MINUTES FOR THE
SEMINOLE COUNTY LAND PLANNING AGENCY/
PLANNING & ZONING COMMISSION
May 4, 2005
7:00 P.M.

Members present: Matt Brown, Ben Tucker, Beth Hattaway, and Chris Dorworth.

Members absent: Dudley Bates, Walt Eismann, and Richard Harris

Also present: Tina Deater, Senior Planner; Jeffrey Hopper, Senior Planner; Tom Radzai, Senior Engineer; Ann Colby, Assistant County Attorney; Tony Walter, Assistant Planning Manager; Earnest McDonald, Principal Coordinator; Matt West, Planning Manager; Dan Matthys, Director of Planning and Development; and Candace Lindlaw-Hudson, Senior Staff Assistant.

The Chairman called the meeting to order at 7:00 P.M. He introduced the members of the Commission and explained to the audience the method by which the meeting would be conducted.

Commissioner Brown made a motion to accept the proof of publication.

Commissioner Hattaway seconded the motion.

The motion passed unanimously.

The minutes for the April meeting were accepted as submitted by unanimous consent.

A. Celery Estates South PSP; Bob Horian, Suncor Properties, Inc., applicant; approximately 14.2 acres; Preliminary Site Plan approval for a 46 lot subdivision zoned PUD (Planned Unit Development District); located on the southeast corner of Brisson Avenue and Celery Avenue, west of Sipes Avenue.

Commissioner Carey – District 5 Rebecca Hammock, Principal Planner

Rebecca Hammock introduced the Preliminary Site Plan for a 46 lot subdivision, zoned PUD (Planned Unit Development District) located on the southeast corner of Brissom Avenue and Sipes Avenue. There will be a minimum lot size of 5,000 square feet. The internal road will be maintained by the home owner's association. Staff recommends approval, with approval of the Final Master Plan by the Board of County Commissioners.

Commissioner Brown asked what the minimum house size was to be.

Ms. Hammock did not have that information.

Commissioner Hattaway stated that the legend on the maps was unreadable. She requested that they be made larger.

Jim McMillen of CPH Engineers represented the applicant. He stated that there will be 2 story houses with a minimum size of 1,600 square feet. Lots will be 60 feet wide.

Commissioner Dorworth made a motion to recommend approval.

Commissioner Brown seconded the motion.

The motion passed 4 – 0.

PUBLIC HEARING ITEMS:

B. Regency Club; Hugh Harling, Jr., applicant; approximately 6.75 acres; Rezone from A-1 (Agriculture District) to R-1BB (Single family dwelling district) and Small Scale Land Use Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential); located on east side of Mikler Road, 0.4 mile south of Red Bug Lake Road. (Z2005-005 / 03-05SS.01)

Commissioner Dallari – District 1 Jeffrey Hopper, Senior Planner

Jeffrey Hopper introduced the request for R-1BB zoning and a small scale land use amendment on the subject property. The proposal would have 50-foot lots of 5,000 square feet. Although MDR permits R-1BB zoning for single family use, this future land use category also creates a potential for other types of residential uses, such as apartments and townhomes, at a maximum density of 10 units per net buildable acre. Development of this type would be of a higher intensity than single family development in adjoining LDR areas to the east and west, which are limited to a maximum of 4 units per net buildable acre. A vacant parcel to the north is also in the LDR land use area.

The applicant has expressed a willingness to limit the development to 4 units per acre, but under the Land Development Code, R-1BB does not provide a mechanism to place this condition on approval, except as a voluntary commitment. A PUD (Planned Unit Development) would not require the execution of a small scale land use amendment. PUD zoning provides a possible alternative which could allow the desired lot sizes while holding the overall density of the project to 4 units per acre. This would be accomplished through a Preliminary Master Plan and Development Order.

Staff recommends denial of the request as submitted, and suggests re-submittal of the application as a request for PUD zoning within the LDR land use. A PUD

proposal meeting the LDR density requirement would not need a future land use amendment.

Commissioner Tucker asked for clarification of the objection to the MDR (Medium Density Residential) land use change.

Mr. Hopper explained that the applicant is saying that the land will be developed at 4 units per acre; however, there is no requirement for this density in the Land Development Code with R-1BB zoning.

