

AN ORDINANCE FURTHER AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY BY VIRTUE OF A LARGE SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM LDR (LOW DENSITY RESIDENTIAL) AND HIGHER INTENSITY PLANNED DEVELOPMENT-TRANSITIONAL (HIP-TR) TO PD (PLANNED DEVELOPMENT); PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 2008-44 which adopted the Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County Commissioners has followed the procedures set forth in Section 163.3184, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Large Scale Future Land Use Map Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a public hearing, with all required public notice on August 5, 2015, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held public hearings on September 22, 2015, and November 10, 2015, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, required State reviewing agencies, other public

agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is consistent and in compliance with the provision of State law, including, but not limited to, Sections 163.3177 and 163.3184, Florida Statutes, and with the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council; and

WHEREAS, the Plan amendment set forth herein has been reviewed by the required State reviewing agencies and comments prepared by those agencies have been considered by the Board; and

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

Section 1. Recitals/Legislative findings:

The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.

Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION:

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 2008-44, as previously amended, is hereby further amended by amending the Future Land Use Map designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Exhibit "A" to this Ordinance:

Ord Exhibit	Name	Amendment Number	Future Land Use Change From-To	LPA Hearing Date	Board Hearing Dates
A	Legacy Pointe	2015-FLUM-LS.02 (Z2015-021)	LDR (Low Density Residential) And HIP-TR (Higher Intensity Planned Development-Transitional) To PD (Planned Development); maximum 554 dwelling units at a maximum of 12 dwelling units per net buildable acre; and 221,500 square feet of support services.	08/05/2015	09/22/15 11/10/15

(b) The associated rezoning request was completed by means of Ordinance Number 15-_____.

Section 3. Severability:

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall 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 4. Exclusion from County Code/Codification:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan to reflect adopted amendments to the Plan.

Section 5. Effective Date:

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State and the State Land Planning Agency in accordance with Section 125.66 and 163.3184, Florida Statutes.

(b) This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth herein, if the amendment is not challenged in a timely manner, shall be no earlier than thirty-one (31) days after the date the State Land Planning Agency notifies the County that the plan amendment package is complete. If challenged within the appropriate time period, this amendment shall become effective on the date the State Land Planning Agency or the State Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits or land uses dependent upon this amendment may be issued or commence before it has become effective.

ENACTED this 10th day of November, 2015

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: Brenda Carey
BRENDA CAREY, CHAIRMAN

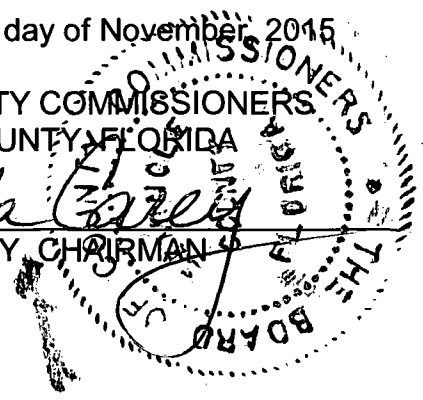


EXHIBIT A**Amendment 2015-FLUM-LS.02****LEGAL DESCRIPTION:**

BEGIN AT THE WEST 1/4 CORNER OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 16, ELLINGSWORTH, AS RECORDED IN PLAT BOOK 77, PAGE 82, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; RUN THENCE N89°38'15"E ALONG THE SOUTH LINE OF SAID ELLINGSWORTH, A DISTANCE OF 1298.93 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF OLD LOCKWOOD ROAD; THENCE S00°26'40"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1991.30 FEET TO THE NORTHEAST CORNER OF TRACT "F", HAWTHORNE GLEN TOWNHOMES, AS RECORDED IN PLAT BOOK 66, PAGES 12 THROUGH 25, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; SAID POINT BEING A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE S89°39'37"W ALONG THE NORTH LINE OF SAID HAWTHORNE GLEN TOWNHOMES AND SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, A DISTANCE OF 1294.86 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE N00°33'41"W ALONG SAID WEST LINE, A DISTANCE OF 1990.80 FEET TO THE POINT OF BEGINNING.
CONTAINS 2,582,175 SQUARE FEET OR 59.279 ACRES MORE OR LESS.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 20, 2015

Honorable Maryanne Morse
Clerk of the Circuit Court
Seminole County
County Commission Records
1101 E. First Street, Room 2204
Sanford, Florida 32771

Attention: Ms. Terri Porter, Deputy Clerk

Dear Ms. Morse:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy for Seminole County Ordinance No. 2015-29, which was filed in this office on November 19, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

NEXT

DOCUMENT

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 SINGLE FAMILY DWELLING DISTRICT (R-1A) AND AGRICULTURE (A-1) ZONING CLASSIFICATIONS TO THE PLANNED DEVELOPMENT (PD) 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 Legacy Pointe, dated November 10, 2015.

