

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

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

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

AUTHORIZED BY: Kent Cichon *KCC* **CONTACT:** Tony Matthews *TM* **EXT.** 7373

Agenda Date 12/10/02 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

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

(Commissioner District #5, McLain)

(Tony Matthews, Principal Planner)

BACKGROUND:

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

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

Reviewed by: *KCC*
Co Atty: *KCC*
DFS: *TM*
Other: *TM*
DCM: *TM*
CM: *TM*
File No. ph700pdp04

STAFF RECOMMENDATION:

1. Plan Amendment and Rezoning (north side of Orange Boulevard):

Enact ordinances adopting Planned Development land use, PCD zoning and preliminary PCD site plan on the north side of Orange Boulevard, as proposed, with the enclosed staff findings and development order.

2. Plan Amendment and Rezoning (south side of Orange Boulevard):

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

LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION

RECOMMENDATION (1 1/6/02):

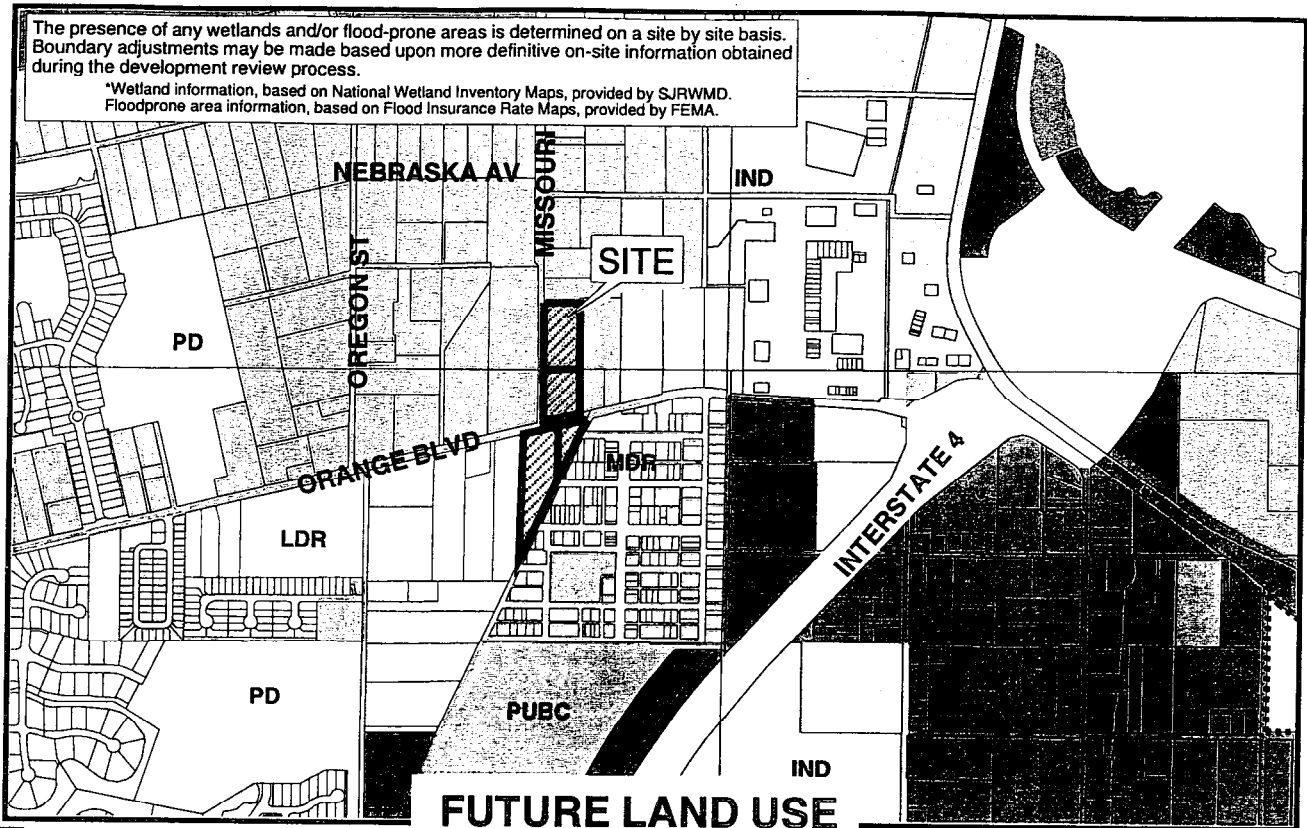
Plan Amendment and Rezoning:

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

Attachments: Staff report, preliminary PCD site plan, public comment, proposed development order and ordinances.

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

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

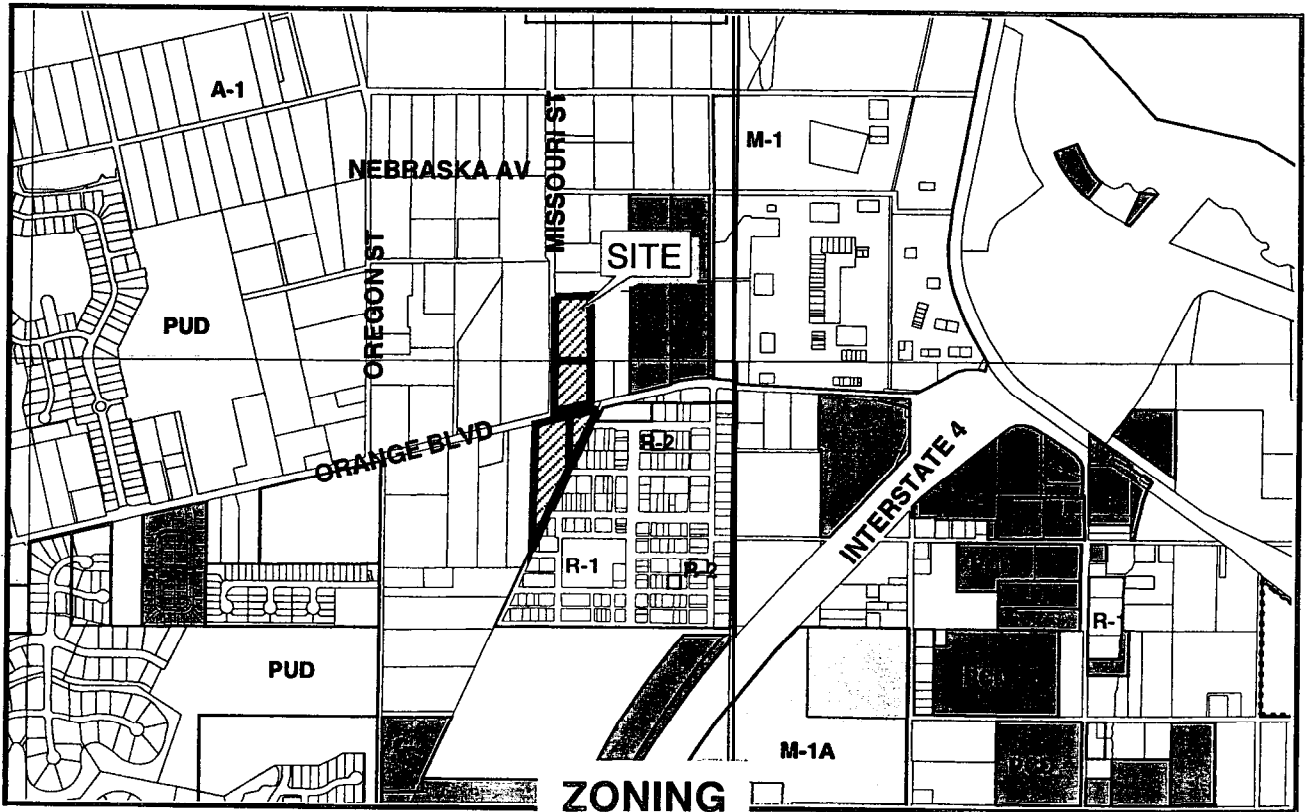


FUTURE LAND USE

- Site
- Municipality
- COM
- LDR
- SE
- PD
- PUBC
- MDR
- IND
- REC

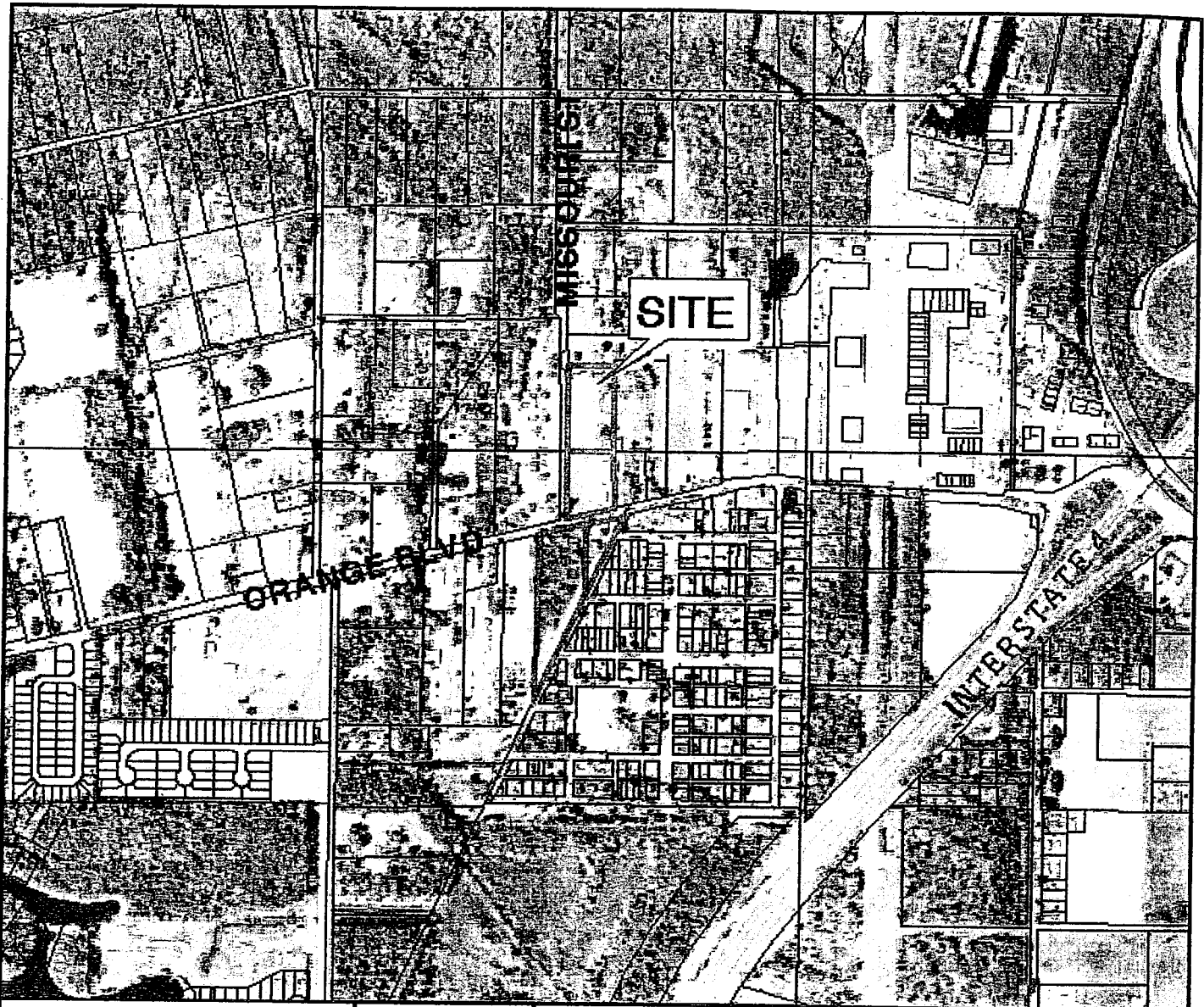
Applicant: Fossitt Business Park
 Physical STR: 16-19-30-5AB-0300-0040, 0200-0100&01 OA
 Gross Acres: +/-9.7 BCC District: 5
 Existing Use: Vacant
 Special Notes:

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

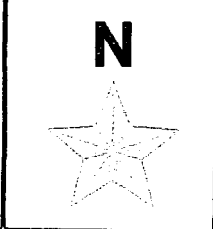


ZONING

- A-1
- R-1
- PUD
- PCD
- C-2
- M-1
- C-3
- M-1A
- R-AH



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



February 1999 Color Aerials

EXECUTIVE SUMMARY

Fossitt Business Park

Suburban Estates and Low Density Residential to Planned Development, A-I to PCD		Amendment 08.02SS.3; rezoning Z2002- 015
REQUEST		
APPLICANT	Harling Locklin and Associates	
PLAN AMENDMENT	Suburban Estates and Low Density Residential to Planned Development	
REZONING	A-I (Agriculture) to PCD (Planned Commercial Development District) and preliminary PCD site plan including all M-IA (Very Light Industrial) and C-3 (General Commercial and Wholesale) uses, with exceptions as shown in this report.	
PROPOSED USE	Office/Warehouse	
APPROXIMATE GROSS ACRES	9.7	
GENERAL LOCATION	North and south side of Orange Boulevard, at the northeast corner of Orange Boulevard and Missouri Avenue and at the southwest corner of Orange Boulevard and Halsey Avenue.	
HISTORY/ISSUES	The Low Density Residential (LDR) designation assigned to the property on the south side of Orange Boulevard was adopted by the Board of County Commissioners during the 1999 Wekiva Special Area Study. This study was undertaken to more effectively manage growth in the Wekiva River Protection Area and adjacent areas east to Interstate 4. Prior to adoption of the LDR land use the property was designated Suburban Estates.	
BOARD DISTRICT	#5 – Commissioner McLain	

RECOMMENDATIONS**STAFF**
November 6, 2002

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

LAND PLANNING
AGENCY/PLANNING
AND ZONING
COMMISSION
November 6, 2002

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

STAFF ANALYSIS

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

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

1. **Property Owner(s):** Nikki M. Clayton.
2. **Tax Parcel Number(s):** 16-I 9-30-5AB-0300-0040; 0200-0100; 0200-01 OA.
3. **Applicant's Statement:** The applicant has stated that this request will provide for an office/warehouse complex.
4. **Development Trends:** Development trends are toward nonresidential uses on the north side of Orange Boulevard, between the Port of Sanford and Missouri Avenue, and toward single family residential uses west of Missouri Avenue. On the south side of Orange Boulevard, between Halsey Avenue and Oregon Avenue, development trends are toward residential uses.

SITE DESCRIPTION

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

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

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

COMPREHENSIVE PLAN CONSISTENCY

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

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

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

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

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

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

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

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

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

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

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

B. Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection: *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-7) and Wetlands (W-1) Overlay Zoning classifications.. . (FLU Policy 1.2 and 1.3).*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STAFF RECOMMENDATION

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

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

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

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

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

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

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

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

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

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

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

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

-3. DEVELOPMENT CONDITIONS:

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

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

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

PLAN AMENDMENT AND REZONING:

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

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

NAME	ADDRESS	PHONE
JOHN + SALLY THOMPSON	4575 CANAL DR.	407 324-9503
BRUCE + TARA HAEFLER	5275 MICHIGAN AVE	407 330-2286
DAVE + MARILYN PARKER	1810 Beacon Drive	407 322-1265
Bob Marwick	1720 Beacon Dr	407 321 9196
Blonia Marwick	1720 Beacon Dr	
Lise Templin	1761 Beacon dr	407-321-7472
TIM TEMPLIN	1761 BEACON DR.	407-321-7472
PATRICK MOORE	1260 Perch Lane.	407-323-8518
ERNEST KUEHN	4550 Canal Dr	407 324 1161
Jane Kuehn	4550 Canal Dr	407 324 1101
Marylou Klein	1780 Perch Ln	407-324-910
Peter Malen	1780 Perch Lane	407 324 4997
Regina Welborn	4600 Canal Dr	407-323-2640
RANSOME WELBORN	4600 CANAL DR.	407-323-2640
Charles Gelsos	1741 Perch Ln	407 321 9223
CRISTYANI SENSOR	1741 PERCH LN	407-321 9223
VERNICE WALKER	1820 Beacon Dr.	407-322-5515
Judith [Signature]	4500 Canal Dr	407-302-6345
[Signature]	3310 S. Melrose	407-665-0608
KATHRYN S. BROWN	1730 BEACON DR.	407 323-7003
Preston + Margo Hayworth	1740 Beacon Dr	407 323-5480

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



PUBLIC COMMENT RECORD

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

MARVION VLEIN
NAME

1700 Perch Ln
STREET ADDRESS

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

E-MAIL _____

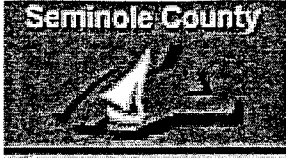
AGENDA NO.: Z 2002-015

AGENDA ITEM: Fossett Business 15/k

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

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____ NO

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



PUBLIC COMMENT RECORD

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

REGINA WELBORN

NAME

4600 CANAL DR

STREET ADDRESS

SANFORD

FL

32771

407-323-2640

CITY

STATE

ZIP CODE

TELEPHONE NO.

E-MAIL

AGENDA NO.:

L

AGENDA ITEM:

22002-015

DO YOU WISH TO SPEAK IN FAVOR? _____

OR OPPOSITION?

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____

N

O

COMMENTS:

THIS WILL CREAT TOO MUCH

CONGESTION AT THE ENTRANCE TO OUR

SUB DIVISION. THE RIGHT OF WAY IS

SUB-STANDARD AT 30 FEET AND THE

RESIDENTS OF THE SUB-DIVISION WERE

REQUIRED TO PURCHASE RIGHT OF WAY

TO MAKE IT 80 FOOT IN ORDER TO GET COUNTY

MAINTENANCE.



PUBLIC COMMENT RECORD

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

DAVE PARKER
NAME

18 10 Beacon Drive
STREET ADDRESS

Sanford FL 32771 407.322.1265
CITY STATE ZIP CODE TELEPHONE NO.

Daveparker@CFL.RR.com
E-MAIL

AGENDA NO.: _____

AGENDA ITEM: L

DO YOU WISH TO SPEAK IN FAVOR? _____ OR OPPOSITION

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____ NO

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



PUBLIC COMMENT RECORD

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

JOHN L THOMPSON
NAME

4575 CANAL DRIVE
STREET ADDRESS

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

JAX 1972 @ AOL
E-MAIL

AGENDA NO.: 22002-015

AGENDA ITEM: L

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

DO YOU WISH TO MAKE ORAL COMMENTS? YES _____ NO

COMMENTS: THIS IS THE ONLY ENTRANCE TO OUR DEVELOPMENT!
OUR CONCERNS ARE MANY (1) TRAFFIC (2) LOSS OF VALUE
TO OUR REAL ESTATE (3) CONCERNS OVER OPERATION OF 1520012
TO THE OTHER SIDE OF MISSOURI, SINCE THIS PROJECT HAS
BEEN APPROVED LEAVING A SITUATION WHEREBY WE WOULD
HAVE TO DRIVE THROUGH AN INDUSTRIAL COMPLEX TO GET
TO OUR HOMES. (4) WHY THE COMMISSION WOULD CHANGE
THEIR MINDS ABOUT ~~THIS~~ THIS REZONING WHEN THE LAST MEETING
~~REZONING~~ REZONING OF THIS PARCEL WAS
DENIED BY THE COMMISSION. FOR THE ABOVE CONCERNS



PUBLIC COMMENT RECORD

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

Bob Marwick
NAME

1720 Beacon Dr
STREET ADDRESS

Sanford Fl. 3277 407 3219198
CITY STATE ZIP CODE TELEPHONE NO.

rmarwick@cel.com
E-MAIL

AGENDA NO.: L

AGENDA ITEM: Exit Business Park

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

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

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

Submit Letters in OPPOSITION From
Cathy Brown 1730 Beacon Dr (407) 323-1703
Margaret Hayward (407) 323-5480
1740 Beacon Dr. Sanford Fl



PUBLIC COMMENT RECORD

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

NAME TAMMY HAMZEHLOU

STREET ADDRESS 5040 Michigan Av.

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

E-MAIL _____

AGENDA NO.: L

AGENDA ITEM: Fossitt Business Park

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

DO YOU WISH TO MAKE ORAL COMMENTS? YES NO _____

COMMENTS: Want TV See A buffer
Zone Around Project + A Privacy
Fence TO Protect the residential Area.



PUBLIC COMMENT RECORD

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

RANSOME WELBORN
NAME

4600 CANAL DRIVE
STREET ADDRESS

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

E-MAIL RRWELBORN@HOTMAIL.COM

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

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

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

DO YOU WISH TO MAKE ORAL COMMENTS? YES NO _____

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

L:\pl\projects\p&z\forms & lists\Public comment form.doc



Nancy Baillargeon
11/06/2002 04:44 PM

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

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

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



"Joe Hudson"
<hudsonjp@bellsouth.net>

11/05/2002 01:01 PM

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

Dear Sir/Ms:

My name is Joe Hudson and I live at 173 1 Perch Lane in St. Johns River Estates subdivision, North of the above referenced proposed Fossitt Business Park. I am very concerned that this business park development will tarnish the entrance to my subdivision.

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

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

Thank you,

Joe Hudson
173 1 Perch Lane
Sanford, FL 32771
407-688-1582



Nancy Baillargeon
11/06/2002 04:44 PM

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

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

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



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

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

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

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

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

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

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

Joseph P. Hudson
173 1 Perch Lane, Sanford, FL 32771
407-688-1582 Phone/Fax

November 5, 2002

RE: Fossitt Business Park

Dear County Commissioners;

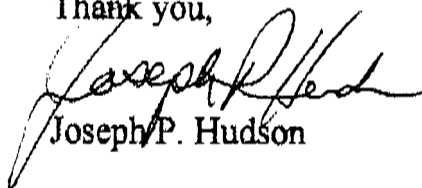
Daryl McLaine Grant Maloy,
Randall Morris Dick Van Der Weide
Grant Maloy

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

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

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

Thank you,


Joseph P. Hudson

Abe & Tammy Hamzehloui
4751 Nebraska Avenue
Sanford, FL 32771

11/4/02

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

Dear Carlton Henley,

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

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

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

Thank you very much!

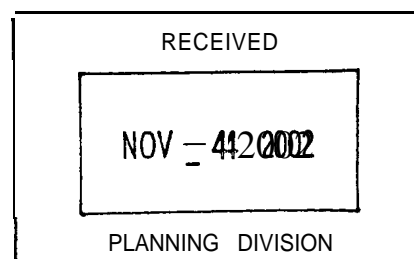
Sincerely,



Tammy

October 31, 2002

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



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

Dear ~~M. Matthews~~:

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

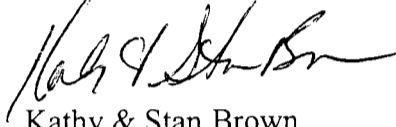
We realize that something will have to be built on this site and are hoping that it will blend into our residential area. The residents of St. John's River Estates were not notified of the community meeting. Even after requesting at the community meeting, that St. John's River Estates Subdivision be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

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

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

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

Sincerely,



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

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

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

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

Project Name: Fossitt Business Park.

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

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

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

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

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

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

- B. Permitted and conditional uses within the C-2 (Retail Commercial District) shall be prohibited uses.
- C. Development conditions shall include:
1. Parking spaces shall include a minimum of one (1) space per 1,000 square feet of building for warehouse uses, plus one (1) space for each two (2) employees on the largest shift, and one (1) space per 200 square feet of gross floor area for office use. Parking ratio for office and warehouse uses shall be established for the proposed use(s) at time of final PCD site plan approval.
 2. Building setbacks shall be as follows on the north side of Orange Boulevard: south side—50 feet; east side-10 feet; west side (Missouri Avenue)-100 feet; north side-30 feet; on the south side of Orange Boulevard: south side-10 feet; east side (Halsey Avenue)-100 feet; west side-100 feet; north side 50 feet.
 3. A 25 foot landscaped buffer shall be provided within the 100 foot building setbacks.
 4. A six (6) high masonry or brick wall shall be provided along the western property line on the north side of Orange Boulevard (Missouri Avenue), and along the east (Halsey Avenue) and west property lines on the south side of Orange Boulevard. A landscaped earthen berm or a combination of brick or masonry wall and earthen berm may be used in lieu of the wall (only on the south side of Orange Boulevard) if the landscaping reaches six (6) feet with approximately 100 percent opacity within one (1) year.
 5. Landscaping shall consist of eight (8) canopy trees a minimum of 2½ inches in diameter with an overall average of three (3) inches in diameter measured at one (1) foot above ground for every 100 lineal feet on all sides of the buildings on the north and south sides of Orange Boulevard. Trees may be planted in double rows or clustered with approval of the Planning Manager.
 6. Building height shall not exceed 35 feet.
 7. Square footage shall be limited to 88,000 square feet of office/warehouse uses.
 8. Floor area ratio shall not exceed 0.65.
 9. A minimum of 25 percent open space shall be provided on site on the north and south sides of Orange Boulevard.
 10. Development shall occur in two (2) phases.
 11. The proposed building shall be constructed of masonry construction including glass and aluminum store fronts and decorative roof treatment such as mansard roofing.
 12. Signage shall be appropriately posted to discourage truck access onto Missouri Avenue.
 13. A cross access easement shall be provided to the property to the east of the site on the north side of Orange Boulevard.
 14. The main access to Orange Boulevard from the portion of the development located on the south side of Orange Boulevard shall align with Missouri Avenue.
 15. An easement shall be provided for stormwater access to the offsite retention pond on the north side of Orange Boulevard at time of final PCD site plan.
 16. Reserve a location for school bus to stop at Missouri Avenue and Orange Boulevard with final details to be determined at time of final PCD site plan.
 17. Lighting shall be cut-off/shoe box style with light poles not to exceed 16 feet in height, be setback a minimum of 50 feet from adjacent properties and shall not exceed 0.5 foot candles.
 18. Water and sewer service shall be provided by Seminole County utilities.

19. Hours of operation for truck deliveries shall be limited to 7:00 a.m. and 9:00 p.m.
 20. Air conditioning units or chillers shall be hidden from view from Missouri Avenue and ground units shall be screened with plant material or other screen material approved by the Planning Manager.
 21. Development must meet all other applicable provisions of the Seminole County Comprehensive Plan (Vision 2020) and Land Development Code of Seminole County.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Daryl G. McLain, Chairman

Board of County Commissioners
Seminole County, Florida

OWNER'S CONSENT AND COVENANT

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

Witness

Nikki M. Clayton

Witness

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

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

WITNESS my hand and official seal in the County and State last aforesaid this day of _____, 2002.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Z2002-015 (A-I to PCD)

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

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

EXHIBIT B

PRELIMINARY SITE PLAN

PRELIMINARY SITE PLAN

PROPERTY OWNER: M&L CONCRETE CORP. 1500 Oregon Street, Suite 100, Portland, OR 97214
 ENGINEER/PLANNER: M&L CONCRETE CORP. 1500 Oregon Street, Suite 100, Portland, OR 97214
 PHONE: 407-425-1004

PROPOSED USES:
 1.1 Proposed Commercial Development
 1.2 Office Building
 1.3 Proposed Commercial Development
 1.4 Office Building
 1.5 Proposed Commercial Development
 1.6 Office Building
 1.7 Proposed Commercial Development
 1.8 Office Building

LANDSCAPE & OPEN SPACE:
 1. Landscaping shall consist of a minimum of 10% of the total site area. The landscaping shall be planted within 90 days of the start of construction. The landscaping shall be planted in a manner that is aesthetically pleasing and that provides a buffer between the site and the adjacent properties.

SOILS:
 1. The soils on the site are primarily of the Sycamore series, which is a moderately well drained, somewhat acid, silty clay loam soil.

FLOOD MAP:
 1. The site is not located in a flood hazard area as shown on the Flood Hazard Map of Multnomah County, Oregon.

FIRE PROTECTION:
 1. The site is not located in a fire hazard area as shown on the Fire Hazard Map of Multnomah County, Oregon.

STORM DRAINAGE:
 1. The site is not located in a storm drainage area as shown on the Storm Drainage Map of Multnomah County, Oregon.

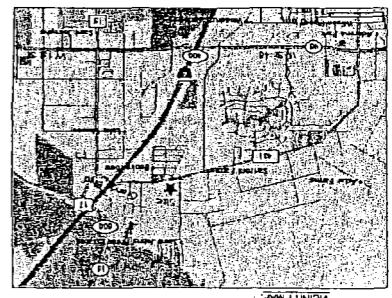
SEWER:
 1. The site is not located in a sewer service area as shown on the Sewer Service Map of Multnomah County, Oregon.

UTILITIES:
 1. The site is not located in a utility service area as shown on the Utility Service Map of Multnomah County, Oregon.

GRAPHIC SCALE:
 0 10 20 30 40 50 Feet

LEGAL DESCRIPTION:
 Lot 10, Block 10, Subdivision 10, Multnomah County, Oregon.

PLANNING DIVISION
 OCT 22 2002
 RECEIVED



PROJECT: Fossil Business Park	DATE: April 21, 2002
OWNER: M&L CONCRETE CORP.	SCALE: 1" = 40'
ENGINEER/PLANNER: M&L CONCRETE CORP.	NO. OF SHEETS: 1 of 1
PROJECT NO.: 0215	DATE: April 21, 2002

**HARLING
 LOCKLIN
 ASSOCIATES, INC.**

1445 NE Oregon Street, Suite 200
 Portland, Oregon 97232
 Phone: 503-255-1000
 Fax: 503-255-1001
 Website: www.harlinglocklin.com

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATION ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-I (AGRICULTURE) ZONING CLASSIFICATION THE PCD (PLANNED COMMERCIAL DEVELOPMENT DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the document titled "Executive Summary, Fossitt Business Park".

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

Section 2. REZONING. The zoning classification assigned to the following described property is changed from the A-I (Agriculture) to the PCD (Planned Commercial Development District) zoning classification.

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall take effect on filing with the Department of State.

ENACTED this 10th day of December 2002

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain, Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

Z2002-15 (A-I to PCD)

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

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

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

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

WHEREAS, the Board of County Commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Land Planning Agency held a Public Hearing, with all required public notice, on November 6, 2002, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held a Public Hearing on December 10, 2002, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Land

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

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

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

Section 1. RECITALS/LEGISLATIVE FINDINGS:

- (a) The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.
- (b) The Board of County Commissioners hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION:

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

Amendment Number
08.02SS.3

Amendment
Amendment from Suburban Estates and Low
Density Residential to Planned Development

(b) The associated rezoning request was completed by means of Ordinance Number 2002-_____

Section 3. SEVERABILITY:

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 4. EXCLUSION FROM COUNTY CODE/CODIFICATION:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

Section 5. EFFECTIVE DATE:

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

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

ENACTED this 10th day of December 2002.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain,
Chairman

APPENDIX A

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

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