SEMINOLE COUNTY, FLORIDA

COUNTY SERVICES BUILDING 1101 EAST FIRST STREET SANFORD, FLORIDA



Meeting Agenda

Wednesday, October 4, 2023 6:00 PM

> BCC Chambers Room 1028

Planning and Zoning Commission

CALL TO ORDER

Opening Statement

Pursuant to Florida law, the public has the right to be heard on all propositions. Public comment time on propositions shall be three (3) minutes for individuals and six (6) minutes for group representatives. Proper decorum will be observed. The right to be heard during quasi-judicial hearings is governed by Florida law.

Staff Present

Accept Proof of Publication

Approval of Minutes

Public Participation

NEW BUSINESS

Public Hearing Items:

- 1. Tri State Towing PD Rezone Consider a Rezone from A-1 (Agriculture) to PD (Planned Development) for a proposed warehouse/office on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point; (Z2023-010) (Brian Taylor, Applicant) District1 Dallari (Annie Sillaway, Project Manager).
- 2. Whealey Acres Administrative Small Scale Future Land Use Map Amendment and Rezone Consider a Small Scale Future Land Use Map Amendment from Commercial to Low Density Residential and a Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling) for eleven (11) existing single-family residential lots on approximately 3.7 acres, located north of W SR 426 and southeast of SR 417; (Z2023-09/04.23SS.01) (Seminole County Development Services, Applicant) District1 Dallari (Maya Athanas, Project Manager).

Non-Public Hearing Work Session

3. Evaluation and Appraisal Report (EAR) Based Comprehensive Plan Amendments Work Session - Staff and the Consultant will provide an update on the progress of the EAR based amendments to the Seminole County Comprehensive Plan and seek input from the Planning and Zoning Commission on Policy Issues. (Tyler Reed, Project Manager and Project Consultant, Eliza Harris Juliano, Kimley-Horn and Associates, Inc.)

<u>2023-1060</u>

CLOSING BUSINESS

Director's 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) 665-7775.



SEMINOLE COUNTY, FLORIDA

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

Agenda Memorandum

File Number: 2023-943

Title:

Tri State Towing PD Rezone - Consider a Rezone from A-1 (Agriculture) to PD (Planned Development) for a proposed warehouse/office on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point; (Z2023-010) (Brian Taylor, Applicant) District1 - Dallari (**Annie Sillaway, Project Manager**).

Agenda Category:

Public Hearing Items

Department/Division:

Development Services - Planning and Development

Authorized By:

Rebecca Hammock

Contact/Phone Number:

Annie Sillaway/407-665-7936

Motion/Recommendation:

- Recommend the Board of County Commissioners adopt the proposed Ordinance enacting a Rezone from A-1 (Agriculture) to PD (Planned Development) on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point; or
- Recommend the Board of County Commissioners deny the Ordinance enacting a Rezone from A-1 (Agriculture) to PD (Planned Development) on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point; or
- 3. Continue the request to a time and date certain.

Background:

The Applicant proposes to develop the subject property as an office and warehouse with the accessory use of a tow yard. The Master Development Plan includes 800 square feet of office and 3,500 square feet of warehouse, for a maximum building size of 4,300 square feet and a maximum building height of thirty-five (35) feet. Approximately 10,000

File Number: 2023-943

square feet of the subject site will be utilized as outdoor vehicle storage for a towing company. The tow yard will be located behind the proposed building, completely enclosed by a six (6) foot high opaque fence.

The Tri- State Towing Company currently operates six (6) tow trucks providing roadside assistance to the general public as well as emergency response service for public safety, fire, and police. The towing company also has contractual obligations with the City of Oviedo, who requires the towing company facility to be located within five (5) miles of the intersection of Mitchell Hammock and W SR 426. Proposed hours of operation are Monday through Friday from 8:00 a.m. to 6:00 p.m., and a twenty-four (24) hour drop off for emergency response.

The subject property has an Industrial Future Land Use designation, which permits a maximum Floor Area Ratio (F.A.R.) of 0.65. The Future Land Use and Zoning designations of the surrounding area are as follows:

East: W SR 426

Future Land Use: Office and Medium Density Residential Zoning: OP (Office) and R-1AA (Single Family Dwelling)

West: Future Land Use: Industrial

Zoning: PD (Oviedo Commerce Center)

North: Future Land Use: Industrial

Zoning: PD (Oviedo Commerce Center)

South: Future Land Use: Industrial

Zoning: A-1 (Agriculture)

Site Analysis

Floodplain Impacts:

Based on FIRM map 12117C0190F, with an effective date of 9/28/2007, there appears to be no floodplains on the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there may be endangered and threatened wildlife on the subject property. A listed species survey will be required prior to Final Engineering

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approval.

Utilities:

The site is located within the Seminole County utility service area. There is a sixteen (16) inch water main on the west side of W SR 426. The development will be required to connect to public utilities for water, and solid waste will be provided by an onsite septic system.

Transportation/Traffic:

Access to the subject site will be from the adjacent property to the north known as the Oviedo Commerce Center PD, via an existing cross access easement. The Applicant will provide a cross access easement to the property adjacent to the south.

Sidewalks:

There is an existing fourteen (14) foot wide paved trail, known as the Cross Seminole Trail, located along the west side of W SR 426; therefore, the Developer will not be required to construct a sidewalk for public right-of-way.

Drainage:

The proposed site is located within the Howell Creek Drainage Basin and has limited downstream capacity. The site may be required to hold the entire twenty-five (25) year, twenty-four (24) hours storm event onsite. A detailed drainage analysis will be required and evaluated at time of Final Engineering plan review.

Buffers:

The Applicant proposes a fifteen (15) foot wide buffer along a portion of the east perimeter and a five (5) foot wide buffer along the north and south, and no buffer along the west perimeter. Buffer components will be established at Final Development Plan.

Open Space:

Twenty (20) percent common usable open space will be provided on the subject property.

Consistency with the Land Development Code

The proposed PD zoning designation and the associated Master Development Plan have been evaluated for compatibility with the Land Development Code of Seminole County in accordance with Chapter 30, Part 25.

Staff finds the proposed development to be consistent with the PD (Planned Development) zoning designation objectives in that it provides the required minimum of twenty (20) percent open space and provides adequate landscape buffers. The Master

File Number: 2023-943

Development Plan defines the permitted uses, the maximum allowable F.A.R., the maximum allowable building height, and the minimum required building setbacks.

Consistency with the Comprehensive Plan

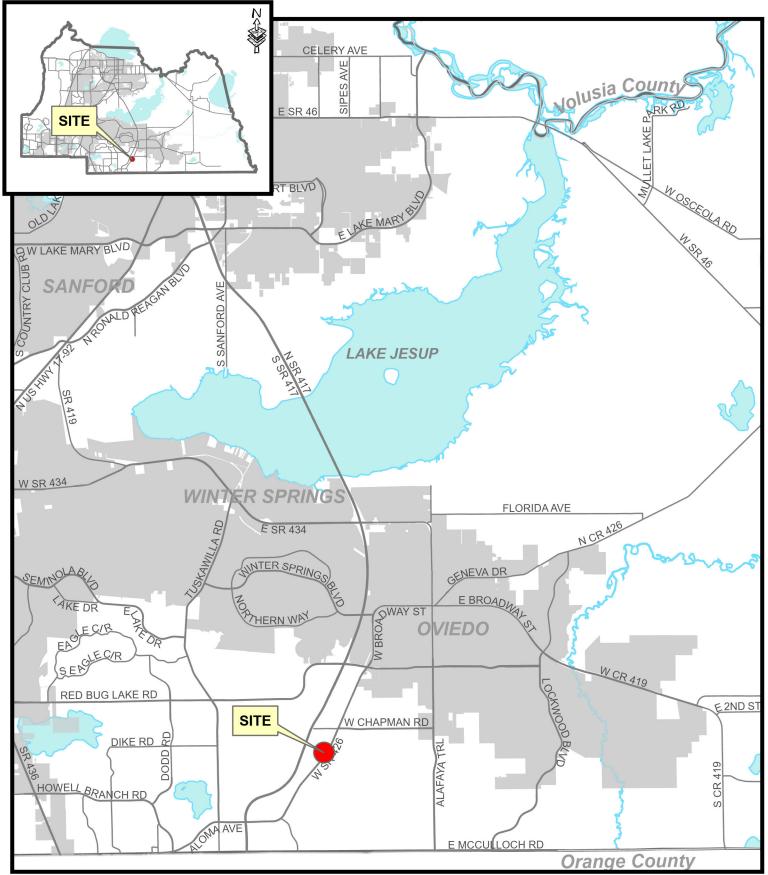
The purpose and intent of the existing Industrial Future Land Use designation is to identify locations for a variety of heavy commercial and industrial uses oriented towards wholesale distribution, storage, manufacturing, and other industrial uses. The Industrial Future Land Use allows a maximum F.A.R. of 0.65.

Staff finds the request to be consistent with the Comprehensive Plan and compatible with the surrounding trend of development in the area. All the properties on the west side of W SR 426, lying south of W Chapman Road and north of Aloma Woods Boulevard have an Industrial Future Land Use. The proposed PD Permits office and warehouse uses with the accessory use of a tow yard for the outdoor storage of vehicles. The tow yard will be enclosed with a six (6) foot high opaque fence to provide security and a visual screen from adjacent properties. The Applicant proposes an F.A.R. of 0.10, which is less intense than the maximum allowable 0.65 F.A.R. permitted under the existing Future Land Use.

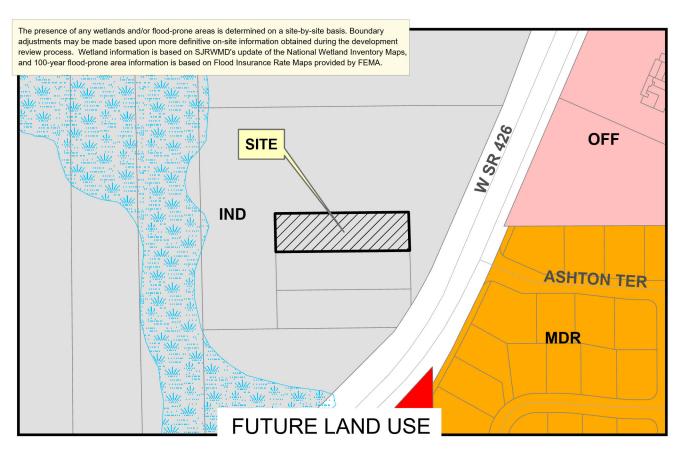
In compliance with Seminole County Land Development Code Sec. 30.49 - Community Meeting Procedures, the Applicant conducted a community meeting on July 26, 2023; details of the community meeting have been provided in the agenda package.

Staff Recommendation:

Recommend the Board of County Commissioners adopt the proposed Ordinance enacting a Rezone from A-1 (Agriculture) to PD (Planned Development) on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point.