(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. REZONINGS. The zoning classification assigned to the following described property is changed from Single Family Dwelling District (R-1A) and Agriculture (A-1) to Planned Development (PD) pursuant to the provisions contained in Development Order #15-20500015, attached hereto as Exhibit A and incorporated herein 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 shall 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 shall 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. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order #15-20500015 in the Official Land Records of Seminole County or upon filing with the Department of State, whichever is later.

ENACTED this 10th day of November, 2015.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: Brenda Carey
Brenda Carey, Chairwoman

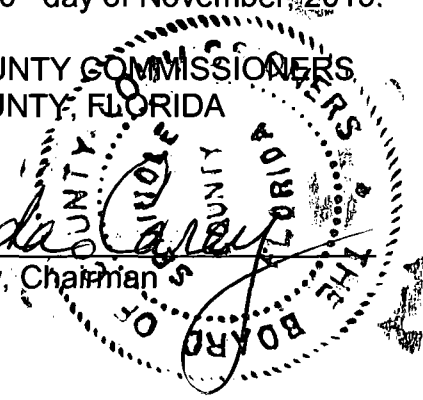


EXHIBIT B

LEGAL DESCRIPTION

BEGIN AT THE WEST 1/4 CORNER OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 16, ELLINGSWORTH, AS RECORDED IN PLAT BOOK 77, PAGE 82, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; RUN THENCE N89°38'15"E ALONG THE SOUTH LINE OF SAID ELLINGSWORTH, A DISTANCE OF 1298.93 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF OLD LOCKWOOD ROAD; THENCE S00°26'40"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1991.30 FEET TO THE NORTHEAST CORNER OF TRACT "F", HAWTHORNE GLEN TOWNHOMES, AS RECORDED IN PLAT BOOK 66, PAGES 12 THROUGH 25, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; SAID POINT BEING A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE S89°39'37"W ALONG THE NORTH LINE OF SAID HAWTHORNE GLEN TOWNHOMES AND SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, A DISTANCE OF 1294.86 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE N00°33'41"W ALONG SAID WEST LINE, A DISTANCE OF 1990.80 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,582,175 SQUARE FEET OR 59.279 ACRES MORE OR LESS.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 20, 2015

Honorable Maryanne Morse
Clerk of the Circuit Court
Seminole County
County Commission Records
1101 E. First Street, Room 2204
Sanford, Florida 32771

Attention: Ms. Terri Porter, Deputy Clerk

Dear Ms. Morse:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy for Seminole County Ordinance No. 2015-30, which was filed in this office on November 20, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

NEXT

DOCUMENT

SEMINOLE COUNTY DEVELOPMENT ORDER

On November 10, 2015, Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

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

FINDINGS OF FACT

Property Owner: University of Central Florida Real Estate Foundation LLC

Project Name: Legacy Pointe

Requested Development Approval: Large Scale Future Land Use Map Amendment from Low Density Residential and Higher Intensity Planned Development – Transitional, to Planned Development; and Rezone from Single Family Dwelling District (R-1A) and Agriculture (A-1) to Planned Development (PD)

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 shall run with, follow and perpetually burden the aforescribed property.

Prepared by: Jeff Hopper, Senior Planner
1101 East First Street
Sanford, Florida 32771



MARYANNE MORSE, SEMINOLE COUNTY
CLERK OF CIRCUIT COURT & COMPTROLLER
BK 8590 Pgs 1288-1295 (8Pgs)
FILE NUM 2015130721
RECORDED 12/01/2015 02:58:40 PM
RECORDING FEES \$69.50
RECORDED BY Jeckenro

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall 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 shall comply with the Master Development Plan attached as Exhibit (B). For the purposes of this Development Order, the Master Development Plan shall consist of drawings labeled "PD-2" and "PD-3" attached hereto.
- B. The project shall have a maximum allowable square footage of 221,500 square feet for nonresidential support uses, including health services and medical offices, dining and meeting areas, and limited commercial uses to meet the needs of residents.
- C. Permitted Uses:
 - a. Independent and assisted senior living units according to the following table:

Phase	Independent Living Villas (DU)	Independent Living Facility (DU)	Single Family Residential
Phase 1	40	160	
Additional Phases		138	
Future Development Tract			54
Total	40	298	54

- b. Overall density shall be a maximum of 12.0 dwelling units per net buildable acre.
- c. Memory care, skilled nursing, health services, and similar support uses.
- d. Gift shops, newsstands, snack bars, and similar limited retail commercial uses not catering to the general public.
- e. A maximum of 54 single family residential units on 13.86 acres in the "Future Development" area as designated on the Master Development Plan. However, said units may be converted to assisted or independent living units with one (1) unit being equivalent to the following:

