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**Subject:** Formal Interpretation Request regarding Development Order #24-20500014 – Permitted Commercial Uses and Equipment Rental  
**Date:** Thursday, April 23, 2026 10:49:03 AM  
**Attachments:** [Outlook-hu1a1jh2](#)  
[Outlook-1qv0zw0e](#)

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Dagmarie -

Thank you for your time and attention on our phone call this morning. Pursuant to **Section 30.3.9 of the Seminole County Land Development Code (LDC)**, I am formally requesting a written administrative interpretation regarding the permitted uses for the property governed by **Development Order (DO) #24-20500014**. Specifically, we seek a determination that the rental, sale, and service of general construction equipment (e.g., lifts, excavators, and generators) is a permitted commercial use under the existing DO and the C-2 (General Commercial) standards incorporated therein.

We request that this interpretation specifically address the following four legal and factual pillars:

### **1. The Statutory Definition of "Commercial Use" (Fla. Stat. § 479.01)**

Staff has previously suggested that construction equipment does not meet the LDC definition of a "vehicle" due to a lack of highway licensing. However, Florida Statutes provide a broader, superior definition for land-use classification.

- **Florida Statute § 479.01(4)** explicitly defines "Commercial use" as activities associated with the sale or rental of products, stating: *"The term includes, but is not limited to... rentals of equipment, goods, or products."*
- Because the State of Florida classifies "equipment rental" as a commercial activity, we request an explanation of why the County would deviate from this standard to reclassify a retail rental operation as "Industrial."

### **2. Conflict with Specific DO Entitlements (DO #24-20500014)**

Our site is governed by a site-specific Development Order that grants entitlements beyond general C-2 zoning.

- **Section 3(B)(a):** Grants the right to the "rental, sale, service, and storage of... **related parts and accessories.**" In the context of a commercial development site, construction machinery functions as the primary "accessories" and "energy products" for the building

trades.

- **Section 3(M):** Explicitly permits "**Vehicle storage and display.**" Under the doctrine of *Strict Construction (Rinker Materials Corp. v. City of North Miami, 286 So. 2d 552)*, zoning language must be interpreted in favor of the property owner's broadest use of the land. We contend that motorized inventory for hire constitutes "vehicles for display" under any reasonable commercial interpretation.

### **3. Administrative Consistency & Established Precedents**

The County has an established pattern of permitting identical equipment-based businesses within C-2 districts. We request that the Planning Manager reconcile the current "Industrial" determination with the existing "Commercial" status of the following Seminole County properties:

- **Maitland Tractor Sales & Service (1455 FL-46):** Engages in the sale, rental, and outdoor display of tractors and excavators under C-2 zoning.
- **The Trailer Connection (8005 S. US HWY 17-92):** Engages in the outdoor display and retail sale of large trailers and commercial inventory.
- **Evans Roofing (6800 Center St):** Utilizes outdoor staging for commercial operations in a C-2 environment.

### **4. Operational Parity with Approved "Collision Center"**

The DO findings of fact approved this site for an **Automotive Collision Center**.

- **Section 3(P)** requires all service and repair to be conducted within an enclosed building with doors closed.
- We are committing to these exact performance standards for our rental equipment maintenance. There is no competent substantial evidence to suggest that servicing a mini-excavator indoors has a greater "industrial impact" than the high-intensity welding, painting, and bodywork of a collision center already entitled by the DO.

We believe that a "Commercial" classification is the only interpretation that harmonizes the DO language, Florida Statutes, and existing County precedents. Categorizing a retail-frontage rental business as "Industrial" would impose an inordinate burden on the property's entitled use.

We look forward to your formal written determination.

Sincerely,

Tad Dixon

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