

ITEM # _____

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

SUBJECT: Long Pond PUD, Request for Rezone from A-1 (Agriculture) to PUD
(Planned Unit Development District) (Dennis Casey, applicant)

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

AUTHORIZED BY: Tony Walter **CONTACT:** Jeff Hopper EXT. 7431

Agenda Date <u>9/07/05</u> Regular <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Special Hearing – 6:00 <input type="checkbox"/> Public Hearing – 7:00 <input checked="" type="checkbox"/>

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the requested Rezone from A-1 (Agriculture) to PUD (Planned Unit Development District) on 51.4 acres located on north side of Long Pond Road, 0.6 miles east of Markham Woods Road, adjacent to I-4 (Dennis Casey, applicant) based on staff findings; or
2. Recommend DENIAL of the requested Rezone from A-1 (Agriculture) to PUD (Planned Unit Development District) on 51.4 acres located on north side of Long Pond Road, 0.6 miles east of Markham Woods Road, adjacent to I-4 (Dennis Casey, applicant); or
3. CONTINUE the item to a time and date certain.

(District 5 – Comm. Carey)

(Jeffrey Hopper, Senior Planner)

BACKGROUND:

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

STAFF RECOMMENDATION:

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

Reviewed by: Co Atty: <u>JP</u> DFS: _____ OTHER: _____ DCM: _____ CM: _____ File No. <u>Z-2005-018</u>
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ATTACHMENTS:

Staff report
Location Map
Future Land Use/Zoning Maps
Aerial Photograph
Site Plan
Development Order
Rezone Ordinance

LONG POND PUD REZONE

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

OVERVIEW

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

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

Existing Land Uses:

			(North)					
			SE SF residential <i>A-1/RC-1</i>	PD <i>Oakmonte Senior Village</i> <i>PUD</i>				
			SE SF residential <i>A-1</i>	SE (SUBJECT PROPERTY) vacant <i>A-1</i>				
			SE SF residential <i>A-1</i>	SE SF residential <i>A-1</i>				
			(South)					

***Bold** text depicts future land use designation, plain text depicts the existing use, and *italicized* text depicts zoning district. See enclosed future land use and zoning map for more details.

SITE ANALYSIS

Facilities and Services:

1. The impacts of development shall not occur until adequate facilities and services are available. The proposed development conforms to the established future land use designation of Suburban Estates (SE). Therefore, there will be no significant change in potential impacts of the request as compared to existing zoning.

Public Facilities	Existing Zoning (A-1)*	Proposed Development	Net Impact
Water (GPD)	17,850	16,800	(1050)
Sewer (GPD)	17,850	16,800	(1050)
Traffic (ADT)	485	456	(29)
Schools			
Elementary	12.0	11.0	1.0
Middle	6.0	6.0	0
High	8.0	8.0	0

*Existing development on straight zoning is based on maximum units permitted using gross acreages.

2. The proposed rezone is consistent with the adopted SE future land use designation, and 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.
3. The site is in the Seminole County water and sewer service area. Water capacity for new development is limited in the Northwest Service Area. Capacity availability for this project will be determined through Concurrency review prior to Final Engineering approval.
4. The site will access Long Pond Road, a local road connecting to Markham Woods Road to the west. Markham Woods Road currently operates at Level of Service (LOS) "C".

