

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Rezone from RP (Residential-Professional) and A-I (Agriculture) to OP (Office-Professional). (Gifford Anglim, applicant.)

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

**AUTHORIZED BY:** Kent Cichon **CONTACT:** Jeff Hopper EXT. 7431

<b>Agenda Date</b> <u>12/10/02</u> <b>Regular</b> <input type="checkbox"/> <b>Consent</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 the request for rezoning from RP and A-I to OP on 0.38 acre at the southeast corner of Lake Howell Lane and Ruby Court, based on staff findings and the attached site plan (Gifford Anglim, applicant); or
2. DENY the request for rezoning from RP and A-I to OP on 0.38 acre at the southeast corner of Lake Howell Lane and Ruby Court, (Gifford Anglim, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 4– Comm. Henley)

(Jeff Hopper, Senior Planner)

**BACKGROUND:**

The applicant requests approval of a change in zoning from RP and A-I to OP for the purpose of constructing a 5,000 square foot office building per the attached site plan. Due to the small size of the development site, waivers of buffer widths, parking and other elements of site design are requested by the applicant.

**STAFF RECOMMENDATION:**

In order to facilitate use of the property in accordance with the future land use designated by the Vision 2020 Plan, staff recommends approval of the request per the attached development order.

<b>Review by :</b> <u>KCC</u> <b>Co Atty:</b> _____ <b>DFS:</b> _____ <b>OTHER:</b> <u>MW</u> <b>DCM:</b> _____ <b>CM:</b> <u>JH</u> <b>File No.</b> <u>ph130pdp01</u>
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**PLANNING & ZONING COMMISSION RECOMMENDATION**

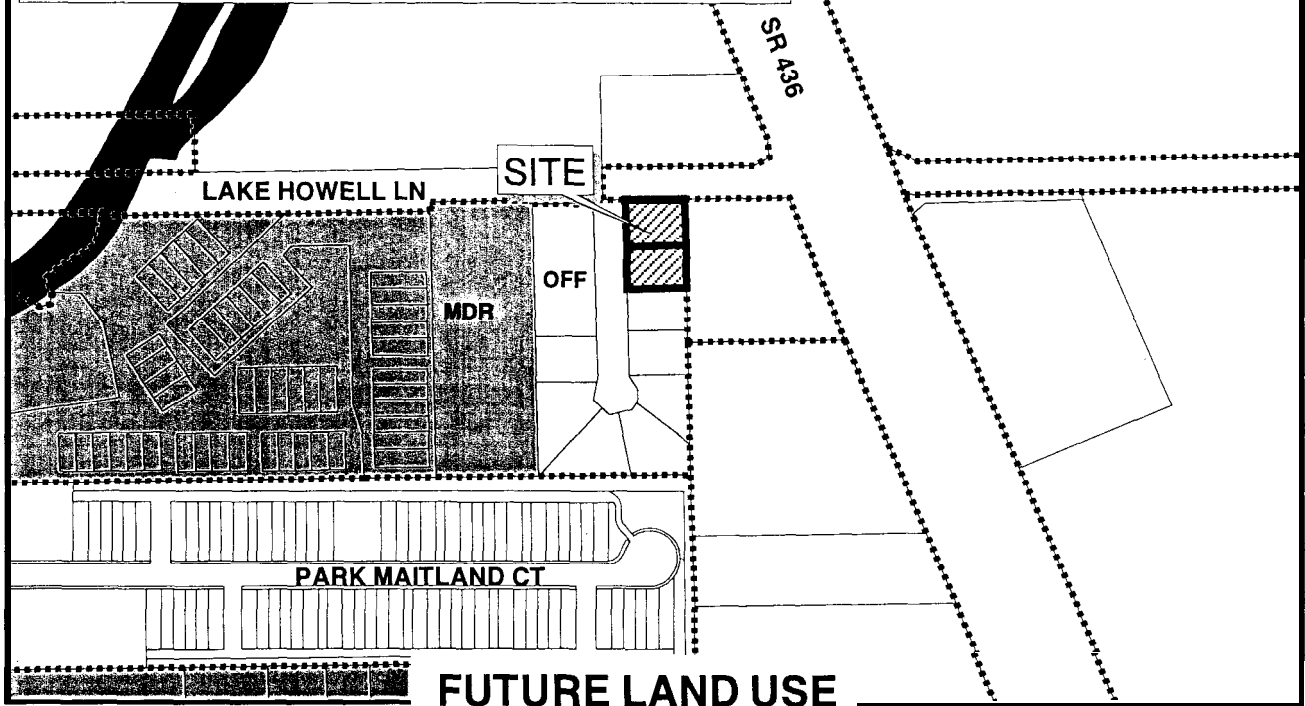
At its Nov. 6 meeting, the Planning & Zoning Commission recommended approval of the project subject to staff recommendations as presented, except to recommend a waiver of the required fire lane adjacent to the building. This issue has since been resolved, and no waiver is necessary.

Since the P & Z hearing, Staff comments have been amended to specify that the size of the building should be limited to 4,000 square feet. Also, the number of parking spaces should be calculated on the basis of standard 10' x 20' dimensions. Both of these recommendations support the intent of the Aquifer Recharge Overlay classification to reduce impervious surface area without increasing the potential intensity of development on the site.

In addition, since parking will be provided at the normal rate of 1 space per 200 square feet, Staff is no longer recommending that medical/dental office uses be prohibited.

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

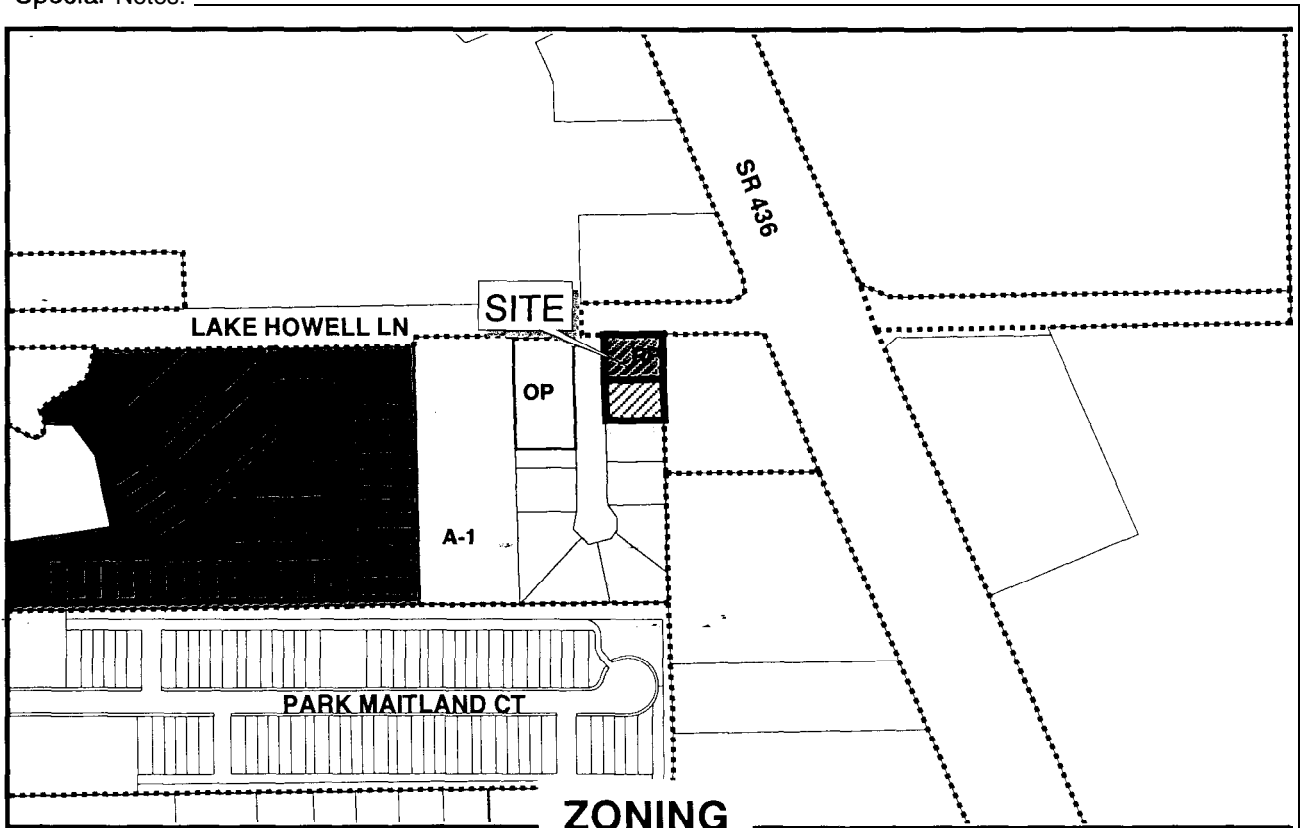
\*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
Flood-prone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site    
 ..... Municipality    
  MDR    
 OFF    
  CONS

Applicant: Gifford Anglim of Environmental Planning  
                   Design & Development, Inc.  
 Physical STR: 28-21-30-501-0000-0130 & 0140  
 Gross Acres: +/-0.38                      BCC District: 4  
 Existing Use: Vacant  
 Special Notes: \_\_\_\_\_

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2002-020	RP/A-1	OP



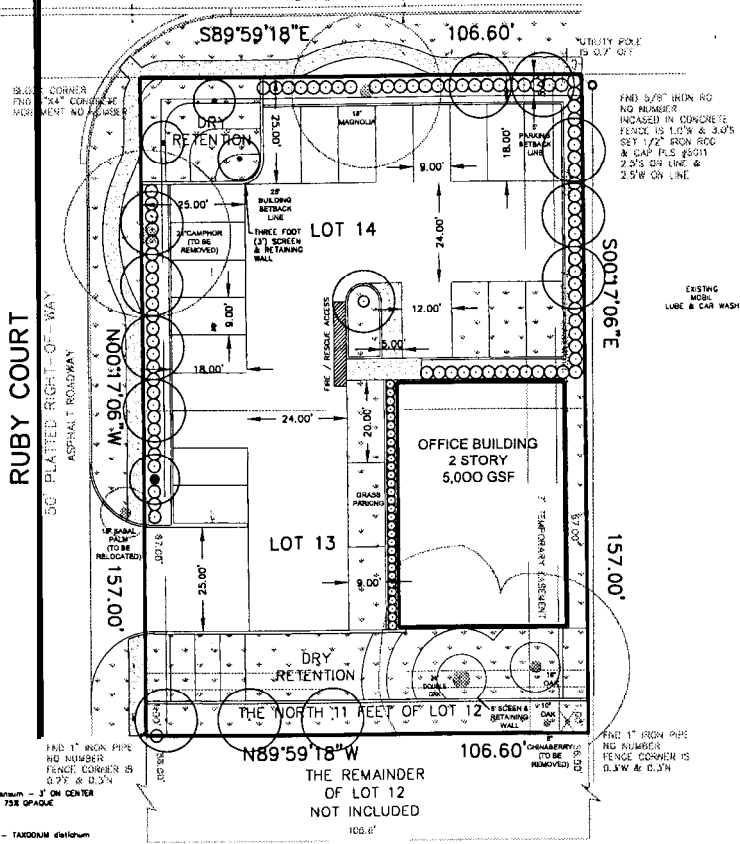
A-1    
  OP    
  R-2    
  R-3A    
  RP



<p>Rezone No. Z2002-020 From: A-1/RP To: OP</p> <p><input type="checkbox"/> Subject Property <input type="checkbox"/> Parcelbase</p>	<p>N</p> 	<p>February 1999 Color Aerials</p>
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**LAKE HOWELL LANE**

50' PLATTED RIGHT-OF-WAY  
ASPHALT ROADWAY



**PROJECT DATA:**

**LEGAL DESCRIPTION** - LOTS 14, 13, AND THE NORTH 11 FEET OF LOT 12, OPAL TERRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 38 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

**PROJECT TEAM**

**OWNER:** FAIRVIEW ASSOCIATES, INC.  
P.O BOX 1803  
WINTER PARK, FL 32790-1803  
PHONE - 407-538-8200

**APPLICANT:** GIFFORD ANGLIM  
ENVIRONMENTAL, PLANNING, DESIGN & DEVELOPMENT, INC  
427 WESTMINSTER STREET  
ORLANDO, FLORIDA 32803-1041  
PHONE - 407-897-6666

**SURVEYOR:** AMERICAN SURVEYING AND MAPPING  
320 EAST SOUTH STREET, SUITE 180  
ORLANDO, FLORIDA 32801  
PHONE - 407-425-7979

**EXISTING LAND USE** - VACANT GENERAL COMMERCIAL (LOT 14) & VACANT RESIDENTIAL (LOT 13 & NORTH 11 FEET OF LOT 12)  
**PROPOSED LAND USE** - OFFICE  
**EXISTING ZONING** - RESIDENTIAL PROFESSIONAL - RP (LOT 14) & AGRICULTURAL - A-1 (LOT 13 & NORTH 11 FEET OF LOT 12)  
**PROPOSED ZONING** - OFFICE PROFESSIONAL - OP  
**FUTURE LAND USE PLAN DESIGNATION** - OFFICE  
**SITE AREA** - 16,736.2 SF OR 0.384 ACRES  
**MAXIMUM GROSS FLOOR AREA RATIO** - 0.35 (35%) OR 5,857.67 SF  
**PROPOSED FLOOR AREA** - 5,000 SF- F.A.R. - 0.30 OR (30%)  
**PARKING REQUIRED** - 25 SPACES @ 5 SPACES PER 1,000 SF OF BUILDING AREA  
**PARKING PROVIDED** - 24 SPACES (AN ADMINISTRATIVE VARIANCE OF ONE SPACE IS REQUESTED DUE TO PRESERVATION OF ALL EXISTING TREES PER SECTION 30.1225(d)(1), TO MINIMIZE PERVIOUS SURFACE AREA IN AQUIFER RECHARGE OVERLAY CLASSIFICATION, AND TO ALLOW REASONABLE GROSS FLOOR AREA YIELD).

**CONSISTING OF:**

- 1 ACCESSIBLE SPACE WITH 5' ACCESS WALK,
- 17 - 9'x18' PAVED SPACES;
- 3 - 10'x18' GRASSED SPACES; and
- 3 - 9'x18' GRASSED SPACES (GRASS SPACES REPRESENT 24% OF REQUIRED PARKING AND 25% OF PARKING PROVIDED).

AN ADMINISTRATIVE VARIANCE TO ALLOW FOR LOADING AND UNLOADING TO OCCUR BEFORE & AFTER NORMAL HOURS OF OPERATION AT FRONT DOOR.

**SETBACKS:** BUILDING 25' FRONT PARKING MINIMUM OF 5' & AVERAGE OF 10' REQUIRED - AN AVERAGE OF 10.25' IS PROVIDED  
25' SIDE STREET FROM FRONT LOT LINE & AND 9.76' FROM SIDE STREET LOT LINE FOR AVERAGE OF 10'+.  
0' INTERIOR SIDE ACCESS DRIVE - 25' FROM REAR LOT LINE TO MEET PASSIVE BUFFER REQUIREMENT.  
25' REAR (DUE TO PASSIVE BUFFER REQUIREMENTS FOR ADJACENT RESIDENTIAL USE TO SOUTH).  
A PASSIVE BUFFER VARIANCE IS REQUESTED FROM A SECOND FLOOR 50' SETBACK TO THE 25' PROPOSED. THE APPEARANCE OF THE SECOND STORY AT 25' IS OFFSET BY THE RESIDENTIAL ARCHITECTURAL STYLE AND THE EXISTENCE OF A SIGNIFICANT EXISTING LIVE OAK CANOPY THAT WILL SCREEN THE SECOND STORY OF THE BUILDING

**SITE COVERAGE AREAS SUMMARY:**

MAXIMUM IMPERVIOUS SURFACE AREA (DUE TO HIGH RECHARGE AREA DESIGN CRITERIA) - 65% OF SITE OR 10,878.53 SF.  
ACTUAL IMPERVIOUS SURFACE AREA OF PROPOSED SITE PLAN IS:

BUILDING FOOTPRINT - 2,500.00 SF  
PAVED DRIVEWAYS, PARKING SPACES, WALKS & WALLS - 7,567.00 SF

TOTAL - 10,067.00 SF OR 60.15% OF SITE.  
LANDSCAPING COMPLIES WITH APPLICABLE SECTIONS OF SEMINOLE LAND DEVELOPMENT CODE.

**UTILITY PROVIDERS:**

SEWER, WATER, SOLID WASTE, POLICE & FIRE PROTECTION - CITY OF CASSELBERRY (AN ADMINISTRATIVE VARIANCE FOR SOLID WASTE IS REQUESTED).

TO ALLOW CURB PICKUP OF SOLID WASTE & RECYCLABLES).  
POWER - FLORIDA POWER CORPORATION.  
TELEPHONE - UNITED TELEPHONE.

**PREPARED BY:**

**ENVIRONMENTAL PLANNING,  
DESIGN & DEVELOPMENT, INC.**

427 WESTMINSTER STREET  
ORLANDO, FLORIDA 32803-1041  
407-897-6666

SCALE  
1" = 30'

EXISTING  
MEDICAL OFFICE



VERBURNUM speciosum - 3' ON CENTER  
3' IN HEIGHT & 75% OPAQUE

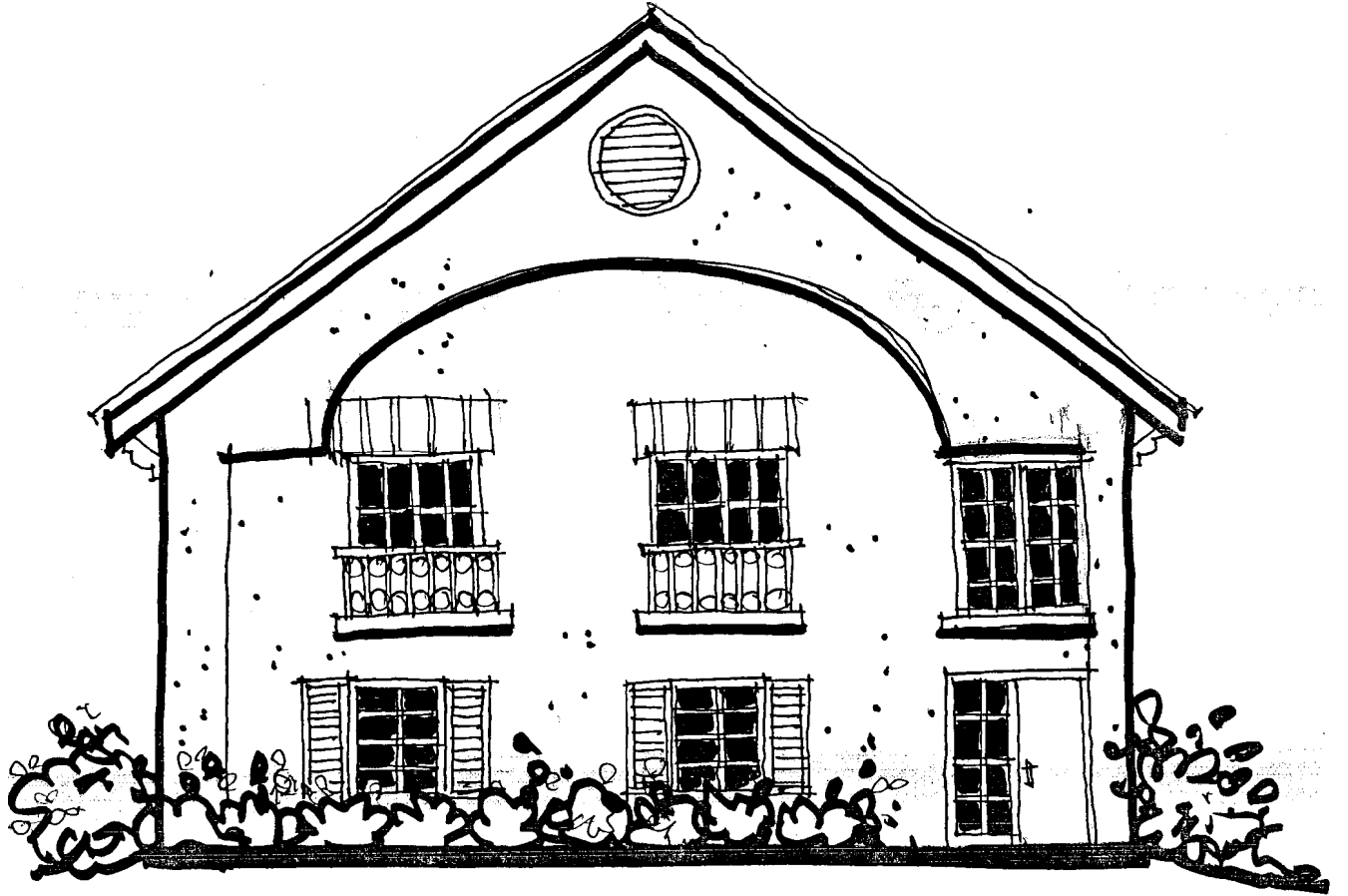
BALD CYPRESS - TAXODIUM distichum

LIVE OAK - QUERCUS virginiana

**LEGEND:**

- UTILITY POLE
- DENOTES SET 1/2" IRON ROD
- & CAP LB #6393
- (UNLESS OTHERWISE NOTED)
- R DENOTES RADIUS
- Δ DENOTES DELTA ANGLE
- L DENOTES ARC LENGTH
- CB CHORD BEARING
- RIGHT OF WAY LINE
- PER PLAT
- MEASURED
- (D) DESCRIPTION
- PGB POINT OF BEGINNING
- PDC POINT OF COMMENCEMENT
- PRC POINT OF REVERSE CURVE
- CONCRETE
- F.I.R.M FLOOD INSURANCE RATE MAP
- CNA CORNER NOT ACCESSIBLE
- BFE BASE FLOOD ELEVATION
- LB LAND SURVEYING BUSINESS
- C3 CHAIN LINK FENCE
- PRM PERMANENT REFERENCE MONUMENT
- PCP PERMANENT MONUMENT POINT
- POINT OF INTERSECTION
- PT POINT OF TANGENCY
- PC POINT OF CURVATURE
- CLF CHAIN LINK FENCE
- WF WOOD FENCE
- TYPICAL
- A/C AIR CONDITIONER
- CSW CONCRETE BLOCK WALL
- RP RADIUS POINT
- OHU OVERHEAD UTILITY LINE

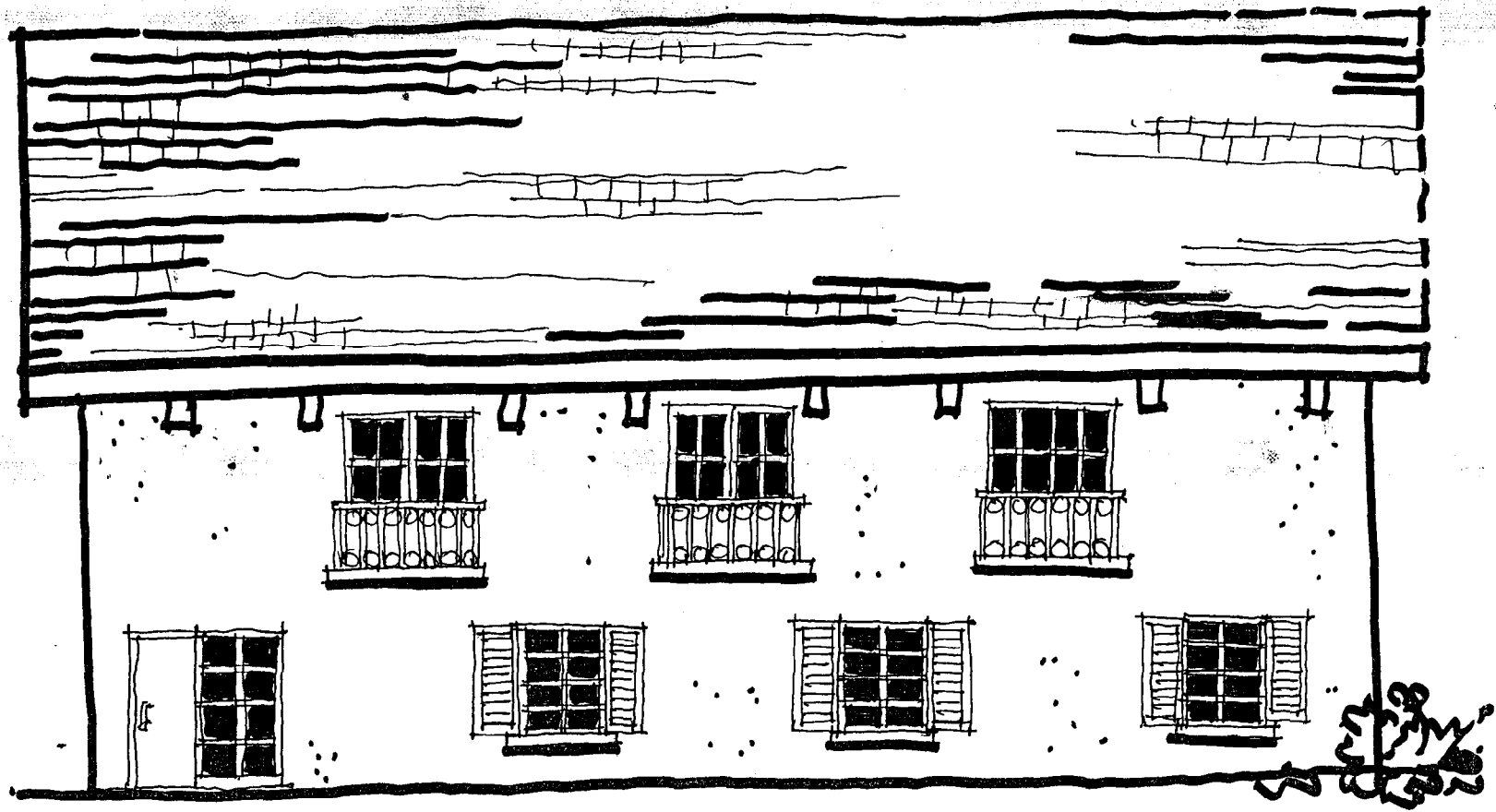
**RUBY OFFICE!**  
**REZONING SITE PLAN**  
**SEMINOLE COUNTY, FLORIDA**



NORTH ELEVATION

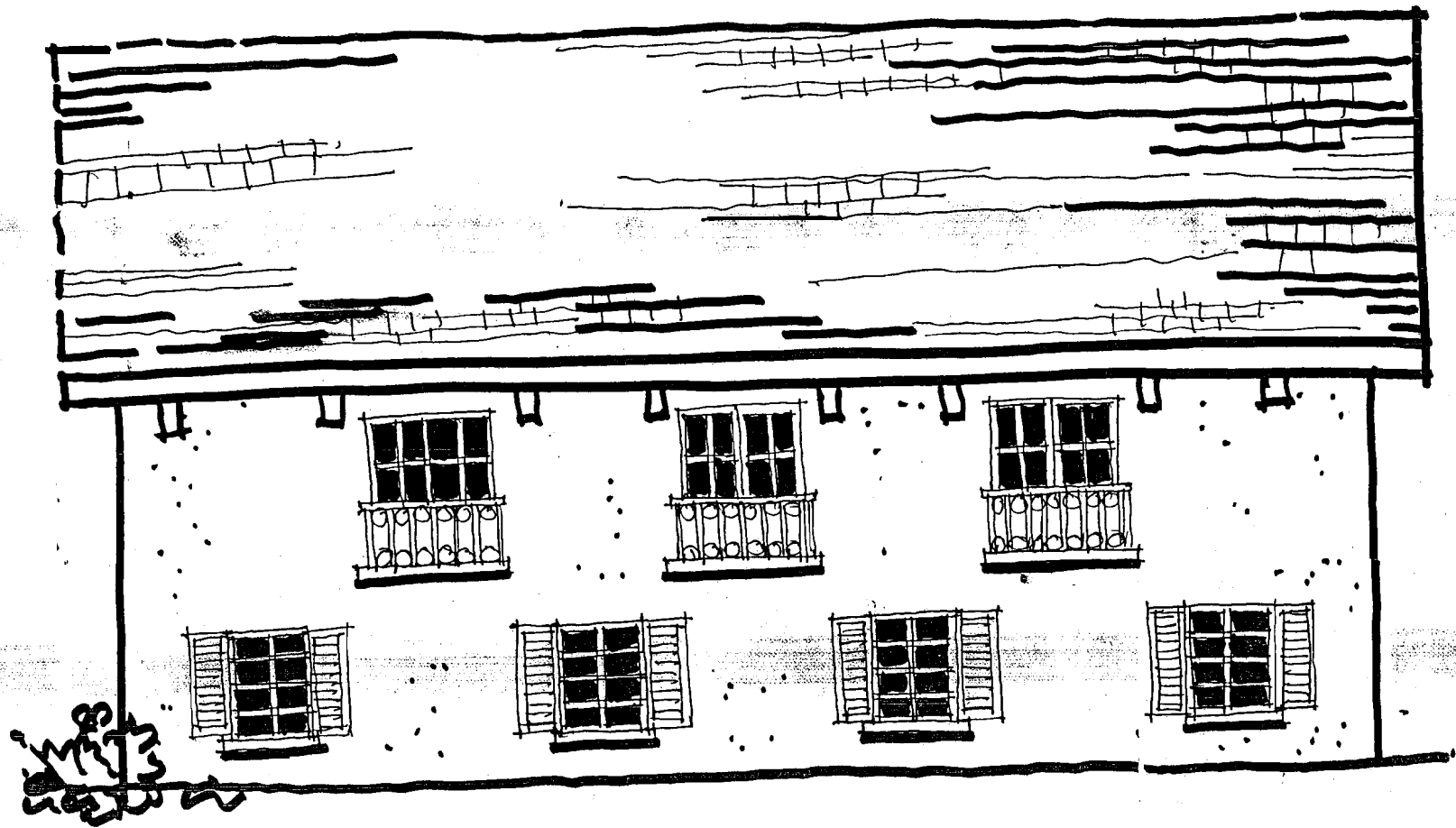


SOUTH ELEVATION



EAST ELEVATION





WEST ELEVATION

## RUBY OFFICE BUILDING

REQUEST INFORMATION	
APPLICANT	Gifford Anglim
PROPERTY OWNER	Fairview Associates Inc.
REQUEST	Residential-Professional (RP) and Agriculture (A-I) to Office Professional (OP)
HEARING DATE (S)	P&Z: Nov. 6, 2002   BCC: Dec. 10, 2002
SEC/TWP/RNG	28-2 I-30-501 -0000-0130 & 28-2 I-30-501 -0000-0140
LOCATION	Southeast corner of Ruby Court and Lake Howell Lane
FUTURE LAND USE	Off ice
FILE NUMBER	22002-020
COMMISSION DISTRICT	District 4 (Henley)

### OVERVIEW

**Zoning Request:** The applicant is requesting a change in zoning from RP and A-I to OP on a 16,736 square foot site at the southeast corner of Lake Howell Lane and Ruby Court. The site plan submitted by the applicant shows a 5,000 square foot, 2-story office building with associated parking, retention and buffers. Sole access to the site would be from Ruby Court.

Under the Vision 2020 plan, any OP zoning proposal must be accompanied by a site plan showing compatibility with surrounding land uses. Such plans must address buffering, setbacks, lighting, and building heights. Additionally, architectural details may be considered in determining whether an office development is compatible with the character of an area.

The subject property adjoins the City of Casselberry on two sides, and is largely surrounded by commercial and/or office development (annexation will eventually be required in order to receive water and sewer service). A residential use to the south exists as a nonconformity within the Office future land use designation. To achieve compatibility with neighboring residential uses, the applicant has provided elevations indicating a residential-style architectural appearance for the proposed building.

With dimensions of 157 feet by 106 feet, the size of the lot represents a significant constraint to nonresidential development on the site. In order to make the project feasible, the applicant is requesting the following waivers:

1. Reduction of required buffer-width along Ruby Court and Lake Howell Lane from 10 feet to 5 feet.
2. Reduction of the required landscape buffer-between the building and parking areas from 10 feet to 3 feet.

These waivers, if found to be appropriate, can be granted in conjunction with the approved site plan. Staff supports the proposed waivers with the following conditions and exceptions:

- Normal landscape planting requirements should be met within all buffers.
- For all parking spaces adjacent to Ruby Court and Lake Howell Lane, tire stops or raised curbing should be required, to prevent vehicles from overhanging the 5-foot buffer.
- Any parallel parking spaces to be provided on the site should have a minimum length of 22 feet.
- No reduction in required parking should be allowed.
- No reduction in dimensions of handicapped parking spaces should be allowed.

The site plan shows 3 parallel parking spaces adjacent to the west side of the building, dimensioned at 20 feet in length. However, a 22-foot length is needed to provide a usable configuration. Staff recommends elimination of one of these spaces so that the remaining two can meet this standard.

The proposed 9' x 18' parking spaces are allowable under the Aquifer Recharge Overlay regulations. (The Overlay is intended to encourage rainwater percolation in areas having a high potential to recharge the Floridan Aquifer. Development standards emphasize on-site stormwater detention and limiting impervious surfaces.) The applicant states that the site is within the Overlay area, while Development Review Division maps indicate it is not. If the applicant can provide adequate documentation about the property's status regarding the Overlay, the reduced size (excluding handicapped spaces) will be accepted without a specific waiver.

While the project may qualify for the reduced parking space size, this is not a justification for providing additional parking spaces beyond the number that would otherwise fit on a small site such as this. Doing so defeats the purpose of the Overlay regulations, which is to reduce impervious surface area, not increase the development potential of the site. The number of spaces provided should be based upon the standard dimension of 10' x 20' rather than 9' x 18'. On this basis, the number and locations of allowable spaces are as follows:

Location	Number of Spaces
West property line	8
North property line	7
West side of building (min. 22' parallel spaces)	2
North side of building	3
<b>Total</b>	<b>20</b>

On constrained sites such as this one, allowable building size is typically a function of supporting features required by Code, such as stormwater retention, landscaping, and especially parking. The determining factor in this case is the 20 parking spaces which can

be provided at standard dimensions. Using the office parking ratio of 1 space per 200 square feet, Staff recommends a maximum building size of 4,000 square feet.

**Existing Land Uses:** The existing zoning designations and land uses are as follows:

	<b>Zoning</b>	<b>Future Land Use</b>	<b>Existing Land Use</b>
<b>North</b>	City of Casselberry	City of Casselberry	Commercial
<b>South</b>	A-I	Office	Single Family Residence
<b>East</b>	City of Casselberry	City of Casselberry	Commercial
<b>West</b>	OP	Office	Office

For more detailed information regarding zoning and land use, please refer to the attached map.

### **SITE ANALYSIS**

#### **Facilities and Services:**

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed zoning is consistent with the adopted future land use designation assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan.
3. The City of Casselberry will provide water and sewer service to the site. Prior to final site plan approval, a letter from the City will be required approving any utility plans
4. Information on stormwater outfall will have to be provided prior to final site plan approval.

**Compliance with Environmental Regulations:** There are no concerns regarding compliance with environmental regulations.

**Compatibility with surrounding development:** The proposed OP zoning classification is compatible with the Office land use designation.

### **STAFF RECOMMENDATION**

Staff recommends Approval of the requested OP zoning classification per the Development Order. If approved, the development should be subject to the following conditions:

1. Maximum building size shall be 4,000 square feet.

2. The number of parking spaces provided on the site shall be based upon the 10' x 20' dimensions required by the Land Development Code.
3. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16 feet in height and 0.5 foot-candles in intensity at the property lines.
4. The retaining wall in the south buffer area shall not damage or destroy existing oak trees.
5. All buffers shall meet normal Code requirements for landscape plantings.
6. Mechanical units shall not be located in the south 25 feet of the site and shall not be visible from adjoining residential property.
7. The following waivers from Land Development Code requirements shall be granted:
  - a. Reduction of required buffer width along Ruby Court and Lake Howell Lane from 10 feet to 5 feet.
  - b. Reduction of the required landscape buffer between the building and parking areas from 10 feet to 3 feet.
8. For all parking spaces adjacent to Ruby Court and Lake Howell Lane, tire stops or raised curbing shall be provided to prevent vehicles from overhanging the 5-foot buffer.
9. Applicant shall provide documentation from the City of Casselberry indicating curbside pickup of solid waste is available at the site for this type of development.

### **PLANNING & ZONING COMMISSION RECOMMENDATION**

At its Nov. 6 meeting, the Planning & Zoning Commission recommended approval of the project subject to staff recommendations as presented, except to recommend a waiver of the required fire lane adjacent to the building. This issue has since been resolved, and no waiver is necessary.

Since the P & Z hearing, Staff comments have been amended to specify that the size of the building should be limited to 4,000 square feet. Also, the number of parking spaces should be calculated on the basis of standard 10' x 20' dimensions. Both of these recommendations support the intent of the Aquifer Recharge Overlay classification to reduce impervious surface area without increasing the potential intensity of development on the site.

In addition, since parking will be provided at the normal rate of 1 space per 200 square feet, Staff is no longer recommending that medical/dental office uses be prohibited.

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

On December 10, 2002, Seminole County issued this Development Order relating to and touching and concerning the following described property:

*Legal description attached as Exhibit A.*

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

**FINDINGS OF FACT**

**Property Owners:** Fair-view Associates Inc.  
P.O. Box 1803  
Winter Park FL 32790

**Project Name:** Ruby Office Building

**Requested Development Approval:** Rezone from RP (Residential-Professional) and A-1 (Agriculture) to OP (Office)

After fully considering staff analysis and all evidence submitted at the public hearing on December 10, 2002, to this matter, the Board of County Commissioners (the "Board") has found, determined and concluded that the rezoning request, as proposed, would be compatible with the adjacent neighborhoods, is consistent with development trends in the area, and would serve as an appropriate transitional use. The Board further finds that the development approval sought is consistent with the Vision 2020 Plan, the County's land development regulations and all other applicable laws

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: JEFF HOPPER  
1101 East First Street  
Sanford, Florida 32771

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- A. Maximum building size shall be 4,000 square feet.
- B. The number of parking spaces provided on the site shall be based upon the 10' x 20' dimensions required by the Land Development Code.
- C. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16 feet in height and 0.5 foot-candles in intensity at the property lines.
- D. The retaining wall in the south buffer area shall not damage or destroy existing oak trees.
- E. All buffers shall meet normal Code requirements for landscape plantings.
- F. Mechanical units shall not be located in the south 25 feet of the site and shall not be visible from adjoining residential property.
- G. The following waivers from Land Development Code requirements shall be granted:
  - a. Reduction of required buffer width along Ruby Court and Lake Howell Lane from 10 feet to 5 feet.
  - b. Reduction of the required landscape buffer between the building and parking areas from 10 feet to 3 feet.
- H. For all parking spaces adjacent to Ruby Court and Lake Howell Lane, tire stops or raised curbing shall be provided to prevent vehicles from overhanging the 5-foot buffer.
- I. Applicant shall provide documentation from the City of Casselberry indicating curbside pickup of solid waste is available at the site for this type of development.

(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.**

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of County  
Commissioners of Seminole  
County, Florida

By: \_\_\_\_\_  
DARYL G. Mc LAIN, Chairman



**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, the owner, Fair-view Associates Inc., 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

\_\_\_\_\_  
FAIRVIEW ASSOCIATES INC.  
By: Craig Starkey  
President of Fair-view Associates Inc.

\_\_\_\_\_  
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 CRAIG STARKEY, who is President of Fair-view Associates Inc., and is personally known to me or who has produced \_\_\_\_\_ as identification and who acknowledged and executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_  
--day of \_\_\_\_\_, 2002.

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

My Commission Expires:

**EXHIBIT "A"**

**Legal Description Of Subject Property:**

LOT 14 OPAL TERRACE PB 13 PG 38  
and  
LOT 13 + N 11 FT OF LOT 12 OPAL TERRACE PB 13 PG 38

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 RP (RESIDENTIAL-PROFESSIONAL) AND A-1 (AGRICULTURE) TO OP (OFFICE) DISTRICT; PROVIDING FOR SPECIFIC DEVELOPMENT CONDITIONS BY MEANS OF A DEVELOPMENT ORDER; 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 "Ruby Office Building."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONING.**

The zoning classification assigned to the following described property is changed from RP (Residential-Professional) and A-1 (Agriculture) to OP (Office):

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 NO. 2002-**

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. This Ordinance shall become effective upon the date of recording of Development Order #2-22000010 in the official land records of Seminole County.

ENACTED this 10th day of December, 2002.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Daryl G. McLain  
Chairman

FILE # Z2002-020

**EXHIBIT "A"**

**Legal Description Of Subject Property:**

LOT 14 OPAL TERRACE PB 13 PG 38  
and  
LOT 13 + N 11 FT OF LOT 12 OPAL TERRACE PB 13 PG 38