

**AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; REZONING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) AND OP (OFFICE) ZONING CLASSIFICATIONS TO THE PD (PLANNED DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

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

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled Wayside Assemblage PD Rezone dated December 12, 2023.

(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. REZONING.** The zoning classifications assigned to the following described property is changed from A-1 (Agriculture) and OP (Office) to PD (Planned Development) pursuant to the provisions contained in Development Order #23-20500006, attached to this Ordinance as Exhibit “A” and incorporated in this Ordinance by reference:

**SEE ATTACHED EXHIBIT “B” FOR LEGAL DESCRIPTION**

**Section 3. CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this Ordinance will not be codified.

**Section 4. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of

County Commissioners that the invalidity will 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.** The Clerk of the Board of County Commissioners shall provide a certified copy of this Ordinance to the Florida Department of State in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order #23-20500006 in the Official Land Records of Seminole County or upon filing this Ordinance with the Department of State, whichever is later.

ENACTED this 12th day of December, 2023.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
AMY LOCKHART, CHAIRMAN

**EXHIBIT "A"**  
**DEVELOPMENT ORDER**

FILE NO.: PZ2023-06

DEVELOPMENT ORDER #

23-20500006

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

On December 12, 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 Owners:** Ronald J. Presley & William W. Presley; Randy A. Hanson; Tesfaye Haile & Thelma Haile; Vista Oak Partners, LLC; Wendell E. Sweetser Jr.; Janet S. Rumford; Mark Sweetser; David Sweetser; Kenneth M. Sweetser; Helen L. Williams; Paul M. Watson; Diane Watson; Sam J. Watson; Gerald F. Williams Jr.; Marjorie S. Watson; Strange Properties, LLC; Gerald F. Williams Jr.; Helen M. Williams; David R. Sweeney & Annette Sweeney; Grace A. Dodge; Kenneth L Spivey

**Project Name:** Wayside Assemblage PD Rezone

**Requested Development Approval:** Consider a Rezone from A-1 (Agriculture) and OP (Office) to PD (Planned Development) for a mixed use development consisting of multi-family, office, and retail commercial uses on approximately 19.46 acres, located on the south side of Wayside Drive, east of International Parkway.

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

FILE NO.: PZ2023-06

DEVELOPMENT ORDER #

23-20500006

**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 Master Development Plan attached as Exhibit (B).
  - B. Permitted Uses:
    - a. Target Industries – All uses specific to FLU Exhibit-40 of the Seminole County Comprehensive Plan (on approximately 8.54 acres).
    - b. Multi-family residential- All uses associated with R-4 zoning (on approximately 8.51 acres).
    - c. Commercial – C-2 (Retail Commercial) and OP (Office) zoning for (on approximately 2.39 acres).
  - C. Prohibited uses:
    - a. Car washes
    - b. Mobile home and Recreational Vehicle Sales
    - c. Marine sales and Service
    - d. Dry cleaners
    - e. Dog kennels
  - D. Multi-Family Residential Tract on 8.51 acres: Maximum Density of fifty (50) units per net buildable acre. Maximum building square feet: 503,621 square feet.
  - E. Office/Commercial Tract on 3.73 acres: Maximum total building square feet of 56,868 square feet.
  - F. Higher Intensity Planned Development – Target Industry (HIP-TI) Tract on 8.54 acres: Maximum Floor Area Ratio (F.A.R.) of 1.5.
  - G. Maximum building heights are as follows:
    - a. Commercial/Office: 100 feet
    - b. Multi-family: Seventy-five (75) feet
  - H. Open Space: A minimum of twenty-five (25) percent open space will be provided. All buffers and retention ponds will count as open space.
  - I. Perimeter Building Setbacks shall be:  
Multi-Family:

FILE NO.: PZ2023-06

DEVELOPMENT ORDER #

23-20500006

Front: Twenty-five (25) feet  
Side: Twenty-five (25) feet  
Rear: Twenty-five (25) feet  
Street Side: Twenty-five (25) feet  
Office/Commercial:  
Front: Twenty-five (25) feet  
Side: Seven-one half (7.5) feet  
Rear: Ten (10) feet  
Street Side: Twenty-five (25) feet

\*Fifty (50) foot perimeter setback to be applied if the building height is above seventy-five (75) feet.

J. Landscape buffers are as follows:

North: Twenty-five (25) foot landscape buffer, with a 0.5 opacity.  
South: No Buffer required.  
East: No Buffer Required.  
West: To be determined at Final Development Plan (FDP).

The perimeter buffer may be widened at Final Development Plan if required per Chapter 30, Part 67 of the Land Development Code of Seminole County. In no case may the building setbacks be less than the required buffer.

Buffer components will be established at Final Development Plan.