Senior Adult Detached (DU)	Senior Adult Attached (DU)	Assisted Living (Beds)
3.70	4.00	4.55

- D. The maximum allowable building height is 45 feet for buildings 1, 2, 3, 4, 5 and 9; and 75 feet for buildings 6, 7 and 8, as identified on drawing PD-2 of the Master Development Plan (see Exhibit B). The villas and other single family units shall be limited to 35 feet.
- E. The minimum building setback from any external property boundary shall be 25 feet. Any structure exceeding 35 feet in height shall be set back at least 100 feet from an external boundary. Internal setbacks shall be determined at Final Development Plan, except for the Future Development area if developed as non-age restricted single family units; in this case the Future Development area shall be subject to R-1A setbacks.
- F. The buffers shall be as follows:
 - North: 15' landscape buffer with 3' continuous hedge and 2.25 plant units per 100 linear feet.
 - South: 15' landscape buffer with 2.60 plant units per 100 linear feet (excluding wetlands and wetland buffer areas).
 - East: 15' landscape buffer with 3' continuous hedge and 2.25 plant units per 100 linear feet. Due to overhead utility lines, this buffer will utilize Plant Unit C (height restricted plants), as described in Sec. 30.1282 of the Seminole County Land Development Code.
 - West: 25' landscape buffer with a 6' metal fence consistent with Crime Prevention Through Environmental Design (CPTED) principles; or a 6' masonry wall and 3.50 plant units per 100 linear feet (excluding wetlands and wetland buffer areas).

Buffer components will be established at Final Development Plan. In the event that the Future Development area is developed as single family residential, buffers will be separated into tracts owned by a homeowners association or similar entity.

- G. Each independent living unit shall be a "dwelling unit" as defined in the Seminole County Land Development Code.
- H. Villas shall be limited to one (1) unit per building, and shall not be platted.
- I. Except as noted in Paragraph J, the developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks immediately adjacent to and outside of the development.
- J. If the Future Development area is developed as non-age restricted single family units, said pedestrian circulation system shall not be required to serve that area. Separate pedestrian circulation facilities in the Future Development area will be provided but will not be required to connect to those of the senior housing facility. Access points and locations for these facilities shall be determined in the final development plan.

- K. If the Future Development area is developed as a single family residential subdivision, it shall comply with all development standards applicable to the R-1A zoning district, as well as subdivision regulations in Chapter 35 of the Seminole County Land Development Code.
- L. Access to the subject property from Old Lockwood Road may be controlled by a gate, gatehouse or other secured entry system. A separate gated access for the Future Development area may also be provided.
- M. Nak Nak Run is a private easement owned by the Applicant and may be utilized for vehicular access to the area designated as "Future Development"; provided the use of such easement for access to the Future Development area shall be consistent with easement agreements of record and all other requirements of the Seminole County Land Development Code.
- N. The developer shall upgrade an existing 4-inch sewer main on the east side of Old Lockwood Road as needed to serve the project and as directed by Seminole County Environmental Services.
- O. In the case of a conflict between the written conditions (A) through (N) in this Development Order and the Master Development Plan attached as Exhibit B, the terms of the written conditions (A) through (N) shall apply.

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

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

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

(7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant and/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 and/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.

(8) This Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case shall this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Legacy Pointe (as referenced in Exhibit A), on November 10, 2015.

Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

By: Brenda Carey
Brenda Carey, Chairman

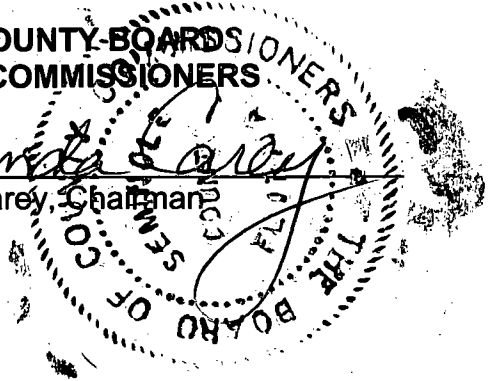
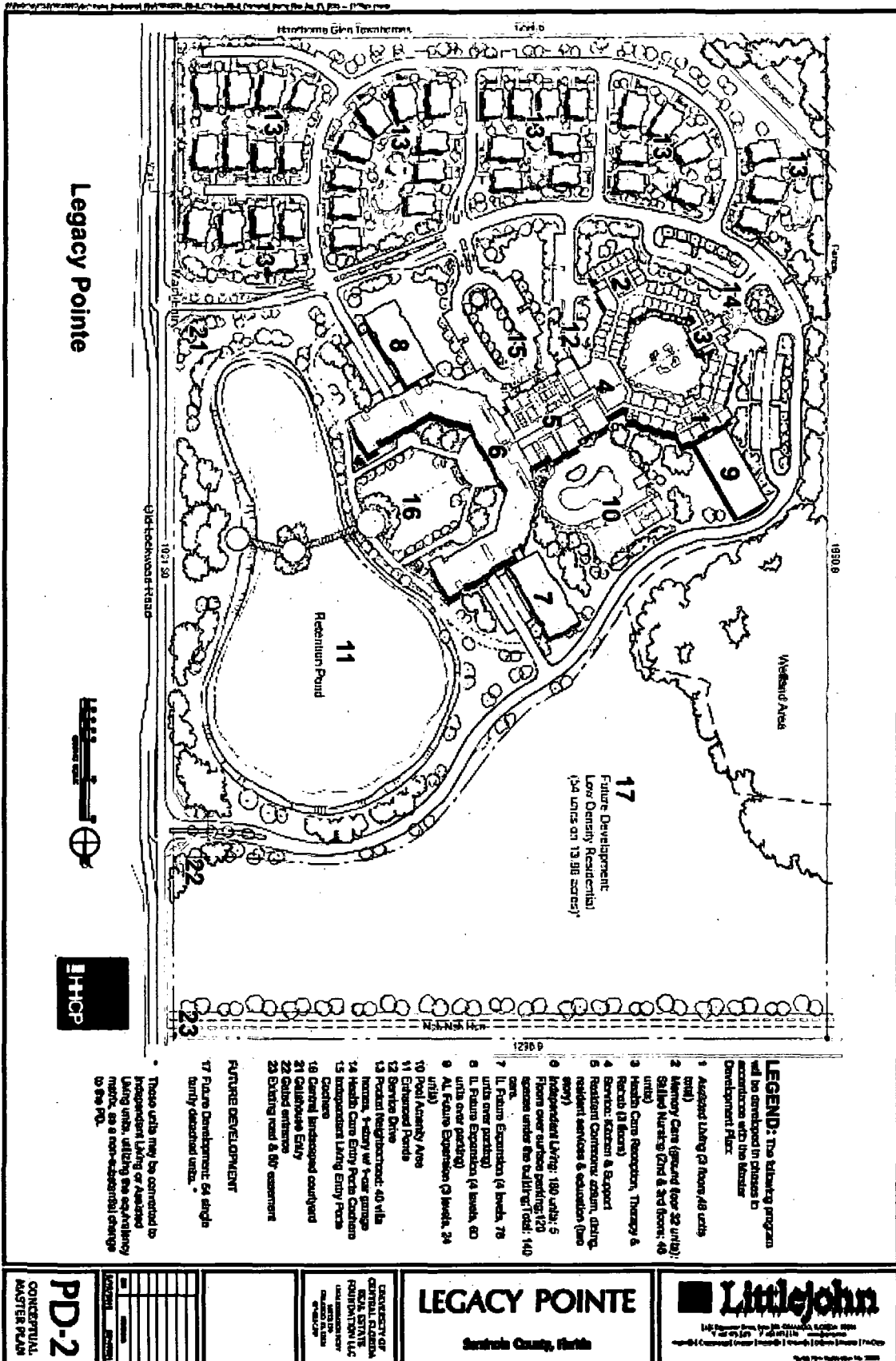


EXHIBIT A

BEGIN AT THE WEST 1/4 CORNER OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 16, ELLINGSWORTH, AS RECORDED IN PLAT BOOK 77, PAGE 82, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; RUN THENCE N89°38'15"E ALONG THE SOUTH LINE OF SAID ELLINGSWORTH, A DISTANCE OF 1298.93 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF OLD LOCKWOOD ROAD; THENCE S00°26'40"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1991.30 FEET TO THE NORTHEAST CORNER OF TRACT "F", HAWTHORNE GLEN TOWNHOMES, AS RECORDED IN PLAT BOOK 66, PAGES 12 THROUGH 25, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; SAID POINT BEING A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE S89°39'37"W ALONG THE NORTH LINE OF SAID HAWTHORNE GLEN TOWNHOMES AND SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, A DISTANCE OF 1294.86 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE N00°33'41"W ALONG SAID WEST LINE, A DISTANCE OF 1990.80 FEET TO THE POINT OF BEGINNING.

CONTAINS 2,582,175 SQUARE FEET OR 59.279 ACRES MORE OR LESS.

