

MEMORANDUM

To: Board of County Commissioners

Cc: Bryant Applegate, Interim County Manager
Paul Chipok, Interim County Attorney
Grant Maloy, Clerk of the Court
Tricia Johnson, Deputy County Manager
Meloney Koontz, Assistant County Manager
Rebecca Hammock, Development Services Director
Mary Moskowitz, Planning & Development Division Manager

From: Mary Robinson, Planner/Code Enforcement Officer

Date: February 9, 2023

Time: 1:30 p.m.

Re: **February 14, 2023 BCC Meeting, Agenda Item #12 Wekiva Island Paint Out/Spring Fling Special Event Permit Update**

Mary Sue Weinaug, Authorized Agent for the Wekiva Island Paint Out/Spring Fling Special Event Permit has submitted a revised schedule of Events for the Special Event as a result of a meeting between the Wekiva Island Property Owners (Mary Sue and William Weinaug) and Jeff Stamer, HOA Representative for Sweetwater Springs Subdivision. The two parties have agreed to the following:

1. The Applicant has amended the application to change the event ending date from March 22, 2023 to March 16, 2023.
2. The request to increase the number of guests from 395 to 450 is withdrawn. The number of guests will remain at 395.
3. Language will be added to the Special Event Permit allowing the Sheriff's Department Personnel the authority to regulate excessive volume of noise and include the specifications of Power Acoustics Sound Study. This language is currently included in the Special Event Permit.

The remaining Staff recommendations with regard to hours of operation remain unchanged. A revised agenda memo and Special Event Permit incorporating the changes is attached.

Thank you,
Mary

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: WEKIVA ISLAND PAINT OUT AND SPRING FLING SPECIAL EVENT PERMIT

NAVILINE PROJECT NUMBER: **22-45000014**

AGENDA DATE: 02/14/2023

BCC: Regular ☒ – 9:30

County Attorney Office Review:

..Title

Wekiva Island Paint Out and Spring Fling Special Event Permit –

Consider a Special Event Permit for the Wekiva Island Paint Out and Spring Fling Special Event on Sunday, February 26, 2023 through Thursday, March 16, 2023, except March 10, and 11, 2023 which will be under normal business operations and are not a part of the Special Event Request, located at 1014 Miami Springs Dr. Longwood; (Mary Sue Weinaug, Applicant) District3 - Constantine (**Mary Robinson, Project Manager**)

..Department

Development Services

..Division

Planning & Development Division

..Authorized By

Rebecca Hammock

..Contact

Mary Robinson 407-665-7339

..Motion/Recommendation

1. Approve the Special Event Permit for the Wekiva Island Paint Out and Spring Fling 2023, subject to staff's recommended conditions of approval; or

2. Deny approval of the Special Event Permit for the Wekiva Island Paint Out and Spring Fling 2023; or
3. Continue the request to a time and date certain.

..Background

The Wekiva Island Paint Out and Spring Fling 2023 will include Artists painting outside on the grounds of Wekiva Island, and the paintings will be displayed in the gallery and offered for sale. Amplified sound is proposed on Wednesday, March 1, 2023 for an art auction under the Solar Array. A band with amplified music is planned to perform on the back deck of the classroom building on Saturday, March 4, 2023.

The Applicant is requesting that Wekiva Island operating hours be extended from 7:00 p.m. to 10:00 p.m. on Sunday February 26, 2023 through Thursday March 2, 2023, and 8:00 a.m. to 9:00 p.m. for Sundays and weekdays for the remaining days of the event. The Board of County Commissioners has approved 9:00 p.m. as the closing time during weekdays and Sundays for prior Wekiva Island Special Events. Therefore, Staff recommends a closing time on all Sundays and Weekdays of 9:00 p.m. consistent with the prior Board of County Commission approvals. The Wekiva Island Development Order requires the regular closing time for this time of year to be 7:00 p.m. on weekdays (Sunday – Thursday).

The Applicant has amended the application to change the event ending date from March 22, 2023 to March 16, 2023.

The operating hours on Fridays and Saturdays during the Special Event are from 8:00 a.m. to 11:00 p.m., which aligns with the Wekiva Island Development Order.

