AN ORDINANCE FURTHER AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY BY VIRTUE OF LARGE SCALE LAND USE AMENDMENT; CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM SE (SUBURBAN ESTATES) TO PD (PLANNED DEVELOPMENT); AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 08-44 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 Text 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 3, 2011, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendments set forth herein; and

WHEREAS, the Board of County Commissioners held a Public Hearing on August 23, 2011, 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 amendments 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 requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245 and 163.3248, Florida Statutes, with the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council, and with the principles for guiding development in designated areas of state and regional importance, and with Part III of Chapter 369, Florida Statutes, where applicable; and

WHEREAS, the Plan amendments set forth herein have been reviewed by the required State Reviewing Agencies and comments prepared by those Reviewing Agencies have been considered by the Board of County Commissioners; and

WHEREAS, the Seminole County Home Rule Charter requires that an Economic Impact Statement be prepared to address the potential fiscal impacts and economic costs of each Text Amendment enacted by this Ordinance upon the public and taxpayers of Seminole County and such Economic Impact Statement has been prepared and has been made available for public review and copying prior to the enactment of this Ordinance in accordance with the provisions of the Seminole County Home Rule Charter.

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 and Text of the Future Land Use Element:

(a) The Future Land Use Element’s Future Land Use Map as set forth in Ordinance Number 08-44, as previously amended, is hereby further amended by amending the future land use designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Appendix “A” to this Ordinance:
(b) The associated rezoning request was completed by means of Ordinance Number 11-__35______.

(c) The text of the Plan is hereby amended as set forth in Exhibit “B” (attached hereto and incorporated herein by this reference as described in the following table:

<table>
<thead>
<tr>
<th>Ord. Exhibit</th>
<th>Amendment Number</th>
<th>Amended Element</th>
<th>LPA Hearing Date</th>
<th>Board Hearing Dates</th>
</tr>
</thead>
</table>

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 these amendments.

Section 5. Effective Date:

(a) In accordance with Sections 125.66 and 163.3184, a certified copy of this Ordinance shall be provided to the Florida Department of State and the State Land Planning Agency, respectively.

(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 amendments 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 Administrative 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. If a final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

ENACTED this 13th day of December, 2011

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: Brenda Carey, Chairman
APPENDIX A

Amendment 2011-FLUM-LS.01

LEGAL DESCRIPTION
A PORTION OF THE EAST 1/2 OF GOVERNMENT LOTS 1 AND 2, SECTION 25, TOWNSHIP 19 SOUTH, RANGE 29 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A POINT ON THE WEST RIGHT OF WAY, LINE OF STATE ROAD 431 AND THE SOUTH LINE OF SAID GOVERNMENT LOT 1 (SAID POINT LYING 40.00 FEET SOUTH 89°47'15" WEST, OF THE EAST 1/4 CORNER OF SAID SECTION 25; THENCE SOUTH 00°12'00" EAST, ALONG A LINE 40.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 25, A DISTANCE OF 638.95 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WALDEN VIEW DRIVE AS SHOWN ON THE PLAT OF "THE GLADES ON SYLVAN LAKE PHASE 2" AS RECORDED IN PLAT BOOK 52 PAGE 65 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA; THENCE NORTH 90°00'00" WEST, 843.65 FEET; THENCE NORTH 00°06'12" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF SAID GOVT LOT 2, A DISTANCE OF 635.82 FEET; THENCE NORTH 00°05'58" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF SAID GOVT LOT 1, A DISTANCE OF 498.49 FEET TO THE SOUTH RIGHT OF WAY LINE OF ORANGE BLVD AS SHOWN ON DEEDS RECORDED IN OR BOOK 1272/1997 AND OR BOOK 2890/1996 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE NORTH 89°47'15" EAST ALONG SAID LINE, 220.14 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF WAYSIDE DRIVE; THENCE SOUTH 44°40'20" EAST ALONG SAID LINE, 173.44 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 472.94 FEET, A DELTA OF 42°12'07", AN ARC DISTANCE OF 348.35 FEET; THENCE SOUTH 00°12'00" EAST, 225.81 FEET; THENCE NORTH 89°47'15" EAST, 190.00 FEET; THENCE SOUTH 00°12'00" EAST, 8.00 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN SEMINOLE COUNTY, FLORIDA, CONTAINING 18.11 ACRES.
APPENDIX B

Amendment 2011-FLU-TXT.01

Policy FLU 12.2 Recognition of the East Lake Sylvan Transitional Area

The "East Lake Sylvan Transitional Area", as depicted in Exhibit FLU: Special Area Boundaries, is hereby established as the only area of the Wekiva River Protection Area wherein it is appropriate to consider granting parcels a land use designation permitting residential density in excess of the permitted density as of December 15, 1999, up to a maximum of two and one-half (2.5) dwelling units per net buildable acre.

Residential development proposals in the East Lake Sylvan Transitional Area exceeding one (1) unit per net buildable acre shall be approved only under the Planned Development (PD) land use designation, and shall include a clustering concept that maintains a minimum of 25 percent open space on the site. After December 15, 1999, no future application for a Plan amendment or administrative Plan amendment proposing a residential density in excess of one (1) dwelling unit per net buildable acre will be considered for any parcel located in the East Lake Sylvan Transitional Area unless, until after the East Central Florida Regional Planning Council has completed the series of studies set forth in the existing Scope of Services with its planning consultant pertaining to the Wekiva River and its environs, generally, and the wildlife corridors and wildlife habitat of the Wekiva River Protection Area, specifically, and the County has reviewed and evaluated that study and other relevant studies pertaining to the Protection Area and has developed and incorporated into this Plan and the County's land development regulations, as appropriate, criteria for considering such proposed Plan amendments and allowing development in excess of one (1) dwelling unit per net buildable acre to a maximum of 2.5 dwelling units per net buildable acre only where the applicant demonstrates that such development has less impacts on natural resources than low-density non-clustered residential development at one (1) dwelling unit per net buildable acre. An equivalent analysis shall be required for any proposed nonresidential development, where allowed, in the East Lake Sylvan Transitional Area, demonstrating that such development would not exceed the impacts of one (1) dwelling unit per net buildable acre.
Note: The original purpose of the “series of studies” cited in the above policy was to develop a methodology and tool for relating regional-level resource responses to localized land-use changes. The study envisioned a GIS assessment model for evaluating the effect of existing and future development within the Wekiva River Protection Area that local, regional, and State planners, scientists, and decision makers might use in quantifying impacts from land-use changes.

While significant progress has been made toward development of this GIS methodology and tool, additional funding is required to allow completion of this product by the consultant, including automation, for use at a desktop level. Without this automation, this tool would likely be expensive and difficult to use. Accordingly, developers that apply for a density greater than one (1) dwelling unit per net buildable acre within the East Lake Sylvan Transitional Area, must submit data and analysis that addresses the potential impacts to the natural resources identified during a meeting with Department staff, including proposed mitigation to offset any determined adverse impacts to these natural resources.

Policy FLU 12.9  Wekiva River Protection Area Environmental Design Standards

A In order to further the protection of natural resources as required by the Wekiva River Protection Act, the County shall continue to implement land development regulations enacted as necessary to implement the following policies that shall apply to properties located within the Wekiva River Protection Area and outside of the East Lake Sylvan Transitional Area:

1 Development design shall demonstrate that at least fifty percent (50%) of the trees located within the developable areas of a site, including areas subject to residential platting, are preserved on site. It is the intent of this policy to guide the design and location of development to provide protection of on site habitat, wildlife and wildlife corridors. When fifty percent (50%) of the trees cannot be reasonably preserved, a tree replacement ratio shall be implemented. This ratio shall require an increasing number of replacement trees based upon the size of a tree’s caliper. Replacement trees are required to
be native species and planted on site in common areas and as street trees. Construction methods that reduce the necessity for removing trees shall be encouraged.

