

SEMINOLE COUNTY, FLORIDA

COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA



Meeting Agenda - Final

Wednesday, October 1, 2025

6:00 PM

BCC Chambers

Planning and Zoning Commission

CALL TO ORDER**Opening Statement****Staff Present****Accept Proof of Publication****Approval of Minutes****NEW BUSINESS****Technical Review Items:**

1. Approve the Preliminary Subdivision Plan for the Tuskawilla United Methodist Church Subdivision containing two (2) lots on approximately 5.35 acres zoned A-1 (Agriculture) located on the south side of Red Bug Lake Road, west of Dodd Road; (Joseph A. Kovecses, Applicant); District1 - Dallari (**Annie Sillaway, Principal Planner**). [2025-868](#)

Attachments: [MAP](#)
[PSP](#)

2. Approve the Preliminary Subdivision Plan for the B & M Affordable Construction Subdivision containing eleven (11) residential lots on 5.41 acres zoned R-1AAA (Single Family Dwelling) located on the west side of Brooks Lane, approximately 2,100 feet south of Red Bug Lake Road; (Rodolfo Sucre, RSP Engineers, Inc., Applicant); District1 - Dallari (**Annie Sillaway, Principal Planner**) [2025-886](#)

Attachments: [MAP](#)
[PSP](#)

Public Hearing Items:

3. **LDC Amendment: Certified Recovery Residences -** [2025-812](#)
Consider an Ordinance amending the Land Development Code to establish a process for reasonable accommodations and the review and approval of Certified Recovery Residences, and to add a definition for Certified Recovery Residence; Countywide **(David German, Senior Planner)**.

Attachments: [ORDINANCE](#)
[BUSINESS AND ECONOMIC IMPACT STATEMENT](#)

CLOSING BUSINESS**Development Services' Report****ADJOURNMENT**

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES, ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7940.

PERSONS ARE ADVISED THAT, IF THEY DECIDE TO APPEAL ANY DECISION ON ANY MATTER CONSIDERED BY THIS BOARD AT THESE MEETINGS, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 286.0105, FLORIDA STATUTES.

FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA, PLEASE CONTACT THE PLANNING & ZONING COMMISSION CLERK AT (407) 665-7397.



SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468

File Number: 2025-868

Title:

Approve the Preliminary Subdivision Plan for the Tuskawilla United Methodist Church Subdivision containing two (2) lots on approximately 5.35 acres zoned A-1 (Agriculture) located on the south side of Red Bug Lake Road, west of Dodd Road; (Joseph A. Kovecses, Applicant); District1 - Dallari (**Annie Sillaway, Principal Planner**).

Division:

Development Services

Authorized By:

Joy Giles, Planning & Development Manager

Contact/Phone Number:

Annie Sillaway/407-665-7936

Background:

The Applicant is seeking approval of the Preliminary Subdivision Plan (PSP) for the Tuskawilla United Methodist Church property on 5.35 acres. The site has a Low Density Future Land Use designation, which permits up to four (4) dwelling units per net buildable acre, and is zoned A-1 (Agriculture).

The PSP proposes two (2) lots; Lot 1 is approximately 2.94 net buildable acres and will contain the existing Tuskawilla United Methodist Church, Lot 2 is approximately 2.41 net buildable acres and will accommodate a daycare facility. The Applicant has submitted a request for a special exception for the existing daycare use on Lot 2 and is waiting to move forward with the special exception process until the Preliminary Subdivision Plan has been approved.

Both proposed lots meet the minimum required lot size of one (1) net buildable acre in the A-1 zoning district. Each newly created lot will have access through a private seventy-five (75) foot wide ingress/egress easement that has public access onto Red Bug Lake Road.

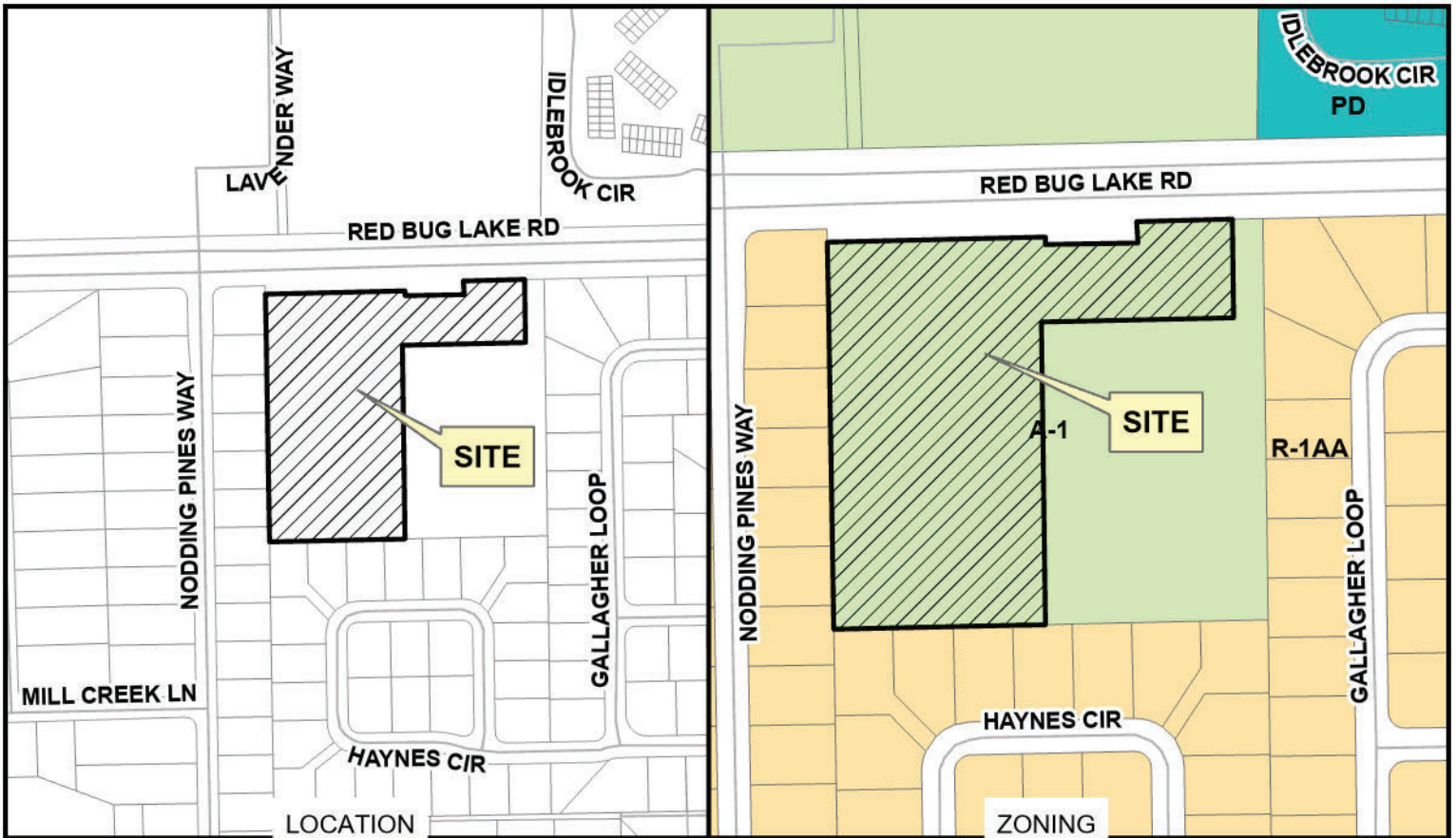
The existing church on Lot 1 is required to provide eight-three (83) parking spaces but