Date: 8/7/2023 Name Z2023-010SiteMap



Site CONS COM IND MDR OFF

Applicant: Brian Taylor

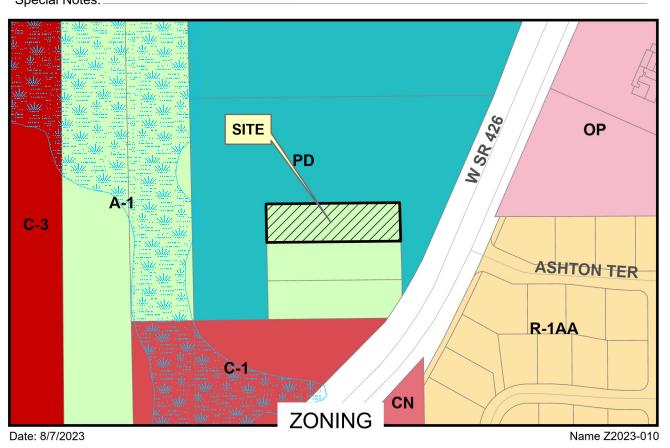
Physical STR: 29-21-31

Gross Acres: 0.9+/- BCC District: 1

Existing Use: vacant
Special Notes:

ZZZ Site CONS

	Amend/Rezone #	From	То
FLU	ī	-	-
Zoning	Z2023-010	A-1	PD



R-1AA

A-1

OP CN

C-3

C-1



Date: 8/7/2023 Name Z2023-010Aerial

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATION **ASSIGNED** TO CERTAIN **PROPERTY** LOCATED IN SEMINOLE COUNTY; REZONING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) 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 Tri Sate Towing PD Rezone, dated November 14, 2023.
- (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 A-1 (Agriculture) to PD (Planned Development) pursuant to the provisions contained in Development Order #23-20500010, attached to this Ordinance as Exhibit "A" and incorporated in this Ordinance by reference:

SEE ATTACHED EXHIBIT "B" FOR LEGAL DESCRIPTION

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

SEMINOLE COUNTY, FLORIDA

ORDINANCE NO. 2023-

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 #23-

20500010 in the Official Land Records of Seminole County or upon filing this Ordinance

with the Department of State, whichever is later.

ENACTED this 14th day of November, 2023.

BOARD OF COUNTY COMMISSIONERS SEMINOLE COUNTY, FLORIDA

By: _____

AMY LOCKHART, CHAIRMAN

EXHIBIT "A"

DEVELOPMENT ORDER

FILE NO.: PZ2023-010 DEVELOPMENT ORDER # 23-20500010

SEMINOLE COUNTY DEVELOPMENT ORDER

On November 14, 2023, Seminole County issued this Development Order 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: Actually Working, LLC

Project Name: Tri State Towing PD Rezone

Requested Development Approval: Consider a Rezone from A-1 (Agriculture) to PD (Planned Development) for a proposed warehouse/office on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point.

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: Annie Sillaway, Senior Planner

1101 East First Street Sanford, Florida 32771

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 development approval and the commitments made as to this development approval, are as follows:
 - Development must comply with the Master Development Plan attached as Exhibit (B).
 - B. Permitted Uses:
 - a. Office
 - b. Warehouse
 - c. Tow Yard Outdoor Storage of vehicles
 - C. Maximum Floor Area Ratio: 0.65 floor area ratio
 D. Maximum Building Height: Thirty-five (35) feet
 E. Minimum Open Space: Twenty (20) percent
 F. Hours of Operation: Monday Friday 8:00am 6:00pm
 - G. Drop off for Emergency Response Twenty-four (24) hours/Seven (7) Days a week
 - H. Building Setbacks: Front (East): Twenty-Five (25) feet

Side (North and South): Ten (10) feet Rear (West): Twenty-five (25) feet Dumpster Enclosure: Five (5) feet

I. Landscape Buffers:

North: Five (5) foot undisturbed sodded buffer.

South: Five (5) foot landscape buffer, with a minimum of 0.1 opacity with 0.95 plant units.

East: Fifteen (15) foot landscape buffer. The preservation of existing trees will be provided, and supplemental landscaping will be provided to maintain the required 0.3 opacity. In the event that the existing vegetation is not adequate or is removed or destroyed for any reason, supplemental landscaping shall meet the required opacity

of 0.3 with 2.60 plant units.

West: No Buffer Required.

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FILE NO.: PZ2023-010

DEVELOPMENT ORDER #

23-20500010

The perimeter buffer may be widened at Final Development Plan if required per Chapter 30, Part 67 of the Land Development Code of Seminole County (LDCSC). In no case may the building setbacks be less than the required buffer. Buffer components will be established at Final Development Plan.

- J. At the time of Final Engineering the Developer will provide an ingress/egress access easement to the adjacent property to the south.
- K. The Developer will provide an internal pedestrian circulation system giving access to all portions of the development.
- L. All project signage must comply with Part 65 of the (LDCSC).
- M. Outdoor site lighting will comply with LDCSC Sec. 30.1234 Outdoor Lighting Requirements.
- N. Parking lot landscaping will be provided in accordance with LDCSC Sec. 30.1292.
- O. Billboards are a prohibited use on the property.
- P. The development will be constructed in one (1) phase.
- Q. The vehicle storage tow yard shall be located on the west portion of the site behind the building and will be screened from view by a six (6) foot high opaque fence and will not exceed 10,000 square feet in size.
- R. In the case of a conflict between the written conditions A through Q in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through Q 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.

- (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.

Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS

By:		
	Amy Lockhart,	Chairman

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EXHIBIT A

Legal Description

Beginning 595 feet North and 25 feet West of the center of section 29, Township 21 South, Range 31 East, run West 400 feet, thence North 100 feet, thence East 400 feet and South 100 feet to point of beginning. Said land being in the Southeast 1/4 of the Northwest 1/4 Section 29, Township 21 South, Range 31 East, Public Records of Seminole County, Florida.

TILITY CONTACTS **经过程的证据的证据的证据的证据的证明的** PROPOSED FAR MAXIMUM ALLOWED FAR PROPERTY LOCATION EXISTING LAND USE: PROPOSED PERMITTED USES PROPOSED LOT COVERAGE CALCULATIONS: SITE DATA is on NEW LINE AND THREE PROPERTY AND 1014 White David Debu Arther System, Florida Tot (407) 405-75-19 MAY MDP 2023

EXHIBIT B Master Development Plan

6

EXHIBIT "B"

LEGAL DESCRIPTION

Beginning 595 feet North and 25 feet West of the center of section 29, Township 21 South, Range 31 East, run West 400 feet, thence North 100 feet, thence East 400 feet and South 100 feet to point of beginning. Said land being in the Southeast 1/4 of the Northwest 1/4 Section 29, Township 21 South, Range 31 East, Public Records of Seminole County, Florida.



VICINITY MAP

Beginning 595 feet North and 25 feet West of the center of section 29, Township 21 South, Range 31 East, run West 400 feet, thence North 100 feet, thence East 400 feet and South 100 feet to point of beginning. Said land being in the Southeast 1/4 of the Northwest 1/4 Section 29, Township 21 South, Range 31 East, Public Records of Seminole County, Florida.

DENSITY AND OPEN SPACE

SITE NOTES

ROADS WILL BE PRIVATE

DEVELOPMENT CODE PART 65

7. HOURS OF OPERATION:

PER PD REQUIREMENTS, A MINIMUM OF 20% OPEN SPACE WILL BE PROVIDED 0.92 ACRES = 0.18 ACRES

PROPOSED OPEN SPACE = 0.30 (33%)

PROJECT IS WITHIN THE JURISDICTION OF SEMINOLE COUNTY

5. FIRE PROTECTION WILL COMPLY WITH SEMINOLE COUNTY

DROP OFF FOR EMERGENCY RESPONSE - 24 HOURS

WEST BUFFER NO BUFFER

Parcel ID#

29-21-31-300-002C-0000

ZONING PD

FLU IND

SEE PROPOSED LOT COVERAGE CALCULATIONS FOR BREAKDOWN THE PROPOSED OPEN SPACES EXCLUDES POND AND STORAGE AREA

PROJECT WILL COMPLY WITH THE SEMINOLE COUNTY LAND DEVELOPMENT CODE

4. WATER, SEWER AND REUSE WILL COMPLY WITH SEMINOLE COUNTY REQUIREMENTS

. SIGNAGE WILL MEET THE REQUIRMENTS OF THE SEMINOLE COUNTY LAND

THE STORMWATER MANAGEMENT SYSTEM WILL COMPLY WITH THE SEMINOLE COUNTY LDC

- MONDAY THRU FRIDAY 8 AM - 6 PM

POND

One Story Building

SOUTH BUFFER WIDTH = 5'

0.1 OPACITY

0.95 PLANT UNITS PER 100 LF

UTILITY CONTACTS

WATER & SEWER:

SEMINOLE COUNTY ENV SERV

407-665-2143

PHONE

CENTURYLINK 4077-830-3279

CABLE

CHARTER SPECTRUM

47-532-8509

ELECTRIC

FLORIDA POWER & LIGHT

407-328-1920

SURVEYOR

NORTH BUFFER

UNDISTURBED SODDED

WIDTH = 5'

-BUFFER LINE

6' FENCE

VEHICLE STORAGE YARL

10,000 SF

BUFFER LINE-

29-21-31-300-0030-0000

AREA

IRELAND & ASSOCIATES SURVEYING 407-678-3366

BUFFER	OPACITY	WIDTH	PLANT UNITS/100'	ENHANCEMENTS
NORTH	SOD	5	N/A	LOW IMPACT DESIGN
SOUTH	0.1	5'	0.95	LOW IMPACT DESIGN
EAST	0.3	15'	2.6'	LOW IMPACT DESIGN
WEST	N/A	0	N/A	

LANDSCAPE BUFFER TABLE

LANDSCAPE BUFFERING WILL CONFORM TO THE SEMINOLE COUNTY LAND DEVELOPMENT CODE REQUIREMENTS AND GREATER BUFFERS WILL BE PROVIDED AT FINAL DEVELOPMENT PLAN IF NECESSARY, PER THE CODE

Parcel ID#

29-21-31-300-002C-0000

ZONING PD FLU IND

East 400.00'(D) N 89°53'46" E 400.02'(C) N 89°51'51" E 399.74'(M)

OPEN SPACE

West 400.00'(D)

S 89°53'46" W 400.02'(C)

S 89°54'42" W 399.96'(M)

Parcel ID#

29-21-31-300-0050-0000

ZONING A-1

FLU IND

Parcel ID# 29-21-31-300-005A-0000

FIRE NOTES

EAST BUFFER

15' BUFFER

PRÓPÓSED 1 STORY

BUILDING

ROLL UP DOORS

West 25.00'(D)

S 89°53'46" W 25.13'(C)

S 89°54'42" W 24.83'(M)

<u>L2</u> 25.00'(D)

