AN ORDINANCE FURTHER AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM LDR (LOW DENSITY RESIDENTIAL) 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 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small 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 March 2, 2016, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth in this Ordinance; and

WHEREAS, the Board of County Commissioners held a public hearing on March 22, 2016, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth in this Ordinance; and

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

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is consistent and in compliance with the provisions of State law, including, but not limited to, Sections 163.3177 and 163.3187, Florida Statutes, and with the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council.

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 Date
A	Orange Creek SSLUA & Rezone	01.16SS01 (Z2016-003)	Low Density Residential to Planned Development*	3/2/2016	3/22/2016

* Maximum density 4.18 units per net buildable acre

(b) The associated rezoning request was completed by means of Ordinance Number 2016-14.

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 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 4. Exclusion from County Code/Codification:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance will not be codified into the Seminole County Code, but that the Code Codifier will 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) The County shall provide a certified copy of this Ordinance to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes.

(b) This Ordinance will 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 in this Ordinance, if the amendment is not challenged in a timely manner, will be no earlier than thirty-one (31) days after the adoption date of the amendment. If challenged within the appropriate time period, this amendment will 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 this Ordinance has become effective.

ENACTED this 22 day of March, 2016

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____
JOHN HORAN, CHAIRMAN

EXHIBIT A

Amendment 01.16SS01

LEGAL DESCRIPTION

Lot 6, Block 4, MAP OF SANFORD FARMS as recorded in
Plat Book 1 Page 127 Public Records of Seminole County, Florida.

Also, the eastern half of South Indiana Street vacated as per Official Records Book 2280, Page 654, Public Records Seminole County, Florida.

Containing 218,770 square feet = 5.02 acres, more or less

FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 28, 2016

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

Attention: Kyla Spencer

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. 2016-13, which was filed in this office on March 28, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270 • Facsimile: (850) 488-9879
www.dos.state.fl.us

FILE NO.: PZ2016-003 DEVELOPMENT ORDER # 15-20500002

SEMINOLE COUNTY DEVELOPMENT ORDER

On March 22, 2016, Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

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

FINDINGS OF FACT

Property Owner: Max & Rhonda Pickering & Timothy Lambert

Project Name: Orange Creek SSLUA and Rezone

Requested Development Approval: Small Scale Land Use Amendment from Low Density Residential to Planned Development, and the associated Rezone from A-1 (Agriculture) to PD (Planned Development) for a 21 lot for a single family residential subdivision on approximately 5.02 acres, located on the south side of Orange Boulevard, approximately 920 feet west of North Oregon Street.

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 aforedescribed property.

Prepared by: Kathy Hammel, Planner
1101 East First Street
Sanford, Florida 32771

MARYANNE MORSE, SEMINOLE COUNTY
CLERK OF CIRCUIT COURT & COMPTROLLER
BK 8659 Pgs 1090-1094 (5Pgs)
FILE NUM 2016033214
RECORDED 03/30/2016 04:11:34 PM
RECORDING FEES $44.00
RECORDED BY hdevore

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

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned 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: 4.18 DU/net buildable acre
D. Maximum Number of Units: 21
E. Maximum Building Height: 35 feet (2 stories)
F. Minimum Lot Size: 5,635 sq ft
G. Minimum Width at Building Line: 49 feet
H. The developer shall provide a pedestrian circulation system within the development. Sidewalks must comply with the Land Development Code of Seminole County.
I. Twenty five percent (25%) usable open space, including buffers, must be provided on the Subject Property.
J. A mandatory homeowners association must be created to provide for management of all common areas and facilities.
K. Signage must comply with the Land Development Code of Seminole County.
L. The development must comply with Ordinance # 2015-33 regarding Bear Management.
M. In the case of a conflict between the written conditions A. through M. in this Development Order and the Master Development Plan, attached as Exhibit "B," the terms of the written conditions A. through M. must apply.

(4) This Development Order touches and concerns the aforedescribed property and the conditions, commitments and provisions of this Development Order shall 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) 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 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.