currently has only thirty-one (31), resulting in a deficiency of fifty-two (52) spaces. Lot 2 contains a total of eighty-four (84) parking spaces, while the daycare center operating on the lot is only required to maintain sixty-four (64), leaving nineteen (19) surplus spaces. To address the parking shortfall, the church and daycare center property owners have entered into a Shared Parking Agreement. The agreement allows the church to use fifty-four (54) parking spaces on Lot 2 on Sundays from 10:00 a.m. to 1:00 p.m. for church services, enabling the church to meet its full parking requirement.

The PSP complies with all the conditions of Chapter 35 of the Seminole County Land Development Code. All internal roads are private, and Seminole County is the utility provider for water and sewer.

Requested Action:

Staff requests approval of the Preliminary Subdivision Plan for the Tuskawilla United Methodist Church Subdivision containing two (2) lots on approximately 5.22 acres zoned A-1 (Agriculture) located on the south side of Red Bug Lake Road, west of Dodd Road.



**TUSKAWILLA UNITED
METHODIST CHURCH**
23-21-30-300-0190-0000

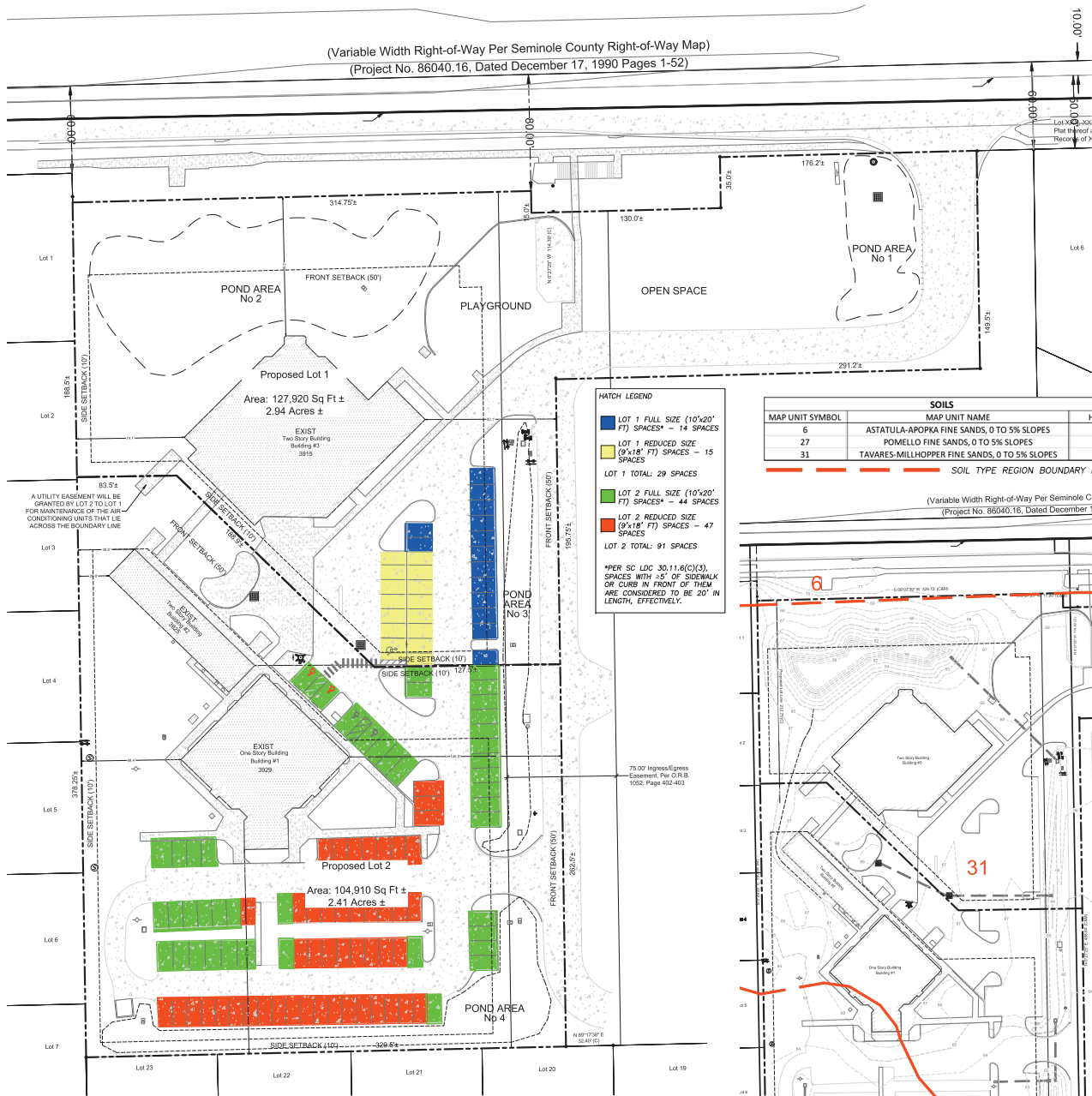
P&Z COMMISSION
OCTOBER 1, 2025

A-1
R-1AA
PD



AERIAL

(Variable Width Right-of-Way Per Seminole County Right-of-Way Map)
(Project No. 86040.16, Dated December 17, 1990 Pages 1-52)



- NOTES:
1. THE WATER & SANITARY SEWER SERVICE IS PROVIDED BY SEMINOLE COUNTY UTILITIES.
 2. THE TOPOGRAPHIC INFORMATION REFLECTED ON THIS PLAN WAS PROVIDED BY THE OWNER.
 3. EXISTING CONDITIONS INCLUDED FOR INFORMATION PURPOSES ONLY. BRAVO ENGINEERING, LLC DOES NOT CERTIFY THE ACCURACY OF THE INFORMATION SHOWN HEREON.
 4. VERTICAL CONSTRUCTION WILL REQUIRE SEPARATE BUILDING PERMITS AND WILL BE REVIEWED FOR, AND SHALL BE DESIGNED AND BUILT IN ACCORDANCE WITH THE 2023 FLORIDA BUILDING CODE, CHAPTERS 3, 5, 6, 7 AND 9, FOR 1) USE, 2) HEIGHT AND AREA LIMITATIONS, 3) CONSTRUCTION TYPES AND HORIZONTAL SEPARATION DISTANCES, 4) BUILDING ELEMENT PROTECTION AND 5) SPRINKLER AND ALARM REQUIREMENTS.
 5. ALL STRUCTURES THAT ARE REQUIRED TO BE ACCESSIBLE PER THE 8TH ED (2023) FBC, FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION, SHALL SHOW THE ACCESSIBLE ROUTE FROM THE RIGHT OF WAY AND REQUIRED ACCESSIBLE PARKING SPACES TO THE ACCESSIBLE ENTRANCE TO THE STRUCTURE. THE LOCATION OF ACCESSIBLE PARKING SPACES, LOADING ZONES, SIDEWALKS, AND EXIT RAMPS SHALL MEET REQUIREMENTS OF THE 8TH ED (2023) FBC, FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION.
 6. ADDRESS NUMBERS ARE TO BE CLEARLY VISIBLE FROM THE RIGHT OF WAY, MADE OF DURABLE WEATHER RESISTANT MATERIAL AND UTILIZES A CONTRASTING COLOR FROM THE IMMEDIATE BACKGROUND OF THE BUILDING STRUCTURE. FOR STRUCTURES NOT VISIBLE FROM THE STREET, ADDRESS NUMBERS SHALL ALSO BE POSTED ON BOTH SIDES OF A FENCE, MAILBOX OR POST LOCATED AT THE DRIVEWAY ENTRANCE TO THE PROPERTY, SO IT IS VIEWABLE FROM BOTH DIRECTIONS OF THE STREET.
 7. FOR COMMERCIAL TYPE OCCUPANCIES HAVING MULTIPLE ADDRESSES, IN ADDITION TO EACH BUILDING STRUCTURE BEING PROPERLY POSTED, THE RANGE OF THE ADDRESSES SHALL BE POSTED ON THE MAIN PLAZA OR OCCUPANCY SIGN, VISIBLE IN BOTH DIRECTIONS FROM THE STREET.
 8. IF THERE IS A MAILBOX, MINIMUM 3' IN HEIGHT NUMBERS ARE ALSO REQUIRED ON BOTH SIDES.
 9. COMMERCIAL ADDRESS NUMBERS ARE TO BE A MINIMUM OF 6' IN HEIGHT AND ½" WIDTH.

- PSP NOTES:
1. ALL BUILDINGS AND SITE IMPROVEMENTS REFLECTED HEREIN ARE EXISTING.
 2. NO IMPROVEMENTS ARE PROPOSED AS PART OF THIS APPLICATION PACKAGE.
 3. THE EXISTING SURFACE WATER MANAGEMENT SYSTEM WAS PREVIOUSLY DESIGNED, PERMITTED, AND CONSTRUCTED.
 4. EXISTING PARKING, DRAINAGE, AND UTILITIES WILL BE SHARED BETWEEN THE TWO RESULTING PARCELS.
 5. IF IT IS DETERMINED BY COUNTY STAFF THAT ANY IMPROVEMENTS ARE REQUIRED, THE IMPROVEMENTS WILL BE ADDRESSED UNDER A SEPARATE FINAL ENGINEERING PLAN APPLICATION.
 6. THE THREE RESULTING PARCELS, INCLUDING 19A (AKA SOCRATES PREP SCHOOL, NOT INCLUDED IN THIS PSP), WILL SHARE THE EXISTING ACCESS DRIVE, INGRESS/EGRESS EASEMENT PER O.R.B. 1052/PO 402.
 7. A PROPERTY OWNERS' ASSOCIATION WILL BE CREATED, OWNERSHIP AND MAINTENANCE RESPONSIBILITIES WILL BE SPELLED OUT IN THE POA DOCS. IT IS INTENDED THAT BLANKET EASEMENTS WILL BE GRANTED, IN LIEU OF METES & BOUNDS DESCRIPTIONS. THESE INSTRUMENTS WILL BE RECORDED PRIOR TO FINAL PLAT AND IDENTIFIED ON THE PLAT.
 8. THE PROPOSED USE WAS APPROVED BY SEMINOLE COUNTY ON JANUARY 28, 2019, DR PROJ # 18-32000008.
 9. THE REQUIRED PARKING IS BASED ON THE CAPACITY OF THE LARGER ASSEMBLY ROOM, WHICH IS THE EXISTING SANCTUARY IN THE CHURCH, SINCE THE TWO ASSEMBLY AREAS WILL NOT BE IN USE CONCURRENTLY. THERE WILL BE NO INCREASE IN ASSEMBLY CAPACITY, SO NO ADDITIONAL PARKING IS REQUIRED.
 10. ACCORDING TO THE SUEYTOR, THE LEGAL DESCRIPTION DOES NOT ADDRESS RIGHT OF WAY TAKING FOR RED BUG LAKE ROAD; BOUNDARY IS BASED UPON FOUND & CALCULATED MONUMENTATION AND PROPERTY APPRAISER'S GIS MAP.
 11. ANY FENCE OWNED BY THE PROPERTY OWNERS THAT'S LOCATED IN THE ROW IS TO BE RELOCATED TO WITHIN THE PROPERTY BOUNDARY.
 12. A UTILITY EASEMENT WILL BE GRANTED BY THE OWNERS OF LOT 2 TO THE OWNERS OF LOT 1 FOR MAINTENANCE OF THE AIR CONDITIONING UNITS THAT CROSS THE LOT BOUNDARY LINE.

