



ORIGINAL

BOARD OF COUNTY COMMISSIONERS

June 9, 1998

Ms. Blanca S. Bayo
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RECEIVED
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ADMINISTRATION MAIL ROOM

Subject: Amendment to Water and Wastewater Certificate for Florida Water Services Corporation, Seminole County, Florida
Certificates 279-W and 226-S, Docket Number 980657

Dear Ms. Bayo:

We are in receipt of a notice of application requesting an amendment to the Florida Water Services Corporation's (FWSC) service area in southeast Seminole County. This letter serves as an objection to the proposed amendment and, in accordance with the provisions of Section 367.045, Florida Statutes, a request for a proceeding pursuant to Sections 120.569 and 120.57, Florida Statutes. Findings are as described below:

Background. The area proposed for amendment by the FWSC includes a considerable amount of property currently designated on the County's Future Land Use Map as Rural-5 (one dwelling unit per five acres), Rural-3 (one dwelling unit per three acres), and Suburban Estates (one dwelling unit per one acre), in addition to properties designated as both public and private recreation lands (see enclosed map). The future land use designations, along with associated zonings, were adopted by the Board of County Commissioners (the Board) and were based, in part, upon the boundaries of the FWSC service area, and upon a study titled "East Seminole County Rural Area Plan". As these properties are located in the County's Rural Area, development may occur without the need for urban services (i.e., central water and sewer services, paved roads, etc.), while maintaining consistency with the County's Plan.

ACK
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Inconsistency with Seminole County's Comprehensive Plan (the Plan). The existing service area and proposed amendment area both lie in the southeast portion of the County, outside the established urban boundary line. This line was adopted to prevent urban sprawl and protect the County's established Rural Area. The line separates urban and rural intensities of development and serves to limit the provision of certain urban services in the Rural Area in accordance with the Plan's Future Land Use Element Policies 2.11.10 and 2.11.11. These policies are included within a series of policies which address protection of the County's Rural Area by discouraging the expansion of private water and

Handwritten initials and signatures: WAS, OTH, orig to Brad

sewer service areas and the construction of new development with central water and/or sewer systems (see enclosed Plan page B-53).

Precedence of the Comprehensive Plan. While the County acknowledges that the FWSC may wish to establish an expanded service area for the purpose of long range planning, a PSC approved change to their certificated area does not require a corresponding amendment to the Plan consistent with the new boundaries. Additionally, increases in intensity/density of land use are predicated on such factors as consistency with Plan policies, compatibility, appropriateness of the request, etc., and not simply the availability or lack thereof services and facilities.

Conclusion. The amendment area, as proposed, would be inconsistent with at a minimum the Plan's Future Land Use Policies 2.11.10 and 2.11.11, and represents an encroachment of urban services into the County's established Rural Area and therefore should be denied.

Thank you for the opportunity to comment on this matter. If you have any questions, or need additional information, please contact Frances Chandler, Director, Planning and Development Department, at (407 321-1130, extension 7397), who will be able to assist you.

Sincerely,



Randall C. Morris
Chairman
Board of County Commissioners

Attachments:

- Amendment area map
- Page B-53 from Seminole County Comprehensive Plan
- Citizen letter received on this topic

RM:db

cc: Board of County Commissioners
Gary Kaiser, County Manager
Cindy Coto, Deputy County Manager/Administration
Lonnie Groot, Deputy County Attorney
Frances Chandler, Director, Planning and Development Department
Colleen Rotella, Acting Manager, Comprehensive Planning Division
Warren Wagner, Director of Environmental Services
Matthew J. Fell, Esquire, Florida Water Services Corporation
David Moon, City of Oviedo

SEMINOLE COUNTY

1991 COMPREHENSIVE PLAN

Policy 2.11.10 Methods of Providing Potable Water Outside of the Adopted Service Area (East Seminole County)

The County shall:

- o Continue to rely primarily upon individual wells as the method of providing potable water to the residents and other occupants of East Seminole County.
- o Encourage private central systems that exist as of the adopting date of this Plan to continue to provide an adequate level of service to users in their respective service areas, although the County shall discourage them from expanding their service areas.
- o Amend the appropriate resolution to re-align the County Water Service Area such that its eastward-most boundary south of the City of Oviedo is the Econlockhatchee River.
- o New development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area-wide administrative land use update (Plan amendment).

Policy 2.11.11 Methods of Providing Sanitary Sewer Outside of the Adopted Service Area (East Seminole County).

The County shall:

- o Continue to rely primarily upon individual septic tank systems as the method of disposal of wastewater in East Seminole County.
- o Encourage private central systems that exist as of the effective date of this Plan to continue to provide an adequate level of service to users in their respective service areas. The County shall discourage the expansion of service areas.

- o Amend the appropriate resolution to re-align the County Sewer Service Area such that its eastward-most boundary south of the City of Oviedo is the Econlockhatchee River.

- o New development outside adopted central service areas shall not be designed nor constructed with central water and/or sewer systems. Public and private central systems may be permitted in the future if it is clearly and convincingly demonstrated by the proponents of the system expansion that a health problem exists in a built but unserved area for which there is no other feasible solution. In such cases, the service area expansion plans will be updated concurrent with an area-wide administrative land use update (Plan amendment).

Policy 2.11.12 Methods of Managing Stormwater

The County shall:

- o Regulate stormwater management consistent with County-wide regulations with the objective of maximizing aquifer recharge, minimizing flooding and protecting wetland systems.
- o Continue to use Municipal Service Benefit Units to fund drainage improvements when appropriate.

Policy 2.11.13 Methods of Collecting and Disposing of Solid Wastes

The County shall continue to use the solid and hazardous waste collection and disposal systems provided throughout the county to serve the Rural Area.

Policy 2.11.14 Recreation System Plan

The County shall prepare a Recreation System Plan for East Seminole County by 1993 that maximizes the collective advantages of the several parks and trails in East Seminole County.

Policy 2.11.15 Protection of Natural Resources

The County shall:



SEMINOLE COUNTY
BOARD OF COUNTY COMMISSIONERS

STANLEY E STEVENS
317 RIVER WOODS TRAIL
CITLUOTA, FL. 32766
5.26.1998

DEAR BOARD MEMBER.

ATTACHED FIND A COPY OF LEGAL ADVERTISEMENT BY
FL WATERS UTILITIES ASKING FOR AN AMENDMENT TO THEIR
WATER & WASTE WATER CERTIFICATES # 279 W & # 226 S.
THIS WOULD DOUBLE THEIR EXISTING SERVICE AREA INTO
RURAL EAST SEMINOLE COUNTY WHICH WOULD BE IN DIRECT
CONFLICT WITH THE EAST SEMINOLE COUNTY RURAL AREA
PLAN. PLEASE REFER TO THE FOLLOWING IN THE PLAN:

PG. 2-1 COMMUNITY ISSUES IN E. SEMINOLE COUNTY ISSUES
#1 & 10.

PG. 2.6 ISSUES # 4 a & # 4 b. WATER & WASTE WATER.

PG. 2.8 ISSUE # 5 THREAT TO NATURAL RESOURCES.

PG. 4.11 - 4.5.6. UTILITY EXTENSION POLICIES (POLICY 2.5.7)

PG. 5.3 - 5.1 OBJECTIVES 2.11 & 2.11.1 PRESERVATION
OF RURAL LIFESTYLES.

PG. 5.6 POLICY 2.11.8. INDIVIDUAL WELLS.

PG. 5.7 POLICY 2.11.9 RELIANCE ON INDIVIDUAL SEPTIC TANKS.

PG. 5.9 POLICY 2.11.13 PARAGRAPHS 3 & 4.

PG. 5.16 PARAGRAPH # 2 PRIVATE WATER & SEWER SHALL
NOT BE EXPANDED IN CITLUOTA.

I FULLY EXPECT THAT BEFORE DEADLINE IN AD THAT
THE BOARD OF COUNTY COMMISSIONERS WILL INFORM THE
DIRECTOR, DIVISION OF RECORDS AND REPORTING, FLORIDA
PUBLIC SERVICE COMMISSION THAT THIS EXTENSION OF
SERVICES IS NOT TO BE GRANTED UNDER THE EXISTING
COUNTY'S COMPREHENSIVE PLAN.

SINCERELY



COPY TO D.C.A

FRANCES CHANDLER

REGIONAL PLANNING COUNCIL

of Florida Water Board
to arrive in
275-17 and 275-8 to
County in Seminole Coun-
Florida, as follows.

SEMINOLE COUNTY
Seminole Territory Additions for
water and wastewater are as fol-
lows:

Township 21 South, Range 22
East, Seminole County, Flori-
da.

Section 16

The South 1/2 of said Section
16.

Section 17

The South 1/2 East of the South-
east 1/4 of said Section 17.

Section 18

The North 1/2 East of the South-
east 1/4 of said Section 18 and
the North 1/2 of the South
1/2 of said Section 18.

Section 21

The Northwest 1/4 of said Sec-
tion 21 and the South
1/2 of said Section 21 and the
South 1/2 of the Southwest 1/4
of said Section 21.

Section 22

The South 3/4 of the South 1/2
of said Section 22.

Section 27

All of said Section 27.

Section 28

The West 1/2 of the Northwest 1/
4 of said Section 28 and the
Southwest 1/4 of said Section 28
and the Southwest 1/4 of said
Section 28.

Section 29

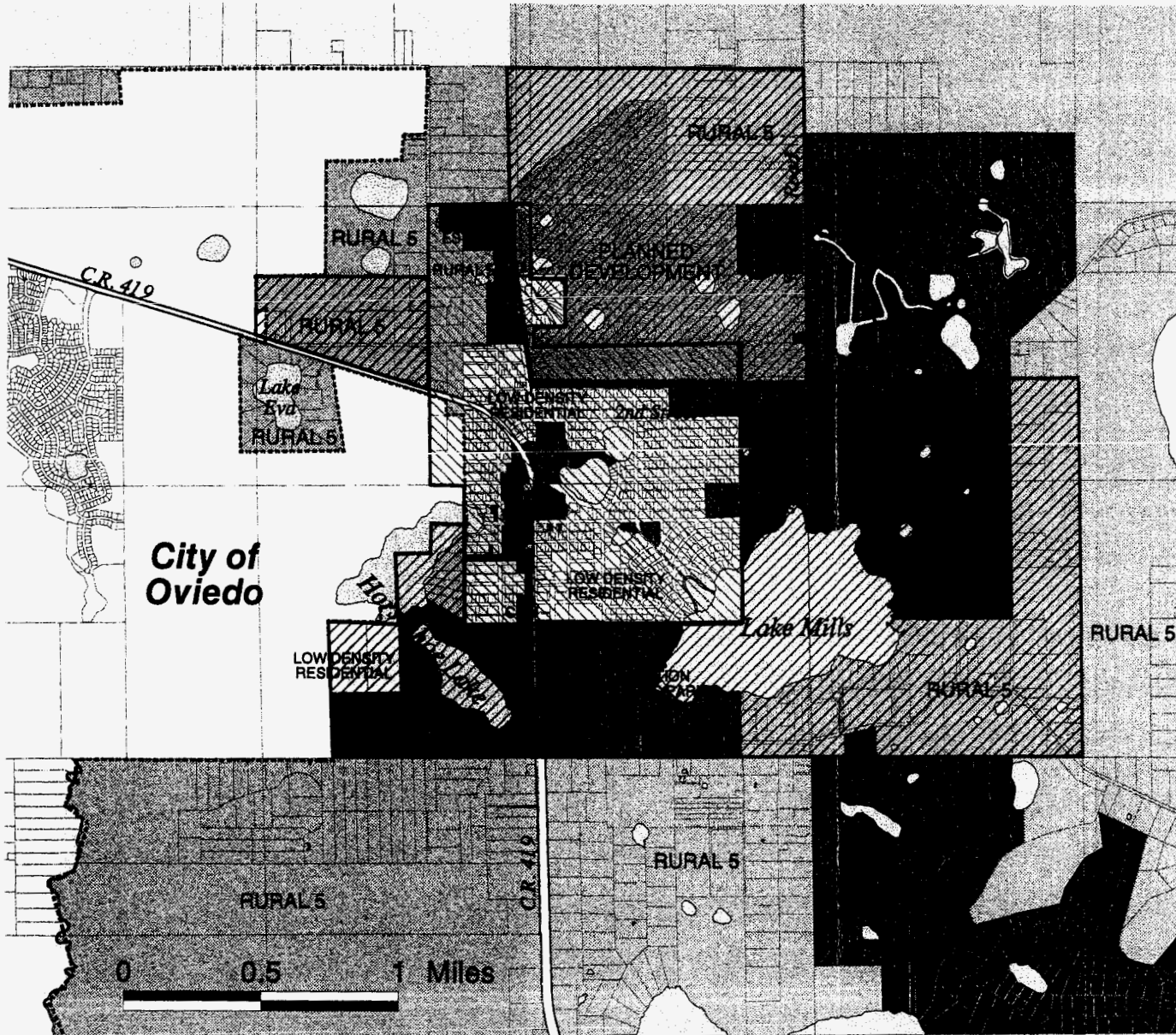
The Southwest 1/4 of said Sec-
tion 29 and the South
1/2 of said Section 29 and the
Southwest 1/4 of said Section 29
and the Southwest 1/4 of said
Section 29.

Any addition to the water and
wastewater service area of the
City of Orlando, Florida, shall
be subject to the approval of the
Board of Water and Sewerage
Administration of the City of
Orlando, Florida, and the
Seminole County Board of
County Commissioners, and the
Florida Department of
Natural Resources, and the
Florida Department of
Environmental Protection.
COM 150248

PUBLIC COMMENT

ORLANDO SENTINEL
MAY 20 PG. F.3

Florida Water Service - Water & Sewer Service Area Proposed Change



LEGEND:

- Existing Florida Water Service Area as adopted in Comprehensive Plan
 - Proposed Florida Water Service Area
 - Water
 - Parcel
- Seminole County Future Land Use Categories
- RURAL 10 - MAX 1 DU PER 10 AC
 - RURAL 5 - MAX 1 DU PER 5 AC
 - RURAL 3 - MAX 1 DU PER 3 AC
 - SUBURBAN ESTATES - MAX 1 DU PER AC
 - LOW DENSITY RES. - MAX 4 DU PER AC
 - MEDIUM DENSITY RES. - MAX 10 DU PER AC
 - HIGH DENSITY RES. - > 10 DU PER AC
 - OFFICE
 - COMMERCIAL
 - PLANNED DEVELOPMENT
 - INDUSTRIAL
 - RECREATION
 - PUBLIC
 - WATER
 - ROAD RIGHT-OF-WAY
 - URBAN/RURAL BOUNDARY

0 0.5 1 Miles

SOURCE: Seminole County Comprehensive Planning/Cartographics
DATE: May 28, 1998