

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATION ASSIGNED TO 1131 STATE ROAD 436 LOCATED IN SEMINOLE COUNTY; REZONING 1131 STATE ROAD 436 CURRENTLY ASSIGNED THE C-2 (GENERAL COMMERCIAL) 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 Casselberry Public Storage SSFLUMA and PD Rezone, dated August 27, 2024.

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

Section 2. REZONING. The zoning classification assigned to the following described property is changed from C-2 (General Commercial) to PD (Planned Development) pursuant to the provisions contained in Development Order #23-20500025, attached to this Ordinance as Exhibit "A" and incorporated in this Ordinance by reference:

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

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

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity will not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance will be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance will be effective upon the latter of: (i) the recording date of the Development Order #23-20500025 in the Official Land Records of Seminole County; (ii) filing this Ordinance with the Department of State; or (iii) the companion Future Land Use Amendment Ordinance No. 2024-__ being deemed final in accordance with Florida Statutes Chapter 163, Part II.

ENACTED this 27th day of August, 2024.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
JAY ZEMBOWER, CHAIRMAN

**EXHIBIT "A"
DEVELOPMENT ORDER**

FILE NO.: PZ2023-25 DEVELOPMENT ORDER # 23-20500025

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On August 27, 2024, 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: Storage Trust Properties, LP

Project Name: Casselberry Public Storage SSFLUMA and PD Rezone

Requested Development Approval: Consider a Small Scale Future Land Use Map Amendment from Commercial to Planned Development and a Rezone from C-2 (General Commercial) to PD (Planned Development) for a self-storage development on approximately 3.91 acres, located on the west side of State Road 436, approximately 0.25 mile north of Lake Howell Road.

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. Self-Storage Facility.
 - b. Communication Tower when camouflage in design.
 - C. Floor Area Ratio (F.A.R.): 1.25
 - D. Maximum building heights: Building #1- Forty-five (45) feet, Three (3) story
Building #2 – Fifteen (15) feet
 - E. Open Space: Twenty-five (25) percent
 - F. Hours of Operation: Monday-Friday: 9:30am- 6:00pm
Saturday-Sunday 9:30am-5:00pm
 - G. Building setbacks (from the external property boundaries):
 - Front: Twenty-five (25) feet
 - Side: Ten (10) feet
 - Rear: Ten (10) feet
 - H. Landscape Buffers:
 - North: Zero (0) feet
 - South: Fifteen (15) foot landscape buffer; 0.3 opacity
 - East (facing SR 436): Twenty-five (25) foot landscape buffer; 0.5 opacity
 - West: Zero (0) feet

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. In no case may the building setbacks be less than the required buffer.

Buffer components will be established at Final Development Plan.
 - I. The developer must provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside of the development.
 - J. Mechanical units for the site are required to be screened from view of residential properties and/or public rights-of-way.

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- K. All project signage must comply with the Seminole County Land Development Code of Seminole County.
- L. Two (2) electric vehicle charging stations shall be placed on site.
- M. The Developer is required to construct the proposed building to the architectural renderings shown in Exhibit "C".
- N. Parking shall be provided at the minimum rate of one (1) parking space per 10,000 square feet of self-storage area plus one (1) space per two (2) employees.
- O. The windows shown on the design renderings shall be mirrored windows above the first floor.
- P. A seven (7) foot tall steel fence along the south, west, and east portions of the subject property; however, the fence shall be placed outside any required landscape buffers.
- Q. Parking lot landscaping shall be in compliance with the Seminole County Land Development Code.
- R. A six (6) foot tall retaining wall shall not be required along the eastern landscape buffer.
- S. The project shall be constructed in one (1) phase.
- T. Sidewalks shall be constructed in compliance with Seminole County.
- U. The stormwater system shall be designed in compliance with Seminole County.
- V. Entrance Bay doors to access the storage units will not be visible from State Road 436.
- W. The existing communication tower will remain on site and the access to the tower shall be required and be provided by the owner per ORB 3818, PG 0922.
- X. Outdoor Storage of equipment and/or materials shall be prohibited.
- Y. In the case of a conflict between the written conditions A through (X) in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through (X) 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.

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(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. However, in no case will this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Casselberry Public Storage SSFLUMA and PD Rezone (as referenced in Exhibit A), on August 27, 2024.

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Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
Jay Zembower, Chairman

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EXHIBIT "A"

Legal Description

LOTS 3 AND 4, SCHATT DEVELOPMENT UNIT ONE ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 57, PUBLIC RECORDS ON SEMINOLE COUNTY, FLORIDA.

FILE NO: PZ2023-25 DEVELOPMENT ORDER # 23-20500025

Exhibit "C"
Architectural Rendering



Public Storage

PRELIMINARY RENDERING
04 JUL 2024

VIEW FROM NORTH/EAST

OBRIEN

OBRIEN ARCHITECTURE
10000 W. UNIVERSITY BLVD., SUITE 100
MAYLAND, FL 32053

FOR MORE INFORMATION
CONTACT US AT 407.291.1234

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EXHIBIT "B"
LEGAL DESCRIPTION

LOTS 3 AND 4, SCHATT DEVELOPMENT UNIT ONE ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 57, PUBLIC RECORDS ON SEMINOLE COUNTY, FLORIDA.

EXHIBIT "C"
BOUNDARY SURVEY