Hugh Harling stated that he disagreed with staff. He has 18 lots, with 3.18 units per acre. The lots will be 50 by 120. He recommends that the next Comprehensive Plan should allow the R-1BB zoning in the LDR (Low Density Residential) future land use designation districts.

Mr. Harling stated that the Development Review Committee recommended PUD zoning. In a PUD, there is a 25% open space requirement. That will decrease lot size.

Commissioner Brown pointed out that there was nothing to stop Mr. Harling from changing the zoning with the granting of the MDR future land use.

Mr. Harling stated that he is trying to create the highest value here.

Commissioner Tucker asked if the ownership of the Bear Gully Canal had been resolved.

Mr. Harling stated that it is an easement, not a right of way. The canal was part of the Slavia Drainage District, which was dissolved over 10 years ago. The County has prescriptive rights to the drainage easements of that company.

Commissioner Tucker asked if a lot compatibility analysis had been done of the area.

Mr. Harling said that there were 1 acre lots on the south side.

Mr. Hopper said that the Mikler Lakes subdivision had 4 units per acre.

Mr. Harling stated that the lots facing the one acre lot subdivision would be wider.

No one spoke from the floor on the application.

The public hearing was now closed.

Commissioner Brown stated that this is a quandary.

Commissioner Tucker asked what might be a better transition.

Commissioner Dorworth stated that a PUD brings smaller lots. He always asks "What is the best thing to do for the community in this case?" He would like to tie the approval to the PSP attached.

Mr. Harling stated that the plan will be used as a PSP (Preliminary Subdivision Plan).

Commissioner Dorworth made a motion to recommend approval of the request with the PSP attached.

Commissioner Hattaway seconded the motion.

The motion passed 4 – 0.

C. Palomino Way PUD; David S. Weinstein, applicant; approximately 2.16 acres; PUD Major Amendment and Final Master Plan approval for Palomino Way PUD; located on the northeast corner of Red Bug Lake Road and Palomino Way. (Z2005-013)

Commissioner Morris – District 2 Jeffrey Hopper, Senior Planner

The applicant wishes to renew PUD approval for a 20,000 square foot office building on the site. The previous PUD approval expired in February, requiring the applicant to go back through the zoning process and present the development concept to this Commission and the Board of County Commissioners. The earlier plan showed a 2-story office building adjacent to Red Bug Lake Road at the south end of the property. The new plan is similar to the previous plan in use and intensity. The major difference is that the building is now to be 1 story and located near the rear of the site.

On the north side, the applicant proposes to meet the earlier requirement for a 6-foot wall by incorporating the appearance of a buffer wall into the building, adjacent to the Parker Subdivision. This may be acceptable because the building would have a uniform appearance on the front and rear and would be architecturally compatible with nearby residential uses. Also on the north side, the site plan shows separate 6-foot walls in short segments, to the east and west of the building. The west buffer would be 25 feet in width and would include a 6-foot wall along the Palomino Way frontage.

As to permitted development on the site, this would be limited to OP or office uses.

The site plan proposes a maximum of 20,000 square feet, but the footprint drawn on the plan is less than 18,000 square feet in size. Staff's recommendation of

19,000 square feet is based on the 76 parking spaces drawn on the plan, at a requirement of 1 space per 250 square feet.

Staff recommendation was for approval, subject to conditions listed in the staff report and Developer's Commitment Agreement, including: the site would be limited to office uses; the building would be a maximum of 19,000 square feet in size and 1 story in height; an elevation of the west buffer wall shall be presented to the Board of County Commissioners along with building elevations; and no direct access to Palomino Way.

Mr. Hopper offered one correction to the Developer's Commitment Agreement (DCA) included in the staff report: Item F: to read "rear of building shall have transom style windows and a 5-foot sidewalk to the rear."

Commissioner Brown referred to the DCA and asked about page 3, Item D. Why was a time limit listed pertaining to garbage service?

Matt West stated that commercial garbage dumpsters are heavy and make a lot of noise being emptied.

Commissioner Tucker asked about drainage and fill issues on the site.

Mr. Hopper stated that no fill would exceed what is required to provide adequate drainage from the site.

Commissioner Tucker asked if it would drain onto Red Bug Road.

Tom Radzai stated that the plan will outfall to Red Bug Lake Road's stormwater system.

Commissioner Tucker asked where the wall would be in terms of fill.

