

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 PLANNED DEVELOPMENT (PD) ZONING CLASSIFICATION TO THE PLANNED DEVELOPMENT (PD) 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 Board hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled Store Space Altamonte, dated June 13, 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 Planned Development (PD) to Planned Development (PD) pursuant to the provisions contained in Development Order #22-20500014, 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 #22-20500014 in the Official Land Records of Seminole County or upon filing this Ordinance with the Department of State, whichever is later.

ENACTED this 13th day of June, 2023.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Amy Lockhart, Chairman

EXHIBIT "A" DEVELOPMENT ORDER

FILE NO.: PZ2022-19

DEVELOPMENT ORDER #

22-20500014

SEMINOLE COUNTY DEVELOPMENT ORDER

On June 13, 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: Storage Cap Altamonte Springs LP

Project Name: Store Space Altamonte PD

Requested Development Approval: Consider a Rezone from PD (Planned Development) to PD (Planned Development) for a proposed self storage facility description on approximately 6.85 acres, located a ¼ mile west of U.S. Hwy 17-92, at the corner of Anchor Road and Merritt Street; (Z2022-19) (Rob Consalvo, Applicant) District4 - Lockhart (Annie Sillaway, Project Manager).

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: Self-Storage Facility
 - C. Maximum Floor Area Ratio: 0.40
 - D. Maximum Impervious Surface: Seventy-five (75) percent
 - E. Maximum Building Height: Thirty-five (35) feet
 - F. Minimum Open Space: Twenty-five (25) percent
 - G. Hours of Operation: Monday – Sunday 6:00a.m.- 10:00p.m.
 - H. Building Setbacks:

<u>East (Anchor Road):</u>	Sixty (60) feet
<u>South (Merritt Street):</u>	Twenty (20) feet
<u>North:</u>	Five (5) feet
<u>West:</u>	Sixty (60) feet
 - I. Landscape Buffers:

<u>North:</u>	Ten (10) foot wide landscape buffer; 0.2 opacity.
<u>South:</u>	Fifteen (15) foot wide landscape buffer; a 0.4 opacity with three (3) foot high evergreen hedges.
<u>East:</u>	Fifteen (15) foot landscape buffer; 0.4 opacity with a three (3) foot high continuous evergreen hedge.
<u>West:</u>	Fifteen (15) foot landscape buffer; 0.3 opacity with a six (6) foot high vinyl fence to be located on the exterior of the landscape buffer as depicted on the Master Development Plan.

Buffer components will be established at Final Development Plan.
 - J. The developer must provide a pedestrian circulation system giving access to the development as well as connecting to the existing sidewalks outside of the development.
 - K. Access onto Anchor Road for the proposed site shall be egress and right turn only.

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- L. The density of trees in the west buffer shall be maintained at the pre-development level quantified by the number of trees per acre. A comprehensive tree survey is required with the Final Development Plan. If there are nuisance exotic tree species present, such as those named by the Florida Invasive Species Council as invasive plants, these trees must be removed as part of this Development Order.
- M. The stormwater pond that will be counted toward open space shall be sodded or dressed in equivalent ground cover; and shall include amenities such as benches, picnic tables, and/or gazebo.
- N. Windows shall not be placed along the western portion of the building that faces the adjacent residential neighborhood.
- O. The mechanical equipment shall be screened from view from residential properties and public rights-of-way per Sec. 30.1294.
- P. The parking lot landscaping will be in accordance with Chapter 67 of the Seminole County Land Development Code (SCLDC).
- Q. Replacement trees within the thirty-five (35) foot tree preservation area shall be a minimum four (4) inch caliper at the time of planting and shall only be Florida native species. Replacement trees shall be scattered within the tree preservation area to simulate a natural forest environment. A mix of understory and overstory species shall be required.
- R. Building design shall be similar to the renderings shown in Exhibit (C).
- S. Replacement trees shall be cared for following Sec. 30.1228 of the Seminole County Land Development Code. If any newly planted trees die within one (1) year of installation, they must be replaced.
- T. Any trees on site to be retained shall be protected following Section 60.4 of the Seminole County Land Development Code (SCLDC).
- U. No development shall be allowed within the thirty-five (35) foot tree preservation area.
- V. Any broken sidewalk within the Seminole County right-of-way or abutting property frontage shall be brought up to compliance with the Seminole County Land Development Code.
- W. All project signage must comply with Part 65 of the Seminole County Land Development Code (SCLDC).
- X. The Applicant will be required to comply with Sec. 30.1234 of the Outdoor Lighting requirements within the Seminole County Land Development Code (SCLDC).
- Y. 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.
- Z. Entrance doors to access the storage units shall only be visible facing Merritt Street and Anchor Road.
- AA. The property owner is required to maintain the landscape buffers around all boundaries of the subject site. If buffers are disturbed or destroyed

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- AA. The property owner is required to maintain the landscape buffers around all boundaries of the subject site. If buffers are disturbed or destroyed supplemental landscaping will be planted to maintain consistency with the required buffers per the Development Order.
- BB. The site lighting shall be fully shielded.
- CC. The subject site will be developed in one (1) phase.
- DD. Billboard are prohibited on site.
- EE. The outdoor storage of equipment and/or materials shall be prohibited.
- FF. **In the case of a conflict between the written conditions A through (EE) in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through (EE) 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

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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**

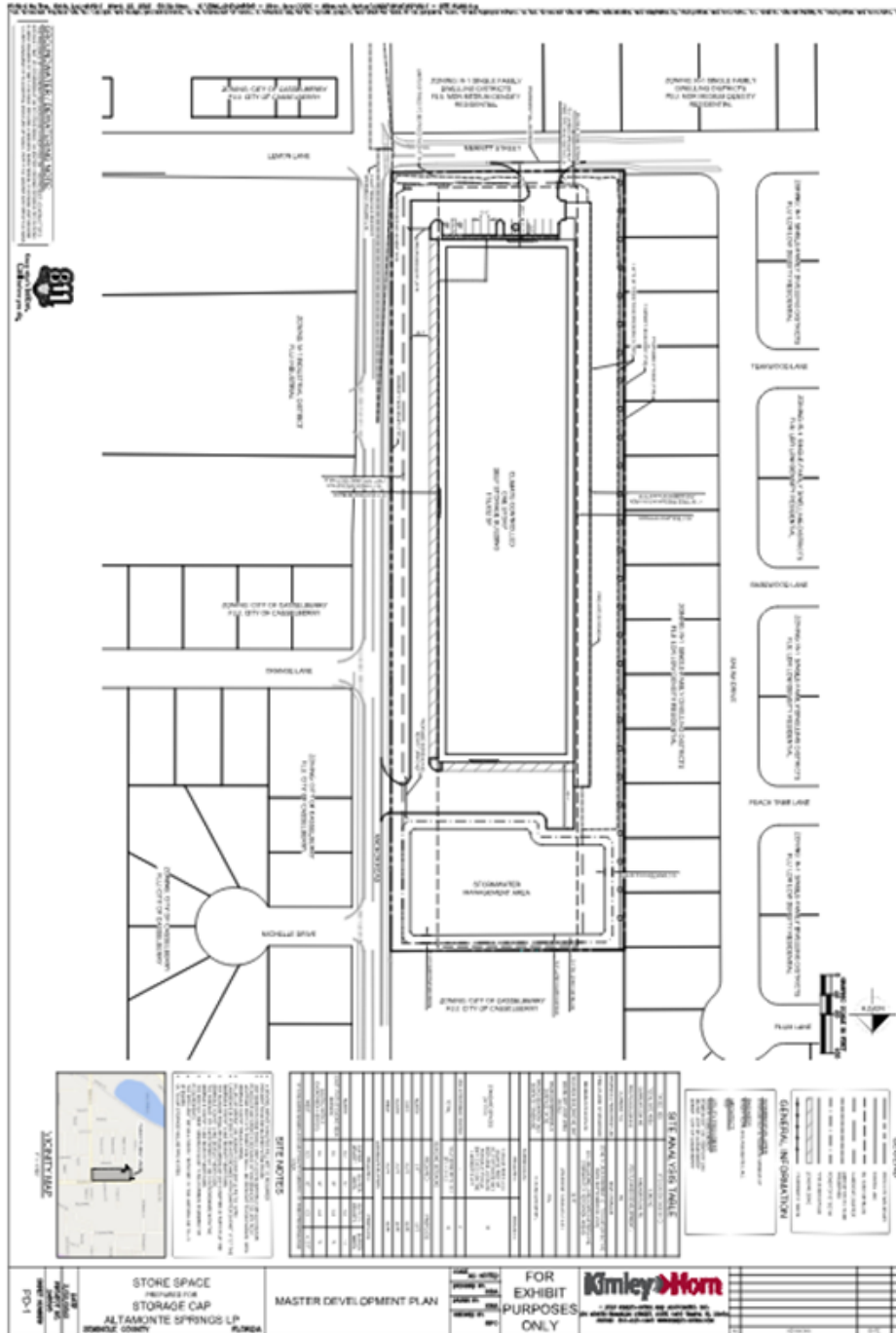
The land referred to herein below is situated in the County of Seminole, State of Florida, and described as follows:

The East 1/4 of Lot 14, less the North 300 feet thereof; the East 1/4 of Lot 15 and the East 1/2 of Lot 16, according to the PLAN OF DIVISION OF LOTS BY MRS. A. E. GRIFFIN, recorded in Plat Book 2, Page 43, Public Records of Seminole County, Florida. Less and Except for Road Right-of-Way: The East 25 feet of Lots 14, 15 and 16 thereof; and The South 25 feet of Lot 16 thereof.

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EXHIBIT B
Master Development Plan

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22-205000 14

Exhibit C

Building Renderings



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EXHIBIT "B"

LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Seminole, State of Florida, and described as follows:

The East 1/4 of Lot 14, less the North 300 feet thereof; the East 1/4 of Lot 15 and the East 1/2 of Lot 16, according to the PLAN OF DIVISION OF LOTS BY MRS. A. E. GRIFFIN, recorded in Plat Book 2, Page 43, Public Records of Seminole County, Florida. Less and Except for Road Right-of-Way: The East 25 feet of Lots 14, 15 and 16 thereof; and The South 25 feet of Lot 16 thereof.