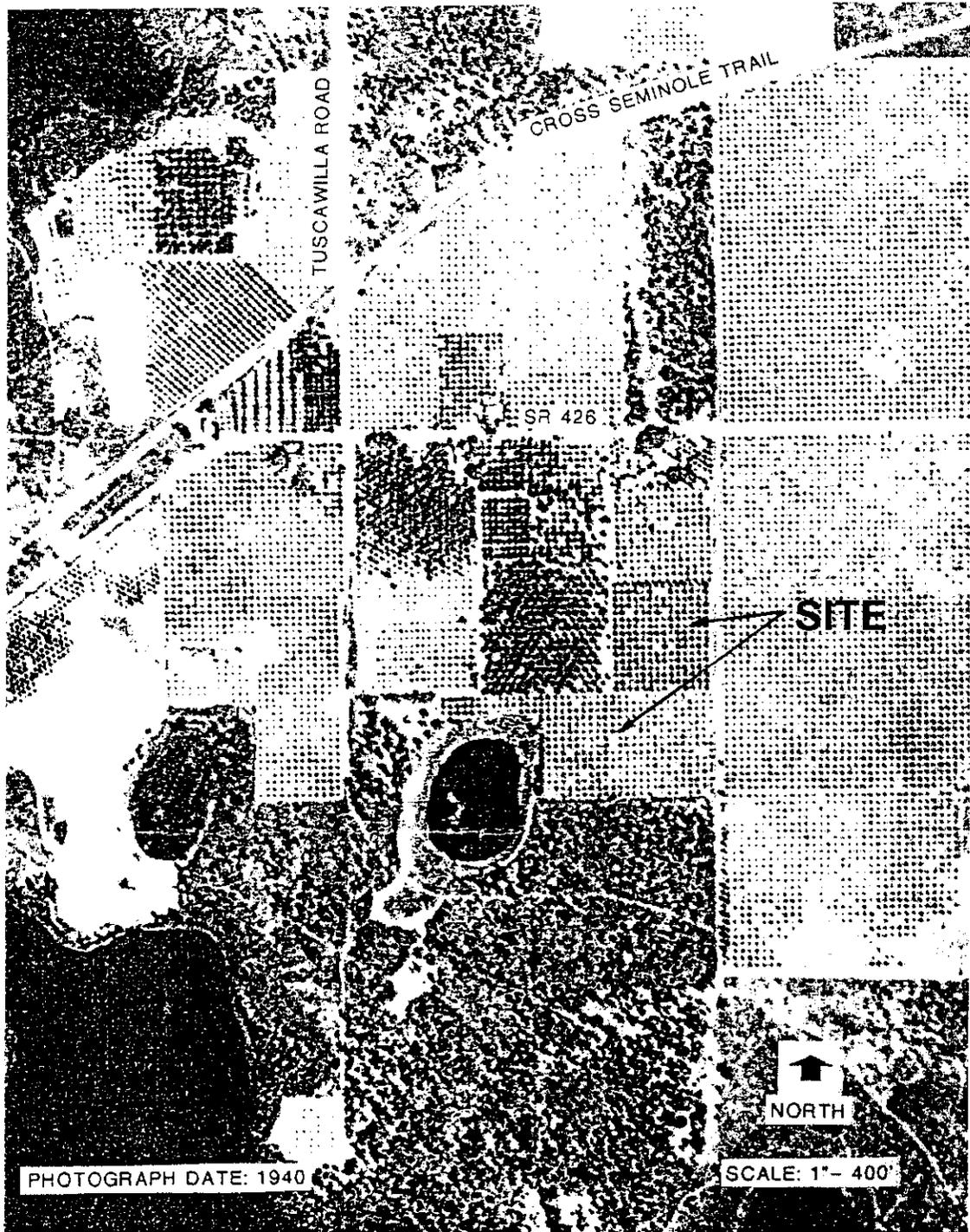
UNITED STATES GEOLOGICAL SURVEY MAP OF SUBJECT SITE



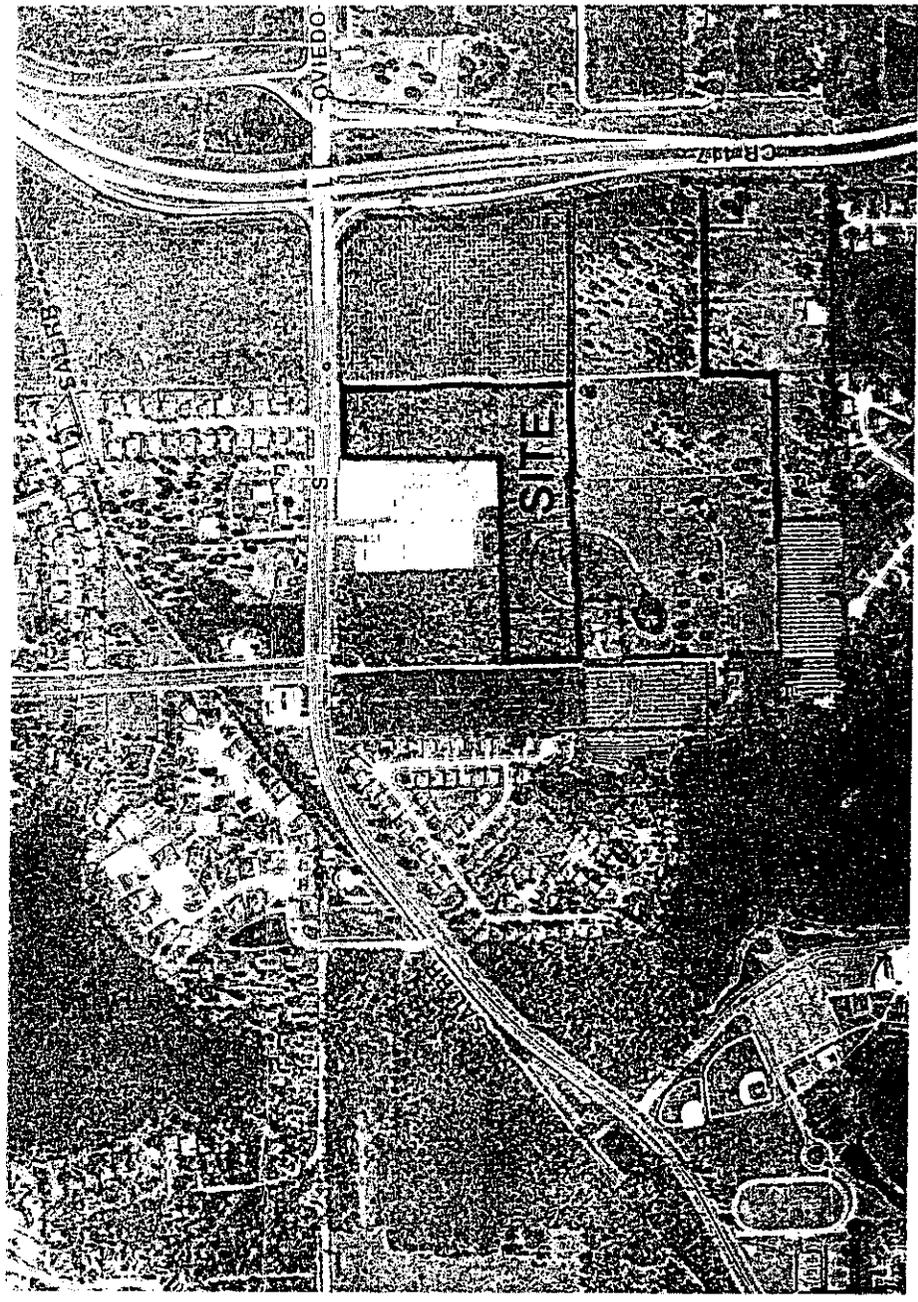
SOIL CONSERVATION SERVICE (SCS) MAP OF SUBJECT SITE



HISTORIC AERIAL PHOTO OF SUBJECT SITE
(NOT TO SCALE)



CURRENT AERIAL PHOTO OF SUBJECT SITE
(NOT TO SCALE)



Z2001-057

ADMINISTRATIVE ORDER # 01-20500005

**SEMINOLE COUNTY
ADMINISTRATIVE ORDER**

On April 9, 2002, Seminole County (the "County") issued this Administrative Order relating to and touching and concerning the following described property:

See attached Exhibit "A"

(The aforescribed legal description has been provided to the County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owners: Sandefur, Inc.; Henry L. Pruitt; Mary B. Pruitt

Project Name: South Tuskawilla Property PUD Rezone

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

After fully considering staff analysis and all evidence submitted at the public hearing on April 9, 2002, to this matter, the Board of County Commissioners (the "Board") has found, determined and concluded that the rezoning request, as proposed, would be inconsistent with Land Development Code Requirements requiring adequate public access to the site, does not demonstrate that adequate access is provided to adjacent parcels, and has not met standards related to provision of open space.

