

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**CONTINUED FROM THE MAY 23, 2006 MEETING**

**SUBJECT:** Big Boys Storage Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development)

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Ian Sikonia **EXT.** 7398

<b>Agenda Date</b> <u>7/25/06</u> <b>Regular</b> <input type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/>
<b>Public Hearing – 1:30</b> <input checked="" type="checkbox"/> <b>Public Hearing – 7:00</b> <input type="checkbox"/>

**MOTION/RECOMMENDATION:**

1. **APPROVE** a request and authorize the Chairman to enact an ordinance to rezone 2.25 ± acres from A-1 (Agriculture) to PCD (Planned Commercial Development), located on the north side of Mikler Road, 850 feet west of SR 426, subject to the attached Preliminary Site Plan and Development Order, based on staff findings, (Yvonne Calder & Randy Thompson, applicants); or
2. **DENY** the request and authorize the Chairman to enact an ordinance to rezone 2.25 ± acres from A-1 (Agriculture) to PCD (Planned Commercial Development), located on the north side of Mikler Road, 850 feet west of SR 426, subject to the attached Preliminary Site Plan and Development Order, based on staff findings, (Yvonne Calder & Randy Thompson, applicants); or
3. **CONTINUE** the item to a time and date certain.

District 1 – Commissioner Dallari

Ian Sikonia, Planner

**BACKGROUND:**

This item was originally heard at the May 23, 2006 Board of County Commissioners meeting where it was continued due to a change in the rezoning request from C-3 (General Commercial & Wholesale) to PCD (Planned Commercial Development). The BCC asked for this item to be continued to give the applicant's enough time to submit a required site plan with the new rezoning request. The change in request was based on issues regarding the site specific design of the

<b>Reviewed by:</b> <b>Co Atty:</b> <u>KFT</u> <b>DFS:</b> _____ <b>OTHER:</b> <u>RS</u> <b>DCM:</b> _____ <b>CM:</b> <u>CC</u>  <b>File #</b> <u>ph130pdp05</u>
---

property. The applicant's are requesting to rezone 2.25 ± acres from A-1 (Agriculture) to PCD (Planned Commercial Development) in order to develop an outdoor storage facility. The Future Land Use designation of the subject site is IND (Industrial), which is consistent with the requested zoning district.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of a request to rezone 2.25 ± acres from A-1 (Agriculture) to PCD (Planned Commercial Development), located on the north side of Mikler Road, 850 feet west of SR 426, subject to the attached Preliminary Site Plan and Development Order, based on staff findings.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The July 12, 2006 Planning and Zoning Commission recommendation will be given at the July 25, 2006 Board of County Commissioners meeting.

Attachments:

Staff Analysis  
Location Map  
FLU/Zoning Map  
Aerial Photo  
Preliminary Site Plan  
Ordinance  
Development Order

# Big Boys Storage Rezone

## Rezone from A-1 to PCD

<b>APPLICANT</b>	Yvonne Calder & Randy Thompson	
<b>PROPERTY OWNER</b>	Stephen Ratcliff	
<b>REQUEST</b>	Rezone from A-1 (Agriculture) District to PCD (Planned Commercial Development)	
<b>PROPERTY SIZE</b>	2.25 ± acres	
<b>HEARING DATE (S)</b>	P&Z: July 12, 2006	BCC: July 25, 2006
<b>PARCEL ID</b>	29-21-31-300-0060-0000	
<b>LOCATION</b>	North side of Mikler Road, 850 feet west of SR 426	
<b>FUTURE LAND USE</b>	IND (Industrial)	
<b>ZONING</b>	A-1 (Agriculture)	
<b>FILE NUMBER</b>	Z2006-10	
<b>COMMISSION DISTRICT</b>	#1 – Dallari	

**Proposed Development:**

The applicant is proposing to develop an outdoor storage facility on 2.25 ± acres.

**ANALYSIS OVERVIEW:**

**ZONING REQUEST**

The applicant, Yvonne Calder & Randy Thompson, are requesting to rezone 2.25 ± acres from A-1 (Agriculture) to PCD (Planned Commercial Development). The subject property is located on the north side of Mikler Road, 850 feet west of SR 426. The Future Land Use designation of the subject property is IND (Industrial), which permits a maximum FAR of 0.65. The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested district of PCD (Planned Commercial Development):

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (PCD)
Minimum Lot Size	43,560 square feet	N/A
Minimum House Size	N/A	N/A
Minimum Width at Building Line	150 feet	N/A
Front Yard Setback	50 feet	25 feet
Side Yard Setback	10 feet	20 feet
(Street) Side Yard Setback	50 feet	N/A
Rear Yard Setback	30 feet	20 feet
Maximum Building Height	35 feet	35 feet

**PERMITTED & SPECIAL EXCEPTION USES**

The following tables depict the permitted and special exception uses within the existing and proposed zoning districts:

Uses	A-1 (existing)	PCD (proposed)
Permitted Uses	Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Outdoor storage of boats and RV vehicles.
Special Exception Uses	Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.	N/A
Minimum Lot Size	43,560 sq. ft.	N/A

**COMPATIBILITY WITH SURROUNDING PROPERTIES**

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

(North)

	<b>IND</b> Single-Family <i>A-1</i> (Vacant)	<b>IND</b> Single-Family <i>A-1</i> (Vacant)	<b>IND</b> Single-Family <i>A-1</i> (Vacant)	
(West)	<b>IND</b> Single-Family <i>A-1</i> (1 acre lots)	<b>IND</b> Single-Family <i>A-1</i> (2.25 ± acres)	<b>IND</b> Single-Family <i>A-1</i> (1 acre lots)	(East)
	<b>IND</b> Vacant <i>C-2</i> (Vacant)	<b>IND</b> Commercial <i>C-3</i> (15,000 sq. ft. lots)	<b>IND</b> Single-Family <i>R-1</i> (8,400 sq. ft. lots)	

(South)

Example:

<b>Future Land Use</b> Existing Use <i>Existing Zoning</i> (Lot Sizes)
---

\* **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

**SITE ANALYSIS:**

**ENVIRONMENTAL IMPACTS**

*Floodplain Impacts:*

Based on FIRM map #12117C0165 E, there appears to be no floodplains on the subject property.

*Wetland Impacts:*

Based on preliminary aerial photos and County wetland map analysis, there appears to be some wetlands on the northern portion of the subject site. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

*Endangered and Threatened Wildlife:*

Based on preliminary analysis, there appears to be no endangered and threatened wildlife on the subject property. A threatened and endangered study along with a species of special concern survey will be required prior to final engineering approval.

**PUBLIC FACILITY IMPACTS**

Rule 9J-5.0055(3) (c), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant is required to undergo Concurrency Review prior to final engineering approval.

The following table depicts the impacts the proposed development has on public facilities:

<b>Public Facility</b>	<b>Existing Zoning (A-1)</b>	<b>Proposed Development (PCD)*</b>	<b>Net Impact</b>
Water (GPD)	350	N/A	-350
Sewer (GPD)	300	N/A	-300
Traffic (ADT)	10	124	114

\* The proposed development consists of an outdoor storage facility and will not have a building onsite. The project will be required to connect to reclaimed water and will have to use a shallow well for irrigation until reclaimed water becomes available.

*Utilities:*

The site is located in the service area of Seminole County and will have to meet the requirements of policy POT 4.5 of the Vision 2020 Comprehensive Plan. There is a 16-inch water main 900 ± feet to the east at SR 426. Available capacity for this project will be determined during the Concurrency process. This parcel is also in the ten year master plan for reclaimed water. An alternative source for water, such as a shallow well, will be required until reclaimed water becomes available

*Transportation / Traffic:*

The property is adjacent to Mikler Road, which is classified as a local road and is not paved to County standards. Mikler Road is not currently programmed to be improved according to the County 5-year Capital Improvement Program. The applicant will be required to improve Mikler Road in accordance with requirements set forth in the Land Development Code prior to Final Site Plan approval.

*School Impacts:*

The proposed project will consist of an outdoor storage facility and will not generate any school age children.

*Public Safety:*

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station #27, which is located at 5280 Red Bug Lake Road and meets the Level-Of-Service standard.

*Drainage:*

The proposed project is located within the Howell Creek Drainage Basin. Based on preliminary analysis, the site is required to hold the 25 year pre post volume onsite. Preliminary analysis of FEMA maps and drainage studies done in this region, show that this site does not appear to be in a landlocked basin. The storm water requirements will be further evaluated in more detail prior to final engineering approval.

*Parks, Recreation and Open Space:*

In accordance with Section 30.468(d) of the Land Development Code, the applicant will be required to provide twenty-five (25) percent of the site in common open space.

*Buffers and Sidewalks:*

Below are the buffer and sidewalk conditions contained in the attached Development Order for the proposed outdoor storage facility:

1. There shall be a 25-foot landscape buffer along the south property line and a 20-foot landscape buffer along the north, east and west property lines. All required buffers shall be on the outside of the required fence.
2. The required landscape buffers shall include the following:
  - a. Minimum of four canopy trees and four sub-canopy trees per 100 linear feet of buffer. The type and quality of trees shall meet the requirements of the Seminole County Land Development Code.
  - b. A permanent irrigation system
  - c. Existing vegetation that is preserved may count towards the landscaping requirements.
3. A 25' upland buffer shall be required adjacent to all post-development wetlands.
4. An 8-foot high opaque PVC fence shall be erected along the east, west, and south (front) property. The fence shall be set back a minimum of 25' from the front property line and 20' feet from the east and west property lines. Fencing shall not encroach into the post-development wetlands, as determined during the Final Site Plan process.
5. A 5' sidewalk is required along the property frontage on Mikler Road.

**APPLICABLE POLICIES:**

**FISCAL IMPACT ANALYSIS**

This project does not warrant running the County Fiscal Impact Analysis Model.

**SPECIAL DISTRICTS**

No special districts are applicable to this site.

**COMPREHENSIVE PLAN (VISION 2020)**

The following policies are applicable with the proposed project:

Policy POT 4.5	Potable Water Connection
Policy PUB 2.1	Public Safety Level-of-Service
Policy FLU 2.11	Determination of Compatibility in PUD and PCD zoning

**INTERGOVERNMENTAL NOTIFICATION:**

No intergovernmental notices were required to be sent for this rezone application.

**LETTERS OF SUPPORT OR OPPOSITION:**

At this time, Staff has received no letters of support or opposition.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of a request to rezone 2.25 ± acres from A-1 (Agriculture) to PCD (Planned Commercial Development), located on the north side of Mikler Road, 850 feet west of SR 426, subject to the attached Preliminary Site Plan and Development Order, based on staff findings.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The July 12, 2006 Planning and Zoning Commission recommendation will be given at the July 25, 2006 Board of County Commissioners meeting.



**PLANNING AND DEVELOPMENT DEPARTMENT**

---




**Planning Division**

**MEMORANDUM**

**DATE:** July 20, 2006

**TO:** Board of County Commissioners

**CC:** Cindy Coto, County Manager, Donald S. Fisher, Deputy County Manager, Sally Sherman, Deputy County Manager, Robert McMillan, County Attorney, Kathy Furey-Tran, Assistant County Attorney, Tony Walter, Planning Manager, April Boswell, Assistant Planning Manager, and Tina Deater Williamson, Principal Planner

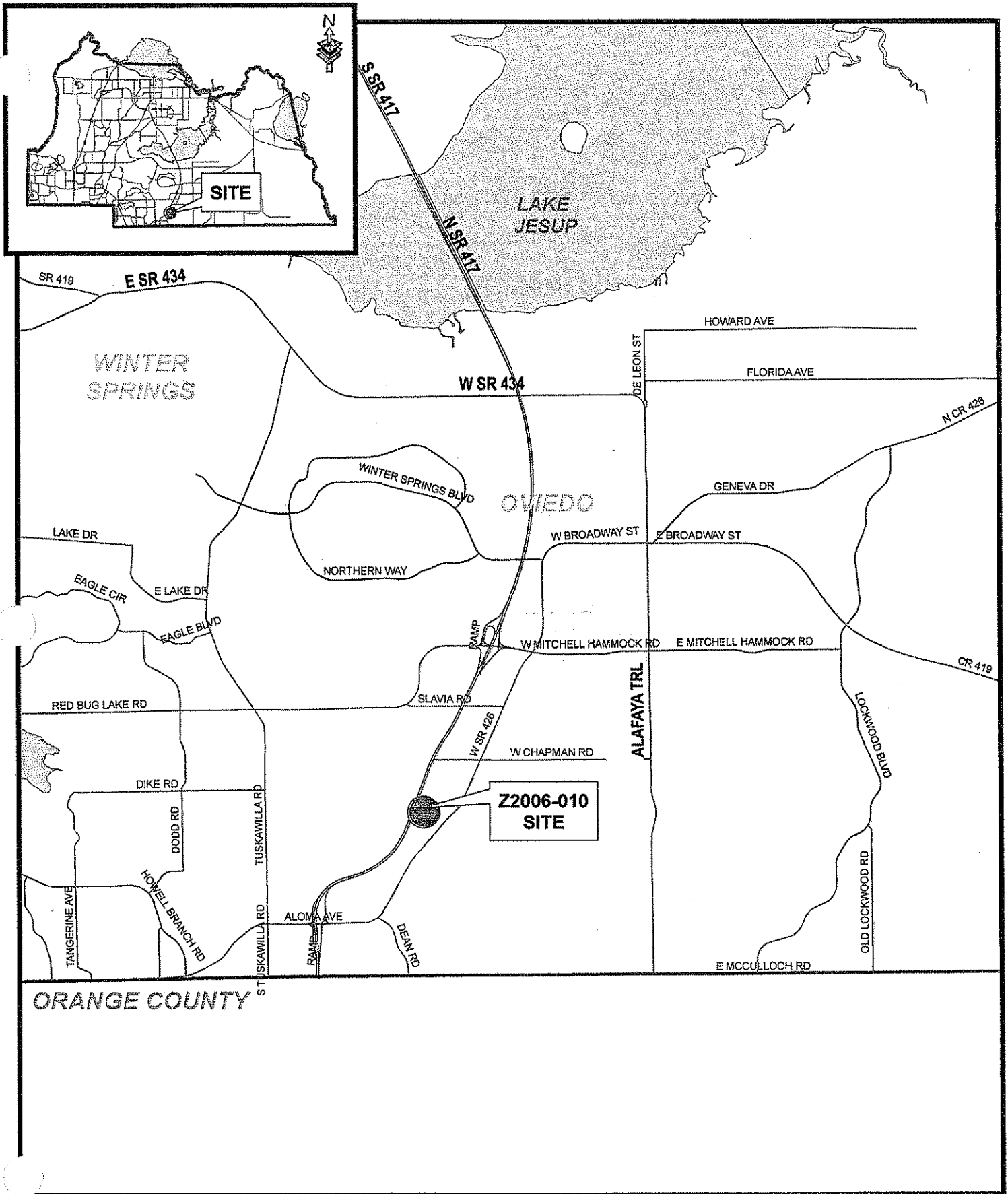
**FROM:** Ian Sikonia, Planner 

**RE:** P & Z Commission recommendation for Big Boys Storage Rezone (Z2006-10)

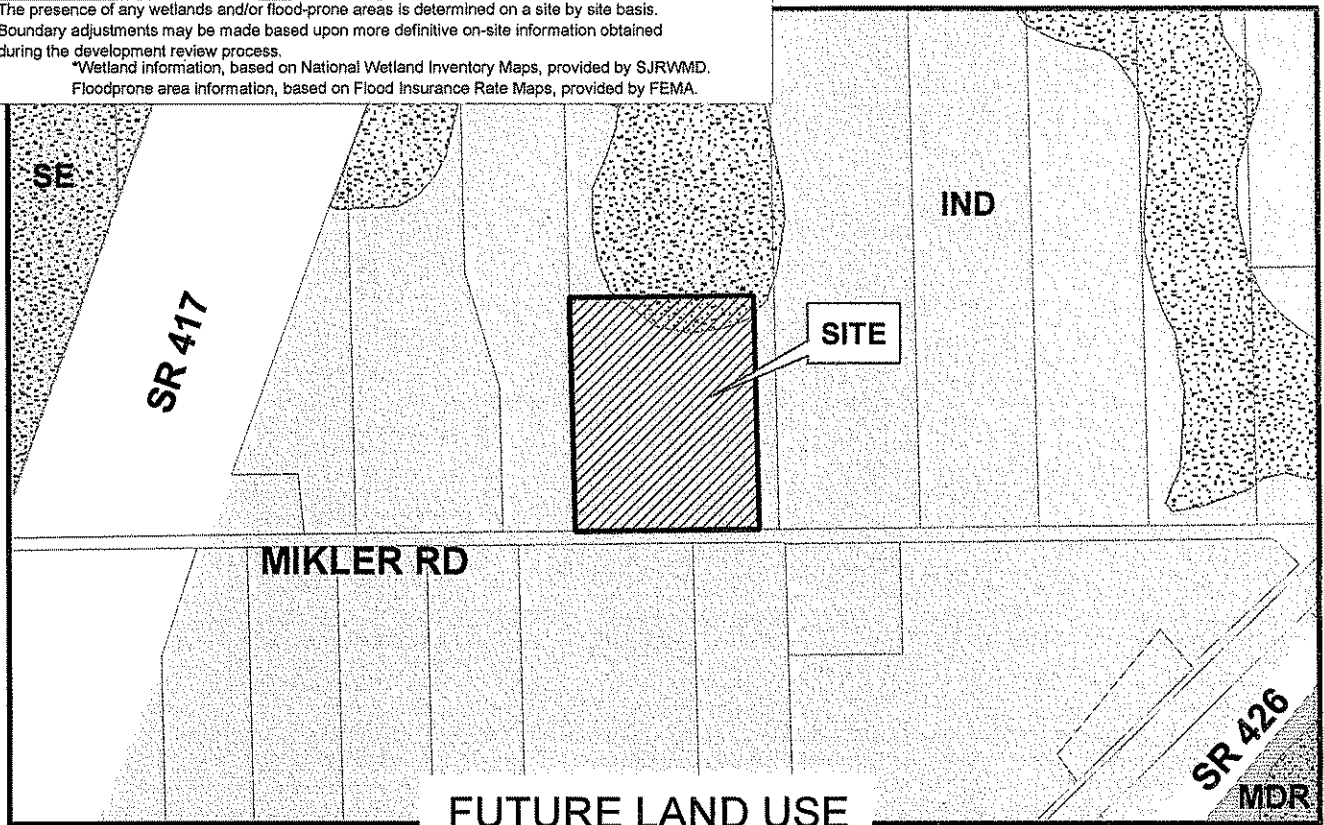
---

At the July 12, 2006 Planning & Zoning Commission meeting the Big Boys Storage Rezone was given a recommendation of approval with the revision's of staff conditions number 6, 7, 9,11,12,13. However, staff is still recommending approval of this rezone with the original 15 conditions. The applicant submitted some revised conditions which are listed below:

6. A 6 foot high chain link fence shall be erected along the east, west, and south properties boundaries. A shrubbery buffer along the west and east side of the property shall grow up to 6' in height over a 5 year period.
7. There shall be a 10' setback from the edge of the property on all sides except the north due to the wetlands.
9. The 10' landscape buffers shall include shrubbery that can grow to at least 6 feet tall for shielding on the west and east side of the property.
11. Prior to final site plan approval the applicant shall meet with the Public Works department to resolve any alternatives to constructing a 5' sidewalk along property frontage of Mikler Road.
12. Prior to final site plan approval the county engineer shall determine if Mikler Road shall be required to be improved and widened to 24' from the west edge of the property frontage to the end of the existing County Standard section.
13. A minimum 25' driveway throat length from the edge of pavement to the gate shall be required to allow for vehicle stacking.



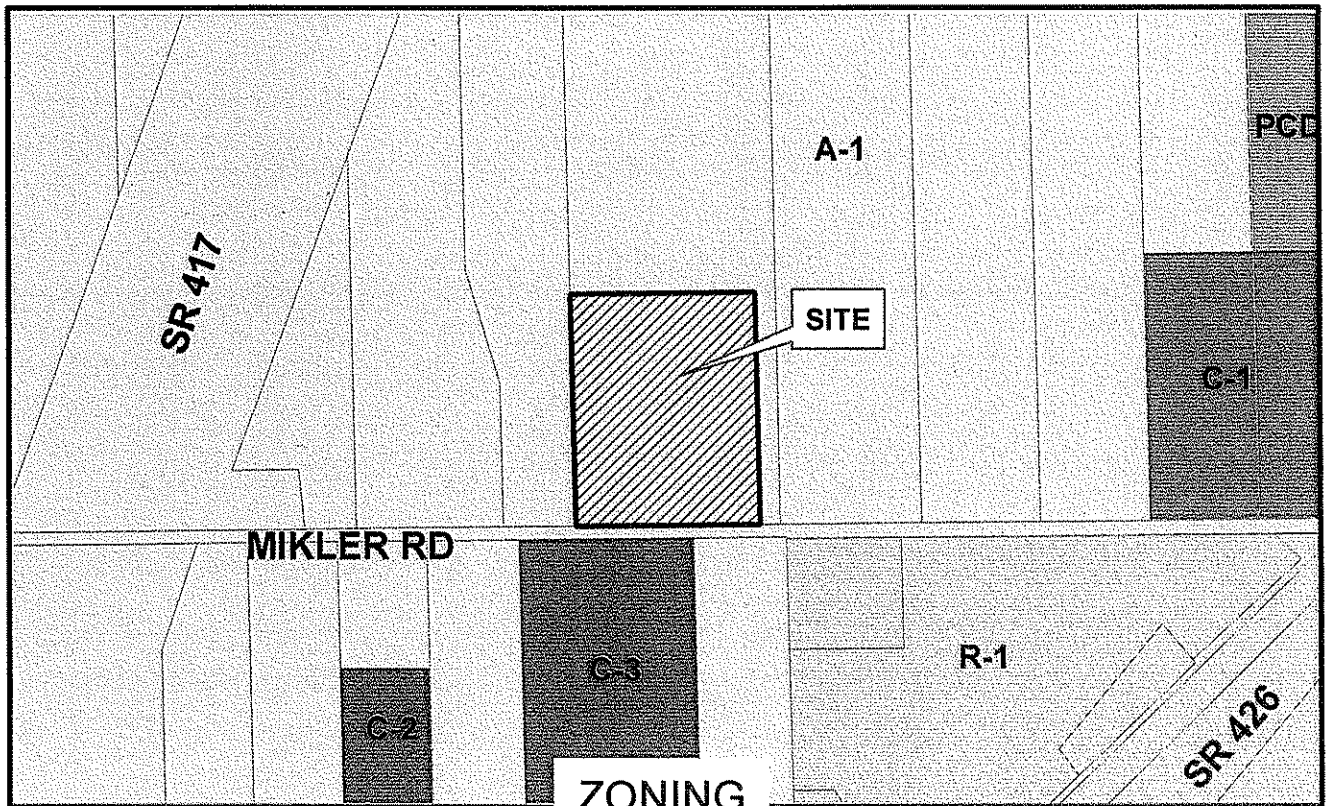
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site  
  Municipality  
  SE  
  MDR  
  IND  
  CONS

Applicant: Yvonne Calder  
 Physical STR: 29-21-31-300-0060-0000  
 Gross Acres: 2.25 +/- BCC District: 1  
 Existing Use: Residential  
 Special Notes: None

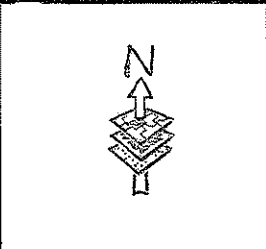
	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2006-010	A-1	PCD



A-1  
  R-1  
  C-1  
  C-2  
  C-3  
  FP-1  
  W-1



Rezone No: Z2006-010  
From: A-1 To: PCD  
□ Parcel  
▭ Subject Property



January 2004 Color Aerials

# BIG BOY TOY STORAGE SITE PLAN 2563 MIKLER ROAD SEMINOLE COUNTY, FL. 32765



500 West Fulton Street  
Sanford, Florida 32771  
P. O. Box 2048  
Sanford, Florida 32772-2808  
Phone 407 322-6841  
Fax 407 330-0639

Certificate of  
Authorization No. 3215  
© 2004

Engineers  
Surveyors  
Architects  
Planners  
Landscape Architects  
Environmental Scientists  
Construction  
Management  
Design / Build

LAURENCE M. POLINER  
REG. # 14874

BY

Revision

Date

No.

Drawn by:

Checked by:

Approved by:

Date:

Scale:

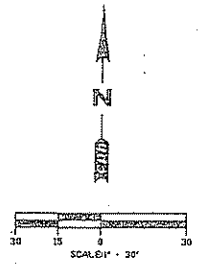
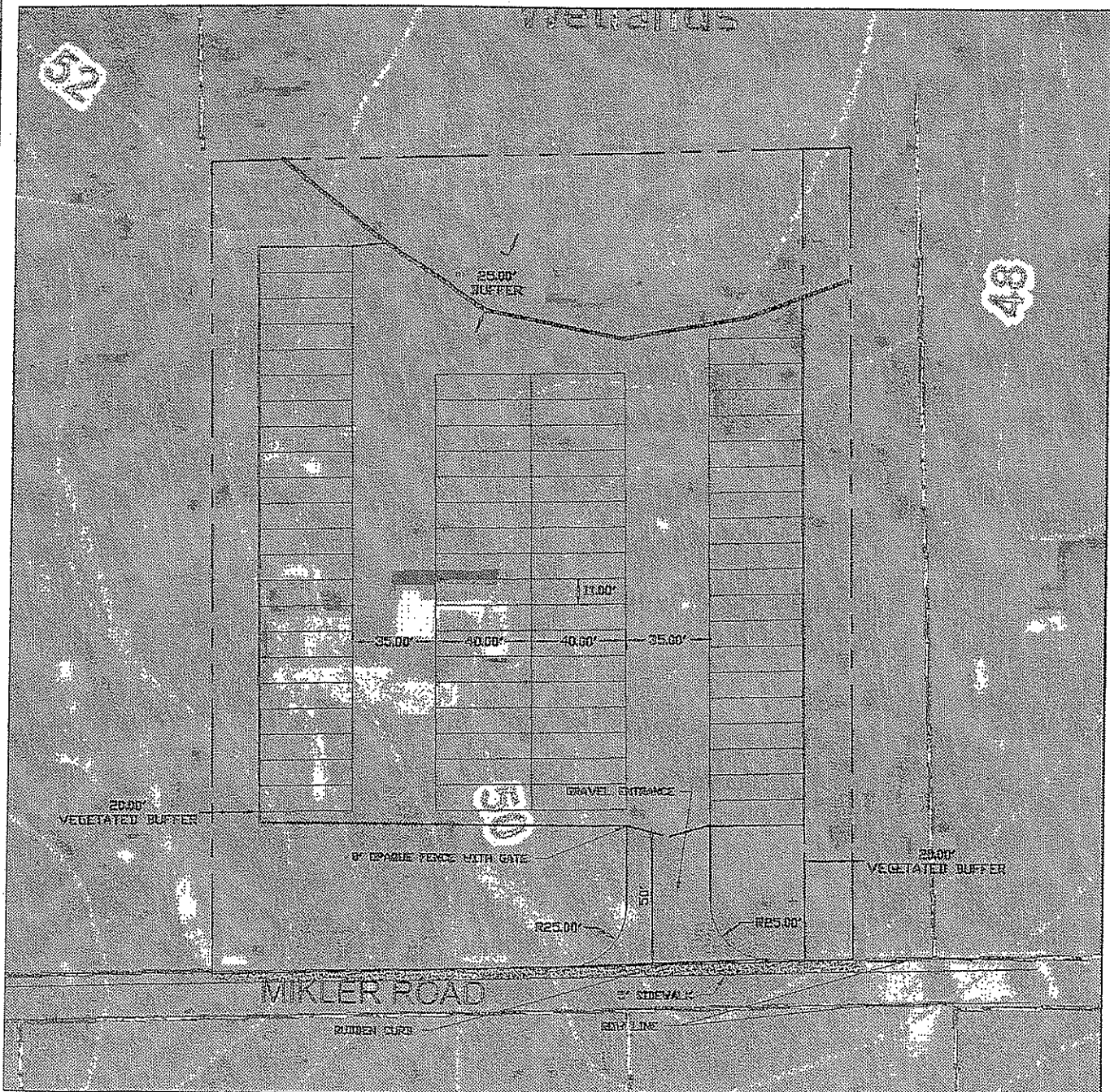
Job No.:

File:

SITE PLAN/  
BIG BOY TOY STORAGE I

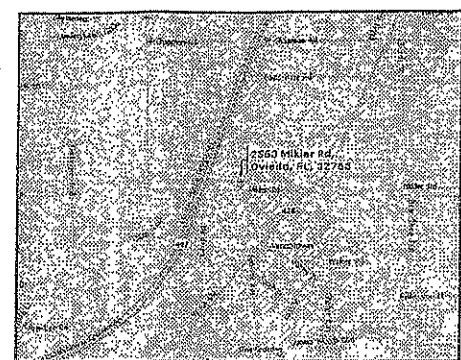
2563 MIKLER ROAD  
SEMINOLE COUNTY, FLORIDA 32765

Sheet No.



### COUNTY REQUESTED CONDITIONS

- The property shall only be used for the storage of boats and RV vehicles onsite.
  - No vehicles shall be sold, displayed or offered for sale onsite.
  - No inoperable, junked or abandoned vehicles shall be stored onsite.
  - The property owner shall provide for the provision of trash receptacles at the time of Final Site Plan approval.
  - The hours of operation for the storage facility shall only be from 6:00 AM to 9:00 PM.
  - AN 8-foot high opaque PVC fence shall be erected along the east, west, and south (front) property. The fence shall be set back a minimum of 25' from the front property line and twenty feet from the east and west property lines. Fencing shall not encroach into the post-development wetlands, as determined during the Final Site Plan process.
  - There shall be a 25-foot landscape buffer along the south property line and a 20-foot landscape buffer along the north, east, and west property lines. All required buffers shall be on the outside of the required fence.
  - A 25' buffer shall be required adjacent to all post-development wetlands.
  - The required 20-foot landscape buffers shall include the following:
    - Minimum of four canopy trees and four sub-canopy trees per 100 linear feet of buffer. The type and quality of trees shall meet the requirements of the Seminole County Land Development Code.
    - A permanent irrigation system.
    - Existing vegetation that is preserved may count towards the landscaping requirements.
  - No less than 25% of the site shall be maintained as open space. Open space areas shall include wetlands, buffers and grasses or mulched areas, but not gravel or paved surfaces of any kind.
  - A 5' sidewalk will be required along the property frontage on Mikler Road.
  - Mikler Road will be improved and widened to 24' from the west edge of the property frontage to the end of the existing County standard section. When the road is improved, the edge shall be saw cut a minimum of 1" off the edge of pavement and replaced. A standard stabilized shoulder will also be required.
  - A minimum 50' driveway throat length from the edge of pavement to the gate shall be required to allow for vehicle stacking.
  - The driveway apron inside the public ROW shall be paved.
  - The site development shall meet all requirements specified in the Seminole County Land Development Code and shall be reviewed during the Final Site Plan process. These requirements include, but are not limited to; signage, lighting, drainage, fire safety, utilities and road improvements. The site layout may change based on these requirements.
- \* ITEMS TO BE DISCUSSED/NEGOTIATED AT JULY 12TH COUNTY MEETING



PARCEL NUMBER: 29-21-31-300-0060-0000  
SITE SIZE: 2.16 +/- ACRES  
ADDRESS: 2563 MIKLER ROAD  
OVIDEO, FL 32765

OWNER: RANDY THOMPSON & YVONNE CALDER  
2889 ASHTON TERRACE  
OVIDEO, FLORIDA 32765  
407-862-2332

ENGINEER: CPH ENGINEERS, INC  
500 W. FULTON ST.  
SANFORD, FL. 32771  
407-322-6841  
ATTN: LAURENCE M. POLINER

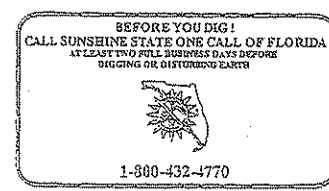
CURRENT ZONING: A-1  
PROPOSED ZONING: PCO

SPACE SIZE: 11'x40'  
MAXIMUM NUMBER OF SPACES: 120

### NOTES:

- SITE WILL BE DEVELOPED FOR BOAT AND RV STORAGE. TYPICAL STORAGE LOT SIZE IS 11'x40'.
- EXISTING BUILDINGS SHALL BE REMOVED. NO ADDITIONAL IMPERVIOUS AREA IS PROPOSED. ROADS SHALL BE COMPACTED GRAVEL.
- A FIRE HYDRANT WILL BE PLACE ON SITE AND SERVED FROM A PROPOSED 8" EXTENSION FORM THE 16" WATER MAIN ALONG S.R. 425.

LEGAL DESCRIPTION  
THE SOUTH 347.7 FEET OF THE WEST 270.0 FEET OF THE EAST 300 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY.



U:\lp

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PCD (PLANNED COMMERCIAL DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Big Boys Storage Rezone."

(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. REZONINGS.** The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to PCD (Planned Commercial Development):

**SEE ATTACHED EXHIBIT A**

**Section 3. EXCLUSION FROM 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 be effective upon filing a copy of this Ordinance with the Florida Department of State by the Clerk of the Board of County Commissioners.

ENACTED this 25th day of July 2006.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Carlton D. Henley  
Chairman

**EXHIBIT A**  
**LEGAL DESCRIPTION**

The South 347.7 feet of the West 270.0 feet of the East 300 feet of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 29, Township 21 South, Range 31 East, Seminole County, Florida,  
LESS Road Right-of-Way.



**FILE # Z2006-010**

**DEVELOPMENT ORDER # 06-20000004**

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

On July 25, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

**EXHIBIT A LEGAL DESCRIPTION**

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

**FINDINGS OF FACT**

**Property Owner:** Stephen Ratcliff

**Project Name:** Big Boys Storage PCD

**Requested Development Approval:** Rezoning from A-1 (Agriculture) zoning classification to PCD (Planned Commercial Development) zoning classification.

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: Ian Sikonia, Planner  
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:

1. The property shall only be used for the storage of boats and RV vehicles onsite.
2. No vehicles shall be sold, displayed or offered for sale onsite.
3. No inoperable, junked or abandoned vehicles shall be stored onsite.
4. The property owner shall provide for the provision of trash receptacles at the time of Final Site Plan approval.
5. The hours of operation for the storage facility shall only be from 6:00 AM to 10:00 PM.
6. An 8-foot high opaque PVC fence shall be erected along the east, west, and south (front) property. The fence shall be set back a minimum of 25' from the front property line and 20' feet from the east and west property lines. Fencing shall not encroach into the post-development wetlands, as determined during the Final Site Plan process.
7. There shall be a 25-foot landscape buffer along the south property line and a 20-foot landscape buffer along the north, east and west property lines. All required buffers shall be on the outside of the required fence.
8. A 25' upland buffer shall be required adjacent to all post-development wetlands.
9. The required landscape buffers shall include the following:
  - a. Minimum of four canopy trees and four sub-canopy trees per 100 linear feet of buffer. The type and quality of trees shall meet the requirements of the Seminole County Land Development Code.
  - b. A permanent irrigation system
  - c. Existing vegetation that is preserved may count towards the landscaping requirements.
10. No less than 25% of the site shall be maintained as open space. Open space areas shall include wetlands, buffers and grassed or mulched areas, but not gravel or paved surfaces of any kind.
11. A 5' sidewalk will be required along the property frontage on Mikler Road.
12. Mikler Road will be improved and widened to 24' from the west edge of the property frontage to the end of the existing County standard section. When the road is improved, the edge shall be saw cut a minimum of 1' off the edge of pavement and replaced. A standard stabilized shoulder will also be required.
13. A minimum 50' driveway throat length from the edge of pavement to the gate shall be required to allow for vehicle stacking.
14. The driveway apron inside the public ROW shall be paved.

15. The site development shall meet all requirements specified in the Seminole County Land Development Code and shall be reviewed during the Final Site Plan process. These requirements include, but are not limited to: signage, lighting, drainage, fire safety, utilities and road improvements. The site layout may change based on these requirements.

(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: \_\_\_\_\_  
Carlton D. Henley, Chairman  
Board of County Commissioners

**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, the owner, Stephen Ratcliff, on behalf of himself and his 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

\_\_\_\_\_  
Stephen Ratcliff  
Owner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print Name

**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 Stephen Ratcliff, 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 \_\_\_\_\_, 2006.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

**EXHIBIT A**  
**LEGAL DESCRIPTION**

The South 347.7 feet of the West 270.0 feet of the East 300 feet of the Southwest ¼ of the Northwest ¼ of Section 29, Township 21 South, Range 31 East, Seminole County, Florida,  
LESS Road Right-of-Way.

**MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/  
PLANNING & ZONING COMMISSION  
JULY 12, 2006**

**Members present:** Rob Wolf, Matt Brown, Beth Hattaway, Ben Tucker, Walt Eismann, and Jason Brodeur

**Absent:** Dudley Bates

**Also present:** Tony Walter, Planning Manager; Tina Williamson, Principal Coordinator; Candace Lindlaw-Hudson, Senior Staff Assistant; Ben Dunn, Senior Planner; Michael Rumer, Senior Planner; Ian Sikonia, Planner; George Kosmac, Seminole County School Board; Sheryl Stolzenberg, Principal Coordinator; Jeffrey Hopper, Senior Planner; and Dick Boyer, Senior Planner and Kathleen Furey-Tran, Assistant County Attorney.

**Big Boys Storage/2563 Mikler Road Rezone; Yvonne Cader & Randy Thompson, applicants;** approximately 2.25± acres; Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development ); located on the north side of Mikler Road approximately 850 feet west of the intersection of Mikler Road and SR 426. (Z2006-10)

Commissioner Dallari – District 1  
Ian Sikonia, Planner

Ian Sikonia presented the application for a PCD (Planned Commercial Development). This item was originally a request for C-3 (Commercial District) zoning, heard at the April 6 Planning and Zoning Commission meeting. At that time the commission voted 5-2 to recommend approval of the request. At the May 23 BCC meeting it was continued so that the request could be changed to PUD (Planned Unit Development). This new application contains a site plan which includes a boat and RV storage plan which includes 120 storage slots. Staff is recommending 15 conditions of approval, which mainly pertain to the buffering of the site and the roadway issues. Staff would like to change the hours of operation Item #5 – to be “Hours of Operation to be 6 a.m. to 10 p.m.” Staff recommends approval subject to the preliminary site plan and the conditions in the development order.

Larry Poliner of CPH Engineers spoke on behalf of the applicant. Mr. Poliner stated that Commissioners Morris and Dallari wanted to rezone this to PCD so that more conditions could be imposed onto the site. He would like to know why some of the conditions are being imposed.

Commissioner Tucker said that contributions go to the general fund, but can be earmarked for future use. There are many sidewalks to nowhere that were put in for future hook-ups that never happened.

Commissioner Brown said that 50 feet stack for a car and trailer is good. Why is the request being changed from C-3 zoning to a PCD.

Tina Williamson said that there had been a discussion of the continuation of the Orange County Innovation Way into Seminole County. The buffers would be screening for that.

Commissioner Brown said that people want to locate certain types of businesses near the highways for visibility to the public. When we shield the businesses, it defeats the business's purpose in being there. Commissioner Brown said that an 8-foot vinyl fence would be hideous. The west side could be buffered. The area is rapidly changing.

Commissioner Tucker said that straight zoning does not allow certain issues to be addressed. Some of the 15 conditions are overkill. People are selling out and moving out of this area.

Commissioner Tucker asked where compromises can be made.

Tony Walter said that staff would move forward with the commissioners' recommendations.

Commissioner Brown asked about the 25-foot buffer on the west side. If the adjacent property goes to C-3 zoning, then the buffer would be protecting nothing. The commercial setback is 0. This is an undue hardship on the property owner in a transitional area.

Tony Walter said that the BCC was concerned with the potential uses that could come in with C-3 zoning.

Commissioner Tucker said that PCDs are fine in transitions, but once everything is built out, you wind up with poorly utilized land.

Commissioner Brown said that the 25-foot buffer was recommended because of the viewshed from CR 417. This property is not adjacent to the 417. Is there a protection area for 417? Is there a 300 or 500 foot sheltering?

Tony Walter said that there is no such thing.

Commissioner Tucker said that he understood the Innovation area was coming up SR 434.

Commissioner Brown said that a 6-foot high fence or opaque landscaping would be appropriate.

Commissioner Tucker said that the staff can make a list of the concerns addressed by the board. He did not want to micromanage the 15 items.

**Commissioner Brodeur made a motion to recommend approval of the request with the following notations:**

**Item 1: Amend to include trailers and vehicles.**

**Items 2, 3, 4: unchanged**

**Item 5: amend to 10 P.M.**

**Items 6, 7, 9, 12, 13 – Combine to adhere to the property being appropriately shielded, but that the property owner should have full use of his property.**

**Commissioner Eismann seconded the motion.**

**Commissioner Brodeur amended the motion to include in Item 11 the option of contributing to the general fund for future sidewalk construction, in lieu of sidewalks being built.**

**Commissioner Eismann seconded the amended motion.**

**The motion passed 6 – 0.**