N 89°53'46" E 25.10'(C) N 89°51'51" E 25.00'(M

6' FENCE—

EXISTING VEGETATION WILL

PROVIDED IN ORDER TO MAINTAIN

BE PROVIDED AS PART OF

BUFFER & SUPPLEMENTAL

2.6 PLANT UNITS/100 LF

LANDSCAPING WILL BE

OPACITY 0.3 AND

PROPOSED

INGRESS/EGRESS

1. FIRE FLOW TESTING SHALL BE PERFORMED IN ACCORDANCE WITH NFPA 291, RECOMMENDED PRACTICE FOR FOR FIRE FLOW TESTING AND MARKING OF HYDRANTS (NFPA 1, 18.3). A FIRE FLOW TEST RESULTS FROM THE NEAREST EXISTING HYDRANT THAT HAS BEEN WITNESSED BY A UTILITIES INSPECTOR WILL NEED TO BE PROVIDED; DOCUMENTATION FOR FIRE FLOW TESTING SHALL INCLUDE A FIRE FLOW TEST REPORT AND A HYDRAULIC

- 2. THE MINIMUM FIRE FLOW AND FLOW DURATION REQUIREMENTS FOR ONE AND TWO FAMILY DWELLINGS HAVING A FIRE FLOW AREA THAT DOES NOT EXCEEN 5000 SF SHALL BE 1,000 GPM (SECTION 18.4.5, NFPA 1, 2015 EDITION)
- 3. FIRE HYDRANT LOCATIONS AND DISTRIBUTION SHALL FOLLOW NFPA 1, APPENDIX I. 4. FIRE HYDRANT LOCATIONS SHALL BE IDENTIFIED BY A BLUE REFLECTIVE PAVEMENT MARKER THAT IS PLACED 6" IN THE ROADWAY IN ACCORDANCE WITH NFPA 1, CHAPTER
- 5. FIRE LANES SHALL BE MARKED WITH 12" X 18" FREESTANDING SIGNS WITH A WHITE BACKGROUND AND RED LETTERS. WORDING SHALL READ 'NO PARKIN FIRE LANE BY ORDER OF THE FIRE DEPARTMENT'. SIGN SHALL BE WITHIN SIGHT OF TRAFFIC FLOW AND BE SPACED NO GREATER T HAN 60' APART.
- 6. FIRE DEPARTMENT ACCESS ROADS PROVIDED AT THE START OF A PROJECT AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION (NFPA 1, 16.1.4)
- 7. A WATER SUPPLY FOR FIRE PROTECTION, EITHER TEMPORARY OR PERMANENT, SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ACCUMULATES. THIS APPLIES TO BOTH COMMERCIAL AND RESIDENTIAL DEVELOPMETNS. (NFPA 1, 16.4.3.1)
- 8. WHERE UNDERGROUND WATER MAINS AND HYDRANTS ARE TO BE PROVIDED, THEY SHALL BE INSTALLED, COMPLETED, AND IN SERVICE PRIOR TO CONSTRUCTION WORK.
- 9. FIRE DEPT ACCESS RD SHALL HAVE AN UNOBSTRUCTED WIDTH OF NOT LESS THAN 20' 10. FIRE DEPARTMENT ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF 39 TONS FOR THE FIRE APPARATUS AND SHALL BE PROVIDED WITH AN ALL-WEATHER DRIVING SURFACE.

11. A 36" CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS AND A CLEAR SPACE OF NOT LESS THAN 60" SHALL BE PROVIDED IN FRONT OF EACH HYDRANT CONNECTION HAVE A DIAMETER GREATER THAN 2.5". (NFPA 1, 18.5.7)

-PROPOSED

10' UTILI/TY

SITE DATA

JURISDICTION: (permitting)

Tribbio Hola. (permitting)			
SITE PERMITTING -	SEMINOLE COUNTY		
WATER -	SEMINOLE COUNTY		
SEWER -	SEPTIC		
STORMWATER MANAGEMENT DISTRICT -	ST. JOHNS WATER MANAGEMENT DISTRICT		

PROJECT SCOPE:

TO CONSTRUCT AN OFFICE/WAREHOUSE BUILDINGS WITH APPLICABLE INFRASTRUCTURE.

PROPOSED PERMITTED USES:

OFFICE AND WAREHOUSE TO SUPPORT TOW YARD

PROPERTY LOCATION:

STATE ROAD 426, OVIEDO, FL

PARCEL ID No.:

29-21-31-300-0030-0000

PROPERTY ZONING: PROPOSED ZONING: PD

EXISTING ZONING: A1

EXISTING LAND USE: PROPOSED LAND USE:

PROPOSED FAR MAXIMUM ALLOWED FAR

4,300 SF / 40,002 = 0.107

EXISTING PROPERTY AREA:

TOTAL = 0.92 ACRES

BUILDING DATA & SETBACKS

MAXIMUM BLDG HEIGHT = 35 FEET BLDG SIZE = 4,300 SFPROPOSED BLDG HEIGHT = 1 FLOOR 800 SF OFFICE, 3500 SF WAREHOUSE

MINIMUM BUILDING SETBACKS: BUILDING SETBACKS THIS PLAN:

FRONT EAST = 25' FRONT 25' NORTH = 10'* SIDE 10'* *DUMPSTER ENCLOSURE SIDE 38' SOUTH = 10' SHALL BE 5' SETBACK

PARKING SPECIFICATIONS:

REAR WEST = 25'

PARKING SPACES REQUIRED

TOTAL PROVIDED-

CODE – WAREHOUSE = 1 / 1,000 SF OF FLOOR AREA + 1 SPACE PER 2 EMPLOYEES

= 10 TOTAL SPACES (10X18 WITH OVERHANG)

REAR 270'

= 3,500 / 1000 = 4 + 2 = 6 SPACES

CODE – OFFICE = 1 / 200 SF OF FLOOR AREA

= 800/200 = 4 SPACES

PROPOSED LOT COVERAGE CALCULATIONS:

PARKING & DRIVEWAY AREA BUILDING	AREA (sf) 9,004 4,300	ACRES 0.21 0.1	% TOTAL 22.51 10.75
TOTAL IMPERVIOUS	13,304	0.31	33.25
POND AREA	4,500	0.10	11.25
OUTDOOR STORAGE	10,000	0.23	25.0
OPEN SPACE / GREEN SPACE	12,198	0.28	30.5
TOTAL AREA	40,002	0.92	100.0

FLOOD ZONE:

163'/ #1

WATERMAIN

POINT OF CONNECTION

THE LOT DESCRIBED HEREON WAS DETERMINED TO LIE WITHIN FLOOD ZONE "X"

SITE LEGEND

SITE BOUNDARY LINE

EXISTING CURB

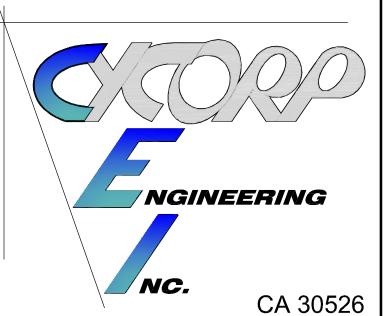
EASEMENTS

EXISTING EDGE OF PAVEMENT

— — — — LANDSCAPE BUFFER

PROPOSED 6' FENCE

A STATE OF THE STA	
TYP	TYPICAL
S/W	SIDEWALK
R5'	5' RADIUS
LF	LINEAR FEET
SF	SQUARE FEET



CIVIL ENGINEERS LAND PLANNERS

1614 White Dove Drive Winter Springs, Florida 32708 Tel: (407) 405-7819

KIM@CYCORPENGINEERS.COM

TRI COUNTY TOWING

SEMINOLE COUNTY

REVISIONS

Е		Description	Date	Ву
	1.	county comments	6/23	kf
	2.	county comments	7/27	
		ADDED ACCESS TO SOUTH		
	3.	dumpster setback		
	I	1		1

PLAN

MAY 2023

30 SCALE

PROPOSED CONCRETE PAVEMENT

PROPOSED OPEN SPACE

7/27/2023 K. FISCHER, P.E.# 56942 NOT VALID UNLESS SIGNED & EMBOSSE BY A REGISTERED ENGINEER

Sheet Number

SEMINOLE COUNTY DEVELOPMENT ORDER

On November 14, 2023, Seminole County issued this Development Order 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: Actually Working, LLC

Project Name: Tri State Towing PD Rezone

Requested Development Approval: Consider a Rezone from A-1 (Agriculture) to PD (Planned Development) for a proposed warehouse/office on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point.

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: Annie Sillaway, Senior Planner

1101 East First Street Sanford, Florida 32771

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 development approval and the commitments made as to this development approval, are as follows:
 - A. Development must comply with the Master Development Plan attached as Exhibit (B).
 - B. Permitted Uses:
 - a. Office
 - b. Warehouse
 - c. Tow Yard Outdoor Storage of vehicles
 - C. Maximum Floor Area Ratio: 0.65 floor area ratio
 D. Maximum Building Height: Thirty-five (35) feet
 E. Minimum Open Space: Twenty (20) percent
 F. Hours of Operation: Monday Friday 8:00am 6:00pm
 - G. Drop off for Emergency Response Twenty-four (24) hours/Seven (7) Days a week
 - H. Building Setbacks: Front (East): Twenty-Five (25) feet
 Side (North and South): Ten (10) feet
 Rear (West): Twenty-five (25) feet
 - I. Landscape Buffers:

North: Five (5) foot undisturbed sodded buffer.

South: Five (5) foot landscape buffer, with a minimum of 0.1 opacity with 0.95 plant units.

Dumpster Enclosure: Five (5) feet

<u>East</u>: Fifteen (15) foot landscape buffer. The preservation of existing trees will be provided, and supplemental landscaping will be provided to maintain the required 0.3 opacity. In the event that the existing vegetation is not adequate or is removed or destroyed for any reason, supplemental landscaping shall meet the required opacity of 0.3 with 2.60 plant units.

West: No Buffer Required.

FILE NO.: PZ2023-010

The perimeter buffer may be widened at Final Development Plan if required per Chapter 30, Part 67 of the Land Development Code of Seminole County (LDCSC). In no case may the building setbacks be less than the required buffer. Buffer components will be established at Final Development Plan.

- J. At the time of Final Engineering the Developer will provide an ingress/egress access easement to the adjacent property to the south.
- K. The Developer will provide an internal pedestrian circulation system giving access to all portions of the development.
- L. All project signage must comply with Part 65 of the (LDCSC).
- M. Outdoor site lighting will comply with LDCSC Sec. 30.1234 Outdoor Lighting Requirements.
- N. Parking lot landscaping will be provided in accordance with LDCSC Sec. 30.1292.
- O. Billboards are a prohibited use on the property.
- P. The development will be constructed in one (1) phase.
- Q. The vehicle storage tow yard shall be located on the west portion of the site behind the building and will be screened from view by a six (6) foot high opaque fence and will not exceed 10,000 square feet in size.
- R. In the case of a conflict between the written conditions A through Q in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through Q 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.

(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.

Done and Ordered on the date first written above.