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

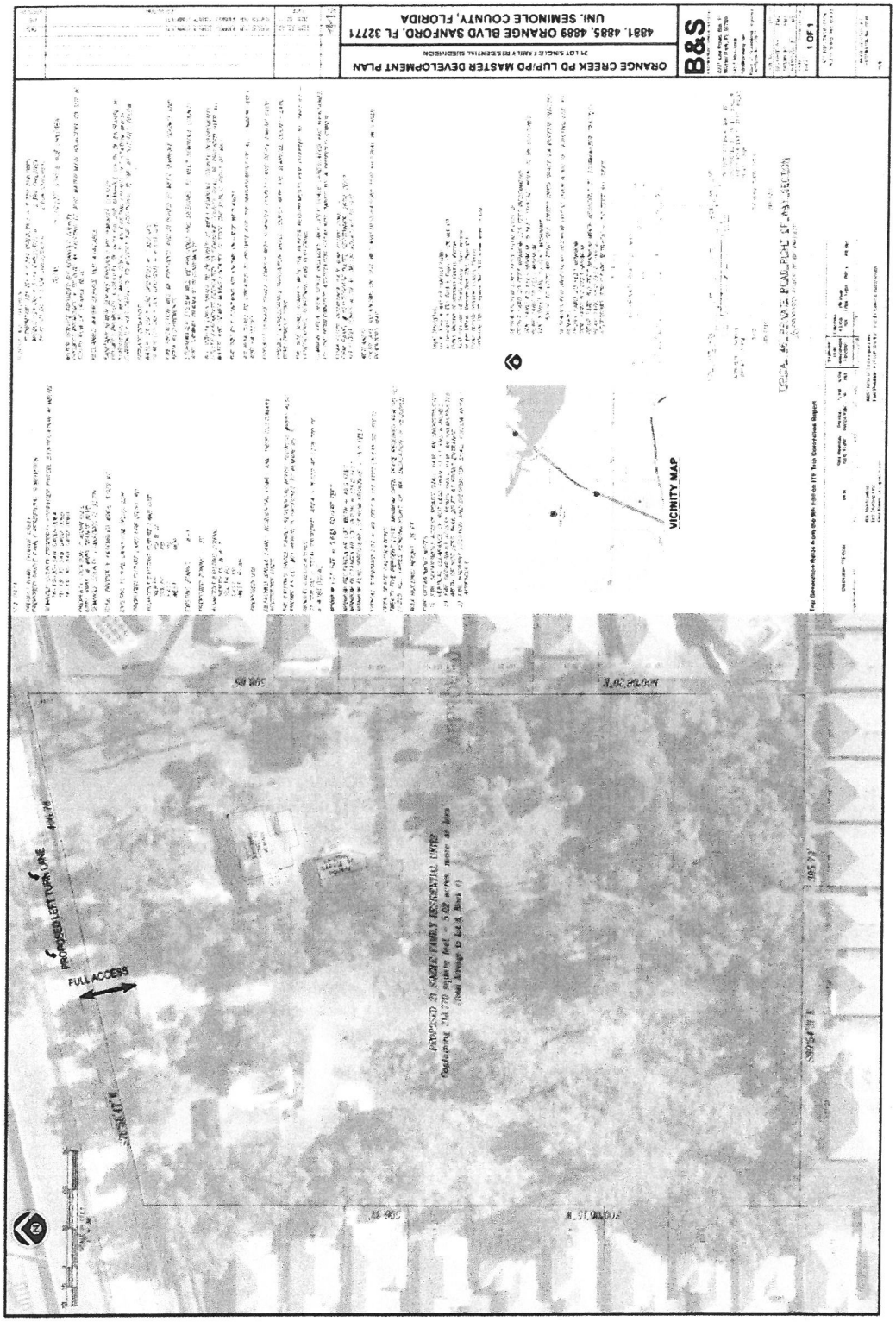
Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
John Horan, Chairman

EXHIBIT B

Master Development Plan



LEGIBILITY UNSATISFACTORY
FOR SCANNING

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 AGRICULTURE (A-1) ZONING CLASSIFICATION 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 Orange Creek SSLUA & Rezone, dated March 22, 2016.

(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 Agriculture (A-1) to Planned Development (PD) pursuant to the provisions contained in Development Order #16-20500002, 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 will not be codified.

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

Section 4. SEVERABILITY. If any provision of this Ordinance or the application of it 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 #16-20500002 in the Official Land Records of Seminole County or upon filing with the Department of State, whichever is later.

ENACTED this 22 day of MARCH 2016.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
John Horan, Chairman

Exhibit A

FILE NO.: PZ2016-003 DEVELOPMENT ORDER # 15-20500002

SEMINOLE COUNTY DEVELOPMENT ORDER

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See Attached Exhibit A

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

FINDINGS OF FACT

Property Owner: Max & Rhonda Pickering & Timothy Lambert

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Requested Development Approval: Small Scale Land Use Amendment from Low Density Residential to Planned Development, and the associated Rezone from A-1 (Agriculture) to PD (Planned Development) for a 21 lot for a single family residential subdivision on approximately 5.02 acres, located on the south side of Orange Boulevard, approximately 920 feet west of North Oregon Street.

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 aforedescribed property.

Prepared by: Kathy Hammel, Planner
1101 East First Street
Sanford, Florida 32771

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.

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I. Twenty five percent (25%) usable open space, including buffers, shall be provided on the Subject Property.
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L. The development must comply with Ordinance # 2015-33 regarding Bear Management.
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(4) This Development Order touches and concerns the aforedescribed 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.

Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS

By: _____
John Horan, Chairman

EXHIBIT A

Legal Description:

Lot 6, Block 4, MAP OF SANFORD FARMS as recorded in Plat Book 1 Page 127 Public Records of Seminole County, Florida.

