

## SEMINOLE COUNTY DEVELOPMENT ORDER

On December 14, 2021 Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

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

### FINDINGS OF FACT

**Property Owner:** First Pentecostal Church of Sanford

**Project Name:** Cove at Riverbend

**Requested Development Approval:** A Small Scale Future Land Use Map Amendment from Suburban Estates to Low Density Residential and a Rezone from A-1 (Agriculture) to PD (Planned Development) for a thirty-eight (38) lot single family residential lot subdivision on approximately 9.60 acres, located on the east side of Cameron Avenue and west of Celery Avenue, approximately ¼ mile west of Lake Mary Boulevard.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The development conditions and commitments stated below will run with, follow and perpetually burden the above described property.

Prepared by: Annie Sillaway, Senior Planner  
1101 East First Street  
Sanford, Florida 32771

**Order**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The subject application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval are as follows:

- A. Development must comply with the Master Development Plan attached as Exhibit (B).
- B. Permitted Uses: Single-family residential with customary and accessory uses as defined in the Seminole County Land Development Code.
- C. Maximum Net Density: 3.96 du/ per net buildable acre.
- D. Maximum Number of Lots: Thirty-eight (38)
- E. Minimum Lot Size: 5,500 square feet
- F. Minimum House Size: 1,500 square feet
- G. Minimum Lot Size: Fifty (50) feet x 110 feet / 5,500 sq. ft.
- H. Minimum Width at Building Line: Fifty (50) feet
- I. Maximum Building Height: Thirty-five (35) feet (2 stories)
- J. The development must provide a minimum of fifteen (15) percent common usable open space.

**K. Building Setbacks:**

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

**L. Accessory Structure Setbacks:**

<b>Swimming Pool</b>	
Side Yard	7.5 feet
Side street	Fifteen (15) feet
Rear Yard	7.5 feet

<b>Pool Screen</b>	
Side Yard	Five (5) feet
Side street	Fifteen (15) feet
Rear Yard	Five (5) feet

M. A five-foot (5) drainage easement will be required on all side property lines. No A/C pads/units, pool equipment, water softeners, and similar facilities or other encumbrances will be allowed within three feet (3) from the side property lines.

N. The development must provide a minimum of fifteen (15%) percent common usable open space, excluding buffers. Retention ponds that will be counted toward open space area are subject to the pond being sodded or dressed with ground cover; and landscaped to include aesthetic features and amenities such as benches and/or picnic tables.

O. The buffers are as follows:

North: Ten (10) foot wide minimum landscape buffer; landscape components shall provide an opacity of 0.1.

South: Ten (10) foot wide minimum landscape buffer; landscape components shall provide an opacity of 0.1.

East: Ten (10) foot wide minimum landscape buffer; landscape components shall provide an opacity of 0.1.

West: Ten (10) foot wide minimum landscape buffer; landscape components shall provide an opacity of 0.1.

The perimeter buffer may be widened at Final Development Plan if required per Chapter 30, Part 67 of the Land Development Code of Seminole County. In no case may the building setbacks be less than the required buffer. Buffer components will be established at Final Development Plan.

P. The Developer must provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalk stub out will be provided on the East Side of the property to Celery Avenue.

Q. The Developer shall dedicate a minimum half right-of-way of thirty-five (35) feet along Cameron Avenue frontage to accommodate drainage improvements and sidewalk. Additional right-of-way or easement will be required for sidewalk when placed outside of dedicated right-of-way.

- R. The Developer shall provide an internal pedestrian connection and sidewalk along Celery Avenue frontage or sidewalk from connection along Celery Avenue to E. Lake Mary Boulevard or may provide payment into the Sidewalk Fund in accordance with Ordinance #2019-46 in lieu of sidewalk construction.
- S. Pursuant to Section 30.61 (b) - The use of natural features. The arrangement of lots and blocks and the street system must make the most advantageous use of topography and preserve mature trees, wetlands, and other natural features wherever possible.
- T. Existing trees within the proposed buffers shall be preserved. Supplemental planting shall be required where existing vegetation does not meet the required opacity. No utilization of heavy equipment shall be used toward clearing of underbrush, only hand clearing of underbrush and invasive species may be removed from the buffers. In order to preserve the existing trees, the 10' buffer may need to be widened to achieve preservation. Trees designated for preservation must be protected by a tree barricade around an area equal to one (1) foot radius from the base of the tree's trunk for each one (1) inch of the tree's diameter at 4.5 feet above grade (referred to as diameter at breast height).
- U. There will be no approval that would result in the removal of over seventy-five (75) percent of existing trees, with trunk diameters of six (6) inches or greater.
- V. The Developer will be required, at the time of Final Development Plan (FDP) to provide a tree survey to identify the tree preservation within the Northern and Eastern portions of the site as well as other portions of the subject property and within the required buffers. If the tree survey shows trees that cannot be saved due to dying or unhealthy trees, the Developer shall be required to replace dying and unhealthy trees to maintain the preservation of trees on site.
- W. Access will be provided from Cameron Avenue for all lots. The Developer is required to extend, widen, and improve Cameron Avenue from the Cameron Heights Village F improved roadway section, that is south of the proposed development, to the northern property boundary.
- X. The project will be developed in one (1) phase.
- Y. All project signage must comply with the Land Development Code of Seminole County.

- Z. Homeowner's Association shall be created to manage all common areas and facilities.

**In the case of a conflict between the written conditions A through Z in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through Z will apply.**

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

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

(6) In the case of a conflict between the written conditions in this Development Order and the attached Master Development Plan, the terms of the written conditions shall apply.

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

(8) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

(9) In approval of this Development Order by Seminole County, the property owner(s) understands that the County must receive a Final Development Plan within five (5) years of approval of the Master Development Plan, unless this time period is extended by the Seminole County Local Planning Agency / Planning and Zoning Commission. If substantial development has not begun within eight (8) years after approval of the Master Development Plan, the planned development will be subject to

review by the Local Planning Agency / Planning and Zoning Commission and the Board of County Commissioners may move to rezone the subject property to a more appropriate zoning or extend the deadline for start of construction (see Sections 30.446 and 449, LDC).

(10) This Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case will this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Cove at Riverbend (as referenced in Exhibit A), on December 14, 2021.

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

**SEMINOLE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
BOB DALLARI, Chairman

**EXHIBIT A**

**Legal Description**

**PARCEL 1:**

BEGINNING 1013.2 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, THENCE RUN WEST 664.3 FEET, THENCE SOUTH 321.77 FEET, THENCE EAST 664.3 FEET, THENCE NORTH 323.5 FEET TO THE POINT OF BEGINNING, LESS ROAD RIGHT OF WAY.

**PARCEL 2:**

THE NORTH 1/4 OF THE EAST $\frac{1}{2}$  OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY.

# EXHIBIT B Master Development Plan