- K. 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.
- L. Landscape buffering will meet the requirements of the Seminole County Land Development Code. Internal buffering between uses will not be required when separated by access, driveway, or parking.
- M. Dumpster Enclosures will meet the Seminole County Land Development Code.
- N. All mechanical equipment, ground or roof-mounted, shall be screened from off-site view with the exception of from the view of the Wekiva Parkway.
- O. Parking size requirements shall be a minimum of 9' x 18' foot spaces.
- P. Parking will meet the requirement of the Seminole County Land Development Code for all non-residential uses. Parking for multi-family will be provided at a rate of 1.70 spaces per dwelling unit.
- Q. Target Industry uses are required to be the primary use of the property. Ancillary commercial uses are permitted to support the Target Industry Use per Policy FLU 5.5.
- R. Any turn lanes that may be required will be determined at Final Engineering.

FILE NO.: PZ2023-06

DEVELOPMENT ORDER #

23-20500006

- S. A minimum of six (6) electric car charging stations will be installed. Three (3) for multi-family use, two (2) for HIP-TI use, and one (1) for the commercial use.
- T. Outdoor lighting shall be fully shielded and implement dark sky lighting in accordance with the Seminole County Land Development Code.
- U. Should the property be subdivided and/or owned by multiple parties, a Property Owner's Association must be created to manage all common areas and facilities.
- V. A cross access agreement to Woodruff Springs right-of-way will be given to Seminole County and the Public at the time of Final Plat. A cross access agreement to parcel 29-19-30-501-0000-0010 will be required to be granted at time of Final Plat.
- W. Development will be integrated between each use.
- X. All project signage must comply with the Land Development Code of Seminole County.
- Y. The subject development is within the County's Urban Bear Management Area and must comply with the requirements outlined in Chapter 258 of the Seminole County Code of Ordinances (2015-33).
- Z. In the case of a conflict between the written conditions A through Y in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through Y 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

FILE NO.: PZ2023-06

DEVELOPMENT ORDER #

23-20500006

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) In approval of this Development Order by Seminole County, the property owner(s) understands that the County must receive a Final Development Plan within five (5) years of approval of the Master Development Plan, unless this time period is extended by the Seminole County Local Planning Agency / Planning and Zoning Commission. If substantial development has not begun within eight (8) years after approval of the Master Development Plan, the planned development will be subject to review by the Local Planning Agency / Planning and Zoning Commission and the Board of County Commissioners may move to rezone the subject property to a more appropriate zoning or extend the deadline for start of construction (see Sections 30.446 and 449, LDC).

(10) This Order becomes effective upon recording with the Seminole County Clerk of the Court.

**Done and Ordered on the date first written above.**

**SEMINOLE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Amy Lockhart, Chairman



FILE NO.: PZ2023-06

DEVELOPMENT ORDER #

23-20500006

**EXHIBIT A****Legal Description**

Beginning at the Northwest corner of Lot 1, Integra Crossings a Replat, according to the plat thereof as recorded in Plat Book 87, Pages 37 through 42, Public Records of Seminole County, Florida; thence run N00°17'08"E, a distance of 504.70 feet; thence run N89°56'25"W along a line 20.00 feet North of and parallel to the South right of way line of Woodruff Springs Road, a distance of 206.34 feet; thence run S24°50'41"W along the centerline of Grant Line Road, a distance of 731.96 feet; thence run S89°38'07"W along the North line of the South 262 feet of Lot 10 of J.W. TURNER'S SUBDIVISION, according to Plat thereof as recorded in Deed Book 71, Page 412 of the Public Records of Seminole County, Florida, and its Easterly extension, a distance of 147.28 feet; thence run N00°26'28"E along the West line of Lots 6 through 10 of said plat of J.W. TURNER'S SUBDIVISION, a distance of 479.54 feet; thence run N89°38'07"E along the North line of said Lot 6, a distance of 148.74 feet; thence run N00°23'56"E along the East line of Lots 2 through 5 of said plat of J.W. TURNER'S SUBDIVISION, a distance of 399.87 feet; thence run N89°49'46"E along the Easterly extension of the South line of Lot 1 of said plat of J.W. TURNER'S SUBDIVISION, a distance of 30.17 feet; thence run N00°26'28"E, a distance of 241.18 feet; thence run S88°25'42"E along the South right of way of Wayside Drive, a distance of 127.65 feet; thence run S10°09'00"W, a distance of 33.00 feet; thence run S79°51'00"E along the centerline of Old Brick Road, a distance of 106.82 feet to a point on a non-tangent curve concave to the North, having a radius of 371.64 feet; thence from a radial bearing of N22°16'01"E run Easterly along said centerline and along the arc of said curve through a central angle of 34°10'05", an arc distance of 221.62 feet, having a chord bearing of S84°49'02"E and a chord distance of 218.35 feet; thence run N24°50'41"E along the centerline of said Grant Line Road, a distance of 97.82 feet to a point on a non-tangent curve concave to the North, having a radius of 628.81 feet; thence from a radial bearing of N04°16'43"W run Easterly along the arc of said curve through a central angle of 09°13'32", an arc distance of 101.25 feet, having a chord bearing of N81°06'31"E and a chord distance of 101.14 feet; thence the next 4 courses and distances run along the Southerly and Easterly right of way line of Wayside Drive: run N85°52'43"E, a distance of 99.08 feet; thence run N58°16'01"E, a distance of 99.78 feet; thence run N48°16'21"E, a distance of 219.81 feet; thence run N48°01'24"E, a distance of 269.06 feet; thence departing said Southerly right of way line of Wayside Drive, run S00°03'30"W along the East line of the West 1/4 of Section 29 and its southerly extension, a distance of 873.07 feet; thence run N89°56'25"W along a line 20.00 feet North of and parallel to the South right of way line of said Woodruff Springs Road, a distance of 515.10 feet; thence run S00°17'08"W along the West line of said Lot 1, Integra Crossings a Replat, a distance of 504.83 feet; thence run N89°53'15"W along the North line of said Lot 1, a distance of 143.28 feet to the Point of Beginning;

