

**SEMINOLE COUNTY  
LOCAL PLANNING AGENCY/  
PLANNING AND ZONING COMMISSION  
COUNTY SERVICES BUILDING  
1101 EAST FIRST STREET  
SANFORD, FLORIDA  
BOARD CHAMBERS, ROOM 1028**

**WEDNESDAY, APRIL 2, 2025  
6:00 PM**

**MINUTES**

**CALL TO ORDER AND ROLL CALL**

*Present (7): Chairman Mike Lorenz, Vice Chairman Tim Smith, Commissioner Lourdes Aguirre, Commissioner Brandy Ioppolo, Commissioner Carissa Lawhun, Commissioner Richard Jerman, and Commissioner Dan Lopez*

**ACCEPT PROOF OF PUBLICATION**

A motion was made by Commissioner Carissa Lawhun, seconded by Commissioner Brandy Ioppolo to accept the Proofs of Publication. **The motion passed unanimously.**

*Ayes (7): Chairman Mike Lorenz, Vice Chairman Tim Smith, Commissioner Lourdes Aguirre, Commissioner Brandy Ioppolo, Commissioner Carissa Lawhun, Commissioner Richard Jerman, and Commissioner Dan Lopez*

**APPROVAL OF MINUTES**

A motion was made by Commissioner Dan Lopez, seconded by Vice Chairman Tim Smith to approve the March 5, 2025 Minutes, as submitted. **The motion passed unanimously.**

*Ayes (7): Chairman Mike Lorenz, Vice Chairman Tim Smith, Commissioner Lourdes Aguirre, Commissioner Brandy Ioppolo, Commissioner Carissa Lawhun, Commissioner Richard Jerman, and Commissioner Dan Lopez*

**TECHNICAL REVIEW ITEMS**

**Encore at Hillview Preliminary Subdivision Plan (PSP)** – Approve the Preliminary Subdivision Plan for the Encore at Hillview Subdivision containing twenty-eight (28) residential lots on approximately 3.34 acres zoned R-3A (Multiple Family Dwelling), located on the north side of Hillview Drive, approximately ¼ mile east of SR 434; (Zach Miller, Applicant) District 3-Constantine; (Annie Sillaway, Senior Planner).

Joy Giles, Principal Planner, presented this item as submitted in the Staff report. She further stated that the subject property has a High Density Residential Future Land Use designation, which allows a maximum of twenty (20) dwelling units per net buildable acre. However, the R-3A (Multiple Family Dwelling) zoning classification limits the density to 10 dwelling units per net buildable acre. The site is located within the City of Altamonte Springs utility service area and will be required to connect to public utilities. The development will access onto Hillview Drive and the internal right-of-way will be privately owned and maintained by the Homeowner's Association (HOA). Staff finds the Preliminary Subdivision Plan in compliance with Chapter 35 of the Seminole County Land Development Code and in compliance with the existing land use and zoning designations of the property. Staff recommends approval of this Technical Review item.

Zach Miller, for the applicant, of Sanford, stated that they are compliant with the future land use, and he is available for any questions.

A motion was made by Commissioner Brandy Ioppolo, seconded by Commissioner Richard Jerman to approve the Encore at Hillview Preliminary Subdivision Plan. **The motion passed unanimously.**

*Ayes (7): Chairman Mike Lorenz, Vice Chairman Tim Smith, Commissioner Lourdes Aguirre, Commissioner Brandy Ioppolo, Commissioner Carissa Lawhun, Commissioner Richard Jerman, and Commissioner Dan Lopez*

## **PUBLIC HEARING ITEMS**

**2825 Waldens Pond Cove Special Exception** – Consider a Special Exception for an assisted living facility with eight (8) residents in the A-1 zoning district on one (1) acre, located on the east side of Waldens Pond Cove; BS2024-03 (Carol McIntyre, Applicant); District 5 – Herr; (Hilary Padin, Planner).

Hilary Padin, Planner, presented this item as stated in the Staff report. She further stated that this item is a request for a Special Exception for 2825 Waldens Pond Cove for an existing assisted living facility located within the Mandarin subdivision in Longwood to increase from six (6) to eight (8) residents in the A-1 zoning district on one (1) acre. The assisted living facility, known as Arrows Senior Care, employs four (4) staff members providing around-the-clock care for their non-driving, elderly residents. The structure is a 2,393 square foot, four (4) bedroom single-family residence. The Applicant's intent is to have two (2) residents for each bedroom, without any structural modifications to the facility. In compliance with the Seminole County Land Development Code (SCLDC) Section 30.3.5 - Community meeting procedures, the Applicant conducted a community meeting on December 21, 2024. Details of the community meeting have been provided in the agenda packet. Section 30.3.1.5 of the SCLDC states that certain criteria must be met for the Board of County Commissioners to approve a Special Exception request. Staff finds that the request only meets two (2) of the ten (10) criteria. The facility currently houses six (6) residents, which is within an existing single-family residential subdivision, and in-character with the typical occupancy and use for a single-family residential subdivision, precluded by Florida Statute from zoning regulations. The applicant's request for approval would allow eight (8) residents (an increase of 2 additional residents), would deem this facility non-residential and trigger additional requirements for the property and structure to align it as a commercial use facility, such as signage, parking, and sprinkler

systems. The existing trend of development in the area is Suburban Estates, single-family residential in character, and therefore would not be compatible with a higher resident count as a commercial use facility. The additional residents would incur additional trips by employees, visitors, medical professionals, ambulance transportation, and other vehicular traffic through this residential subdivision to support the additional residents' needs. Therefore, it would create unduly adverse effects on traffic patterns, movements and volumes throughout the subdivision. This property is located on an interior local road of an established Suburban Estates single-family residential subdivision without the means of easy access to public infrastructure to support a commercial level assisted living facility use. The Comprehensive Plan intends for the property to act as a buffer between urban development and rural area, and not for a non-residential facility. Therefore, it is not consistent with the Seminole County Comprehensive Plan. In addition to the imposition of additional traffic upon the residents of the subdivision, the proposed increase of residents would require the assisted living facility to conform to additional standards that would create the appearance of a commercial facility, while located within a single-family subdivision. Therefore, the granting of the subject Special Exception will adversely affect the public's interest. Section 30.6.10.3 of the Land Development Code states that assisted living facilities may be approved by the BCC as a Special Exception provided that, in addition to all of the other findings, it does not create an over-concentration of such homes or substantially alters the nature and character of the area. Although the location does not create an over-concentration, Florida Statutes 419.001(3)(c)(3) states that a home that is located within 500 feet of an area of single-family zoning substantially alters the nature and character of the area. This facility is surrounded by single family homes within an established community. The additional requirements of a facility with over six (6) beds requires additional compliance standards, causing the nature and character of the single-family home to be altered. The existing structure is currently 2,393 square feet and the Applicant is not proposing to expand the structure. Therefore, the proposed structure is compatible with the neighborhood in its physical size. The proposed increase of beds for this existing assisted living facility would require commercial use standards, such as parking, buffering, and signage that would not be in character with the rural zoning classification. It would create additional traffic to the location that would be intensive in nature and not be compatible with the concept of low-density rural land use. The subject property is serviced by Sunshine Water and has a septic system in place. Sunshine Water Services provided a letter verifying service to the address. The Florida Department of Health issued a letter approving the request for an increase to eight (8) beds. Therefore, the property has access to adequate levels of public services. Seven (7) letters of opposition were received from property owners within this subdivision and forwarded to the Board for their consideration. Staff requests the Board of County Commissioners deny the Special Exception and associated Development Order for an eight (8) bed assisted living facility in the A-1 zoning district on one (1) acre, located on the east side of Waldens Pond Cove.

Commissioner Dan Lopez stated that the current parking situation doesn't seem adequate. Ms. Padin stated that our Code requires to have ½ of a parking space for an assisted living facility for each bed, and therefore would only require four (4) spaces.

Commissioner Tim Smith asked if the Denial Development Order should have a May 13, 2025 date listed, and Ms. Padin responded yes, it is the date of the Board of County Commissioners' meeting.

Carol McIntyre, the applicant, stated that there is a growing need for additional beds for the elderly. She stated that no residents drive, but may have four (4) extra visits per month.

Commissioner Richard Jerman asked how many employees are in the facility at any one time. Ms. McIntyre stated that they have eight (8) hour shifts and within the shift there are two (2) employees per shift every day. They have never had an issue with parking and have adequate parking space within the driveway.