Mr. West stated that the wall will be at existing grade. They will be grading up from the existing site.

David Weinstein stated that he had a meeting with the Parker subdivision and an adjacent neighbor. The new site plan reflects what the neighbor wants: a 6-foot wall going fully across the northern property line. Also, there was a line of sight issue when pulling onto Slavia Road. The wall has been tapered and scaled back to give good vision when approaching Slavia Road. Also, there was a limitation of use concern about cell towers. Mr. Weinstein stated that he has agreed to prohibit cell towers from being in the PUD.

Mr. Weinstein had questions about the PUD. Item 9G – concerning cross-access; this will not be achieved. Physicians Associates are not interested in giving cross access. Current plans show a retention pond in the location where

the cross access would be located. He would like the references to cross access deleted, since it will not be possible. Once he generates engineering plans without the cross-access, it will be very expensive to go back and change things.

Item 9 – I, pertaining to lighting also concerned Mr. Weinstein. The lot must be illuminated with lights on a pole. Lights on the building will be contained and directed according to the Code, but to safely light the parking lot, lights will be put on a pole.

Also, Exhibit C: concerning the wall on the west side of the property: a split block faced wall will be place, with some "jogging" in the line of the wall for landscaping.

Mr. Weinstein then addressed the site plan, indicating that he would like to stagger the placement of trees to alternate on either side of the wall on the north side of the property, rather than having them on only one side. This would help the growth process of the trees.

Mr. Weinstein stated that the dumpster is indicated on the site plan as being right next to the entrance driveway. Mr. Weinstein proposed to move the dumpster over to the southwest corner of the property for safety and security. It will also be shielded from view.

Rick Merkel from Professional Engineering Consultants addressed the concerns about the fill on the site. The wall along the Palomino Road side will be close to road grade. On the north side, the wall is positioned off the property line, because the site will be filled about 4 feet above existing grade to facilitate drainage. The wall detail was submitted in the current request, to enable the re-approval of the master plan. Wall details were to be submitted to the BCC prior to the approval of the final master plan.

Noreen Hodap lives at 1481 Palomino Way, immediately adjacent to the site of the application. She stated that the Parker subdivision homeowners are concerned about this transitional use. She has met with Mr. Weinstein and other property owners from the Parker subdivision. She would like to be sure that the conditions they agreed upon are included in the commitments.

Ms. Hodap listed the conditions as follows: 1) All landscaping shall be under irrigation; 2) the dumpster will be blocked by the wall from view from the street. 3) prohibited uses to include: schools, churches, banks, day care centers, kindergartens, eating establishments, beauty shops, funeral homes, facilities for the manufacture and processing of goods, shops and stores for retailing or wholesaling of goods, and adult living facilities or nursing homes.

Ms. Hodap questioned the grade of the property. Her neighborhood has been there since the 1970's. It is an actual subdivision. When this PUD zoning was

created, the cross-access easement was required as a term of the granting of the zoning. It is necessary. She wanted to know if the county can require it to get access to the light.

Commissioner Tucker asked if the cross-access was necessary to keep traffic from going onto Palomino Way.

Ms. Hodap said that was required to keep traffic off of the road.

She also wanted to know about the grade of the property and the height of the wall. She was also concerned about the coverage of the dumpster and its being visible from the street.

Commissioner Brown stated that Seminole County has an enclosure law for dumpsters.

Jeff Hopper stated that there is a 25-foot buffer required adjacent to Palomino Way so that the dumpster could not be close enough to be connected to the wall.

Commissioner Tucker asked Ms. Hodap if she was in agreement with Mr. Weinstein's suggestion that the trees would be staggered on either side of the perimeter wall.

Ms. Hodap said she had no objection if they could be irrigated, since her adjoining property had no irrigation.

Linda Sinkovich spoke next, representing the Oviedo Crossings Professional Plaza at 7408 Red Bug Lake Road, Oviedo. This property is east of the property under discussion, with access to the traffic light. The property at Oviedo Crossings Professional Plaza is 22,000 square feet of occupied medical suites. It is owned by the physicians who occupy it. Their concern is for the safety of their patients. The office is visited by children, people taking physical therapy, pregnant women, and elderly patients on walkers. The physicians feel that cross access traffic would pose a safety hazard to their clients and therefore do not wish to grant access to their property for that reason.