The Applicant has reduced the request for 450 guests to 395 guests for the Paint Out Spring Fling Special Event. The 395 guests are consistent with the number of guests allowed by the Wekiva Island Development Order.

The Wekiva Island Paint Out and Spring Fling will include a variety of events scheduled each day during the Special Event, as shown on Attachment 1. The Attachment 2 is the request to vary from the Development Order and Land Development Code conditions. The variance is to allow for extended hours of operation and amplified sound.

This is the first Special Event Permit of the calendar year. Per Development Order # 17-20500038 Section (3) t., four (4) Special Events are allowed per

year, not to exceed a total of sixty (60) days. The Paint Out and Spring Fling Event will be twenty-one (17) days, leaving thirty-nine (44) days remaining for other Special Events.

..Staff Recommendation

Recommend the Board of County Commissioners approve the Wekiva Island Paint Out and Spring Fling 2023 Special Event Permit for Special Event Permit on Sunday February 26, 2023 through Thursday, March 16, 2023, except March 10, and 11, 2023 which will be under normal business operations, subject to staff's recommendations included in the attached Special Event Permit.

Note: The Special Event Permit Conditions of Approval (i.e., full details of the above conditions) are contained in the Special Event Permit in this Agenda Memorandum to be issued by Seminole County, if approved by the Board of County Commissioners.

..Board Date

02/14/2023

SPECIAL EVENT PERMIT

Failure to obtain required permits revokes this approval.

PERMIT NO: 22-45000014

In accordance with Section 30.1378 of the Land Development Code of Seminole County, no special event may be permitted for more than fourteen (14) consecutive days, and no parcel of land will be permitted to have more than five (5) special events in any twelve (12) month period, unless authorized by the Board of County Commissioners.

DATE	February 14, 2023
APPLICANT	Mary Sue Weinaug, Authorized Agent
SITE ADDRESS	1000-1014 Miami Springs Drive, Longwood, FL 32779
ESTABLISHMENT	Wekiva Island
PARCEL ID	30-20-29-001A-0000, 31-20-29-300-001B-0000, 31-20-29-300-001C-0000
SIZE IN ACRES	5.5 AC

DESCRIPTION OR NAME OF EVENT: Wekiva Island Paint Out and Spring Fling

TO BE HELD ON: Sunday February 26, 2023 through Thursday March 16, 2023, except March 10, 11, 2023 which will be normal business operations and excluded from the Special Event Permit

BETWEEN THE HOURS OF:

February 26, 27, & 28 & March 1 & 2	8:00 a.m. to 9:00 p.m.
March 3 & 4	8:00 a.m. to 11:00 p.m.
March 5 to March 9	8:00 a.m. to 9:00 p.m.
March 12 to March 16	8:00 a.m. to 9:00 p.m.

NUMBER OF ATTENDEES: 395 guests at any given time

EVENTS DURING THE LAST TWELVE (12) MONTHS INCLUDING THIS EVENT: Four (4)

The Board of County Commissioners determined the proposed event is reasonably compatible with nearby existing development and does not pose an unreasonable safety or health risk for patrons or neighbors. This permit will be subject to the following conditions:

SPECIAL EVENT PERMIT

1. The Event hours are shown in the table below:

February 26, 27, & 28 & March 1 & 2	8:00 a.m. to 9:00 p.m.
March 3 & 4	8:00 a.m. to 11:00 p.m.
March 5 to March 9	8:00 a.m. to 9:00 p.m.
March 12 to March 16	8:00 a.m. to 9:00 p.m.

There are no events scheduled for March 10, 11, 2023 (Friday and Saturday) therefore, these dates are not included in the Special Event Permit approval and will conduct normal business operations with 395 guests at any given time.

2. The number of attendees will not exceed 395 guests at any given time.
3. Performances at the event will include a live band playing outdoors and musicians in the wine bar; Gala Art event; artists painting at various locations around the island; artwork exhibition in the gallery; and Art Auction and a Quick Draw. The location of the Art Gallery is shown on Exhibit A. The schedule of events is shown on Attachment 1.
4. Amplified sound is permitted in association with an art auction under the Solar Array on Wednesday March 1, 2023 and live music on Saturday, March 4, 2023. Outdoor amplified sound is permitted at the times listed below and as shown on Exhibit B. The art auction and live band and speakers shall be oriented towards the west property boundary, and away from adjacent residential properties including the Sweetwater Springs subdivision. (Exhibit B)

Art Auction under the Solar Array (Wednesday, March 1, 2023)	7:00 p.m. – 9:00 p.m.
Gala and Live Band on the back deck of the classroom building (Saturday, March 4, 2023)	6:00 p.m. – 9:00 p.m.

The outdoor amplification of sound shall not exceed 50 db(a) or 60 db(c), one minute average (LEQ) sound level, as measured at the common park area in the Sweetwater Springs subdivision (reference, the M-2 location as shown in the final report of the Community Sound Test Results and Analysis of the March 2022 Wekiva Island Special Events). Seminole County Sheriff's Personnel shall have the authority to regulate excessive volume related to activities during the Special Event.

5. Tents and temporary electrical equipment/installation will require all applicable County permits and inspections as required through the Building Division.
6. Applicant to submit the following to the County's Fire Prevention Bureau: tent and canopy permits, offsite parking and public safety access plan, and food service vendor information.

SPECIAL EVENT PERMIT

7. Applicant to contact the County's Fire Prevention Bureau forty-eight (48) hours prior to the Event to schedule an inspection for compliance with all fire code requirements.
8. Access around the perimeter of the Event must remain open to allow for emergency apparatus, including: (a) fire apparatus access roads shall be twenty (20) feet wide, clearly marked and unobstructed; and (b) fire apparatus access roads shall be provided so that no area of the Event is greater than 150 feet (foot travel) from Fire Department vehicle access.
9. A First Aid Station will be available, as shown on Exhibit C.
10. Parking will be provided in the existing designated parking area as shown on Exhibit E. A maximum of 248 passenger vehicles shall be permitted on site at any one time.
11. All food and beverage service shall be subject to receipt of all required State licenses. Food preparation will be onsite with no outside vendors. Alcoholic beverages will be available for purchase and shall be provided consistent with the Alcohol License issued by the State of Florida, contingent upon approval of the Special Event Permit.
12. A minimum of one (1) portable fire extinguisher rated at least 2A10BC shall be located within seventy-five (75) feet travel distance of the food and beverage service areas of the Event.
13. Trash receptacles will be available throughout the site in addition to recycling centers. Sanitation stations will be available throughout the site, as shown on Exhibit D.
14. This Event is located within the Urban Bear Management Area. All Special Events that occur outside must be kept free from the accumulation of refuse. All refuse must be collected from the grounds and must be secured within the appropriate Bear Resistant Refuse Container, secured within a secured structure, or removed from the Urban Bear Management Area to an appropriate disposal site at the close of each day's activities.
15. Public ingress and egress to the Event will be via Miami Springs Dr. Ingress and egress to the site for set-up of the Event will be via Miami Springs Dr. as shown on Exhibit E.
16. Security to be provided by two (2) off-duty Seminole County Sheriff Deputies, in marked vehicles, and Wekiva Island Staff.
17. Off-site signage is prohibited during this Event.
18. Off-Premise parking is prohibited during this Event.
19. The Event must be in compliance with the attached Exhibits A – H and the Wekiva Island PUD Development Order.

SPECIAL EVENT PERMIT

20. Indemnification: Applicant, by accepting the Special Event Permit shall, at its own cost and expense, hold harmless, defend and indemnify Seminole County, its officials, boards, agents and employees from any and all claims, demands, actions and causes of action, losses, damages, liabilities, cost, expenses, and court costs, including, without limitation, interest, penalties, and attorneys' fees which may accrue by reason of Applicant's acts or omissions of negligence, gross negligence or intentional torts, or misconduct of Applicant, its officers, directors, agents, employees or contractors arising out of or in conjunction with the permit(s) issued.

Approved by the Board of County Commissioners on February 14, 2023.