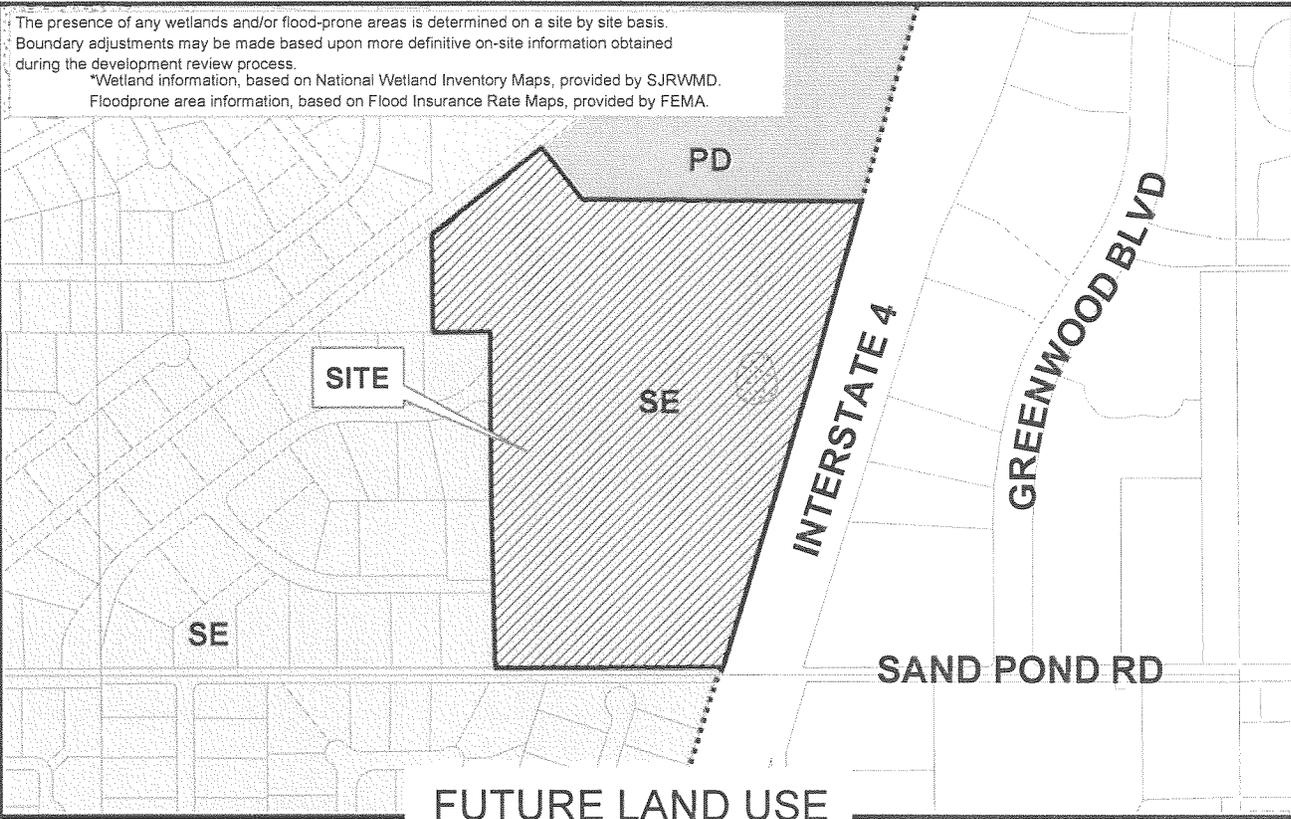
Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with Surrounding Development: The proposed PUD zoning is compatible with the SE future land use designation.

Intergovernmental Notice Process: Intergovernmental notice to cities is not required since none are affected. Staff sent an Intergovernmental Notice of the proposed rezone to the Seminole County School Board on August 19, 2005.

STAFF RECOMMENDATION:

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

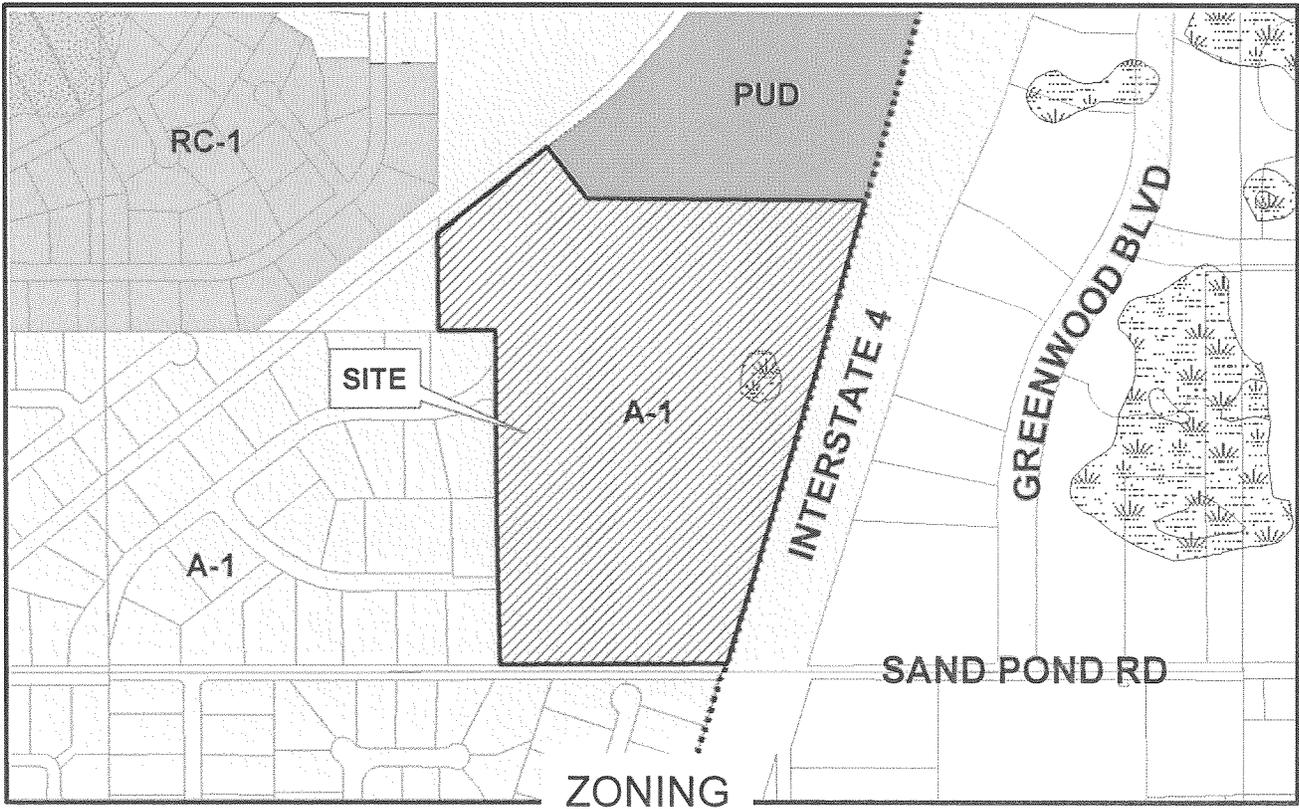


FUTURE LAND USE

Site
 Municipality
 SE
 PD
 CONS

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

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



ZONING

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



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

-  Parcel
-  Subject Property



January 2004 Color Aerials

DEVELOPMENT PLAN

FOR

LONG POND SUBDIVISION

SEMINOLE COUNTY, FLORIDA

MAY, 2005

PROJECT INFORMATION

SURVEYOR: SEARS SURVEYING COMPANY
2107 N. PARK AVENUE
WINTER PARK, FLORIDA 32789
407-897-8220

EXISTING ZONING: A-1

PROPOSED ZONING: RESIDENTIAL PUD

FUTURE LAND USE: SUBURBAN ESTATE

SITE AREA: 51.443 ACRES

PROPOSED DEVELOPMENT: 48 SINGLE FAMILY LOTS

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

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

NET DENSITY: 51.443 ACRES
-3.200 ACRES (PROPOSED 30' R/W)
48.243 ACRES (NET PROJECT AREA)
1.00 LOT/ACRE (48 LOTS/48.243 ACRE)

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

OPEN SPACE:
2.03 ACRES OPEN SPACE / BUFFERS
11.12 ACRES STORMWATER AREAS
13.15 ACRES OPEN SPACE (25.63%)

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

POTABLE WATER SERVICE: SEMINOLE COUNTY

FIRE PROTECTION: SEMINOLE COUNTY

SEWER SERVICE: SEMINOLE COUNTY

EXIST. LAND USE: VACANT

EXIST. VEGETATION: PASTURE GRASS / SCATTERED TREES

CONSERVATION AREA: N/A

FLOOD ZONE: ZONE "X" (AREAS OF MINIMAL FLOODING), FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL # 120289 0130 E, SEMINOLE COUNTY, FLORIDA, EFFECTIVE DATE APRIL 17, 1995

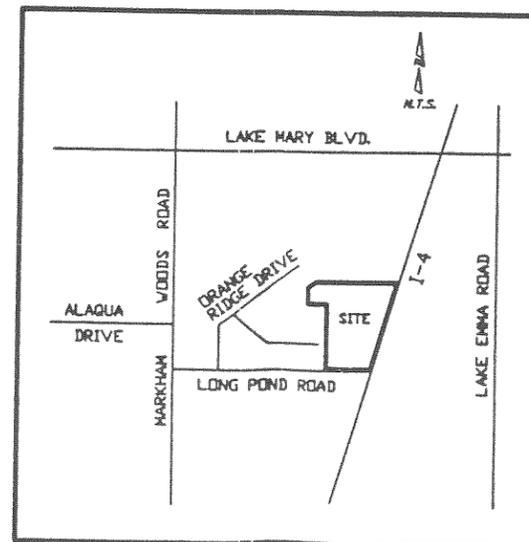
OWNER/DEVELOPER:
ROCKWELL DEVELOPMENT, INC.

1017 EAST SOUTH STREET, SUITE B
ORLANDO, FLORIDA 32801
407-886-8578

ENGINEER:
GEORGE GARRETT P.E.

P.O. BOX 531085
ORLANDO, FLORIDA 32853
407-238-8852

VICINITY MAP



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

LEGAL DESCRIPTION:

A PORTION OF LAND IN THE SOUTH 1/2 OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 28 EAST, SEMINOLE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF BLOCK "C", OAKMONT PARK ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 53, PAGE 75 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AS A POINT OF REFERENCE, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF STATE ROAD No. 400; THENCE RUN S 18°11'40" W, ALONG SAID WEST RIGHT OF WAY LINE, 850.83 FEET TO THE POINT OF BEGINNING; THENCE RUN N 88°45'37" W, 1087.08 FEET; THENCE RUN N 37°48'38" W, 240.85 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SEMINOLE MEDOVA TRAIL (A 50' RIGHT OF WAY); THENCE RUN S 57°17'24" W, ALONG SAID EASTERLY RIGHT OF WAY LINE, 538.30 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE RUN S 00°17'33" E, ALONG SAID WEST LINE, 288.58 FEET TO THE NORTH LINE OF ORANGE RIDGE FARMS ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 12 OF THE SEMINOLE COUNTY PUBLIC RECORDS; THENCE RUN N 69°58'07" E, ALONG SAID NORTH LINE, 318.18 FEET TO THE EAST LINE OF SAID PLAT; THENCE RUN S 00°13'48" E, ALONG SAID EAST LINE, 1284.28 FEET TO THE NORTH RIGHT OF WAY LINE OF LONG POND ROAD (A 66' RIGHT OF WAY); THENCE RUN N 89°52'43" E, ALONG SAID NORTH RIGHT OF WAY LINE, 887.08 FEET TO THE APRESAID WEST RIGHT OF WAY OF STATE ROAD No. 400; THENCE RUN N 17°20'28" E, ALONG SAID WEST RIGHT OF WAY, 1138.79 FEET; THENCE RUN N 18°11'40" E, CONTINUING ALONG SAID WEST RIGHT OF WAY, 727.37 FEET TO THE POINT OF BEGINNING.