Lex Wood spoke next, representing the 23 homeowners of the Parker Subdivision Homeowners Association as their president. He is concerned that everything done on the subject property be transitional to residential zoning of his neighborhood. The medical plaza cooperated in being transitional by keeping to one story. They did a good job on their transitional use plan with colors, lighting, dumpster placement, and so on.

Drainage on Palomino Way is a concern as well.

Commissioner Tucker asked if there was a valid PUD in place on the site.

Mr. Fox said that the current PUD had expired, thus this application.

Commissioner Tucker asked Mr. Fox if he felt that the current application was an improvement over what had been previously agreed to.

Mr. Fox stated that the current application was a big improvement. He would like to see it monitored to keep the transitional use plan implemented.

Commissioner Brown said that the original plan had included 2-story development.

Mr. Weinstein said that he will be using the same architect that was used on the physician's medical plaza. The one story building will be appropriate to the site. As for uses of the offices, dental and medical offices and general office type uses.

Rick Merkel stated that the wall on the back side of the building next to the residences will be a full 6-foot wall.

Tom Griffin of McCree, Inc. is the architect on the project. He said that the windows would not be able to see into people's yards because the wall would be blocked. He did plan ground level windows.

Jeff Hopper said that the development order calls for transom windows in the rear of the building, preventing a view of adjacent property.

Commissioner Hattaway asked about the irrigation of the trees which would be placed on either side of the wall.

Mr. Merkel said that all of the landscaping would be irrigated. He also spoke about condition 9O, which addresses the stormwater pond. He would like to have this removed. He has a decorative wall on either side of the pond. This would be about 30 inches high and would not need a rail along it. The wall along Red Bug Road is about 12 feet back. The depth of the pond is 24 inches maximum.

The public hearing was now closed.

Matt West stated that there had been many changes brought up tonight. On one item there was concern: it will be necessary to continue this item if the applicant wishes to change condition "O" because of the impacts on safety issues.

Mr. West talked about condition "I" which talks about building lighting. He stated that the parking lot lighting is not addressed in this item. What was being conditioned is the building lighting. It should not shine straight out on the back

and sides of the building. On the front, there could be some type of architectural lighting that will not bleed into the adjacent residential areas. Pertaining to item "G," the County cannot make someone give a cross-access easement.

Commissioner Tucker stated that it is his experience that medical facility parking is never adequate compared to the numbers of people who really show up.

Commissioner Brown stated that typically the County would require the traffic to exit the site onto Palomino Way, not spilling out onto Red Bug Road. We should be using the curb cut we already have.

Mr. West agreed that it is good to reduce the number of curb cuts required.

Mr. West addressed the issue of the wall. It was staff's opinion that if the building had transom windows, the building would be more attractive. This could eliminate the need for a 6-foot masonry wall. The concern is for landscape maintenance, with landscaping being on both sides of the wall. How is the landscaping on the far side of the wall accessed? The lawn mowing crew will need to access it without using Palomino Way, because they have been told not to use Palomino Way. Will there be a gate in the wall?

Commissioner Tucker pointed out that the offset wall with landscaping in the indentions will cause a landscaping crew to access Palomino Way. He felt that the "access" referred to was pertaining to vehicular traffic.

Mr. West stated that the current Development Order says that there will be no access to Palomino Way from this site. It will have to be put in the language about this.

Commissioner Brown asked if Palomino Way were public or private.

Mr. West said that it was a private right of way.

Commissioner Brown pointed out that the wall cannot be on the property line anyway, since it has a foundation.

Mr. West wanted to make it clear that people will be accessing the outside of the property for maintenance purposes.

Commissioner Brown said that the wall will have to be in at least 4 feet to keep people from breeching the private right of way.

Mr. West said the wall appears to be in at least 20 feet from the north property line, according to the plan submitted.

Commissioner Tucker asked the applicant how far in from the north property line the wall is to be placed.

Mr. Merkel said that the distance was going to be 10 feet off of the north property line with the trees on either side of it. The wall along Palomino Way was to be as close to the line as possible, with staggered footprint. That is a good question.

Commissioner Brown wondered if the site has deeded access to Palomino Way.

Mr. Merkel said that he had run the wall the length of the rear at the request of the property owner to the rear. The only way to get to the outside areas will be via a gate.

Mr. West restated that the dumpster be required to be screened. It could be fenced. As a condition, we could state that the screening be of the same material as the exterior wall, although it is not required.

Pertaining to the cross-access easement, it could be stated that the condition will be void if the easement is not obtained prior to the building permit.

Mr. West also stated that the property to the west is part of the Oviedo Mall DRI. Any change could be objected to as changing traffic counts and the like.

Commissioner Hattaway asked about parking lot lighting.

Mr. West stated that the applicant would be required to meet the Code on the lighting in the parking lot.

Commissioner Tucker reviewed the changes as follows: for Item 9 "D" – 7 a.m. is good; Item "G" is void; and Item "I" is good.

There was continuing discussion on Item "O". Mr. West stated that he preferred not to have a retaining wall.

Tom Radzai stated that engineering would be looking for some type of architectural feature; they did not want a smooth, vertical concrete wall. If it were terraced with landscaping features that are safe, Mr. Radzai said that he could approve that. The details could be worked out without a continuance.

Commissioner Brown asked if the transom windows would be acceptable to the developer.

Mr. McCree said they were fine.

Commissioner Brown said that with the wall being out back, transom windows would not be necessary.

Mr. West agreed.

Commissioner Brown said it would be nicer to look out at the landscaping.

Mr. West said that Section 7 – Prohibited uses – information needs to be turned in to finalize the list.

Commissioner Tucker then asked about the gates in the wall to allow for landscape maintenance.

Mr. Merkel said that he would pull the wall back 5 feet from the right-of-way line in order to allow for access.

Commissioner Brown then stated that the walls should be the double-faced split block construction, not concrete block.

Mr. Merkel agreed.

Commissioner Brown made a motion to approve the request.

Commissioner Dorworth seconded the motion.

The motion passed 4 – 0.

D. Complete Soccer Academy; John C. Cassidy / Complete Soccer Academy, applicant; approximately 0.54 acres; Small Scale Land Use Amendment from Office to Planned Development and Rezone from OP (Office Professional District) to PCD (Planned Commercial Development District); located on the east side of Executive Park Court, between SR 436 and Glocca Morra Drive. (Z2005-003 / 01-05SS.02).

Commissioner Van Der Weide – District 3 Tina Deater, Senior Planner

Tina Deater presented the Executive Park Court Complete Soccer Academy application for a Small Scale Land use Amendment from Office to Planned Development, and a Rezone from Office Professional to Planned Commercial Development, and final site plan approval. The subject property contains approximately 0.54 acres and is located on the east side of Executive Park Court, between SR 436 and Glocca Morra Drive. The current Future Land Use on the subject property is Office and the current zoning is Office Professional.

Ms. Deater stated that the applicant proposes to build an indoor soccer academy and per Section 30.465 of the Seminole County Land Development Code, the applicant has opted to present the Preliminary Site Plan as the Final Site Plan.

Based upon staff's evaluation, the proposed Planned Development future land use land use and PCD zoning would be compatible with the surrounding land uses in this area. The soccer academy is an indoor facility, similar to the office use that is already approved for the site and it is proposed in an existing office park adjacent to a daycare center. When the plat, of which the subject property is a part, was approved in 1987, a 35-foot landscape buffer was designated along the south property line.

The proposed site plan included in the Developer's Commitment Agreement complies with this requirement; therefore the residential properties to the south will be buffered sufficiently.

Staff recommends approval of the request for a Small Scale Land Use Amendment from Office to PD (Planned Development) and Rezone from OP (Office Professional District) to PCD (Planned Commercial Development District), subject to the Developer's Commitment Agreement, and Final PCD Site Plan contained in the staff report.

John Cassidy of 292 Bentley Drive spoke next. He stated that he would be restricted to 49 persons in the building due to building size and parking limitations.

Commissioner Hattaway noted that there were 20 parking spaces. The parking would spill out onto the road.

Mr. Cassidy said that there would be 8 – 12 students per class and that there could be 2 classes at a time. Many students would be drop-offs.

Commissioner Hattaway asked if there would be large groups and games there.

Mr. Cassidy stated that there would be no games or competitions there. Students are to be instructed only. He has an agreement to rent fields away from the facility.

Commissioner Brown asked about the ages of the students.