PARKING AGREEMENT NOTE:

A SHARED PARKING AGREEMENT EXISTS BETWEEN THE CHURCH AND THE SCHOOL.

THE CHURCH WILL REQUIRE THE USE OF 54 PARKING SPACES ON LOT 2 TO MEET THE COUNTY'S PARKING SPACE REQUIREMENT, PRIMARILY FOR ITS WORSHIP SERVICES ON SUNDAY MORNINGS, FROM 10:00 AM - 1:00 PM.

THE PRESCHOOL AND DAYCARE, WHOSE MINIMUM COUNTY PARKING REQUIREMENT IS SATISFIED BY LOT 2 ALONE, WILL PRIMARILY UTILIZE THE PARKING LOT ON WEEKDAYS DURING ITS HOURS OF OPERATION, 6:30 AM - 6:45 PM.

PARKING SUMMARY

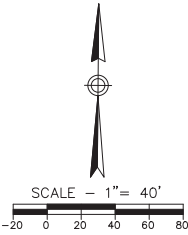
REQUIRED (THE GREATER OF THE FOLLOWING)			
ASSEMBLY (LOT 1)			
SEATS IN SANCTUARY	414		
1 SPACE PER 5 SEATS		83 SPACES	
SCHOOL (LOT 2)			
SEATS IN AUDITORIUM	198		
1 SPACE PER 4 SEATS		50 SPACES	
KINDERGARTEN & NURSERY EMPlys	4		
DROP-OFF & PICKUP SPACES	10		
LOT 2 TOTAL		64 SPACES	
PROVIDED			
STANDARD	115		
HANDICAP	5		
TOTAL	120 SPACES		

NOTE:
AN AGREEMENT BETWEEN THE LOTS WILL BE EXECUTED ALLOWING FOR SHARED PARKING AND ENSURING THAT PEAK DEMAND FOR EACH LOT OCCURS AT DIFFERENT TIMES. THE SANCTUARY (ASSEMBLY AREA) WILL BE THE HIGHEST PARKING DEMAND; THEREFORE, THE REQUIRED PARKING WILL BE BASED ON THE NUMBER OF SEATS THEREIN.

PARKING SIZE DISTRIBUTION

LOT 1	9'x18' (MIN.)	15 SPACES	TOTAL	29 SPACES
	10'x20' (MIN.)	14 SPACES	20% (10'x20' MIN):	6 SPACES
LOT 2	9'x18' (MIN.)	47 SPACES	TOTAL	91 SPACES
	10'x20' (MIN.)	44 SPACES	20% (10'x20' MIN):	19 SPACES

THEREFORE, SUFFICIENT 10'x20' PARKING IS PRESENT.



TUSKAWILLA UNITED METHODIST CHURCH
3925 RED BUG LAKE RD, CASSELBERRY, FL

PRELIMINARY SUBDIVISION PLAN

BRAVO ENGINEERING, LLC

7721 ALOHA AVE, STE 300
WINTER PARK, FLORIDA 32792
Telephone: 407-252-1671

This document is made of multiple electronic signatures, drawings, and other information and is not to be reproduced, modified, or otherwise used without the written consent of the engineer. The engineer's signature is required for the document to be valid. The engineer's signature is required for the document to be valid.

NO.	DATE	DESCRIPTION
0	11/10/23	INITIAL SUBMITTAL TO COUNTY
1	03/09/24	REVISED PER COUNTY COMMENTS
2	05/09/24	REVISED PER COUNTY COMMENTS
3	08/12/25	REVISED PER COUNTY COMMENTS

DRAWN BY: CTB

CHECK BY: CTB

PROJECT NO.:2023-23

PROJECT DATE:09/20/23

Digitally signed by Christopher T Bravo
DN: cn=Christopher T Bravo, o=Christopher T Bravo
onQualifier=A01410C0000018563F47D580000D03BD;
CN=Christopher T Bravo
Date: 2025.08.13 15:27:22 -04'00'

CHRISTOPHER T. BRAVO, P.E.
REGISTRATION # 58562
C.A. # 28953

C1.0



SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468

File Number: 2025-886

Title:

Approve the Preliminary Subdivision Plan for the B & M Affordable Construction Subdivision containing eleven (11) residential lots on 5.41 acres zoned R-1AAA (Single Family Dwelling) located on the west side of Brooks Lane, approximately 2,100 feet south of Red Bug Lake Road; (Rodolfo Sucre, RSP Engineers, Inc., Applicant); District1 - Dallari
(Annie Sillaway, Principal Planner)

Agenda Category:

Technical Review Items

Department/Division:

Development Services

Authorized By:

Joy Giles, Planning & Development Manager

Contact/Phone Number:

Annie Sillaway/407-665-7936

Background:

The Applicant is requesting approval of the B & M Affordable Construction Preliminary Subdivision Plan (PSP). The subject property has a Low Density Residential Future Land Use which allows a maximum of four (4) dwelling units per net buildable acre. The PSP proposes eleven (11) single family residential lots on 5.41 acres with a maximum density of 2.24 dwelling units per net buildable acre.

The development proposes access from Brooks Lane; the internal road will be privately owned and maintained by the homeowner's association.

Seminole County is the utility service provider; the development is required to connect to public utilities for water and sewer.

