

REVISED AND RESTATED RIVERSIDE OAKS PD DEVELOPMENT ORDER

On December 14, 2021, Seminole County issued this Revised and Restated Development Order to replace Development Order #16-20500012, issued on August 9, 2016, and recorded in Seminole County Official Records Book 8749, Pages 387-393, 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 Owners: Richard C. Lindsey
Patricia H.F. Allen
Toll Brothers, Inc.

Project Name: Riverside Oaks PD Major Amendment Rezone

Requested Development Approval: Rezone from A-1 (Agriculture) and PD (Planned Development) to PD (Planned Development) for a single family residential subdivision on 86.33 acres, located on the north side of Celery Avenue, approximately ½ mile west of Cameron Avenue.

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: Joy Giles, 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 are detached single-family residential homes and their customary accessory uses as defined in the Seminole County Land Development Code.
- C. Maximum Net Density: 3.5 DU/net buildable acre
- D. Maximum Number of Units: 190 units
 - Phases 1-3: 130 units
 - Phase 4: 60 units
- E. Maximum Building Height: 35 feet (2 stories)
- F. Minimum Lot Size: 50 feet x 120 feet / 6,000 sq ft
- G. Minimum Width at Building Line: 50 feet
- H. Building Setbacks:

| Lots | |
|---------------------------|-------------------|
| Front Yard Garage Setback | Twenty (20) feet |
| Side Yard | Five (5) feet |
| Side street | Fifteen (15) feet |
| Rear Yard | Twenty (20) feet |

I. Phases 1 – 3 Minimum perimeter buffers must be as follows:

North: No buffer required.

Northwest: Forty (40) foot buffer adjacent to Parcel 28-19-31-300-003D-0000 as shown on Master Development Plan in Tract R.

South: Ten(10) foot landscape buffer adjacent to Celery Avenue; landscape components shall provide an opacity rating of 0.1; 0.95 plant units per 100 linear feet using plant unit “C”; the buffer may be relocated to accommodate the proposed trail along Celery Avenue.

West: Twenty-five (25) foot minimum width open space tract, excluding the area adjacent to Parcels 28-19-31-300-003C-0000 and 28-19-31-300-003E-0000 as shown on Master Development Plan.

West: Adjacent to Parcels 28-19-31-300-003C-0000 and 28-19-31-300-003E-0000 as highlighted on plan shown in Exhibit "B"; the developer/property owner shall be permitted to erect an eight (8) foot high solid wood or vinyl fence.

East: No buffer required

J. Phase 4 Minimum perimeter buffers must be as follows:

North: No buffer required.

South: Twenty-five (25) foot open space tract adjacent to Celery Avenue, fifteen (15) feet of said tract will be landscaped; landscape components to be determined at Final Development Plan.

East: Twenty-five (25) foot minimum width open space and landscape buffer tract, landscape components to be determined at Final Development Plan.

- K. The developer shall provide a pedestrian circulation system within the development, sidewalks must comply with the Land Development Code of Seminole County.
- L. The developer will dedicate an additional twenty-five (25) feet along Celery Avenue to Seminole County for the Seminole County Trail.
- M. Fifteen (15) percent usable open space, including buffers, must be provided on the subject property.
- N. A fifteen (15) foot minimum, twenty-five (25) foot overall average buffer from the wetland boundary must be provided.
- O. At time of Final Development Plan the Developer will be required to provide a tree survey to identify tree preservation on the subject site.
- P. A mandatory Homeowner's Association must be created to provide for management of all common areas and facilities.
- Q. Signage must comply with the Land Development Code of Seminole County.
- R. In the case of a conflict between the written conditions A. through Q. in this Development Order and the Master Development Plan, attached as Exhibit "A," the terms of the written conditions A. through Q. 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).

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
Bob Dallari, Chairman

EXHIBIT A
Legal Description

North 1104.2 ft. of South 2224.2 ft. of West 341 ft. of Lot 2 and Begin at Southeast corner of Lot 3, run West 325 ft. North 0°7' East 2021 feet East 321 feet, South 2021 feet to beginning. (Less West 150 feet of South 130 Feet and Also Less the South 25 feet reserved for a public road) Section 28, Township 19 South, Range 31, East, in Seminole County, Florida.

EXHIBIT B
Master Development Plan

