

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

SUBJECT: Request for an amendment to a special exception to increase the enrollment of an existing nursery/kindergarten from 60 children to 150 children in the A-1 (Agriculture); (David Graham, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Ian Sikonia **EXT:** 7398

Agenda Date 08-28-06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for an amendment to a special exception to increase the enrollment of an existing nursery/kindergarten from 60 children to 150 children in the A-1 (Agriculture); or
2. **DENY** the request for an amendment to a special exception to increase the enrollment of an existing nursery/kindergarten from 60 children to 150 children in the A-1 (Agriculture); or
3. **CONTINUE** The request to a time and date certain.

GENERAL INFORMATION	Seminole Meadows Seventh-Day Adventist church and school 5779 427 CR N Sanford, FL 32773	A-1 District, LDC section 124 (conditional uses); private & public schools
BACKGROUND REQUEST	<ul style="list-style-type: none"> • The applicant proposes to increase enrollment from 60 children to 150 children for an existing nursery/kindergarten in the A-1 district. • The applicant received a special exception in 2004 to establish a nursery/kindergarten school within an existing church. (BS2004-014) • There would be no new site development associated with the increased enrollment. 	

- Any new site development would have to reapply for a new special exception.
- The operating hours for the existing nursery/kindergarten school are from between 6:00 am and 6:00 pm, Monday through Friday.

DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	
SITE	A-1	LDR	Church Nursery/Kindergarten	&
NORTH	PUD	LDR	Flea World	
SOUTH	A-1	LDR	Residential	
EAST	R-1 & A-1	LDR	Residential	
WEST	A-1	LDR	Church	

STANDARDS FOR GRANTING SPECIAL EXCEPTION; SECTION 30.43(b)(2)

FOR A LDC

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:

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

The existing nursery/kindergarten school is an accessory use to the church. Staff believes a school of the size proposed would be less intense than the existing church at its peak hours of operation. For this reason, the proposed use would be consistent and compatible with the trends of development in the area.

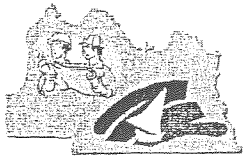
DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:

A nursery/kindergarten school of the size proposed would generate approximately 414 trips per day at the rate of 2.76 trips per child. Proposed hours of operation would occur during weekdays, where traffic impact from the principal (church) use would be negligible. Furthermore, the number of trips projected by the proposed nursery/kindergarten school would be far less than the number generated by the existing church during peak operating hours.

IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

	<p>The subject property has low density residential (LDR) future land use (flu). The Seminole county vision 2020 comprehensive plan describes LDR flu as appropriate for uses that serve as an effective transition between more intense urban uses and suburban estates. Therefore, the existing church, in combination with the nursery/kindergarten school, would appropriately serve as a transitional use between the existing single family uses to the east and the range of uses established along Ronald Reagan boulevard.</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 church adheres to the minimum area and dimensional requirements of the A-1 district.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>Within the A-1 district, nursery/kindergarten schools are special exception uses. Staff believes the proposed expanded use would be less intense than the existing church, which is permitted by right. Staff further believes the proposed expanded use would be consistent with the range of uses permitted in the A-1 district and thereby compatible with nearby and adjacent development.</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 an accessory use to the existing church. It would therefore be consistent with the character of the area.</p> <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>The request would not be highly intensive in nature, since no physical improvements to the property other than internal building modifications to accommodate the use proposed are planned. Hours of operation for the school are between 6:00 am - 6:00 pm, Monday through Friday, and comparable to the existing church</p>

	<p>use.</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 has access to adequate levels of public service including county water, sewer, police protection, and solid waste disposal.</p>
STAFF FINDINGS	<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 existing church, in combination with the proposed nursery/kindergarten school, would appropriately serve as a transitional use between the existing single family uses to the east and the range of uses established along Ronald Reagan Boulevard.• The proposed expanded use would be consistent with the range of uses permitted in the A-1 district and thereby compatible with nearby and adjacent development.• A school of the size proposed would be less intense than the existing church at its peak hours of operation.• Based on the submitted site plan, the proposed use would conform to the minimum dimensional standards of the A-1 district.
STAFF RECOMMENDATION	<p>Staff recommends approval subject to the proposed amendment to the existing special exception based upon the following conditions:</p> <ol style="list-style-type: none">1. The final site plan shall meet all applicable Seminole County land development code and comprehensive plan regulations.2. No more than 150 children shall be allowed.3. The nursery/kindergarten school operating hours shall be Monday thru Friday, between the hours of 6:00am to 6:00pm.



COPY

APPL. NO. BS 2006-007

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:

RECEIVED JUL 07 2006

- VARIANCE**
- SPECIAL EXCEPTION** Increase Enrollment of School to 150
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION MEDICAL HARDSHIP
- NIGHT WATCHMAN FAMILY HARDSHIP
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV _____ TIME NEEDED _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT*	
NAME	Florida Conference Association of SDA	David Graham	
ADDRESS	N. Wymore Rd Winter Park Florida	417 E Alpine St. Altamonte Springs FL 32701	
PHONE 1	Conference 407-644-5000		
PHONE 2	Meadows Academy 407-324-0880 cell	386-848-7729	
E-MAIL	Pastor dbg@aol.com		

PROJECT NAME: Meadows Academy

SITE ADDRESS: 5779 N. Ronald Reagan Blvd.

CURRENT USE OF PROPERTY: Church / School / Preschool

LEGAL DESCRIPTION: Sec 14 Twp 205 Rge 30e SW 1/4 of SE 1/45 of St Rd. 427 (Less w. 276ft. + Rd) and NW 1/4 of NE 1/4 of 23-20-30 (Less w. 276ft of 23-20-30 and 276ft)

SIZE OF PROPERTY: 25.2 acre(s) PARCEL I.D. 14-20-30-300-0260-0000

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS None Known

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on August 28, 2006 (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.

David B Graham
 SIGNATURE OF OWNER OR AGENT*

7-7-06
 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	_____

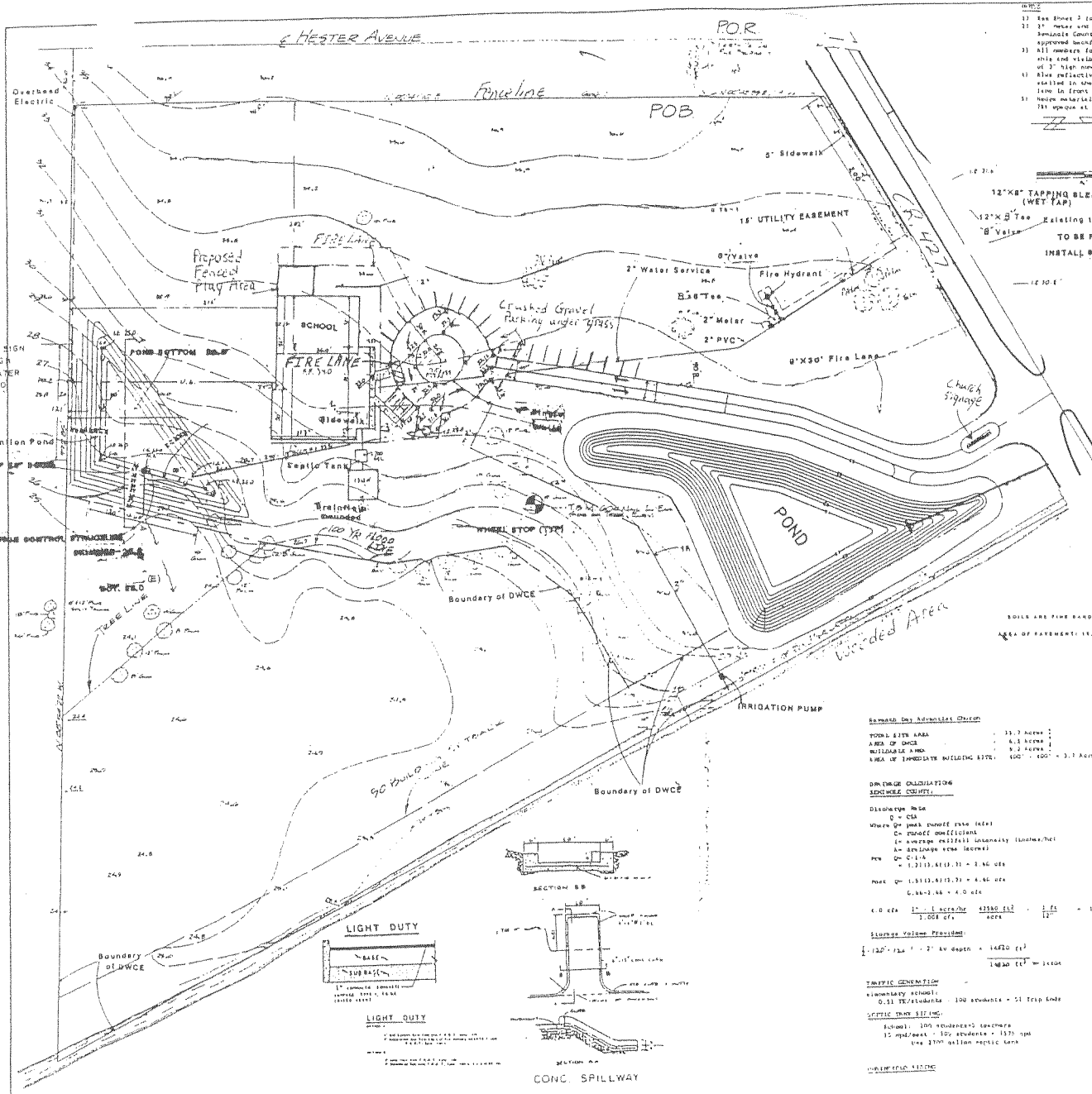
NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