SEMINOLE C	OUNIY BOARD
OF COUNTY	COMMISSIONERS

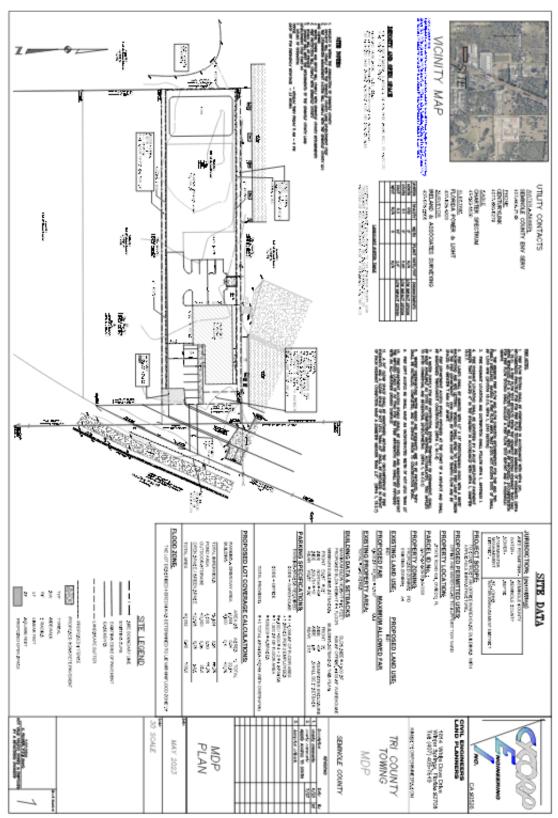
Ву:		
	Amy Lockhart, Chairman	

EXHIBIT A

Legal Description

Beginning 595 feet North and 25 feet West of the center of section 29, Township 21 South, Range 31 East, run West 400 feet, thence North 100 feet, thence East 400 feet and South 100 feet to point of beginning. Said land being in the Southeast 1/4 of the Northwest 1/4 Section 29, Township 21 South, Range 31 East, Public Records of Seminole County, Florida.





Summary of community meeting July 26th 2023

A community meeting was held on July 26, 2023 at the Oviedo Library with 5 people in attendance. The 5 in attendance represented the 2 parcels to our immediate south.

There was 1 phone call received the day of the meeting from one of the owners of the Commerce Center – parcel to the north.

The concern from the Commerce Center is that they were not allowed to have a tow yard.

Concerns from the meeting was regarding lack of access for the properties to the south. I explained that I wasn't too familiar with the access to the south but recalled in didn't seem adequate. The parcel to the immediate south didn't think they had any access to either the easement or to 426. The parcel 2 doors down to the south indicated they had access to 426.

I informed the owner immediately to the south that I would look into their property when I was in front of the computer and could analyze better. I confirmed via email that the property didn't really have a viable access to either 426 or to the ingress/egress esmt established by the Commerce Center. After discussing this with the owner of Tri County Towing he has agreed to give the property to the south an esmt and has directed me to update the plans indicating the esmt.

June 29, 2023_ Rooster Court & Day

NAME	ADDRESS	EMAIL
BRIAN LOGAN	2476 W SR 426 (REALTOR)	BRIAND ANTHONY JOSEPHREALTY, COM
Angela & Ed Williams		Angel. 11 de photmail, com
Jose Rives	1906 ELAlle Vive Co	MRJOSE TR @MSN.com.
Alain RIVas	· 4879 Fells Cove Kits 7634744	RIVASLAW OUSU, CON RIVA
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NEIGHBORHOOD MEETING NOTIFICATION LETTER

July 6, 2023

Dear Property Owner:

Cycorp Engineering would like to invite you to attend a neighborhood meeting to discuss the rezone of approximately 0.80 acres from A-1 to PD to allow for a commercial towing facility located along 426 just south of Oviedo Commerce Center. The purpose of the meeting is to make an introduction prior to holding public hearing and approval by the Seminole County Board of County Commissioners. The meeting will be at the Oviedo Library at the following place and time:

Seminole County Library – East Branch Community Room 310 N Division Street
Oviedo, FL 32765
Wednesday July 26, 2023
6:30 pm – 7:15----- pm

Sincerely,

Kim Fischer – kim@cycorpengineers.com

AMSDELL STORAGE VENTURES XXXVI LLC FRANCIS, PEGGY A ENH LIFE EST & WILDS, SONJA B & DACHOFF, PAUL R & DIANE M 20445 EMERALD PKWY WILDS, KENDALL A SR 2808 ASHTON TER #220 2809 ASHTON TER OVIEDO, FL 32765-7945 CLEVELAND. OH 44135-6009 OVIEDO. FL 32765-7947 WILSON, KIMBERLY F RATCLIFF, STEPHEN J & PACHA, DEBRA VAN WORMER, ROBERT A & MARILYN 751 E CHAPMAN RD 2901 ASHTON TER 2601 CONNECTION PT OVIEDO, FL 32765-9017 OVIEDO, FL 32765-7949 OVIEDO, FL 32765-9089 WENTWORTH ESTATES HOMEOWNERS RAY. DAVID A & STEPHANIE B WILLIAMS, ANGELA M 2180 W SR 434 17527 BELLA NOVA DR 2913 ASHTON TER STE 5000 ORLANDO, FL 32820-1446 OVIEDO, FL 32765-7949 LONGWOOD, FL 32779-5041 VANWORMER. ROBERT A & MARILYN K SIKH SOCIETY OF CENTRAL FL INC SURNA CONSTRUCTION INC. 2601 CONNECTION PT 2527 W STATE ROAD 426 PO BOX 5252 OVIEDO, FL 32765-9089 OVIEDO, FL 32765-8348 WINTER SPRINGS, FL 32708 OSWALD, RICHARD ENH LIFE EST & OSWALD, EILEEN D WENTWORTH ESTATES HOMEOWNERS TORRES, EDGARDO D & COLON, ARELIS G ENH LIFE EST 2180 W SR 434 2905 ASHTON TER 8502 CARACAS AVE STE 5000 OVIEDO, FL 32765-7949 ORLANDO, FL 32825-7906 LONGWOOD, FL 32779-5041 RIVAS, ALAIN ASSIM, MOHAMED & AMENA 2800 ASHTON TER 4879 FELLS COVE AVE KISSIMMEE, FL 34744-9250 OVIEDO, FL 32765-7945 2461 WEST SR 426 LLC SOBHRAJ, HARDYAL H & ROOKMINIE C/O RATCLIFF, STEPHEN J 2917 ASHTON TER 751 E CHAPMAN RD OVIEDO, FL 32765-7949 OVIEDO. FL 32765-9017 OWEN. LOUISE & JASON MOSES. REGINALD P & MOSES. URSULA T 2801 ASHTON TER 2805 ASHTON TER OVIEDO, FL 32765-7947 OVIEDO, FL 32765-7947 2461 WEST SR 426 LLC MUSGRAVE, STEVEN M 2461 W STATE ROAD 426 2909 ASHTON TER STE 1061 OVIEDO, FL 32765-7949 OVIEDO. FL 32765-4508 WENTWORTH ESTATES HOMEOWNERS OVIEDO COMMERCE CENTER LLC

PO BOX 8

NEW SMYRNA, FL 32170-0008

2180 W SR 434

LONGWOOD, FL 32779-5041

STE 5000

OWNER AUTHORIZATION FORM

 Contract purchase 	er of record; or coperty owner (nower of attorney	contract must be	
application(s) for:	mber) <u>29-21-31-300-0030</u>	_, the owner of record for D-0000 as my authorized agent for	hereby designates
Arbor Permit	Construction Revision	X Final Engineering	Final Plat
Future Land Use	☐Lot Split/Reconfiguration	Minor Plat	Special Event
Preliminary Sub. Plan	Site Plan	Special Exception	Rezone
☐ Vacate	☐ Variance	Temporary Use	Other (please list):
knowledge. Further, I unders of Seminole County, Florida 9.1.23 Date	Pr	submitted are true and ac ments, and fees become par Tyluoperty Owner's Signature Brian Taylor for Actuoperty Owner's Printed Name	rt of the Official Records
STATE OF FLORIDA COUNTY OF Semino SWORN TO AND Stacknowledgements, appeared		icer duly authorized in the	State of Florida to take
☐ by means of physical prese	nce or □ online notarization: and	Who is personally land	(property owner),
sworn an oath on this	as identification,	and who executed the for	regoing instrument and _, 2023.
Nota State	NIFER TAYLOR Pry Public Prof Florida Mot Market M	Semuju Tajlu	L

Rev. 1/2020

Expires 6/5/2027

SEMINOLE COUNTY APPLICATION & AFFIDAVIT

Ownership Disclosure Form

☐ Individual	☐ Corporation	☐ Land Trust	
🕱 Limited Liability Company	☐ Partnership	Other (describe):	
 List all <u>natural persons</u> who address. 	have an ownership interest in t	he property, which is the subject mat	ter of this petition, by name an
NAME	AD	DRESS	PHONE NUMBER
		heets for more space)	
 For each <u>corporation</u>, list the and the name and address of need not be disclosed if a cor 	e name, address, and title of ear each shareholder who owns tw poration's stock are traded publ	ch officer; the name and address of e to percent (2%) or more of the stock of icly on any national stock exchange.	ach director of the corporation of the corporation. Shareholde
NAME	TITLE OR OFFICE	ADDRESS	% OF INTERES
			The state of the s
. In the case of a trust , list the percentage of interest of each required in paragraph 2 above	name and address of each trust beneficiary. If any trustee or be :	neets for more space) se and the name and address of the eneficiary of a trust is a corporation, p	beneficiaries of the trust and the lease provide the information
	TRUSTEE OR		
NAME	BENEFICIARY	ADDRESS	% OF INTEREST
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	itad navimavskim 15.4.1	and address of each principal in the ide the information required in paragr	partnership, including general aph 2 above. % OF INTEREST

more membershi required in parag	Iiability company, list additional member with p interest, manager, or raphs 2, 3 and/or 4 abo	managing mem ve.	ber is a corpora	persnip interest. I ion, trust or partne	fany member with ership, please prov	n two percent (2%) or vide the information
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Brian Taylor	VP	1	195 Lym	ADDRESS an Road, Ca	asselberry	% OF INTEREST
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,,,	ces of a <u>contract for per</u> partnership, or LLC, pr ser:	u rchase , list the ovide the inforn	nation required to	ess of each contra or those entities in	paragraphs 2, 3,	4 and/or 5 above.
NAME		ADDRESS				% OF INTEREST
		(Use addition	nal sheets for mo	re space)		MAN AND SOCIOES AND PROPERTY AND STREET WAS READ TO SERVICE TO SER
I affirm that the about 1 understand that a Special Exception.	wner referred to above ning and Development l ove representations are ny failure to make man or Variance involved w idavit and to bind the A	true and are b	ased upon my pe es is grounds foi	ersonal knowledge	ne application. and belief after a	II reasonable inquiry.
9.1.23 Date		Brice Tytu Owner, Agent/Applicant Signature				
STATE OF FLORIS			•			
Sworn to and subscri	bed before me by me	eans of phy	sical presence/	or □ online not	arization, this	15 ⁺ day of
☐ has produced		as identif	ication.	Signature of h	I TWI	4
				Print, Type of	State of Florid Comm# HH40 Stage Dires 6/5/20	a 5731 2 2 2

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On November 14, 2023, Seminole County issued this Denial Development Order 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.)

Property Owner: Actually Working, LLC

Project Name: Tri State Towing PD Rezone

Requested Development Approval: Consider a Rezone from A-1 (Agriculture) to PD (Planned Development) for a proposed warehouse/office on approximately 0.92 acres, located on the west side of W SR 426, approximately 800 feet north of Connection Point.

After fully considering staff analysis titled "Tri State Towing PD Rezone" and all evidence submitted at the public hearing on November 14, 2023, regarding this matter, the Board of County Commissioners has found, determined, and concluded that the requested rezone from A-1 (Agriculture) to PD (Planned Development) is not compatible with the surrounding area and is not consistent with the Seminole County Comprehensive Plan.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first written above.

COMMISSIONERS	F COUNTY
By:	_
Amy Lockhart, Chairman	_

EXHIBIT "A"

Beginning 595 feet North and 25 feet West of the center of section 29, Township 21 South, Range 31 East, run West 400 feet, thence North 100 feet, thence East 400 feet and South 100 feet to point of beginning. Said land being in the Southeast 1/4 of the Northwest 1/4 Section 29, Township 21 South, Range 31 East, Public Records of Seminole County, Florida.



SEMINOLE COUNTY, FLORIDA

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

Agenda Memorandum

File Number: 2023-947

Title:

Whealey Acres Administrative Small Scale Future Land Use Map Amendment and Rezone - Consider a Small Scale Future Land Use Map Amendment from Commercial to Low Density Residential and a Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling) for eleven (11) existing single-family residential lots on approximately 3.7 acres, located north of W SR 426 and southeast of SR 417; (Z2023-09/04.23SS.01) (Seminole County Development Services, Applicant) District1 - Dallari (Maya Athanas, Project Manager).

Agenda Category:

Public Hearing Items

Department/Division:

Development Services - Planning and Development

Authorized By:

Mary Moskowitz

Contact/Phone Number:

Maya Athanas/ 407-665-7388

Motion/Recommendation:

- 1. Recommend the Board of County Commissioners adopt the proposed Ordinance enacting a Small Scale Future Land Use Map Amendment from Commercial to Low Density Residential and adopt the Ordinance enacting a Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling) for eleven (11) single-family residential lots on approximately 3.7 acres, located north of W SR 426 and southeast of SR 417; or
- 2. Recommend the Board of County Commissioners deny the Ordinance enacting a Small Scale Future Land Use Map Amendment from Commercial to Low Density Residential and deny the Ordinance enacting a Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling) for eleven (11) single-family residential lots on approximately 3.7 acres, located north of W SR 426 and southeast of SR 417; or
- 3. Continue the request to a time and date certain.

Background:

The Whealey Acres Subdivision is an antiquated plat, having been platted in 1957 per Sec. 15.3(a)(1) of the Seminole County Land Development Code. The homes were permitted to be built on the subject lots since the lots are vested, per the plat. In addition, some of the homes were built prior to the 1960's before zoning was established in Seminole County. The Whealey Acres Subdivision currently has ten (10) individual lots. The eleventh parcel included in this proposed project is also legal nonconforming with the same zoning classification and future land use designation. Several current property owners signed a petition to request an administrative Future Land Use map amendment and rezoning of their property to allow residential uses only.

The County is acting as the applicant on behalf of the group of citizens who have requested a Small Scale Future Land Use Map Amendment from Commercial to Low Density Residential and a Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling) to more accurately reflect their established community of single-family residential homes.

Seminole County Development Service's staff held a community meeting on May 16, 2023 at 6:00 pm at St. Alban's Church, to gather information from the community and provide an opportunity for property owners of the subject properties to respond or provide feedback. All of the subject property owners were sent certified return receipt letters. Notification was also sent through standard mail to those same citizens and property owners of parcels within 500 feet. Staff delivered informational door hangers about the meeting as well. Tamara and Ian Dowling were the only attendees at the community meeting.

Staff received certified mailed receipts from three (3) property owners that had not previously submitted letters of support for the proposal. All subject property owners have confirmed notification of the request and no opposition has been indicated.

The subject property currently has a Commercial Future Land Use designation, which allows a maximum intensity of 0.35 Floor Area Ratio (FAR). The intent of the Commercial land use designation is to identify locations for a variety of commercial uses including neighborhood and community shopping centers, convenience stores, retail sales, highway oriented commercial, and other commercial services.

The proposed Future Land Use Map Amendment would change the Future Land Use of the subject property from Commercial to Low Density Residential, with a maximum net density of four (4) dwelling units per net buildable acre.

The Future Land Use and zoning designations of the surrounding area are as follows:

East: Future Land Use: Commercial

Zoning: Avila, FKA Noma) Planned Development with a maximum density of

17.5 dwelling units per acre

West: Future Land Use: Office

Zoning: A-1 (Agriculture)

North: Future Land Use: Office

Zoning: A-1 (Agriculture)

South: Future Land Use: (Aloma Business Center) Planned Development

Zoning: (Aloma Business Center) Planned Development that allows uses in the OP (Office District), CS (Convenience Commercial District), and C-3 (General Commercial and Wholesale District) zoning districts with certain

exclusions.

Site Analysis

Floodplain Impacts:

Based on FIRM 12117C0260F, with an effective date of 9/28/2007, there appears to be no floodplains on the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property. If applicable, a topographic survey showing wetland and floodplain delineations will be required at the time any new development is proposed.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there may be endangered and threatened wildlife on the subject property. A listed species survey may be required prior to building permit approval, if applicable.

Utilities:

The site is located in the Seminole County utility service area and any undeveloped sites will be required to connect to public utilities.

Transportation/Traffic:

The property currently accesses from the south, through the Aloma business center from W SR 426. There is no change proposed for the access of the parcels.

Sidewalks:

There is no existing sidewalk along Wrights Road and Morning Dew Loop. There are no

sidewalk requirements at this time for the proposed Small Scale Future Land Use Map Amendment and Rezone.

<u>Drainage:</u>

The proposed project is located within the Howell Creek Drainage Basin. The limited downstream capacity is currently unknown. A countywide Drainage Basin Study is currently underway and determination on the downstream capacity for this area will be made upon the release of this study.

Buffers and Open Space:

There are no open space or buffering requirements for the proposed Rezone and Small Scale Future Land Use Map Amendment.

Public School Capacity Determination:

Seminole County Public Schools provided a letter stating the proposed Rezone and Small Scale Future Land Use Map Amendment will have no impact, as the majority of the lots are already developed with single family homes.

Consistency with the Land Development Code

The proposed R-1A (Single Family Dwelling) zoning designation has been evaluated for compatibility with the Land Development Code of Seminole County in accordance with Chapter 30, Part 12.

The request is consistent with the Seminole County Land Development Code and the surrounding area since the subject properties are vested per the antiquated Whealey Acres Plat. The proposed Rezone and Small Scale Future Land Use Map Amendment supports the objectives of the R-1A zoning designation with existing single-family uses that are compatible with the surrounding zoning classifications.

Consistency with the Comprehensive Plan

The purpose and intent of the proposed Low Density Residential Future Land Use is to provide appropriate locations for standard detached single family residences at a maximum density of four dwelling units per net buildable acre, with a limited list of public purpose and special exception uses. This land

use requires a full range of basic services and facilities and may serve as an effective transitional use between more intense urban uses and Suburban Estates.

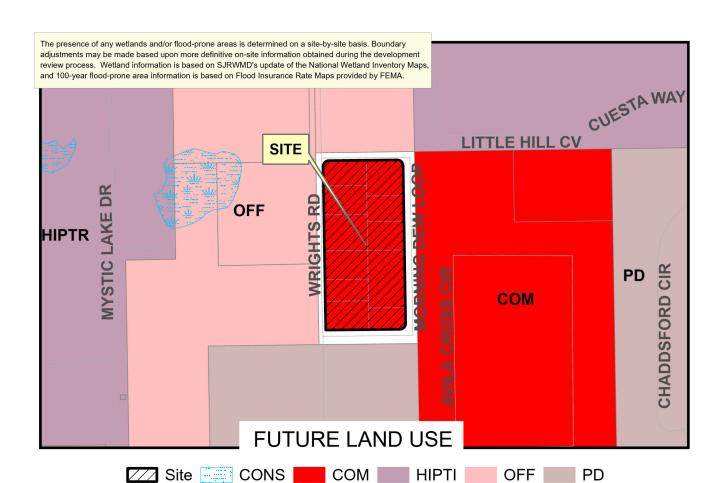
The proposed R-1A zoning classification is consistent with both the allowable use and density provisions of the proposed Low Density Residential future land use designation.

Staff finds the proposed Low Density Residential Future Land Use designation and R-1A

zoning classification to be consistent with the Comprehensive Plan.

Staff Recommendation:

Recommend the Board of County Commissioners adopt the proposed Ordinance enacting a Small Scale Future Land Use Map Amendment from Commercial to Low Density Residential and adopt the Ordinance enacting a Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling) for eleven (11) single-family residential lots on approximately 3.7 acres, located north of W SR 426 and southeast of SR 417.



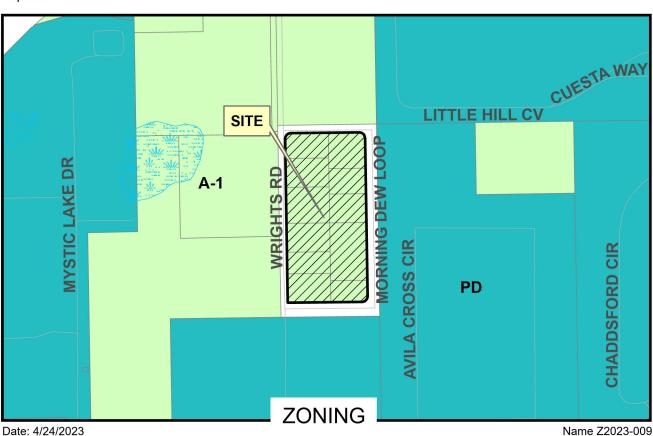
Seminole County Applicant:

Physical STR: 31-21-31 Gross Acres: 3.7+/-BCC District: 1

Existing Use: residential

Special Notes:

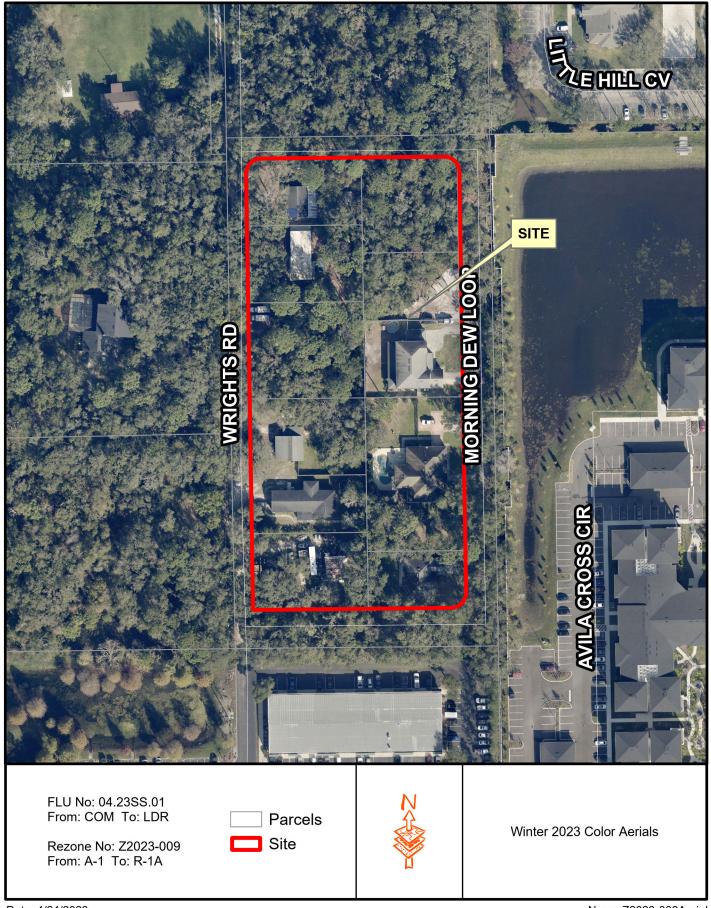
	Amend/Rezone #	From	То
FLU	04.23SS.01	COM	LDR
Zoning	Z2023-009	A-1	R-1A



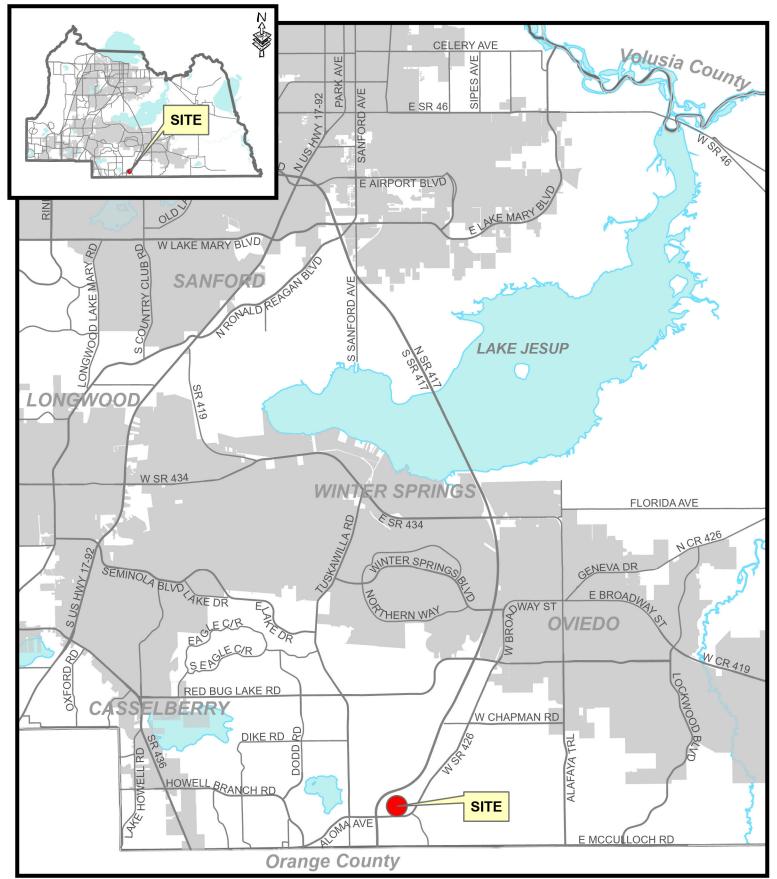
Name Z2023-009







Date: 4/24/2023 Name Z2023-009Aerial



Date: 4/24/2023 Name Z2023-009SiteMap

AN ORDINANCE FURTHER AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM COMMERICAL TO LOW DENSITY RESIDENTIAL; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 2008-44 which adopted the Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County Commissioners has followed the procedures set forth in Section 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth in this Ordinance relating to a Small Scale Future Land Use Map Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a public hearing, with all required public notice on October 4, 2023, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan Amendment set forth in this Ordinance; and

WHEREAS, the Board of County Commissioners held a public hearing on October 24, 2023, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth in this Ordinance; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is consistent and in compliance with the provisions of State law, including, but not limited to, Sections 163.3177 and 163.3187, Florida Statutes, and with the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council

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

Section 1. Recitals/Legislative findings:

The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.

Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION:

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 2008-44, as previously amended, is hereby further amended by amending the Future Land Use Map designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Exhibit "A" to this Ordinance:

Ord Exhibit	Name	Amendment Number	Future Land Use Change From-To	LPA Hearing Date	Board Hearing Date
A	Whealey Acres Administrative Small Scale Future Land Use Map Amendment and Rezone	04.23\$\$.01 (Z2023-09)	Commercial to Low Density Residential	10/04/2023	10/24/2023

(b) The	associated	rezoning	request	was	completed	by	means	of	Ordinance
Number 23									

Section 3. Severability:

If any provision of this Ordinance or the application 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 4. Exclusion from County Code/Codification:

- (a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance will not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to this Code Codifier.
- (b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan to reflect adopted amendments to the Plan.

Section 5. Effective Date:

- (a) The County will provide a certified copy of this Ordinance to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes.
- (b) This Ordinance will take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth in this Ordinance, if the amendment is not challenged in a timely manner, will be no earlier than thirty-one (31) days after the adoption date of the amendment. If challenged within the appropriate time period, this amendment will become effective on the date the State Land Planning Agency or the State Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits

ORDINANCE NO. 2023-

SEMINOLE COUNTY, FLORIDA

or land uses dependent upon this amendment may be issued or commence before it has become effective.

ENACTED this 24 th day of October 2023
BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA
Ву:
AMY LOCKHART, CHAIRMAN

EXHIBIT A

Amendment 04.23SS.01

LEGAL DESCRIPTION

WHEALEY ACRES as recorded in Plat Book 10, Page 99 of the Public Records of Seminole County, Florida. AND

Beginning 50 feet North, and 25 feet East of the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 21 South, Range 31 East, Florida; thence run East 150 feet; thence run North 100 feet; thence run West 150 feet, thence run South 100 feet to the Point of Beginning.

Summary Information (Whealey Acres Administrative SSFLUA and Rezone) Small Scale Future Land Use Amendment				
APPLICANT	Seminole County			
PROPERTY OWNER(S)	Wiggins, Robert C & Shirley E			
	Dumont, Jesse			
	Carmon, Ashley P			
	Dumont, Robert L			
	Allcock, Johnathan D			
	Sadar, Mohamed S			
	Thevenet, Randall & Adorno, Ma	atilde G		
	Dowling, Tamara & Ian			
	Czerwonka, Richard E & Pinas,	Halina W		
REQUEST	Amend the Future Land Use de Low Density Residential	signation from <u>Commercial to</u>		
PROPERTY SIZE	3.7 +/- acres	3.7 +/- acres		
PROPERTY LOCATION	North of W SR 426 and south of SR 417			
PROPERTY TAX ID	31-21-31-505-0000-0010			
	31-21-31-505-0000-0030			
	31-21-31-505-0000-0050			
	31-21-31-505-0000-0070			
	31-21-31-505-0000-0100			
	31-21-31-300-0180-0000			
	31-21-31-505-0000-0110			
31-21-31-505-0000-0140				
	31-21-31-505-0000-0150			
	31-21-31-505-0000-0180			
	31-21-31-505-0000-0220			
AMENDMENT NUMBER	04.23SS.01			
COMMISSION DISTRICT	Dallari- 1			
NEIGHBORHOOD MEETING DATE(S)	May 16, 2023			
HEARING DATE(S)	P& Z: 10/04/2023	BCC: 10/24/2023		
EXISTING USE OF	Single-Family Residential:			
SUBJECT PROPERTY	31-21-31-505-0000-0010			
	31-21-31-505-0000-0030			

	31-21-31-505-0000-0070	
	31-21-31-505-0000-0100	
	31-21-31-300-0180-0000	
	31-21-31-505-0000-0150	
	31-21-31-505-0000-0180	
	31-21-31-505-0000-0220	
	Vacant:	
	31-21-31-505-0000-0050	
	31-21-31-505-0000-0110	
	31-21-31-505-0000-0140	
EXISTING ZONING OF SUBJECT PROPERTY	A-1	
EXISTING USE AND FUTURE LAND USE	EXISTING USE	FUTURE LAND USE DESIGNATION
DESIGNATION OF PROPERTY TO THE NORTH	Single-family residential	OFFICE
EXISTING USE AND	Multi-family residential	COMMERCIAL
FUTURE LAND USE DESIGNATION OF	Commercial uses	
PROPERTY TO THE EAST		
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE SOUTH	Commercial uses	PLANNED DEVELOPMENT
EXISTING USE AND FUTURE LAND USE	Single-family residential House of worship	OFFICE
DESIGNATION OF PROPERTY TO THE WEST		

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Future Land Use Element Amendment Review Criteria

The Future Land Use Element of the Comprehensive Plan establishes criteria to be used in the evaluation of proposed future land use amendments, consistent with requirements of State Law, and including individual site compatibility analysis. These criteria include:

Whealey Acres Administrative Small Scale Future Land Use Map Amendment and Rezone 23-26000001

District 1 Maya Athanas A. Whether the character of the surrounding area has changed enough to warrant a different land use designation being assigned to the property.

Staff Findings

The character of the area has remained relatively the same throughout the past ten years, aside from a development directly east of the subject parcels, which has been developed as multi-family residential with a maximum density of 17.5 dwelling units per acre. However, the existing Future Land Use designation of Commercial is not consistent with the existing use of the subject parcels, which has been single-family residential since the 1950s. A change in the Future Land Use designation is not expected to change the character of the area and instead provide more consistency with the existing use.

B. Whether public facilities and services will be able to be available concurrent with the impacts of development at adopted levels of service, or whether approval of the proposal would create internal inconsistency within the Seminole County Comprehensive Plan by impacting adopted levels of service or other related Goals, Objectives and Policies, particularly those addressing capital improvement programs and fiscal feasibility.

The maximum density of the proposed Land Use Amendment to Low Density Residential allows up to four dwelling units per net buildable acre. The following table provides adopted levels of service standards for public services and facilities, and potential impacts of the proposed amendment. Information in the "Potential Impact" section of the table has been calculated by staff.

Facility or Service Level of Service (LOS) And Provider	Potential Impact
Potable Water Facilities LOS: 250 gpd Provider: Seminole County	0.004 mgd as LDR or 0.006 as COM
Sanitary Sewer Facilities LOS: 215 gpd Provider: Seminole County	0.003 mgd as LDR or 0.006 as COM
Recreation LOS: 3.6 total acres/1000 population 1.8 developed acres/1000 population Provider: Seminole County	0.131 acres total 0.066 developed acres
Solid Waste LOS: Seminole County Landfill LOS: 4.3 lbs/capita/day. Seminole County Transfer Station LOS: 4.0 lbs/capita/day	28.6 tons annual landfill demand 0.073 tons daily transfer station demand
Schools	*
* See attached Seminole County School Board Rep	ort

Whealey Acres Administrative Small Scale Future Land Use Map Amendment and Rezone 23-26000001

District 1 Maya Athanas

Staff Findings

The proposed Future Land Use amendment and Rezone are not expected to have any impact on the above listed facilities since no change of use is proposed. The existing single-family residential homes are already in the Seminole County utility service areas.

With an estimated net buildable density of 3.7 acres, the Commercial Future Land Use would allow approximately 56,410 sq ft of floor area of commercial development and require more impact to Seminole County water and sewer facilities than the Low Density residential Future Land Use would allow.

C. Whether the site will be able to comply with flood prone regulations, wetland regulations (if subject property is located within the Environmentally Sensitive Lands Overlay), and all other adopted development policies and regulations.

Staff Findings

The subject parcels are not within the floodplain and do not appear to have wetlands present. The proposed Future Land Use amendment and Rezone will be consistent with existing development policies and regulations. There is no development proposed by Seminole County, the applicant, on the subject parcels.

D. Whether the proposal adheres to other special provisions of law and the Seminole County Comprehensive Plan (e.g., the Wekiva River Protection Act, Seminole County Urban/Rural boundary, etc.)

Staff Findings

The proposal is not in the East Rural Area, Wekiva River Protection Area, or other areas subject to special standards of review.

E. Whether the proposed Future Land Use is compatible with existing surrounding development and future land uses in accordance with *FLU Exhibit: Compatible Transitional Land Uses*.

Staff Findings

Existing development surrounding the subject parcels includes single family residential, multi-family residential, commercial, and agricultural uses. The proposed Future Land Use of Low Density Residential can be a transitional use to the Office and Commercial FLUs with sensitive site design. The development to the east, which is a high-density residential development with a Commercial FLU, has adequate buffering adjacent to the subject parcels. The parcels to the north and west that have an Office FLU currently have single family residential and agricultural uses, which are compatible with the proposed FLU. Any development on the parcels to the north and west will evaluated during development review for consistency and sensitive site design.

Whealey Acres Administrative Small Scale Future Land Use Map Amendment and Rezone 23-26000001

District 1 Maya Athanas

F. Whether the proposed Future Land Use designation furthers the public interest by providing or enabling the provision of:

- 1. Sites for public facilities or facility improvements in excess of requirements likely to arise from development of the site (applicable to PD Future Land Use);
- 2. Dedications or contributions in excess of Land Development Code requirements (applicable to PD Future Land Use);
- 3. A range of obtainable housing opportunities and choices, including affordable or workforce housing;
- Economic development (enabling higher paying jobs);
- 5. Reduction in transportation impacts on areawide roads;
- 6. Mass transit and a variety of transportation choices; and
- 7. Whether the proposed Future Land Use designation is consistent with other applicable Seminole County Comprehensive Plan Goals, Objectives and Policies, and supports and is consistent with the Central Florida Regional Growth Vision, the Strategic Regional Policy Plan and the State Comprehensive Plan.

Staff Findings

The proposed project is consistent with Objective FLU 3: Reduction of Nonconforming Uses and Antiquated Plats through Policy FLU 3.1 by reducing the nonconforming A-1 zoning.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY. THE ZONING CLASSIFICATION ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY: REZONING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION TO (SINGLE-FAMILY **DWELLING DISTRICT) ZONING** R-1A 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 Whealey Acres Administrative Small Scale Future Land Use Map Amendment and Rezone, dated October 24, 2023.
- (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 A-1 (Agriculture) to R-1A (Single-Family Dwelling District).

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

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.

ENACTED this 24th day of October 2023.

BOARD OF COUNTY COMMISSIONERS SEMINOLE COUNTY, FLORIDA

By: _____AMY LOCKHART, CHAIRMAN

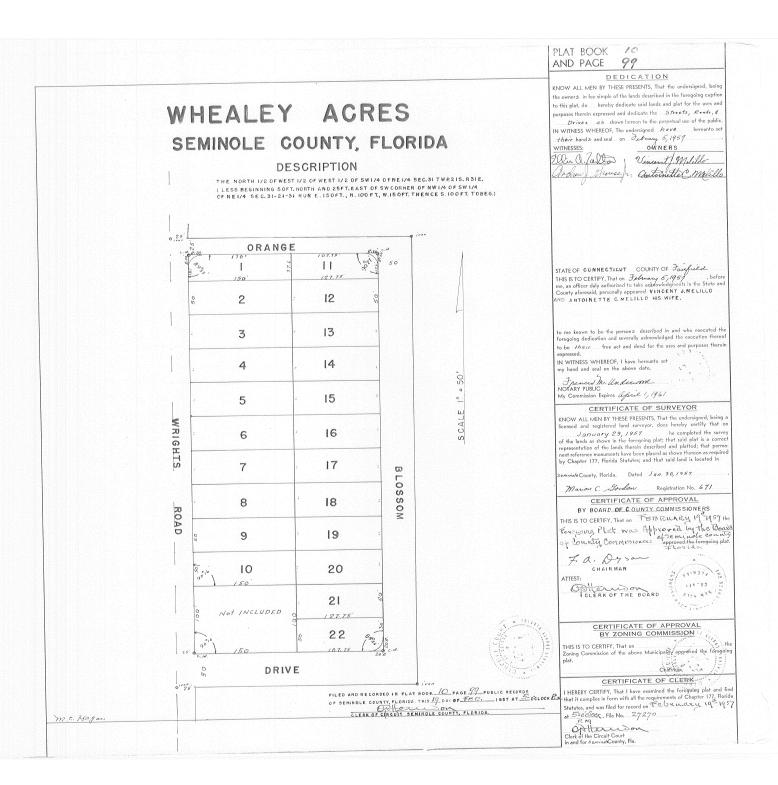
EXHIBIT "A"

LEGAL DESCRIPTION

WHEALEY ACRES as recorded in Plat Book 10, Page 99 of the Public Records of Seminole County, Florida.

AND

Beginning 50 feet North, and 25 feet East of the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 21 South, Range 31 East, Florida; thence run East 150 feet; thence run North 100 feet; thence run West 150 feet, thence run South 100 feet to the Point of Beginning.



The residents of Whealey Acres, the platted area between Wrights Road and Morning Dew Loop, kindly request Seminole County review the current future land use designation of "Commercial" for our neighborhood and consider a residential future land use designation of "Low Density Residential" or "Medium Density Residential" with an allowable zoning that suits the designation.

Thank you for your consideration of our request.

Sincerely,

Jesse D DuMent

Name

Signature

2733 Wrights Rd, Ouredo FL 32765

Street Address

9.10.22

The residents of Whealey Acres, the platted area between Wrights Road and Morning Dew Loop, kindly request Seminole County review the current future land use designation of "Commercial" for our neighborhood and consider a residential future land use designation of "Low Density Residential" or "Medium Density Residential" with an allowable zoning that suits the designation.

Thank you for your consideration of our request.

Sincerely,

Robert L. DuMont

Namo

Rest 3. Smart

Signature

2763 Wrights Rd, Wiede F232765

Street Address

9.10.22

The residents of Whealey Acres, the platted area between Wrights Road and Morning Dew Loop, kindly request Seminole County review the current future land use designation of "Commercial" for our neighborhood and consider a residential future land use designation of "Low Density Residential" or "Medium Density Residential" with an allowable zoning that suits the designation.

Thank you for your consideration of our request.

Sincerely,

A FIFE D.

Name

4

Signature

2110 Wrights R. Owed # 32765

Street Address

The residents of Whealey Acres, the platted area between Wrights Road and Morning Dew Loop, kindly request Seminole County review the current future land use designation of "Commercial" for our neighborhood and consider a residential future land use designation of "Low Density Residential" or "Medium Density Residential" with an allowable zoning that sults the designation.

Thank you for your consideration of our request.

Sincerely,

Signature

Leage Ouredo, F1 32765 SIYO MOGULA

Street Address

The residents of Whealey Acres, the platted area between Wrights Road and Morning Dew Loop, kindly request Seminole County review the current future land use designation of "Commercial" for our neighborhood and consider a residential future land use designation of "Low Density Residential" or "Medium Density Residential" with an allowable zoning that suits the designation.

Thank you for your consideration of our request.

Sincerely,

Signature

Street Address



Wrights Road and Morning Dew Loop, kindly request Seminole County review the current future land use designation of "Commercial" for our neighborhood and consider a residential future land use designation of "Low Density Residential" or "Medium Density Residential" with an allowable zoning that suits the designation. Dear Commissioner Dallari, The residents of Whealey Acres, the platted area between

Thank you for your consideration of our request.

Sincerely,

Robert

Street Address

Signature

The residents of Whealey Acres, the platted area between Wrights Road and Morning Dew Loop, kindly request Seminole County review the current future land use designation of "Commercial" for our neighborhood and consider a residential future land use designation of "Low Density Residential" or "Medium Density Residential" with an allowable zoning that suits the designation.

Thank you for your consideration of our request.

Sincerely,

anara 1

Signature (

SIZO Newmay Paus Loop

Street Address



Tamara Dowling <dowling.tamara@gmail.com>

Morning Dew Loop

Eric Czerwonka <eczerwonka@yahoo.com>

Wed, Sep 14, 2022 at 8:19 AM

Reply-To: Eric Czerwonka <eczerwonka@yahoo.com>

To: dowling.tamara@gmail.com, Halina Czerwonka <hwp71@hotmail.com>

Cc: lan Dowling <iandowling33@gmail.com>

Hello, yes Halina and I are both in agreement that we also would love to have the the zoning for our area changed from commercial/residential to purely residential.

Richard and Halina Czerwonka

Sent from Yahoo Mail on Android [Quoted text hidden]

Seminole County Community Meeting Notice

This courtesy notice is being sent to you as a property owner impacted by the proposed administrative rezone and future land use amendment.

Community Meeting and Opportunity for Public Input

May 16, 2023 6:00 pm

St. Alban's Anglican Church, 3348 W State Rd 426, Oviedo, FL 32765

The purpose of this meeting is to receive public input and make recommendations to the Seminole County Board of County Commissioners on the requested administrative future land use amendment and rezone requested by several property owners of Whealey Acres from a future land use designation of Commercial to Low Density Residential and rezone from A-1 to R-1A.

The Whealey Acres Subdivision is an antiquated plat, having been platted in 1957. The property contained in the subdivision currently has Commercial Future Land Use and A-1 (Agriculture) Zoning. The homes were permitted to be built on the subject lots since the lots are vested per the plat. In addition, some of the homes were built prior to the 1960's when zoning was established in Seminole County. Several current property owners signed a petition to request an administrative future land use map amendment and rezoning of their property to allow residential uses only.

Interested parties are encouraged to attend at this meeting and present written/oral input regarding these matters or submit written comments to Maya Athanas at mathanas@seminolecountyfl.gov.

Q: Where is the community meeting being held?

A. The meeting will be held at St. Alban's Anglican Cathedral at 3348 W State Rd 426, Oviedo, FL 32765 on May 16th, 2023, at 6:00 pm.

Q: What is the difference between Future Land Use and Zoning?

A. The Future Land Use designations indicate the general use for the property, and the amount of development allowed (total square feet for non-residential uses, and total dwelling units per acre for residential uses). The zoning for the property is more descriptive of the allowable uses on the property and contain regulations including building setbacks, parking requirements, and building heights.

Q: What type of activity or development could take place on the subject site today without any change?

A. The County's Future Land Use Map indicates this property as Commercial land use, and the County's Zoning Map indicates this property is zoned A-1 (Agriculture). The subject properties have been developed as single-family residential, except for three (3) properties, which remain vacant.

Q: What type of development could be built if the Board of County Commissioners approves the request?

A. The request is to rezone to the R-1A (Single Family Dwelling) zoning designation, which allows single family dwelling units. The proposed Future Land Use of Low Density Residential would more accurately reflect the built community of single-family residential homes on the subject properties.

Seminole County Government: Planning & Development Division 1101 East First Street, Sanford, Florida 32771 407-665-7371

Seminole County Community Meeting Notice

This courtesy notice is being sent to you as a property owner impacted by the proposed administrative rezone and future land use amendment.

Location of Proposed Administrative Rezone and Future Land Use Amendment



Seminole County Government: Planning & Development Division 1101 East First Street, Sanford, Florida 32771 407-665-7371

Community Meeting Summary 05/16/2023

The meeting was held at St Alban's Anglican Church, 3348 W State Rd 426, Oviedo, FL 32765 on May 16th, 2023. Two people attended, a husband and wife: Ian and Tamara Dowling, who live at 5130 Morning Dew Loop, Oviedo Fl. They are owners of a parcel subject to the proposed administrative Future Land Use and rezone.

WHEALEY ACRES ADMINISTRATIVE FUTURE LAND USE AMENDMENT AND REZONE



MEETING SIGN-IN Project: Whealey Acres Administ	iGN-IN Whealey Acres Administrative Future Land Use Amendment and Rezone	Rezone		
Tiged: Wileally Acies Administ	ומוועם ו מומום רמוות כאם ליוופווליוופוו מוות	01020	Date: 05/16/2023 6:00 PM	
Facilitator: Maya Athanas, Senior Planner for Seminole County	Panner for Seminole County		Place/Room: St Alban's Anglican Church, 3348 W State Rd 426, Oviedo, FL 32765	765
Name	Address Representing	Phone	E-Mail	Owner of subject
IAN + TAMARA DOWNING	5130 HORWING DELJ LOOP	626 328 6240 407-577-1001	dowling. Long of grant. con	S Sy.

500' Adjacent Owners for Notification of Community Meeting

CONFIDENTIAL PER STATUTES 119.0711101 E 1ST ST SANFORD, FL 32771

DOT/STATE OF FLA 719 S WOODLAND BLVD DELAND, FL 32720

ELKHALDI, FERYAL 2710 WRIGHTS RD OVIEDO, FL 32765

ST ALBANS CHURCH INC 3348 W STATE ROAD 426 OVIEDO, FL 32765

GRAVES, STEVEN S & JOYCE C 2600 WRIGHTS RD OVIEDO, FL 32765

HALL, TAURANCE & CHRISTINA 2630 WRIGHTS RD OVIEDO, FL 32765

SAN JUAN CAPO, CA 92675 31920 DEL OBISPO ST # 260 CENTRAL FL INDUSTRIAL LLC

SAN JUAN CAPO, CA92675 31920 DEL OBISPO ST # 260 CENTRAL FL INDUSTRIAL LLC

T & M UNITED CORP 402 HIGH POINT DR COCOA, FL 32926

SEMINOLE CO LOMA VISTA C/O CONCORD MGMNT LTD PO BOX 940279 MAITLAND, FL 32794

32701 650 S NORTH LAKE BLVD STE 450 ALTAMONTE SPG, FL NOMA WESTSTATE ACQUISITION LLC 32701 650 S NORTH LAKE BLVD STE 450 ALTAMONTE SPG, FL NOMA WESTSTATE ACQUISITION LLC



SERITA D. BEAMON Superintendent

CHAD E. WILSKY Assistant Superintendent Operations

RICHARD LEBLANC, AIA Facilities Planning Department Phone: 407-320-0560 Fax: 407-320-0292

JORDAN SMITH, AICP Facilities Planning Department Phone: 407-320-0168 Fax: 407-320-0292

Educational Support Center 400 E. Lake Mary Boulevard Sanford, Florida 32773-7127

School Concurrency Letter of Determination - No Impact

Maya Athanas, Senior Planner 1101 E. 1st Street Sanford, FL 32771 mathanas@seminolecountyfl.gov

July 6, 2023

RE: Concurrency Letter of Determination - No Impact, Whealey Acres

Parcel ID(s): 31-21-31-505-0000-0010, 31-21-31-505-0000-0030,

 $\begin{array}{c} 31\text{-}21\text{-}31\text{-}505\text{-}0000\text{-}0050, } \\ 31\text{-}21\text{-}31\text{-}505\text{-}0000\text{-}0170, } \\ 31\text{-}21\text{-}31\text{-}505\text{-}0000\text{-}0100, } \\ 31\text{-}21\text{-}31\text{-}505\text{-}0000\text{-}0110, } \\ 31\text{-}21\text{-}31\text{-}505\text{-}0000\text{-}0140, } \\ 31\text{-}21\text{-}31\text{-}505\text{-}0000\text{-}0150, } \\ 31\text{-}21\text{-}31\text{-}505\text{-}0000\text{-}0180, } \end{array}$

31-21-31-505-0000-0220

This letter certifies the above referenced project/property, based on the adopted 2007 School Interlocal Agreement (ILA) is determined to be of **NO IMPACT** to student generation of school concurrency requirements. The applicant has indicated that the proposed project is for an administrative rezone and future land use map amendment for 11 parcels in Oviedo (unincorporated Seminole County). The change of the zoning and future land use is being done to bring them more in compliance with their existing setbacks. Of the 11 parcels, 8 are existing single-family residential dwelling units and 3 are vacant parcels. Three (3) proposed single-family detached units is considered a de minimus impact and would be of no impact to student generation of school concurrency. The final disposition of this project is the jurisdiction of the Seminole County Board of County Commissioners.

This does not address the issue of any entitlement to an exemption from school impact fees required by Seminole county Ordinance #92-14, #2007-41, and the Land Development Code.

If you have any questions please do not hesitate to contact me at smithjs@scps.k12.fl.us or at 407-320-0168.

Jordan Smith, AICP Facilities Planner

Jockn Smith

cc:

Rebecca Hammock, Seminole County

Visit Our Web Site www.scps.us File

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On October 24, 2023 Seminole County issued this Denial Development Order 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.)

Property Owner(s): Wiggins, Robert C & Shirley E; Dumont, Jesse; Carmon, Ashley P;

Dumont, Robert; Allcock, Johnathan D; Sadar, Mohamed S; Thevenet, Randall & Adorno, Matilde G; Dowling, Tamara & Ian;

Czerwonka, Richard E & Pinas, Halina W

Project Name: Whealey Acres Administrative Small Scale Future Land Use Map

Amendment and Rezone

Requested Development Approval: Consider a Small Scale Future Land Use Map Amendment from Commercial to Low Density Residential and a Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling) for eleven (11) existing single-family residential lots on approximately 3.7 acres, located north of W SR 426 and south of SR 417.

Findings: After fully considering staff analysis titled "Whealey Acres Administrative Small Scale Future Land Use Map Amendment and Rezone" and all evidence submitted at the public hearing on September 12, 2023 regarding this matter, the Board of County Commissioners has found, determined and concluded that the requested rezone from A-1 (Agriculture) to R-1A (Single-Family Dwelling) is not compatible with the surrounding area and is not consistent with the Seminole County Comprehensive Plan.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first written above.

SEMINOLE COUNTY	BOARD OF COUNTY
COMMISSIONERS	

By:			
	Amy Lockhart,	Chairman	

EXHIBIT "A"

LEGAL DESCRIPTION:

WHEALEY ACRES as recorded in Plat Book 10, Page 99 of the Public Records of Seminole County, Florida.

AND

Beginning 50 feet North, and 25 feet East of the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 21 South, Range 31 East, Florida; thence run East 150 feet; thence run North 100 feet; thence run West 150 feet, thence run South 100 feet to the Point of Beginning.



SEMINOLE COUNTY, FLORIDA

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

Agenda Memorandum

File Number: 2023-1060

Title:

Evaluation and Appraisal Report (EAR) Based Comprehensive Plan Amendments Work Session - Staff and the Consultant will provide an update on the progress of the EAR based amendments to the Seminole County Comprehensive Plan and seek input from the Planning and Zoning Commission on Policy Issues. (Tyler Reed, Project Manager and Project Consultant, Eliza Harris Juliano, Kimley-Horn and Associates, Inc.)

Department/Division:

Development Services - Planning and Development

Authorized By:

Rebecca Hammock

Contact/Phone Number:

Tyler Reed/ 407-665-7398

Background:

With assistance from Kimley-Horn project consultants, Seminole County Development Services is implementing the Evaluation and Appraisal Report (EAR) Based Amendments to the Seminole County Comprehensive Plan.

The Planning and Development Division and consultants have gathered data, reviewed policies, and incorporated feedback and input from pertinent Seminole County Departments for the EAR Based Amendments.

The Board of County Commissioners have had two work sessions on the EAR Based Amendments. The first work session occurred at the Board of County Commissioners Meeting on August 8, 2023. The second work session took place on September 12, 2023. A third worksession with the BCC is scheduled for October 10, 2023.

A Community Meeting was held on August 17, 2023. Approximately sixteen public members were in attendance, as well as staff and consultants. A PowerPoint presentation was given by the Planning Manager, who provided a detailed overview of the EAR Based Amendments along with the goals and objectives of the Seminole County Comprehensive Plan. The public then had time to ask questions in an open forum. Afterward, the public

had the opportunity to break out to five different stations with visual displays detailing various aspects of the presentation. Staff and consultants were on hand to answer questions at each station. Staff encouraged attendees to fill out comment cards or e-mail the project manager any comments. Submitted comments by the public have been included as an attachment.

This work session will discuss the goals of the Future Land Use Element and seek recommendations from the Planning and Zoning Commission to bring forward to the Board of County Commissioners.

Attached is a draft of the proposed amendments to the Future Land Use Element of the Comprehensive Plan for your review and comment.