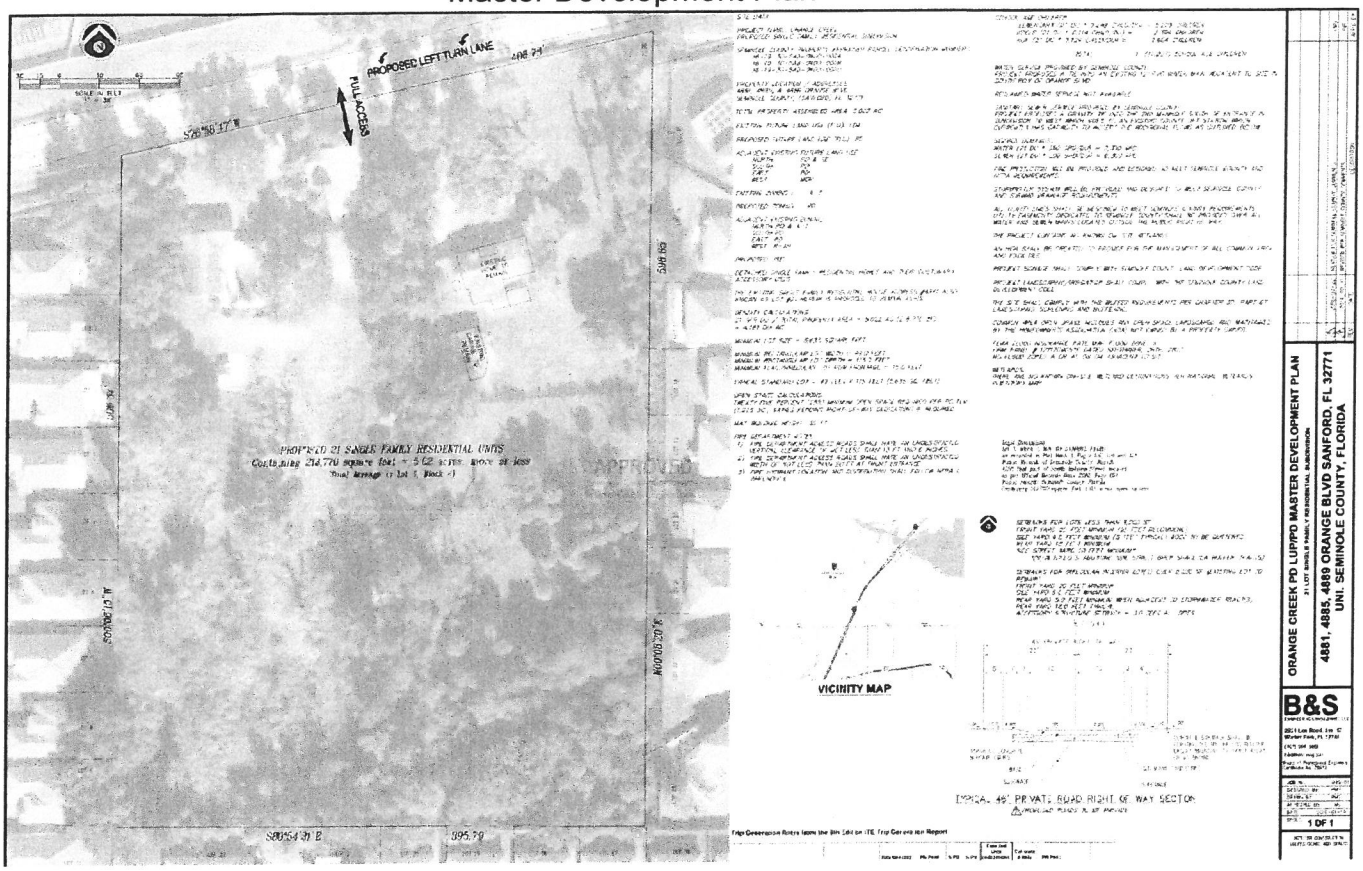
Also, the eastern half of South Indiana Street vacated as per Official Records Book 2280, Page 654, Public Records Seminole County, Florida.

Containing 218,770 square feet = 5.02 acres, more or less

FILE NO.: PZ2016-003 DEVELOPMENT ORDER # 15-20500002

EXHIBIT B

Master Development Plan



"LEGIBILITY UNSATISFACTORY FOR SCANNING"

EXHIBIT B

LEGAL DESCRIPTION

Lot 6, Block 4, MAP OF SANFORD FARMS as recorded in
Plat Book 1 Page 127 Public Records of Seminole County, Florida.

Also, the eastern half of South Indiana Street vacated as per Official Records Book 2280, Page 654, Public Records Seminole County, Florida.

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FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 28, 2016

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

Attention: Kyla Spencer

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. 2016-14, which was filed in this office on March 28, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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