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

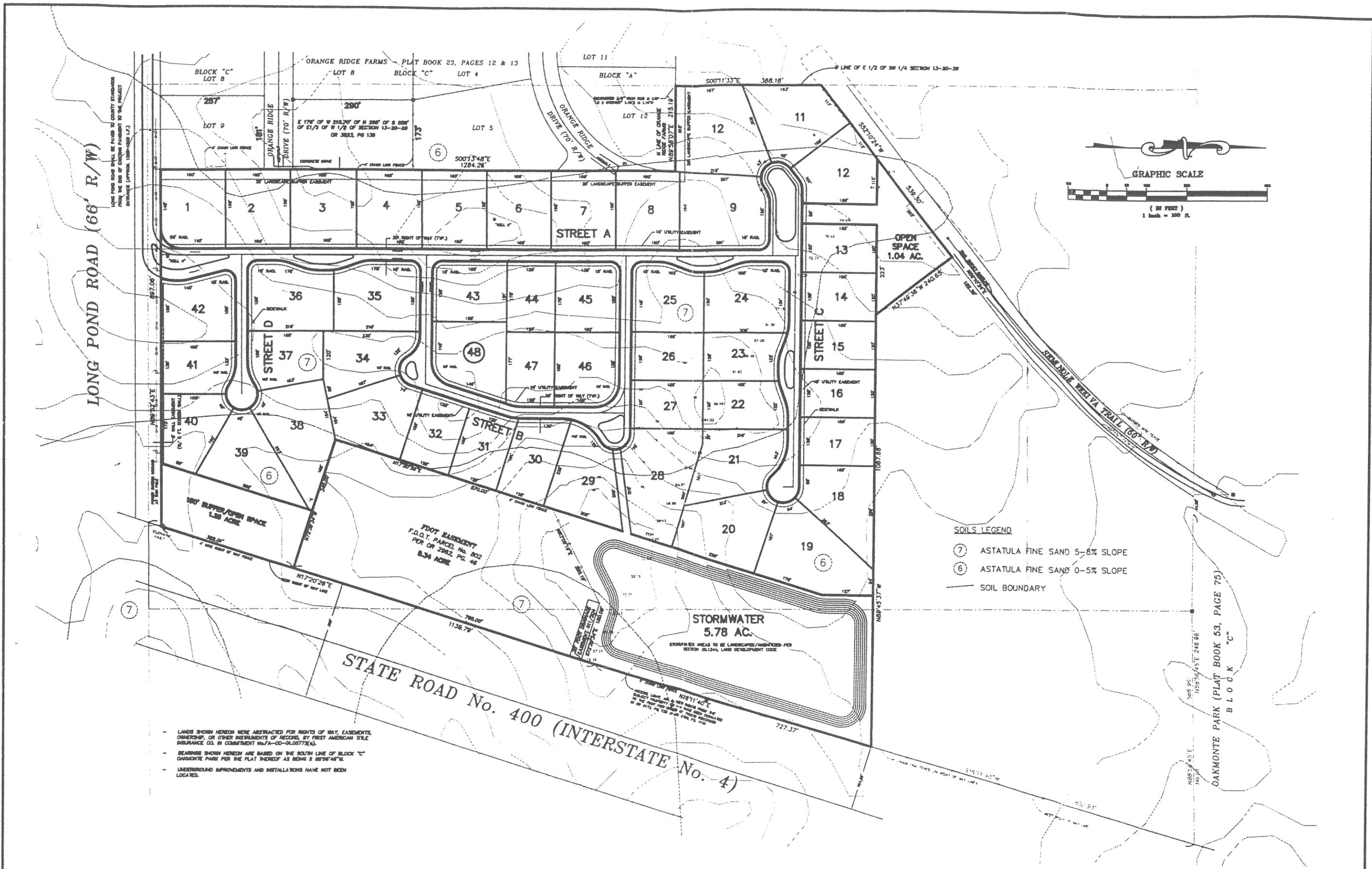
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SHEET	TITLE
1	COVER SHEET
2	DEVELOPMENT PLAN
3	PROJECT DETAILS

REVISIONS

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

LONG POND SUBDIVISION
DEVELOPMENT PLAN



- LANDS SHOWN HEREON WERE ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD, BY FIRST AMERICAN TITLE INSURANCE CO. IN COMMITMENT No. FA-CO-0105772 (4).

- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF BLOCK "C" OAKMONT PARK FOR THE PLAT THEREOF AS BEING 5 878' 46" N.

- UNDERGROUND IMPROVEMENTS AND INSTALLATIONS HAVE NOT BEEN LOCATED.

NO.	DATE	REVISION	APPR'D. BY
1	8-20-05	REVISED FOR DEVELOPMENT REVIEW 8-22-05	

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

LONG POND SUBDIVISION
SEMINOLE COUNTY, FLORIDA

DEVELOPMENT PLAN

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

GEORGE GARRETT, P.E.
FLORIDA #3866

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On October 25, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

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

FINDINGS OF FACT

Property Owner: ROCKWELL DEVELOPERS INC.
DENNIS J. CASEY, PRESIDENT

Project Name: LONG POND PUD

Requested Development Approval: Rezone from A-1 to PUD

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

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

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

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

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

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

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

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

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

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

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Carlton D. Henley
Chairman
Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, ROCKWELL DEVELOPERS INC., on behalf of itself and its successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Print Name

Dennis J. Casey,
President

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared DENNIS J. CASEY, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

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

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Project Legal Description:

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

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

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Long Pond PUD Staff Report."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to PUD (Planned Unit Development) District:

LEGAL DESCRIPTION ATTACHED EXHIBIT A

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

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes. This Ordinance shall become effective upon the date of recording of Development Order #5-23000002 in the official land records of Seminole County.

ENACTED this 25th day of October, 2005.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

EXHIBIT A

LEGAL DESCRIPTION

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