2 An upland buffer averaging fifty feet (50') but no less than twenty-five feet (25') in width shall be maintained surrounding areas identified as containing flood plain and/or wetlands or properties which have been designated as preserve areas or conservation easements. Development activity, including the placing or depositing of fill, within wetlands and the one hundred (100) year floodplain (as adopted by FEMA) shall be prohibited, except in cases of overriding public interest. Where wetland values are degraded due to overriding public interest, mitigation efforts shall occur. Floodplain impacts will require compensating storage.

3 Preservation of property within the Wekiva River Protection Area consisting of wetlands, rare upland habitat, greenways, listed species and their habitat, and wildlife corridors shall be encouraged through the clustering of dwelling units with the goal of permanently preserving these unique open spaces. The County shall consider, if offered, accepting conservation easements over preserved property for the purpose of maintaining ecologically significant wetlands, habitat, greenways, corridors and listed species.

4 As a condition for development approval, applicants shall be required to complete a survey of plants and wildlife including those species designated as endangered, threatened, or species of special concern pursuant to Rules 39-27.003, 39-27.004 and 39-27.00, Florida Administrative Code, utilizing the most current wildlife methodology guidelines published by the Florida Fish and Wildlife Conservation Commission and current information from the Florida Natural Areas Inventory.
Protection of listed species shall be accomplished either through onsite preservation or through relocation within the Wekiva River Protection Area through completion of a plan acceptable to, and permitted by, the Florida Fish and Wildlife Conservation Commission. Incidental taking of listed species shall not be accepted unless the Florida Fish and Wildlife Conservation Commission determines that a particular group of animals on the site cannot be relocated or benefited by on-site preservation due to disease.

B The County shall apply the policies set forth in subsections (a)(1) through (a)(4) to properties seeking to develop within the Wekiva River Protection Area prior to the enactment of the land development regulations implementing said policies.

C Upon completion of the East Central Florida Regional Planning Council's study identifying significant and viable habitat and wildlife corridors within the Wekiva River Protection Area, the County shall consider enacting land development regulations to protect such habitat and wildlife corridors.

C. The County shall continue to enforce the land development regulations enacted to further the protection of natural resources within the Wekiva River Protection Area:

1 Trees and other native vegetation shall be maintained on at least 50 percent (50%) of any residential parcel or subdivision, unless it can be demonstrated that such vegetation is diseased or presents a safety hazard. Properties with less than fifty percent (50%) native vegetation on site shall be required to maintain native vegetation to the greatest extent possible. (For example, removal of trees and native vegetation may be permitted
to the extent necessary to allow for the construction of one single-family dwelling on a parcel of land.)

2 On property having the Suburban Estates land use designation, wetlands, rare upland habitat, greenways, and wildlife corridors preserved by clustering or the creation of open space through the use of PUD zoning shall be permanently protected by dedication to the St. Johns Water Management District or through the establishment of conservation easements. If necessary for the protection of natural resources, requiring that a proposed development having the Suburban Estates land use designation implement clustering through PUD zoning provided, however, that the net density of the proposed development does not exceed one (1) unit per net buildable acre.

3 As a condition for development approval, applicants shall be required to complete a survey of plants and wildlife including those species designated as endangered, threatened, or species of special concern pursuant to Rules 39-27.003, 39-27.004 and 39-27.00, Florida Administrative Code, utilizing the most current wildlife methodology guidelines published by the Florida Fish and Wildlife Conservation Commission and current information from the Florida Natural Areas Inventory. If an endangered, threatened, or species of special concern is determined to exist on site, then development shall be accomplished in a manner so as to avoid the habitat of the species and to provide appropriate habitat buffers as determined by the Florida Fish and Wildlife Conservation Commission and the Florida Natural Areas Inventory. Development shall proceed only after the boundaries of protected habitat areas sufficient to sustain viable populations of said species have been defined.
Standards for Plan Amendments within the East Lake Sylvan Transitional Area

In order to be eligible for residential density increase within the East Lake Sylvan Transitional Area, as depicted in Exhibit FLU: Special Area Boundaries, an applicant for a Plan amendment proposing a residential density greater than one (1) unit per net buildable acre must comply with each of the following standards:

A The maximum allowable residential density upon parcels shall not exceed 2.5 dwelling units per net buildable acre.

