

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On March 14, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 2
STRIVE AT FERN PARK
PLAT BOOK 83 PAGE 96

(The above described legal description has been provided by Seminole County Property Appraiser.)

A. FINDINGS OF FACT

Property Owner: V3 FERN PARK OP, LLC
496 S. HUNT CLUB BLVD
APOPKA, FL 32703

Project Name: FOOD FARE FERN PARK - SPECIAL EXCEPTION

Requested Development:

A Special Exception for an alcoholic beverage establishment in the C-2 zoning district.

The findings reflected in the record of the March 14, 2023, Board of County Commissioners meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

The development approval sought is consistent with the Seminole County Comprehensive Plan and is in compliance with applicable land development regulations and all other applicable regulations and ordinances.

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned 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, to the extent that such requirements are not inconsistent with this Development Order.

(3) The conditions upon this development approval are as follows:

- a. The Special Exception granted applies only to the alcoholic beverage establishment as depicted on the Site Plan.
- b. The layout of the proposed uses will be substantially consistent with that which is depicted on the Site Plan, attached to the Development Order as Exhibit A.
- c. No building associated with the Special Exception may be increased more than ten (10) percent in size from the 1,250 square feet permanent structure, as is shown on the Site Plan, without Board approval.
- d. The seating shall be capped at 104 seats and may not be increased without Board approval.
- e. The use of the alcoholic beverage establishment must be in conjunction with the food truck use and there must be a minimum of two (2) food trucks in operation for the bar to operate.
- f. The food truck establishment and the associated alcoholic beverage establishment will operate between the hours of 11:00 a.m. and 10:00 p.m., seven (7) days a week.
- g. Closing hours and procedures must comply with Seminole County Code Section 15.17(b).
- h. The alcoholic beverage establishment's doors on the east side of the building will be closed at sunset each evening or no later than 7:00 p.m. for sound attenuation. The establishment must also comply with all noise regulations in Chapter 165 Noise Control of the Seminole County Land Development Code.
- i. Prior to the issuance of development permits, a final Site Plan that meets the requirements of all other applicable code requirements, including Chapter 40 of the Land Development Code, must be approved.

- j. This Development Order will expire one (1) year after approval unless a development permit based upon and incorporating the Special Exception is obtained within the one (1) year period. One (1) six (6) month extension may be granted.

(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 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) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.

(7) 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.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
Amy Lockhart, Chairman

Prepared by: Hilary Padin, Planner
1101 East First Street
Sanford, Florida 32771

EXHIBIT A

