

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: SUBJECT: Sproul Bible College PUD Major Amendment and Rezone from PUD to PUD and from PUD to A-1

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

AUTHORIZED BY: Donald S. Fisher **CONTACT:** Michael Rumer **EXT.** 7431

Agenda Date <u>09/26/06</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

- APPROVE** the PUD Major Amendment, rezoning ordinance from PUD to PUD, Revised Preliminary Master Plan, Development Order and rezone ordinance from PUD to A-1 for properties located on the south side of Wayside Drive, approximately 550 feet east of the intersection of Wayside Drive and Orange Boulevard, known as the Sproul Bible College PUD, and authorize the Chairman to enact aforesaid documents based on staff findings (Guy Rizzo, applicant); or
- DENY** the PUD Major Amendment, rezoning ordinance from PUD to PUD, Revised Preliminary Master Plan, Development Order and rezone ordinance from PUD to A-1 for properties located on the south side of Wayside Drive, approximately 550 feet east of the intersection of Wayside Drive and Orange Boulevard, known as the Sproul Bible College PUD, based on staff findings (Guy Rizzo, applicant); or
- CONTINUE** the public hearing until a time and date certain.

District 5 - Commissioner Carey

Michael Rumer, Senior Planner

BACKGROUND:

On February 22, 2005, the Board of County Commissioners approved the Sproul Bible College PUD, which permitted the following uses:

- The conversion of the two existing residential structures and accessory buildings to a theological college with 70 students, and
- 21 residential lots consistent with the requirements and provisions of the R-1AA (Single Family Dwelling) district, and with a minimum house size of 2,000 square feet.

Reviewed by: <u>KFT</u> Co Atty: _____ DFS: _____ OTHER: _____ DCM: _____ CM: _____ File No. <u>ph130pdp01</u>

At this time, the applicant is requesting a major amendment to the Sproul Bible College PUD consisting of the following changes:

1. Removing the south five acres out of the PUD and rezoning it to A-1 to remain as vacant land, and
2. Reducing the number of R-1AA residential lots allowed from 21 to 11 and moving the location of the 11 residential lots to an 8.0± acre parcel along Wayside Drive, and
3. Allowing the 8.0± acre parcel along Wayside Drive to be used for either the 11 residential lots, or a church.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the PUD Major Amendment, Revised Preliminary Master Plan, Development Order and rezoning from PUD to PUD and rezoning from PUD to A-1 for properties located on the south side of Wayside Drive, approximately 550 feet east of the intersection of Wayside Drive and Orange Boulevard, known as the Sproul Bible College PUD.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on September 6, 2006 and voted 5 to 0 to recommend APPROVAL of the PUD Major Amendment, Revised Preliminary Master Plan, Development Order and rezoning from PUD to PUD and rezoning from PUD to A-1 for properties located on the south side of Wayside Drive, approximately 550 feet east of the intersection of Wayside Drive and Orange Boulevard, known as the Sproul Bible College PUD.

Attachments:

Location Map
FLU/Zoning Map
Aerial Photo
School District Capacity Analysis
Revised Preliminary Master Plan
Second Revised and Restated Development Order
Strike through and underlined Second Revised and Restated Development Order Ordinance (PUD to PUD)
Ordinance (PUD to A-1)
2/22/2005 Development Order
2/22/2005 BCC minutes
Minutes from the 9/6/06 P&Z Meeting

Sproul Bible College PUD Major Amendment

APPLICANT	Guy Rizzo	
PROPERTY OWNER	Ligonier Ministries, Inc. & James Campisi Applicants	
REQUEST	PUD Major Amendment, Rezone from PUD to PUD and a Rezone from PUD to A-1.	
PROPERTY SIZE	32.3 ± acres	
HEARING DATE (S)	P&Z: September 06, 2006	BCC: September 26, 2006
PARCEL ID	30-19-30-513-0000-0010,0020,& 0030, 30-19-30-300-032E-0000	
LOCATION	Located on the south side of Wayside Drive, approximately 550 feet east of the intersection of Wayside Drive and Orange Boulevard.	
FUTURE LAND USE	LDR (Low Density Residential)	
ZONING	PUD	
FILE NUMBER	Z2005-046	
COMMISSION DISTRICT	#5 – Carey	

PROPOSED DEVELOPMENT:

The applicant is requesting to remove five acres out of the PUD and rezone it to A-1, to remain vacant at this time. The applicant is also requesting to reduce the entitlements for 21 single-family lots consistent with the R-1AA zoning district to 11 lots and move those lots to the 8.0± acre Parcel B shown on the PUD Revision along Wayside Drive. The 8.0± acre parcel along Wayside Drive would permit up to 11 R-1AA single-family lots or a church.

ANALYSIS OVERVIEW:

ZONING REQUEST

On February 22, 2005, the Board of County Commissioners approved a rezoning from A-1 to PUD and the associated PUD Preliminary Master Plan that established a theological studies college and the development of 21 single-family residential dwelling units. The two (2) existing residences and accessory buildings were allowed to be converted into classroom and administrative space for up to 70 students. The additional single family lots were approved to be a minimum of 11,700 square feet, consistent with the R-1AA (Single-Family Dwelling District) zoning classification. The applicant voluntarily agreed to include a restriction on short term rentals (6 months or less) in deed restrictions applicable to the property.

The applicant is proposing to scale back the development by removing the single-family residential dwellings from the Bible School tract and removing five (5) acres from the PUD. The applicant intends to keep the five (5) acres as a separate vacant parcel with a zoning of A-1. The applicant is also proposing to create an eight (8) acre parcel (Parcel B) on the north end of the site that will accommodate an eleven (11) lot single-family

subdivision or a church with a maximum of 50,000 sq. ft. in total building space. The Applicant will still include a restriction on short term rentals if the eight (8) acre tract develops as single-family. The revised preliminary master plan includes two (2) main entrances and one service entrance on Wayside Drive which is contrary to a condition in the approved Development Order. Staff has no objection to the two entrances since they will meet the driveway separation requirements of our Land Development Code.

The following table depicts the minimum regulations for the current zoning district of PUD (Planned Unit Development) and the requested district of PUD (Planned Unit Development):

DISTRICT REGULATIONS	Existing Zoning (PUD)SFR & Bible School	Proposed Zoning (PUD) SFR	Proposed Zoning (PUD) Church
Minimum Lot Size	11,700 square feet (21 residential lots)	11,700 square feet (11 residential lots)	N/A
Minimum House Size	2,000 sq. ft.	2,000 sq. ft.	N/A
Minimum Width at Building Line	90 feet	90 feet	150 feet
Front Yard Setback	25 feet	25 feet	50 feet
Side Yard Setback	10 feet	10 feet	10 feet
(Street) Side Yard Setback	25 feet	25 feet	50 Feet
Rear Yard Setback	30 feet	30 feet	30 feet
Maximum Building Height	35 feet	35 feet	35 feet

PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Uses	PUD (existing)	PUD (proposed)
Permitted Uses	Bible (theological studies) College (70 students), 21-lot Single-Family Residential Subdivision.	Bible (theological studies) College (70 students), 11-lot Single-Family Residential Subdivision, or a Church.
Special Exception Uses	None	None
Minimum Lot Size	11,700	11,700

COMPATIBILITY WITH SURROUNDING PROPERTIES

The proposed uses of a theological college, single-family residential subdivision and a church are compatible with surrounding uses. The subject property is adjacent to single-family residential subdivisions, two churches, and a private learning academy.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map #12117C0040E, there appears to be no floodplains on the subject property.

Wetland Impacts:

Based on the preliminary master plan submitted and Seminole County wetland map analysis, a portion of the property (2± acres) contains wetlands. 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 a preliminary analysis, there are no endangered and threatened wildlife on the subject property. A listed species 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 applied for Concurrency Review and the results are pending at this time.

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

Public Facility	Existing* Zoning (PUD)	Proposed Development (PUD)	Net Impact
Water (GPD)	8,400	4,900 ¹ / 4,050 ²	-3,500 ¹ / -4,350 ²
Sewer (GPD)	7,350	4,350 ¹ / 3,300 ²	-3,000 ¹ / -4,050 ²
Traffic (ADT)	451	255 ¹ / 560 ²	-196 ¹ / +109 ²

* Existing Development is based on the approved 70 student Bible College and 21-lot single-family subdivision.

¹ Proposed Development is based on 70 student Bible College and 11-lot single-family subdivision.

² Proposed Development is based on 70 student Bible College and a church use.

Utilities:

The site is located in the Seminole County utility service area, and will be required to connect to public utilities. There is an 8-inch water main approximately 250 feet to the west, on the south side of Wayside Drive. The subject property is in the ten year master plan for reclaimed water. There is also a 16-inch force main on the west side of Orange Blvd. approximately 600 feet from the subject property that this development must connect to. A letter of capacity and intent from Seminole County for water, wastewater and reclaimed water service and approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

Access to the site is via Wayside Drive, a 2-lane local roadway, with no established level of service. Although no traffic study has been conducted on Wayside Drive, the Public Works Department believes that road capacity should be sufficient to support the proposed college at the requested enrollment. The applicant has applied for Concurrency Review and the results are pending at this time.

School Impacts:

Based on the formulas provided by the Seminole County School District, the proposed amendment change will decrease the student generation rate from 10 children to 5 children. Since no new students are being add, a school capacity report is not included.

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 34, which is located at 4905 Wayside Drive. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is less than 5 minutes.

Drainage:

The site is within a landlocked basin and will be required to hold the entire 100-year, 24-hour storm event.

Parks, Recreation and Open Space:

In accordance with Section 30.451 of the Land Development Code, the applicant will be required to provide twenty-five (25) percent of the site in usable open space.

Sidewalks and Buffers:

The developer will be required to maintain the existing sidewalk along Wayside Drive.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

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

SPECIAL DISTRICTS

The subject property is not located within an overlay district.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

- Policy POT 4.5: Potable Water Connection
- Policy SAN 4.4: Sanitary Sewer Connection
- Policy PUB 2.1: Public Safety Level-of-Service
- Policy FLU 1.3: Wetlands Protection
- Policy FLU 2.1: Subdivision Standards
- Policy FLU 2.11: Determination of Compatibility in the PUD Zoning District
- Policy CON 3.7: Open Space Regulation

INTERGOVERNMENTAL NOTIFICATION:

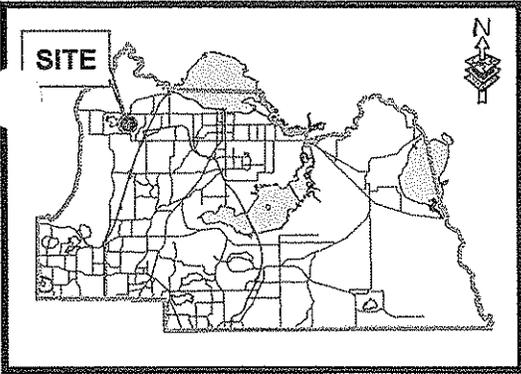
Intergovernmental notice was sent to the Seminole County School District on August 06, 2006. The School District has provided a School Capacity Report, which is attached.

LETTERS OF SUPPORT OR OPPOSITION:

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

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the PUD Major Amendment, Revised Preliminary Master Plan, Development Order and rezoning from PUD to PUD and rezoning from PUD to A-1 for properties located on the south side of Wayside Drive, approximately 550 feet east of the intersection of Wayside Drive and Orange Boulevard, known as the Sproul Bible College PUD.



**Z2006-046
SITE**

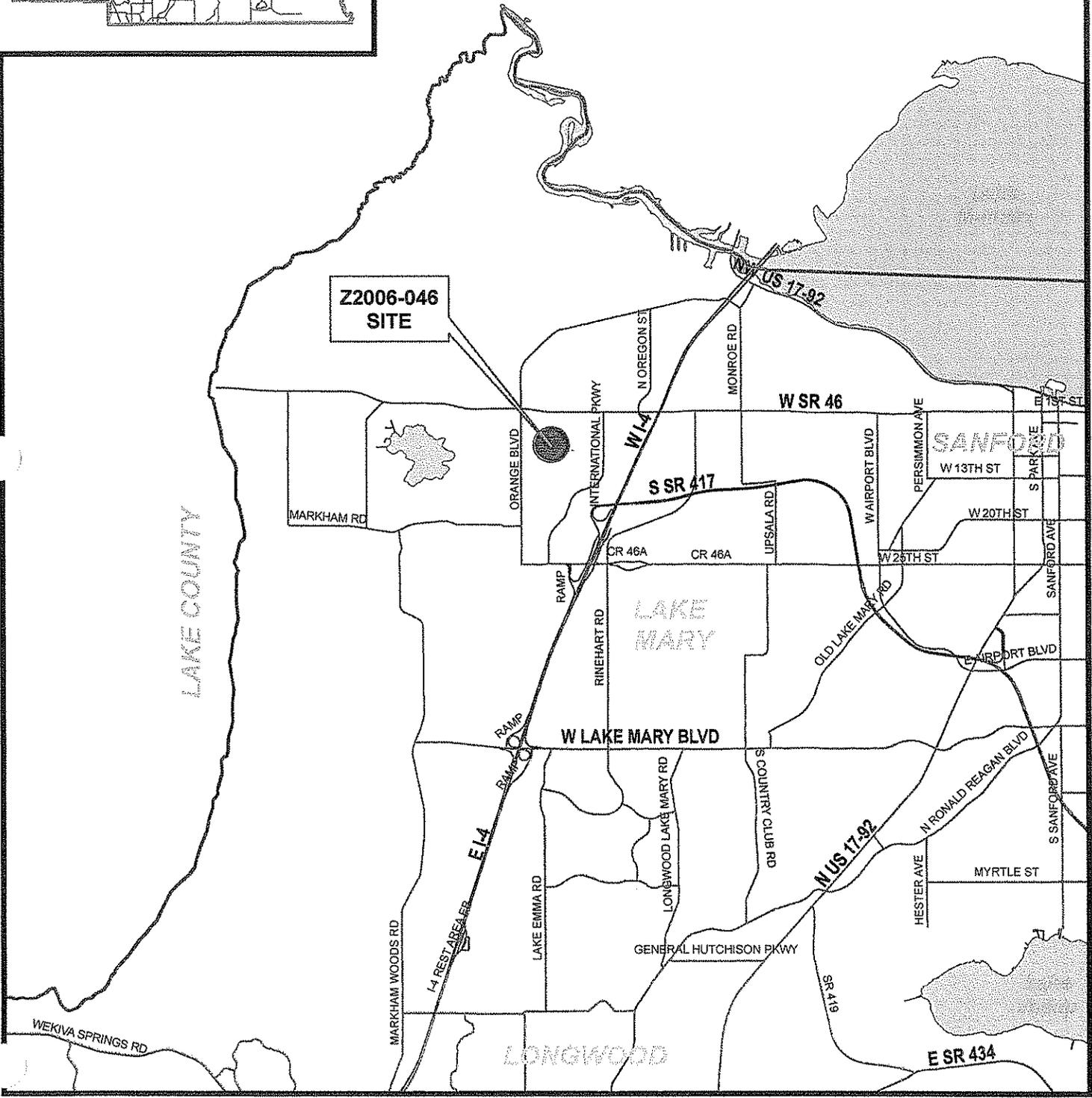
VOLUSIA COUNTY

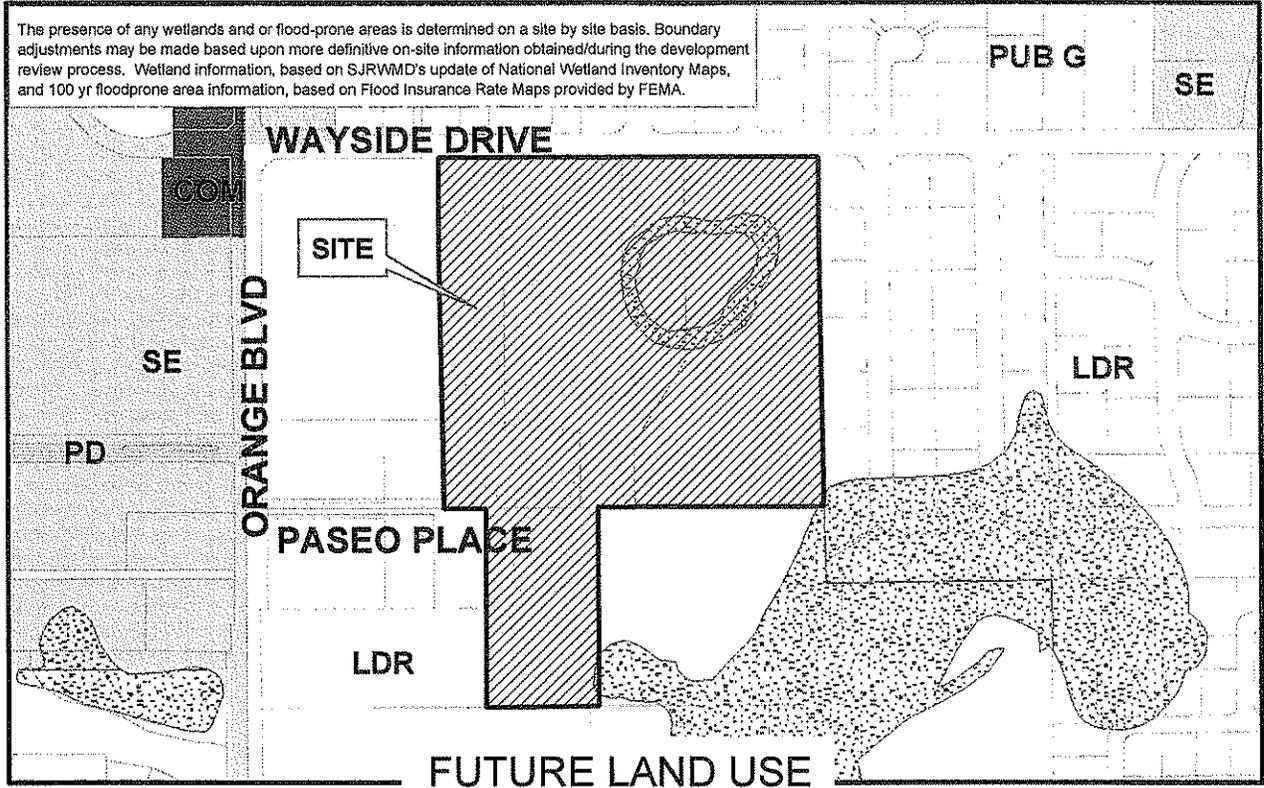
LAKE COUNTY

SANFORD

LAKE MARY

LONGWOOD

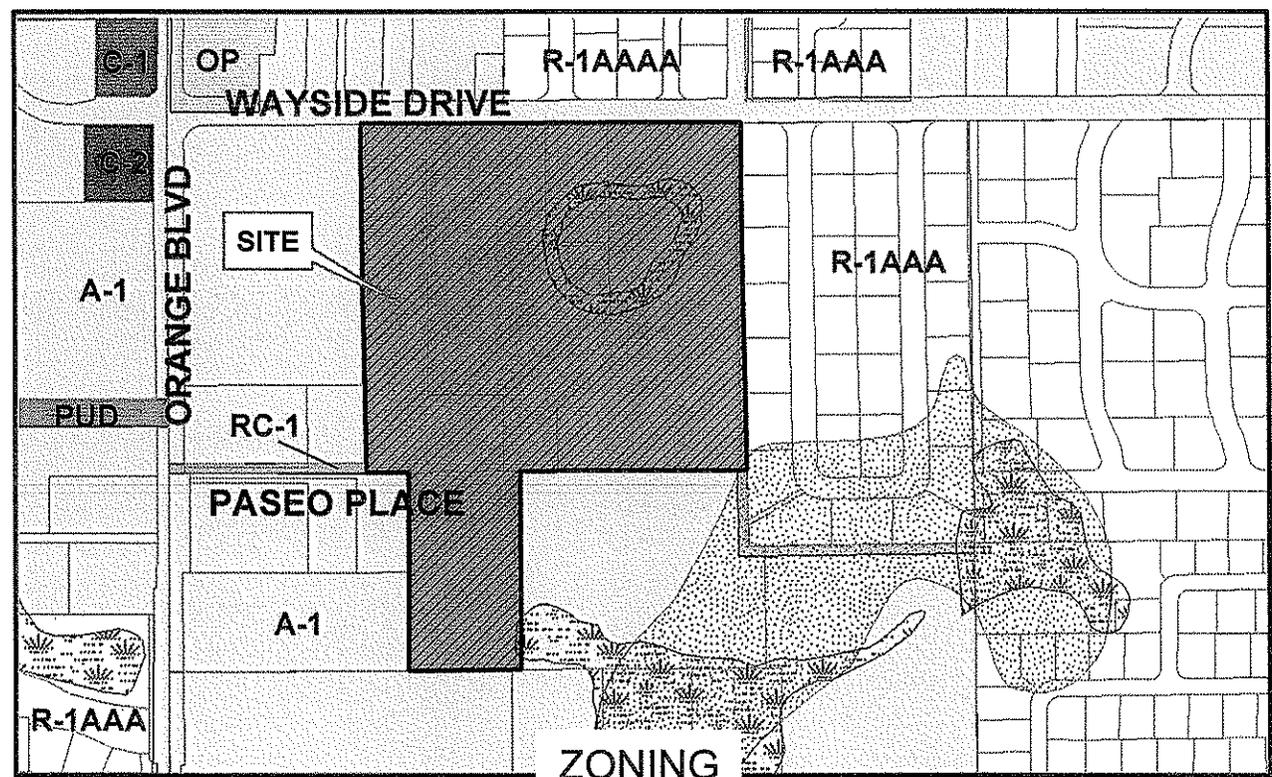




Site
 Municipality
 LDR
 SE
 PD
 COM
 PUBG
 CONS

Applicant: Guy T. Rizzo
 Physical STR: 30-19-30
 Gross Acres: 32.37 +/- BCC District: 5
 Existing Use: PUD
 Special Notes: none

	Amend/ Rezone#	From	To
FLU	---	---	---
Zoning	Z2006-046	PUD	PUD, A-1



A-1
 R-1AAAA
 R-1AAA
 OP
 C-1
 C-2
 PUD
 FP-1
 W-1



Rezone No: Z2006-046
From: PUD To: A-1

-  Parcel
-  Subject Property



Winter 2006 Color Aerials

PUD SITE DATA

- + TOTAL SITE AREA = 27.44 ACRES
- + EXISTING ZONING = PUD
- + PROPOSED ZONING = PUD
- + EXISTING LAND USE = LDR

- + SURROUNDING ZONING:
 NORTH: R-1AAAA
 SOUTH: A-1
 EAST: RC-1 AND R-1AAA
 WEST: A-1

+ SURROUNDING LAND USES: LDR (LOW DENSITY RESIDENTIAL) IN ALL DIRECTIONS

+ OPEN SPACE TO BE PROVIDED (25 % MINIMUM) = 6.86 ACRES, MINIMUM

+ ON-SITE POND = APPROX. 2.95 ACRES

+ NET BUILDABLE ACREAGE:
 27.44 TOTAL ACRES - 2.95 POND ACRES = 24.49 REMAINING ACRES
 24.49 REMAINING ACRES X 0.8 (EFFICIENCY FACTOR) = 19.59 NET BUILDABLE ACRES

+ PARCEL A:

TOTAL AREA = 19.44 ACRES
 EXISTING ZONING = PUD
 PROPOSED ZONING = PUD
 EXISTING LAND USE = LDR
 PROPOSED LAND USE = THEOLOGICAL COLLEGE
 (TO OCCUPY EXISTING RESIDENCES ON SITE)

+ PARCEL B:

TOTAL AREA = 8.00 ACRES
 EXISTING ZONING = PUD
 PROPOSED ZONING = PUD
 EXISTING LAND USE = LDR
 PROPOSED LAND USE = ELEVEN R1AA OR R1AAA RES. LOTS,
 OR,
 50,000 TOTAL SQ.FT. OF CHURCH BUILDINGS

BUILDING SETBACKS (PER R-1AA ZONING REGULATIONS):
 FRONT (WAYSIDE DRIVE) = 50 FT.
 EAST SIDE = 100 FT. FOR TWO-STORY DWELLING
 EAST SIDE = 50 FT. FOR ONE-STORY DWELLING
 REAR = 30 FT.

PROPOSED LOT DIMENSIONS (PER R-1AA ZONING REGULATIONS):
 MINIMUM LOT SIZE = 11,700 S.F.
 MINIMUM LOT WIDTH = 90 L.F.
 MINIMUM HOUSE SIZE = 1,300 S.F.

MAXIMUM RES. BUILDING HT. = 35 FT. (FOR 11 NEW DWELLING UNITS, IF DEVELOPED)

PROPOSED NUMBER OF VEHICLE TRIPS:

- + 2.38 TRIPS PER DAY PER STUDENT (INCLUDES ADMINISTRATION)

MAXIMUM STUDENTS & ADMINISTRATION = 70

70 X 2.38 = 166.60 MAXIMUM TRIPS.

UTILITIES INFORMATION:

- + WATER: SEMINOLE COUNTY
 ESTIMATED WATER USE = 1,140 GALLONS PER DAY (GPD) FOR THE BIBLE COLLEGE AND AN ESTIMATED 4,550 GPD FOR THE 8-ACRE PARCEL
- + SEWER: SEMINOLE COUNTY
 ESTIMATED SEWER FLOW = 1,140 GPD FOR THE BIBLE COLLEGE AND AN ESTIMATED 3,500 GPD FOR THE 8-ACRE PARCEL
- + FIRE PROTECTION: SEMINOLE COUNTY
- + SOLID WASTE DISPOSAL: SEMINOLE COUNTY

RECREATIONAL USES:

- + THE EXISTING POOL AT EACH OF THE EXISTING HOMES WILL BE MAINTAINED FOR RECREATIONAL USE FOR THE BIBLE COLLEGE.
- + ALL OPEN SPACE IS INTENDED TO BE USED AS RECREATIONAL SPACE.

ACCESSIBILITY NOTES:

- + ALL STRUCTURES THAT ARE REQUIRED TO BE ACCESSIBLE SHALL HAVE AN ACCESSIBLE ROUTE FROM THE ACCESSIBLE PARKING SPACES TO THE ACCESSIBLE ENTRANCE TO THE BUILDING.
- + THERE SHALL BE AT LEAST ONE ACCESSIBLE ROUTE CONNECTING ALL ACCESSIBLE BUILDINGS, FACILITIES, ELEMENTS, AND SPACES ON THE SITE.
- + THE LOCATION OF ACCESSIBLE PARKING SPACES, LOADING ZONES, SIDEWALKS, AND EXIT RAMPS, SHALL MEET THE REQUIREMENTS OF THE FLORIDA BUILDING CODE.

PUBLIC SAFETY, FIRE LOSS NOTES:

- + A FIRE HYDRANT SHALL BE LOCATED WITHIN 200 FEET OF ANY CHURCH OR COLLEGE BUILDING AND WITHIN 500 FEET OF ANY RESIDENCE.
- + PROPOSED ROAD SHALL HAVE THE CAPABILITY TO SUPPORT FIRE FIGHTING APPARATUS.

TRAFFIC NOTES:

- + A LEFT TURN LANE SHALL BE PROVIDED ON WAYSIDE DRIVE AT PROJECT ENTRANCES.
- + AN ADDITIONAL 15 FT. OF RIGHT-OF-WAY SHALL BE DEDICATED ALONG PROPERTY FRONTAGE IF NECESSARY TO ACCOMODATE REQUIRED OFF-SITE IMPROVEMENTS.

STORMWATER RETENTION NOTES:

- + RETENTION SHALL BE DESIGNED TO HOLD AN ENTIRE 100-YEAR 24-HOUR STORM EVENT.

GENERAL NOTES:

- + BIBLE COLLEGE CAPACITY SHALL BE CAPPED AT 70 STUDENTS.
- + HOURS OF OPERATION FOR CLASSES SHALL BE LIMITED TO 8:00 AM TO 8:00 PM MONDAY THROUGH FRIDAY AND 9:00 AM TO 6:00 PM ON SATURDAYS
- + THERE SHALL BE NO CLASSES HELD ON SUNDAY.
- + ALL EXISTING BUILDINGS SHALL COMPLY WITH THE BUILDING CODE.

 <p style="font-size: 8px;">CERT. OF AUTHORIZATION #: 9686 P.O. BOX 5615 Winter Park, Florida 32793 Phone: 407.265.1200</p>	
By	JAM
Description	REVISED PER COUNTY COMMENTS
Date	8-4-06
Rev.	1
Ligonier Ministries	
SPROUL BIBLE COLLEGE	SITE DATA AND NOTES
Contractor shall verify all conditions on the job site & notify the Project Engineer of any variations from dimensions shown on these drawings before proceeding with any construction.	
DESIGN BY:	
DRAWN BY:	JAM
CHECKED BY:	JAM
APPRVD. BY:	JAM
DATE:	06/14/06
JOB NO.:	LJM-001.01
DWG. FILE:	Ligonier base-3r.dwg
SHEET NO.	
2 OF 2	

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EXHIBIT B

**SECOND REVISED AND RESTATED
SPROUL BIBLE COLLEGE PUD
DEVELOPMENT ORDER**

The Second Revised and Restated Sproul Bible College PUD Development Order dated February 22, 2005 is hereby further revised on September 26, 2006 to read as follows:

Legal Description: The legal description of the PUD is attached hereto as Exhibit "A" ("Property").

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

FINDINGS OF FACT

Property Owner(s): Ligonier Ministries, Incorporated
400 Technology Park
Lake Mary, FL 33746

James M. and Ann Marie Campisi
5555 Wayside Drive
Sanford, FL 32771

Project Name: Sproul Bible College PUD.

Requested Development Approval: Rezoning from the PUD (Planned Unit Development District) zoning classification to the PUD (Planned Unit Development District) zoning classification and approval of the associated PUD preliminary master 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 owners of the property have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the afordescribed property.

Prepared by: Michael Rumer
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 owners of the property are as follows:
 - A. Development of the site shall consist of: (a) two (2) existing residential dwelling units, and accessory buildings, which may be converted to accommodate classrooms and space for administrative staff for the Bible College; and (b) an additional 11 single family detached residential dwelling units or a church use for future development.
 - B. Development of single family residential dwelling units shall be consistent with the requirements and provisions of the R-1AA (Single Family Dwelling District) zoning classification.
 - C. Minimum house size shall be 2,000 square feet living space.
 - D. Enrollment at the Bible College shall be limited to no more than 70 students on campus.
 - E. Hours of operation for Bible College classes shall be limited to 8:00 am to 8:00 pm, Monday through Friday and 9:00 am to 6:00 pm on Saturdays.
 - F. Outdoor amplification of sound shall be prohibited.
 - G. The overall look of the property shall remain residential in character.
 - H. The site shall be served from Wayside Drive.
 - I. The existing driveway along the eastern boundary of the site shall be limited to service delivery access and officers and directors of the corporation only. The driveway may be used by the owner of the existing residence until such time as the residence is converted into a building for the proposed Bible College.
 - J. Dedicate property along Wayside Drive to create a minimum 40 foot half right-of-way.
 - K. Provide a sidewalk along one side of internal roads to connect to sidewalk/pedestrian circulation system on the college campus.
 - L. Install/restore, after any roadway improvements, the existing sidewalk along Wayside Drive the entire length of the property.
 - M. Development to connect to Seminole County water and sewer service.
 - N. All existing buildings shall comply with the Building Code.
 - O. Potable water shall not be used for irrigation purposes.

P. As a method of enforcing Developer's voluntary agreement regarding rental properties within the proposed subdivision, Developer agrees to include a restriction on short term rentals (6 months or less) in the deed restrictions applicable to the property. The County shall have no obligation to enforce any deed restriction, including the one on short term rentals.

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 owners of the said property have 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.

SEMINOLE COUNTY BOARD OF
COUNTY COMMISSIONERS

By: _____
Carlton D. Henley, Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Ligonier Ministries, Incorporated, a Pennsylvania corporation, on behalf of itself and its 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

Ligonier Ministries, Inc., a Pennsylvania corporation, by Timothy Dick, its President

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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner's James M. and Ann Marie Campisi, on behalf of themselves and their 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

James M. Campisi

Witness

Witness

Ann Marie Campisi

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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

**EXHIBIT A
LEGAL DESCRIPTION**

From the NE corner of the SW 1/4 of Section 30, Township 19 South, Range 30 East, Seminole County, Florida, run S89° 56' 00" W along the North line of said SW 1/4 a distance of 660 feet; Thence run S 00° 01' 36" W, parallel with the East line of said SW 1/4 a distance of 25 feet for a Point of Beginning; thence continue S 00° 01' 36" W, 1320 feet; Thence run N 89° 56' 00" E, 49 feet; thence run S 00° 01' 36" W, 426.43 feet to a point 880 feet North of the South line of said SW 1/4; Thence run S 89° 47' 56" W parallel with said South line 683.09 feet to a point 1040.2 feet East of the West line of said SW 1/4; Thence run N 00° 06' 34" W parallel with said West line 660 feet; Thence run N 89° 47' 56" E, 89.80 feet; Thence run N 00° 06' 34" W, 200 feet; Thence run N 32° 01' 25" E, 298.41 feet; Thence run N 00° 01' 36" E, 635 feet; Thence run N89° 56' 00" E, 388.3 feet to the Point of Beginning LESS THE SOUTH 660 FEET THEREOF

AND

Lots 1, 2, and 3 of Campisi Subdivision recorded in Plat Book 65 at page 85

SECOND REVISED AND RESTATED
SPROUL BIBLE COLLEGE PUD
DEVELOPMENT ORDER

The Second Revised and Restated Sproul Bible College PUD Development Order dated February 22, 2005 is hereby further revised on September 26, 2006 to read as follows:

Legal Description: The legal description of the PUD is attached hereto as Exhibit "A" ("Property").

~~On February 22, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:~~

See Exhibit A

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

FINDINGS OF FACT

Property Owner(s): Ligonier Ministries, Incorporated
400 Technology Park
Lake Mary, FL 33746

James M. and Ann Marie Campisi
5555 Wayside Drive
Sanford, FL 32771

Project Name: Sproul Bible College.

Requested Development Approval: Rezoning from the A-1 (Agriculture District) zoning classification to the PUD (Planned Unit Development District) zoning classification and approval of the associated PUD preliminary master 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 owners of the property have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have 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 owners of the property are as follows:
 - A. Development of the site shall consist of: (a) two (2) existing residential dwelling units, and accessory buildings, which may be converted to accommodate classrooms and space for administrative staff for the Bible College; and (b) an additional ~~24~~ 11 single family detached residential dwelling units or a church use for future development.
 - B. Development of single family residential dwelling units shall be consistent with the requirements and provisions of the R-1AA (Single Family Dwelling District) zoning classification.
 - C. Minimum house size shall be 2,000 square feet living space.
 - D. Enrollment at the Bible College shall be limited to no more than 70 students on campus.
 - E. Hours of operation for Bible College classes shall be limited to 8:00 am to 8:00 pm, Monday through Friday and 9:00 am to 6:00 pm on Saturdays.
 - F. Outdoor amplification of sound shall be prohibited.
 - G. The overall look of the property shall remain residential in character.
 - H. ~~The site shall be served by a single main access point either from Wayside Drive, or Orange Boulevard, but not at both locations.~~
 - I. The existing driveway along the eastern boundary of the site shall be limited to service delivery access and officers and directors of the corporation only. The driveway may be used by the owner of the existing residence until such time as the residence is converted into a building for the proposed Bible College.
 - J. Dedicate property along Wayside Drive to create a minimum 40 foot half right-of-way.
 - K. Provide a sidewalk along one side of internal roads to connect to sidewalk/pedestrian circulation system on the college campus.
 - L. Install/restore, after any roadway improvements, the existing sidewalk along Wayside Drive the entire length of the property.
 - M. Development to connect to Seminole County water and sewer service.
 - N. All existing buildings shall comply with the Building Code.
 - O. Potable water shall not be used for irrigation purposes.

- P. As a method of enforcing Developer's voluntary agreement regarding rental properties within the proposed subdivision, Developer agrees to include a restriction on short term rentals (6 months or less) in the deed restrictions applicable to the property. The County shall have no obligation to enforce any deed restriction, including the one on short term rentals.
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 owners of the said property have 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.

SEMINOLE COUNTY BOARD OF
COUNTY COMMISSIONERS

By: _____
Carlton D. Henley, Chairman

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM PUD (PLANNED UNIT DEVELOPMENT DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT DISTRICT); 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 "Sproul Bible College".

(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. REZONING. The zoning classification assigned to the following described property is changed from the PUD (Planned Unit Development District) to the PUD (Planned Unit 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 #06-21700004 in the Public Records of Seminole County, Florida.

ENACTED this 26th day of September 2006

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley, Chairman

EXHIBIT A
LEGAL DESCRIPTION

From the NE corner of the SW 1/4 of Section 30, Township 19 South, Range 30 East, Seminole County, Florida, run S89° 56' 00" W along the North line of said SW 1/4 a distance of 660 feet; Thence run S 00° 01' 36" W, parallel with the East line of said SW 1/4 a distance of 25 feet for a Point of Beginning; thence continue S 00° 01' 36" W, 1320 feet; Thence run N 89° 56' 00" E, 49 feet; thence run S 00° 01' 36" W, 426.43 feet to a point 880 feet North of the South line of said SW 1/4; Thence run S 89° 47' 56" W parallel with said South line 683.09 feet to a point 1040.2 feet East of the West line of said SW 1/4; Thence run N 00° 06' 34" W parallel with said West line 660 feet; Thence run N 89° 47' 56" E, 89.80 feet; Thence run N 00° 06' 34" W, 200 feet; Thence run N 32° 01' 25" E, 298.41 feet; Thence run N 00° 01' 36" E, 635 feet; Thence run N89° 56' 00" E, 388.3 feet to the Point of Beginning LESS THE SOUTH 660 FEET THEREOF

And

Lots 1, 2, and 3 of Campisi Subdivision recorded in Plat Book 65 at page 85

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM PUD (PLANNED UNIT DEVELOPMENT DISTRICT) TO A-1 (AGRICULTURE) DISTRICT; 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 "Sproul Bible College".

(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. REZONING. The zoning classification assigned to the following described property is changed from the PUD (Planned Unit Development District) to the A-1 (Agriculture) 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 #06-21700004 in the Public Records of Seminole County, Florida.

ENACTED this 26th day of September 2006

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley, Chairman

EXHIBIT A
LEGAL DESCRIPTION

The North 660 feet of the South 1540 feet of the East 330.10 feet of the West 1040.20 feet of the SW $\frac{1}{4}$ of Section 30, Township 19 South, Range 30 East, Seminole County, Florida. Subject to an easement for ingress and egress and Utilities over the North 35 feet thereof. Along with an easement for ingress and egress over the North 70 feet of the South 1575 feet of the East 1000.2 feet of the West 1040.2 feet of the said SW $\frac{1}{4}$.

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 22, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

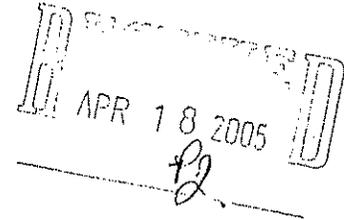
See Exhibit A

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

FINDINGS OF FACT

Property Owner(s): Ligonier Ministries, Incorporated
400 Technology Park
Lake Mary, FL 32746

James M. and Ann Marie Campisi
5555 Wayside Drive
Sanford, FL 32771



Project Name: Sproul Bible College.

Requested Development Approval: Rezoning from the A-1 (Agriculture District) zoning classification to the PUD (Planned Unit Development District) zoning classification and approval of the associated PUD preliminary master 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 owners of the property have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the afordescribed property.

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

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
05707 PGS 0555-0562
FILE NUM 2005071268

RECORDED 04/29/2005 03:10:02 PM
RECORDING FEES 69.50

RECORDED BY L Woodley
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files\content.ie5\oh2v0pun\sproul_bible_college_pud_do_to_grizzo_3_28_05[1].doc

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

BY: Eva Rash
DEPUTY CLERK

RETURN TO SANDY MCCANN

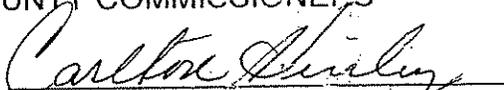
NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

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 owners of the property are as follows:
 - A. Development of the site shall consist of: (a) two (2) existing residential dwelling units, and accessory buildings, which may be converted to accommodate classrooms and space for administrative staff for the Bible College; and (b) an additional 21 single family detached residential dwelling units for future development.
 - B. Development of single family residential dwelling units shall be consistent with the requirements and provisions of the R-1AA (Single Family Dwelling District) zoning classification.
 - C. Minimum house size shall be 2,000 square feet living space.
 - D. Enrollment at the Bible College shall be limited to no more than 70 students on campus.
 - E. Hours of operation for classes shall be limited to 8:00 am to 8:00 pm, Monday through Friday and 9:00 am to 6:00 pm on Saturdays.
 - F. Outdoor amplification of sound shall be prohibited.
 - G. The overall look of the property shall remain residential in character.
 - H. The site shall be served by a single main access point either from Wayside Drive or Orange Boulevard, but not at both locations.
 - I. The existing driveway along the eastern boundary of the site shall be limited to service delivery access and officers and directors of the corporation only. The driveway may be used by the owner of the existing residence until such time as the residence is converted into a building for the proposed Bible College.
 - J. Dedicate property along Wayside Drive to create a minimum 40 foot half right-of-way.
 - K. Provide a sidewalk along one side of internal roads to connect to sidewalk/pedestrian circulation system on the college campus.
 - L. Install/restore, after any roadway improvements, the existing sidewalk along Wayside Drive the entire length of the property.
 - M. Development to connect to Seminole County water and sewer service.
 - N. All existing buildings shall comply with the Building Code.
 - O. Potable water shall not be used for irrigation purposes.

- P. As a method of enforcing Developer's voluntary agreement regarding rental properties within the proposed subdivision, Developer agrees to include a restriction on short term rentals (6 months or less) in the deed restrictions applicable to the property. The County shall have no obligation to enforce any deed restriction, including the one on short term rentals.
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 owners of the said property have 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.

SEMINOLE COUNTY BOARD OF
COUNTY COMMISSIONERS

By: 
Carlton D. Henley, Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Ligonier Ministries, Incorporated, a Pennsylvania corporation, on behalf of itself and its 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.

[Signature]
Witness Andrew Roberts

Timothy A. Dick
Ligonier Ministries, Inc., a Pennsylvania corporation, by Timothy Dick, its President

[Signature]
Witness Marybeth L. Pullum

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

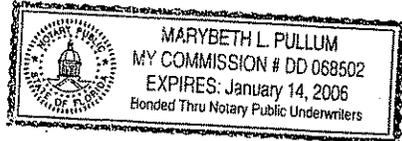
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Timothy A. Dick, President of Ligonier Ministries, who is personally known to me or who has produced as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 29 day of March, 2005.

[Signature]

Notary Public, in and for the County and State Aforementioned

My Commission Expires:



OWNER'S CONSENT AND COVENANT

COMES NOW, the owner's James M. and Ann Marie Campisi, on behalf of themselves and their 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.

Judith M. Biegler
Witness

James M. Campisi
James M. Campisi

M. Carbonaro
Witness

Ann Marie Campisi
Ann Marie Campisi

Judith M. Biegler
Witness

M. Carbonaro
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 James Campisi, Ann Marie Campisi 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 13 day of April, 2005.

Susan A. Morris

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: 9/6/7



EXHIBIT A
LEGAL DESCRIPTION

A-1 to PUD (Z2004-066)

Legal Jacoboni Property 10.854 acres

From the NE corner of the SW 1/4 of Section 30; Township 19 South, Range 30 East, Seminole County, Florida, run S89° 56' 00" W along the North line of said SW 1/4 a distance of 660 feet; Thence run S 00° 01' 36" W, parallel with the East line of said SW 1/4 a distance of 25 feet for a Point of Beginning; thence continue S 00° 01' 36" W, 1320 feet; Thence run N 89° 56' 00" E, 49 feet; thence run S 00° 01' 36" W, 426.43 feet to a point 880 feet North of the South line of said SW 1/4; Thence run S 89° 47' 56" W parallel with said South line 683.09 feet to a point 1040.2 feet East of the West line of said SW 1/4; Thence run N 00° 06' 34" W parallel with said West line 660 feet; Thence run N 89° 47' 56" E, 89.80 feet; Thence run N 00° 06' 34" W, 200 feet; Thence run N 32° 01' 25" E, 298.41 feet; Thence run N 00° 01' 36" E, 635 feet; Thence run N89° 56' 00" E, 388.3 feet to the Point of Beginning LESS THE SOUTH 660 FEET THEREOF

Legal Campisi Property 21.516 acres

Lots 1, 2, and 3 of Campisi Subdivision recorded in Plat Book 65 at page 85
AND

The North 660 feet of the South 1540 feet of the East 330.10 feet of the West 1040.20 feet of the SW 1/4 of Section 30, Township 19 South, Range 30 East, Seminole County, Florida. Subject to an easement for ingress and egress and Utilities over the North 35 feet thereof. Along with an easement for ingress and egress over the North 70 feet of the South 1575 feet of the East 1000.2 feet of the West 1040.2 feet of the said SW 1/4.

REZONE SPROUL BIBLE COLLEGE/Guy Rizzo

Proof of publication, as shown on page 1596, calling for a public hearing to consider request to Rezone from A-1 (Agriculture District) to PUD (Planned Unit Development) and PUD Preliminary Master Plan on approximately 32 acres located on the south side of Wayside Drive, approximately 550 ft. east of the intersection of Wayside Drive and Orange Blvd.; and approval of the Development Order, Guy T. Rizzo, received and filed.

Tony Matthews, Planning, addressed the Board to present the request. He stated the site consists of two single-family residential dwelling units and accessory buildings. On November 15, 2004, the Board of Adjustment (BOA) approved a special exception to establish a theological studies college on the western portion, approximately 16 acres using the existing buildings. The development order includes those conditions that were placed at the Board of Adjustment (BOA) hearing. The two existing residences and accessory buildings will be converted into classroom and administrative space for up to 70 students. The proposed single-family lots will be a minimum of 11,700 sq. ft., consistent with R-1AA single-family district zoning classification. The applicant has stated that the proposed single-family homes will be sold for fee simple ownership and are not primarily intended as temporary residences for students attending the proposed Bible College. Staff is recommending approval of the request subject to the conditions outlined in the development order. He submitted a copy of Page 2 (received and filed) of the proposed development order and referred to the following changes: (1) Change minimum house size to **2,000** sq. ft.; (2) Enrollment at the College shall be limited to no more than 70 students **on campus**; and (3) Delete Item F, **Sunday**

FEBRUARY 22, 2005

classes shall be prohibited. He stated the applicant supports the proposed changes. He said staff has received a letter (not received and filed) from John Dwyer indicating that he is representing the Berington Club Homeowner's Association and they are not opposed to the rezone at this time, but they are not in support of it either. He added Mr. Dwyer requested that a condition be placed in the development order to preserve the trees located along the southern boundary of Wayside Dr. as much as possible.

Upon inquiry by Commissioner Morris, Mr. Matthews advised he believes the trees can be protected along the southern boundary. Staff will ask the applicant to show that on the plan when it comes back during the final master plan.

Guy Rizzo, applicant, addressed the Board to state he agrees with all the proposed changes. He stated aesthetics is his main concern relative to the trees and said they definitely want to preserve the large oaks.

Mr. Matthews displayed some photographs (not received and filed) that were presented during the BOA hearing.

Mary McKeever, 5590 Wayside Drive, addressed the Board to state she lives across the street from the proposed project. She stated she is not necessarily opposed to the project. She stated she understands that access will be off of Paseo Place in order to get to the 21 home sites.

Mr. Matthews advised the proposed PUD show access off of Wayside Drive only, however, the applicant is discussing the possibility of access off of Orange Blvd. He stated either is fine with staff but they would prefer access off of Orange Blvd.

Ms. McKeever stated everything from Wayside Dr. to Wilson Ave. is Low Density Residential and she has no problem with 4

units per acre. If access is blocked to the adjoining 10 acres, then the only access would be to her client's (Marlene Metcalf) property, and they would have to buy her out. She stated her biggest concern is these are not short term rentals. She said she was told that this will be an internet college and if that is the case, then she is not opposed to the request. She asked if these are going to be residential dwellings for students to live in and are they going to be owned and operated by the applicant.

Copy of letter from Marlene Metcalf was received and filed.

Mr. Rizzo advised these will not be residences for housing students. The homes will be sold in fee simple and will be deed restricted. The homes will not be short term rental property.

Upon inquiry by Vice Chairman Carey, Mr. Rizzo advised in connection to rental property, if he sells it in fee simple to an owner, he cannot restrict as to what that owner can do with it after that.

Upon further inquiry by Vice Chairman Carey, Mr. Rizzo advised he has no objections putting no short term rental under six months in the development order.

No one else spoke in support or in opposition.

Speaker Request Form was received and filed.

District Commissioner Carey stated she met with the applicant and as a result of that meeting, she is willing to increase the minimum house size to 2,000 sq. ft. and no more than 70 students on campus. Based on that, she supports the project as proposed with staff comments.

Commissioner Morris stated the following will be included in the development order: the community shall be deed restricted and will not permit rentals under 6 months.

FEBRUARY 22, 2005

Upon inquiry by Commissioner Morris, Robert McMillan, County Attorney, advised the County cannot enforce the deed restrictions and that will be part of the PUD.

Commissioner Morris stated the homeowner's association can take it upon themselves relative to deed restrictions.

Mr. Rizzo advised that there will be a homeowners association.

Motion by Commissioner Morris, seconded by Commissioner Dallari to adopt Ordinance #2005-6, as shown on page 1597, approve Rezoning from A-1 (Agriculture District) to PUD (Planned Unit Development) and PUD Preliminary Master Plan on approximately 32 acres located on the south side of Wayside Drive, approximately 550 ft. east of the intersection of Wayside Drive and Orange Blvd.; and approval of the Development Order, as shown on page _____, as described in the proof of publication, Guy T. Rizzo, with staff findings and conditions (A-Q) outlined in the development order.

Under discussion, Commissioner Morris **clarified** the **motion** should include "as amended" and eliminating Item F of the development order.

Commissioner Dallari advised the conditions submitted by staff were dated 2/22/05.

Districts 1, 2, 3, and 5 voted AYE.

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 7:24 p.m., this same date.

ATTEST _____ Clerk _____ Chairman
cc/slm/er

**MINUTES FOR THE SEMINOLE COUNTY LAND PLANNING AGENCY/
PLANNING AND ZONING COMMISSION**

SEPTEMBER 6, 2006

Members present: Ben Tucker, Beth Hattaway, Dudley Bates, Matt Brown, Walt Eismann, Rob Wolf

Member absent: Jason Brodeur

Also present: Tony Walter, Planning Manager; April Boswell, Assistant Planning Manager; Tina Williamson, Principal Coordinator; Michael Rumer, Senior Planner; Kathleen Furey-Tran, Assistant County Attorney; Cynthia Sweet, Planner; and Candace Lindlaw-Hudson, Senior Staff Assistant.

Sproul Bible College PUD Major Amendment and Rezone from PUD to A-1 (Agriculture District); Guy T. Rizzo, Applicant; Major Amendment to a PUD (Planned Unit Development) to include a church as a permitted use on 27.44 acres and the removal of five acres from the PUD and rezoning the five acres to A-1; located on the south side of Wayside Drive, approximately 550 feet east of the intersection of Wayside Drive and Orange Boulevard; (Z2006-046).

Commissioner Carey – District 5
Michael Rumer, Senior Planner

Michael Rumer stated that on February 22, 2005 the Board of County Commissioners approved the Sproul Bible College PUD which permitted the following uses: The conversion of the two existing residential structures and accessory buildings to a theological college with 70 students and 21 residential lots consistent with the requirements and provisions of the R-1AA (SFR Family Dwelling) district and with a minimum house size of 2,000 square feet.

Mr. Rumer stated that at this time the applicant is requesting a major amendment to the Sproul Bible College PUD which includes the following changes: removing the south five acres from the PUD and rezoning them to A-1 (Agriculture District) to remain as vacant land; reducing the number of R-1AA residential lots allowed from 21 to 11 and moving the location of the 11 residential lots to an 8.0 acre parcel along Wayside Drive and allowing the 8.0 acre parcel along Wayside Drive to be used for either the 11 residential lots or a church. He demonstrated using the maps where the property would be changed.

Mr. Rumer said that the staff recommended approval of the PUD Major Amendment, Revised Preliminary Master Plan, Development Order and rezoning from PUD to PUD and rezoning from PUD to A-1.

Guy Rizzo stated that he agreed with the staff report. He is removing the southern 5 acres for possible future resale or development. The ingress and egress will be from Wayside Drive, not Orange Blvd. The Bible College wants to get up and running and this will allow that to happen.

There were no questions from the audience.

Commissioner Eismann made a motion to recommend approval of the request.

Commissioner Brown seconded the motion.

The motion passed 6 – 0.