

**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 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

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

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**Order**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The subject application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this 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  
 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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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.

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(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

FILE NO.: PZ2023-010

DEVELOPMENT ORDER #

23-20500010

**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.





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.