

**SEMINOLE COUNTY  
LOCAL PLANNING AGENCY/  
PLANNING AND ZONING COMMISSION  
COUNTY SERVICES BUILDING  
1101 EAST FIRST STREET  
SANFORD, FLORIDA  
BOARD CHAMBERS, ROOM 1028**

**MINUTES**

**WEDNESDAY, DECEMBER 1, 2021  
6:00 PM**

***This meeting was held in BCC Chambers AND via Virtual Zoom Meeting***

**Hiddenwoods Reserve PD Rezone – *CONTINUED FROM THE NOVEMBER 3, 2021 P&Z MEETING*** - Consider a Rezone from A-1 (Agriculture) to PD (Planned Development) for a twenty-five (25) lot single family residential subdivision on 9.42 acres, located approximately ¼ mile west of the intersection of Virginia Avenue and Sheppard Street; (Z2021-11) (Green Slate Land Development, Applicant) District 3 – Constantine (Joy Giles, Project Manager).

Joy Giles, Senior Planner, presented this item as stated in the Staff report. She further stated that the applicant proposes to develop a 25 lot single-family residential subdivision with a maximum density of 2.8 dwelling units per net buildable acre. The interior lots will have a minimum lot size of 8,050 square feet with a minimum lot width of 70 feet, and the lots adjacent to the north and south perimeter will have a minimum lot size of 10,800 square feet with a minimum lot width of 90 feet. The property has a Low Density Residential Future Land Use designation, which allows a maximum density of 4.0 dwelling units per net buildable acre. The site is considered infill development, as it's the only undeveloped property within a ½ mile radius. The properties adjacent to the north, south, and east are developed as single family residential under the R-1AA Zoning classification, requiring a minimum lot size of 11,700 square feet. However, some developments are part of antiquated plats that do not currently meet the minimum lot size requirements. The West Altamonte Heights Subdivision directly adjacent to the east; which encompasses the lots on Sheppard Street, Oakhurst Street, Ridgewood Street, and Alpine Street, range in lot size from 7,000 square feet to 14,000 square feet due to multiple lots having been combined together under one (1) parcel. The site is located in the Seminole County utility service area and will be required to connect to public utilities. The applicant originally proposed accessed onto Raymond Avenue contingent upon the Board of County Commissioner's approval to adopt the Resolution to open Raymond Avenue that was previously closed in 1996. At the November 9, 2021 BCC Public Hearing, the Board voted to deny adoption of the Resolution. Therefore, Raymond Avenue will remain closed and the applicant is now proposing access from Oakhurst Street. Oakhurst Street

is currently classified as a sub-standard local road and developer will be required to improve the road to County Standard for road width, pavement, and sidewalk. Staff finds the proposed development to meet the intent of the PD zoning classification by providing a minimum of 15% open space; providing perimeter buffers ranging in width from 10 feet to 15 feet, and providing an internal transitional lot size. Staff also finds the request to be consistent with the Comprehensive Plan and compatible with the trend of development in the area for density. The existing Low Density Residential Future Land Use designation allows a maximum density of 4 units per acre and the proposed plan requests 2.8 per acre. In compliance with the recently adopted community meetings procedures, the applicant conducted a Community Meeting on October 14, 2021. Staff recommends approval of this request.

Vice Chairman Stephen Smith asked if the County has enough easement on Oakhurst Street to widen it and Mr. White, Public Works Development Review Engineer, responded yes. He further stated that the current right-of-way width is 60 feet on Oakhurst. They will need to update the roadway, but will not need to acquire additional easement.

Rebecca Wilson, for the applicant, shared a brief PowerPoint for the Board and audience. She stated that since she last presented to this Board, the Board of County Commissioners had a robust discussion on how this property should gain access. It was decided to keep Raymond Avenue closed and for the applicant to gain access from the east of the site. They have re-submitted plans to do that. The location is adjacent to I-4 and currently zoned A-1. They are asking for a zoning that is consistent with the Low Density Residential Future Land Use. She provided a picture of their Concept Plan. They are requesting a PD (Planned Development) Zoning designation. One of the benefits to the County with a PD, is that there are required buffers. They will give a 10 foot buffer to the north and south of the site. Both of these buffers are not part of people's lots, but will rather be buffers preserved and maintained by the Homeowner's Association (HOA). There is also an existing 30 foot unused right-of-way to the east that provides a nice buffer. The request is for the same uses, but these are new homes with a 30 foot buffer. They are requesting on the east side for an additional 10 foot buffer. So, for the homes to the east, there will be a 40 foot buffer between them. The Development Order (D.O.) reflects a 15 foot buffer to the east and another portion 10 feet, but that was a hold-over from their original request if Raymond Avenue was opened. Staff wanted 15 feet for them to have extra room for potential drainage, however they are just asking for 10 feet, and again, 40 feet in-between the homes. Staff is also requiring them to dedicate 25 feet of right-of-way on the north side, which will actually have a full 35 feet of space before you get to the rear of the property. The PD designation also requires at least 15% open space, so they will have to provide that in addition to the open space within the development. The Future Land Use designation allows 4.0 dwelling units per acre and they are only requesting 2.8 units per acre, which Staff has found to be compatible with the surrounding trend in the area. They will have 90 foot lots on the perimeter and 70 foot lots on the interior lots. Their smallest lot size is 8,050 square feet. Staff said in the older plats on Oakhurst, Alpine, and Sheppard, there are some lots as small as 7,000 square feet. In the Development Order, Items K and L are a little different than complete County standards. What they asked and what was included in the D.O. the right-of-way is 60 feet on Oakhurst, but the pavement is not currently built to a 60 foot width. People have trees and mailboxes that are technically within County right-of-way. They do not want to come

in and cause more of a disturbance than is necessary. The pavement is between 16 to 18 feet, so they've asked to improve that to a 20 foot minimum width. They would then come in and resurface that roadway, but keep it to 20 feet in width to minimize additional disturbance and to keep the swales in people's yards. They are asking to also do a sidewalk on one side of the roadway, which will go all the way out to Virginia Avenue. They need to get further into their engineering to determine which side of the roadway makes the most sense for the sidewalk. They consider these requests to be more rural standards.

No one from the audience spoke in favor of this request.

Audience participation in opposition to this request, were as follows:

1. Jim Carey, of Altamonte Springs, expressed concerns with too many homes on the parcel, he didn't have the same information the Board has, where will the water runoff and retention go, and the people who live there don't want this development, as petitioned.
2. Steve Shard, of Altamonte Springs, expressed concerns with the proposed PD changing the character of the neighborhood proposed after the cost/benefit analysis is done and County approval has been received. Once they're given the PD, the applicant can write their own rules. He would like to work with Staff to develop a satisfactory development plan, otherwise he cannot support this zoning change. The developer shouldn't develop the property if they cannot accept the R-1AA Zoning. The folks in the area don't want the property developed and want it to remain as natural as possible. He would propose an alternative to develop the property as a park for the surrounding community and for the County to purchase the property and selling it to the property owners with a one-time assessment of approximately \$310 per household based on 2,000 properties within the surrounding area.
3. Nick Anderson, of Altamonte Springs, expressed concerns with the minimum lot size and number of lots on the proposed property, as it is very confusing. The average lot size in the area is 12,900 square feet, which is much larger than the proposed project. The PD would allow free reign to the applicant. There will be too much traffic and the community is not in support of this request.
4. Jeff Singletary, of Altamonte Springs, stated he represents the homeowners in Raymond Oaks and is the HOA President. He expressed concerns on behalf of the homeowners regarding the proposed lot sizes, which their petition stated not to be under 11,700 square feet. Additional concerns are regarding water pressure and the negative impacts this will have with additional homes, and who will take care of the closed Raymond Avenue easement if development is approved.
5. Mickel Green, of Altamonte Springs, expressed concerns with increase traffic due to additional development. Traffic dangers are already a problem in their neighborhood. People use their streets for cut-throughs to the Mall and other areas.
6. Karen Klein, of Altamonte Springs, stated her opposition to this development as the homes currently there have been there for a very long time. Her biggest concern she has is regarding traffic. With improving the road as proposed it will no longer fit in with the character of the other roads within the neighborhood and will be a thoroughfare. Her other concerns include the trees being cut down that will increase noise from I-4,

negative wildlife impacts and displacement, and the increased difficulty getting out of Virginia onto North Street.

7. Lawrence Ewaldt, of Altamonte Springs, stated that he is directly adjacent to the property and will be directly impacted by the destruction of the trees, the noise pollution, and the traffic will go right in front of or beside his house. Lot size should not be less than 11,700 square feet, per the R-1AA Code and that is what the requirement should be with this request. They are requesting no infrastructure changes with no sidewalks or trees cut down. If it is approved, add in speed humps and a ribbing curve.
8. David Larson, of Altamonte Springs, stated that he represents 176 homeowners and 38 have signed the submitted petition from Raymond Oaks and 138 from West Altamonte Heights. They are opposed to lots smaller than 11,700 square feet. The area has a Zoning of R-1AA and why should this request be treated any differently.
9. Debbie Cossairt, of Longwood, lives at the corner of Virginia Avenue and North Street. She wants to know why this property can't be developed as a contiguous part of the neighborhood and why does it have to be walled off and segregated. She asked why Oakhurst Street, Sheppard Street, and Hiddenwoods Cove can't be opened up for access to mitigate the traffic from any one road. She stated that Commissioner Andria Herr stated that the traffic should be distributed over multiple roads and what is the reason why any of these roads need to be brought up to Code.
10. Win Adams, of Fern Park, stated that he was a former County Commissioner at the time this area was being developed in the 1990's. He suggests to not change the zoning from R-1AA as it will mess-up the looks of the area. The Commissioners back then all agreed that they would not permit cut-through traffic, which they stopped.
11. Deborah Bauer, of Casselberry, is speaking on behalf of family members who live on Ridgewood Street who could not be at the meeting. They have concerns with the applicant saying they want to be good neighbors with community input and not to be a burden on the residents adjoining the proposed property. Changing the Zoning from R-1AA to PD will have unintended consequences. Most homes in the West Altamonte Heights neighborhood are on septic systems, such as what is on Oakhurst Street in their front yards and within a small area from where the County right-of-way is located. Improvements to the roadway could adversely affect the septic systems. The residents want smart development with a plan for the least amount of impact while still allowing the applicant to exercise their property rights. This plan is not the right plan. Do not harm pre-existing property owners with this development.
12. Kevin Musante, of Altamonte Springs, is opposed to this request and doesn't want to see lot size under 11,700 square feet. He doesn't want his road widened or sidewalks. Access could be changed off of North Street. Speed bumps need to be added to their neighborhood. Work with the neighborhood.

***The meeting took a five minute break to conduct a Zoom sound test***

13. Maria Fernandez Pippin (via Zoom), of Altamonte Springs, stated that R-1AA should be the Zoning if this project is approved, with a lot size of 11,700 square feet to be compatible with the adjacent neighborhood. The walking path currently there wants it to be put back if the project is approved. She wants the respect of the existing neighbors is taken into consideration.

Written comments also in opposition were received from the following:

14. Mary Ann Cunningham, of Altamonte Springs
15. Mark English, Jr., of Altamonte Springs
16. Don Epps, of Altamonte Springs
17. Rochelle Kobelsky, of Altamonte Springs
18. Yolanda Musante, of Altamonte Springs
19. Arlene Ouellette, of Altamonte Springs
20. James Ouellette, of Altamonte Springs
21. Frances Terpening, of Altamonte Springs

Rebecca Wilson, in her rebuttal, stated the following:

- There is already a Future Land Use on this property for 4.0 dwelling units per acre on this property.
- The Muraska family has owned this property since 1966 and have seen development occur around their property.
- They would now like to see their property developed.
- They are requesting Planned Development Rezoning.
- They have never requested R-1AA Zoning and this property has never had a Zoning of R-1AA. It has the same A-1 (Agriculture) Zoned property as it did when this family purchased it in 1966.
- With respect to the comment about the applicant being able to do anything they want with the property once it's approved with the PD request is not true at all. The Planned Development is set forward in the Development Order, which was created by Staff and placed online by Staff. Everyone received the opportunity to access it at the same time. They had no sooner knowledge.
- The Development Order specifically sets forth the buffers, the lot size, the setbacks on the lots, and the open space all being required.
- They feel the Planned Development is the better way to handle this for the County is because of the set-aside buffers that will remain a natural buffer, to the greatest extent possible.
- If they go R-1AA, an unintended consequence for the neighbors are no requirements for buffers and no requirement for the 15% open space.
- The natural feel of the neighborhood with these buffers would go away with the R-1AA Zoning.
- An advantage to the County is that there is needed right-of-way on the north side, and like any PD, the County negotiated that they give up the width of 25 feet across the north, which will become County property.
- With respect to what was submitted versus the Concept Plan, that is correct, the applicant is requesting at this hearing the Zoning request, which is the bigger picture, and they did request a total number of 25 units.
- Their engineering has changed to 23 units on the site.
- That request will come back to the P&Z Board, where the applicant has to show the configuration of the lot layout and how they will make connections to water and sewer.

- There is a water line that goes along the 30 feet on Raymond Avenue, and one of the reasons why the County has never abandoned Raymond Avenue altogether.
- They also believe there is another water line that comes from the east.
- They have to check pressures to see which of those lines they can use.
- The County requires that if they disturb any of the property within the right-of-way, the applicant has to put it back.
- With regard to the street width and location, they agree with the neighbors and find the character of the neighborhood to have a more rural character with the street width.
- Improving 20 feet of right will leave 20 feet on either side for any extra room needed for drainage fields.
- They are simply requesting a zoning that is compatible with the existing Future Land Use.

Commissioner Richard Jerman asked if the community will be gated and Ms. Wilson responded no it will not be gated.

Chairman Carissa Lawhun stated that during the recess Staff went back and listened to the BCC meeting and found that even though the proposed Development Order states that sidewalks are a requirement, that is actually not the case, and are at the discretion of the P&Z Board tonight.

Board discussion ensued.

Vice Chairman Smith asked if the applicant would consider increasing the lot size to 11,000 square feet. Ms. Wilson responded no and if they did that, it would push them into R-1AA and the County loses the buffers and open space. They would like to stay with the flexibility that is within the PD.

Vice Chairman Smith stated that this property would be the only site in the area that has the buffers. Ms. Wilson responded yes, that is her understanding. The intention with the buffers was to try and address the concerns with the natural area and keeping it as natural as they can.

Vice Chairman Smith stated that he is hearing from the audience tonight that the buffer around this property is not as important as the lot size. Ms. Wilson stated that she doesn't know if they would want to give up that buffer between lots.

Commissioner Dan Lopez asked what sort of considerations have been given to the noise pollution coming off of I-4 as brought up earlier tonight. Ms. Wilson stated that there is a wall in the area and they are placing their open space and buffering up against the wall and all of the buffer areas will remain natural, to the greatest extent possible.

Board discussion ensued.

A motion was made by Vice Chairman Stephen Smith, seconded by Commissioner Walter Grundorf to deny and refer the Hiddenwoods Reserve PD Rezone to the Board of County Commissioners.

*Ayes 4: Chairman Carissa Lawhun, Vice Chairman Stephen Smith, Commissioner Dan Lopez, and Commissioner Walter Grundorf*

*Nay 1: Commissioner Richard Jerman*

*Absent 2: Commissioner Tim Smith and Commissioner Bob Turnage*