B Plan amendments shall be to the Planned Development future land use designation with an associated PUD (Planned Unit Development) zoning classification. Residential development shall employ clustering techniques to comply with Policy FLU 12.2 by creating less impact on natural resources than one (1) unit per net buildable acre in a non-clustered configuration.

C Properties seeking the Planned Development future land use designation must contain a gross acreage of not less than thirty (30) acres in size. Applications for development shall include specific information to document how the proposed development will comply with Paragraph B above. This information may include, but is not limited to, the following:

1. Length of paved roads and utility lines needed to serve the development.
2. Acreage set aside from development through designation as open space and/or conservation easements.
3. Preservation of native vegetation, wildlife habitat, and aquifer recharge areas.
4. Innovative design techniques such as low-impact development (LID) and LEED certification.

D Prior to approval, the applicant shall be required to submit documentation demonstrating that natural resources are protected, provided a maximum density not to exceed two and one-half (2.5) dwelling units per net buildable acre.

E All conditions necessary for compliance with these standards shall be placed in the subdivision's covenants and restrictions, which covenants and
restrictions shall be recorded in the official land records of Seminole County and which will provide for enforcement of the restrictions by the mandatory homeowners association established to govern the subject property.
SEMINOLE COUNTY DEVELOPMENT ORDER

On December 13, 2011, Seminole County issued this Development Order relating to and touching and concerning the following described subject property:

See Attached Exhibit A

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

FINDINGS OF FACT

Property Owner: John G. Noonan, as Bishop of the Diocese of Orlando, his Successors and Successor Bishops in Office, a Corporation Sole

Project Name: Wekiva Enclave (aka Orange Blvd. LSLUA & Rezone)

Requested Development Approval: Large Scale Future Land Use Amendment from Suburban Estates (SE) to Planned Development (PD) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development) for 18.11 acres

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 owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforesaid property.

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

Prepared by: Cynthia Sweet
Growth Management Department
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.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

A. All development shall comply with the Preliminary Master Plan attached as Exhibit B.

B. Permitted Uses are detached single family residential and their customary accessory uses as defined in the Seminole County Land Development Code.

C. Maximum Net Density: 1.8 dwelling units/acre

D. Maximum Number of Units: 30

E. Maximum Building Height: 35 feet (2-Stories)

F. Minimum Width at the Building Line: 50 feet

G. Minimum Lot Size: 85 feet x 130 feet (11,050 square feet)

H. Minimum Setbacks: (Exclusive of any front and rear easements)
   - Front: 20 feet
   - Rear: 20 feet
   - Side Street: 15 feet
   - Side: 5 feet

I. Minimum buffers shall be as follows:
   - North: 50 feet natural buffer with a 5 feet wide meandering trail
   - South: 50 feet natural buffer with a 5 feet wide meandering trail
   - East: 50 feet natural buffer with a 5 feet wide meandering trail
   - West: 100 feet natural buffer with a 5 feet wide meandering trail

* The meandering trail in the natural buffer shall be approved at the time of final engineering plan approval and shall be designed to comply with the Wekiva River Protection Area Environmental Design Standards to retain the required trees.

J. The subject property shall retain at least fifty percent (50%) overall of the trees located within the net developable areas of the site, including areas subject to residential platting that are not single-family residential lots.
K. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside of the development. Sidewalks shall comply with the Seminole County Land Development Code.

