

## SEMINOLE COUNTY DEVELOPMENT ORDER

On April 9, 2019, 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:** Goldchem LLC

**Project Name:** Celery Pointe LSFLUA & PD Rezone

**Requested Development Approval:** Large Scale Future Land Use Map Amendment from Suburban Estates to Low Density Residential and rezone from A-1 (Agriculture) to PD (Planned Development) on 31.85 acres, located on the north side of Celery Avenue, approximately ½ mile west of Beardall Avenue.

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: Danalee Petyk, AICP  
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 Master Development Plan attached as Exhibit (B).
- B. Permitted Uses are detached single-family residential homes and their customary accessory uses as defined in the Seminole County Land Development Code.
- C. Maximum Net Density: 3.5 d.u./net buildable acre
- D. Maximum Number of Units: 107 units
- E. Maximum Building Height: Thirty-five feet (35') (Two stories)
- F. Minimum Lot Size: Fifty feet (50') x 120 feet / 6,000 sq ft
- G. Lots within western 190 feet of subject property shall be a minimum of 9,000 square feet.
- H. Minimum Width at Building Line: Fifty feet (50')
- I. Building Setbacks:

<b>Lots</b>	
Front Yard Garage Setback	Twenty (20) feet
Side Yard	Five (5) feet
Side street	Fifteen (15) feet
Rear Yard	Twenty (20) feet

- J. Minimum buffers must be as follows:
  - North: Fifteen-foot (15') minimum, twenty-five foot (25') overall average wetland buffer.
  - South: Twenty-five foot (25') minimum width open space tract with a ten-foot (10') minimum width landscape buffer adjacent to Celery Avenue.
  - West: Twenty-five foot (25') minimum width open space tract as shown on Master Development Plan.
  - East: Twenty-five foot (25') minimum width open space tract as shown on Master Development Plan.

Buffer components will be established at Final Development Plan.

- K. The developer shall provide a pedestrian circulation system within the development, sidewalks must comply with the Land Development Code of Seminole County.
- L. The developer shall provide twenty-five feet (25') of additional right-of-way or easements along Celery Avenue dedicated to Seminole County for the construction of a proposed trail.
- M. Access to the property will be provided from Celery Avenue.
- N. The developer shall provide a left turn lane.
- O. Fifteen percent (15%) usable open space, including buffers, must be provided on the subject property.
- P. A 15-foot minimum, 25-foot average buffer from the wetland boundaries must be provided.
- Q. The project shall comply with requirements of Sub-Area Number 1 of the Seminole County / City of Sanford Joint Planning Area agreement.
- R. A mandatory homeowners association must be created to provide for management of all common areas and facilities.
- S. Signage must comply with the Land Development Code of Seminole County.
- 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 shall 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) 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; however, in no case will this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Celery Pointe LSFLUA & PD Rezone (as referenced in Exhibit A), on April 9, 2019.

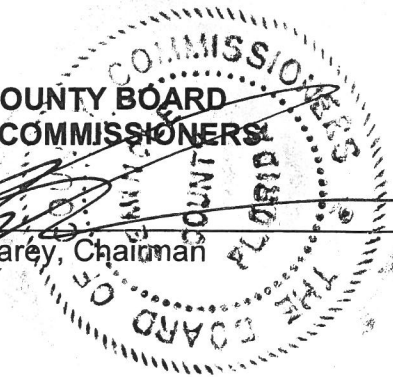
**Done and Ordered on the date first written above.**

**SEMINOLE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

By:

*[Signature]*  
Brenda Carey, Chairman

Vice Chairman Jay Zembower for  
4/9/19



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

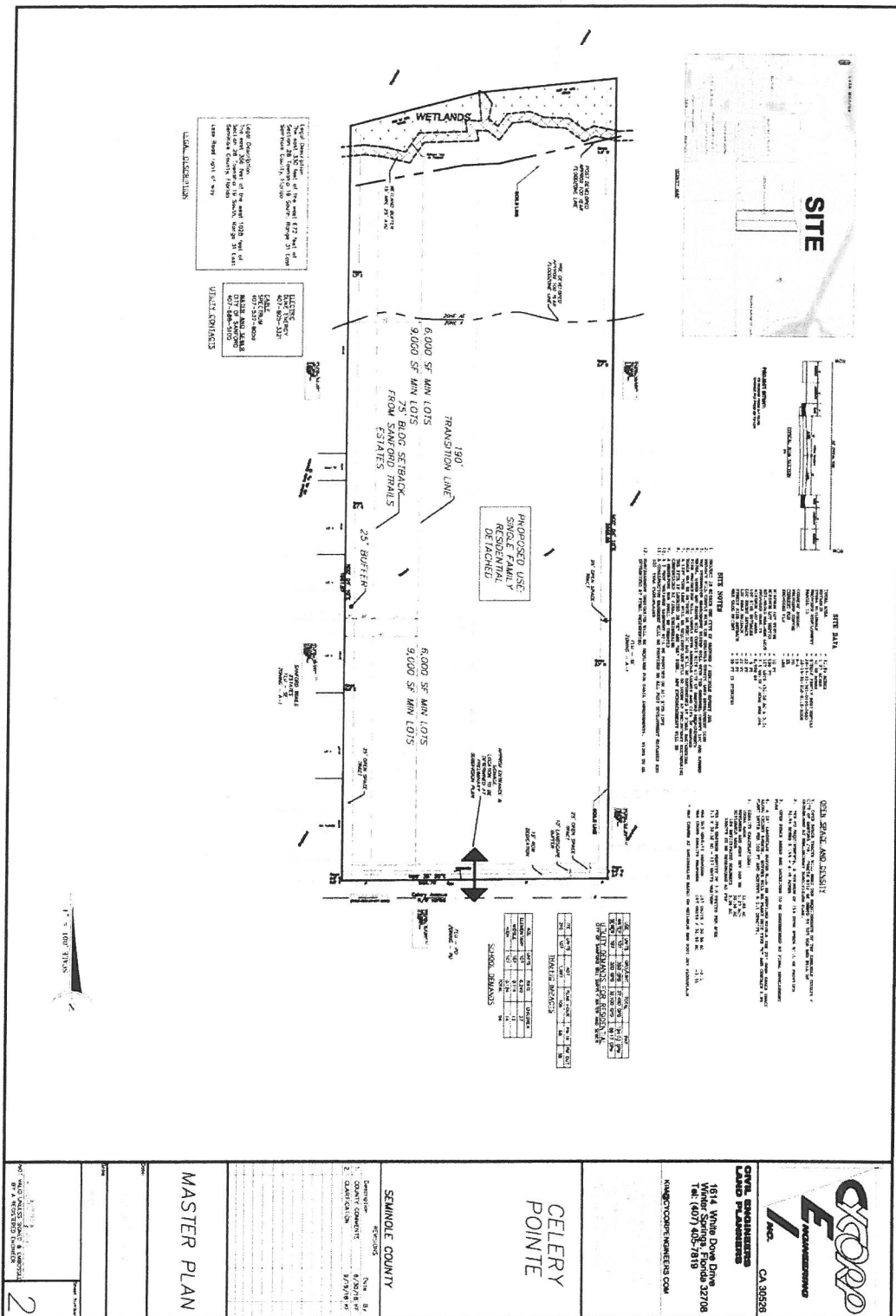
Parcel 28-19-31-300-0100-0000

This part of Government Lot 4, in Section 28, Township 19 South, Range 31 East, described as follow: Begin at a point 672 feet East of the Southwest corner of Lot 4 in said Section 28, thence run West 330 feet, thence North to a point on the North meander line of said Lot4, thence Easterly along said meander line to a point North of Beginning, thence South to Point of Beginning, less the South 15 feet thereof for road.

Parcel 28-19-31-300-0110-0000

All that tract of parcel of land lying and being in the County of Seminole, State of Florida, and more particularly described as follows: The East 356 feet of the West 1028 feet of Government Lot 4, Section 28, Township 19 South, Range 31 East, Less for road right-of-way.

# EXHIBIT B Master Development Plan



LEGIBILITY UNSATISFACTORY  
FOR SCANNING