

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST TO AMEND AN EXISTING SPECIAL EXCEPTION TO EXPAND AN ANIMAL CLINIC AND KENNEL IN THE A-1 (AGRICULTURE DISTRICT) (DR. ALEX SUERO, APPLICANT)

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

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

Agenda Date 12-13-03 Regular Consent Public Hearing – 6:00

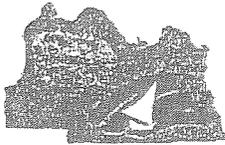
MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST TO AMEND AN EXISTING SPECIAL EXCEPTION TO EXPAND AN ANIMAL CLINIC AND KENNEL IN THE A-1 (AGRICULTURE DISTRICT) (DR. ALEX SUERO, APPLICANT); OR
2. **DENY** THE REQUEST TO AMEND AN EXISTING SPECIAL EXCEPTION TO EXPAND AN ANIMAL CLINIC AND KENNEL IN THE A-1 (AGRICULTURE DISTRICT) (DR. ALEX SUERO, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: ALEX SUERO, DVM LOCATION: 1101 E. TUSCAWILLA POINT ZONING: A-1 (AGRICULTURE)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • APPLICANT PROPOSES TO CONSTRUCT A 800 SQUARE FOOT KENNEL ADDITION ONTO AN EXISTING VETERINARY CLINIC AND KENNEL ON A 4.50 ACRE SITE. • A KENNEL IS A CONDITIONAL USE IN THE A-1 DISTRICT, WHICH REQUIRES A SPECIAL EXCEPTION.
ZONING & FLU	DIRECTION EXISTING ZONING EXISTING FLU USE OF PROPERTY
	SITE A-1 LOW DENSITY RESIDENTIAL ANIMAL CLINIC
	NORTH RP OFFICE DAYCARE
	SOUTH PCD COMMERCIAL VACANT
	EAST PUBLIC CONSERVATON VACANT
	WEST R-1A LOW DENSITY RESIDENTIAL TUSCAWILLA POINT

<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 TREND OF DEVELOPMENT IN THE IMMEDIATE AREA INCLUDES A COMBINATION OF MOSTLY COMMERCIAL, OFFICE AND SINGLE FAMILY RESIDENTIAL USES. THE 800 SQUARE FOOT KENNEL ADDITION ONTO THE EXISTING ANIMAL CLINIC AND KENNEL WILL BE CONSISTENT WITH TREND OF DEVELOPMENT IN THE IMMEDIATE AREA.</p> <p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>THE 800 SQUARE FOOT ADDITION ONTO THE EXISTING ANIMAL CLINIC WILL HAVE MINIMAL EFFECT ON THE EXISTING TRAFFIC VOLUME ON TUSKAWILLA ROAD.</p> <p><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></p> <p>THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN DESCRIBES THE LOW DENSITY FUTURE LAND USE TO SERVE AS AN EFFECTIVE APPROPRIATE TRANSITIONAL USE, SUCH AS ANIMAL CLINICS AND KENNELS, BETWEEN MORE INTENSE URBAN USES.</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 SIZE, WIDTH AT BUILDING LINE AND DIMENSIONAL STANDARDS OF THE A-1 DISTRICT.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>WITHIN THE A-1 DISTRICT, ANIMAL CLINICS AND KENNELS ARE A SPECIAL EXCEPTION. THE TREND OF DEVELOPMENT IN THE IMMEDIATE AREA INCLUDES A COMBINATION OF MOSTLY COMMERCIAL, OFFICE AND SINGLE FAMILY RESIDENTIAL USE. AN AMENDMENT TO AN EXISTING ANIMAL CLINIC AND KENNEL FOR A 800 KENNEL WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST.</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>AS PREVIOUSLY STATED, ANIMAL CLINIC AND KENNEL ARE CONSISTENT WITH THE GENERAL ZONING PLAN OF THE A-1 DISTRICT. WITH THE IMPOSITION OF STAFF'S RECOMMENDED CONDITIONS, THE PROPOSED USE WOULD OTHERWISE BE CONSISTENT WITH OTHER ALLOWABLE USES IN THE A-1 DISTRICT.</p> <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>AS PROPOSED, THE REQUEST WOULD BE NO MORE INTENSIVE IN NATURE THAN THE EXISTING USE, WHICH WAS APPROVED IN 1989.</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.</p>
<p>STAFF FINDINGS</p>	<ul style="list-style-type: none"> • THE PROPOSED KENNEL IS A CONDITIONAL USE IN THE A-1 DISTRICT, WHICH IS AN ALLOWABLE ZONING DISTRICT IN THE PROPERTY'S LOW DENSITY RESIDENTIAL FLU DESIGNATION. • THE PROPOSED KENNEL ADDITION WOULD BE CONSISTENT WITH THE DEVELOPMENT TREND OF THE AREA. • THE PROPOSED KENNEL WOULD NOT BE HIGHLY INTENSIVE IN NATURE. • THE PROPOSED USE WOULD BE COMPATIBLE WITH THE CONCEPT OF AGRICULTURE ZONING DISTRICT AS VETERINARY CLINICS ARE ALLOWED BY SPECIAL EXCEPTION. • THE PROPOSED USE WOULD NOT HAVE AN UNDULY OR ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS, AND INTENSITY. • THE SUBJECT PROPERTY IS SITUATED TO BE SERVED BY A FULL RANGE OF COUNTY URBAN SERVICES.
<p>STAFF RECOMMENDATION</p>	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE SPECIAL EXCEPTION FOR A KENNEL EXPANSION BASED ON THE FOLLOWING CONDITIONS:</p> <ol style="list-style-type: none"> 1. THE NUMBER OF BOARDING COMPARTMENTS SHALL NOT EXCEED 20. 2. THE KENNELS SHALL BE INDOOR KENNELS WITH NO OUTSIDE KENNELS ON THE SITE. 3. THE BUILDING SHALL BE CONSTRUCTED WITH SOUNDPROOFING MATERIAL. 4. OUTDOOR WALKING OF DOGS WILL BE BETWEEN THE HOURS OF 7:30 AM TO 7:30 PM. 5. FINAL SITE PLAN SHALL MEET THE APPLICABLE REQUIREMENTS OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. 052004-030

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. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

- VARIANCE**
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING (YEAR) TO PROPOSED (YEAR)**
- REPLACEMENT (YEAR) 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**

NOV 17 2004
 NOV 17 2004

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	ALEX G. SUERO DUM	
ADDRESS	1101 E. Tuscanilla Pt Winter Springs, FL 32709	
PHONE 1	407-699-1500	
PHONE 2	407-695-6585	
EMAIL		

PROJECT NAME: Tuscanilla Animal Hospital Expansion
 SITE ADDRESS: 1101 E. Tuscanilla Pt.
 CURRENT USE OF PROPERTY: Veterinarian Hospital
 LEGAL DESCRIPTION: _____

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 24-21-30-511-0000-0020

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 1/1
 (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.

Alex G. Suero Dum
 SIGNATURE OF OWNER OR AGENT* 11/12/04
DATE

* 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:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION	
NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

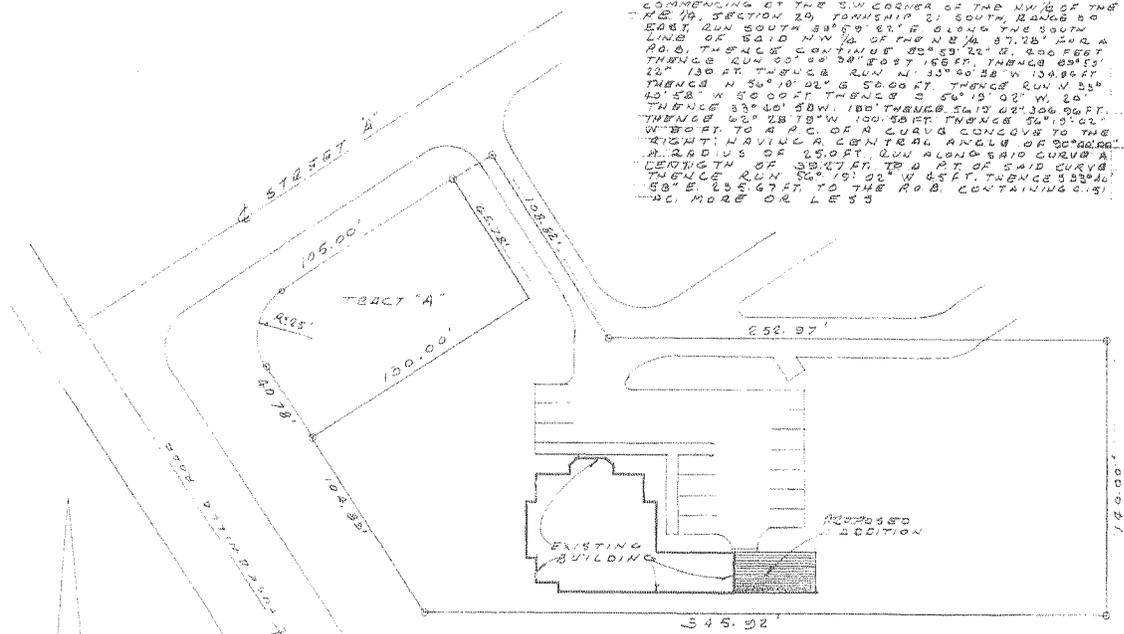
NATURE OF THE APPEAL _____

APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:
FEE(S): _____ COMMISSION DISTRICT _____ FLD/ZONING _____
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS <u>17th St. & 1st St. East, Jackson, MI</u>
<u>Re: appeal of HS for South of Jackson, MI, Rd. 1, Jackson, MI, PI</u>
PLANNING ADVISOR _____ DATE _____
SUFFICIENCY COMMENTS _____

COMMENCING AT THE SW CORNER OF THE NW 1/4 OF THE
 SEC 18, SECTION 20, TOWNSHIP 21 SOUTH, RANGE 50
 EAST, RUN SOUTH 89° 59' 22" E, 100 FEET, TO THE
 LINE OF SAID NW 1/4 OF THE NW 1/4, 87.25' SW, A
 R.O.B., THENCE CONTINUE 89° 59' 22" E, 250 FEET
 THENCE RUN 60° 00' 00" EAST 155 FT. THENCE 89° 59'
 22" 130 FT. THENCE RUN N 33° 00' 58" W 138.6 FT.
 THENCE N 56° 18' 01" E 50.00 FT. THENCE RUN N 53°
 45' 58" E 50.00 FT. THENCE S 66° 18' 02" W, 20'
 THENCE 33° 00' 48" W 180' THENCE S 42° 33' 00" E
 THENCE 62° 28' 18" W 100.00 FT. THENCE S 41° 15' 01"
 W 80 FT. TO A P.C. OF A CURVE CONGRUOUS TO THE
 RIGHT, HAVING A CENTRAL ANGLE OF 90 DEGREES
 A RADIUS OF 25 FT. RUN ALONG SAID CURVE A
 LENGTH OF 38.7 FT. TO A P.T. OF SAID CURVE
 THENCE RUN S 66° 18' 02" W 45 FT. THENCE 33° 00'
 48" E 25.00 FT. TO THE R.O.B. CONTAINING 0.51
 AC. MORE OR LESS



SITE PLAN 1" = 30' 0"

WIND LOADS - 25 MPH WITH 3 SECOND GUSTS
 WIND IMPORTANCE FACTOR - 1.0
 WIND EXPOSURE - B
 INTERNAL PRESSURE COEFFICIENT - 0.18 - 0.13
 SOIL BEARING - 2000 PSF
 STRUCTURAL CONCRETE - 3000 POUND
 BUILDING AREA OF ADDITION - 800 SQUARE FEET
 BUILDING CONSTRUCTION TYPE - 5
 ALL CONSTRUCTION SHALL COMPLY WITH THE
 REQUIREMENTS OF THE 2001 FLORIDA BUILDING CODE
 AND THE 2001 FIRE PREVENTION CODE

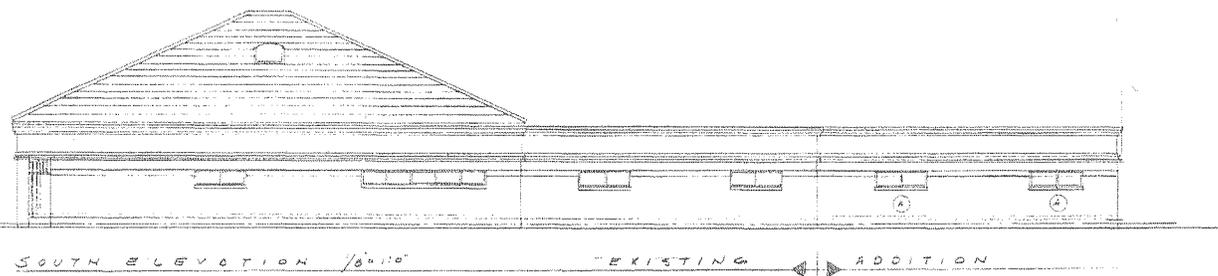
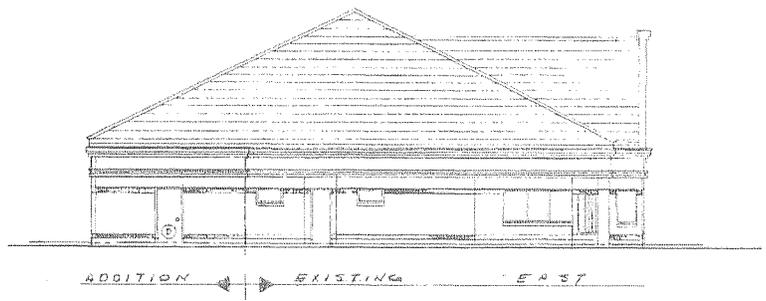
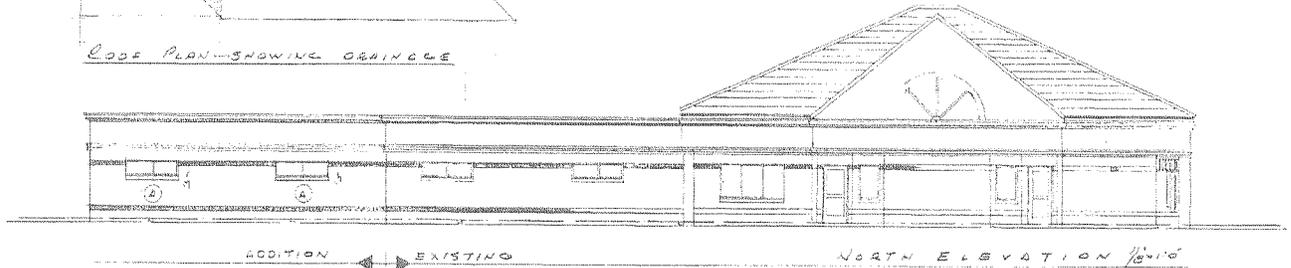
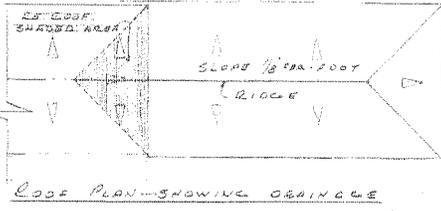
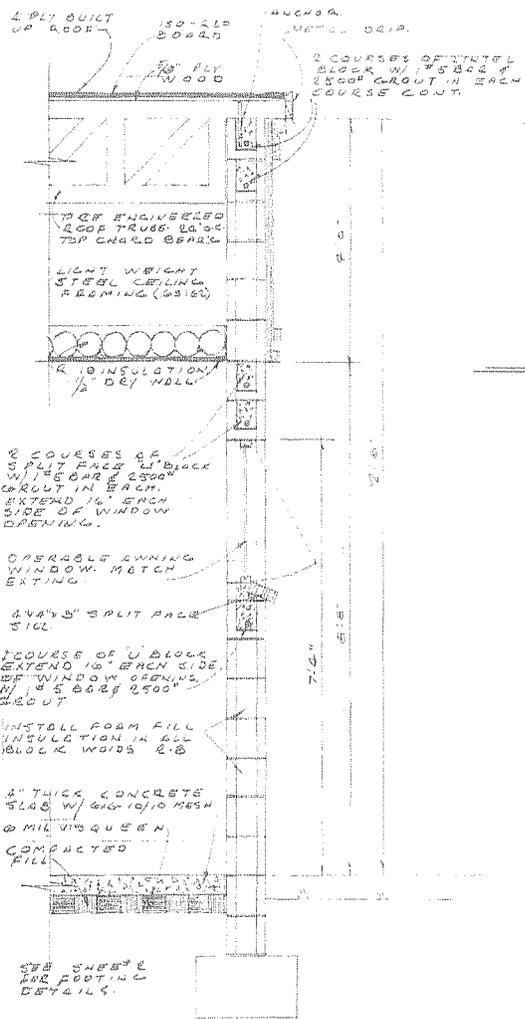
TUSKAWILLA ANIMAL
 HOSPITAL

WILSON & COMPANY INC.
 GENERAL CONTRACTORS

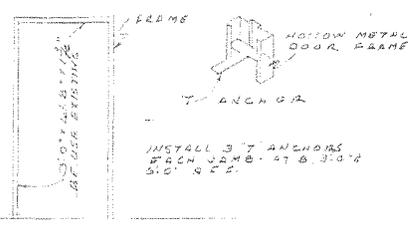
ALEX SUERO D. V. M.
 JOSEPH E. CARLISLE ARCHITECT

RECEIVE
 MAY 13 2001
 Wilson & Co., I

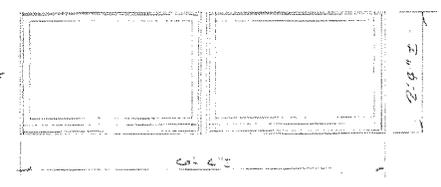
1250 001



WALL SECTION 1/8" = 1'-0"

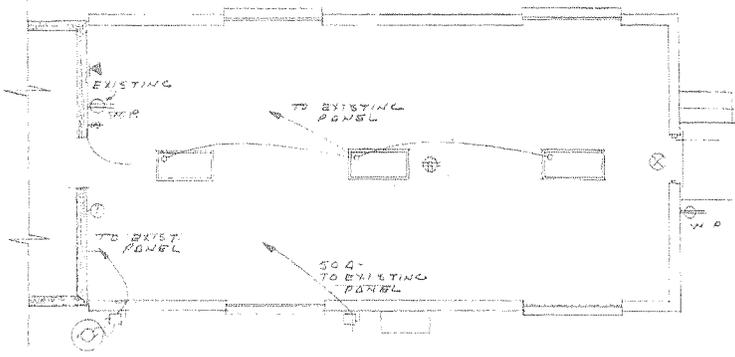


WIND LOBBY 239 - 281
ALUMINUM SCREENED SWINGING WINDOWS - OUT SWING WITH SCREENS. MATCH EXISTING. WOOD SUCKS SHALL BE 1/2" THICK PRESSURE TREATED & SQUARE TO ALDICE WITH 3" LONG TAP SCREWS 12" O.C.



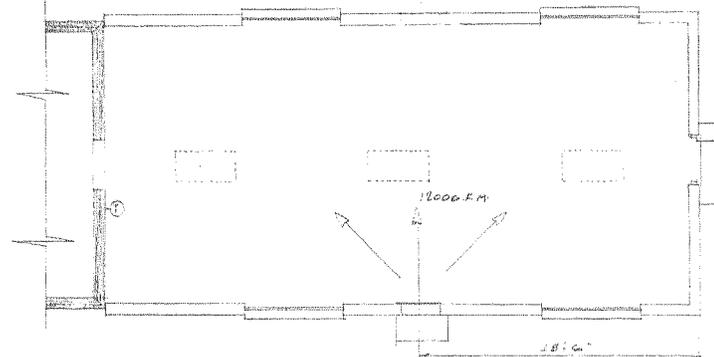
WINDOW ASSEMBLY A

A. 2004
 5-25-04
 ADDITIONS TO THE
 LOS ANGELES ANIMAL
 JC



ELECTRICAL PLAN 1/4"=1'-0"

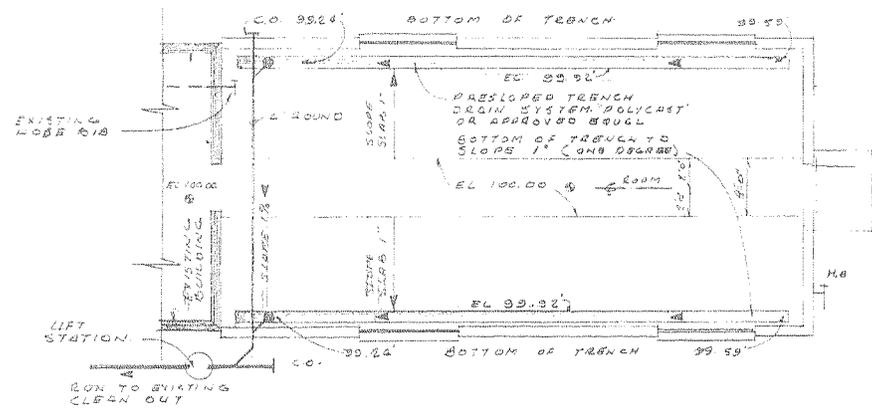
- SYMBOLS**
- 2 TUBE GLOW LAMP (28) FLUORESCENT FIXTURE WITH ONE PIECE GRILLE AND USER-REPLACEABLE LIGHTING OR BALLAST
 - DUPLEX CONVENIENCE OUTLET
 - WEATHER PROOF OUTLET
 - THERMOSTAT
 - CEILING MOUNTED CONVENIENCE OUTLET
 - TELEPHONE OUTLET
 - EXIT LIGHT
 - DISCONNECT SWITCH



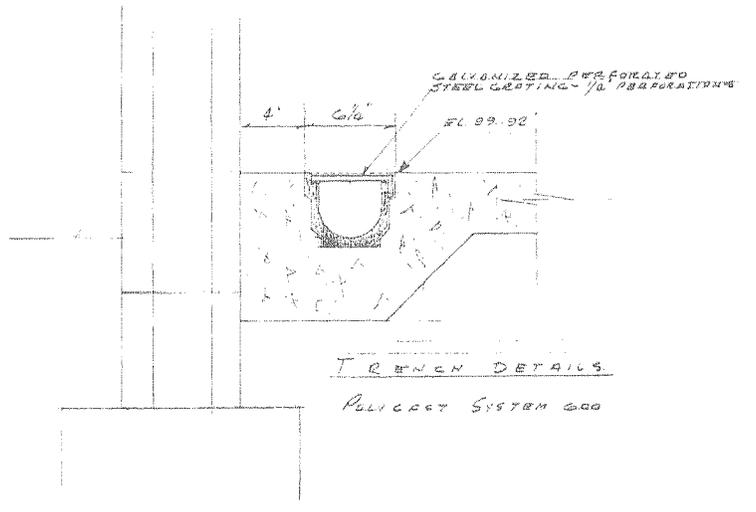
H.V.A.C. PLAN 1/4"=1'-0"

BARO MANUFACTURING CO -
 NO 37-370N - 15 EWR - 13 R - 10
 THERMOSTAT. ON OFF HEAT. COOL.

18'-6"
 RELOCATE DRAWINGS TO COGG WALL LOCATION'S



PLUMBING PLAN 1/4"=1'-0"



TRENCH DETAILS
 POLYCAST SYSTEM 600

4.20.04
 13.20.04
 APPROVED TO THE

Personal Property

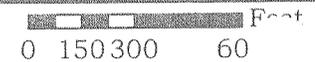
 Seminole County <i>Property Appraiser Services</i> 1101 E. First St. Sanford FL 32771 407-663-7506																																
<p style="text-align: center;">PARCEL DETAIL</p> <p style="text-align: center;"> <input type="button" value="REAL ESTATE"/> <input type="button" value="PERSONAL PROP"/> <input type="button" value="TAX ROLL"/> <input type="button" value="SALES SEARCH"/> </p>		<p>◀ ◀ Back ▶ ▶</p>																														
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 24-21-30-511-0000-0020 Tax District: 01-COUNTY-TX DIST 1 Owner: SUERO ALEX G Exemptions: Address: 4550 E LAKE DR City,State,ZipCode: WINTER SPRINGS FL 32708 Property Address: 1101 TUSKAWILLA PT E WINTER SPRINGS 32708 Facility Name: Dor: 1902-VETERINARIAN CLINIC</p>		<p style="text-align: center;">2005 WORKING VALUE SUMMARY</p> <table border="0"> <tr><td>Value Method:</td><td>Market</td></tr> <tr><td>Number of Buildings:</td><td>1</td></tr> <tr><td>Depreciated Bldg Value:</td><td>\$273,628</td></tr> <tr><td>Depreciated EXFT Value:</td><td>\$5,632</td></tr> <tr><td>Land Value (Market):</td><td>\$246,789</td></tr> <tr><td>Land Value Ag:</td><td>\$0</td></tr> <tr><td>Just/Market Value:</td><td>\$526,049</td></tr> <tr><td>Assessed Value (SOH):</td><td>\$526,049</td></tr> <tr><td>Exempt Value:</td><td>\$0</td></tr> <tr><td>Taxable Value:</td><td>\$526,049</td></tr> </table>	Value Method:	Market	Number of Buildings:	1	Depreciated Bldg Value:	\$273,628	Depreciated EXFT Value:	\$5,632	Land Value (Market):	\$246,789	Land Value Ag:	\$0	Just/Market Value:	\$526,049	Assessed Value (SOH):	\$526,049	Exempt Value:	\$0	Taxable Value:	\$526,049										
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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>																																

Alex G. Suero 1101 Tuskawilla Pt



Parcel 1-21-30-511-0000-0020 / District: 2

B' 004-030
DECEMBER 13, 2004



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 13, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 2 EAGLES POIN PHASE 1 PB 43 PGS 28 & 29

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

FINDINGS OF FACT

Property Owner: SUERO
4550 EAST LAKE DRIVE
WINTER PARK, FL 32708

Project Name: TUSCAWILLA ANIMAL CLINIC

Requested Development Approval:

REQUEST TO AMEND AN EXISTING SPECIAL EXCEPTION TO EXPAND AN ANIMAL CLINIC AND KENNEL IN THE A-1 (AGRICULTURE DISTRICT) (DR. ALEX SUERO, APPLICANT)

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: Kathy Fall
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:
 1. THE NUMBER OF BOARDING COMPARTMENTS SHALL NOT EXCEED 20.
 2. THE KENNELS SHALL BE INDOOR KENNELS WITH NO OUTSIDE KENNELS ON THE SITE.
 3. THE BUILDING SHALL BE CONSTRUCTED WITH SOUNDPROOFING MATERIAL.
 4. OUTDOOR WALKING OF DOGS WILL BE BETWEEN THE HOURS OF 8:00 AM TO 6:00 PM.
 5. FINAL SITE PLAN SHALL MEET THE APPLICABLE 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: