

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for special exception to expand an existing private school for children in the A-1 (Agriculture District); (Pace/Mark Bessette, applicants).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Michael Rumer **EXT.** 7387

Agenda Date 10-24-05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** The request for special exception to expand an existing private school for children in the A-1 (Agriculture District); (Pace/Mark Bessette, applicants); or
2. **DENY** The request for special exception to expand an existing private school for children in the A-1 (Agriculture District); (Pace/Mark Bessette, applicants); or
3. **CONTINUE** The request to a time and date certain.

GENERAL INFORMATION	Pace/Mark Bessette, applicants 1171 Sandy Lane Longwood, FL 32779	A-1 District, LDC section 124 (conditional uses); private & public schools
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to expand an existing school for children with learning disabilities in the A-1 district by converting an existing single-family residence to a library/multi purpose room and incorporating the same into the overall Pace school site. The library is required for state accreditation. • <u>On November 24, 2003</u>, the Board of Adjustment (BOA) approved a special exception on this site to expand the school by converting the single-family residence into an office. The BOA approved converting the single-family residence into an office use with the following conditions: <ol style="list-style-type: none"> 1. The school and associated facilities shall be operated only for students with learning disabilities. 	

	<ol style="list-style-type: none"> 2. The school and its associated facilities shall not be opened on holidays or weekends. 3. The site plan for building modification shall be reviewed by the Development Review Committee (DRC) for compliance with applicable regulations. 4. Total enrollment shall not exceed 200 students. 5. Outside activities shall be restricted to between the hours of 12:30 pm & 8:00 pm. 6. A solid fence or hedge shall be continued along the western property line to incorporate the subject property into the overall school site. 7. Access shall be provided to the site from the adjoining school property to the north; existing access to Sandy Lane shall be closed. 8. The proposed classroom/office conversion shall meet code requirements. 9. Prior to the issuance of development permits, an engineered site plan shall be required to ensure compliance with stormwater requirements (pre-development rate of discharge for the 25-year, 24-hour storm event). 10. Prior to the issuance of development permits, a listed species survey shall be required to address the occurrence of threatened, endangered, or special concern species. 11. Prior to the issuance of development permits, a site plan that meets the requirements of chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC). <ul style="list-style-type: none"> • The special exception expired on November 24, 2004 after no building permits were obtained. 																								
<p>ZONING & FLU</p>	<table border="1"> <thead> <tr> <th>DIRECTION</th> <th>EXISTING ZONING</th> <th>EXISTING FLU</th> <th>USE OF PROPERTY</th> </tr> </thead> <tbody> <tr> <td>SITE</td> <td>A-1</td> <td>LDR</td> <td>SINGLE-FAMILY</td> </tr> <tr> <td>NORTH</td> <td>A-1</td> <td>LDR</td> <td>TENNIS COURTS & SCHOOL</td> </tr> <tr> <td>SOUTH</td> <td>A-1</td> <td>LDR</td> <td>SINGLE-FAMILY</td> </tr> <tr> <td>EAST</td> <td>A-1</td> <td>LDR</td> <td>SCHOOL</td> </tr> <tr> <td>WEST</td> <td>A-1</td> <td>LDR</td> <td>SINGLE-FAMILY</td> </tr> </tbody> </table>	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	SITE	A-1	LDR	SINGLE-FAMILY	NORTH	A-1	LDR	TENNIS COURTS & SCHOOL	SOUTH	A-1	LDR	SINGLE-FAMILY	EAST	A-1	LDR	SCHOOL	WEST	A-1	LDR	SINGLE-FAMILY
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<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION;</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</p>																								

**LDC SECTION
30.43(b)(2)**

determination the use requested:

IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:

The proposed use would represent an expansion of existing school facilities for children with learning disabilities, including grades 1 through 12. It would therefore be consistent with the character of the area, as the previously enumerated conditions imposed on the overall development would continue to apply.

DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:

No additional enrollment or faculty is proposed in conjunction with the desired school facility expansion. Staff recommends the closure of the existing driveway to Sandy Lane and the provision of internal access from the abutting school property to the north and east.

IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

The Seminole County Vision 2020 Comprehensive Plan describes LDR (low density residential) future land use as mostly appropriate for detached single-family development. Certain other uses, including schools of the type proposed, are allowed by special exception. With the imposition of reasonable conditions, many of which already apply to the existing school site, the proposed use would be compatible with the LDR flu designation.

MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:

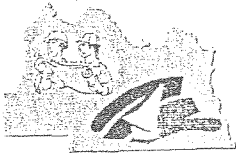
Based on the submitted site plan, the proposed use (existing single-family structure) meets the minimum area and dimensional requirements of the A-1 district.

WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:

Within the A-1 district, schools are allowed as conditional uses.

	<p>The prior establishment of the school, of which the proposed use would constitute a part, demonstrates consistency with the trend of nearby and adjacent development in the area.</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, the proposed use would provide additional office and classroom space for a school use already approved in the A-1 district. The proposed use (to be located in the existing single-family structure) would otherwise comply with the standards of the A-1 district, as stated elsewhere in this report.</p> <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>The request would not be highly intensive in nature, since no additional improvements, other than utility upgrades, stormwater management, requisite parking, and vehicular / pedestrian access to the established school would be provided.</p> <p><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES:</u></p> <p>The subject property is served by on-site septic and well systems. Other county services, including emergency services and garbage disposal, are also available to the site. A letter from utilities, inc., which provides water and sewer utilities in the area, would be required at final site plan review.</p>
<p>STAFF FINDINGS</p>	<p>Staff believes the proposed use would be compatible with the trend of development in the area for the following reasons:</p> <ul style="list-style-type: none"> ○ The proposed use would constitute a conversion of an existing single-family home to library and multi purpose space to serve an existing school. Other than utility upgrades, stormwater management, requisite parking, and vehicular / pedestrian access to the established school, no additional site improvements are proposed. ○ Based on the submitted site plan, the proposed use

	<p>would conform to the minimum dimensional standards of the A-1 district.</p> <ul style="list-style-type: none">o The existing school, of which the proposed use would constitute an expansion thereof, has an approved special exception for a school facility. With the imposition of the same conditions applicable to the school, the proposed use would be compatible with the existing trend of development in the area.
STAFF RECOMMENDATION	<p>Staff recommends approval subject to the proposed site plan's compliance with chapter 40 of the land development code and the imposition of the conditions of original special exception dated November 24, 2003:</p> <ol style="list-style-type: none">1. The school and associated facilities shall be operated only for students with learning disabilities.2. The school and its associated facilities shall not be opened on holidays or weekends.3. The site plan for building modification shall be reviewed by the Development Review Committee (DRC) for compliance with applicable regulations.4. Total enrollment shall not exceed 200 students.5. Outside activities shall be restricted to between the hours of 12:30 pm & 8:00 pm.6. A solid fence or hedge shall be continued along the western property line to incorporate the subject property into the overall school site.7. Access shall be provided to the site from the adjoining school property to the north; existing access to sandy lane shall be closed.8. The proposed library conversion shall meet code requirements.9. Prior to the issuance of development permits, an engineered site plan shall be required to ensure compliance with stormwater requirements (pre-development rate of discharge for the 25-year, 24-hour storm event).10. Prior to the issuance of development permits, a listed species survey shall be required to address the occurrence of threatened, endangered, or special concern species.11. Prior to the issuance of development permits, a site plan that meets the requirements of chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).



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. BS2005-019

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items from 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. Development Review Division


APPLICATION TYPE:

- VARIANCE**
- SPECIAL EXCEPTION** CHANGE TO EDUCATION
- LIMITED USE**
 - SF DWELLING UNDER CONSTRUCTION
 - NIGHT WATCHMAN
 - YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
 - SIZE OF MOBILE HOME / RV _____
 - PLAN TO BUILD YES NO IF SO, WHEN _____
 - MEDICAL HARDSHIP
 - FAMILY HARDSHIP
 - TIME NEEDED _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT*
NAME	PACE-BRANTLEY HALL School	MARK BESSETTE
ADDRESS	3221 SAND LANE RD. LONGWOOD, FLORIDA	AC DEVELOPMENT GROUP INC 801 EYRIE DR. SUITE 200 EVIECO FLORIDA 32765
PHONE 1	(407) 869-8882	MARK@ACDevelopmentGroup.com
PHONE 2	(407) 466-6643	(407) 365-9553 (407) 466-6643
E-MAIL	WWW.PACEBRANTLEYHALL.ORG	

PROJECT NAME: PACE - BRANTLEY - Library Building.
 SITE ADDRESS: 1171 SANDY LAWE
 CURRENT USE OF PROPERTY: Single Family
 LEGAL DESCRIPTION: LEG SEC 07 TWP 21S RGE 29 E N 150 FT OF W 315.40 FT OF S 1/2 OF NE 1/4 OF SE 1/4 OF NE 1/4 (LESS W 25 FT. FROM Rd)
 SIZE OF PROPERTY: 1 acre(s) PARCEL I.D. 07-21-29-300-007A-0000
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO
 This request will be considered at the Board of Adjustment regular meeting on 10/24/05
 (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.

 SIGNATURE OF OWNER OR AGENT* 9-2-05
DATE

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): 370.00 COMMISSION DISTRICT 3 FLU / ZONING A-1 / LOR

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS east side of Sandy Lane 0.1 mi S. of the intersection of Sandy Ln & Sand Lake Road