**EXHIBIT B
Master Development Plan**



**"LEGIBILITY UNSATISFACTORY
FOR SCANNING"**

<p>PD-2 CONCEPTUAL MASTER PLAN</p>	<p>LEGACY POINTE Sunshine County, Florida</p>	<p>Littlejohn Landscape Architecture 11111 W. US Highway 1 Suite 100 Orlando, Florida 32835 Tel: 407.226.1111 Fax: 407.226.1112</p>	<p>DEVELOPER: CENTRAL FLORIDA REHABILITATION LLC 11111 W. US Highway 1 Suite 100 Orlando, Florida 32835 Tel: 407.226.1111 Fax: 407.226.1112</p>
---	--	--	---

**"LEGIBILITY UNSATISFACTORY
FOR SCANNING"**

SEMINOLE COUNTY DEVELOPMENT ORDER

On November 10, 2015, Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

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

FINDINGS OF FACT

Property Owner: University of Central Florida Real Estate Foundation LLC

Project Name: Legacy Pointe

Requested Development Approval: Large Scale Future Land Use Map Amendment from Low Density Residential and Higher Intensity Planned Development – Transitional, to Planned Development; and Rezone from Single Family Dwelling District (R-1A) and Agriculture (A-1) to Planned Development (PD)

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 shall run with, follow and perpetually burden the afordescribed property.

Prepared by: Jeff Hopper, Senior Planner
1101 East First Street
Sanford, Florida 32771



MARYANNE MORSE, SEMINOLE COUNTY
CLERK OF CIRCUIT COURT & COMPTROLLER
BK 8590 Pgs 1288-1295 (8Pgs)
FILE NUM 2015130721
RECORDED 12/01/2015 02:58:40 PM
RECORDING FEES \$69.50
RECORDED BY Jeckenro

CERTIFIED COPY
MARYANNE MORSE
Clerk of Circuit Court and Comptroller
SEMINOLE COUNTY, FLORIDA
BY *Kyle Spencer*
DEPUTY CLERK

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall 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 shall comply with the Master Development Plan attached as Exhibit (B). For the purposes of this Development Order, the Master Development Plan shall consist of drawings labeled "PD-2" and "PD-3" attached hereto.
- B. The project shall have a maximum allowable square footage of 221,500 square feet for nonresidential support uses, including health services and medical offices, dining and meeting areas, and limited commercial uses to meet the needs of residents.
- C. Permitted Uses:

- a. Independent and assisted senior living units according to the following table:

Phase	Independent Living Villas (DU)	Independent Living Facility (DU)	Single Family Residential
Phase 1	40	160	
Additional Phases		138	
Future Development Tract			54
Total	40	298	54

- b. Overall density shall be a maximum of 12.0 dwelling units per net buildable acre.
- c. Memory care, skilled nursing, health services, and similar support uses.
- d. Gift shops, newsstands, snack bars, and similar limited retail commercial uses not catering to the general public.
- e. A maximum of 54 single family residential units on 13.86 acres in the "Future Development" area as designated on the Master Development Plan. However, said units may be converted to assisted or independent living units with one (1) unit being equivalent to the following:

Senior Adult Detached (DU)	Senior Adult Attached (DU)	Assisted Living (Beds)
3.70	4.00	4.55

- D. The maximum allowable building height is 45 feet for buildings 1, 2, 3, 4, 5 and 9; and 75 feet for buildings 6, 7 and 8, as identified on drawing PD-2 of the Master Development Plan (see Exhibit B). The villas and other single family units shall be limited to 35 feet.
- E. The minimum building setback from any external property boundary shall be 25 feet. Any structure exceeding 35 feet in height shall be set back at least 100 feet from an external boundary. Internal setbacks shall be determined at Final Development Plan, except for the Future Development area if developed as non-age restricted single family units; in this case the Future Development area shall be subject to R-1A setbacks.
- F. The buffers shall be as follows:

North: 15' landscape buffer with 3' continuous hedge and 2.25 plant units per 100 linear feet.

South: 15' landscape buffer with 2.60 plant units per 100 linear feet (excluding wetlands and wetland buffer areas).

East: 15' landscape buffer with 3' continuous hedge and 2.25 plant units per 100 linear feet. Due to overhead utility lines, this buffer will utilize Plant Unit C (height restricted plants), as described in Sec. 30.1282 of the Seminole County Land Development Code.

West: 25' landscape buffer with a 6' metal fence consistent with Crime Prevention Through Environmental Design (CPTED) principles; or a 6' masonry wall and 3.50 plant units per 100 linear feet (excluding wetlands and wetland buffer areas).

Buffer components will be established at Final Development Plan. In the event that the Future Development area is developed as single family residential, buffers will be separated into tracts owned by a homeowners association or similar entity.

- G. Each independent living unit shall be a "dwelling unit" as defined in the Seminole County Land Development Code.
- H. Villas shall be limited to one (1) unit per building, and shall not be platted.
- I. Except as noted in Paragraph J, the developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks immediately adjacent to and outside of the development.
- J. If the Future Development area is developed as non-age restricted single family units, said pedestrian circulation system shall not be required to serve that area. Separate pedestrian circulation facilities in the Future Development area will be provided but will not be required to connect to those of the senior housing facility. Access points and locations for these facilities shall be determined in the final development plan.

- K. If the Future Development area is developed as a single family residential subdivision, it shall comply with all development standards applicable to the R-1A zoning district, as well as subdivision regulations in Chapter 35 of the Seminole County Land Development Code.
- L. Access to the subject property from Old Lockwood Road may be controlled by a gate, gatehouse or other secured entry system. A separate gated access for the Future Development area may also be provided.
- M. Nak Nak Run is a private easement owned by the Applicant and may be utilized for vehicular access to the area designated as "Future Development"; provided the use of such easement for access to the Future Development area shall be consistent with easement agreements of record and all other requirements of the Seminole County Land Development Code.
- N. The developer shall upgrade an existing 4-inch sewer main on the east side of Old Lockwood Road as needed to serve the project and as directed by Seminole County Environmental Services.
- O. In the case of a conflict between the written conditions (A) through (N) in this Development Order and the Master Development Plan attached as Exhibit B, the terms of the written conditions (A) through (N) shall apply.

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

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

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

(7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant and/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 and/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.

(8) This Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case shall this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Legacy Pointe (as referenced in Exhibit A), on November 10, 2015.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By:

Brenda Carey
Brenda Carey, Chairman

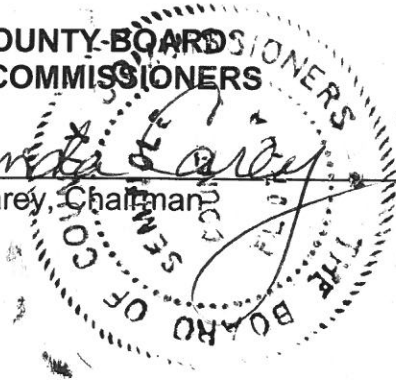
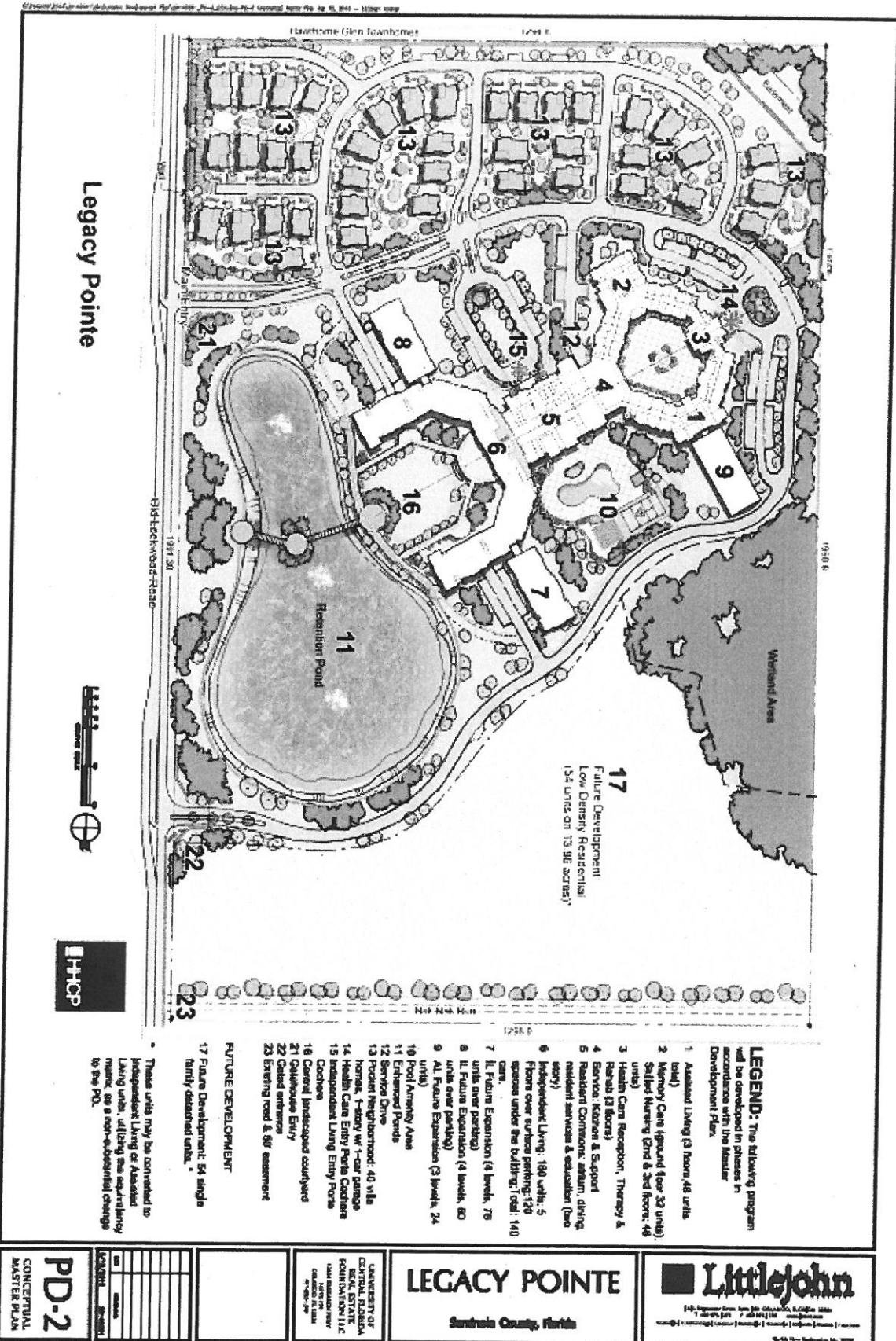