The Board further finds that the development approval sought is inconsistent with the County's Comprehensive Plan, the County's land development regulations and all other applicable law.

Prepared by: Cindy Matheny
1101 East First Street
Sanford, Florida 32771

Z2001-057

GUI# 01-20500005

Lastly, the Board finds that the owner will retain beneficial use of his property without the requested rezoning.

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first above.

By: _____
Donald S. Fisher
Planning and Development Director

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 Donald S. Fisher who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2002.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

1-20500005
SOUTH TUSKAWILLA ROAD PROPERTY / REZONE (PUD/PCD)
Z2001-057; 31-21-31-501-0000-0180

LEGAL DESCRIPTIONS (PROVIDED BY CLIENT)

The North three quarters (3/4) of the Southeast 1/4 of the Southeast 1/4 of Section 36, Township 21 South, Range 30 East, less the West 375 feet of the North 700 feet thereof, Seminole County, Florida.

And

The West 375 feet of the South 450 feet of the North 700 feet of the Southeast 1/4 of the Southeast 1/4 of Section 36, Township 21 South, Range 30 East, Seminole County, Florida.

And

That part of Lot 18 lying Westerly of the Eastern Beltway, and all of Lots 19 and 20, of the Subdivision of E.G. Townsend's Homestead, as recorded in Plat Book 2, Page 61, of the Public Records of Seminole County, Florida.