

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM
(Continued from December 10, 2002 and January 28, 2003)**

SUBJECT: Fossitt Business Park, Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and associated rezoning from A-1 to PCD and preliminary PCD site plan for Harling Locklin and Associates

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Tony Matthews **EXT.** 7373

Agenda Date 02/11/03 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Enact an ordinance adopting the proposed Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and associated rezoning from A-1 (Agriculture) to PCD (Planned Commercial Development) and preliminary PCD site plan, with staff findings and recommendation; or
2. Deny the proposed Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and associated rezoning from A-1 (Agriculture) to PCD (Planned Commercial Development) and preliminary PCD site plan; or
3. Continue the proposed plan amendment and rezoning to a date certain.

(Commissioner District #5, McLain)

(Tony Matthews, Principal Planner)

BACKGROUND:

The applicant, Harling Locklin and Associates, is requesting a Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and associated rezoning from A-1 (Agriculture) to PCD (Planned Commercial Development District) and preliminary PCD site plan on approximately 9.7 acres located at the northeast corner of Orange Boulevard and Missouri Avenue and at the southwest corner of Orange Boulevard and Halsey Avenue.

The applicant requested this continuance to allow additional time to resolve current code enforcement issues on the abutting property to the east of this site that were identified at the December 10, 2002 Board public hearing (see enclosed letter).

Reviewed by: SA
Co Atty: SA
DFS: SA
Other: MW
DCM: SA
CM: SA
File No. ph700pdp01

Subsequent to the December 10, 2002, public hearing, the applicant has provided photographs of proposed building designs, which are attached to the enclosed development order at Exhibit "D".

The applicant is proposing an 88,000 square foot office/warehouse development to be developed in two (2) phases (see enclosed site map and preliminary PCD site plan).

STAFF RECOMMENDATION:

1. Plan Amendment and Rezoning (north side of Orange Boulevard):
Enact ordinances adopting Planned Development land use, PCD zoning and preliminary PCD site plan on the north side of Orange Boulevard, as proposed, with the enclosed staff findings and development order.
2. Plan Amendment and Rezoning (south side of Orange Boulevard):
Recommend denial of Planned Development land use and PCD zoning on the south side of Orange Boulevard, as proposed, with the enclosed staff findings.

LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION RECOMMENDATION (11/6/02):

Plan Amendment and Rezoning:

Recommend approval of Planned Development land use, PCD zoning and preliminary PCD site plan and development order for the entire request, carried 4 to 1.

BOARD OF COUNTY COMMISSIONERS ACTION (12/10/02):

Plan Amendment and Rezoning:

Motion by Commissioner McLain to continue this item until the January 28, 2003, Board public hearing, carried 4 to 0 (Commissioner Morris was absent) to allow time for:

1. Mr. Willie Fossitt to address the concerns brought forth at the public hearing (e.g., storage of used tires and fuel tanks) on the abutting property to the east of the property subject to the plan amendment and rezoning request.
2. Applicant to conduct a community meeting to address the several concerns expressed at the public hearing by area residents.
3. Applicant to prepare elevation drawings for presentation at the Board that depict the style and construction of materials for the proposed buildings.

BOARD OF COUNTY COMMISSIONERS ACTION (01/28/03):

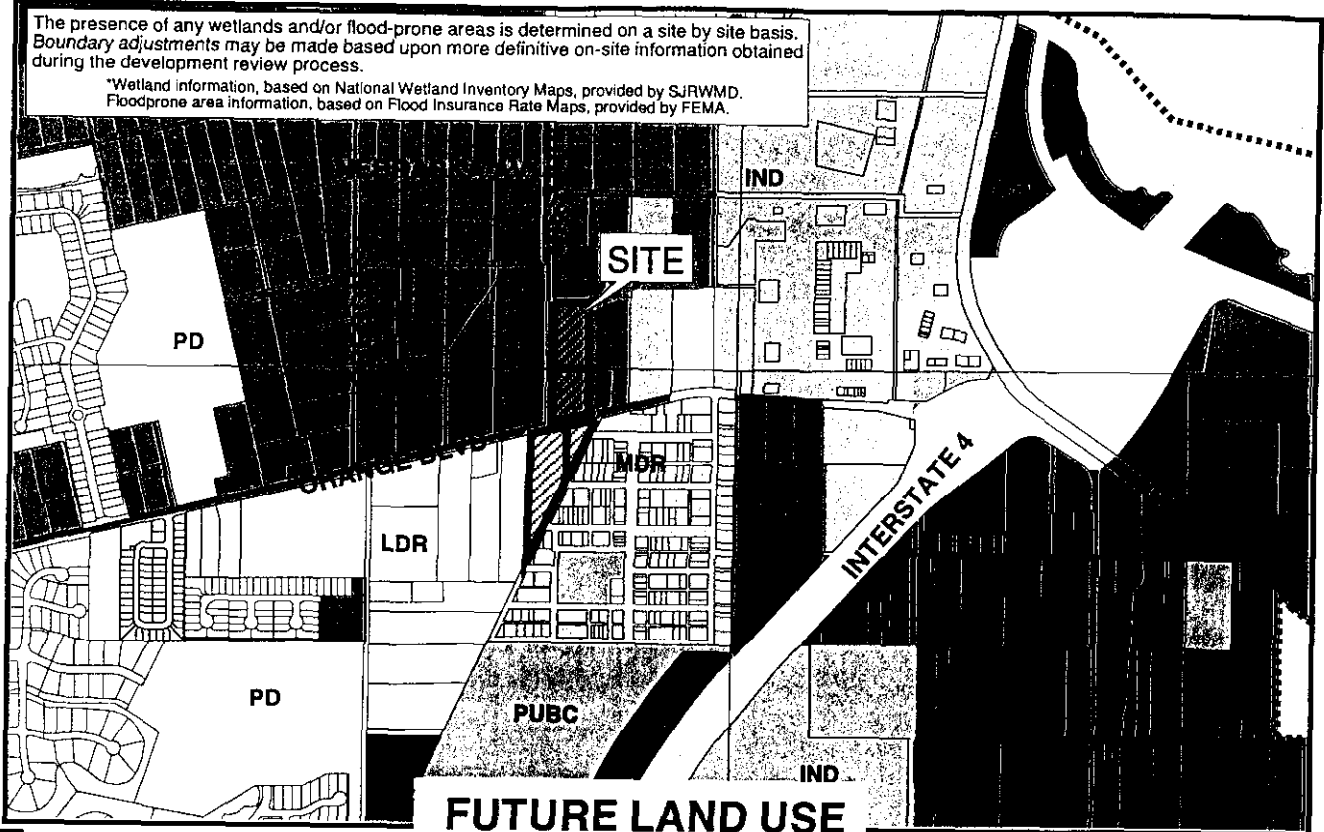
Plan Amendment and Rezoning:

Motion by Commissioner Henley to continue this item until the February 11, 2003, Board public hearing, carried 4 to 0 (Commissioner Morris was absent).

Attachments: Staff report, preliminary PCD site plan, BCC and LPA/P&Z minutes, public comment, proposed development order, and ordinances.

The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.

*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
Flood-prone area information, based on Flood Insurance Rate Maps, provided by FEMA.

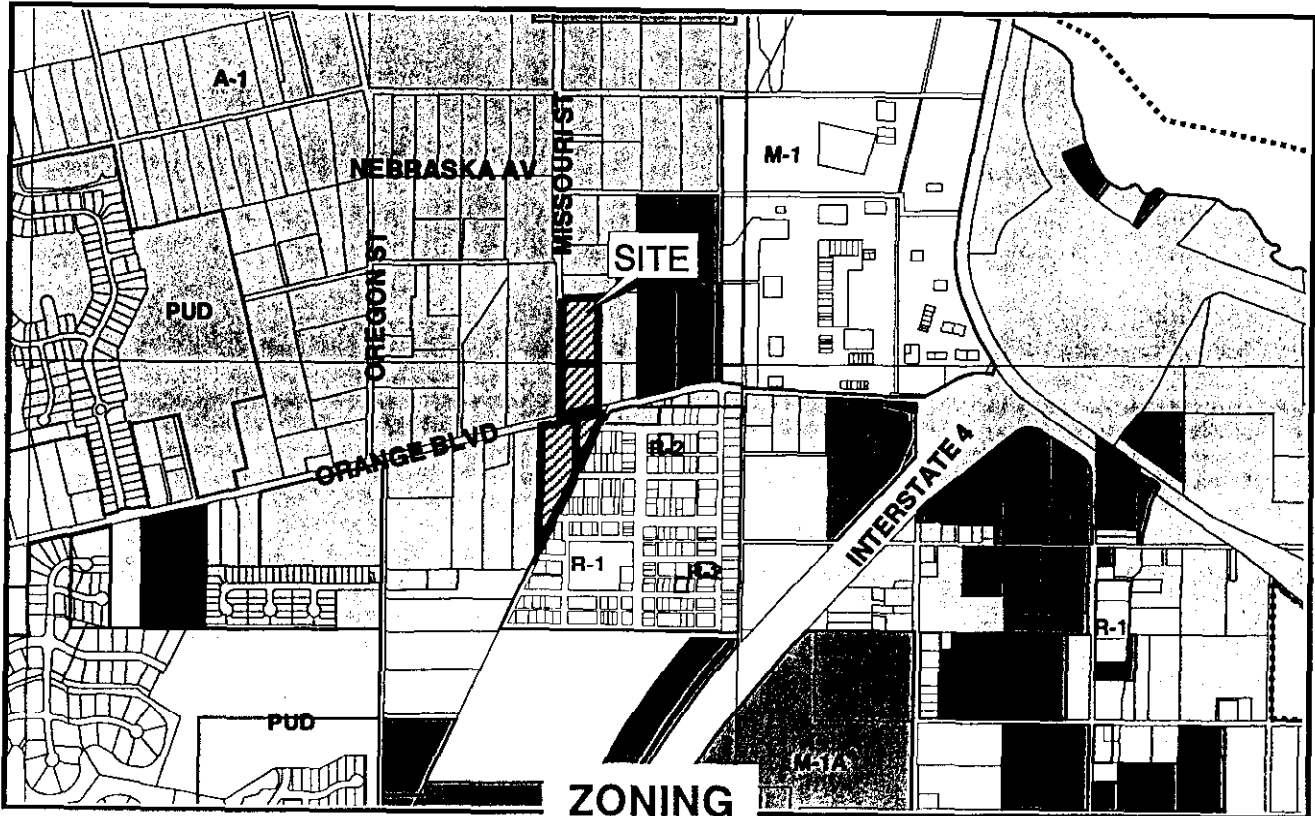


FUTURE LAND USE



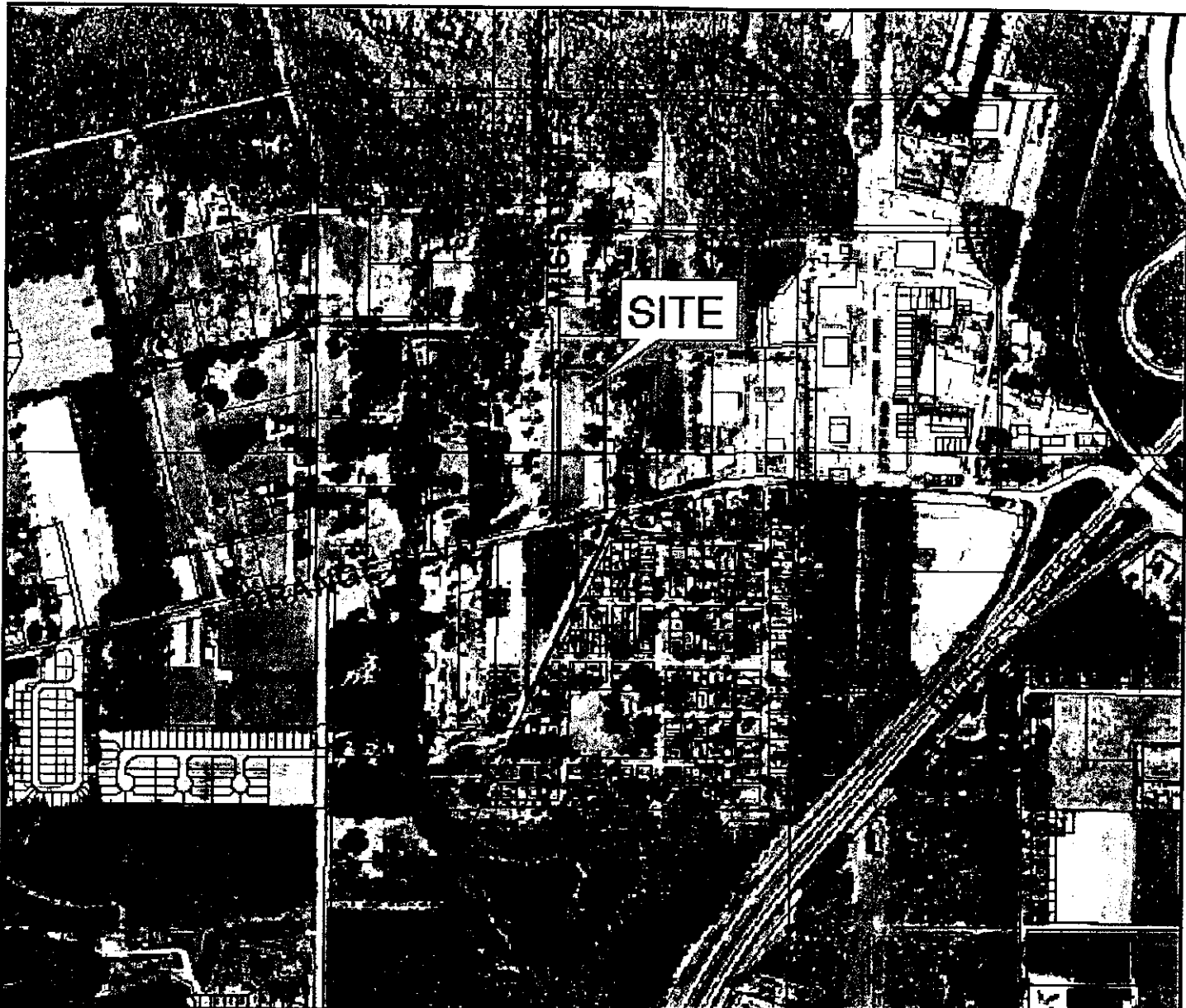
Applicant: Fossitt Business Park
 Physical STR: 16-19-30-5AB-0300-0040, 0200-0100 & 010A
 Gross Acres: +/-9.7 BCC District: 5
 Existing Use: Vacant
 Special Notes:

	Amend/ Rezone#	From	To
FLU	08-02SS.3	SE/LDR	PD
Zoning	Z2002-015	A-1	PCD



ZONING





Rezone No. Z2002-015
From: A-1 To: PCD
Amendment No. 08-02SS.3
From: SE/LDR To: PD
☐ Subject Property
☐ Parcelbase



February 1999 Color Aerials

EXECUTIVE SUMMARY

Fossitt Business Park

Suburban Estates and Low Density Residential to Planned Development, A-1 to PCD

**Amendment
08.02SS.3;
rezoning
Z2002- 015**

REQUEST

APPLICANT	Harling Locklin and Associates
PLAN AMENDMENT	Suburban Estates and Low Density Residential to Planned Development
REZONING	A-1 (Agriculture) to PCD (Planned Commercial Development District) and preliminary PCD site plan including all M-1A (Very Light Industrial) and C-3 (General Commercial and Wholesale) uses, with exceptions as shown in this report.
PROPOSED USE	Office/Warehouse
APPROXIMATE GROSS ACRES	9.7
GENERAL LOCATION	North and south side of Orange Boulevard, at the northeast corner of Orange Boulevard and Missouri Avenue and at the southwest corner of Orange Boulevard and Halsey Avenue.
HISTORY/ISSUES	The Low Density Residential (LDR) designation assigned to the property on the south side of Orange Boulevard was adopted by the Board of County Commissioners during the <u>1999 Wekiva Special Area Study</u> . This study was undertaken to more effectively manage growth in the Wekiva River Protection Area and adjacent areas east to Interstate 4. Prior to adoption of the LDR land use the property was designated Suburban Estates.
BOARD DISTRICT	#5 – Commissioner McLain

RECOMMENDATIONS

<p>STAFF November 6, 2002</p>	<p>1. <u>Plan Amendment and Rezoning (north side of Orange Boulevard):</u> Enact ordinances adopting Planned Development land use, PCD zoning and preliminary PCD site plan on the north side of Orange Boulevard, as proposed, with the enclosed staff findings and development order.</p> <p>2. <u>Plan Amendment and Rezoning (south side of Orange Boulevard):</u> Recommend denial of Planned Development land use and PCD zoning on the south side of Orange Boulevard, as proposed, with the enclosed staff findings.</p>
<p>LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION November 6, 2002</p>	<p><u>Plan Amendment and Rezoning:</u> Recommend approval of Planned Development land use, PCD zoning and preliminary PCD site plan and development order for the entire request, carried 4 to 1.</p>
<p>BOARD OF COUNTY COMMISSIONERS December 10, 2002</p>	<p><u>Plan Amendment and Rezoning:</u> Motion by Commissioner McLain to continue this item until the January 28, 2003, Board public hearing, carried 4 to 0 (Commissioner Morris was absent) to allow time for:</p> <ol style="list-style-type: none"> 1. Mr. Willie Fossitt to address the concerns brought forth at the public hearing (e.g., storage of used tires and fuel tanks) on the abutting property to the east of the property subject to the plan amendment and rezoning request. 2. Applicant to conduct a community meeting to address the several concerns expressed at the public hearing by areas residents. 3. Applicant to prepare elevation drawings for presentation at the Board that depict the style and construction of materials for the proposed buildings.

**BOARD OF COUNTY
COMMISSIONERS**
January 28, 2003

Plan Amendment and Rezoning:

Motion by Commissioner Henley to continue this item until the February 11, 2003, Board public hearing, carried 4 to 0 (Commissioner Morris was absent).

Note: The applicant requested this continuance to allow additional time to resolve current code enforcement issues on the abutting property to the east of this site that were identified at the December 10, 2002 Board public hearing (see enclosed letter). Subsequent to the December 10, 2002, public hearing, the applicant has provided photographs of proposed building designs, which are attached to the enclosed development order at Exhibit "D".

STAFF ANALYSIS

Suburban Estates and Low Density Residential to Planned Development, A-1 to PCD

**Amendment
08.02SS.3;
rezoning
Z2002- 015**

1. **Property Owner(s):** Nikki M. Clayton.
2. **Tax Parcel Number(s):** 16-19-30-5AB-0300-0040; 0200-0100; 0200-010A.
3. **Applicant's Statement:** The applicant has stated that this request will provide for an office/warehouse complex.
4. **Development Trends:** Development trends are toward nonresidential uses on the north side of Orange Boulevard, between the Port of Sanford and Missouri A venue, and toward single family residential uses west of Missouri Avenue. On the south side of Orange Boulevard, between Halsey Avenue and Oregon Avenue, development trends are toward residential uses.

SITE DESCRIPTION

1. PERMITTED USES - The Planned Development future land use designation and PCD (Planned Commercial Development District) zoning classification provides for a variety of land use densities and intensities with final approval of uses by the Board of County Commissioners.

Abutting uses, future land use designations and zoning classifications are:

Location	Future Land Use	Zoning	Existing Use
Site	Suburban Estates (north) and Low Density Residential (south)	A-1	Vacant
North	Suburban Estates	A-1	Residential
South	Low and Medium Density Residential	A-1	Residential
East	Suburban Estates (north) and Medium Density Residential (south)	A-1, R-1 (Single Family Dwelling District)	Residential (south); storage buildings (north)
West	Suburban Estates (north) and Low Density Residential (south)	A-1	Residential

COMPREHENSIVE PLAN CONSISTENCY

2. PLAN PROGRAMS - Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the affect on the timing/financing of these programs) that will be affected by the amendment if approved.

Summary of Program Impacts: The proposed amendment to Planned Development does not alter the options or long-range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan (Vision 2020). The amendment request would not be in conflict with the Metroplan Orlando plan or the Florida Department of Transportation's 5-Year Plan (Policy TRA 14.1).

A. Traffic Circulation - Consistency with Future Land Use and Design Elements: *In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element and the Traffic Circulation Element and all land development activities shall be consistent with the adopted Future Land Use and Design Elements (Policy TRA 2.1).*

Access to the site is via Orange Boulevard, a 2-lane minor collector roadway, currently operating at level of service (LOS) "A". The proposed development could generate an estimated 920 average daily trips.

B. Water and Sewer Service - Extension of Service to New Development: *Future Land Use Element Exhibit 20 (Services and Facilities By Classification) requires a full range of urban services to serve the proposed uses (Policy POT 4.5 and Policy SAN 4.4).*

The site is within the Seminole County utilities service area and development, as proposed, will be required to connect to the County's central water and sewer service system.

C. Public Safety – Adopted Level of Service: *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Policy PUB 2.1).*

The property is served by the Seminole County Paola Fire Station (Station #34). Response time to this site would meet the County's average response time standard of five (5) minutes.

3. REGULATIONS - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan (Vision 2020).

A. Preliminary Development Orders: Capacity Determination: *For preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows... No rights to obtain final development orders under which development activity impacting public facilities may ensue, or to obtain development permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Policy IMP 2.4).*

A review of the availability of public facilities to serve the project indicates that there would be adequate capacity to serve the site, and that the proposed Plan amendment would create no adverse impacts to County public facilities.

B. Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection: *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications...(FLU Policy 1.2 and 1.3).*

There are no wetlands or flood prone areas identified on this property. The property is located within the Lake Monroe Drainage Basin. The site can be developed with code compliance.

C. Protection of Endangered and Threatened Wildlife: *The County shall continue to require, as part of the Development Review Process, that prior to development approval, proposed development to coordinate with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife (Policy CON 3.13).*

Prior to submission of a final PCD site plan a survey of threatened and endangered species of special concern will be required to determine the presence of any endangered or threatened wildlife.

4. DEVELOPMENT POLICIES - Additional criteria and standards are also included in the Plan that describes when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

A. Compatibility: When the County's Future Land Use Map (FLUM) was developed, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Seminole County Comprehensive Plan (Vision 2020) (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property rights, and

no creation of new strip commercial developments through Plan amendments, etc.).

Based upon an initial evaluation of compatibility, Planned Development land use, as proposed, on the north side of Orange Boulevard, would be consistent with Plan policies identified at this time and therefore is consistent with the Seminole County Comprehensive Plan (Vision 2020). Planned Development land use, on the south side of Orange Boulevard, as proposed, would not be compatible with adjacent residential uses or with the Low Density Residential land use designation assigned to properties in this area in 1999.

Applicable Plan policies include, but are not limited to, the following:

1. Policy FLU 2.7 (Location of Industrial Uses).
2. FLU Exhibit 2 (Appropriate Transitional Land Uses).
3. FLU Exhibit 4 (Future Land Use Densities And Allowable Zoning Classifications).
4. Planned Development future land use designation.

B. Concurrency Review - Application to New Development: *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public safety level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element... (Policy CIE 3.2).*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued only if public facilities meeting the adopted LOS are available or will be available concurrent with the development. The applicant has filed a Concurrency Review Deferral Affidavit.

5. COORDINATION - Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.

A. Plan Coordination: *The County shall continue to coordinate its comprehensive planning activities with the plans and programs of the School Board, major utilities, quasi-public agencies and other local governments providing services but not having regulatory authority over the use of land (Policy IGC 2.9). Seminole County shall coordinate its comprehensive planning activities with the plans and programs of regional, State and Federal agencies by...as the County is now a charter County (Policy IGC 3.3).*

The Seminole County Comprehensive Plan (Vision 2020) fully complies with the State Comprehensive Plan adopted pursuant to Chapter 187, Florida Statutes, and the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council pursuant to Chapter 163, Florida Statutes. Consistency with the State Plan and the Regional Policy Plan may be evaluated by individual review agencies during the Plan amendment review process.

STAFF RECOMMENDATION

1. PLAN AMENDMENT AND REZONING (north side of Orange Boulevard):

Enact an ordinance adopting Planned Development land use on the north side of Orange Boulevard, as proposed, with findings that:

(a) Planned Development future land use and PCD zoning provide for a variety of land use densities and intensities with final approval of uses by the Board of County Commissioners.

(b) Office/warehouse uses would be consistent with development trends toward nonresidential uses on the north side of Orange Boulevard, between the Port of Sanford and Missouri Avenue.

(c) A review of the availability of public facilities to serve the project indicates that there would be adequate capacity to serve the site, and that the proposed Plan amendment would create no adverse impacts to County public facilities.

(d) Planned Development future land use and PCD zoning use would be consistent with Plan policies identified at this time.

2. PLAN AMENDMENT AND REZONING (south side of Orange Boulevard):

Recommend denial of Planned Development land use and PCD zoning on the south side of Orange Boulevard, as proposed, with findings that:

(a) Planned Development future land use would be inconsistent with development trends toward residential uses on the south side of Orange Boulevard and with the Low Density Residential future land use designation approved by the Board of County Commissioners during the 1999 Wekiva Special Area Study.

(b) Warehouse uses would be an inappropriate transitional land use at this location, between Medium Density Residential uses to the east and Low Density Residential uses to the west.

(c) Warehouse uses would be inconsistent with development trends toward residential uses on the south side of Orange Boulevard.

(d) Planned Development future land use and PCD zoning would be inconsistent with Plan policies identified as this time.

3. DEVELOPMENT CONDITIONS:

If the Board approves the proposed rezoning and preliminary PCD site plan, staff recommends approval of the attached development order, as amended.

Note: As this is a preliminary plan, additional conditions may be placed on the PCD site plan during the final site plan review process.

**LAND PLANNING AGENCY/PLANNING AND ZONING
COMMISSION RECOMMENDATION – 11/6/02**

PLAN AMENDMENT AND REZONING:

Recommend approval of Planned Development land use, PCD zoning and preliminary PCD site plan and development order for the entire request, carried 4 to 1.

**BOARD OF COUNTY COMMISSIONERS
ACTION 12/10/02**

PLAN AMENDMENT AND REZONING:

Plan Amendment and Rezoning:

Motion by Commissioner McLain to continue this item until the January 28, 2003, Board public hearing, carried 4 to 0 (Commissioner Morris was absent) to allow time for:

1. Mr. Willie Fossitt to address the concerns brought forth at the public hearing (e.g., storage of used tires and fuel tanks) on the abutting property to the east of the property subject to the plan amendment and rezoning request.
2. Applicant to conduct a community meeting to address the several concerns expressed at the public hearing by areas residents.
3. Applicant to prepare elevation drawings for presentation at the Board that depict the style and construction of materials for the proposed buildings.

**BOARD OF COUNTY COMMISSIONERS
ACTION 01/28/03**

PLAN AMENDMENT AND REZONING:

Plan Amendment and Rezoning:

Motion by Commissioner Henley to continue this item until the February 11, 2003, Board public hearing, carried 4 to 0 (Commissioner Morris was absent).

Note:

The applicant requested this continuance to allow additional time to resolve current code enforcement issues on the abutting property to the east of this site that were identified at the December 10, 2002 Board public hearing (see enclosed letter). Subsequent to the December 10, 2002, public hearing, the applicant has provided photographs of proposed building designs, which are attached to the enclosed development order at Exhibit "D".

DEVELOPMENT REVIEW DIVISION (CENTRAL SEWER)					
Applicant	Acreage	Existing Use	Plan Amendment Request From: To:		Rezoning Request From: To:
Haring Lockin and Associates Fossitt Business Park	9.7	Vacant	SE and LDR - PD		A-1 - PCD
Service Area/Provider	Plant Facilities Serving the Site	Will Request Require Central Sewer	Service Letter Needed If So, From Whom		Amendment to Service Area Needed
Seminole County	Yankee Lake	Yes			
Programmed Improvements (If County - By Year)	Improvement Needed at Plant to Accommodate Request (By Year) No				
Closest Mains Recommended for Connection: 10" Force main	Any Relevant Concerns Regarding Main (or Line) Capacity or Expansion at This Time for This Site: No				
Size and Type (Gravity or Force Main):	10" force main; approx. 1300' to the east on Orange, north side of road.				
Location (Including Side of Road):					
Utility Owner:	Seminole County				
Problems/Deficiencies/Findings/Comments/Special Conditions:					
Name of Person Completing Form: Alan Willis					

DEVELOPMENT REVIEW DIVISION (CENTRAL WATER)					
Service Area/Provider	Plant Facilities Serving the Site	Will Request Require Central Water	Service Letter Needed If So, From Whom		Amendment to Service Area Needed
Seminole County	Yankee Lake	Yes			No
Programmed Improvements by Year (if County)	Improvement Needed at Plant to Accommodate Request (By Year)				
Closest Mains Recommended for Connection: Corner of Orange and Halsey	Any Relevant Concerns Regarding Main (or Line) Capacity or Expansion at This Time for This Site: No				
Size and Type (Gravity or Force Main):	12" water main; corner of Orange and Halsey, south side of road.				
Location (Including Side of Road):					
Utility Owner:	Seminole County				
Problems/Deficiencies/Findings/Comments/Special Conditions:					
Name of Person Completing Form: Alan Willis					

DEVELOPMENT REVIEW DIVISION (WETLANDS AND FLOODPRONE)

Percent of Site in Wetlands	Will Use Encroach Into Wetlands	Can Site Be Developed with Code Compliance	Identify Any Threatened or Endangered Species, or Species of Special Concern	Site Within any Protection Zone
0	No	Yes	To be determined prior to site development.	No
Findings/ Comments/Special Conditions: None				
Name of Person Completing Form: Jim Potter				

DEVELOPMENT REVIEW DIVISION (STORMWATER)

Facilities Serving Site:	Drainage Basin:	Percent of Site Flood Prone:	Can Site Be Developed with Code Compliance	Adopted LOS Standard
Retention	Lake Monroe	0	Yes	
Programmed Improvements(By Year):			Improvements/Modifications Needed to Accommodate Request (By Year or Development Phase)	
None			None	
Problems/Deficiencies/Findings/Comments/Special Conditions:				
None				
Name of Person Completing Form: Mehul Parekh				

DEVELOPMENT REVIEW DIVISION (TRANSPORTATION)

Estimated Site Trip Generation:		Existing FLU	100	Proposed FLU	920
(Arterial/Collector) Serving Site by Roadway Segment		Existing ROW		Programmed Improvements by Roadway and Segment by Year (Including ROW Acquisition)	
Name: From/To					
Orange Boulevard From Oregon Street to I-4		50'		None	
Improvements Needed to Accommodate Request:					
Turn Lanes on Orange Boulevard					
Problems/ Deficiencies:					
Inadequate right of way on Orange Boulevard.					
Special Conditions/Comments:					
Left and Right turn lanes connecting with existing turn lanes to the east and west on Orange Boulevard shall be required. Right of way dedication on Orange Boulevard required.					
Name of Person Completing Form: Tracy Phelps					

PUBLIC SAFETY

APPLICANT	ACREAGE	EXISTING USE	PLAN AMENDMENT REQUEST		REZONING REQUEST	
			From:	To:	From:	To:
Harling Locklin and Associates Fossitt Business Park	9.7	Vacant	SE/LDR	PD	A-1	PCD
Name of station serving site:	Station No.	Response Time	Problems/Deficiencies:			
Seminole County EMS/Fire/Rescue Paola Fire Station	Station 34	< 5 minutes				
Findings/Comments/Special Conditions:						
This amendment will not significantly affect the EMS/Fire/Rescue Division's ability to provide emergency services. Actual response times will vary due to changing road conditions, unit availability, and other unforeseen circumstances.						
Name Of Person Completing Form:						
Leeanna Mims, Battalion Chief/Planning						

PLANNING				
Applicant	Approximate Acres	Existing Use	Plan Amendment	Rezoning
Harling Locklin and Associates – Fossitt Business Park	9.7		From: Suburban Estates and Low Density Residential To: Planned Development	From: A-1 To: PCD
Maximum Allowable Density Under Current FLU Designation	Maximum Allowable Density Under Proposed FLU Designation	Description of Land Use and Surrounding Properties		Special Issues/History Property to south of Orange Boulevard was changed from SE to LDR with the 1991 Wekiva Special Area Study
One unit per net buildable acre	NA	Site: Vacant East: Metal buildings West: Missouri Avenue and residential North: Residential South: Residential		
Applicable Plan Policies (but not limited to)				
TRA 2.1 (Consistency with Future Land Use and Design Elements) TRA 14.1 (Coordination of Plans and Programs) POT 4.5 (Extension of Service to New Development) SAN 4.4 (Extension of Service to New Development) PUB 2.1 (Adopted Level of Service) IMP 2.4 (Preliminary Development Orders (Capacity Determination) FLU 1.2 (Flood Plain Protection) FLU 1.3 (Wetlands Protection)			CON 3.13 (Protection of endangered and Threatened Wildlife) FLU 2.7 (Location of Industrial Uses) FLU Exhibit 2 (Appropriate Transitional Land Uses) FLU Exhibit 4 (Future Land Use Densities And Allowable Zoning Classifications) Planned Development future land use designation IGC 2.9 (Plan Coordination) IGC 3.3 (Plan Coordination)	
Recommendation/ Special Conditions				
Recommend PD land use on the north side of Orange Boulevard, with conditions; do not recommend PD land use on the south side of Orange Boulevard.				
Name Of Person Completing Form: Tony Matthews				

**SMALL SCALE PLAN AMENDMENT AND REZONE
FOSSITT BUSINESS PARK/
HARLING LOCKLIN AND ASSOCIATES**

Proof of publication, as shown on page _____, calling for a public hearing to consider the Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) and approve Preliminary PCD Site Plan, Fossitt Business Park/Harling Locklin and Associates, received and filed.

Chairman McLain advised Mr. Locklin that the neighbors still have some concerns and would like more time to work with him. They have spoken with several of the Commissioners who would be willing to continue this item to give Mr. Locklin more time to work with the residents, if he has no objections. Whereupon, Mr. Locklin stated they have worked with the community since hearing from Chairman McLain via phone and they feel they have accomplished all the objectives with the landscape plan. He believes they are ready to make their presentation this evening.

Mr. Matthews stated staff is recommending enacting an ordinance adopting Planned Development land use, PCD zoning, and preliminary PCD site plan on the north side of Orange Boulevard, as proposed; and is recommending denial of Planned Development land use and PCD zoning on the south side of Orange Boulevard,

with staff findings and recommendations. He advised the Local Planning Agency recommended approval of Planned Development land use, PCD zoning, the Preliminary PCD site plan and Development Order for the entire request on both sides of Orange Boulevard. This was approved by a vote of 4 to 1.

Commissioner Morris left the meeting at this time.

Mr. Matthews further advised there are 23 conditions (copy received and filed). He reviewed the following three changes staff is proposing to the Development Order: (1) Regarding Condition #4, staff is recommending a wall and not going with the berm option; (2) The Development Review Manager has recommended that Condition #14 not be included in the Development Order and instead rely on the access the applicant has provided; (3) The staff has added new Conditions #21 and #22. Mr. Matthews submitted three e-mails (copies received and filed) received since the staff report was distributed. He said two of these have already been previously submitted.

Hugh Harling, applicant, addressed the Board to read and submit a Petition, as shown on page _____, from residents of the Bookertown community in support of the amendment and rezoning for the north and south parcels. He also submitted to the Board an Exhibit Package for the Fossitt Business Park (copy received and filed). Mr. Harling reported on the community meeting held on August 12, 2002. He discussed the issues raised

by the residents who live north on Missouri and he reviewed the site plan. He said they believe, based on the staff report and the report from the Planning and Zoning Commission that the project is consistent and compatible.

Commissioner Henley asked Mr. Harling to discuss the type of roof he envisions.

Mr. Harling also discussed other issues of the community that Orange Boulevard is not up to County standards for its entire length, and a request by the Bookertown residents that Lynx bus service be brought to Orange Boulevard. He explained these are issues the Board might wish to look into; but he has no control over them.

Mr. Harling advised that the Fossitts own the property to the east and are currently using it for agricultural/commercial uses, and have purchased the house immediately to the north of them and have done some renovations at this time. Their intent is that the house would continue to be a residential property. He said the long-range intent is to continue the commercial/agricultural application of the property to the east. When they are ready to discontinue that, they would like to develop another similar project and would bring that as a future application. He said they have done their best to mediate and come up with a design and intensity that will allow the Fossitts to have a high quality office/industrial park and

showroom/warehouse at this location, protect both neighborhoods, and give the residents along Missouri a quality buffering wall system to enhance their neighborhood. Mr. Harling stated they are in agreement at this time with the amended conditions by staff.

Bruce Anderson, 1730 Perch Lane, addressed the Board to state if this project is approved, make it clear in the motion that the wall they worked on is part of the condition and that the wall currently in the conditions is no longer applicable.

Robert Scott addressed the Board to state he is a neighbor to the Fossitt development and he has no objections to the request. He said his father (area property owner) is very much in favor of the request.

Patrick Moore, 1760 Perch Lane, addressed the Board to state he took pictures of the existing business of the Fossitts. He displayed the posters of pictures (received and filed) for the Board's review. He said they don't know the Fossitts or the intentions of the commercial buildings so there are a lot of questions. He was told that the existing business was agricultural, but he sees a lot of garbage, tires, and leaking fuel tanks on the ground. He said all the homeowners in the St. Johns River Estates area, on Nebraska and a few in Bookertown are concerned. The situation now is an eyesore and is not an economically healthy environment. That's another reason he is

asking for a continuance so that they can work further on this project and get more information.

Upon inquiry by Commissioner Henley, Mr. Matthews stated the metal buildings on the property have been there for a number of years and started as an agricultural use, but were cited by Code Enforcement. He understood from Code Enforcement that there was nothing presently going on in the buildings. He said the buildings are not a part of the project being considered tonight.

Ransome Welborn, 4600 Canal Drive, addressed the Board to state he moved his family into their home in 1974. He gave the history of the neighborhood. He said he believes this change will devalue their property and harm their way of life. He stated they would prefer not to have to litigate this, but if they are pushed to it, they will.

John Sabol, 4700 Canal Drive, addressed the Board to state he is opposing the rezoning request. He said they are a waterfront community with homes ranging from \$200,000 to \$800,000 approximately. They believe the home values will be negatively impacted. He thinks the project is inappropriate with what they are trying to do in the neighborhood.

Charles McCurdy, 4600 Nebraska Avenue, addressed the Board to state they own property north of where the Briar Corporation is still building warehouses. They bought their home because it

was nice and quiet and the zoning was Suburban Estates. They thought the rest of the area was also and would continue to be that way. Since Briar Corporation built the warehouses, their quietness has disappeared. He said he doesn't know what the Fossitts have planned, but he knows there is going to be another retention pond and that will be more mosquitoes. There will be more and more trucks coming out and that is a safety hazard for the children, as well as for themselves. He thinks it would be a tremendous eyesore to drive through an industrial park to get to a residential area, and that won't do the property values any good.

Kathy Brown, 1730 Beacon Drive, addressed the Board to state there are about 45 to 50 homes and over 50% are against this request. She submitted a Petition, as shown on page _____, in opposition; and letter, as shown on page _____, from another resident who did not get to sign the petition. She also submitted a letter (copy received and filed) from a certified appraiser stating the property values would be adversely affected if the request is approved. She said Missouri is the only entrance and exit to their subdivision, and they realize something is going to get built eventually. What they are asking is for the Commissioners to look at the entire project as a whole. She said they are talking about a ten-year plan and no one has asked for a small area study and they need

one. She asked what's going to happen to traffic and the substandard road. This would be dumping more traffic on Orange Boulevard.

She advised that because the residents of St. Johns River Estates live outside the 300 feet, they were not properly notified, but she has been the one to keep the residents informed. She said she has all of the deeds and they show that Nikki Clayton owns all four parcels in question. There are a lot of things that are still of concern for the homeowners and they are still asking for a denial or continuance because nothing has been brought to light. The Fossitts are asking for a variance on the height of the building and they have not addressed all the concerns of the setbacks on the walls. Ms. Brown said when the Claytons purchased the property, it was agricultural and there was no contingency plan. The single-family home talked about is going to have a retention pond in the back yard. She said Missouri Avenue is the only way in and out of their neighborhood. The only ones to monitor the tenants in the warehouses would be the homeowners. She advised that there are other parcels nearby for sale with pending commercial rezoning.

Willie Fossitt, 1500 N. Oregon Street, addressed the Board to comment about the pictures shown as they relate to code violations. He explained his business operation is handling

large industrial mowers. He said the entire area with the tree, where the St. Johns Estates residents park with their children to catch the bus, will be improved with the plan on the table at this time. He said this property would be turned over to the County as part of the plans. He advised Commissioner Henley that the buildings on the property have been there for over 30 years.

Chairman McLain said he has concerns about the type of activities on the property with the buildings with Suburban Estates land use and A-1 zoning. Mr. Matthews said he does not believe those are approved A-1 zoning activities. He understood from Code Enforcement that the property was vacant with no activity going on.

Chairman McLain said he visited the site and visited with the homeowners in the area. He personally thinks the landscape plan for an office/industrial site is an improvement as far as the aesthetics of the entrance. His concerns are like those of the homeowners for the type of development and activity that will be taking place. With the information provided, he thinks it would be appropriate to continue this item and allow staff to evaluate the existing site next door and how it will be cleaned up. The biggest concern the community has is their doubts about what they will have when the new site is developed based on what they have now.

Mr. Harling answered questions about the additional sites. He said he understood that before the Fossitts were on the sites, this was a produce facility. He explained the Fossitts don't have the 18-wheelers, but they do have tractors and storage for the mowing and agricultural pursuits.

Whereupon, Chairman McLain said he questions the agricultural use with some of the other elements. He thinks the Fossitts would need a special exception. He recommended continuing this item until the first meeting in January. In the meantime, have Mr. Fossitt and his representative work with staff to deal with the issues on the existing property. He said from the photographs, the property is not being used for agricultural purposes. If this project is going to move forward, for the community to feel comfortable with it, he thinks they have to address the deficiencies of the adjoining property.

During discussion of the continuance, Mr. Harling said he thinks January 28 would be a good time frame for the continuance. Based on the District Commissioner's recommendation, he requested a continuance to January 28, 2003, and he will meet with homeowners associations and the St. Johns Estates community and work with staff on the adjacent property. Chairman McLain stated when they come back, he would like to have some information as to the status of the property and what

is going to be done for proper screening and the termination of any inappropriate activities.

Upon inquiry by Chairman McLain concerning the designation of impact fees paid for transportation in the area being used for improvements on Orange Boulevard, Don Fisher, Planning & Development Director, addressed the Board to state that would take a change in the programs already identified. He said staff could look at doing this, and it is something that has been done in the past at a substantial cost. He said it would probably cost about \$20 million to do all the improvements.

No one else spoke in support or in opposition.

Speaker Request and Written Comment Forms were received and filed.

Motion by Commissioner Van Der Weide, seconded by Commissioner Maloy, to continue to January 28, 2003, the request for a Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) and approve Preliminary PCD Site Plan; as described in the proof of publication, Fossitt Business Park/Harling Locklin and Associates.

Under discussion, Chairman McLain stated the Board will not take public comments at the meeting of January 28, but will

allow a spokesperson from the community to comment about their meeting and progress of this application.

Commissioner Maloy asked when this comes back that the applicant bring a sketch or rendition of the building that would show the elevation.

Districts 1, 3, 4 and 5 voted AYE.

**LAND PLANNING AGENCY/
PLANNING AND ZONING COMMISSION**
COUNTY SERVICES BUILDING
ROOM 1028
November 6, 2002 - 7:00 P.M.
MINUTES

Board Present:

Ben Tucker, Chairman
Alan Peltz
Dick Harris
Beth Hattaway
Dudley Bates

Staff Present:

Matt West, Planning Division Manager
Tony Matthews, Planning Division
Jeff Hopper, Planning Division
Amanda Smith, Planning Division
Earnest McDonald, Principal Coordinator
Shannon Suffron, Development Review Division
Karen Consalo, Assistant County Attorney

- L. FOSSIT BUSINESS PARK;** Harling Locklin and Associates, applicant; approximately 9.7 acres; Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development (08-02SS.3) and rezone from A-1 (Agriculture) to PCD (Planned Commercial Development District) and Preliminary PCD Site Plan located on the north and south side of Orange Boulevard, at the northeast corner of Orange Boulevard and Missouri Avenue and the southwest corner of Orange Boulevard and Halsey Avenue. (Z2002-015)

BCC District 5 – Commissioner Mclain Tony Matthews, Principal Planner

Tony Matthews gave a brief history and intent of the item. The applicant is proposing an 88,000 square foot office/warehouse development to be completed in two phases. Staff is recommending approval of Planned Development land use on the north side of Orange Boulevard as proposed with the findings as listed in the staff report. With regards to the rezoning, staff is recommending the rezoning on the north side of Orange Boulevard as proposed with findings as listed in the staff report.

Staff is recommending denial of Planned Development land use on the south side of Orange Boulevard with the findings as listed in the staff report. With respect to the rezoning of the south side, staff is also recommending denial as proposed with the findings as listed in the staff report.

Staff also recommends one additional development order condition. The main access to Orange Boulevard from the portion of the development located on the south side of Orange Boulevard shall align with Missouri Ave.

Hugh Harling addressed the Board to state that he is representing the Fossits, who own the subject property. For the record, he passed out an exhibit package to each of the commissioners. He presented plans of a proposed 6-foot masonry wall along the Missouri side and stated that vines would be planted along the length of the wall. We have agreed to bring the water system through our site and stub it under the wall at the northwest corner of our project so that if the St. Johns residents need water, there would be a much closer point of connection for them. He asked the board to support staff recommendation to the north and support his request for the PCD to the south.

Ransome Wellborn addressed the Board to state that he had lived in the St. Johns River Estates for 28 years and the only business there was the Port Authority. The plan was decided that there should be low density residential or agricultural in the area west of there. Than Briar Corporation came along and over the years, proceeded to develop several parcels as industrial. If this zoning is approved, it would amount to spot zoning because there is agricultural in between the other industrial. Orange Boulevard is a sub-standard right-of-way. There are ditches on both sides of the road and you can't even pull over. He asked the Board to deny this request.

Patrick Moore addressed the Board to say that he has an acre of land on the St. Johns River and it is a unique subdivision. With the road being so narrow (Missouri) and if a warehouse was built that close to Missouri, it would definitely be a problem. There is no room on Missouri to pull off of the right-of-way.

Mr. Morrow addressed the Board to say that he had a letter from his neighbor stated that her and her husband would like to express their opposition to the proposed business industrial park. She and her neighbors were not notified about the possible rezoning or the public hearing on November 6th, however they did attend the August 12th community meeting at Wilson Meeting. Mr. Morrow said it was his fear that this would turn into the CR-427 mess.

Tim Templin addressed the Board to say that he is against this project.

Tammy Hamzehlouei addressed the Board to say that she is opposed to the request.

Tom Sheipe addressed the Board to say that this probably wouldn't be that bad of a thing and would help the traffic flow and also bring in more people to our communities.

Jack Thompson addressed the Board to say that he is concerned about the traffic, land values and the entrance to the subdivision.

Hugh Harling addressed the board to clarify some issues.

1. At his presentation to Bookertown, they talked about Orange Blvd. and had requested Lynx service to their community. They like the idea of having this development there for the jobs that will be created close by.
2. There will not be a tin-type building on this project.
3. The house to the north owned by the Fossits will not be a part of the business.
4. As for the school bus issue, it does not come down Missouri but does pick up the children about ½ miles from the subdivision. There is no place to park and wait for their children. We have done a corner clip there on Missouri so that all of that property will eventually be in a County right-of-way. He asked the Board to approve the request.

Commissioner Harris clarified that the traffic flow would be improved because of a left turn lane into Halsey and there is also a right-of-way to be deeded to the County for the eventual widening of Orange Boulevard. He then asked about the number of homes in Bookertown.

Tony Matthews stated that improvements are being made but he couldn't quote on the number of dwelling units.

Commissioner Bates stated that he was troubled by the encroachment of industrial advancement into the residential character of this area. He is not sure if he could support the request. He then made the motion to deny the request.

The motion died for lack of a second.

Commissioner Harris stated that in this particular case, he would feel comfortable drawing a line at Missouri Street if we can have an agreement that it doesn't go beyond that. Somewhere it does need to stop. With that, he made the motion to approve the request with staff conditions.

Commissioner Hattaway seconded the motion.

Chairman Tucker asked Commissioner Harris if his motion encompasses both parcels.

Commissioner Harris clarified that his motion encompasses both parcels with the restrictions and conditions on page 2 and further of the development order.

Chairman Tucker stated that in all fairness, the development of commercial/industrial won't stop at Missouri and it won't stop coming the other direction at Astor Farms. It will probably come up in both directions and there will be residential in between. This will impact the community and its lifestyle to a certain degree, but it is inevitable. It is a difficult decision, but he would have to go with the motion.

Commissioner Hattaway stated that is not a unique situation. The main concern is that this sort of growth cannot be stopped, but the community should have a firm hand in how it is developed.

Vote was approved 4-1 with Commissioner Bates voting nay.

Tony Matthews stated that this item is tentatively scheduled to be heard at the Board of County Commissioners meeting on December 10, 2002.

**HARLING
LOCKLIN
& ASSOCIATES, INC.**

CONSULTING ENGINEERS • PLANNERS • SURVEYORS

January 23, 2003

Seminole County
Board of County Commissioners
1101 E. First St.
Sanford, FL. 32771

**RE: Fossitt Business Park
16-19-30-SAB-0300-0030-Located at ORANGE BLVD.**

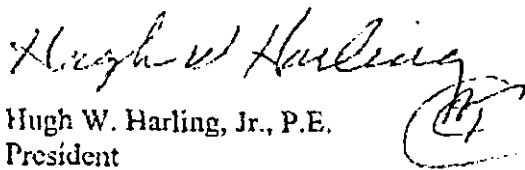
Dear County Commissioners:

Harling Locklin and Associates, Inc. is requesting a continuance for the above referenced project for the January 28th meeting until the next Board of County Commissioners' meeting on February 11, 2003.

We are working with the Code Enforcement Board on resolving current issues before coming to the Board of County Commissioners.

Thank you for your assistance in this matter.

Sincerely,


Hugh W. Harling, Jr., P.E.
President

HIWH/ct

1/0219/docs/ct-docs/BCC

**HARLING
LOCKLIN
& ASSOCIATES, INC.**

CONSULTING ENGINEERS • PLANNERS • SURVEYORS

December 12, 2002

Re: Fossitt Business Park

Dear St. John River Estates Homeowner:

Many of you attended the public hearing for the Fossitt Business Park at the Seminole County Commission chambers on December 10, 2002. Also, many of you attended the Community Meetings held on August 12, 2002. I have spoken with many of you individually as well.

On behalf of my clients, Mr. and Mrs. Fossitt, I would like to thank you for your participation in this process. We have made a sincere effort to take your comments into account in the planning and design of this project.

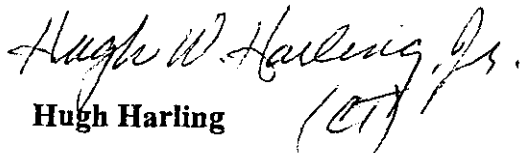
It was our belief that by incorporating your requests for a bus stop and special wall treatment on Missouri, among other things, your neighborhood would be able to support our project. Based on the comments at the public hearing, unfortunately it appears we were mistaken. It also became obvious at that meeting that people have been entering the property without authorization from the owner.

As you know, Mr. and Mrs. Fossitt have a contract to buy this property subject to zoning. They have now been instructed by the property owner's insurance company that they must secure the property and post it against trespassing. Otherwise the insurance coverage will be cancelled.

Therefore, the purpose of this letter is to inform you that insurance requires the property to be posted with "No Trespassing" signs and any unauthorized access to be denied. If and when the Fossitts are approved for development, they have agreed to convey property for a bus stop to the County.

Again, thank you for your participation. You can count on our continued co-operation in addressing your concerns.

Sincerely,


Hugh Harling

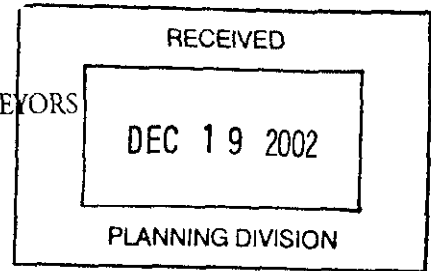
cc: Seminole County Board of County Commissioners
Seminole County Planning Office

**HARLING
LOCKLIN
& ASSOCIATES, INC.**

*cc Matt West
Tony Matthews*

December 12, 2002

CONSULTING ENGINEERS • PLANNERS • SURVEYORS



Chairman Daryl McLain
Seminole County
Board of County Commissioners
1101 E. First Street
Sanford, FL. 32771

12-16-02 P02:00 IN

Re: Fossitt Business Park

Dear Chairman McLain:

A copy of my letter to the homeowners in St. Johns River Estates is enclosed for your information.

Since the homeowners' informal use of the Fossitt's property has now become part of the public record, the insurance agent has gotten involved. The Fossitts have been instructed that the property be secured and posted with "No Trespassing" signs or else the insurance will be cancelled.

Up to now, the Fossitts had been willing to tolerate some risk for the neighborhood's convenience. However during this process, some of the Homeowners have threatened litigation and made other aggressive comments. When emotions become involved and the insurer becomes aware of unauthorized uses of the property, it makes it impossible to let the site be used as an "informal" bus stop until after the site is dedicated to the County.

Please be assured that we will do everything we can to keep the process friendly.

On another subject, the Fossitts and I plan to meet with Mr. Don Fisher and other County staff at the beginning of the year. We will try to identify any issues that might exist regarding the Fossitts' operations on property adjacent to this proposed Business Park.

Sincerely,

Hugh W. Harling, Jr.
Hugh Harling (CT)

cc: Commissioner Henley
Commissioner Maloy
Commissioner Morris
Commissioner van der Weide
Mr. Don Fisher

30 lines
48 signatures

PETITION

Commissioner Daryl McClain
Board of County Commissioners
1101 E. First St.
Sanford, FL 32771

RE: Fossitt Business Park

Dear Commissioner McClain:

This petition is being submitted by the homeowners of St. John's River Estates. Please find listed below the names and address of homeowners who are in opposition to the above referenced Commercial Park being built at the entrance to our subdivision. We think that as our District Commissioner you should be in opposition of the spot zoning being allowed within our area.

NAME	ADDRESS	PHONE
Larry & Stan Brown	1730 Beacon Dr	407-323-7003
Mac Templin	17601 Beacon Dr	407-321-7472
Pat R	1741 Beacon Dr	407-324-7874
Pat Payne	1741 Beacon Dr	407-324-2877
Natalie Moore	17600 Pearl Lane	407-323-8518
TIM TEMPLIN	1761 BEACON DR	407-321-7472
Lisa & Mikel Tatin	1731 MISSOURI AVE	407-324-2911
MAEC + Judy Houghton	1750 Beacon Dr.	407-322-7736
LINDA & Bob Breck	1701 Missouri Ave	322-2002
JOANNE KATZ	1851 PEARL LN SAN	407-321-2713
Leanne waltz	1820 Beacon Dr. San	407-322-5545
DAVID PARKER	1810 Beacon Drive	407-322-1265
RICHARD GARVER	1811 Missouri Ave	407-323-8565
RANSOME WELBORN	4600 CANAL DR.	407-323-2640
JOHN SABOL	4700 CANAL DR.	407-322-9245
JOHN THOMAS	4575 CANAL DR.	407-324-9523
JANIGRA THOMAS	4575 CANAL DR.	407-324-9503

NAME	ADDRESS	PHONE
WILLIAM ZINK	1711 BEACON DR	323-6239
Glenn Warwick	1720 Beacon Dr	323 9198
Prestas Haworth	1740 Beacon Dr.	323-5480
Margo Haworth	" " "	"
PATRICIA A. GALLAGHER	1811 Beacon Dr	329-4255
Michael P. Gallagher	1811 Beacon Dr	329-4255
Kinda Welborn	1701 Beacon Dr.	489-7771
Robert L. Warwick	1720 Beacon Dr	821-4148
Marilyn J. Parker	1810 Beacon Dr	322-1365
Dianna	1810 Beacon Drive	322-1265
Samuel Rivera	1760 Beacon Drive	⁴⁰⁷⁻ 275-9614
Abby Rivera	1760 Beacon Drive	407 275-9614
JON KLEIN	1700 PERCH LANE	407-330-0302
Charles M ^c Luedy	4600 Nebraska Ave	407/320-7354
Charles		
Peggy M ^c Luedy	4600 Nebraska Ave.	407/320-7354
Coralyn Daignault	1761 Missouri Cw	407-323-5870
Bob Campbell	4420 CANAL DR.	407-3249336
Jal S	6505 S. SYLVANCKA AVE	4073226914
Peggy Fannie Malon	1700 Perch Ln	4073244997
Marylou Klein	1700 Perch Ln	4073245810
Michael M ^c Luedy	4600 Nebraska Ave	407/320-7354
Julie "	"	"
Ernie Kuehn	4850 Canal Dr	3241101
Jane Kuehn	4850 Canal Dr	3241101
Mary Lou Klein	1700 Perch Ln	3245810
Fannie Malon	1700 Perch Ln.	3244997
Regina Welborn	4600 Canal Dr	3232640
JOSEPH R Lane	1801 BEACON DR	323-41506
Julie Lane	1801 BEACON DR	323-41506

THE SEMINOLE BOARD OF COUNTY COMMISSIONERS

101 East First St.
Sanford FL. 32771

The Honorable Commissioner Darryl McClain

Subject: Fossitt Business Park.

Dear Commissioner Darryl McClain:

My home is in the immediate area of the proposed rezoning for Fossitt Business Park, which is about one-half of a mile north of the St. Johns River and east of the Astor Farms Development and The Reserve At WeKiva.

I am not in favor of changing the Seminole County Comprehensive Plan to allow the rezoning for Fossitt Business Park in a residential community.

The applicant is asking the County Commission to answer the Seminole County Comprehensive Plan in order to rezone property to a (PCD).

The excessive noise, dirt, debris, and congestion of cars and trucks will jeopardize my family's safety and value of my home.

Sincerely,

Richard + Judy Cornick
4500 Canal St.
Sanford, FL. 32771
407-307-6345

C/C

THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS
(850-487-4545)

THE HONORABLE SEMINOLE COUNTY COMMISSIONERS

Commissioner: Grant Maloy
Commissioner: Randall Morris
Commissioner: Dick Van Der Weid
Commissioner: Carlton Henley

NOTICE

The undersigned, residents of Bookertown Community, acknowledge we were notified of the Seminole County Planning & Zoning and County Commission Meetings regarding the Fossitt Business Park located next to our community. We have no objections to the change in land use classification and rezoning to Planned Commercial Development (PCD).

Name	Address
<u>Patrice Jackson</u>	^{12/5/02} <u>4520 McKay St. Lake Monroe St. 32741</u>
<u>Felicia Mayfield</u>	<u>841 Dunbar Ave Lake Monroe, FL</u> 32747
<u>Kenneth Davis</u>	<u>Box 470-162 Lake Monroe St</u> 32747
<u>Shirley S. Scott</u>	<u>1051 Halsey Av. JK-Monroe St</u>
<u>Maree Thompson</u>	<u>1250 Dunbar Ave Lake Monroe FL 32747</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

NOTICE

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Name	Address
<u>Alice Oliver</u>	<u>1261 Dunbar Ave</u>
<u>Arthur Jackson</u>	<u>4520 McKay St.</u>
<u>Priscilla Jackson</u>	<u>P.O. Box 470-162 Lake Moore Fl. 32247</u>
<u>Arthur Jackson Jr.</u>	<u>4571 McKay St.</u>
<u>Andrie Jackson</u>	<u>4530 Richard Allen St.</u>
<u>Shirley Jackson</u>	<u>4561 McKay St.</u>
<u>Glenn Cain</u>	<u>1191 Dunbar Ave</u>
<u>Elona Keet</u>	<u>1011 Dunbar Ave</u>

2

NOTICE

The undersigned, residents of Bookertown Community, acknowledge we were notified of the Seminole County Planning & Zoning and County Commission Meetings regarding the Fossitt Business Park located next to our community. We have no objections to the change in land use classification and rezoning to Planned Commercial Development (PCD).

Name

Address

<u>Katie S. Robinson</u>	<u>1320 Dunbar Ave., LK Monroe</u>
<u>James D. Robinson</u>	<u>1320 Dunbar Ave; LK Monroe</u>
<u>Carmie S. Brann</u>	<u>1355 New York St. LK Monroe.</u>
<u>Jentura Scott</u>	<u>Box 470536 Lake Monroe Fl. 32747</u>
<u>Linda Hersey</u>	<u>4601 Richard Allen St. LAKE MONROE FL 32747</u>
<u>Hersey Scott</u>	<u>4632 Gilbert St. LK Monroe FL 32747</u>
<u>Wendie Scott</u>	<u>4641 - Subst rd LK Monroe FL 32747</u>
<u>Sonja Hull</u>	<u>4551 Richard Allen St. 32747</u>

NOTICE

The undersigned, residents of Bookertown Community, acknowledge we were notified of the Seminole County Planning & Zoning and County Commission Meetings regarding the Fossitt Business Park located next to our community. We have no objections to the change in land use classification and rezoning to Planned Commercial Development (PCD).

Name

Address

Linda Hershey

4600 Richard Allen St.

Leroy Kett

4520 Richard Allen St.

Emitt Kett

4520 Douglas St.

Robert Scott

1051 H

NOTICE

The undersigned, residents of Bookertown Community, acknowledge we were notified of the Seminole County Planning & Zoning and County Commission Meetings regarding the Fossitt Business Park located next to our community. We have no objections to the change in land use classification and rezoning to Planned Commercial Development (PCD).

Name

Address

Mr. & Mrs. Ernest Scott	4531 McKay St. Ft. Monroe
Mr. & Mrs. Willie L. Hill	1851 Dunbar Ave. Ft. Monroe
Althea Cummings	2410 Dunbar Ave Ft. Monroe
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NOTICE

The undersigned acknowledge we were notified of the Seminole County Planning & Zoning and County Commission Meetings regarding the Fossitt Business Park located near our residence. We have no objections to the change in land use classification and rezoning to Planned Commercial Development (PCD).

Name

Address



1561 Missouri



CERTIFIED APPRAISAL SERVICE



1850 Lee Road, Suite 122 • Winter Park, FL 32789 • (PH) 407-647-1800 • (Fax) 407-647-5467

John Sabol
4700 Canal Drive
Sanford FL 32771

December 5, 2002

Dear Mr. Sabol,

Per our conversation, it is my opinion that if warehouses are built at the entrance of your subdivision, the property values would be adversely affected. The warehouses will give the appearance of a commercial location which is undesirable to a buyer seeking privacy/quiet atmosphere for home ownership. Since they would be built at the entrance to the subdivision, it would discourage potential buyers from going into the area, thus reducing the exposure of the area for marketing purposes. If you have any questions, please call me at 407-647-1800.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cecil Wright'.

Cecil Wright, SRA
St.Cert.Res.REA0000219

BEC 1 0 2002

CECIL WRIGHT, SRA
LICENSED REAL ESTATE BROKER
STATE CERTIFIED RESIDENTIAL APPRAISER
RD 0000219

WRITTEN COMMENT FORM

(Please Read My comments into the Hearing Record)

SEMINOLE COUNTY PUBLIC HEARINGS

TUESDAY DECEMBER 10, 2002

7:00 PM HEARINGS

Please print first/last name: Linda Welborn

Address: 1901 Beacon Dr.

City/State: Sanford Zip: 32771 Phone: 407-489-7771

ITEM	ACTION	APPLICANT
62.	(continued from 11/26/02) Major Revision to Deep Lake PUD Preliminary Master Plan ; property located S of SR 426, E of Tuskawilla Rd., W of Deep Lake Rd. District 1 – Maloy Public hearing portion closed – NO public input.	Harvey Slayton & Susan Irelan
64.	Rezone from A-1 (Agriculture) to R-1AAAA (Single Family Dwelling District) Sandy Lane Reserve 2; property described as approx. 4.8 acres located on the W side of Sandy Lane, approx. 800' S of the intersection of Sandy Lane and Sand Lake Rd. District 3 – Van Der Weide	Signature Development Corp.
65.	Rezone from A-1 (Agriculture) to R-1AAA Single Family Dwelling District) Sandy Lane Reserve 3; property described as approx. 4.9 acres located on the W side of Sandy Lane, approx. 1,100' S of the intersection of Sandy Lane and Sand Lake Rd. District 3 – Van Der Weide	Signature Development Corp.
66.	Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) and approve Preliminary PCD Site Plan. District 5 – McLain	Fossitt Business Park/Harling Locklin & Assoc.
67.	Ordinance amending Comprehensive Plan Policies TRA 4.4 and 7.3 to allow for erosion control paving of South Sylvan Lake Drive. District 5-McLain	Seminole County
68.	Ordinance amending the Seminole County Land Development Code. Second Public Hearing	Seminole County
69.	Ordinance adopting Capital Improvements Element policy text regarding the funding of public transportation.	Seminole County

Comment regarding Item

(one item per form please)

I support the action on this item.

I oppose the action on this item.

I oppose an industrial park at the entrance to my subdivision @ St. John's River Estate **COMMENT AREA**

“Persons providing a name and address on this form will receive a courtesy informational statement concerning publications of the state land planning agency’s notice of intent relating to the County’s Comprehensive Plan (Vision 2020).”

WRITTEN COMMENT FORM

(Please Read My comments into the Hearing Record)

SEMINOLE COUNTY PUBLIC HEARINGS

TUESDAY DECEMBER 10, 2002

7:00 PM HEARINGS

Please print first/last name: LINDA BREUM
 Address: 1701 MISSOURI AVE
 City/State: SAUFORD, FL Zip: 32771 Phone: 407-322-2000

ITEM	ACTION	APPLICANT
62.	(continued from 11/26/02) Major Revision to Deep Lake PUD Preliminary Master Plan ; property located S of SR 426, E of Tuskawilla Rd., W of Deep Lake Rd. District 1 – Maloy Public hearing portion closed – NO public input.	Harvey Slayton & Susan Irelan
64.	Rezone from A-1 (Agriculture) to R-1AAAA (Single Family Dwelling District) Sandy Lane Reserve 2; property described as approx. 4.8 acres located on the W side of Sandy Lane, approx. 800' S of the intersection of Sandy Lane and Sand Lake Rd. District 3 – Van Der Weide	Signature Development Corp.
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66. <i>X</i>	Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) and approve Preliminary PCD Site Plan. District 5 – McLain	Fossitt Business Park/Harling Locklin & Assoc.
67.	Ordinance amending Comprehensive Plan Policies TRA 4.4 and 7.3 to allow for erosion control paving of South Sylvan Lake Drive. District 5-McLain	Seminole County
68.	Ordinance amending the Seminole County Land Development Code. Second Public Hearing	Seminole County
69.	Ordinance adopting Capital Improvements Element policy text regarding the funding of public transportation.	Seminole County

Comment regarding Item (one item per form please) I support the action on this item.
 I oppose the action on this item.

COMMENT AREA

“Persons providing a name and address on this form will receive a courtesy informational statement concerning publications of the state land planning agency’s notice of intent relating to the County’s Comprehensive Plan (Vision 2020).”

This is NOT in the best interest of the neighborhood. NOT acceptable to an upper class neighborhood with homeowners. THE STREET IS NOT UP TO GRADE for this development. NOT AN AGREEMENT

WRITTEN COMMENT FORM

(Please Read My comments into the Hearing Record)

SEMINOLE COUNTY PUBLIC HEARINGS

TUESDAY DECEMBER 10, 2002

7:00 PM HEARINGS

Please print first/last name: GLORIA MARLUICK

Address: 1720 BEACON DR.

City/State: SANFORD Zip: FL Phone: 32771

ITEM	ACTION	APPLICANT
62.	(continued from 11/26/02) Major Revision to Deep Lake PUD Preliminary Master Plan; property located S of SR 426, E of Tuskawilla Rd., W of Deep Lake Rd. District 1 – Maloy Public hearing portion closed – NO public input.	Harvey Slayton & Susan Irelan
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69.	Ordinance adopting Capital Improvements Element policy text regarding the funding of public transportation.	Seminole County

Comment regarding Item (one item per form please) I support the action on this item. I oppose the action on this item.

COMMENT AREA

Admittedly oppose rezoning - residential area needs to be protected from PCD.

“Persons providing a name and address on this form will receive a courtesy informational statement concerning publications of the state land planning agency’s notice of intent relating to the County’s Comprehensive Plan (Vision 2020).”

WRITTEN COMMENT FORM

(Please Read My comments into the Hearing Record)

SEMINOLE COUNTY PUBLIC HEARINGS

TUESDAY DECEMBER 10, 2002

7:00 PM HEARINGS

Please print first/last name: REGINA WELBORN

Address: 4600 CANAL DR

City/State: SAWFORD Zip: 32771 Phone: 407-323-2640

ITEM	ACTION	APPLICANT
62.	(continued from 11/26/02) Major Revision to Deep Lake PUD Preliminary Master Plan; property located S of SR 426, E of Tuskawilla Rd., W of Deep Lake Rd. District 1 – Maloy Public hearing portion closed – NO public input.	Harvey Slayton & Susan Irelan
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66. <i>X</i>	Small Scale Plan Amendment from Suburban Estates and Low Density Residential to Planned Development and Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) and approve Preliminary PCD Site Plan. District 5 – McLain	Fossitt Business Park/Harling Locklin & Assoc.
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Comment regarding Item I support the action on this item.
 (one item per form please) I oppose the action on this item.

COMMENT AREA

I do not want an industrial park at the entrance of St John River Estates

"Persons providing a name and address on this form will receive a courtesy informational statement concerning publications of the state land planning agency's notice of intent relating to the County's Comprehensive Plan (Vision 2020)."

WRITTEN COMMENT FORM

(Please Read My comments into the Hearing Record)

SEMINOLE COUNTY PUBLIC HEARINGS

TUESDAY DECEMBER 10, 2002

7:00 PM HEARINGS

Please print first/last name: _____

Address: _____

City/State: _____ Zip: _____ Phone: _____

ITEM	ACTION	APPLICANT
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Comment regarding Item (one item per form please) I support the action on this item. I oppose the action on this item.

COMMENT AREA

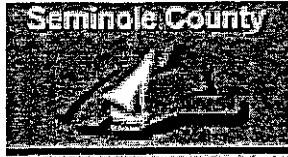
"Persons providing a name and address on this form will receive a courtesy informational statement concerning publications of the state land planning agency's notice of intent relating to the County's Comprehensive Plan (Vision 2020)."

CATHERINE E. PURR BORN IN ALABAMA (SHEA WIDOW) HAVE LIVED IN SEMINOLE CO. SINCE 1969 - LIVED IN CURRENT ADDRESS FOR 3 YRS => I WAS TOLD THAT MY PROPERTY WAS PROTECTED BECAUSE ZONING AT THE ENTRANCE WAS AGRICULTURAL NOW THE RULES ARE CHANGING TO WHAT'S HAPPENING TO SEMINOLE COUNTY. ->>

PETITION
OPPOSITION TO THE REZONING FOR
FOSSITT BUSINESS PARK, PCD
LOCAL PLANNING AGENCY MEETING - Nov. 6
BOARD OF COUNTY COMMISSIONERS - Dec. 10

NAME	ADDRESS	PHONE
JOHN + SARAH THOMPSON	4575 CANAL DR.	407 324-9503
BOUCE + TARA HAETLER	5275 MICHIGAN AVE	407 330-2286
DAVE + MARILYN PARKER	1810 Beacon Drive	407 322-1265
Bob Marwick	1720 Beacon Dr	407 321 9196
Bloria Marwick	1720 Beacon Dr	
Lise Templin	1761 Beacon dr	407-321-7472
TIM TEMPLIN	1761 BEACON DR.	407-321-7472
PATRICK MOORE	1260 Perch Lane.	407-323-8518
ERNEST KUEHN	4550 Canal Dr	407 324 1161
Jane Kuehn	4550 Canal Dr	407 324/1101
Marylou KLEIN	1700 Perch LN	407-324510
Peggy Malon	1700 Perch Lane	407 324 4997
Regina Welborn	4600 Canal Dr	407-323-2640
RANSOME WELBORN	4600 CANAL DR.	407-323-2640
Charles Gelsot	1741 Perch Ln	407 321 9223
CRISTHIANI SASSOR	1741 PERCH LN	407-321 9223
VERONICA SASSOR	1820 Beacon Dr.	407-322-5515
Judy [Signature]	4500 Canal Dr	407-302-6345
[Signature]	3310 S. Melrose	407 685-0608
KATHRYN S. BROWN	1730 BEACON DR.	407 323-7003
Preston + MARGA HAYWORTH	1740 BEACON DR	407 323-5488

There are 80 homes in this subdivision. These are only names who were present. More signatures to come.



PUBLIC COMMENT RECORD

SEMINOLE COUNTY
LAND PLANNING AGENCY /
PLANNING & ZONING COMMISSION
NOVEMBER 6, 2002

MARVION LEIN
NAME

1700 Perch Ln
STREET ADDRESS

Sanford FL 32771 407-324-5810
CITY STATE ZIP CODE TELEPHONE NO.

E-MAIL _____

AGENDA NO.: Z 2002-015

AGENDA ITEM: Fossett Business Park

DO YOU WISH TO SPEAK IN FAVOR? _____ OR OPPOSITION?

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____ NO

COMMENTS: Missouri Ave. is the only street
entrance into our development
St John's River Estates, There are 50
homes in this development and having an
Industrial park at our entrance would
definitely lower our property values
The roadway cannot handle this type of
traffic and congestion.



PUBLIC COMMENT RECORD

SEMINOLE COUNTY
LAND PLANNING AGENCY /
PLANNING & ZONING COMMISSION
NOVEMBER 6, 2002

REGINA WELBORN

NAME

4600 CANAL DR

STREET ADDRESS

SANFORD

CITY

FL

STATE

32771

ZIP CODE

407-323-2640

TELEPHONE NO.

E-MAIL

AGENDA NO.: L

AGENDA ITEM: 22002-015

DO YOU WISH TO SPEAK IN FAVOR? _____ OR OPPOSITION?

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____ NO

COMMENTS: THIS WILL CREATE TOO MUCH
CONGESTION AT THE ENTRANCE TO OUR
SUB-DIVISION. THE RIGHT OF WAY IS
SUB-STANDARD AT 30 FEET AND THE
RESIDENTS OF THE SUB-DIVISION WERE
REQUIRED TO PURCHASE RIGHT OF WAY
TO MAKE IT 80 FEET IN ORDER TO GET COUNTY
MAINTENANCE.



PUBLIC COMMENT RECORD

SEMINOLE COUNTY
LAND PLANNING AGENCY /
PLANNING & ZONING COMMISSION
NOVEMBER 6, 2002

DAVE PARKER
NAME
1810 Beacon Drive
STREET ADDRESS
Sanford FL 32771 407.322.1265
CITY STATE ZIP CODE TELEPHONE NO.
E-MAIL Daveparker@CFL.RR.com

AGENDA NO.: _____

AGENDA ITEM: L

DO YOU WISH TO SPEAK IN FAVOR? _____ OR OPPOSITION?

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____ NO

COMMENTS: We should not have to drive
through an Industrial Park to get to
our homes.
Changing zoning is a BAD idea.



PUBLIC COMMENT RECORD

SEMINOLE COUNTY LAND PLANNING AGENCY / PLANNING & ZONING COMMISSION NOVEMBER 6, 2002

JOHN L THOMPSON
NAME

4575 CANAL DRIVE
STREET ADDRESS

SANFORD FLA. 32771 407-324-9503
CITY STATE ZIP CODE TELEPHONE NO.

JAX 1972 @ AOL
E-MAIL

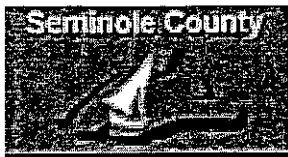
AGENDA NO.: 22002-015

AGENDA ITEM: L

DO YOU WISH TO SPEAK IN FAVOR? _____ OR OPPOSITION?

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____ NO

COMMENTS: THIS IS THE ONLY ENTRANCE TO OUR DEVELOPMENT!
OUR CONCERNS ARE MANY (1) TRAFFIC (2) LOSS OF VALUE
TO OUR REAL ESTATE (3) CONCERNS OVER EXTENSION OF RE ZONING
TO THE OTHER SIDE OF MISSOURI SINCE THIS PROJECT HAS
BEEN APPROVED LEAVING A SITUATION WHEREBY WE WOULD
HAVE TO DRIVE THROUGH AN INDUSTRIAL COMPLEX TO GET
TO OUR HOMES (4) WHY THE COMMISSION WOULD CHANGE
THEIR MINDS ABOUT ~~THIS~~ THIS REZONING WHEN THE LAST MEETING
~~THIS~~ REZONING RE ZONING OF THIS PARCEL WAS
DENIED BY THE COMMISSION. FOR THE ABOVE CONCERNS



PUBLIC COMMENT RECORD

SEMINOLE COUNTY
LAND PLANNING AGENCY /
PLANNING & ZONING COMMISSION
NOVEMBER 6, 2002

Bob Marwick
NAME

1720 Beacon Dr
STREET ADDRESS

Sanford FL 32771 407 321 9198
CITY STATE ZIP CODE TELEPHONE NO.

E-MAIL rmarwick@celarr.com

AGENDA NO.: L

AGENDA ITEM: Fossil Business Park

DO YOU WISH TO SPEAK IN FAVOR? _____ OR OPPOSITION?

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____ NO _____

COMMENTS: enough Business Parks
Leave current zoning ~~as is~~
as is!

Submit Letters in OPPOSITION From
Cathy Brown 1730 Beacon Dr (407) 323-7003
Margaret Hayward (407) 323-5480
1740 Beacon Dr, Sanford FL



PUBLIC COMMENT RECORD

SEMINOLE COUNTY
LAND PLANNING AGENCY /
PLANNING & ZONING COMMISSION
NOVEMBER 6, 2002

NAME Tammy Hamzehlowi

STREET ADDRESS 5040 Michigan Av.

CITY SANford STATE FL ZIP CODE 32771 TELEPHONE NO. 407-323-6228

E-MAIL -

AGENDA NO.: L

AGENDA ITEM: Fossitt Business Park

DO YOU WISH TO SPEAK IN FAVOR? _____ OR OPPOSITION?

DO YOU WISH TO MAKE ORAL COMMENTS? YES NO _____

COMMENTS: Want to see a buffer
zone around project + a privacy
fence to protect the residential area.



PUBLIC COMMENT RECORD

SEMINOLE COUNTY LAND PLANNING AGENCY / PLANNING & ZONING COMMISSION NOVEMBER 6, 2002

RANSOME WELBORN
NAME

4600 CANAL DRIVE
STREET ADDRESS

SANFORD FL 32771 407-323-2640
CITY STATE ZIP CODE TELEPHONE NO.

E-MAIL RRWELBORN@HOTMAIL.COM

AGENDA NO.: L (Z-2002-015)

AGENDA ITEM: FOSSITT BUSINESS PARK (Z-2002-015)

DO YOU WISH TO SPEAK IN FAVOR? _____ OR OPPOSITION?

DO YOU WISH TO MAKE ORAL COMMENTS? YES NO _____

COMMENTS: I BELIEVE IT IS INAPPROPRIATE TO
PUT A BUSINESS PARK AT THE ONLY ENTRANCE TO
A RESIDENTIAL WATERFRONT SUBDIVISION. THE
RIGHT-OF-WAY ON MISSOURI AVE. IS SUBSTANDARD
(ONLY 30 FEET). THIS WOULD MAKE A NARROW TUNNEL
LIKE ENTRANCE TO THE SUBDIVISION AND LOWER
PROPERTY VALUES. MR FOSSITT TOLD THE OLD LADY (MR ALLEN)
THAT HE BOUGHT THE PROPERTY FROM THAT HE WANTED TO GROW
PLANTS ON IT. I DON'T BELIEVE WE SHOULD CHANGE THE CAREFULLY
CONSIDERED PLAN JUST TO MAKE A PROFIT FOR AN INVESTOR AND
CAUSE A LOSS FOR MANY MORE HOMEOWNERS.



Nancy Baillargeon
11/06/2002 04:44 PM

To: Tony Matthews/Seminole@Seminole
cc:
Subject: Fossitt Business Park, corner of Missouri and Orange Blvd's

Nancy Baillargeon
Seminole County Planning Division
1101 East 1st Street, 2nd Floor
407-665-7371
nbaillar@co.seminole.fl.us

----- Forwarded by Nancy Baillargeon/Seminole on 11/06/2002 04:48 PM -----



"Joe Hudson"
<hudsonjp@bellsouth.net>
11/05/2002 01:01 PM

To: <plandesk@co.seminole.fl.us>
cc:
Subject: Fossitt Business Park, corner of Missouri and Orange Blvd's

Dear Sir/Ms:

My name is Joe Hudson and I live at 1731 Perch Lane in St. Johns River Estates subdivision, North of the above referenced proposed Fossitt Business Park. I am very concerned that this business park development will tarnish the entrance to my subdivision.

If this development is to be allowed, I would like to see a 30 foot buffer zone between Missouri and Orange Boulevards and their buildings. As part of this buffer, I would like them to construct an attractive brick or stone privacy fence with specific landscaping requirements around the entire portions of Missouri and Orange Boulevards that their project property borders.

Please share my view on this with everyone who is part of the decision process in permitting this proposed development.

Thank you,

Joe Hudson
1731 Perch Lane
Sanford, FL 32771
407-688-1582



Nancy Baillargeon
11/06/2002 04:44 PM

To: Tony Matthews/Seminole@Seminole
cc:
Subject: Fossitt Business Park

Nancy Baillargeon
Seminole County Planning Division
1101 East 1st Street, 2nd Floor
407-665-7371
nbaillar@co.seminole.fl.us

----- Forwarded by Nancy Baillargeon/Seminole on 11/06/2002 04:49 PM -----



PMoore5970@aol.com
11/05/2002 10:28 AM

To: Plandesk@co.seminole.fl.us
cc:
Subject: Fossitt Business Park

I propose that we require Fossitt Business Park to put a 40' buffer zone between their buildings and Missouri Blvd.also Orange Blvd.

As part of that buffer, I think they should build a nice brick privacy fence with specific landscape requirements around their whole project.

This would protect residential property values and keep down noise, dirt and debris.

My home is on the St. Johns River, one of the highest protected rivers in the US and I am very proud of it.

Thankyou for your time.
Sincerely, Patrick Moore
1760 Perch Lane
St. John's River Estates

Joseph P. Hudson

1731 Perch Lane, Sanford, FL 32771
407-688-1582 Phone/Fax

November 5, 2002

RE: Fossitt Business Park

Dear County Commissioners:

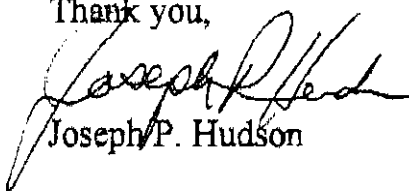
Daryl McLaine Grant Maloy,
Randall Morris Dick Van Der Weide
Grant Maloy

My name is Joe Hudson and I live in St. Johns River Estates, the subdivision North of the above referenced proposed Fossitt Business Park. I am very concerned that this business park development will tarnish the entrance to my subdivision.

If this development were to be allowed, I would like to see a 30-foot buffer zone between Missouri and Orange Boulevards and their buildings. As part of this buffer, I would like them to construct an attractive brick or stone privacy fence with specific landscaping requirements around the entire portions of Missouri and Orange Boulevards that their project property borders.

Please share my view on this with everyone who is part of the decision process in permitting this proposed development.

Thank you,



Joseph P. Hudson

Abe & Tammy Hamzehloui
4751 Nebraska Avenue
Sanford, FL 32771

11/4/02

RE: Fossitt Business Park @ Orange Blvd. & Missouri Ave.

Dear Carlton Henley,

They are working on rezoning a piece of land that is at the entrance to my neighborhood. There are some very nice water front homes and others all in that area. We want to protect our properties and be assured that their values won't decrease because of this commercial project. I don't believe that we can stop the progress of industrial parks in the area, but I do think that we could have some specific requirements in place to make sure that the area remains nice.

I propose that we require Fossitt Business Park to put a 20' - 30' buffer zone between their building and Missouri Ave., and their building and Orange Blvd. so that the entrance to our neighborhood can look good and not trashy. As part of that buffer I think they should be required to build a nice brick privacy fence with specific landscape themes around their whole project to protect the residential properties in this area. Local developers are building some very nice fences that way around new subdivisions these days.

I will be at the meeting this Wednesday. I hope that my voice will be heard.

Thank you very much!

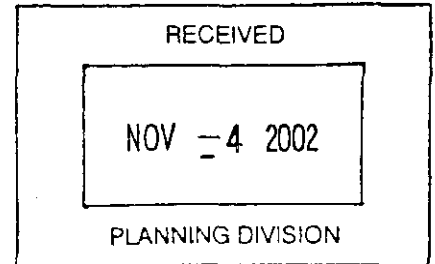
Sincerely,



Tammy

October 31, 2002

Tony Matthews, Principal Planner
Seminole County Planning Dept.
1101 E. First St.
Sanford, FL 32771



RE: Fossitt Business Park, PCD
LPA Meeting - Nov. 6

Dear Mr. ^{Matthews} Matthews:

Unfortunately, I will not be able to attend the above referenced LPA meeting, due to a prior commitment to be out of town. As we have spoken on numerous occasions, you are aware that I am in opposition of the above referenced business park. I would like this letter to be submitted as my opposition to the rezoning request for Fossitt Business Park. As you were in attendance at the August 12 community meeting that Hugh Harlin held for the area at Wilson Elementary, we were told that the County at that time would not be supporting the rezoning. Now, my understanding after speaking with you is that the County is recommending approval for the rezone on Missouri side of Orange Blvd., but not the rezoning request for Halsey side of Orange Blvd.

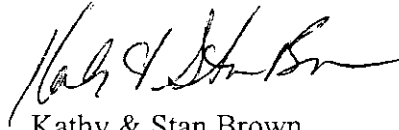
We realize that something will have to be built on this site and are hoping that it will blend into our residential area. The residents of St. John's River Estates were not notified of the community meeting. Even after requesting at the community meeting, that St. John's River Estates Subdivision be included in any mail-outs regarding the property, we were not notified other than the placard placements on the subject property. On August 4, 1999 the Text Amendments (99F-TXT 3) to the Seminole County Comprehensive Plan created a Policy to Prohibit Nonresidential Access to Missouri Avenue and Nebraska Avenue. It was discussed at that public hearing that no commercial rezonings would occur after the approval of the Briar rezoning that this was part of. John Dwyer who unfortunately has retired had extensive knowledge of the BCC turning down the request for rezoning in 1999.

We are concerned about the bus stop at the corner of Missouri Ave., and Orange Blvd., for the safety of the children. How is the County to enforce the nonpermitted uses in the Business Park? If no interior building permit is pulled, how will the tenants be monitored? Is the County looking for the homeowners to keep track of the tenants? I also had asked what was to happen to the single family home, which Mr. Harlin stated would be restored and used as a residence? If this is also part of the parcel to be rezoned,

can there be a residence on site? Why would the County not recommend denial for the Missouri site as they are recommending denial for the Halsey site? There are commercial businesses on that side of Orange Blvd., as well? As discussed, at the August 12 meeting, there is a great concern regarding Orange Blvd., and the great need for the widening of this road. It seems an extreme waste to have every few hundred feet a turn lane in the middle of the road. If the County is going to continue allowing the rapid growth in the area, does it not seem feasible to have Orange Blvd., widened? The homeowners expressed our concerns to you at the meeting regarding absolutely no shoulders to Orange Blvd., and the danger to the children on bicycles and the few horseback riders left in the agricultural areas. It was requested by the homeowners that you check into having a traffic study of the area regarding the widening of Orange Blvd. This is an extremely dangerous road due to the growth in the area with so many new residential subdivisions. Now, the County wants to add additional large truck traffic as well.

Thank you for your time and attention to our concerns. We are a small subdivision and realize that growth is going to happen, just let it be conducive to the surroundings of our neighborhood.

Sincerely,



Kathy & Stan Brown
1730 Beacon Drive
(407) 323-7003

cc: Commissioner McClain, District 5
Don Fisher, Director, Planning & Development

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 11, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description provided by applicant is attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner(s): Nikki M. Clayton
35048 Shady Oaks Lane
Fruitland Park, FL 34731

Project Name: Fossitt Business Park PCD.

Requested Development Approval: Rezoning from the A-1 (Agriculture) zoning classification to the PCD (Planned Commercial Development District) zoning classification and approval of the associated PCD preliminary site plan attached as Exhibit B.

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 owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Tony Matthews
1101 East First Street
Sanford, Florida 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall 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, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - A. Permitted uses within the PCD shall include the list of permitted and conditional uses within the M-1A (Very Light Industrial) and C-3 (General Commercial and Wholesale) zoning classifications, except for the following uses, which shall be prohibited:
 1. Amusement and recreation facilities.
 2. Automobile sales.
 3. Bakeries, where goods are sold on premises at retail.
 4. Banks.
 5. Car wash.
 6. Hotels and motels.
 7. Launderettes and Laundromats.
 8. Mobile homes and recreational vehicle sales.
 9. Paint and body shops.
 10. Private clubs and lodges.
 11. Theaters.
 12. Truck Terminals.
 13. Service stations.
 14. Outdoor advertising signs.
 15. Manufacturing of water-based and/or epoxy-based coatings, adhesives, sealants, and paints.
 16. Industrial, technical and trade schools.
 17. Alcoholic beverage establishments.
 18. Adult entertainment and sexually oriented businesses.
 19. Multi-family housing.
 20. Public and private utility plants, stations, and distribution office
 21. Contractor's equipment storage yards.
 22. Public and private schools.
 23. Mechanical garages, bus, cab and truck repair and storage as a stand alone business.
 24. Heliports.
 25. Manufacturing of the following:
 - Boats.
 - Chemical products and processing.
 - Dairy products.

- B. Permitted and conditional uses within the C-2 (Retail Commercial District) shall be prohibited uses.
- C. Development conditions shall include (includes revisions subsequent to the 12/10/02 BCC hearing in ~~strikeout and underline~~):
1. Parking spaces shall include a minimum of one (1) space per 1,000 square feet of building for warehouse uses, plus one (1) space for each two (2) employees on the largest shift, and one (1) space per 200 square feet of gross floor area for office use. Parking ratio for office and warehouse uses shall be established for the proposed use(s) at time of final PCD site plan approval.
 2. Building setbacks shall be as follows on the north side of Orange Boulevard: south side—50 feet; east side—10 feet; west side (Missouri Avenue)—100 feet; north side—30 feet; on the south side of Orange Boulevard: south side-10 feet; east side (Halsey Avenue)-100 feet; west side-100 feet; north side 50 feet.
 3. A 25 foot landscaped buffer shall be provided ~~within the 100 building setbacks~~ around the perimeter of the property on the north and south sides of Orange Boulevard.
 4. A six (6) high ~~masonry~~ brick wall shall be provided along the western property line on the north side of Orange Boulevard (Missouri Avenue). ~~and along the east (Halsey Avenue) and west property lines on the south side of Orange Boulevard.~~ Landscaping adjacent the wall shall consist of eight (8) canopy trees a minimum of 2&1/2 inches in diameter with an overall average of three (3) inches in diameter measured at one (1) foot above ground for every 100 lineal feet within a 25 foot landscape buffer. The wall shall maintain a setback of no less than 15 feet from the right-of-way line of Missouri Avenue. A five (5) foot wide sidewalk shall be installed within the right-of-way for Missouri Avenue. The setback may be increased pursuant to review of the Seminole County Traffic Engineer to ensure safe and adequate vehicular and pedestrian sight distance at the intersection of Orange Boulevard and Missouri Avenue. The wall, landscaping, and sidewalk shall be installed consistent with attached Exhibit "C" (Fossitt Business Park Buffer, prepared by Bruce K. Anderson, Landscape Architect, December 10, 2002).
 5. A six (6) high masonry or brick wall shall be provided along the northern property line of the property located on the north side of Orange Boulevard. Landscaping adjacent the wall shall consist of eight (8) canopy trees a minimum of 2&1/2 inches in diameter with an overall average of three (3) inches in diameter measured at one (1) foot above ground for every 100 lineal feet within a 25 foot landscape buffer. Trees may be planted in double rows or clustered with approval of the Planning Manager.
 6. A six (6) high masonry or brick wall shall be provided along the east (Halsey Avenue) and west property lines on the south side of Orange Boulevard. Landscaping adjacent the wall shall consist of eight (8) canopy trees a minimum of 2&1/2 inches in diameter with an overall average of three (3) inches in diameter measured at one (1) foot above ground for every 100 lineal feet within a 25 foot landscape buffer. A five (5) foot wide sidewalk shall be installed within the right-of-way for Halsey Avenue. Location of the wall along Halsey Avenue shall be reviewed by the Seminole County Traffic Engineer to ensure safe and adequate vehicular and pedestrian sight distance at the intersection of Orange Boulevard and Halsey Avenue. Trees may be planted in double rows or clustered with approval of the Planning Manager.

7. ~~Landscaping shall consist of eight (8) canopy trees a minimum of 2&1/2 inches in diameter with an overall average of three (3) inches in diameter measured at one (1) foot above ground for every 100 lineal feet on all sides of the buildings on the north and south sides of Orange Boulevard. Trees may be planted in double rows or clustered with approval of the Planning Manager.~~
8. Developer to grant a sidewalk easement for installation of five (5) foot sidewalks along Missouri Avenue and Halsey Avenue, if sidewalks are is located within private property.
9. Building height shall not exceed 35 feet.
10. Square footage shall be limited to 88,000 square feet of office/warehouse uses.
11. Floor area ratio shall not exceed 0.65.
12. A minimum of 25 percent open space shall be provided on site on the north and south sides of Orange Boulevard.
13. Development shall occur in two (2) phases.
14. The proposed buildings shall be constructed of a mixture of aluminum and glass, contain a mansard or seamless pitched roof with soffits, be green or some other determined color, contain block and block fire walls, and roll up doors in back. Roll up doors shall be located on the east side of buildings constructed on the north side of Orange Boulevard. Buildings shall be constructed substantially as shown in attached Exhibit "D". ~~masonry construction including glass and aluminum store fronts and decorative roof treatment such as mansard roofing.~~
15. Signage shall be appropriately posted to discourage truck access onto Missouri Avenue.
16. Signage shall be installed by the developer to prohibit 18 wheel semi tractor trailer trucks from ingress into the site.
17. A cross access easement shall be provided to the property to the east of the site on the north side of Orange Boulevard.
18. An easement shall be provided for stormwater access to the offsite retention pond on the north side of Orange Boulevard at time of final PCD site plan.
19. ~~Reserve a location for school bus to stop at Missouri Avenue and Orange Boulevard with final details to be determined at time of final PCD site plan.~~
20. At such time that the public transit provider initiates bus service to the project, the owner shall coordinate with the public transit provider to locate and construct a bus turnout of materials comparable to the adjacent roadway with design dimensions approved by LYNX and the Seminole County Engineer
21. Lighting shall be cut-off/shoe box style with light poles not to exceed 16 feet in height, be setback a minimum of 50 feet from adjacent properties and shall not exceed 0.5 foot candles.
22. Water and sewer service shall be provided by Seminole County utilities.
23. Hours of operation for truck deliveries shall be limited to 7:00 a.m. and 9:00 p.m.
24. Air conditioning units or chillers shall be hidden from view from Missouri Avenue and ground units shall be screened with plant material or other screen material approved by the Planning Manager.
25. Developer must submit elevations of the proposed buildings and wall along Missouri Avenue at time of final PCD site plan review.
26. Preserve the trees along Orange Boulevard to the maximum extent possible.
27. Revise the current PCD site plan to include the conditions of this amended development order and attach to the development order prior to recording.
28. Development must meet all other applicable provisions of the Seminole County Comprehensive Plan (Vision 2020) and Land Development Code of Seminole County.

- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Daryl G. McLain, Chairman
Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Nikki M. Clayton, on behalf of herself and her heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Nikki M. Clayton

Witness

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Z2002-015 (A-1 to PCD)

Lot 10, of Block 2, Map Sanford Farms as recorded in Plat Book 1, Pages 127, 128 and 128 ½ of the Public Records of Seminole County, Florida, LESS that part of Lot 10 described as follows: Beginning at the Northeast corner of said Lot 10, Block 2, Sanford Farms, thence run Southwesterly along the South line of Orange Boulevard 211.65 feet to a point; thence South parallel to Oregon Avenue to the West boundary of Sanford Grant Line, thence Northeasterly along said Grant Line to the Point of Beginning, LESS a strip 10 feet wide along the said Sanford Grant Line for street purposes.

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Lot 4, Block 3, Map Sanford Farms, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Seminole County, Florida recorded in Plat Book 1, Page 127, 128 and 128 ½ said lands situate, lying and being in Seminole County, Florida.

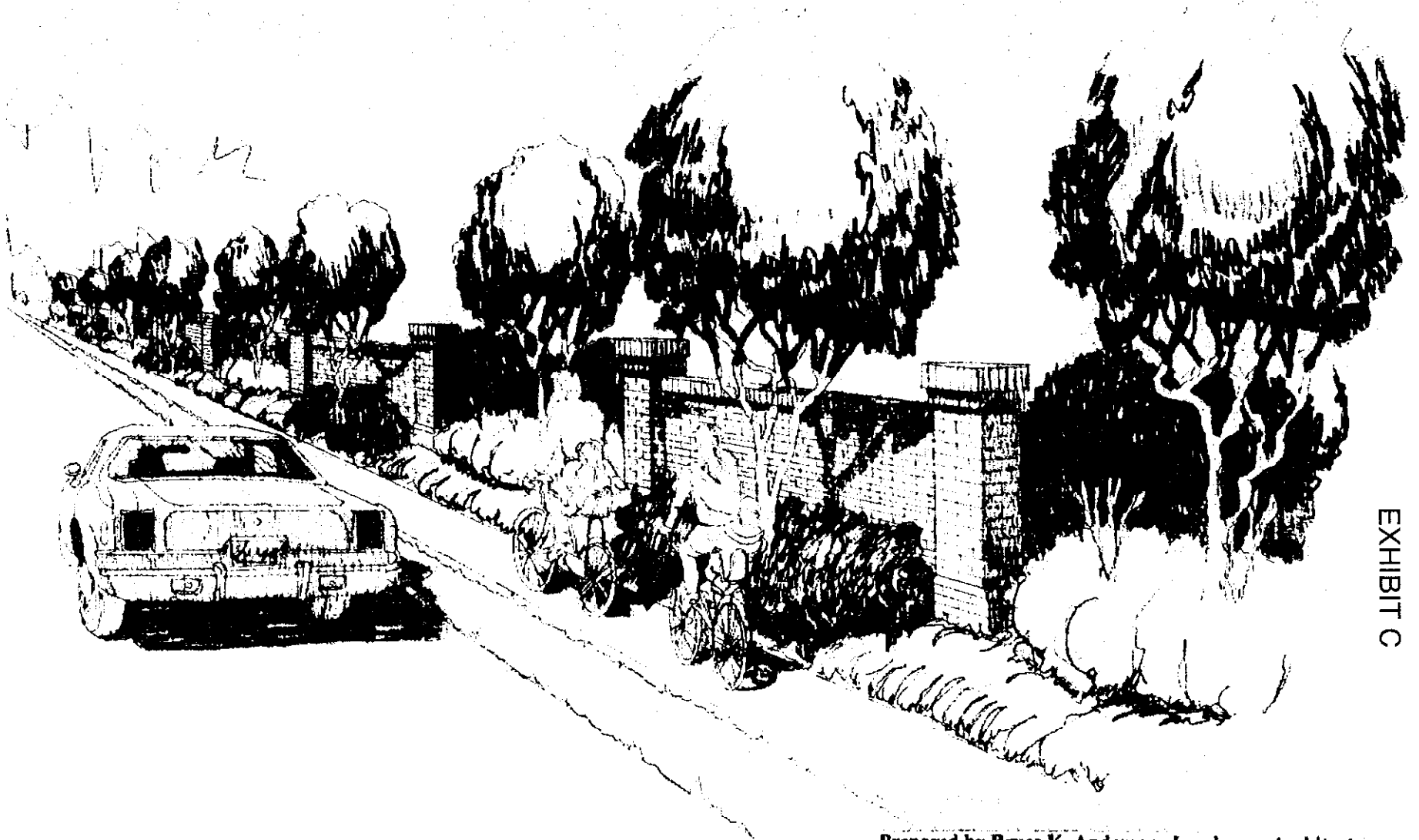
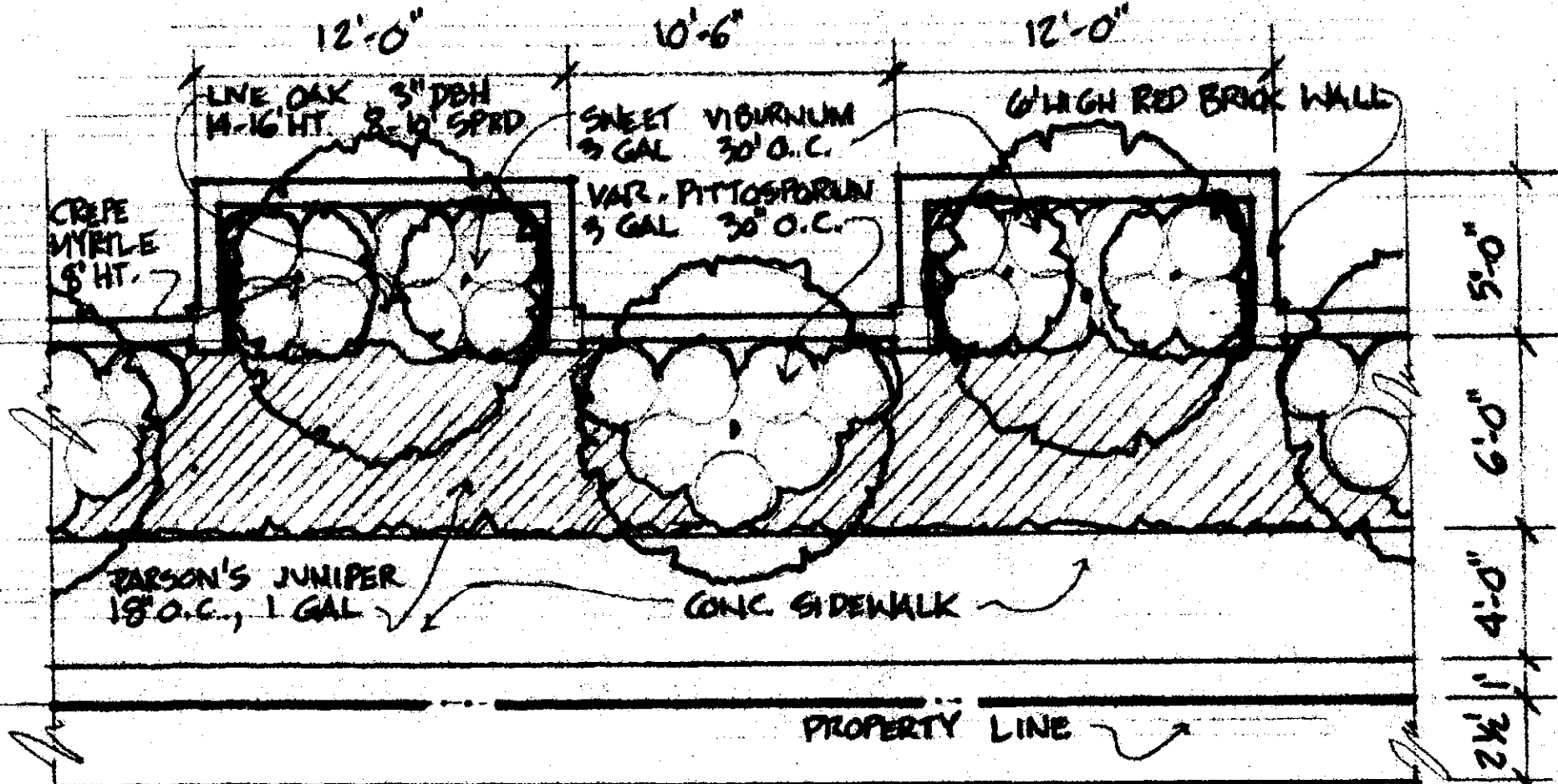


EXHIBIT C

Prepared by Bruce K. Andersen, Landscape Architect,
State of Florida Cert. No. 821 Tel. (407) 320-9980



12'-0"

10'-6"

12'-0"

LIVE OAK 3" DBH
14-16' HT. 8-10' SPRD

SWEET VIBURNUM
5 GAL 30' O.C.

6' HIGH RED BRICK WALL

CREPE MYRTLE
8' HT.

VAR. PITTOSPORUM
5 GAL 30' O.C.

PARSON'S JUNIPER
18' O.C., 1 GAL

CONC. SIDEWALK

PROPERTY LINE

MISSOURI AVE. EDGE OF PAVEMENT

5'-0"

6'-0"

4'-0"

2 1/2'

FOSSIT BUSINESS PARK
EXHIBIT B- BUFFER ALONG MISSOURI AVE.

December 10, 2002

Scale: 1" = 5'-0"

EXHIBIT D

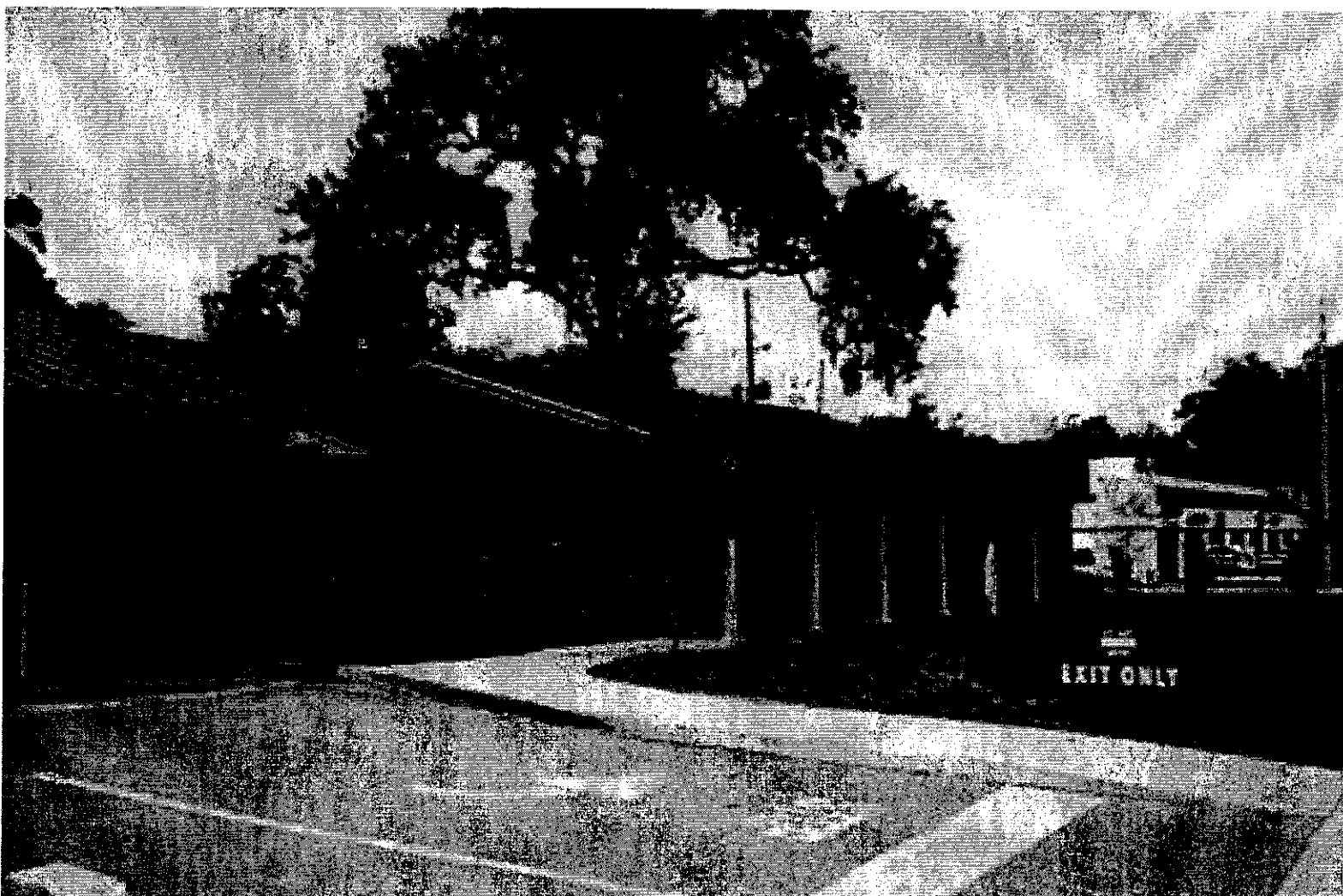


Photo 1

EXHIBIT D

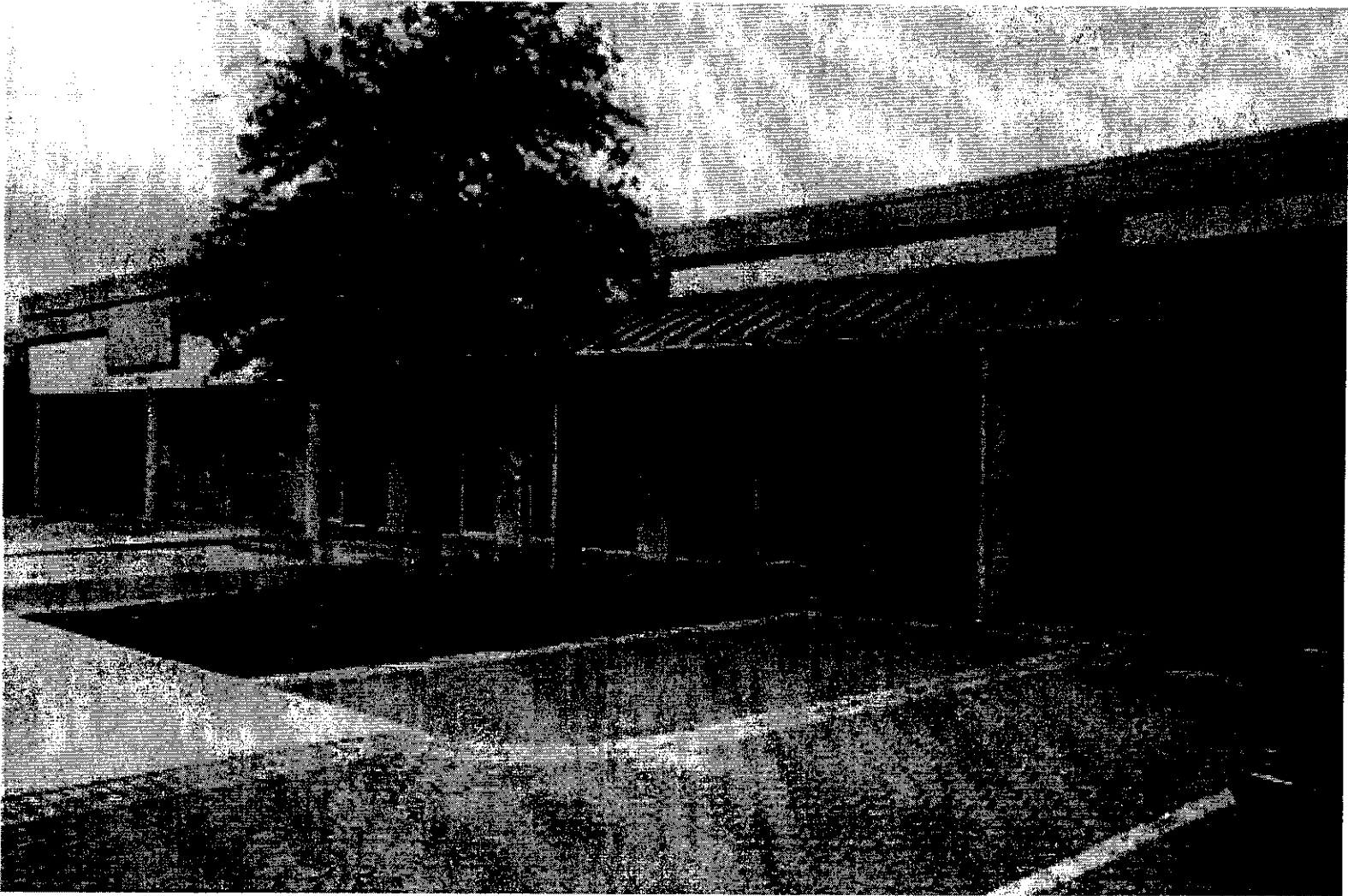


Photo 2

EXHIBIT D

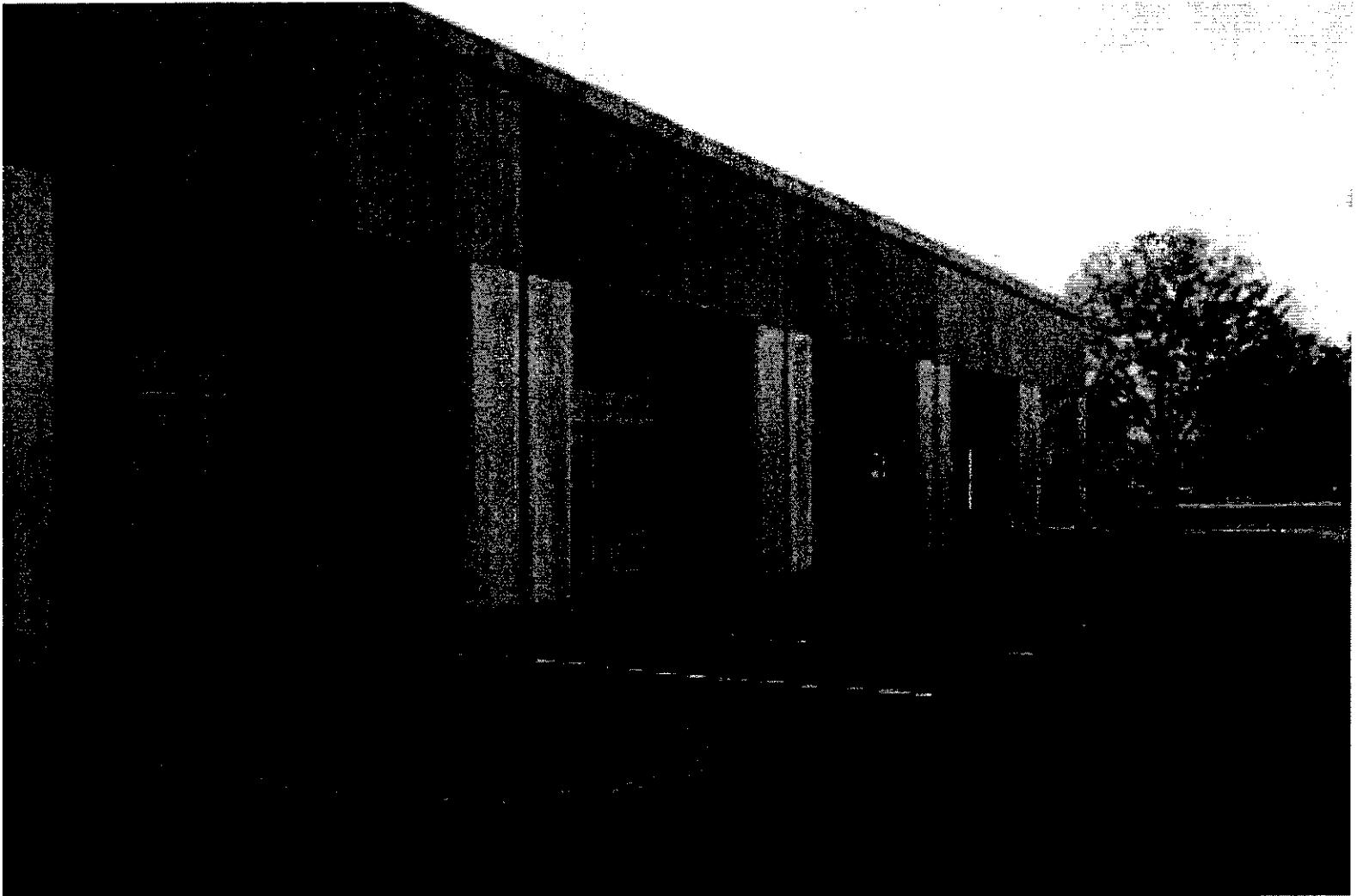


Photo 3

EXHIBIT D



Photo 4

AN ORDINANCE AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF A SMALL SCALE DEVELOPMENT AMENDMENT; CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTIES FROM SUBURBAN ESTATES AND LOW DENSITY RESIDENTIAL TO PLANNED DEVELOPMENT; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE SEMINOLE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 2001-21 which adopted the Vision 2020 Seminole County Comprehensive Plan ("the Plan"); and

WHEREAS, the Board of County Commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development 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 Land Planning Agency held a Public Hearing, with all required public notice, on November 6, 2002, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held Public Hearings on December 10, 2002, January 28, 2003 and February 11, 2003, with all required public notice for the purpose of hearing and considering the recommendations and comments

of the general public, the Land Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent, is consistent and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, the State Comprehensive Plan, and 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:

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

(b) The Board of County Commissioners 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. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION:

(a) The Future Land Use Element's Future Land Use Map, as set forth in Ordinance Number 2001-21, as previously amended, is hereby further amended by changing the future land use designation assigned to the property depicted on the Future Land Use Map and described in attached Appendix "A" to the following future land use designation:

Amendment Number

08.02SS.3

Amendment

Amendment from Suburban Estates and Low Density Residential to Planned Development

(b) The associated rezoning request was completed by means of Ordinance Number 2003-_____.

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 shall 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 shall 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 said 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, as amended.

Section 5. EFFECTIVE DATE:

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66 and 163.3187, Florida Statutes.

(b) This Ordinance shall 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 herein shall be thirty-one (31) days after the date of enactment by the Board of County Commissioners or, if challenged within thirty (30) days of enactment, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendment is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on an amendment may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the affected amendment may nevertheless be made effective by the Board of County Commissioners adopting a resolution affirming its effective status, a copy of which resolution shall be provided to the Florida Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners.

ENACTED this 11th day of February 2003

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain,
Chairman

APPENDIX A

08.02SS.3 (Suburban Estates and Low Density Residential to Planned Development)

Lot 10, of Block 2, Map Sanford Farms as recorded in Plat Book 1, Pages 127, 128 and 128 ½ of the Public Records of Seminole County, Florida, LESS that part of Lot 10 described as follows: Beginning at the Northeast corner of said Lot 10, Block 2, Sanford Farms, thence run Southwesterly along the South line of Orange Boulevard 211.65 feet to a point; thence South parallel to Oregon Avenue to the West boundary of Sanford Grant Line, thence Northeasterly along said Grant Line to the Point of Beginning, LESS a strip 10 feet wide along the said Sanford Grant Line for street purposes.

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Lot 4, Block 3, Map Sanford Farms, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Seminole County, Florida recorded in Plat Book 1, Page 127, 128 and 128 ½ said lands situate, lying and being in Seminole County, Florida.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATION ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PCD (PLANNED COMMERCIAL DEVELOPMENT DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR 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 document titled "Executive Summary, Fossitt Business Park".

(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 the A-1 (Agriculture) to the PCD (Planned Commercial Development District) zoning classification.

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall 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 shall 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 shall 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 shall take effect upon filing the Ordinance with the Department of State and recording Development Order #02-22000004 in the Public Records of Seminole County, Florida.

ENACTED this 11th day of February 2003

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain, Chairman

EXHIBIT A LEGAL DESCRIPTION

Z2002-15 (A-1 to PCD)

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