L. 25% usable open space, including natural buffers, shall be provided on the Subject Property.

M. A mandatory homeowners association shall be created to provide for management of all common areas and facilities.

N. Signage shall comply with the Seminole County Land Development Code.

O. In the case of a conflict between the written conditions A through N in this Development Order and the Preliminary Master Plan attached as Exhibit B, the terms of the written conditions A through N shall apply.

(4) This Development Order touches and concerns the Subject Property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said Subject 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. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(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) 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 adopted in association with the Wekiva Enclave project (as referred in Exhibit A), on December 13, 2011.

Done and Ordered on the date first written above.
OWNER'S CONSENT AND COVENANT

COMES NOW, John G. Noonan, as Bishop of the Diocese of Orlando, his Successors and Successor Bishops in Office, a Corporation Sole, the owner of the Subject Property in this Development Order, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Print Name

STATE OF FLORIDA
COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Bishop John G. Noonan who is personally known to me or who has produced as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this 14 day of February, 2012.

Notary Public, in and for the County and State Aforesaid

My Commission Expires: may 25, 2013
LEGAL DESCRIPTION

A PORTION OF THE EAST 1/2 OF GOVERNMENT LOTS 1 AND 2, SECTION 25, TOWNSHIP 19 SOUTH, RANGE 29 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 431 AND THE SOUTH LINE OF SAID GOVERNMENT LOT 1 (SAID POINT LYING 40.00 FEET SOUTH 89°47'15" WEST, OF THE EAST 1/4 CORNER OF SAID SECTION 25; THENCE SOUTH 00°12'00" EAST, ALONG A LINE 40.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 25, A DISTANCE OF 638.95 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WALDEN VIEW DRIVE AS SHOWN ON THE PLAT OF "THE GLADES ON SYLVAN LAKE PHASE 2" AS RECORDED IN PLAT BOOK 52 PAGE 65 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA; THENCE NORTH 90°00'00" WEST, 843.65 FEET; THENCE NORTH 00°06'12" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF SAID GOVT LOT 2, A DISTANCE OF 635.82 FEET; THENCE NORTH 00°05'58" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF SAID GOVT LOT 1, A DISTANCE OF 498.49 FEET TO THE SOUTH RIGHT OF WAY LINE OF ORANGE BLVD AS SHOWN ON DEEDS RECORDED IN OR BOOK 1272/1997 AND OR BOOK 2890/196 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE NORTH 89°47'15" EAST ALONG SAID LINE, 220.14 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF WAYSIDE DRIVE; THENCE SOUTH 44°40'20" EAST ALONG SAID LINE, 173.44 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 472.94 FEET, A DELTA OF 42°12'07", AN ARC DISTANCE OF 348.35 FEET; THENCE SOUTH 00°12'00" EAST, 225.81 FEET; THENCE NORTH 89°47'15" EAST, 190.00 FEET; THENCE SOUTH 00°12'00" EAST, 8.00 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN SEMINOLE COUNTY, FLORIDA, CONTAINING 18.11 ACRES.
EXHIBIT B

PRELIMINARY MASTER PLAN
EXHIBIT C

PRELIMINARY SUBDIVISION CONCEPT PLAN
Seminole County Development Order
Addendum #1 to the Wekiva Enclave PD

On April 1, 2014, the Development Services Director of Seminole County, Florida issued this Addendum #1 which represents a revision to Development Order #11-20500006, issued on December 13, 2011, and recorded in Seminole County Official Records Book 7727, Pages 523-531, relating to and touching and concerning the following described property:

See Attached Exhibit “A”

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

FINDINGS OF FACT

Property Owner: John G. Noonan, as Bishop of the Diocese of Orlando, his Successors and Successor Bishops in Office, a Corporation Sole
P.O. Box 1800
Orlando, FL 32802

Project Name: Wekiva Enclave PD

Requested Development Approval: Minor Amendment to the Wekiva Enclave Planned Development for 18.11 acres.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent and in compliance with applicable land development regulations and all other applicable regulations and ordinances.
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, to the extent they do not conflict with this order.

