

MEMORANDUM

To: Board of County Commissioners

Cc: Bryant Applegate, Interim County Manager
Paul Chipok, Interim County Attorney
Grant Maloy, Clerk of the Court
Trisha Johnson, Deputy County Manager
Meloney Koontz, Assistant County Manager
Rebecca Hammock, Development Services Director
Mary Moskowitz, Planning & Development Division Manager

From: Annie Sillaway, Senior Planner, Development Services

Date: February 13, 2023

Time: 3:00 p.m.

Re: **February 14, 2023, BCC Agenda Item #17 – Towns at Greenleaf**

Attached please find revised Development Order to include Condition “N” for Item #17:
Towns at Greenleaf

Attachments:

- Revised Development Order to include an additional Condition. The Condition “N” states; The Developer is required to design and build the trail crossing in accordance with the updated version of the trail crossing details per the Seminole County Leisure Services/Public Works.

Thank you

SEMINOLE COUNTY DEVELOPMENT ORDER

On February 14, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

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

FINDINGS OF FACT

Property Owner: George P. Kirk

Project Name: Towns at Greenleaf

Requested Development Approval: Consider a Small Scale Future Land Use Map Amendment from Medium Density Residential and Commercial to Medium Density Residential and a Rezone from A-1 (Agriculture) to R-3A (Multiple Family Dwelling) for a thirty-three (33) lot townhome subdivision on approximately 6.71 acres, located southwest of Slavia Road and west of State Road 426.

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 development conditions and commitments stated below will run with, follow and perpetually burden the above described property.

Prepared by: Annie Sillaway, Senior Planner
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The subject application for development approval is **GRANTED**.
- (2) All development must 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, are as follows:
 - A. Development must comply with the Conceptual Development Plan attached as Exhibit (B).
 - B. Permitted Uses: Maximum of Thirty-three (33) Townhome Development and their customary accessory and personal services uses.
 - C. The project densities are as follows: Multi-family (Townhome): 7.86 dwelling units per net buildable acre.
 - D. Minimum housing size: 1,200 square feet.
 - E. The maximum allowable building heights are as follows: Townhomes (multi-family): Two (2) story, Thirty-five (35) feet.
 - F. The development must provide a minimum of Twenty-five (25) percent common usable open space. Landscape buffer shall not be counted toward the open space calculation.
 - G. The setbacks from the external property boundaries are as follows:
 - Front: Thirty-five (35) feet
 - Side: Thirty-five (35) feet
 - Rear: Thirty-five (35) feet

*A minimum three (3) foot side yard drainage easement shall be required on all lot lines between buildings; air conditioning units, pool equipment, water softeners and similar facilities shall not be permitted within the drainage easements.
 - H. The Landscape Buffers are as follows:
 - North (Side): Fifteen (15) foot width landscape buffer
 - South (Side): Twenty (20) foot width landscape buffer
 - East (Front): Fifteen (15) foot width landscape buffer
 - West (Rear): Zero (0) feet

The detailed landscape buffers will be required to follow the Seminole County Land Development Code (SCLDC).

- I. The developer must provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside of the development.
- J. All project signage must comply with the Seminole County Land Development Code (SCLDC).
- K. A mandatory homeowner's association shall be created to manage all common areas and facilities.
- L. The stormwater design shall meet Seminole County and St. John River Water Management District requirements for a closed basin.
- M. A signal warrant analysis will be required at the time of Final Engineering. Signal installation and operational improvements if warranted are subject to FDOT permitting and approval and will be determined at Final Engineering.
- N. The Developer is required to design and build the trail crossing in accordance with the updated version of the trail crossing details per the Seminole County Leisure Services/Public Works.
- O. The existing structures on site will require a building permit to demolish before construction.
- P. The trail crossing shall be designed per the Seminole County Public Works Design Standards.
- Q. The townhome development will be developed in one (1) phase.
- R. All external landscape buffers around the north, south, and east portions of the site shall maintain their opacity. No planned improvements in this project scope are to encroach into the landscape buffers. If buffers are disturbed, supplemental landscaping will be planted to maintain consistency with the required buffers per the Seminole County Land Development Code (SCLDC), Chapter 30, Part 67.
- S. The wetland will be required to be placed in a conservation easement.
- T. **In the case of a conflict between the written conditions A through S in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through S will apply.**

(4) This Development Order touches and concerns the above described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude upon and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.

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

(6) In the case of a conflict between the written conditions in this Development Order and the attached Master Development Plan, the terms of the written conditions shall apply.

(7) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.

(8) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

(9) This Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case will this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Towns at Greenleaf (as referenced in Exhibit A), on February 14, 2023.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
Amy Lockhart, Chairman

EXHIBIT A**Legal Description**

Parcel 1:

That part of Lot C described as follows, begin at the SW corner of South 132 of North 396 feet of W 1/2 of SW 1/4 of NE 1/4 of SE 1/4 of Section 20, Township 21 South, Range 31 East, run North on West line of said W 1/2 71.65 feet, thence S 69°02'01" E, 204.7 feet to the South line of said South 132 feet of North 396 feet, thence N 89°30'15" W 190.41 feet to point of beginning.

Parcel 2:

The West half of the SW 1/4 of the NE 1/4 of the SE 1/4 West of the S.A.L. Railway Co., Section 20, Township 21 South, Range 31 East, LESS the North 396 feet thereof, ALSO LESS that portion conveyed in Official Records Book 177, Page 173, AND ALSO LESS that portion conveyed in Official Records Book 1016, Page 988, of the Public Records of Seminole County, Florida.

AND

Begin at SW corner of W1/2 of SW 1/4 of NE 1/4 of SE 1/4, Section 20, Township 21 South, Range 31 East, Seminole County, Florida, Run East 213 feet to S.A.L. Railway right of way, N 23°27' E. 215.17 feet, West 300 feet, South 197.4 feet to beginning.

Parcels 1 and 2 AKA Begin at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 20, Township 21 South, Range 31 East, Seminole County, Florida; run North 00°35'37" West 335.9 feet;

thence South 69°02'01" East 332.46 feet; thence South 23°25'18" West 236.4 feet; thence West 213.0 feet to the Point of Beginning.

Parcel 3

South 1/2 of South 1/2 of East 1/2 of NW 1/4 of SE 1/4, of Section 20, Township 21 South, Range 31 East, Seminole County, Florida.