Contains 847,615 square feet or 19.458 acres, more or less.



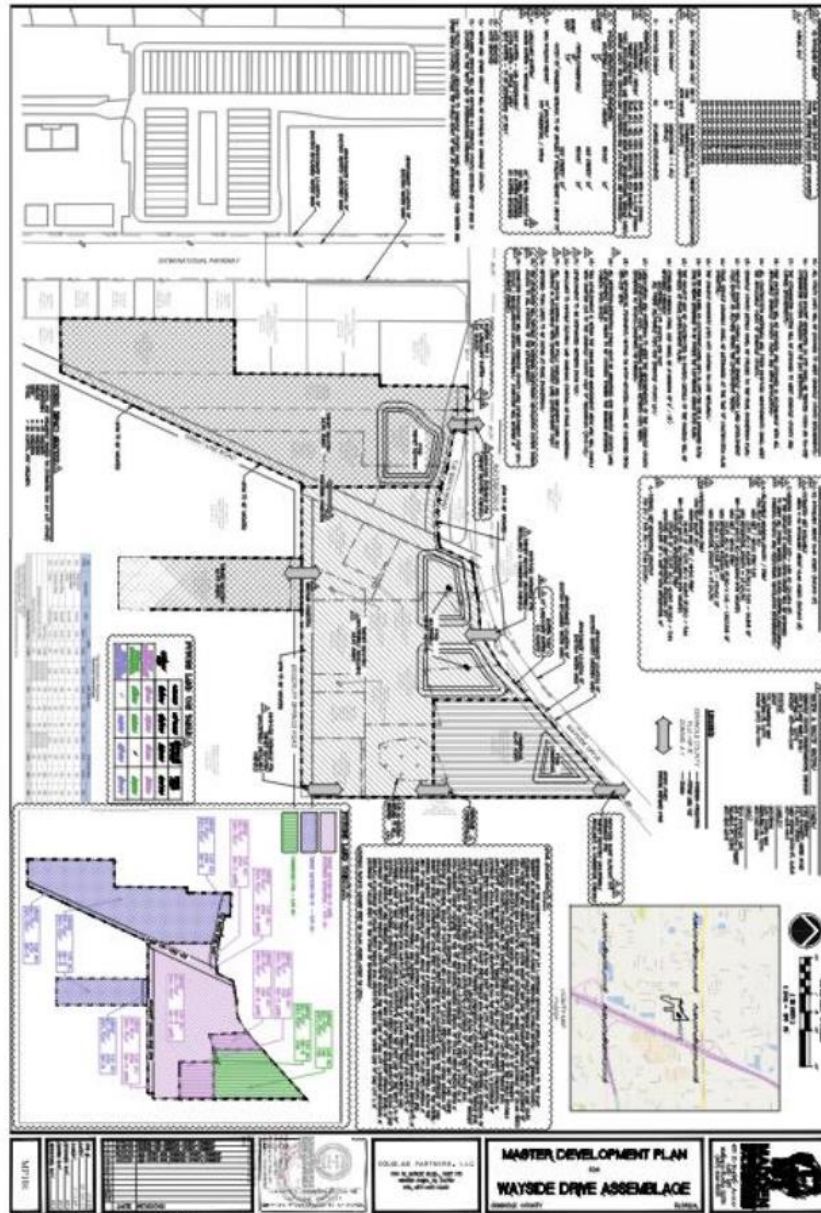
FILE NO.: PZ2023-06

DEVELOPMENT ORDER #

23-20500006

**EXHIBIT B**

**Master Development Plan**



**EXHIBIT "B"**  
**LEGAL DESCRIPTION**

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Contains 847,615 square feet or 19.458 acres, more or less.