(3) The conditions upon this Addendum # 1 development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property; all other sections and provisions included within Development Order # 11-20500006, issued on December 13, 2011, and recorded in Seminole County Official Records Book 7727, Pages 523-531, remain unchanged and in full effect except to the extent that they may conflict with the revised language below:

A. All development shall comply with the Master Development Plan attached as Exhibit B.

C. Maximum Net Density: 2 dwelling units/acre

D. Maximum Number of Units: 32

I. Minimum buffers shall be as follows:

   East: 45-foot natural buffer with a 5-foot wide meandering trail.

   * The meandering trail in the natural buffer shall be approved at the time of final engineering plan approval and shall be designed to comply with the Wekiva River Protection Area Environmental Design Standards to retain the required trees.

J. The subject property shall retain at least fifty percent (50%) overall of the trees located within the net developable areas of the site, including areas subject to residential platting that are not single-family residential lots. When fifty (50) percent of the trees cannot be preserved, a tree replacement ratio shall be implemented that shall require an increasing number of replacement trees based upon the size of a removed tree’s caliper, in accordance with Chapter 60 of the Land Development Code of Seminole County.

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

Q. 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.
(4) This Development Order touches and concerns the aforesaid 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) This Development Order becomes effective upon recording with the Seminole County Clerk of the Court.

Done and Ordered on the date first written above.

By: [Signature]
Tina Williamson, AICP
Acting Director, Development Services

STATE OF FLORIDA
COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Tina Williamson, and is personally known to me or who has produced as identification and who acknowledged and executed the foregoing instrument.

WITNESS, my hand and official seal in the County and State last aforesaid this 1st day of April, 2014.

[Signature]
Notary Public, in and for the County and State Aforementioned

My Commission Expires:

Approved as to form and legal sufficiency

[Signature]
County Attorney

[Stamp]
EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF THE EAST 1/2 OF GOVERNMENT LOTS 1 AND 2, SECTION 25, TOWNSHIP 19 SOUTH, RANGE 29 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 431 AND THE SOUTH LINE OF SAID GOVERNMENT LOT 1 (SAID POINT LYING 40.00 FEET SOUTH 89°47'15" WEST, OF THE EAST 1/4 CORNER OF SAID SECTION 25; THENCE SOUTH 00°12'00" EAST, ALONG A LINE 40.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 25, A DISTANCE OF 638.95 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WALDEN VIEW DRIVE AS SHOWN ON THE PLAT OF "THE GLADES ON SYLVAN LAKE PHASE 2" AS RECORDED IN PLAT BOOK 52 PAGE 65 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA; THENCE NORTH 90°00'00" WEST, 843.65 FEET; THENCE NORTH 00°06'12" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF SAID GOVT LOT 2, A DISTANCE OF 635.82 FEET; THENCE NORTH 00°05'58" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF SAID GOVT LOT 1, A DISTANCE OF 498.49 FEET TO THE SOUTH RIGHT OF WAY LINE OF ORANGE BLVD AS SHOWN ON DEEDS RECORDED IN OR BOOK 1272/1997 AND OR BOOK 2890/196 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE NORTH 89°47'15" EAST ALONG SAID LINE, 220.14 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF WAYSIDE DRIVE; THENCE SOUTH 44°40'20" EAST ALONG SAID LINE, 173.44 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 472.94 FEET, A DELTA OF 42°12'07", AN ARC DISTANCE OF 348.35 FEET; THENCE SOUTH 00°12'00" EAST, 225.81 FEET; THENCE NORTH 89°47'15" EAST, 190.00 FEET; THENCE SOUTH 00°12'00" EAST, 8.00 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN SEMINOLE COUNTY, FLORIDA, CONTAINING 18.11 ACRES.