Rebecca Hammock AICP
Director
Development Services

Date: _____

ATTACHMENT 1
REVISED
Spring Fling Schedule

Sunday, February 26th

8 AM - 10PM
6PM - 9PM Artist Welcome Dinner

Monday, February 27th

8 AM - 10PM
Artist Painting around the area
Gallery open until 9 PM

Monday, February 28th 8 AM - 10PM

Artist Painting around the area
Gallery open until 9 PM

Wednesday, March 1st

8 AM - 10PM
Artist Painting around the area
Auction from 7PM - 9PM

Thursday, March 2nd

8 AM - 10PM
Artist Painting around the area
Gallery open until 9 PM

Friday, March 3rd

8 AM - 11PM
Artists Painting around the area
'Gallery Open until 11 PM
Nocturne Painting at the Island

Saturday, March 4th

8 AM - 11PM
Quick Draw, 12PM - 2PM
Gala 6PM - 10PM
with Live Outdoor Music, Full Band

Sunday, March 5th

8 AM - 9:00PM

Monday, March 6th

8 AM - 9:00PM

Tuesday, March 7th

8 AM - 9:00PM

Wednesday, March 8th

8 AM - 9:00PM

Thursday, March 9th

8 AM - 9:00PM

Friday, March 10th

8 AM - 11PM

Saturday, March 11th

8 AM - 11PM

Sunday, March 12th

8 AM - 9:00PM
Spring Break

Monday, March 13th

8 AM - 9:00PM
Spring Break

Tuesday, March 14th

8 AM - 9:00PM
Spring Break

Wednesday, March 15th

8 AM - 9:00PM
Spring Break

Thursday, March 16th

8 AM - 9:00PM
Spring Break

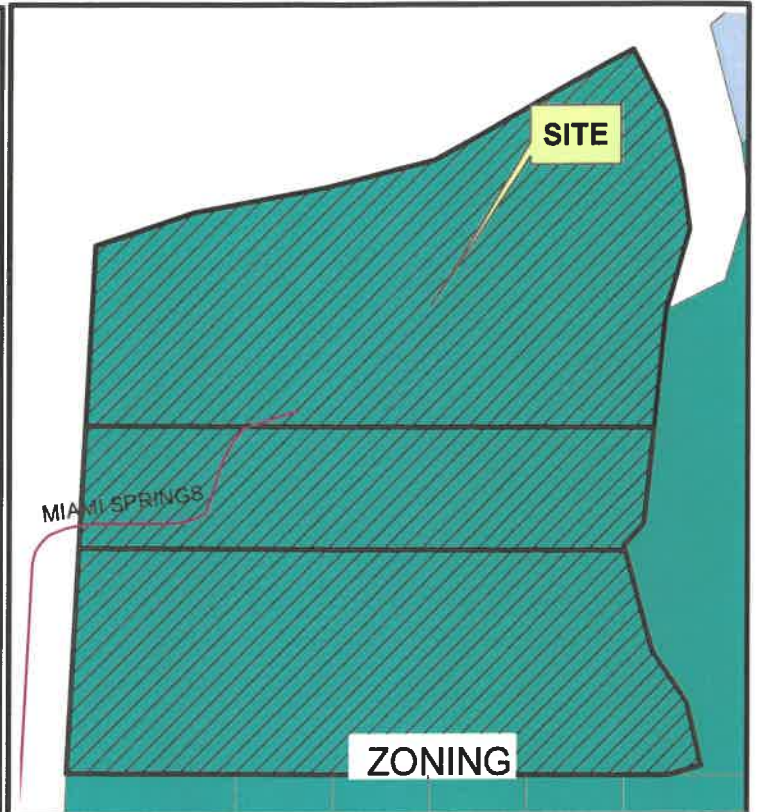
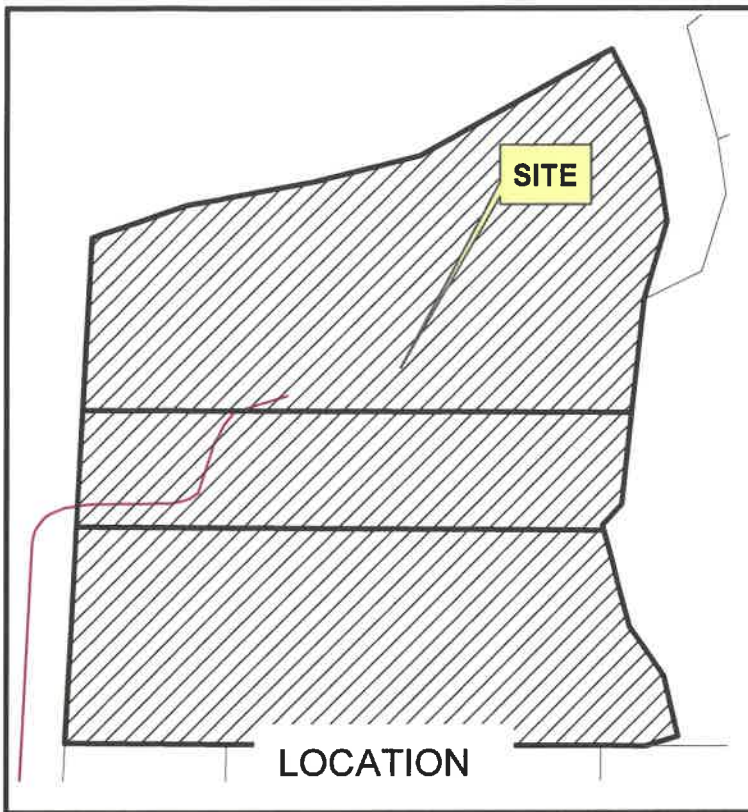
**SPECIAL EVENT DAYS,
HOURS & SOUND
17 TOTAL DAYS**