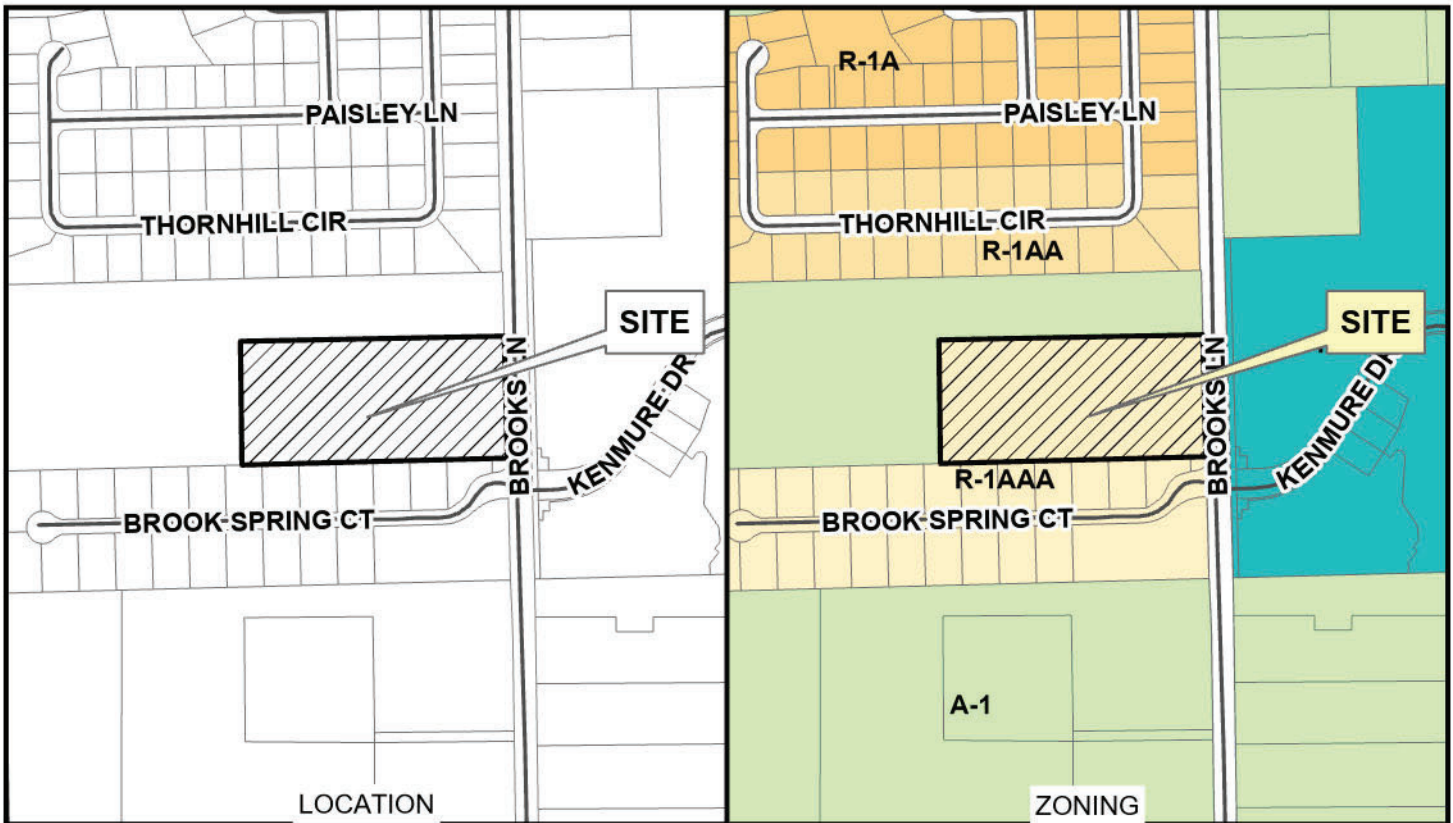
The subject property does not appear to have any wetlands or floodplains on site.

Staff finds the PSP to be in compliance with all the conditions of Chapter 35 of the Seminole County Land Development Code (SCLDC) and with the land use and zoning

designations of the property.

Requested Action:

Staff requests approval of the Preliminary Subdivision Plan for the B & M Affordable Construction Subdivision containing eleven (11) residential lots on 5.41 acres zoned R-1AAA (Single Family Dwelling) located on the west side of Brooks Lane, approximately 2,100 feet south of Red Bug Lake Road.



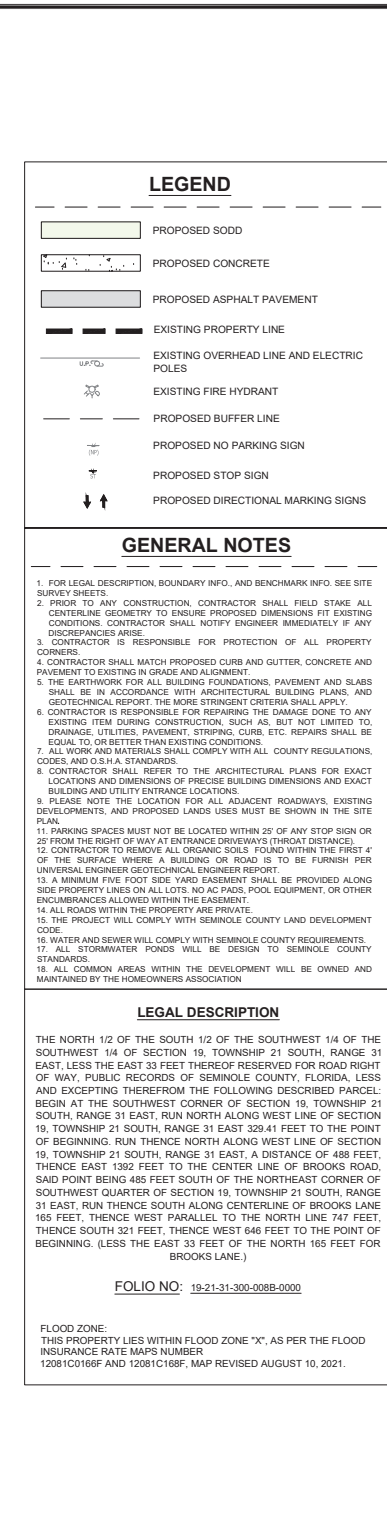
**B&M AFFORDABLE
CONSTRUCTION SUBDIVISION**


PARCEL: 19-21-31-300-008B-0000

**P&Z COMMISSION
OCTOBER 1, 2025**


- A-1
- R-1AAA
- R-1AA
- R-1A
- PD







GRAPHIC SCALE



Graphic Scale in Feet

1" = 40'

(IN FEET)

LAND AREAS

TOTAL LAND AREA = 235,963 F² ± 5.41 Acres
TOTAL IMPERVIOUS AREA = 95,387.3 F² 40.44%
TOTAL PERVIOUS AREA= 140,475.7 F² 59.56%

NET BUILDABLE AREAS

TOTAL LAND AREA	5.41 AC
PRIVATE ROW	0.50 AC
NET BUILDABLE AREA	4.91 AC

TOTAL DENSITY = TOTAL NUMBER OF DU ÷ TOTAL LAND AREA = 11 DU ÷ 4.91 AC = 2.24 DU/AC

MINIMUM LOT WIDTH = 100 FT

SITE DATA

STATEMENT OF INTENT: PROPOSED RESIDENTIAL ELEVEN (11)
SINGLE-FAMILY DWELLINGS SUBDIVISION AND ITS
INFRASTRUCTURE TO SUPPORT IT

SITE ADDRESS: 1480 BROOKS LN

SITE ZONING: R-1AAA (SINGLE-FAMILY DWELLING)

EXISTING LAND USE: LDR (LOW DENSITY RESIDENTIAL)

MINIMUM LOT SIZE: 13,500SF OR 0.31 ACRES



<u>BUILDING SETBACK</u>	<u>REQUIRED</u>	<u>PROVIDED</u>
FRONT	25'	25'
REAR	30'	30'
SIDE (N)	10'	10'
SIDE (S)	25'	25'

	<u>MAXIMUM</u>
<u>BUILDING HEIGHT</u>	35 FEET
	2 STOREYS

	<u>OPACITY</u>	<u>WIDTH</u>
<u>BUFFER</u>		
	<u>REQUIRED</u>	<u>PROVIDED</u>
NORTH	0.3	15'
EAST	0.1	10'
SOUTH	N/A	N/A
WEST	0.3	15'

TRACT TOTAL ACREAGE AND PERCENTAGE		
TRACT	TOTAL ACREAGE	TOTAL PERCENTAGE
TRACT A (RETENTION AREA)	0.31 ACRES	5.73 %
TRACT B (RETENTION AREA)	0.32 ACRES	5.91%
TRACT C (PRIVATE ROADWAY)	0.50 ACRES	9.24%
TRACT D (LANDSCAPE BUFFER)	0.42 ACRES	7.76%
TRACT E (LANDSCAPE BUFFER)	0.03 ACRES	0.57%
LOTS	3.83 ACRES	70.79%

TRACT OWNERSHIP TABLE	
TRACT	OWNERSHIP

 www.rspengineers.com									
FLORIDA									
MIAMI - ORLANDO - TAMPA - JACKSONVILLE									
786- 687 2677, 407- 743 2754, 813 -375 0656 -904-717 2831									
									
Digitally signed by Rodolfo Enrique Sucre DN: C=US, O=Unaffiliated, dnQualifier= =A01410D000001948E590B060002FFSD, CN=Rodolfo Enrique Sucre Reason: I am the author of this document Location: Date: 2025.08.20 15:44-04'00' Format PDF Editor Version: 12.1.9									
RODOLFO ENRIQUE SUCRE, STATE OF FLORIDA, PROFESSIONAL ENGINEER, LICENSE NO.[95759], THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY RODOLFO ENRIQUE SUCRE ON THE DATE INDICATED HERE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES									
									By
									Revision
									Date
									No.
Designed by:	R.S	I.C.G.	V.R	R.S	8/20/2025				
Drawn by:									
Checked by:									
Approved by:									
Date:									
Job No.:									
									© 2025
Plans Prepared By: RSP Engineers									
NOT APPROVED FOR CONSTRUCTION									
PRELIMINARY SUBDIVISION PLAN					B&M AFFORDABLE DEVELOPERS INC SUBDIVISION SEMINOLE COUNTY, FL				
Sheet No. 004									



SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468

File Number: 2025-812

Title:

LDC Amendment: Certified Recovery Residences - Consider an Ordinance amending the Land Development Code to establish a process for reasonable accommodations and the review and approval of Certified Recovery Residences, and to add a definition for Certified Recovery Residence; Countywide (**David German, Senior Planner**).

Agenda Category:

Public Hearing Items

Department/Division:

Development Services

Authorized By:

Jose Gomez, Development Services Director

Contact/Phone Number:

David German / 407-665-7386

Background:

Senate Bill 954 ("Bill") was approved by the Governor on June 25, 2025, and became effective July 1, 2025. It amended Florida Statutes Section 397.487, to add a new subsection 15 which requires the governing body of each county to *"adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction. The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence."* The Bill includes additional criteria required to be included in the Ordinance.

This proposed Ordinance amending the Land Development Code incorporates the requirements of SB 954 and establishes a process for the review and approval of reasonable accommodation requests for Certified Recovery Residences. A definition for *Certified Recovery Residences* is proposed to Chapter 2: Definitions of the Land Development Code and amendments to Chapter 30: Zoning Regulations, which

creates new Subsection 30.6.10.4 adding policy, procedure and processes required by the Bill.

The reasonable accommodation process set forth in the Ordinance will be utilized in instances where establishment of a certified recovery residence would be prohibited by the County's land use and zoning ordinances, rules, regulations, policies, or procedures. The applicant for a reasonable accommodation request can be any person who is disabled or a provider of services to disabled individuals. The applicant is responsible for demonstrating that they, or those who are being provided services, are protected individuals under the FHA or ADA.

Applications for certified recovery residence reasonable accommodations are reviewed by the Development Services Director, or designee, for consistency with the FHA or ADA and whether the applicant has shown the following:

- 1) They are protected under the FHA and/or ADA by demonstrating that they, or those being provided recovery services, are handicapped or disabled by showing:
 - a. A physical or mental impairment which substantially limits one (1) or more major life activities;
 - b. That they are regarded as having such impairment; and
 - c. A record of having such impairment.

(2) The requested accommodation is reasonable and necessary to afford the applicant an equal opportunity to use and enjoy the dwelling, building or structure, or provides accessibility in another manner.

(3) The requested accommodation would not impose an undue financial or administrative burden on the County.

(4) The requested accommodation would not require a fundamental alteration in the nature of the land use and zoning regulations of the County.

Approvals or denials of requests are issued in writing and must include the applicant's right to appeal the determination to the County Manager. Granting a reasonable accommodation request does not alleviate the requirement for a Certified Recovery Residence to comply with all other applicable codes.

Requested Action:

Staff requests the Planning and Zoning Commission recommend the Board of County Commissioners approve an Ordinance amending the Land Development Code to

establish a reasonable accommodation process for review and approval of Certified Recovery Residences, and to add a definition for Certified Recovery Residence.

ORDINANCE NO. 2025-_____

SEMINOLE COUNTY, FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; AMENDING CHAPTER 2 (DEFINITIONS) TO ADD A DEFINITION FOR CERTIFIED RECOVERY RESIDENCE; AMENDING CHAPTER 30 (ZONING REGULATIONS) TO ADD SECTION 30.6.10.4 ESTABLISHING A PROCESS FOR THE REVIEW OF REASONABLE ACCOMMODATION REQUESTS FOR CERTIFIED RECOVERY RESIDENCES PURSUANT TO FLORIDA STATUTES SECTION 397.487; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION IN THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Senate Bill 954 adopted during the 2025 legislative session (“Bill”), requires that by January 1, 2026, the governing body of each county adopt an ordinance establishing procedures for review and approval of certified recovery residences; and

WHEREAS, the Bill also requires the ordinance to include a process for requesting reasonable accommodations from any local land use regulation that prohibits the establishment of certified recovery residences; and

WHEREAS, creating a procedure to request a reasonable accommodation to establish a certified recovery residence will provide people with disabilities equal access to housing opportunities in all areas of Seminole County while preserving the overall intent and purpose of the County’s planning and zoning regulations; and

WHEREAS, the Seminole County Local Planning Agency held a public hearing, with all required public notice, on _____ to provide recommendations to the Board of County Commissioners on this Ordinance to amend the Land Development Code and recommended that the Board of County Commissioners adopt the Ordinance; and

28 **WHEREAS**, adoption of this Ordinance ensures that Seminole County complies with
Section 397.487(15), Florida Statutes, and that the best interest of the public health, safety, and
30 welfare is served.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
32 **COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:**

Section 1. Incorporation of Recitals. The above recitals are incorporated herein by
34 reference and form an integral part of this Ordinance.

Section 2. Short Title. This Ordinance shall be known and referred to as the “Reasonable
36 Accommodation Process for Certified Recovery Residences Land Development Code
Amendment”.

38 **Section 3. Intent and Purpose.** The intent and purpose of this Ordinance is to amend the
Seminole County Land Development Code to include a definition for “certified recovery
40 residence” and to add new section 30.6.10.4. creating a reasonable accommodation request process
for certified recovery residence in compliance with section 397.487, Florida Statutes.

42 **Section 4.** Chapter 2 (Definitions) of the Land Development Code of Seminole County is
hereby amended to read as follows:

44 * * *

Certified recovery residence: As defined in section 397.311 Florida Statutes, as this
46 statute may be amended from time to time.

Section 5. Chapter 30 (Zoning Regulations) of the Land Development Code of Seminole
48 County is hereby amended to read as follows:

 * * *

Sec. 30.6.10. Community residential homes, ~~and~~ assisted living facilities, and certified recovery residences.

* * *

30.6.10.4 Certified recovery residences

(a) Purpose and applicability. The purpose of this subsection is to establish procedures for review and approval of reasonable accommodation requests to County land use and zoning ordinances, rules, regulations, policies, and procedures that may prohibit establishment of certified recovery residences pursuant to section 397.487, Florida Statutes. Facilitating reasonable accommodation requests ensures that individuals with a disability and/or handicap have equal opportunity to use and enjoy dwellings, buildings or structures, or to provide accessibility in another manner, as provided by the Federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) ("FHA") and Title II of the Americans with Disabilities Amendments Act (42 U.S.C. Section 12131 et seq.) ("ADA"). For purposes of this procedure, a "disabled" individual or person is an individual that qualifies as disabled and/or handicapped under the FHA and/or ADA. Any person who is disabled or a provider of services to disabled individuals qualifying for a reasonable accommodation, may request a reasonable accommodation allowing for the establishment of a certified recovery residence pursuant to the procedures set forth herein.

(b) Applicant. Any person who is disabled or a provider of services to disabled individuals qualifying for a reasonable accommodation, collectively referred to as "Applicant" in this subsection, may request a reasonable accommodation to the County's land use and zoning ordinances, rules, regulations, policies, and procedures that prohibit establishment of certified recovery residences. It is the responsibility of the Applicant to establish that they, or those who are being provided recovery services, are protected individuals under the FHA and/or ADA by

demonstrating that the proposed accommodation is reasonable and necessary to afford the
74 Applicant, or those who are being provided services, an equal opportunity to use and enjoy a
residential dwelling.

76 (c) Application Procedure. A request for reasonable accommodation shall be made to the
Planning and Development Division by an Applicant. An application for reasonable
78 accommodation must, at a minimum, provide the following:

(1) Name and contact information of the Applicant or the Applicant's authorized
80 representative;

(2) Property address and parcel identification number of where the reasonable
82 accommodation is being requested. If the Applicant is not the owner of the property, then the
contact information for the owner and an owner's authorization form is also required;

84 (3) A description of the accommodation needed, identifying the ordinances, rules,
regulations or policies from which the Applicant is requesting a reasonable accommodation and
86 why the requested accommodation is necessary;

(4) A certification signed by the Applicant stating; I CERTIFY UNDER
88 PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS REQUEST IS
TRUE AND CORRECT. I UNDERSTAND THAT IF I KNOWINGLY PROVIDE FALSE
90 INFORMATION WITH THIS REQUEST, MY REQUEST SHALL BECOME NULL AND
VOID;

92 (5) Signature of the Applicant and date;

(6) A verification of disability status form executed by someone with personal knowledge of the Applicant's, or those who are being provided services', disability, such as a medical or social services professional;

(7) Any additional information or documents the Applicant feels is necessary to supplement the request for reasonable accommodation.

The Planning and Development Division will date-stamp the application upon receipt and notify the applicant, in writing, within 30 days if additional information is required. The Applicant must provide the additional information within 30 days. Failure of the Applicant to provide a response within 30 days will result in the application being denied, unless the applicant requests an extension of time in writing.

(d) Review. Within 60 days of receiving a completed application, the Development Services Director, or designee, shall review the request for reasonable accommodation and make a determination consistent with the FHA and/or ADA, after considering all of the following:

(1) Whether the Applicant has established that they are protected under the FHA and/or ADA by demonstrating that they or those being provided recovery services, are handicapped or disabled, as defined in the FHA and/or ADA. To do this, the following must be shown:

a. A physical or mental impairment which substantially limits one (1) or more major life activities;

b. That they are regarded as having such impairment; and

c. A record of having such impairment.

114 (2) Whether the requested accommodation is reasonable and necessary to afford the
Applicant an equal opportunity to use and enjoy the dwelling, building or structure, or provides
116 accessibility in another manner.