Mr. Cassidy said that there would be students from age 5 to professional level. Older students might have a 1 to 3 class ratio. Students could be dropped off. Some would be in car pools. He planned to serve nearby neighborhoods.

Commissioner Tucker stated that the traffic conditions on SR 436 prohibit use of bicycles.

No one spoke from the audience on the application.

Commissioner Brown asked about the safety and adequacy of parking space number one on the site plan.

Tom Radzai stated that the parking place was all right.

Commissioner Dorworth made a motion to recommend approval.

Commissioner Hattaway seconded the motion.

The motion passed by a vote of 4 – 0.

E. **1665 E. E. Williamson Road; Mathew P. Arena, applicant**; approximately 1.67 acres; Small Scale Land Use Amendment from Suburban Estates to Office and Rezone from A-1 (Agriculture District) to OP (Office Professional District); located on the south side of E.E. Williamson Road, across from Sunshine Tree Blvd. (Z2005-004 / 01-05SS.01)

Commissioner Van Der Weide – District 3 Tina Deater, Senior Planner

Ms. Deater stated that the applicant proposes to covert the existing fitness center on the subject property into an office. He is not proposing to add additional square footage to the building, however if the rezone is approved, the site will have to undergo site plan approval to bring the landscaping, lighting, etc. up to current standards. Based upon staff's evaluation, the proposed Office land use, with the attendant OP zoning, would be compatible with surrounding development. The Vision 2020 Comprehensive Plan states that Office land use should be located along collector and arterial roadways and can serve as an effective transitional use between higher intensity non-residential uses and residential uses. In this case, E.E. Williamson Road is classified as a major collector and an aquatic center is located immediately to the north and east, a retail store to the west and residential uses to the south and southwest. As for traffic impacts, the change in use from a gym to an office will also result in a decrease from 220 to 106 Average Daily Trips.

Staff recommends approval of the request for a Small Scale Land Use Amendment from Suburban Estates to Office and Rezone from A-1 (Agriculture District) to OP (Office Professional District), subject to the development order contained in the staff report.

Matt Arena of 309 Heatherwood Court, Winter Springs spoke next. He stated that he has owned the facility for 8 years. There have been several fitness centers on the premises through the years. The proposed zoning will allow more types of uses. There will be less density in use. Professional use will be an improvement to the site.

Randy Parks of 1857 Alaqua Drive stated that he was a 17 year resident of the area and that this area needs improvement. This request is good for the area. He was in favor of the request being granted.

Mohamed Shariff owns the property next door. He was in favor of the request.

Jack Hannahs did not speak, but submitted comments in opposition to the request.

Kent Powers of 3 Old Post Road has lived in the area for 32 years. He is a member of the Markham Woods Home Owners Association Board. He was concerned that the area will become commercialized. There was a time years ago when the swimming pool was agreed upon as a positive addition to the neighborhood. He was concerned about what might evolve here. He did not want to see commercialization of the area.

Quentin "Bob" Beitel of 4 Quail Run represents 2800 homeowners in the area through the Markham Woods Association. He is in opposition to this request. He has tried to get various other types of development on this site, along with the 9 adjacent acres, to no success. He asked that this request be denied.

Matt Arena stated that he disagreed with the previous speaker. He is 100 yards back from E. E. Williamson Road. He will not be impacting traffic. He sees the change as a positive thing.

The public hearing was now closed.

Commissioner Tucker made the statement that Mr. Ditmer's pool, adjacent to the site, was the only pool in the area when the aquatic center was opened 35 years ago. This center had been a past success and an attribute to the community. Many residents had participated in the use of the facility and benefited from the center through the years.

Commissioner Brown noted the proximity of the garden center. He did not see the development of this site as residential.

Commissioner Brown made a motion to recommend approval of the request according to staff recommendations.

Commissioner Hattaway seconded the motion. She said that this would be a step down in intensity of use on the site.

Commissioner Tucker stated that the YMCA is not interested in this as of today. Mr. DeBartolo had spoken about a Pubix Supermarket here. Nothing has ever been well received. With the cell towers and vet clinic nearby, he cannot see residential use there.

The motion passed 4 – 0.

Planning Manager's Report

Matt West mentioned the rescheduling of 2 meetings of the LPA/P&Z: the July 6, 2005 meeting and the January 6, 2006 meetings both fall immediately after holidays. Mr. West proposed moving the meetings to July 13, 2005 and January 11, 2006 respectively.