EXHIBIT A

BEGIN AT THE WEST 1/4 CORNER OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 16, ELLINGSWORTH, AS RECORDED IN PLAT BOOK 77, PAGE 82, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; RUN THENCE N89°38'15"E ALONG THE SOUTH LINE OF SAID ELLINGSWORTH, A DISTANCE OF 1298.93 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF OLD LOCKWOOD ROAD; THENCE S00°26'40"E ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1991.30 FEET TO THE NORTHEAST CORNER OF TRACT "F", HAWTHORNE GLEN TOWNHOMES, AS RECORDED IN PLAT BOOK 66, PAGES 12 THROUGH 25, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; SAID POINT BEING A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE S89°39'37"W ALONG THE NORTH LINE OF SAID HAWTHORNE GLEN TOWNHOMES AND SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, A DISTANCE OF 1294.86 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE N00°33'41"W ALONG SAID WEST LINE, A DISTANCE OF 1990.80 FEET TO THE POINT OF BEGINNING.

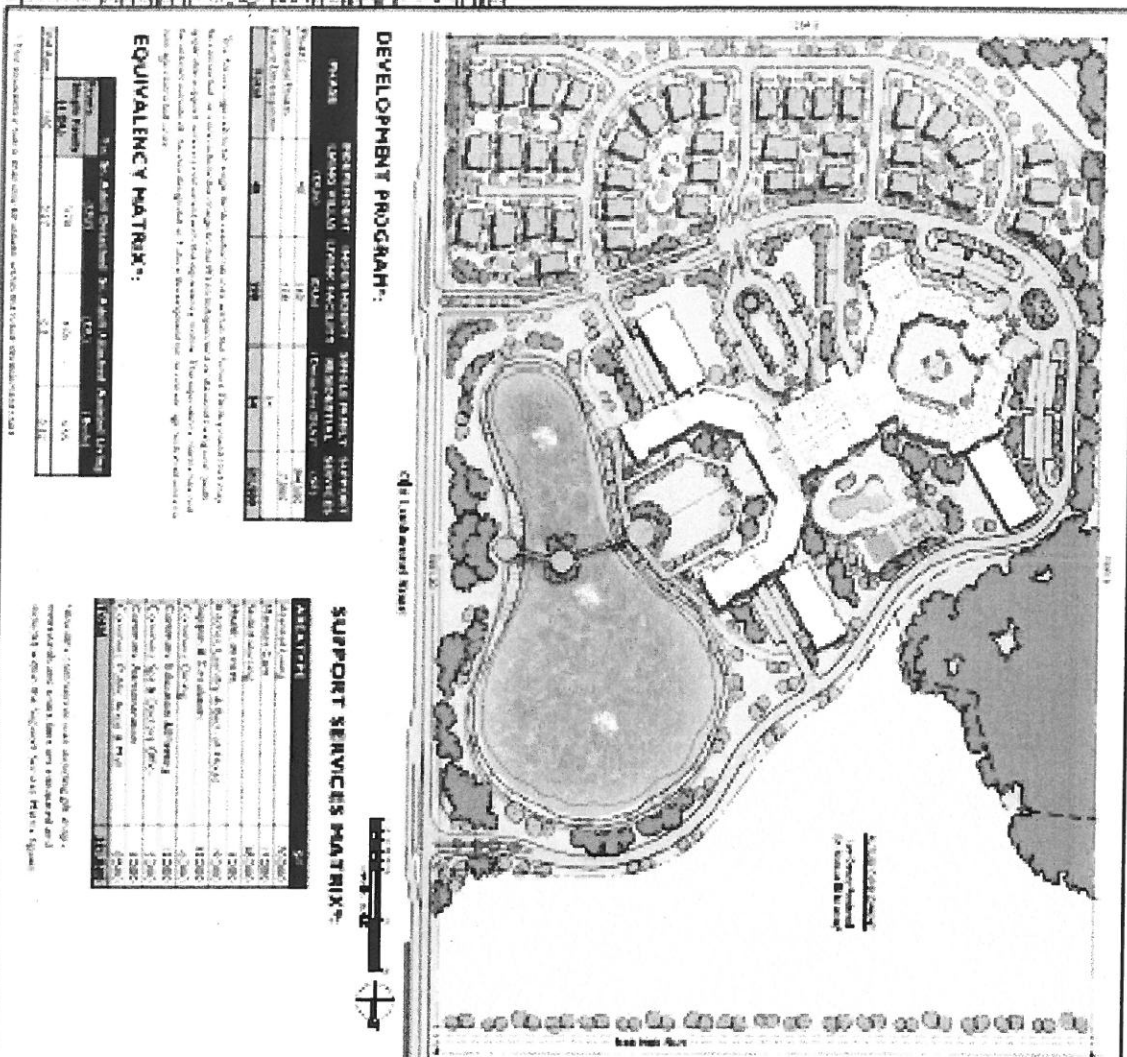
CONTAINS 2,582,175 SQUARE FEET OR 59.279 ACRES MORE OR LESS.