(3) Whether the requested accommodation would impose an undue financial or
118 administrative burden on the County.

(4) Whether the requested accommodation would require a fundamental alteration
120 in the nature of the land use and zoning regulations of the County.

If the Development Services Director, or designee, finds that the requested
122 accommodation will impose an undue financial or administrative burden on the County or will
require a fundamental alteration in the nature of the County's land use and zoning regulation, they
124 may consider whether an alternative reasonable accommodation exists which would effectively
meet the disability-related need. An alternative reasonable accommodation may be the requested
126 accommodation with conditions. In conducting the review, the Development Services Director, or
designee, may make a site visit to the property where the reasonable accommodation is being
128 requested.

(e) Determination. Once review of the request is complete, the Development Services
130 Director, or designee, will make a determination, in writing, to:

(1) Approve the reasonable accommodation request in whole or in part, with or
132 without conditions; or

(2) Deny the reasonable accommodation request, in accordance with state and
134 federal law, and state the objective evidence-based reasons for denial and identify any deficiencies
or actions necessary for reconsideration.

136 The written determination by the Development Services Director, or designee, shall
also include the Applicant's right and method to appeal the determination. If the written
138 determination is not issued within 60 days after receipt of the completed application, the reasonable
accommodation request is deemed approved unless the parties agree in writing to a reasonable
140 extension of time.

(f) Appeals. Applicant has 30 days from the date of the Development Services Director's,
142 or designee's, written determination to appeal the determination or any conditions included
therein, to the County Manager. Appeals must be made in writing and include the name of the
144 Applicant, address and contact information, a written summary of the reason for the appeal, an
explanation of why the determination or condition is in error, and a copy of the written
146 determination. Appeals shall be submitted to the Planning and Development Division. The County
Manager shall issue a final decision on the appeal within 45 days of submitting the appeal to the
148 Planning and Development Division.

(g) No fee. There shall be no fee imposed by the County for the reasonable accommodation
150 request process outlined in this subsection.

(h) Stay of Enforcement. While a request for reasonable accommodation, or its appeal, is
152 pending, the County will not enforce any applicable land use and zoning ordinances, rules,
regulations, policies, and procedures against the Applicant.

154 (i) General Provisions. The following general provisions are applicable to all
reasonable accommodation requests:

156 (1) The Applicant may apply for a reasonable accommodation on their own behalf
or may be represented at all stages of the reasonable accommodation process by an attorney, legally
158 appointed guardian, or other person designated by Applicant as a power of attorney.

(2) In the event that a reasonable accommodation is granted, the Applicant shall
160 continue to comply with any and all other applicable building and/or engineering permitting
processes required by the County’s Code of Ordinances and Land Development Code and all other
162 state and federal laws.

(3) A reasonable accommodation is specific to the Applicant and does not run with
164 the subject property.

(j) Revocation. A reasonable accommodation approval may be revoked by the
166 Development Services Director for cause, including, but not limited to, violation or lapse of the
conditions of approval or failure to maintain state licensure as a certified recovery residence (if
168 applicable) for more than one hundred eighty (180) days.

Section 5. Conflicts. This Ordinance shall control over any County ordinances or parts
170 of ordinances in conflict herewith.

Section 6. Codification. It is the intention of the Board of County Commissioners that
172 the provisions of this Ordinance will become and be made a part of the Land Development Code
of Seminole County, and that the word “ordinance” may be changed to “section”, “article”, or
174 other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-
lettered to accomplish such intention; providing, however, that Sections 5, 6, 7 and 8 of this
176 Ordinance shall not be codified.

Section 7. Severability. If any provision of this Ordinance or the application thereof to

any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that such invalidity will not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 8. Effective date. This Ordinance will take effect upon filing a copy of this Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this _____ day of _____, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida

JAY ZEMBOWER, Chairman

NJB/kw
DATE Sep 2, 2025

Topic: LDC Amendment: Certified Recovery Residences

In accordance with Section 2.2.D of the Seminole County Home Rule Charter, before the enactment of a proposed ordinance or resolution on a legislative action, the Board of County Commissioners shall prepare or cause to be prepared an economic impact estimate. Similarly, Section 125.66(3)(c), F.S., requires that before the enactment of a proposed ordinance, the County must prepare a business impact estimate in accordance with this subsection.

Describe Project/Proposal, including the Public Purpose. (Must be completed for all legislative actions by ordinance or resolution)

- Summary of proposed ordinance or resolution.

- Statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the county. (Section 125.66(3)(a)1., F.S.)

Question 1: Does the proposed legislative action have an economic cost to the public or taxpayers of Seminole County? (Seminole County Home Rule Charter Section 2.2.D.)

- ☐ Yes.
☐ No.

Question 2: This question only applies to ordinances: Does the subject matter or purpose of the proposed ordinance fall into any of the following categories? Please check all that apply (Section 125.66(3)(c), F.S.):

- ☐ Required for compliance with Federal or State law or regulation;
☐ Relates to the issuance or refinancing of debt;
☐ Relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
☐ Required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the local government;
☐ Is an emergency ordinance;
☐ Relates to procurement; or
☐ Is being enacted to implement the following:
- a. Development orders and development permits, as those terms are defined in s. 163.3164, F.S. and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243, F.S.;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the county;
 - c. Sections 190.005 and 190.046, F.S., regarding community development districts;
 - d. Section 553.73, F.S. relating to the Florida Building Code; or
 - e. Section 633.202, F.S. relating to the Florida Fire Prevention Code.

If you answered NO to Question 1 and checked any boxes in Question 2 then STOP, this form is now complete.

If you answered YES to Question 1 and checked any boxes in Question 2 then complete Question 3.

If you answered YES to Question 1 and did not check boxes in Question 2 then complete Questions 3-5.

Question 3: What are the potential direct economic impacts (i.e. estimated costs/revenues to County, property owners, taxpayers, etc.) and indirect economic impacts (i.e. perceived positive/negative impacts on property values, etc.) of implementing the ordinance or resolution? (Seminole County Administrative Code Section 2.20)

Question 4: What is the estimated direct economic impact of the proposed ordinance on private, for profit businesses in the County, including the following, if any (Section 125.66(3)(a)2., F.S.):

- **An estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted.**
- **Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.**

An estimate of the County's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

Question 5: Provide a good faith estimate of the number of businesses likely to be impacted by the ordinance. (Section 125.66(3)(a)3., F.S.):