

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO PROPERTY GENERALLY LOCATED (ON THE NORTH SIDE OF STATE ROAD 46 BETWEEN BERINI WAY AND LAKE FOREST BLVD) IN SEMINOLE COUNTY; REZONING CERTAIN PROPERTY CURRENTLY ASSIGNED THE PD (PLANNED DEVELOPMENT) ZONING CLASSIFICATION TO THE PD (PLANNED DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled SR 46/Lake Forest (aka. Terracina) SSFLUMA & PD Major Amendment, dated December 10, 2024.

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONING. The zoning classification assigned to the following described property is changed from PD (Planned Development) to PD (Planned Development) pursuant to the provisions contained in Development Order 22-20500012, attached to this Ordinance as Exhibit "A" and incorporated in this Ordinance by reference:

**SEE ATTACHED EXHIBIT "B" FOR LEGAL DESCRIPTION
SEE ATTACHED EXHIBIT "C" FOR BOUNDARY SURVEY**

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance will not be codified.

Section 4. 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 the 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 5. EFFECTIVE DATE. The Clerk of the Board of County Commissioners shall provide a certified copy of this Ordinance to the Florida Department of State in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order #22-20500012 in the Official Land Records of Seminole County or upon filing this Ordinance with the Department of State, whichever is later.

ENACTED this 10th day of December, 2024.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
JAY ZEMBOWER, CHAIRMAN

**EXHIBIT "A"
DEVELOPMENT ORDER**

FILE NO.: PZ2022-16 DEVELOPMENT ORDER # 22-20500012

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On December 10, 2024, Seminole County Board of County Commissioners issued this Addendum #1, which represents an amendment to the Development Order #05-20500006, issued on October 25, 2005, and recorded in Seminole County Official Records Book 0643, Pages 0359-0364, relating to and touching and concerning the following described property:

See Attached Exhibit A

(The above described legal description has been provided to Seminole County by the owner of the above described property.)

FINDINGS OF FACT

Property Owner: Robert T. Hattaway, Trustee

Project Name: SR 46/Lake Forest (aka Terracina) PD

Requested Development Approval: Consider a Small Scale Future Land Use Map Amendment from Higher Intensity Planned Development-Target Industry and Planned Development to Planned Development, and a Rezone from PD (Planned Development) to PD (Planned Development) for a proposed self-storage facility on approximately 3.53 acres, located on the north side of W SR 46 between Bernini Way and Lake Forest Blvd.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The development conditions and commitments stated below will run with, follow and perpetually burden the above described property.

Prepared by: Anne Marie Sillaway, AICP
Senior Planner
1101 East First Street
Sanford, Florida 32771

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Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The subject 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.

(3) The conditions upon this Addendum #1 development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owners of the property; all other sections and provisions included within Development Order #05-20500006, issued on October 25, 2005, and recorded in Seminole County Official Records Book 0643, Pages 0359-0364, remain unchanged and in full effect:

- A. Development must comply with the Master Development Plan attached as Exhibit (B).
 - B. Permitted Uses:
 - a. Self-Storage Facility
 - b. Outdoor storage is limited to boars and recreation vehicles.
 - c. C-1 (Retail Commercial) uses.
 - C. Maximum Floor Area Ratio: 0.66 for self-storage use.
0.35 for C-1 uses.
 - D. Maximum Building Height: Thirty-five (35) feet, Two (2) stories
 - E. The development must provide a minimum of twenty-five (25) percent common usable open space.
 - F. The setbacks from the external property boundaries are as follows:
 - North: Twenty-five (25) feet.
 - South (adjacent to SR 46): Fifty (50) feet.
 - East: Ten (10) feet.
 - West: Thirty-five (35) feet.
 - Internal setbacks: Zero (0) feet
 - G. The buffers are follows:
 - North: Twenty-five (25) foot wide landscape buffer.
 - South: Twenty-five (25) foot wide landscape buffer.
 - East: No buffer required.
 - West: Thirty-five (35) foot undisturbed buffer.
- Buffer components will be established at Final Development Plan.

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- H. The developer must provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside of the development.
- I. All project signage must comply with the State Road 46 Gateway Corridor Standards.
- J. The site will be part of the existing property owner's association.
- K. The subject development is within the County's Urban Bear Management Area and must comply with the requirements outlined in Chapter 258 of the Seminole County Code of Ordinances (2015-33).
- L. The existing master stormwater system is designed to meet the applicable codes of Seminole County and St. John River Water Management District requirements.
- M. The project will be built in two phases. Phase one is Outdoor storage along with self-storage buildings. Phase two shall replace the outdoor storage with a self-storage building.
- N. Outdoor storage is limited to boats and recreation vehicles. Construction equipment, tractor trailers, or type of construction materials will be prohibited.
- O. The Developer will provide a fifty (50) foot landscape buffer and berm along the southern portion of the subject site that faces SR 46 only for the use of self-storage, attached as Exhibit C.
- P. In the case of a conflict between the written conditions A through O in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through O will apply.**

(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 upon 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) In the case of a conflict between the written conditions in this Development Order and the attached Master Development Plan, the terms of the written conditions shall apply.

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

FILE NO.: PZ2022-18 DEVELOPMENT ORDER # 22-20500012

(8) 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.

(9) In approval of this Development Order by Seminole County, the property owner(s) understands that the County must receive a Final Development Plan within five (5) years of approval of the Master Development Plan, unless this time period is extended by the Seminole County Local Planning Agency / Planning and Zoning Commission. If substantial development has not begun within eight (8) years after approval of the Master Development Plan, the planned development will be subject to review by the Local Planning Agency / Planning and Zoning Commission and the Board of County Commissioners may move to rezone the subject property to a more appropriate zoning or extend the deadline for start of construction (see Sections 30.446 and 449, LDC).

(10) This Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case will this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Terracina Self-Storage SSFLUMA & PD Rezone (as referenced in Exhibit A), on December 10, 2024.

Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

By: Jay Zembower, Chairman

FILE NO.: PZ2022-16 DEVELOPMENT ORDER # 22-20500012

EXHIBIT A
Legal Description

PARCEL 1 - SEMINOLE COUNTY; FLORIDA PARCEL ID NO.: 30-19-30-516-0000-0C40

LOT C-4, TERRACINA AT LAKE FOREST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 74, PAGES 8-16, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

AND

PARCEL 2 - SEMINOLE COUNTY, FLORIDA PARCEL ID NO.: 30-19-30-300-002P-0000

WEST 320.00 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LYING NORTH OF NEW STATE ROAD 46, SEMINOLE COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING:

BEGIN AT THE SOUTHWEST CORNER OF THE AFOREMENTIONED PARCEL, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 46, RUN S89°50'15"E A DISTANCE OF 39.05 FEET; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE RUN N00°09'45"E A DISTANCE OF 35.96 FEET; THENCE RUN N89°51'47"W A DISTANCE OF 39.07 FEET TO THE EAST LINE OF LAKE FOREST SUBDIVISION; THENCE RUN S00°08'13"W A DISTANCE OF 35.94 FEET TO THE POINT OF BEGINNING

APPLICANT'S COPY OF DEVELOPMENT ORDER

EXHIBIT "B"
LEGAL DESCRIPTION

PARCEL 1 - SEMINOLE COUNTY; FLORIDA PARCEL ID NO,: 30-19-30-516-0000-0C40

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