Commissioner Carissa Lawhun asked how often per month do they get visitors, including medical and ambulance personnel. Ms. McIntyre responded that they have a doctor on Staff and she comes out once per month to see the residents. They will go for months without an ambulance, but could have two occurrences in one week. She has a copy of their sign-in log, to show the visitor frequency.

Emails in opposition to this request were received. Audience participation submitted written comments, as well as those who wished to speak.

Neysa Borkert, Deputy County Attorney, stated that the State of Florida allows for these assisted living homes by right in residential communities for up to six (6) people. If this request is approved, it would be for eight (8) people, not six (6) people. The Planning & Zoning Commission's job is to review the criteria in the Seminole County Land Development Code and make a recommendation to the Board of County Commissioners (BCC) for consideration. The BCC makes the final determination at another public meeting, which is scheduled for May 13, 2025. If this request fails, the assisted living facility is allowed to remain at the existing six (6) residents.

The following speakers spoke in opposition to this request:

- Ray Sedaghat
- Nabil Gerges
- Elaine Scott
- Eileen Monani (spoke for another assisted living facility, which is 1721 Sunwood)
- Marva Wade

The following speakers submitted written opposition to this request:

- Sanaa Gerges

Commissioner Carissa Lawhun asked what the size would be for the signage and Ms. Padin responded that based on what was proposed, it is approximately two (2) linear feet for every foot of building frontage, which would be the maximum size with no minimum requirement. There is no requirement for signage, but they can have it. She added that sprinklers would be required.

Commissioner Richard Jerman asked if the State of Florida inspects the facility and Ms. McIntyre responded yes, they are inspected by AHCA, the American Health Care Association, and the Fire Department for sprinklers, regardless of how many resident beds are on premise. There is an assisted living facility with 13 beds and it is in a residential neighborhood, All Stars

Assisted Living. She further stated that there is an increase in traffic in the neighborhood , but that is not just from their facility, but rather an increase in the overall neighborhood.

Commissioner Dan Lopez asked if by adding an additional two (2) residents with visitation at the facility, for any reason, how would they handle a potential increase in parking. He also asked where the septic system is located. Ms. McIntyre responded that the septic system is near the garage. She added that they've never had any issues with parking and the highest number of cars they've had on-site have been 3-4 at any one time.

Ms. McIntyre, in her rebuttal, continued that they'd only had one event, which was their grand opening. They have garage space and can easily fit four (4) cars in the driveway. Commissioner Lopez asked what the need or reason is to add two (2) additional residents to this property. Ms. McIntyre stated that there is a growing need in general. She further stated that they've had many inquiries and have to turn people away. The residents also receive personalized attention as opposed to the larger facilities. They are in compliance with the State Code relating to the square footage and room sizes.

A motion was made by Commissioner Brandy Ioppolo, seconded by Commissioner Richard Jerman to deny and refer 2825 Waldens Pond Cove Special Exception to the Board of County Commissioners. **The motion passed unanimously.**

*Ayes (7): Chairman Mike Lorenz, Vice Chairman Tim Smith, Commissioner Lourdes Aguirre, Commissioner Brandy Ioppolo, Commissioner Carissa Lawhun, Commissioner Richard Jerman, and Commissioner Dan Lopez*

## **CLOSING BUSINESS**

Jose Gomez, Development Services Director, stated the following:

- Joy Giles has been promoted to the Planning & Development Division Manager within Development Services.
- Mr. Vladimir Simonovski, Development Review Engineering Manager, has taken another job with the City of Apopka and he will be missed.
- Dagmarie Segarra has been hired as the Deputy Director in Development Services, and will be onboard starting April 14<sup>th</sup>. She used to work with Seminole County a few years ago, along with the City of Oviedo, City of Lake Mary, the City of Winter Springs, and Osceola County. She is currently the Deputy Community Services Director at the City of St. Cloud. Dagmarie is a Seminole County resident who lives in Lake Mary. She will be a great addition to the Planning team.

We have had a series of work sessions on the Land Development Code (LDC) with the Board of County Commissioners. In the near future we will be updating the LDC and briefing the P&Z Board with what's happening with these proposed Code changes.

## **ADJOURNMENT**

Having no further business, the meeting adjourned at 6:50 PM.