There was no objection from the Commissioners.

The meetings will be rescheduled to the new dates.

Alice Gilmartin, Principal Coordinator in the Planning Division, presented a briefing on the Rural Lands Study. The BCC directed the Planning Department to examine the goals, objectives, and policies of the Comprehensive Plan and the regulations that deal with the rural area. Planners are accessing the needs of in order to keep and strengthen the rural character of the area. Starting at Thanksgiving of the past year, planners met with residents of the three major communities of the rural area; Chuluota, Black Hammock, and Geneva. There were a variety of concerns from the residents. Residents wanted the area sustained, but they did not want an increase in regulations. There was a second meeting on February 24, 2005, at which the handout included in the meeting book was distributed. There were seven topics identified as areas of concern. First was to protect the rural boundary edges. Buffers or some kind of demarcation will be developed. A rural belt could be developed of perhaps 50 feet with buffers and lots with transitional densities.

Commissioner Hattaway asked about a statute that would establish the buffer and stops people from re-drawing the line.

Ms. Gilmartin said that there were 2 areas of concern; first is the southern part of the County where there is a large area of vacant land on the west side of 419. On the east side there are homes. We would ask for enhanced landscaping on the west side.

Also, on the south side of Lake Jesup there is an area just south of Florida Avenue which could have buffers between the 5-acre lot area and traditional housing areas.

Commissioner Brown asked why the rural area does not create the buffer belt, rather than the developers of new subdivisions. He did not like putting the burden totally on the urban side, rather than the rural side.

Ms. Gilmartin said that the boundary would be examined for opacity of landscaping.

Mr. West said that if you do not transition on the urban side and transition of the rural side instead, the rural side will become smaller.

Commissioner Dorworth pointed out that large buffers would take away areas of development on vital urban transitional land.

Mr. West stated that these are just ideas that are being put forth at this time.

Commissioner Brown stated that each side should be required to give something. Don't beat down one side or the other.

Commissioner Dorworth pointed out that people may not be willing to give up their land for the buffer.

Commissioner Tucker pointed to the issue of provision of services. Will response times of the urban area be the same in the rural area? Should it be the same? There is a supplementation of the rural life by the urban taxpayers which affords everyone the same level of service for schools and emergency services. We should address the level of service differences in the two areas.

Ms. Gilmartin stated that they do not have the same level of services; the fire flows are less; systems will not be upgraded. People in the rural area know that their systems will not be upgraded.

Both Commissioner Hattaway and Commissioner Tucker said that people are pushing to have the services in the rural area upgraded.

Ms. Gilmartin said that such a point of view was not expressed at the meetings recently held with citizens.

Matt West stated that the Comprehensive Plan prohibits central water and sewer. You must use well and septic.

Commissioner Tucker stated that such a condition causes expensive water tanker trucks to be provided in order to give protection to the rural area at am acceptable levels. This is an example of the urban area supplementing the rural life style.

Mr. West said that this would be examined.

Commissioner Tucker said that this was but one example of the philosophical differences that come up on rural issues. We should be examining the costs of providing these services to the rural area.

Commissioner Hattaway said that it was a luxury to be in the rural area, and there has to be a compromise.

Ms. Gilmartin said that staff is reviewing a draft rural lands study at this time. This will go to the BCC at the end of June, 2005. In July a final report and land use amendments associated with the study will be brought before the Land Planning Agency/Planning and Zoning Commission.

Commissioner Brown asked about the non-residential uses.

Ms. Gilmartin said that there would be design and performance standards.

Commissioner Tucker asked about the sale of agricultural products on roadside stands.

Ms. Gilmartin said that vegetable crops were not the primary crop in our rural area at this time. It was most likely beef cattle and sod growing.

Commissioner Tucker said that the primary use is residential homes. It is hard to imagine a rural area without roadside stands.

Ms. Gilmartin next referred to the Evaluation and Appraisal report, which will go to the BCC on Tuesday, May 24. There is a sub-website on the County website which addresses the Evaluation and Appraisal Report. This concluded Ms. Gilmartin's report.

There being no further business, the meeting adjourned at 9:30 P.M.

Respectfully submitted,

Candace Lindlaw-Hudson
Secretary to the Commission