**NORMAL BUSINESS HOURS
2 total days**

**Attachment 2
WEKIVA ISLAND PAINT OUT AND SPRING FLING**

**Request to Vary from the 2018 Planned Development
Approved Development Order Conditions**

<i>Development Order Conditions</i>		<i>Special Event Permit Request</i>
Hours of Operation Section 3(c) 1-3	<ul style="list-style-type: none">• Friday and Saturday (year-round): 8:00 am to 11:00 pm• Sunday through Thursday, Labor Day to Memorial Day: 8:00 am to 7:00 pm	<p>Hours of Operation: Sunday February 26th through Thursday, through March 2, 2023 8:00 a.m. to 10:00 p.m. (Staff recommends 9:00 p.m.)</p> <p>Sunday March 5, 2023 through Thursday, March 16, 2023, 8:00 a.m. to 9:00 p.m., except Fridays and Saturdays</p> <p>Permit amplified sound via the Special Event Permit:</p> <ul style="list-style-type: none">• Wednesday, March 1, 2023, Art Auction under the Solar Array & Quick Draw• Saturday March 4, 2023, Gala with Full Band/Live Music



**WEKIVA ISLAND
PAINT OUT & SPRING FLING 2023
SPECIAL EVENT PERMIT**

**SEMINOLE COUNTY
BOARD OF COUNTY COMMISSIONERS
February 14, 2023**

PARCEL # 30-20-29-300-001A-0000+

LEGEND

 Site

 PD

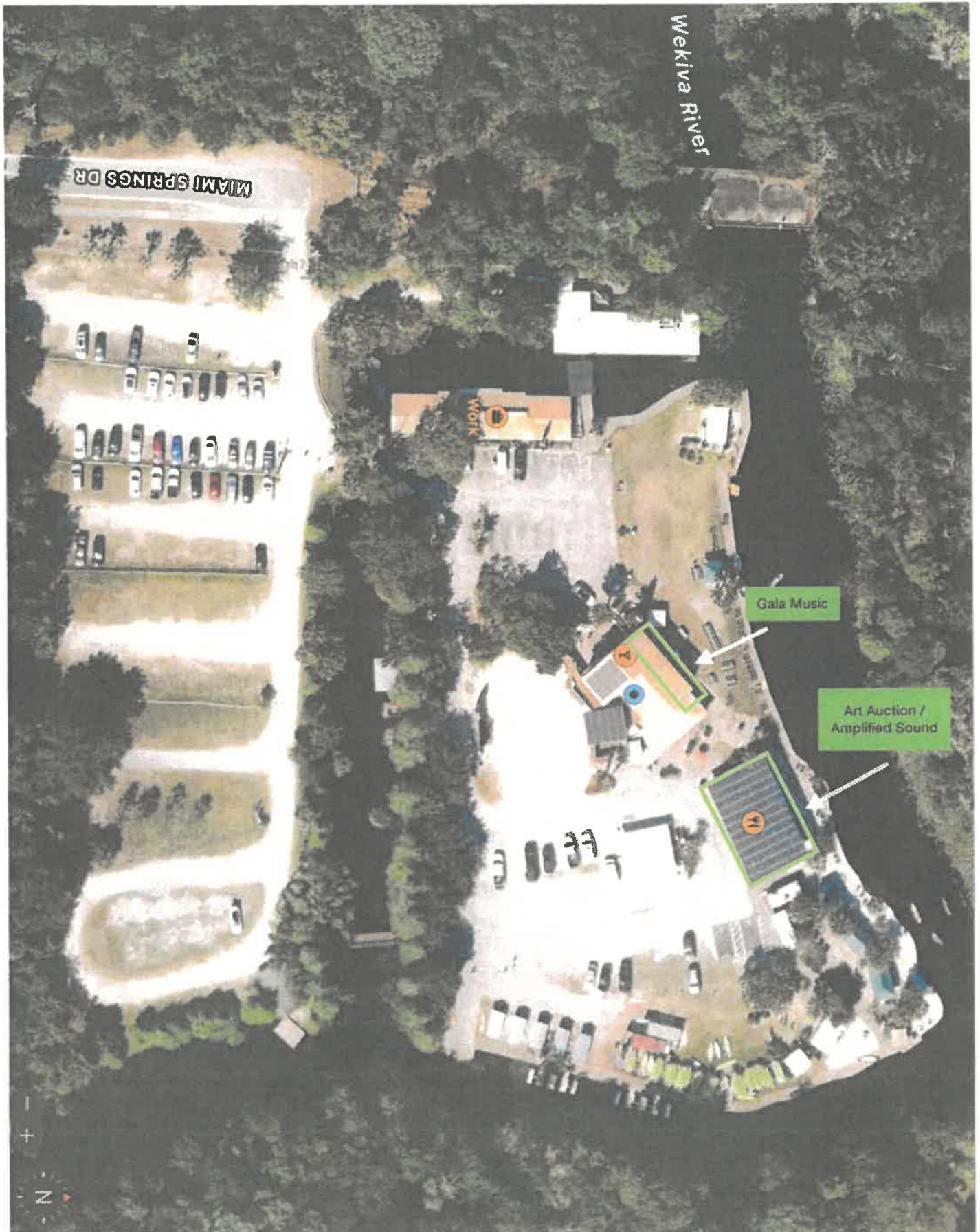


EXHIBIT A
Art Gallery



EXHIBIT B

Live/Outdoor Music/ Amplified Sound



Medical Facility



Trash Receptacles / Recycle Bins



EXHIBIT E
Restrooms/Sanitation



EXHIBIT F
Ingress & Egress

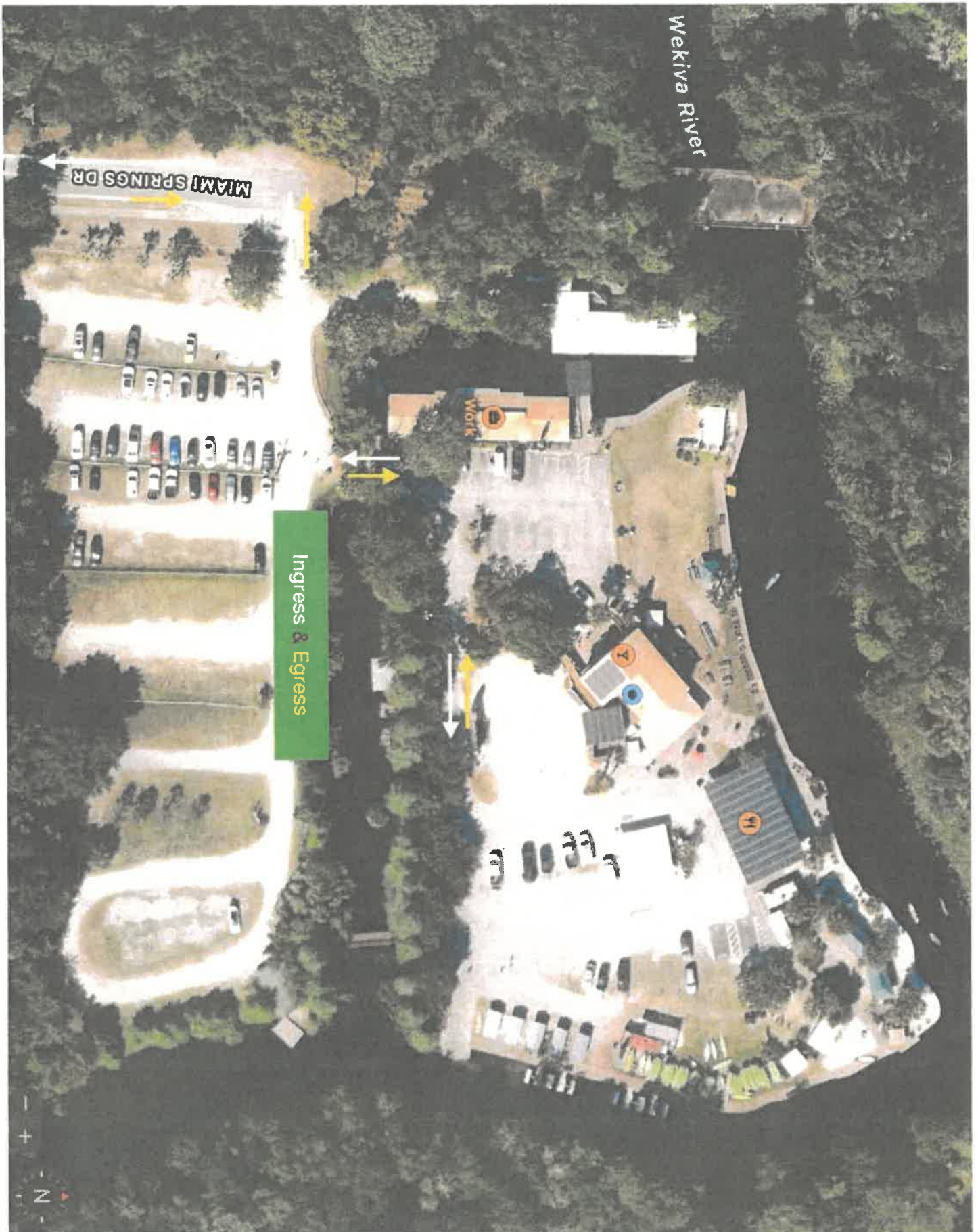


EXHIBIT G
Parking Plan



ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/21/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh & McLennan Agency Bouchard Region 485 N. Keller Road, Suite #450 Maitland, FL 32751	CONTACT NAME: Karen S. McDaniel	
	PHONE (A/C, No, Ext): 727 447-6481	FAX (A/C, No):
	E-MAIL ADDRESS: karen.mcdaniel@MarshMMA.com	
INSURED The Wekiva Island, LLC 1014 Miami Springs Drive Longwood, FL 32779	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Houston Specialty Insurance Company	NAIC #: 12936A
	INSURER B: Technology Insurance Company, Inc.	42376
	INSURER C: Auto-Owners Insurance	18988
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR BI/PD Ded:5,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	ESBHSGLO00026401	09/29/2022	09/29/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
C	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION \$		5199007300	09/29/2022	09/29/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		TWC4172557	10/15/2022	10/15/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Liquor Liability	X	ESBHSGLO00026401	09/29/2022	09/29/2023	\$1,000,000 Each Cause \$1,000,000 Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Seminole County, Florida, its officials, officers, and employees are additional insured under General Liability and Liquor Liability

CERTIFICATE HOLDER

CANCELLATION

Seminole County
1101 East First Street
Sanford, FL 32771

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

