

Legislation Text

File #: 2023-496, **Version:** 1

Title:

Consider the Myrtle Urban Conservation Village Design Overlay Amended and Restated Developer's Commitment Agreement; containing twenty-one (21) lots on 14.27 acres zoned A-1 (Agriculture), located on the southeast corner of Myrtle St and Lake Ave, approximately ¼ mile west of S Sanford Ave; (Z2023-05) (Zachary Miller, Applicant) District2 - Zembower (**Annie Sillaway, Project Manager**).

Division:

Development Services - Planning and Development

Authorized By:

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Background:

The development is within the Urban Conservation Village Design Overlay and based on the Land Development Code of Seminole County, the proposed development is required to provide a Final Development Plan and a Developer's Commitment Agreement to the Board of County Commissioners as a Regular Agenda item. On December 13, 2022, the Board of County Commissioners approved the Myrtle Final Development Plan, which consists of twenty-one (21) lots on 14.27 acres, for a single-family residential subdivision with a maximum density of two (2) dwelling units per net buildable acre, in accordance with Seminole County Land Development Code (SCLDC) Sec. 30.481 - Urban Conservation Village Design Overlay.

The Applicant is proposing an amendment to revise the Developer's Commitment Agreement, to remove a portion of the language in Condition B that states, "The internal roads shall be privately owned and maintained by the H.O.A.," to be consistent with the Final Development Plan that shows tract RW-1 (internal right of way) as a public ROW to be owned and maintained by Seminole County. The Applicant would like the ownership of the internal right of way to be public. The amendment will make the DCA and Final Development Plan consistent.

Condition Q has also been revised to be consistent with the Seminole County Land Development Code Sec. 30.483 (b) (1) & (2) - that states, residential structures must be set at least thirty-five (35) feet back from the right of way line of any other rights-of-way external to the development; and residential structures must be set at least thirty-five (35) feet back from the boundaries with any external developments.

Conditions R and S have been added to the Developer's Commitment Agreement. Condition R requires the Applicant to provide revised plans showing additional sidewalk to improve pedestrian circulation. Condition S prohibits planting trees within the public right of way and a note will be placed on the plans stating Condition S. Both conditions R and S will be implemented at the time of Final Engineering.

Staff Recommendation:

Recommend the Board of County Commissioners adopt the Myrtle Amended and Restated Developer's Commitment Agreement; containing twenty-one (21) lots on 14.27 acres zoned A-1 (Agriculture), located on the southeast corner of Myrtle St and Lake Ave, approximately ¼ mile west of S Sanford Ave.