EXHIBIT B Master Development Plan



"LEGIBILITY UNSATISFACTORY
FOR SCANNING"

Master Development Plan (continued)



DEVELOPMENT PROGRAM:

PROVIDE	DEVELOPMENT	DESIGN	CONSTRUCTION	OPERATION	MAINTENANCE
100%	100%	100%	100%	100%	100%
100%	100%	100%	100%	100%	100%
100%	100%	100%	100%	100%	100%

EQUIVALENCY MATRIX:

Category	Item	Value	Unit
Site Area	Acres	10.0	Acres
	Sq. Ft.	435,600	Sq. Ft.
Building Area	Sq. Ft.	100,000	Sq. Ft.
	Sq. Ft.	100,000	Sq. Ft.
Parking	Spaces	100	Spaces
	Spaces	100	Spaces

SUPPORT SERVICES MATRIX:

Service	Value	Unit
Site Area	10.0	Acres
Building Area	100,000	Sq. Ft.
Parking	100	Spaces
Water	100,000	Gallons
Electricity	100,000	KWh
Gas	100,000	Cu. Ft.
Telecom	100,000	Minutes
Waste	100,000	Lbs.

Support services matrix is provided for information only and does not constitute a guarantee of service availability or quality. The applicant is responsible for obtaining all necessary permits and approvals from the relevant authorities.

SITE DATA:

1. SITE LOCATION: The site is located at the intersection of 204th Street and 205th Street, within the Legacy Pointe development. The site is bounded by 204th Street to the north, 205th Street to the south, and 206th Street to the east.

2. SITE AREA: The total site area is approximately 10.0 acres, with a total building area of approximately 100,000 square feet. The site is currently undeveloped, with some existing site infrastructure.

3. ZONING: The site is zoned for residential use, specifically for single-family detached dwellings. The zoning requirements are consistent with the Legacy Pointe development plan.

4. UTILITIES: The site is served by public utilities, including water, gas, and electricity. The site is also served by a public sewer system. The site is located within the Legacy Pointe water and sewer service area.

5. ACCESS: The site is accessed via 204th Street and 205th Street. The site is located within the Legacy Pointe development, which is a well-served residential area.

6. ENVIRONMENT: The site is located within a residential area and is not subject to any environmental restrictions. The site is not located within any environmentally sensitive areas.

7. CONCLUSIONS: The site is suitable for the proposed development and is consistent with the Legacy Pointe development plan. The site is well-served by public utilities and is easily accessible via major roads. The site is not subject to any environmental restrictions and is located within a residential area.

PD-3
MASTER DEVELOPMENT PLAN

Item	Value	Unit
Site Area	10.0	Acres
Building Area	100,000	Sq. Ft.
Parking	100	Spaces
Water	100,000	Gallons
Electricity	100,000	KWh
Gas	100,000	Cu. Ft.
Telecom	100,000	Minutes
Waste	100,000	Lbs.

LEGACY POINTE
Saratoga County, Utah

LEGACY POINTE
Saratoga County, Utah

Littlejohn
Professional Services, Inc.
1000 North 1000 West, Suite 100
Provo, Utah 84604
Phone: 801.733.1111
Fax: 801.733.1112
www.littlejohn.com