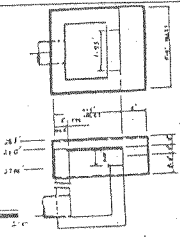
FOR OFFICE USE ONLY

PROCESSING:
FEE(S): 370.00 COMMISSION DISTRICT _____ FLU / ZONING A-1 / LOR
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____
SUFFICIENCY COMMENTS _____



- 11 See Sheet 2 for water meter details
- 12 2" meter and hose to be purchased from Jacksonville County and set by owners with approved backflow preventer
- 13 All owners for sidewalks shall be responsible and visible from 6:00 a.m. minimum of 2" high curbs
- 14 Also reflective markers shall be installed in the center of the existing lane in front of the fire hydrant
- 15 Meter material to be 20" dia. and 30' length at end of one year.

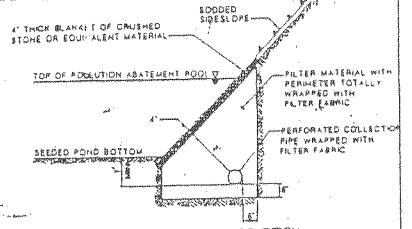


THE RICHMOND CORPORATION
CONSULTING ENGINEERS
39 NORTH PARK AVENUE, SUITE A
APOPKA, FLORIDA 32703
(305) 889-9377

Design High Water 280
Florida Registration #18989
(not valid unless sealed)

JOB #80-144
10/21/86
10/28/86
11/15/86
12/14/86
1/15/87
2/12/87
3/22/87
4/11/87
5/10/87

TOPOGRAPHIC SURVEY FOR FLORIDA CONFERENCE ASSOCIATION OF SEVENTH DAY ADVENTISTS



DRY BOTTOM POND CONDITION
TYPICAL UNDERDRAIN DETAIL
NTS

SUBSIDY NOTES

1. The site is located in an unincorporated area of Alachua County, Florida. The site is zoned R-1 (Residential Single-Family). The site is currently vacant.

Seventh Day Adventist Church
TOTAL SITE AREA: 33.7 acres
AREA OF DWCE: 4.5 acres
MULCHABLE AWD: 9.2 acres
AREA OF LANDSCAPE INCLUDING SITE: 100' x 100' = 3.7 acres

DRAINAGE CALCULATION
SWITCHER COUNTY
Discharge Rate
 $Q = CA$
Where Q = peak runoff rate (cfs)
C = runoff coefficient
A = average watershed area (acres)
PMP = 0.15
 $Q = 0.15 \times 33.7 \times 1.48 = 7.46 \text{ cfs}$
Peak Q = 1.15 \times 7.46 = 8.58 cfs
 $Q = 1.15 \times 7.46 = 8.58 \text{ cfs}$

Storage Volume Required
 $V = 1.2 \times 7.46 \times 2 \text{ hr depth} = 17.90 \text{ cu ft}$
 $17.90 \text{ cu ft} = 12.5 \text{ cu yd}$

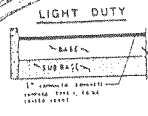
TYPICAL DEMAND
Elementary school:
0.51 gal/student
100 students = 51 Imp Gals
1575 Imp Gals = 1575 gal

WATERFLOW VOLUME

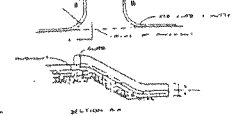
WORKING SHEET
SCHOOL: 1 square block x 105 seats
0.25 square

Working provided: 42 square

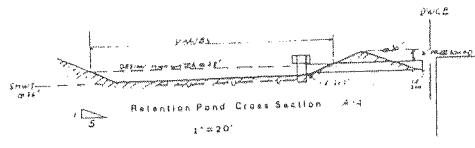
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LIGHT DUTY

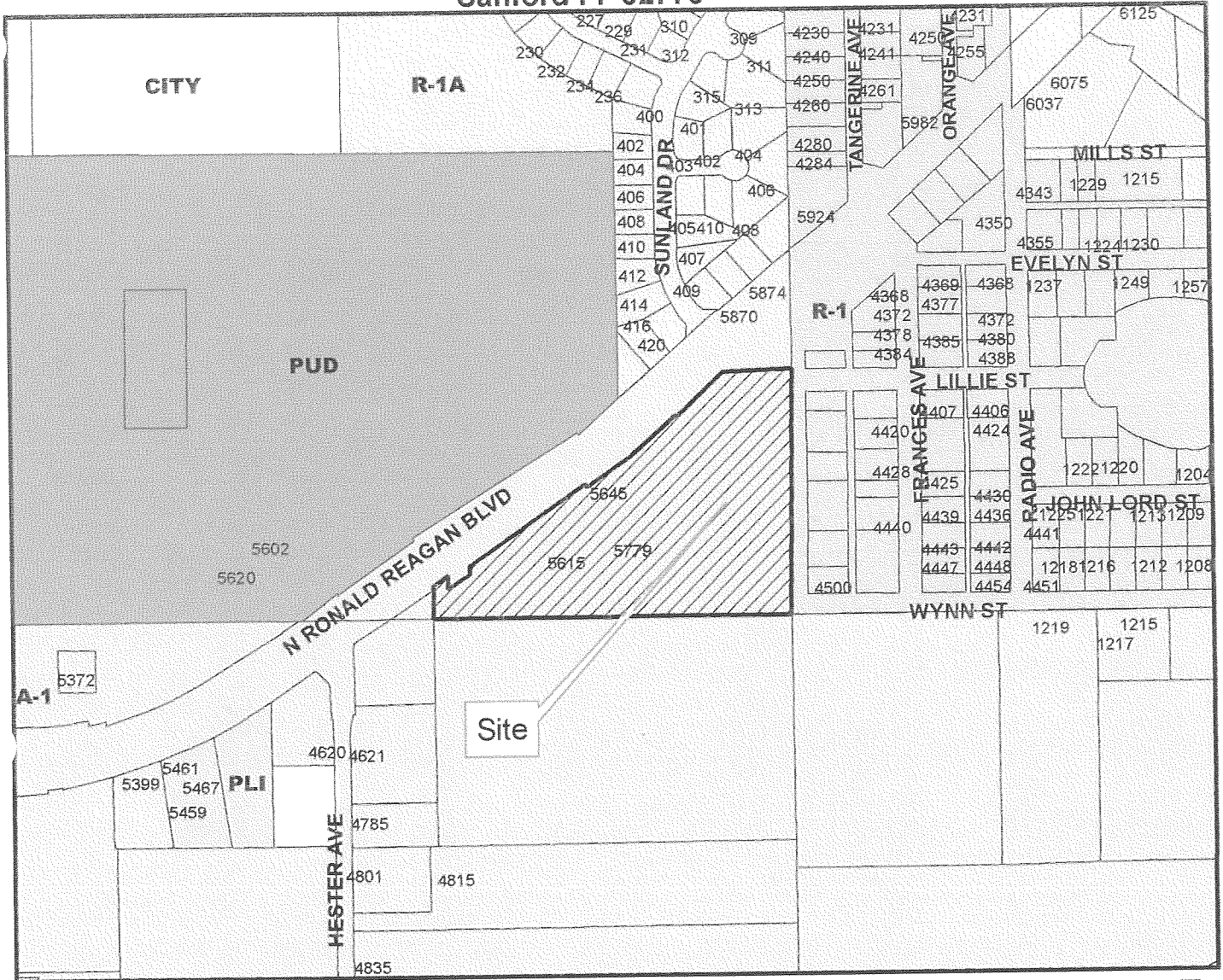


CONC. SPILLWAY



Retention Pond Cross Section
1" = 20'

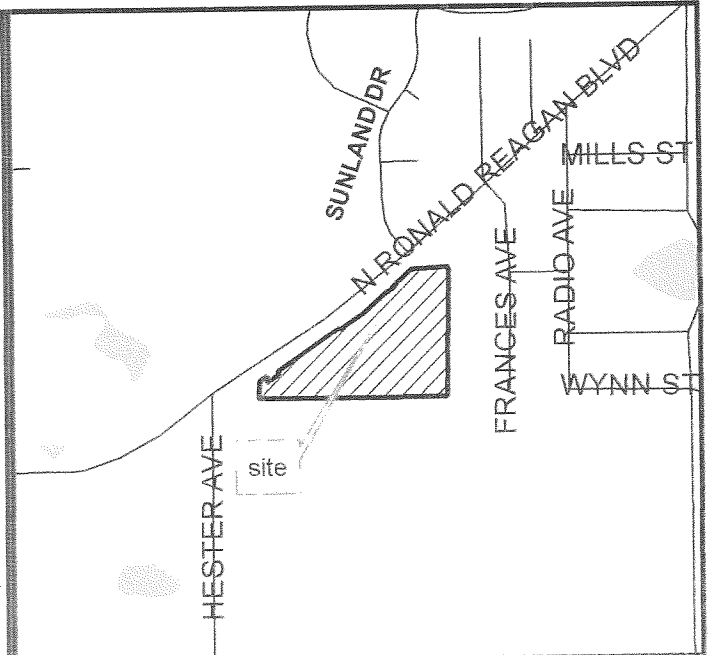
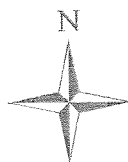
David Graham
 5779 N Ronald Reagan Blvd
 (CR 427)
 Sanford FI 32773



Seminole County Board of Adjustment
 August 28 2006
 Case: BS2006-007
 Parcel No: 14-20-30-300-0260-0000

Zoning

- | | | | |
|---|------------|---|-----|
|  | BS2006-007 |  | R-1 |
|  | A-1 |  | PUD |
|  | R-1AAA |  | PLI |
|  | R-1A | | |



<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 style="text-align: center;">GENERAL</p> <p>Parcel Id: 14-20-30-300-0260-0000</p> <p>Owner: FLA CONFERENCE ASSN OF</p> <p>Own/Addr: SEVENTH-DAY ADVENTISTS</p> <p>Mailing Address: PO BOX 2626</p> <p>City,State,ZipCode: WINTER PARK FL 32790</p> <p>Property Address: 5779 427 CR N SANFORD 32773</p> <p>Facility Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 36-CHURCH/RELIGIOUS</p> <p>Dor: 71-CHURCHES</p>	<p style="text-align: center;">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$943,053</p> <p>Depreciated EXFT Value: \$20,889</p> <p>Land Value (Market): \$517,689</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$1,481,631</p> <p>Assessed Value (SOH): \$1,481,631</p> <p>Exempt Value: \$1,481,631</p> <p>Taxable Value: \$0</p> <p>Tax Estimator</p>																																	
<p style="text-align: center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>08/1986</td> <td>01759</td> <td>1508</td> <td>\$230,000</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Sales within this DOR Code</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	08/1986	01759	1508	\$230,000	Improved	No	<p style="text-align: center;">2005 VALUE SUMMARY</p> <p>2005 Tax Bill Amount: \$0</p> <p>2005 Taxable Value: \$0</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</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>																																		

**GENERAL APPLICATION SUBMITTAL
REQUIREMENTS FOR SPECIAL EXCEPTION TO THE
SEMINOLE COUNTY ZONING DEPARTMENT**

May 6, 2004

**APPLICANT: The Seminole Meadows Seventh-day
Adventist Church and School**

**Mailing Address: P.O. Box 950580
Lake Mary, Florida 32795**

**Location: 5779 Ronald Reagan Blvd. (C.R. 427)
Sanford, Florida**

Church Number: (407) 342-1405

Pastor's Number: (407) 830-7692

- A. STATEMENT OF REQUEST: **Special Exception for the establishment of a pre-school and kindergarten in the A-1 District (Church School Facilities since 1987)**
- B. APPLICANTS CONTACT INFORMATION:
Church Number: (407) 342-1405 Pastor's Number: (407) 830-7692
- C. PROJECT NAME: **Seminole Christian Academy**
- D. SITE ADDRESS: **5779 Ronald Reagan Blvd. (C.R. 427) Southeast of Fleaworld**
- E. CURRENT USE OF PROPERTY: **Church**
- F. LEGAL DESCRIPTION OF THE PROPERTY: **SEC 14 TWP 20S RGE 30E SW 1/4 OF SE 1/4 S OF ST RD 427 (LESS W 276 FT & RD) & NW 1/4 OF NE 1/4 OF 23-20-30 (LESS W 276 FT OF N 666.64 FT & S 661 FT)**
- G. SIZE OF PROPERTY: **25.2 acres**
- H. DIMENSIONS OF PARCEL: **North: 431 ft., South: 992.85 ft.,
East: 1195.47 ft., West: 666.66**
- I. INDICATION NORTH ARROW: **Provided on the Site Plans**
- J. LOCATION AND NAME OF ABUTTING STREETS OR ROADS: **5779 Ronald Reagan Blvd. (County Road 427) borders the North side of the property. There is a parcel between Hester Road and our property.**
- K. LOCATION OF EXISTING OR PROPOSED SEPTIC SYSTEM: **Not applicable, we are connected to the public sewer system.**
- L. LOCATION, SIZE AND TYPES OF TREES TO BE REMOVED OR RETAINED:
Refer to Site Plan: All trees present will be retained. No additions no removals.
- M. LOCATION AND WIDTH OF ALL EASEMENTS: **Refer to Site Plan.**

- N. LOCATION AND WIDTH OF EXISTING OR PROPOSED DRIVEWAY ACCESS: **Refer to Site Plan**
- O. PARCEL IDENTIFICATION NUMBER: **14-20-30-300-0260-0000**
- P. IDENTIFICATION OF AVAILABLE UTILITIES: **Seminole County Water & Sewer and Progress Energy.**
- Q. DESCRIPTION OF KNOWN CODE ENFORCEMENT VIOLATIONS: **None Known**
- R. PROPERTY ACCESSABLE TO INSPECTION BY PLANNING STAFF: **The property is accessible to inspection by the Planning Staff.**
- S. APPLICATION FEE (\$370): **Submitted**
- T. AUTHORIZATION FORM FROM PROPERTY OWNER: **Attached**
- U. SITE PLAN: **Attached**
- V. WRITTEN STATEMENT THAT RESPONDS TO CRITERIA STATED IN THE LAND DEVELOPMENT CODE FOR A SPECIAL EXCEPTION: **The Church and School are located in a A-1 Zoning area in which our closest neighbor is another church (Victory Baptist). There should be no detrimental impact upon Victory Baptist or any other neighbors. In fact it is my understanding that Victory Baptist has had a school in the past and are presently very active with their children ministries. There are no known building trends in the area that would impair or conflict with our church having a Pre-School/Kindergarten. Concerning present traffic patterns in the area. There should no problems with incoming or exiting traffic onto C.R. 427 at the times of business. Having the Pre-School/Kindergarten will enhance the care provided to families in this area of Seminole County. To my knowledge it is consistent with the county's Vision 2020 Plan. Having a Pre-School/Kindergarten in the area will help productive working families who are in the area or are planning to move into the area to have local and accessible child care. To my knowledge having a Pre-School/Kindergarten in this are meets all the requirements specified by this zoning area. The Seminole Meadows Church is very interested in serving our community. We do see that having a Pre-School/Kindergarten would in any way adversely affect present or future public interest. We believe that this Pre-School/Kindergarten will provide a great service to our community.**

**ADDITIONAL SUBMITTAL REQUIREMENTS FOR
SPECIAL EXCEPTION TO THE
SEMINOLE COUNTY ZONING DEPARTMENT**

May 6, 2004

**APPLICANT: The Seminole Meadows Seventh-day
Adventist Church and School**

**Mailing Address: P.O. Box 950580
Lake Mary, Florida 32795**

**Location: 5779 Ronald Reagan Blvd. (C.R. 427)
Sanford, Florida**

Church Number: (407) 342-1405

Pastor's Number: (407) 830-7692

- A. NATURE AND PURPOSE OF PROPOSED USE: **Nature: A Pre-school and Kindergarten. Purpose: To provide care for younger children.**
- B. LOCATION AND SETBACKS FROM PROPERTY LINES FOR ALL PROPOSED AND EXISTING BUILDINGS AND STRUCTURES: See attached Site Plan.
- C. LOCATION AND SIZE OF BUFFERS, INCLUDING BUT NOT LIMITED TO EXISTING AND PROPOSED LANDSCAPING, FENCES & WALLS: See Site Plan.
- D. LOCATION, NUMBER AND SIZE OF EXISTING AND PROPOSED PARKING SPACES: See attached Site Plan.
- E. HEIGHT OF BUILDINGS AND STRUCTURES, MEASURED FROM EXISTING GRADE: **School Height: 23 feet Auditorium Height: 28 feet**
- F. LOCATION OF FIRE LANES: See attached Site Plan.
- G. LOCATION OF EXISTING AND PROPOSED SIGNAGE: **Existing Signage for the Church indicated on the Site Plan. The Seminole Christian Academy Signage location is yet to be determined.**
- H. LOCATION OF WETLANDS AND/OR FLOOD PRONE AREAS: See Site Plan.
- I. DAYS AND HOURS OF THE EXISTING AND PROPOSED OPERATION:
 - a. **Existing Church Hours: Monday thru Friday 9 a.m. to 3 p.m.
Saturday 8 a.m. to 2 p.m. and 4 p.m. to 10 p.m.
Sunday 9 a.m. to 12 p.m.
Wednesday 6:30 p.m. to 8:30 p.m.**
 - b. **Pre-school/Kindergarten: Monday thru Friday 6:30 a.m. to 6:30 p.m.**
- J. PROJECTED NUMBER OF EMPLOYEES ON THE LARGEST SHIFT, NUMBER OF STUDENTS OR CHILDREN, FACULTY, RESIDENTS, ETC.:
 - a. **Number of Employees on the Largest Shift: 6**
 - b. **Number of Students/Children: 40**
- K. LOCATION, TYPE AND HEIGHT OF EXISTING OR PROPOSED OUTDOOR LIGHTING: Will use existing outdoor lighting. See attached Site Plan.
- L. SEATING CAPACITY, IF APPROPRIATE (RESTURANTS, CHURCHES, SPORTS STADIUMS, ETC.): **Existing Church Fire Occupancy for the Auditorium is 245.**

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 28, 2006, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 14 TWP 20S RGE 30E SW 1/4 OF SE 1/4 S OF ST RD 427 (LESS W 276 FT & RD) & NW 1/4 OF NE 1/4 OF 23-20-30 (LESS W 276 FT OF N 666.64 FT & S 661 FT)

FINDINGS OF FACT

Property Owners: FLA Conference Association of Seventh Day Adventists
P.O. BOX 950580
Lake Mary, FL 32795

Project Name: 5779 N. Ronald Reagan Boulevard

Requested Development Approval:

Request for an amendment to a special exception to increase the enrollment of an existing nursery/kindergarten from 60 children to 150 children in the A-1 (Agriculture).

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: Ian Sikonia, 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:
 1. The final site plan shall meet all applicable Seminole County land development code and comprehensive plan regulations.
 2. No more than 150 children shall be allowed.
 3. The nursery/kindergarten school operating hours shall be Monday thru Friday, between the hours of 6:00am to 6:30pm.
- (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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: