

**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***

**Riverside Oaks PD Major Amendment Rezone** – Consider a Rezone from A-1 (Agriculture) and PD (Planned Development) to PD (Planned Development) for a single family residential subdivision on 23.08 acres, located on the north side of Celery Avenue, approximately ½ mile west of Cameron Avenue; (Toll Brothers Inc., Applicant) District 5 – Herr (Joy Giles, Project Manager).

Joy Giles, Senior Planner, presented this item as stated in the Staff report. She further stated that in 2016, the Board of County Commissioners approved the Riverside Oaks PD on 63.25 acres with a maximum density of 3.5 dwelling units per net buildable acre for 130 units.

The applicant is requesting a Major Amendment to incorporate an additional 23.08 acres adjacent to the east into the existing PD with the same density of 3.5 units per acre for a total of 60 lots with the same lot size of 6,000 square feet. The additional phase will be accessed internally from three (3) existing streets within the Riverside Oaks Phase 1 development. The site has a Low Density Residential Future Land Use designation, which allows a maximum density of 4.0 units per net buildable acre. However, the site is also located within Sub Area 1 of the Seminole County/City of Sanford Joint Planning Agreement (JPA). Per the JPA, Sub Area 1 shall be limited to a maximum density of 3.5 units per acre. In accordance with the Land Development Code and the JPA, the development will provide a minimum of 15% open space, a perimeter buffer of 25 feet along the east and south perimeter, and a 40 foot buffer adjacent to the northwest portion of the site. There is a single family residence there and the applicant is providing an increased buffer adjacent to that residence. The site is located within the City of Sanford utility service area and will be required to connect to public utilities. There are approximately 3.36 acres of wetlands on-site, which will require a 15 foot minimum, 25 foot overall average wetland buffer. At the time of Final Plat, the wetlands will be required

to be placed in a conservation easement. Staff has determined that the proposed development is consistent with the Seminole County Comprehensive Plan, the JPA, and the trend of development in the area. The proposed density of 3.5 units per net buildable acre is compatible with the overall area and less intense than the existing Low Density Residential Future Land Use, which allows up to 4.0 units per acre. The proposed lot size of 6,000 square feet is consistent with Phase 1 of the Riverside Oaks PD, which was approved by the Board of County Commissioners in 2016. In compliance with the Land Development Code, the applicant conducted a community meeting on November 9, 2021. Staff recommends approval of the Riverside Oaks PD Major Amendment Rezone.

Vice Chairman Stephen Smith asked if there are plans or discussions with the City of Sanford to widen or expand Celery Avenue. Mr. White stated that there is a capital improvement project, which is a trail addition, to Celery Avenue, but at this time he is not aware of a capital improvement widening project on Celery. Vice Chairman Smith stated that there are only so many cars that can fit on Celery and we just keep adding to it, since all of Celery Avenue is going to have a lot of houses. Mr. White stated that the Transportation Master Plan is currently being looked at for the County.

Commissioner Richard Jerman stated that there is a lot more traffic going into the subdivision and asked why there isn't one additional access point onto Celery Avenue. Ms. Giles and Mr. White responded that the way the Plan is designed, it would not meet the separation requirements and not line up with the existing roadway to the south side of Celery Avenue. Mr. White also added that as part of the original Phase 1 subdivision, they did widen the road with turn lanes.

Jeff Summit, for the applicant, with Summit Engineering of Lake Mary, stated that he doesn't have a presentation and thinks the proposal is straight forward.

Audience participation included the following:

- 1) Jessie Jackman and Kevin Fitzpatrick, of Sanford, spoke in opposition to this request. Mr. Fitzpatrick stated that this property is encroaching onto the St. Johns River. Most of this property was under water during Hurricane Irma. The river rose 7-1/2 feet above sea level. Developments are being done piecemeal and Celery Avenue is overwhelmed with new developments, including Beardall Avenue, into Downtown Sanford.
- 2) Dianne Burd, of Sanford, spoke in opposition to this request. She stated that she owns two properties on Celery Avenue. She is concerned about the trees currently on the property, that will be torn down. Subdivisions are now crowding out their way of life, which used to be old Florida, with huge live oak trees and surrounded by cow pasture. They are asked all the time to sell their property, but they don't want to, because they love their trees that have been there for over 100 years. The subdivisions built there have had the trees bulldozed to where every piece of green is gone. Rats chewed their water pipes, which caused \$10,000 of damage to her house that they had to pay for. After the trees are cut down, they are burned. She has severe asthma and asked that they not burn the trees, but rather they haul the debris away,

so she doesn't get sick. The ash and smoke comes onto her property. The trees on the front of her property will also be taken down for the Trail, which she planted when she moved there.

- 3) Thomas Baker, of Sanford, stated that they have concerns living on Stonebriar Lane as 100% of the traffic that travels in on the new development side, will come through the neighborhood on their street. They will all turn right onto Arbordale Loop, and turn right again on Stonebriar Lane. That is 60 homes turning onto their street. The Plan shows three streets of access, but that's not how it will be used. A second entrance would be an ideal solution. They don't have a problem with the development, just the access to it.

Mr. Summit, in his rebuttal, stated that the majority of the property are wetlands and they are not proposing to go to the River. They are not asking for access to the River. When you look at the actual usable area versus what the total property area is, you can see that a majority of the property are wetlands and will remain wetlands. As far as access is concerned, it would be nice to have the corner piece of property on Celery to line up with Beardall for a secondary access, however because of the way the way it is configured, it is quite an offset. The intersection at Beardall and Celery is really bad for sight distance. Adding a secondary entrance wasn't feasible with the way the property works out. There are amenities in Phase I through 3 with a pool, so there will be traffic that will move to the rear of the neighborhood, but he can't say how many people will travel that way. Toll Brothers, the builder, disclosed to all of the buyers in the community at the time they purchased their properties of potential future development with potential connection to those three access points. Again, all of those residents that live in the community, were notified beforehand that the additional development was a potential possibility.

Vice Chairman Stephen Smith asked who owns the property to the north of the property. Mr. Summit responded he doesn't know who owns it. Ms. Giles, of Staff, responded that the property is privately owned. He wants to make sure that it is not land that can be developed.

Commissioner Walter Grundorf asked if the back side of the land will be wetland usage and Mr. Summit responded that Tract U is a pond, Tract C is open space, and Tract R is the wetland area. From Tract U back is either open space or conservation area. Commissioner Grundorf stated that a lot of live oaks have been cut down in a lot of these neighborhoods and they drink a lot of water, which mitigates the flooding, so the flooding doesn't go into the neighborhoods. He asked how many of those live oaks will be saved without stripping all of them. Mr. Summit responded that they did some preliminary grading and the outer line of Tract U are his grading limits. At that point, because of flood plain issues, will be where they're stopping. Normally, the level of detail shown on this plan is not seen on a PD application. However, because of the sensitivity of the area they took it a little bit further to show it on the map. Commissioner Grundorf asked if there is a way to haul away the trees without burning them on-site. Mr. Summit responded that there is a Burn Ordinance and the Fire Department keeps track of that. In the first Phases, they had some days they had to haul debris, because they weren't allowed to burn. He cannot commit to hauling all of it out.

A motion was made by Commissioner Richard Jerman, seconded by Vice Chairman Stephen Smith to approve and refer the Riverside Oaks PD Major Amendment Rezone to the Board of County Commissioners.

*Ayes 5: Chairman Carissa Lawhun, Vice Chairman Stephen Smith, Commissioner Dan Lopez, Commissioner Richard Jerman, and Commissioner Walter Grundorf*

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