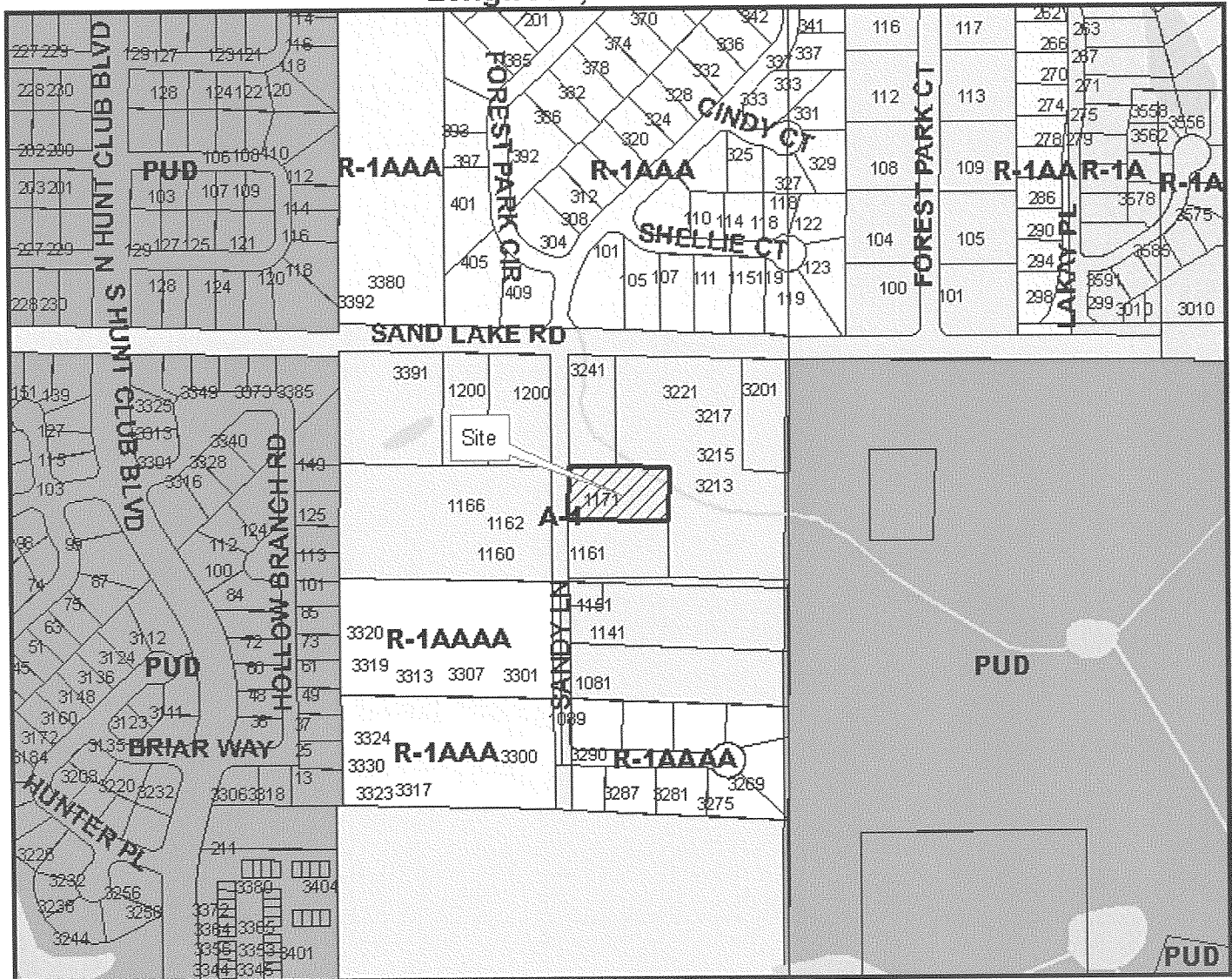
PLANNING ADVISOR KATHY FALL DATE _____

SUFFICIENCY COMMENTS _____

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																											
<p>GENERAL</p> <p>Parcel Id: 07-21-29-300-007A-0000</p> <p>Owner: PACE-BRANTLEY HALL SCHOOL INC</p> <p>Mailing Address: 3221 SAND LAKE RD</p> <p>City,State,ZipCode: LONGWOOD FL 32779</p> <p>Property Address: 1171 SANDY LN LONGWOOD 32779</p> <p>Subdivision Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: <i>ES</i></p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$171,946</p> <p>Depreciated EXFT Value: \$1,515</p> <p>Land Value (Market): \$80,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$253,461</p> <p>Assessed Value (SOH): \$253,461</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$253,461</p> <p>Tax Estimator</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.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																											








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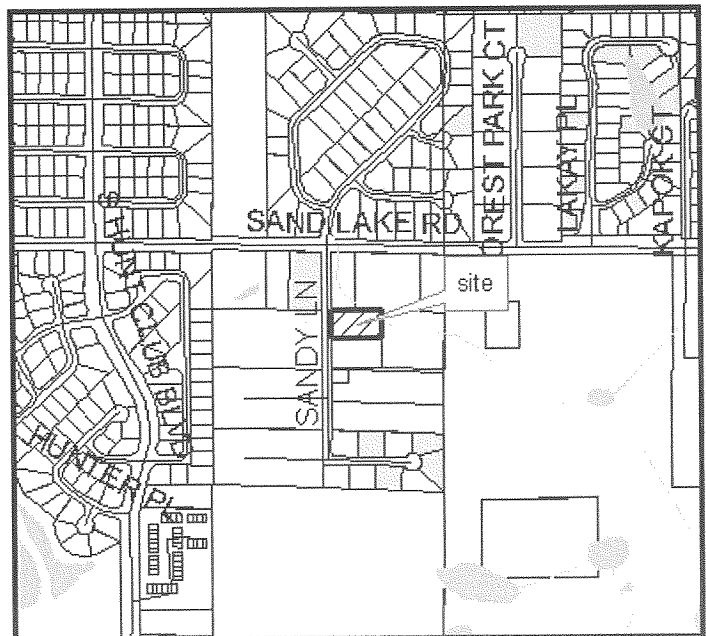
Mark Bessette
 1171 Sandy Lane
 Longwood, FL 32779



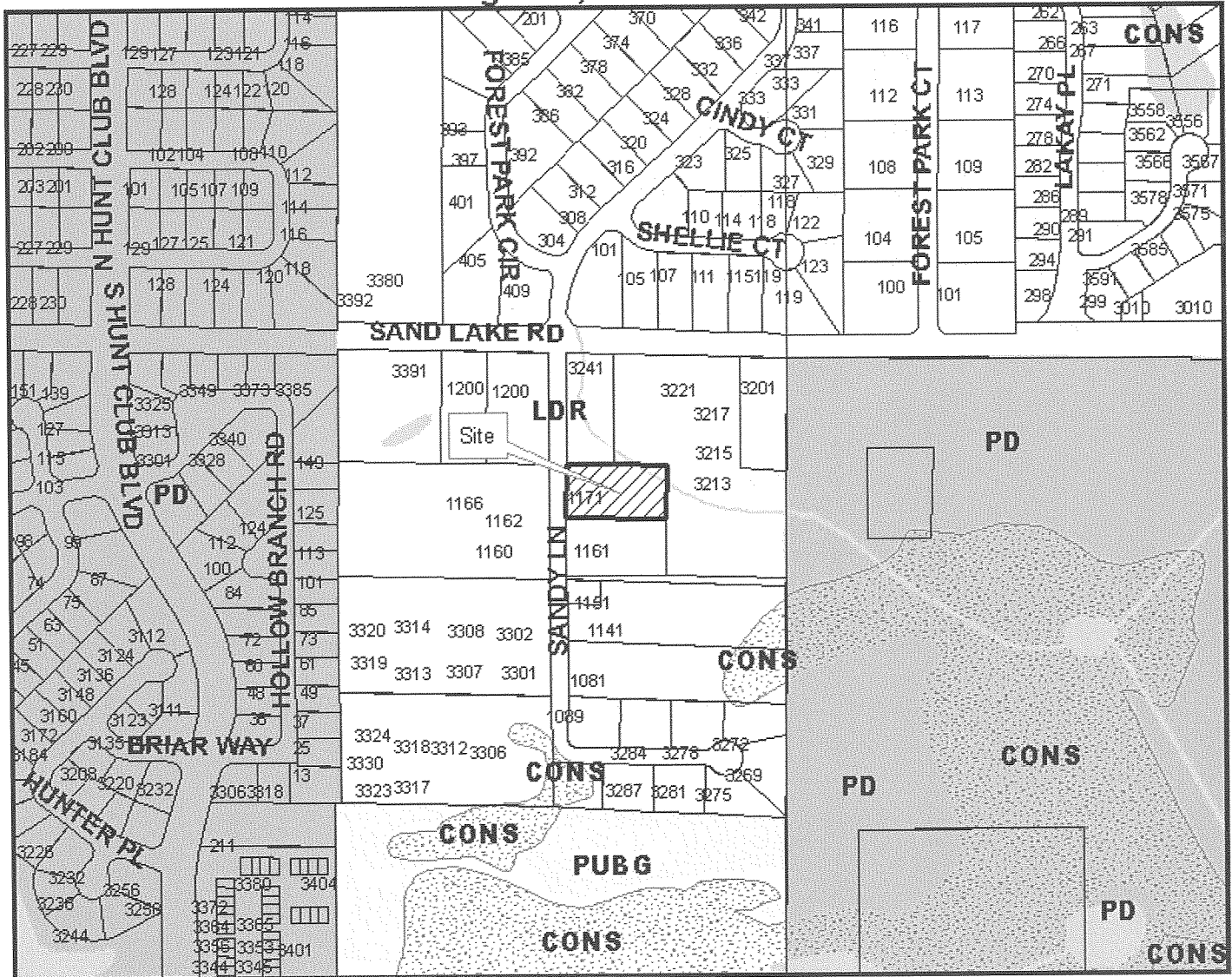
Seminole County Board of Adjustment
 October 24, 2005
 Case: BS2005-019
 Parcel No: 07-21-29-300-007A-0000

Zoning

-  A-1 Agricultural-1Ac
-  R-1AAAA Single Fam-21780
-  R-1AAA Single Fam-13500
-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  PUD Planned Unit Dev.
-  BS2005-019



Mark Bessette
 1171 Sandy Lane
 Longwood, FL 32779

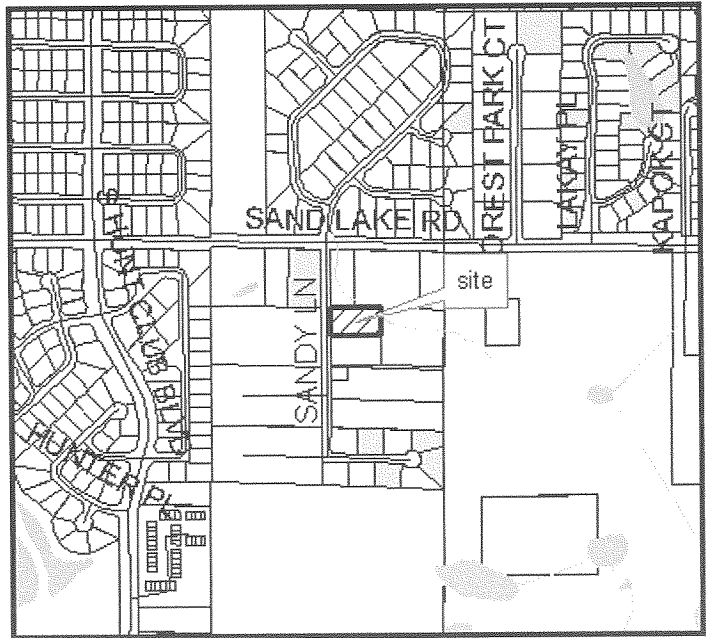


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Future Land Use

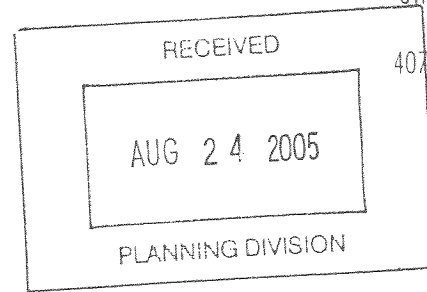
- CONS, PUBG
- CONS, LDR
- CONS, PD
- PUBG, NONE
- LDR, NONE
- PD, NONE
- BS2005-019

0 112.5 225 450 675 900 Feet





801 Eyrie Dr. Suite 200
Oviedo, Florida 32765
407.365.9553 office



August 24, 2005

Seminole County Planning and Development
1101 East First Street
Sanford, Florida
Att: Kathy Fall

Re: Pace-Brantley Hall School, Special exception
1171 Sandy lane, Longwood Fl. 32779

Dear Mrs. Fall,

Thank you for your assistance today on the above referenced project. In response to your request for a brief description of the proposed project, I would like to offer the following information.

The Pace-Brantley Hall School originally applied for a special exception on the property located at 1171 Sandy lane in August of 2003, and it was approved on November 24, 2003. Since then the school never completed and submitted the final plans and specs to build the project, allowing the special exception to be granted.

In this submittal we are requesting to renovate the existing residential building to be used for a library and multi-purpose building needed for state accreditation. We propose to only add the necessary ADA requirements to the building to meet local and state requirements. (Re: sidewalks, ramps, and restrooms)

The proposed project will not have any impact or increase of student capacity for the over all school. The building will solely be used for the intended purpose. As you can see the school property completely surrounds this parcel of land and currently has access to all points of the property.

After we receive staff comments we will submit all necessary documents for final review and approval.

Thank you

Mark A. Bessette



PACE - Brantley Hall School

3221 Sand Lake Road • Longwood, FL 32779
(407) 869-8882 • Fax (407) 869-8717 • www.pacebrantleyhall.org

August 24, 2005

Seminole County
Ms. Kathy Fall
Special Exceptions

Dear Ms. Fall:

Please allow this correspondence to serve as authorization for AC Development Group, Inc, Mark A. Bessette, President and/or his assignees to act as our agent in the process of applying for any and all special exemptions, permits and licenses pertaining to our facility.

Please feel free to contact me should you require any further documentation or authorization.

Sincerely,

Kathleen M. Shatlock
Principal

KMS/jmc

PLANNING AND DEVELOPMENT DEPARTMENT
PLANNING DIVISION



November 25, 2003

PACE / Richard M. Dunn
3221 Sand Lake Road
Longwood, FL 32779

Dear Mr. Dunn:

At its regular meeting on Monday, November 24, 2003, the Seminole County Board of Adjustment approved a request for:

REQUEST FOR SPECIAL EXCEPTION TO EXPAND AN EXISTING PRIVATE
SCHOOL FOR CHILDREN WITH LEARNING ABILITIES IN THE A-1
(AGRICULTURE DISTRICT)

Be advised that any special exception granted by the Board of Adjustment shall expire 1 (one) year after the date approved at a public hearing unless a development permit based upon and incorporating the special exception is obtained within the aforesaid year.

Also be advised there is a fifteen (15) day period from the time the development order is executed, in which this decision can be appealed to the Board of County Commissioners. Therefore, a building permit incorporating the same can not be issued prior to the lapse of the appeal period on December 10, 2003.

A certified copy of the development order (No. 03-32000031) may be obtained from the Clerk of the Board of County Commissioners Office, located in Room 2204 of the County Services Building.

Sincerely,

Earnest McDonald, AICP
Principal Coordinator

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 24, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 07 TWP 21S RGE 29E N 150 FT OF W 315.40 FT OF S 1/2 OF NE 1/4 OF SE 1/4 OF NE 1/4 (LESS W 25 FT FOR RD)

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

FINDINGS OF FACT

Property Owner: EDGAR W. BRADLEY &
NORMAN L. KROGSTAD
1171 SANDY LANE
LONGWOOD, FL 32779

Project Name: PACE / BRANTLEY HALL, INC.

Requested Development Approval:

SPECIAL EXCEPTION TO EXPAND AN EXISTING PRIVATE SCHOOL FOR CHILDREN WITH LEARNING ABILITIES IN THE A-1 (AGRICULTURE DISTRICT), AS DEPICTED ON THE ATTACHED SITE PLAN.

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: Michael Rumer
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 school and associated facilities shall be operated only for students with learning disabilities.
2. The school and its associated facilities shall not be opened on holidays or weekends.
3. The site plan for building modification shall be reviewed by the Development Review Committee (DRC) for compliance with applicable regulations.
4. Total enrollment shall not exceed 200 students.
5. Outside activities shall be restricted to between the hours of 12:30 pm & 8:00 pm.
6. A solid fence or hedge shall be continued along the western property line to incorporate the subject property into the overall school site.
7. Access shall be provided to the site from the adjoining school property to the north; existing access to Sandy Lane shall be closed.
8. The proposed classroom/office conversion shall meet code requirements.
9. Prior to the issuance of development permits, an engineered site plan shall be required to ensure compliance with stormwater requirements (pre-development rate of discharge for the 25-year, 24-hour storm event).
10. Prior to the issuance of development permits, a listed species survey shall be required to address the occurrence of threatened, endangered, or special concern species.
11. Prior to the issuance of development permits, a site plan that meets the requirements of chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).

(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: _____
Tony Walter,
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 _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: