

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SPECIAL EXCEPTION TO ESTABLISH A BED AND BREAKFAST ESTABLISHMENT IN THE A-1 (AGRICULTURE DISTRICT) AT 5620 WAYSIDE DRIVE; (JOANN AND BOB SCHRUM, APPLICANTS).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date 06-28-04 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO ESTABLISH A BED AND BREAKFAST ESTABLISHMENT IN THE A-1 (AGRICULTURE DISTRICT) AT 5620 WAYSIDE DRIVE; (JOANN AND BOB SCHRUM, APPLICANTS); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO ESTABLISH A BED AND BREAKFAST ESTABLISHMENT IN THE A-1 (AGRICULTURE DISTRICT) AT 5620 WAYSIDE DRIVE; (JOANN AND BOB SCHRUM, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	JOANN AND BOB SCHRUM, APPLICANTS 5620 WAYSIDE DRIVE SANFORD, FL	A-1 DISTRICT, LDC SECTION 30.124(b)(25); (BED AND BREAKFAST)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANTS PROPOSE TO ESTABLISH A BED AND BREAKFAST ESTABLISHMENT ON PROPERTY CURRENTLY USED AS A SINGLE FAMILY HOME IN THE A-1 (AGRICULTURE DISTRICT). • THE SITE COMPRISES APPROXIMATELY 2.8 ACRES, AND THE SITE PLAN DEPICTS AN EXISTING SINGLE-FAMILY HOME WITH A CIRCULAR DRIVEWAY. THE REQUESTED USE WOULD RESULT IN NO ADDITIONAL DEVELOPMENT, EXCEPT IMPROVEMENTS ASSOCIATED WITH FIRE SAFETY. • THE APPLICANTS PROPOSE THREE (3) GUEST BEDROOMS, TWO (2) DOUBLES AND A SINGLE, WHICH WOULD ACCOMMODATE A MAXIMUM OF FIVE (5) GUESTS. • THE PROPERTY IS LOCATED IN THE A-1 DISTRICT, WHERE BED AND BREAKFAST ESTABLISHMENTS ARE PERMITTED BY SPECIAL EXCEPTION, PROVIDED THEY ARE NOT LOCATED IN A PLATTED SUBDIVISION. 	

ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
	SITE	A-1	LOW DENSITY RESIDENTIAL	SINGLE-FAMILY RESIDENTIAL
	NORTH	PCD	COMMERCIAL	VACANT
	SOUTH	A-1	LOW DENSITY RESIDENTIAL	VACANT
	EAST	A-1	LOW DENSITY RESIDENTIAL	SINGLE-FAMILY RESIDENTIAL
	WEST	A-1	LOW DENSITY RESIDENTIAL	SINGLE-FAMILY RESIDENTIAL
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)</p>	<p>THE BOARD OF ADJUSTMENT (BOA) SHALL HAVE THE POWER TO HEAR AND DECIDE SPECIAL EXCEPTIONS IT IS SPECIFICALLY AUTHORIZED TO PASS UNDER THE TERMS OF THE LAND DEVELOPMENT CODE UPON DETERMINATION THE USE REQUESTED:</p> <p><u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u></p> <p>THE COMMERCIAL NATURE OF THIS REQUEST IS THE PURPOSE FOR WHICH THE SPECIAL EXCEPTION IS REQUESTED. GIVEN THE APPLICANTS' INTENTION TO MAINTAIN THE PRIMARY USE AS RESIDENTIAL IN DESIGN, STAFF DOES NOT BELIEVE THE ADDITION OF A BED AND BREAKFAST USE WOULD BE DETRIMENTAL TO THE CHARACTER OF SURROUNDING DEVELOPMENT WITH THE RECOMMENDED CONDITIONS OF APPROVAL.</p> <p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>THE APPLICANTS ARE PROPOSING TO LIMIT THE NUMBER OF GUESTS TO NO MORE THAN FIVE (5) PER DAY. BASED ON THIS NUMBER, THE BED AND BREAKFAST ESTABLISHMENT COULD GENERATE UP TO FOUR (4) TRIPS PER ROOM / VEHICLE PER DAY FOR A TOTAL OF 12 (TWELVE) TRIPS.</p> <p>THE EXISTING HOME CONSISTS OF FOUR BEDROOMS, WHERE THE OWNERS WILL OCCUPY ONE OF THE FOUR AND RENT THE OTHER THREE. THE NUMBER OF TRIPS GENERATED BY THE GUESTS WOULD BE CONSISTENT WITH A FAMILY OCCUPYING A FOUR BEDROOM SINGLE-FAMILY HOME FOR A TOTAL OF TEN TRIPS PER DAY.</p>			

	<p><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></p> <p>THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN DESCRIBES LOW DENSITY RESIDENTIAL (LDR) FUTURE LAND USE AS APPROPRIATE TO SERVE AS AN EFFECTIVE TRANSITIONAL USE BETWEEN MORE INTENSE URBAN USES AND SUBURBAN ESTATES WITH USES SUCH AS GROUP HOMES, CHURCHES, DAY CARE, PUBLIC UTILITIES AND RECREATION AREAS.</p> <p><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></p> <p>BASED ON THE SUBMITTED SITE PLAN, THE EXISTING SITE EXCEEDS THE MINIMUM ONE-ACRE REQUIREMENT OF THE A-1 DISTRICT. FURTHERMORE, THE EXISTING STRUCTURES MEET THE MINIMUM APPLICABLE SETBACKS.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>WITHIN THE A-1 DISTRICT, BED AND BREAKFAST ESTABLISHMENTS ARE ALLOWED AS CONDITIONAL USES. THE PROPOSED USE WOULD BE CONSISTENT IN CHARACTER AND PERFORMANCE WITH A SINGLE-FAMILY DWELLING AND WOULD NOT ADVERSELY AFFECT THE PUBLIC.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT); LDC SECTION 30.124(a)</p>	<p>THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT) UPON MAKING FINDINGS OF FACT, IN ADDITION TO THOSE REQUIRED BY SECTION 30.43(b)(2) OF THE LAND DEVELOPMENT CODE, THAT THE USE:</p> <p><u>IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE A-1 (AGRICULTURE DISTRICT):</u></p> <p>THE PROPOSED BED USE COMPLIES WITH THE DIMENSIONAL STANDARDS OF THE A-1 DISTRICT. WITH STAFF RECOMMENDED CONDITIONS, THE PROPOSED USE WOULD BE CONSISTENT WITH THE TREND OF NEARBY AND SURROUNDING A-1 DISTRICT DEVELOPMENT.</p> <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>THE REQUEST WOULD NOT BE HIGHLY INTENSIVE IN NATURE, IF THE USE IS LIMITED TO THREE (3) GUEST BEDROOMS, CONSISTING OF TWO (2) DOUBLES AND A SINGLE, WHICH WOULD ACCOMMODATE A MAXIMUM OF FIVE (5) GUESTS AS PROPOSED.</p> <p><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES:</u></p> <p>COUNTY SERVICES INCLUDING POLICE, EMERGENCY, AND GARBAGE DISPOSAL ARE AVAILABLE TO THE SITE. THE PROPERTY IS CURRENTLY SERVED BY WELL AND SEPTIC SYSTEMS.</p>
<p>STAFF</p>	<p>STAFF RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE</p>

RECOMMENDATION	<p>REQUEST FOR SPECIAL EXCEPTION TO ESTABLISH A BED AND BREAKFAST ESTABLISHMENT IN THE A-1 DISTRICT, SUBJECT TO THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• THERE WILL BE NO MORE THAN THREE (3) GUEST BEDROOMS (INCLUDING TWO (2) DOUBLES AND A SINGLE), WHICH WOULD ACCOMMODATE A MAXIMUM OF FIVE (5) GUESTS.• SIGNAGE SHALL BE LIMITED TO ONE (1) ON-PREMISE SIGN CONSISTING OF NO MORE THAN FOUR (4) SQUARE FEET TO BE CONSISTENT WITH THE RESIDENTIAL CHARACTER OF THE SITE.• THE BED AND BREAKFAST ESTABLISHMENT SHALL REMAIN A FAMILY HOME STRUCTURE WITH TRANSIENT PUBLIC LODGING, ACCOMMODATIONS AND MEAL SERVICES GENERALLY OFFERED BY A BED AND BREAKFAST INN RECOGNIZED AS THE SAME BY THE COMMUNITY IN WHICH IT IS SITUATED OR BY THE HOSPITALITY INDUSTRY; THE PROPOSED USE SHALL NOT BE USED AS A BOARDING HOUSE.• SHALL SERVE CLIENTS FROM A MINIMUM OF ONE (1) NIGHT TO A PERIOD NOT TO EXCEED THAT ASSOCIATED WITH SEASONAL USE; THE PROPOSED USE SHALL NOT BE USED AS A BOARDING HOUSE.• THE PROPOSED USE SHALL OTHERWISE MEET THE REQUIREMENTS OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.
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COPY

APPL. NO. BS 2004-011

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

- VARIANCE**
- SPECIAL EXCEPTION** Bed & Breakfast
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING** **PROPOSED** **REPLACEMENT**
- MOBILE HOME IS FOR**
- YEAR OF MOBILE HOME** _____ **SIZE OF MOBILE HOME** _____
- ANTICIPATED TIME MOBILE HOME IS NEEDED** _____
- PLAN TO BUILD** **YES** **NO** **IF SO, WHEN** _____
- MEDICAL HARDSHIP** **YES (LETTER FROM DOCTOR REQUIRED)** **NO**
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	JOHN & BOB SCHRUM	
ADDRESS	5620 WAYSIDE DR. SANFORD, FL 32771	
PHONE 1	407-324-1389	894-2041
PHONE 2	407-247-1498	
E-MAIL	peanuts281@cfi.pr.com	

PROJECT NAME: _____
 SITE ADDRESS: 5620 WAYSIDE DR. SANFORD
 CURRENT USE OF PROPERTY: RESIDENTIAL HOME
 LEGAL DESCRIPTION: SEE ATTACHED

SIZE OF PROPERTY: 2.8 acre(s) PARCEL I.D. 30-19-30-300-0248-0008
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on JUNE 28 6PM (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

John Schrum
 SIGNATURE OF OWNER OR AGENT* DATE 4/21/04

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL _____

BCC PUBLIC HEARING DATE _____

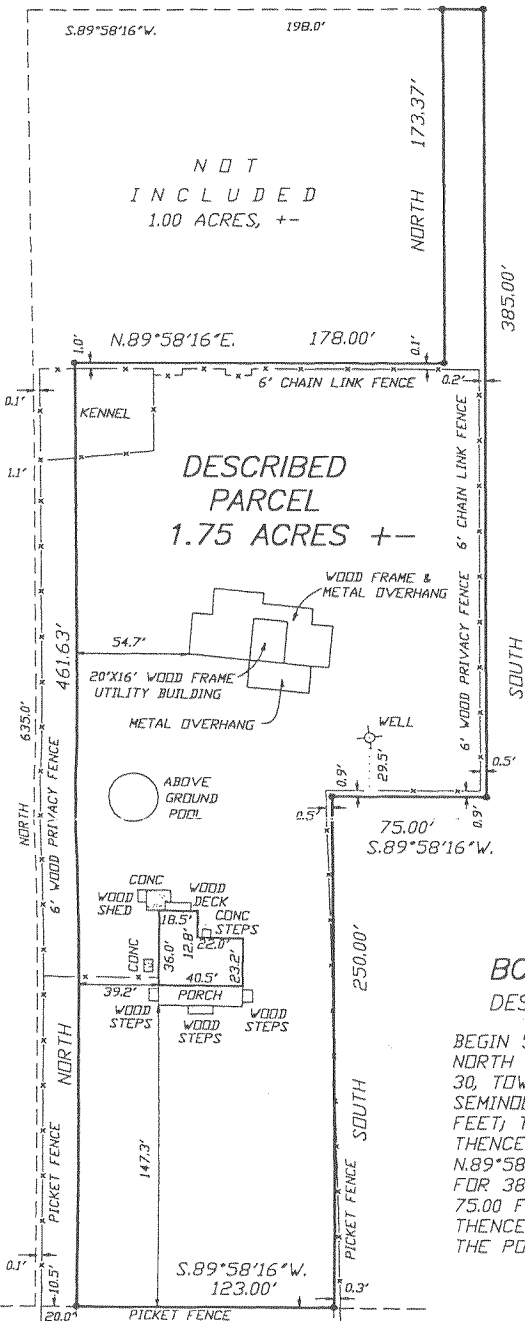
FOR OFFICE USE ONLY

PROCESSING:
 FEE: \$370 COMMISSION DISTRICT 5 FLU/ZONING LDR/A-1
 LOCATION FURTHER DESCRIBED AS LOCATED ON THE NORTH SIDE
OF WAYSIDE DRIVE APPROX 686 FT. EAST OF INTERSECTION
WITH ORANGE BLVD.
 PLANNER VB DATE APR. 21, 2004
 SUFFICIENCY COMMENTS _____

MAP OF SURVEY

NOT PLATTED

N.89°58'16"E.
20.00'



LEGEND

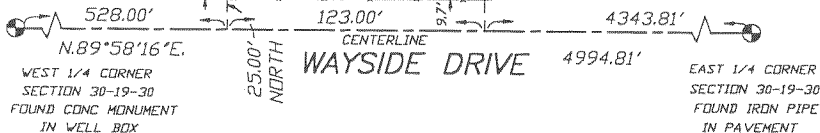
- CONC = CONCRETE
- R/W = RIGHT-OF-WAY
- PC = POINT OF CURVATURE
- = SET 5/8" IRON ROD #4887

NOTES :

1. BEARINGS BASED ON THE CENTERLINE OF WAYSIDE DRIVE AS SHOWN.
2. UNDERGROUND IMPROVEMENTS NOT LOCATED.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. SUBJECT PROPERTY LIES IN ZONE "X" (AREA OF MINIMAL FLOODING) PER FLOOD INSURANCE RATE MAP PANEL NUMBER 120289 0040 E, DATED 4/17/95.
5. DATE OF FIELD SURVEY: 9/23/97.

BOUNDARY SURVEY DESCRIPTION:

BEGIN 528.00 FEET N.89°58'16"E. AND 25 FEET NORTH OF THE WEST 1/4 CORNER OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA; THENCE NORTH 461.63 FEET; THENCE N.89°58'16"E. FOR 178.00 FEET; THENCE NORTH FOR 173.37 FEET; THENCE N.89°58'16"E. FOR 20.00 FEET; THENCE SOUTH FOR 385.00 FEET; THENCE S.89°58'16"W. FOR 75.00 FEET; THENCE SOUTH FOR 250.00 FEET; THENCE S.89°58'16"W. FOR 123.00 FEET TO THE POINT OF BEGINNING.



CERTIFIED TO:

ROBERT SCHRUM
JOANN SCHRUM

CHASE MANHATTAN
MORTGAGE CORPORATION

EQUITABLE TITLE
AGENCY, INC.

OLD REPUBLIC NATIONAL
TITLE INSURANCE COMPANY

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

I HEREBY CERTIFY:

THAT THIS SURVEY MEETS THE
MINIMUM TECHNICAL STANDARDS
SET FORTH BY THE FLORIDA
BOARD OF LAND SURVEYORS IN
CHAPTER 61G17 - 6, FLORIDA
ADMINISTRATIVE CODE.

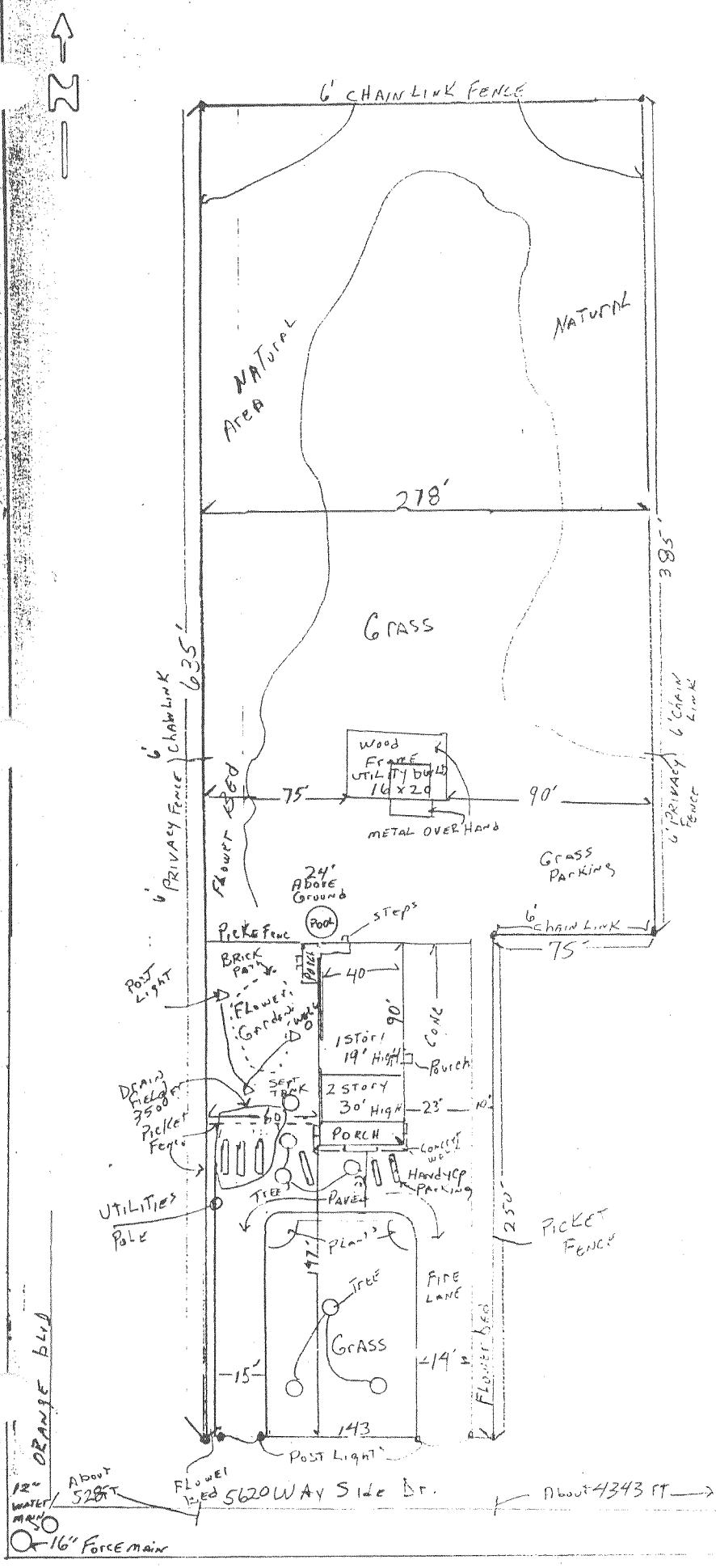
THOMAS J. BIGLEY
FL REG LAND SURVEYOR #4887

DATE: 9/23/97

SCALE: 1" = 60'


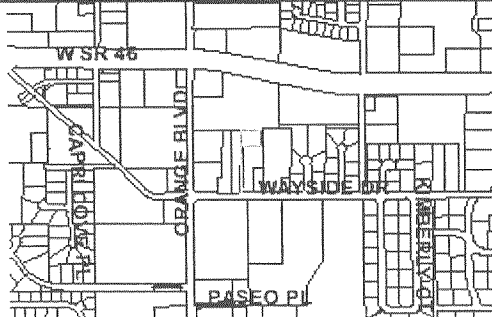

JOB NO. 97-357.1

CENTRAL FLORIDA
CONSULTING SURVEYORS
961 E. ALTAMONTE DRIVE
ALTAMONTE SPRINGS, FL
32701 (407) 767-0166


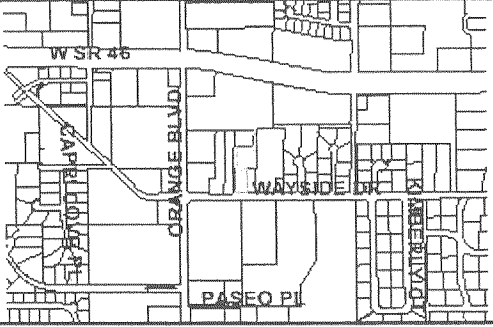


Bob + Joann Schrim owners
 Bed + BREAKFAST (WAY Side M)
 P.M. 30-19-30-300-0210-000

SCALE 1" = 60'

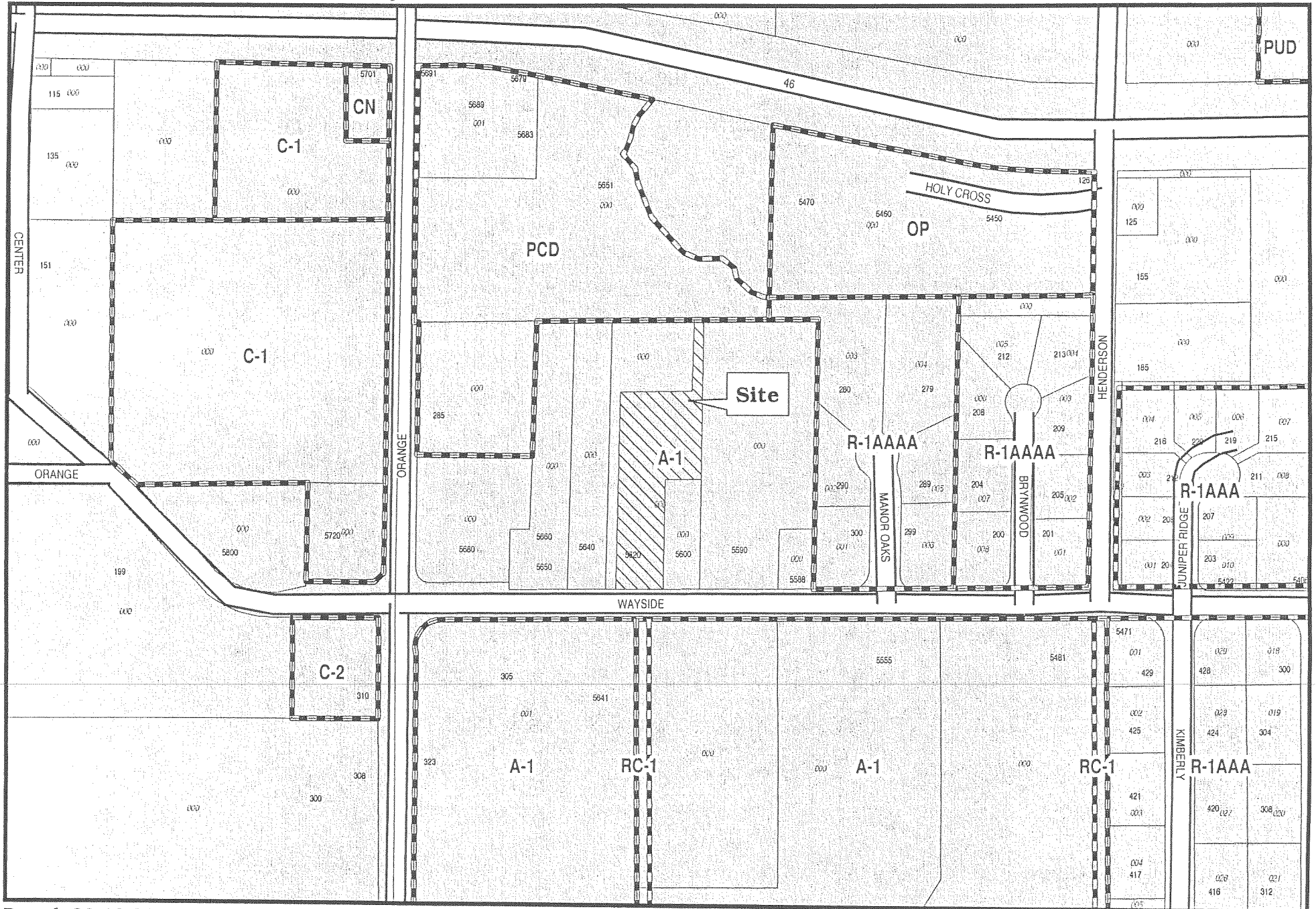
<p>PARCEL DETAIL</p>	<p>REAL ESTATE PERSONAL PROP TAX ROLL SALES SEARCH</p>	<p>◀ ◁ Back ▷ ▶</p>																		
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																				
<p align="center">GENERAL</p> <p>Parcel Id: 30-19-30-300-024A-0000 Tax District: 01-TX DIST 1 - COUNTY Owner: SCHRUM JOANN Exemptions: Address: 5620 WAYSIDE DR City,State,ZipCode: SANFORD FL 32771 Property Address: Subdivision Name: Dor: 00-VACANT RESIDENTIAL</p>		<p align="center">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$47,380 Land Value Ag: \$0 Just/Market Value: \$47,380 Assessed Value (SOH): \$47,380 Exempt Value: \$0 Taxable Value: \$47,380</p>																		
<p align="center">SALES</p> <p>Deed Date Book Page Amount Vac/Imp Find Comparable Sales within this Subdivision</p>		<p align="center">2003 VALUE SUMMARY</p> <p>2003 Tax Bill Amount: \$677 2003 Taxable Value: \$39,500 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																		
<p align="center">LAND</p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>ACREAGE</td> <td>0</td> <td>0</td> <td>.788</td> <td>60,000.00</td> <td>\$47,280</td> </tr> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>100.00</td> <td>\$100</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	ACREAGE	0	0	.788	60,000.00	\$47,280	LOT	0	0	1.000	100.00	\$100	<p align="center">LEGAL DESCRIPTION</p> <p>SEC 30 TWP 19S RGE 30E BEG 508 FT E & 25 FT N OF W 1/4 COR RUN N 635 FT E 198 FT S 173.37 FT W 178 FT S 461.63 FT W 25 FT TO BEG (1 AC)</p>
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																				

[BACK](#) [PROPERTY APPRAISER HOME PAGE](#) [CONTACT](#)

PARCEL DETAIL	<input type="button" value="REAL ESTATE"/> <input type="button" value="PERSONAL PROP"/> <input type="button" value="TAX ROLL"/> <input type="button" value="SALES SEARCH"/>	<input type="button" value="Back"/>																																																																																																																								
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<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 30-19-30-300-0240-0000 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: SCHRUM JOANN Exemptions: 00-HOMESTEAD</p> <p>Address: 5620 WAYSIDE DR</p> <p>City,State,ZipCode: SANFORD FL 32771</p> <p>Property Address: 5620 WAYSIDE DR SANFORD 32771</p> <p>Subdivision Name:</p> <p style="padding-left: 40px;">Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 2</p> <p>Depreciated Bldg Value: \$174,239</p> <p>Depreciated EXFT Value: \$1,200</p> <p>Land Value (Market): \$67,600</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$243,039</p> <p>Assessed Value (SOH): \$211,075</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$186,075</p>																																																																																																																								
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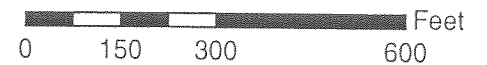
JTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.
 ** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

JoAnn & Bob Schrum 5620 Wayside Drive



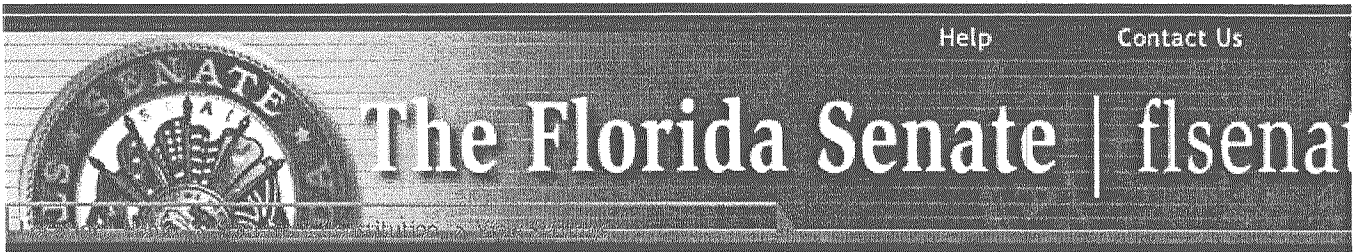
Parcel 30-19-30-300-0240-0000 / District 5

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The 2003 Florida Statutes

Title XXXIII
 REGULATION OF TRADE,
 COMMERCE, INVESTMENTS, AND
 SOLICITATIONS

Chapter 509
 LODGING AND FOOD SERVICE
 ESTABLISHMENTS; MEMBERSHIP
 CAMPGROUNDS

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509.242 Public lodging establishments; classifications.--

(1) A public lodging establishment shall be classified as a hotel, motel, resort condonontransient apartment, transient apartment, roominghouse, bed and breakfast inn dwelling if the establishment satisfies the following criteria:

(a) *Hotel*.--A hotel is any public lodging establishment containing sleeping room accommodation for 25 or more guests and providing the services generally provided by a hotel and resort hotel in the community in which it is situated or by the industry.

(b) *Motel*.--A motel is any public lodging establishment which offers rental units with the outside of each rental unit, daily or weekly rates, offstreet parking for each unit, office on the property with specified hours of operation, a bathroom or connecting bathroom to each rental unit, and at least six rental units, and which is recognized as a motel in the community in which it is situated or by the industry.

(c) *Resort condominium*.--A resort condominium is any unit or group of units in a cooperative, or timeshare plan which is rented more than three times in a calendar period of less than 30 days or 1 calendar month, whichever is less, or which is advertised out to the public as a place regularly rented for periods of less than 30 days or 1 calendar month, whichever is less.

(d) *Nontransient apartment*.--A nontransient apartment is any apartment building in which 10 percent or more of the units are available for rent to nontransient tenants.

(e) *Transient apartment*.--A transient apartment is any apartment building in which advertised or held out to the public as available for transient occupancy.

(f) *Roominghouse*.--A roominghouse is any public lodging establishment that may not be classified as a hotel, motel, resort condominium, nontransient apartment, bed and breakfast inn or transient apartment under this section. A roominghouse includes, but is not limited to, a boarding house.

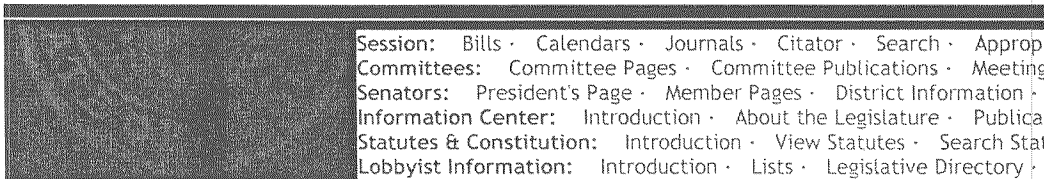
(g) *Resort dwelling*.--A resort dwelling is any individually or collectively owned one-family, three-family, or four-family dwelling house or dwelling unit which is rented for more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented for periods of less than 30 days or 1 calendar month, whichever is less.

(h) *Bed and breakfast inn.*--A bed and breakfast inn is a family home structure, with 15 sleeping rooms, which has been modified to serve as a transient public lodging establishment which provides the accommodation and meal services generally offered by a bed and breakfast inn and which is recognized as a bed and breakfast inn in the community in which it is located in the hospitality industry.

(2) If 25 percent or more of the units in any public lodging establishment fall within a classification different from the classification under which the establishment is licensed, such establishment shall obtain a separate license for the classification representing the 25 percent or more of the units which differ from the classification under which the establishment is licensed.

(3) A public lodging establishment may advertise or display signs which advertise a classification, if it has received a license which is applicable to the specific classification and which fulfills the requirements of that classification.

History.--s. 2, ch. 57-824; s. 2, ch. 61-81; ss. 16, 35, ch. 69-106; s. 3, ch. 76-168; ss. 19, 39, 42, ch. 79-240; ss. 3, 4, ch. 81-161; ss. 2, 3, ch. 81-318; ss. 26, 51, 52, ch. 81-40; s. 4, ch. 91-429; s. 9, ch. 93-53; s. 12, ch. 96-384.



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SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 28, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 30 TWP 19S RGE 30E BEG 533 FT E & 25 FT N OF W 1/4 COR RUN N 461.63 FT E 178 FT N 173.37 FT E 20 FT S 385 FT W 75 FT S 250 FT W 123 FT TO BEG (1.7475 AC) INFO: A/24A CUTOUT FOR '95; AND SEC 30 TWP 19S RGE 30E BEG 508 FT E & 25 FT N OF W 1/4 COR RUN N 635 FT E 198 FT S 173.37 FT W 178 FT S 461.63 FT W 25 FT TO BEG (1 AC)

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

FINDINGS OF FACT

Property Owners: JOANN SCHRUM
5620 WAYSIDE DRIVE
SANFORD, FL 32771

Project Name: 5620 WAYSIDE DRIVE

Requested Development Approval:

SPECIAL EXCEPTION TO ESTABLISH A BED AND BREAKFAST IN THE A-1 (AGRICULTURE DISTRICT).

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: Francisco Torregrosa, Planner
1101 East First Street
Sanford, Florida 32771

Order

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:

- THERE WILL BE NO MORE THAN THREE (3) GUEST BEDROOMS (INCLUDING TWO (2) DOUBLES AND A SINGLE), WHICH WOULD ACCOMMODATE A MAXIMUM OF FIVE (5) GUESTS.
- SIGNAGE SHALL BE LIMITED TO ONE (1) ON-PREMISE SIGN CONSISTING OF NO MORE THAN FOUR (4) SQUARE FEET TO BE CONSISTENT WITH THE RESIDENTIAL CHARACTER OF THE SITE.
- THE BED AND BREAKFAST ESTABLISHMENT SHALL REMAIN A FAMILY HOME STRUCTURE WITH TRANSIENT PUBLIC LODGING, ACCOMMODATIONS AND MEAL SERVICES GENERALLY OFFERED BY A BED AND BREAKFAST INN RECOGNIZED AS THE SAME BY THE COMMUNITY IN WHICH IT IS SITUATED OR BY THE HOSPITALITY INDUSTRY; THE PROPOSED USE SHALL NOT BE USED AS A BOARDING HOUSE.
- THE PROPOSED USE SHALL OTHERWISE MEET THE REQUIREMENTS OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.

(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: _____
Matthew West
Planning Manager

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 executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owners, Joann Schrum, 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

Joann Schrum

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 Insert Name 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 _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: