

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

**SUBJECT:** 7540 Grand Avenue – Jay Klima, applicant; Request for a special exception for a private school in A-1 (Agriculture District).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Kathy Fall **EXT:** 7389

**Agenda Date** 09-24-07 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for special exception for a private school in A-1 (Agriculture District); or
2. **DENY** the request for special exception for a private school in A-1 (Agriculture District); or
3. **CONTINUE** The request to a time and date certain.

<b>GENERAL INFORMATION</b>	Jay Klima, Klima Weeks Civil Engineering 7540 Grand Avenue Winter Park, Fl.	A-1 District, LDC section 124 (conditional uses); group homes, private & public schools
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to convert an existing church building into a private school for pre-k and kindergarten students.</li> <li>• The school will have a maximum of 80 students and 12 staff members.</li> </ul>	
<b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)</b>	<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><b><u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u></b></p> <p>The surrounding area has a mixture of residential and non-</p>	

	<p>residential uses. These uses include churches, assisted living facilities, daycares and other uses that serve the surrounding residential uses. A private school for pre-k and kindergarten students would be consistent with the trend of development in the surrounding area.</p> <p><b><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></b></p> <p>The applicant has provided a traffic pattern plan and on-site parking that will accommodate the additional traffic that will be generated from the change of use from a church to a private school.</p> <p><b><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></b></p> <p>The Seminole County Vision 2020 Comprehensive Plan describes the Low Density Residential I (LDR) future land use as a transitional land use between more intense urban uses and suburban estates. Those transitional uses consist of basic services and facilities which include private and public schools.</p> <p><b><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></b></p> <p>Based on the submitted site plan, the existing building and use meet the minimum area and dimensional requirements of the A-1 district.</p> <p><b><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></b></p> <p>Within the A-1 district public and private elementary schools are permitted uses. The proposed pre-k use requires a special exception and will not be adverse to the public interest with the recommended staff conditions of approval.</p>
<p><b>STAFF RECOMMENDATION</b></p>	<p>Staff recommends approval subject to the proposed special exception based upon the following conditions:</p> <ol style="list-style-type: none"><li>1. There be a maximum of 80 students and 12 staff member.</li><li>2. The hours of operation will be 7:45 am to 4:00 pm for staff and 8:15 to 3:00 for students.</li></ol>

	<ol style="list-style-type: none"><li>3. All drop-off and pick-up vehicles shall be contained on site.</li><li>4. 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).</li></ol>
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Fee: \$370.00

Application # 052007-15  
Meeting Date 9-24-07



### SPECIAL EXCEPTION APPLICATION SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Mr Beat Kahli - K & S Investments, LLC  
Address: 13001 Founders Square Drive City: Orlando Zip code: 32828  
Project Address: 7540 Grand Avenue City: Winter Park Zip code: 32792  
Phone number(s): 407.658.6565  
Email address: \_\_\_\_\_

**What is this request for?**

- Church
- Daycare
- School
- Group Home
- Assisted Living Facility (ALF)
- Kennel
- Riding Stable
- Alcoholic Beverage Establishment
- Communication Tower
- Other: \_\_\_\_\_

RECEIVED AUG 03 2007

Is the property available for inspection without an appointment?  Yes  No

What is the current use of the property? Covenant Presbyterian Church

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless the required **pre-application conference** has been held and all of the required information in the Special Exception application and submittal checklist is provided to the Planning Division.

Signed: \_\_\_\_\_

**FOR OFFICE USE ONLY**

Date Submitted: <u>08-03-07</u>	Reviewed By: <u>P. Johnson</u>
Tax parcel number: <u>35-21-30-300-012A-0000</u>	Zoning/FLU <u>A-1 / LOR</u>
<input type="checkbox"/> Legally created parcel (1971 tax roll, 5-acre dev, lot split)	<input type="checkbox"/> Platted Lot (check easements on lots / in dedication)
<input type="checkbox"/> Lot size _____	<input type="checkbox"/> Meets minimum size and width
<input type="checkbox"/> Past approval # _____	<input type="checkbox"/> Application and checklist complete
Notes: _____	
_____	
_____	

# Klima Weeks

CIVIL ENGINEERING

September 5, 2007

Ms. Kathy Fall  
Seminole County Planning Department  
1101 E. 1<sup>st</sup> Street  
Sanford, FL 32771

**RE: Special Exception Application – Geneva Grand Site  
Updated Summary Letter**

Dear Ms. Fall,

We are hereby submitting a Special Exception Application for a project located at 7540 Grand Avenue in Winter Park. We have attached an 8.5" x 11" copy of a detailed conceptual site plan, this revised summary letter, and the written responses to the DRC comments. We had previously submitted an executed Special Exception application and check #3713 in the amount of \$370.00.

The site's current use is a Presbyterian Church. The Applicant proposes to convert the existing 9,000 SF facility on the property to a private school serving students in pre-k and kindergarten. A pre-application meeting was held on July 2, 2007 with members of County Staff including Dori DeBord, Kathy Fall, Tina Williamson and Bryan Potts. The DRC meeting was held on August 29, 2007.

The site's zoning is A-1 Agricultural and it's FLU is Low Density Residential. Per Seminole County Zoning Regulations, a private elementary school is a permitted use under the A-1 zoning designation, while a private nursery school or kindergarten requires Special Exception Approval by the Board of Adjustment.

We present the following points to the Board of Adjustment in support of our request for a Special Exception:

1. The proposed private school use is consistent with the general zoning category.
2. With 12 staff members and 80 students, the proposed school is not intensive in nature.
3. The proposed school is compatible with the concept of low-density, rural land use.
4. The site has access to urban services such as water, police, fire, etc.

In addition to the above information, the hours of operation for the school consist of the following:

Staff Hours: 7:45 am – 4:00 pm  
School Hours: 8:15 am – 3:00 pm

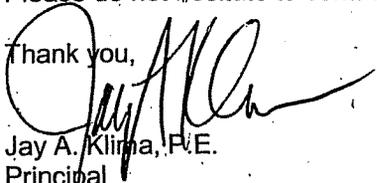
After school services are also an option for the students, however, those services are provided at another Geneva School facility and any students that are participating in that service will be shuttled by van to the other facility. The proposed traffic pattern on the site includes the provision of stacking for up to 26 vehicles as well as grass parking for a minimum of 41 vehicles for a total storage of 67 vehicles at any one time.

It is the intent of the Applicant to open the proposed school for classes by October 2007. Therefore, we respectfully request that this request be fast-tracked and heard at the earliest

possible time. The Applicant is prepared to expedite any public noticing that may be required as part of being placed on the BOA Agenda.

Please do not hesitate to contact me with any questions or concerns.

Thank you,



Jay A. Klima, P.E.

Principal

Klima Weeks Civil Engineering

September 5, 2007

Ms. Kathy Fall  
Seminole County Development Review  
1101 East First Street, 2<sup>nd</sup> Floor, West Wing  
Sanford, Florida 32771

RE: Grand Avenue (7540) – Special Exception  
Project #: 07-32000015

Dear Ms. Fall:

We are providing five (5) sets of the revised plans, and related materials in response to your comments, dated August 24, 2007, and the subsequent DRC meeting on August 29, 2007. Our responses follow:

**A. Overlay and Protection Districts**

No items were marked as an Overlay or Protection District.

**B. Health Department**

1. We have noted that coordination with the Health Department is required since we are utilizing the existing septic system on site with no proposed modifications. The design flow for the septic system was based on a church use with 350 seats which would generate a design flow of 1,050 GPD. The proposed school use with 80 students would generate 800 GPD, therefore no upgrades to the system are required.

**C. Consistency with the Comprehensive Plan (No comments)**

**D. Zoning Issues:**

1. Will comply. Please see the revised Sheet C1.0 which indicates the proposed playground area and the building setbacks.
2. The shed on the south side is not going to be used by the School.
3. We have added the hours of operation to the revised Sheet C1.0 and have modified the summary for the project.

4. The morning drop-off of the students will require the parents to enter the site and immediately enter the loop to the left which will allow them to follow the loop to the drop-off location in front of the building. This is a one-way loop. As the parents drop-off they immediately exit the site therefore there is no significant stacking of cars in the morning drop-off scenario. The afternoon pick-up procedures are similar in how the cars enter the site and prepare for pick-up of the students. There is enough stacking on-site for up to 26 vehicles, plus additional minimum of 41 grass parking spaces for a total capacity of 67 which should adequately serve the site for stacking of parents during pick-up times.

#### **F. Concurrency:**

1. The required concurrency application is being completed and will be submitted under separate cover.

#### **G. Development Review**

##### 1. Project Manager

- a. Information only. No objection to Special Exception.
- b. Information only. A small site plan submittal will be provided under separate cover.
- c. Will comply. Please see revised Sheet C1.0 which identifies the handicap spaces as concrete pavement.

##### 2. Natural Resources (No objection)

##### 3. Traffic Review (No objections to the Special Exception with the following conditions):

- a. Per discussion at the DRC, this condition is being removed and the existing driveway serving the site will remain as the access point.
- b. Will comply. We have revised Sheet C1.0 to indicate the 16' and 20' minimum requirements for the drop-off loop and a detail was added to the plan to indicate the proposed cross-section.
- c. Will comply. We have revised Sheet C1.0 to include the required re-striping at the entrance.
- d. Will comply. We have revised Sheet C1.0 to indicate the expansion of the entrance drive radii to 35 feet as requested.

##### 4. Stormwater Management

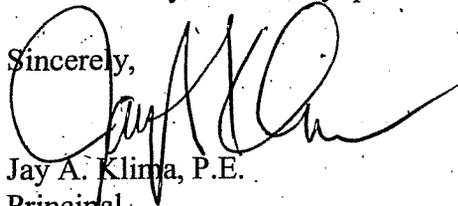
- a. Information only. No objection to the Special Exception.

5. Water and Sewer Utilities

- a. Information only. No objection to the Special Exception.

This concludes the response to the comments. As requested, we are providing six (6) sets of revised plans. We understand that we are proceeding to the Board of Adjustment Hearing at the end of September, 2007 for the Special Exception Hearing. Please contact our office if you have any questions.

Sincerely,



Jay A. Klima, P.E.

Principal

Klima Weeks Civil Engineering, Inc.

PROPERTY NAME:  
**THE GENEVA SCHOOL AT GRAND ROAD**  
 7540 GRAND AVENUE  
 WINTER PARK, FL 32782

OWNER NAME:  
 K & S INV LLC  
 450 SOUTH GRANGE AVENUE  
 ORLANDO, FL 32801

PARCEL ID:  
 35-21-33-300-012A-0000  
 SECTION 33, TOWNSHIP 21S, RANGE 20E

TOTAL SITE AREA:  
 65,773.00 S.F. (1.97 AC)

TOTAL BUILDING AREA:  
 6,050 S.F. (0.21 AC)

BUILDING HEIGHT:  
 35'-0" MAX

HOURS OF OPERATION:  
 7:45am - 4:00pm ADMIN.  
 8:15am - 3:00pm SCHOOL IN SESSION  
 AFTERSCHOOL CARE AVAILABLE, BUT  
 PROVIDED AT A SATELLITE FACILITY.

FUTURE LAND USE:  
 LOW DENSITY RESIDENTIAL  
 CONSERVATION OVERLAY

ZONING:  
 A-1: AGRICULTURAL  
 PROPOSED BUILDING STORY:  
 1-STORY

FUTURE LAND USE:  
 LOW DENSITY RESIDENTIAL  
 CONSERVATION OVERLAY

UTILITY PROVIDER:  
 POTABLE WATER - SEMINOLE COUNTY UTILITIES  
 WASTEWATER - SEPTIC TANK  
 CURRENT APPROVED USE IS A CHURCH  
 3000 SEAT x 350 SEATS = 1,050,000  
 PROPOSED USE IS A SCHOOL  
 10000/STUDENT x 80 STUDENTS = 800,000  
 PROPOSED USE IS LESS THAN CURRENTLY  
 APPROVED. SCHOOL DOES NOT PREPARE MEALS.

SOILS TYPE: % OF SLOPE  
 MAP UNIT NAME  
 MYAKKA & EAUGALLIE 0 - 2  
 FINE SANDS

BASINGER SANSULA & N/A  
 HONTDOON SOILS-DEPRESSIONAL

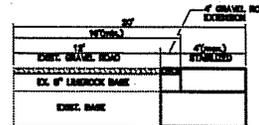
BUILDING SETBACKS	REQUIRED	PROVIDED
LOCATION	(FEET)	(FEET)
NORTH SIDE	10	108.0'
EAST REAR	30	227'
SOUTH SIDE	10	29.3'
WEST FRONT	50	51.3'

SURROUNDING FUTURE LAND USE:  
 GEOGRAPHIC DISTRICT  
 LOCATION  
 NORTH OFFICE  
 EAST OFFICE/CONSERVATION OVERLAY  
 SOUTH LOW DENSITY RESIDENTIAL  
 WEST MODERN DENSITY RESIDENTIAL

SURROUNDING ZONING:  
 GEOGRAPHIC DISTRICT  
 LOCATION  
 NORTH OP OFFICE  
 EAST OP OFFICE  
 SOUTH A-1 AGRICULTURAL  
 WEST R-1A SINGLE FAMILY RES.

PARKING CALCULATIONS:  
 SEMINOLE COUNTY SECTION 30.1221--  
 NURSERY SCHOOLS AND KINDERGARTENS: ONE SPACE FOR  
 EACH EMPLOYEE PLUS ADEQUATE OFF-STREET SPACE FOR  
 LOADING AND UNLOADING OF CHILDREN.  
 80 STUDENTS = 1 STAFF/10 STUDENTS = 8 SPACES

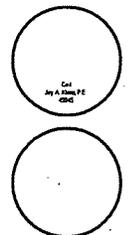
PARKING DATA	REQUIRED	EXISTING
REGULAR (10000)	8	15
HANDICAP (12000)	0	2
TOTAL	8	17



TYPICAL PAVEMENT SECTION  
 N.T.S.



SCHENKELSHULTZ  
 CIVIL & ARCHITECTURE P.A.  
 230 East Robinson Street  
 Suite 300  
 Orlando, FL 32801  
 Phone 407-872-3322  
 Fax 407-872-3303  
 schenkelshultz.com  
 SB Lic No - AA-C00007

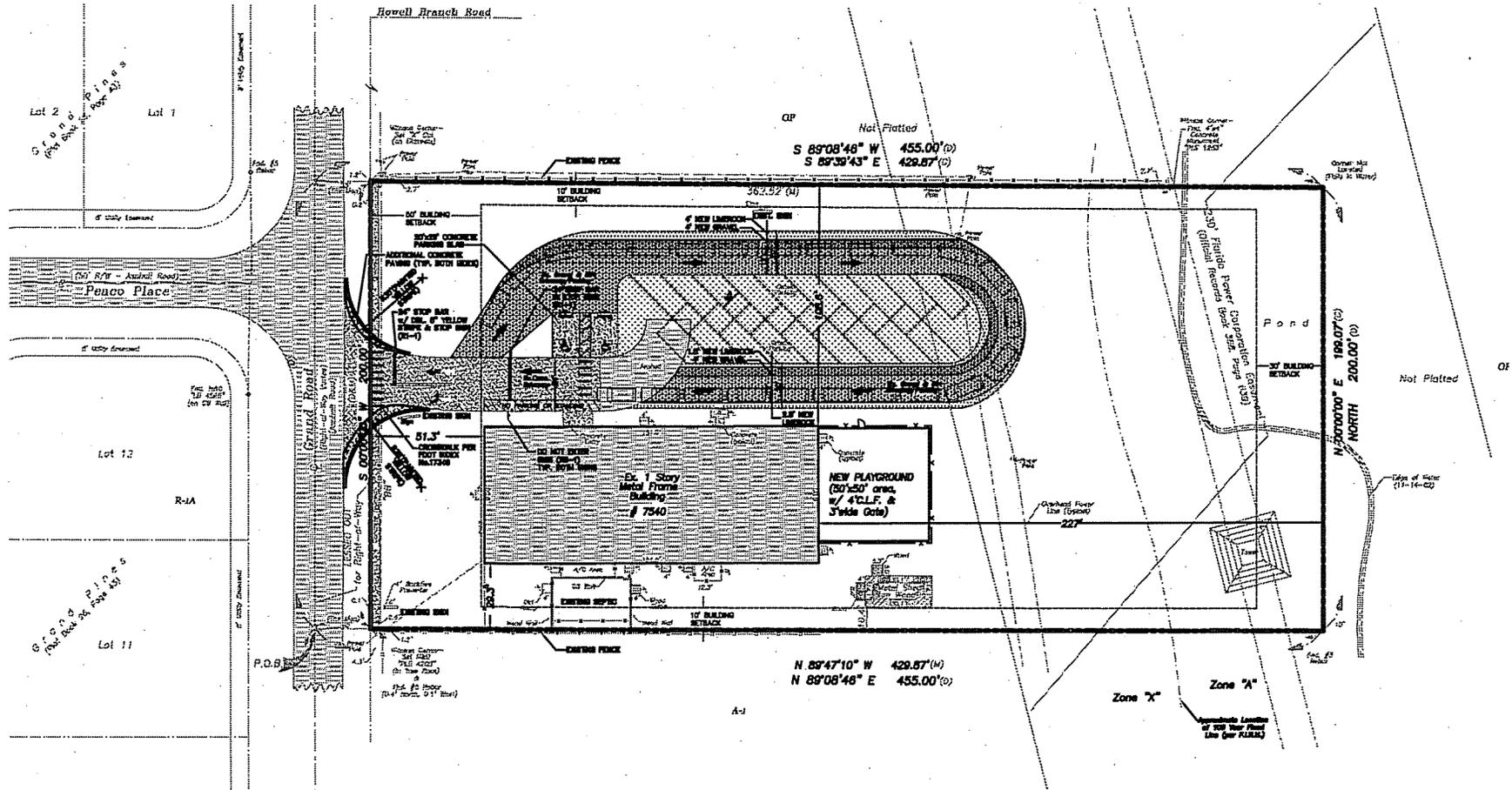


The Geneva School at Grand Road  
 The Geneva School  
 7540 Grand Ave  
 Winter Park, FL 32782

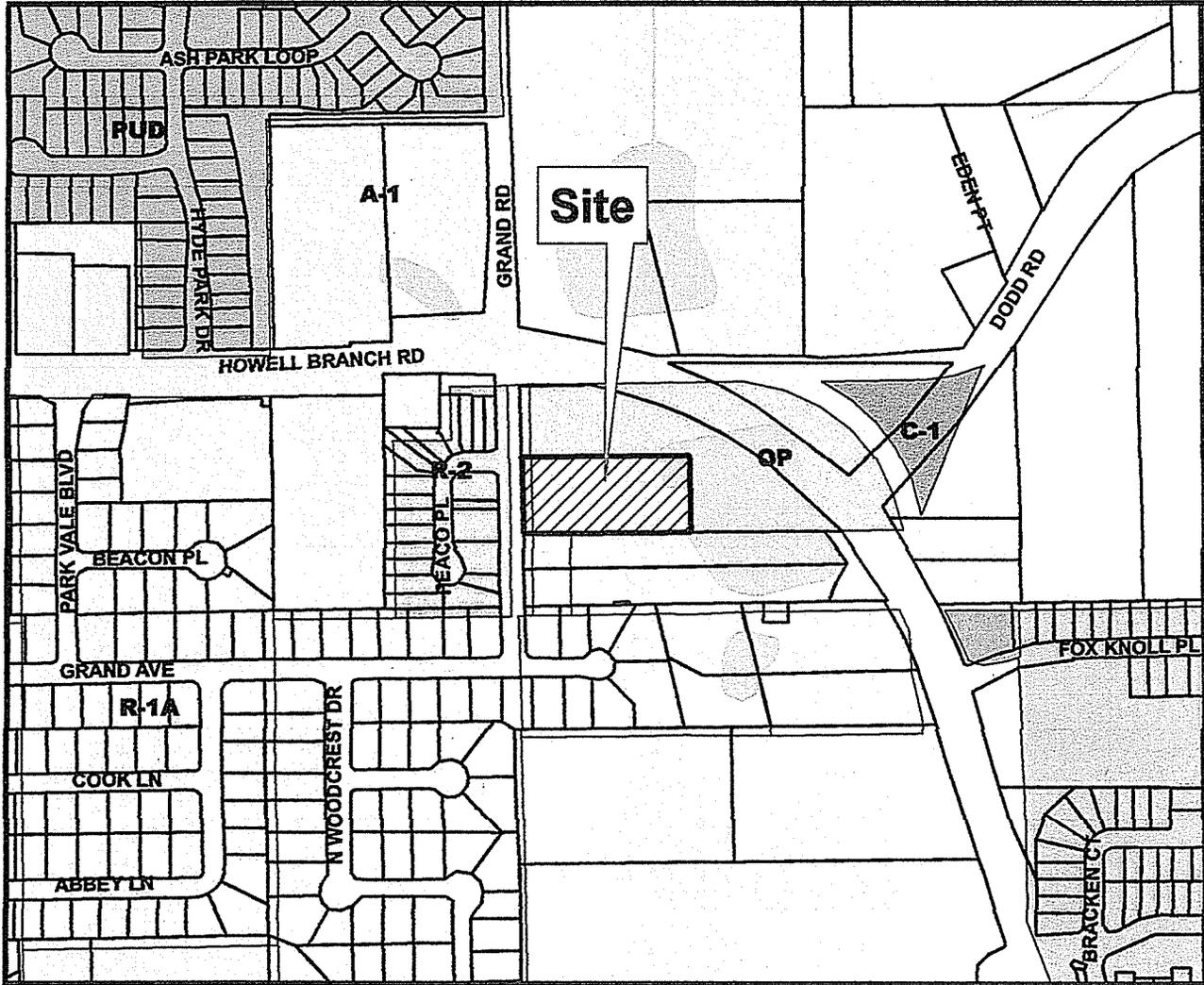
Drawn: K.M.R.  
 Checked: J.A.K.  
 Date: 07-20-07  
 Project No.: 0720108

SITE PLAN

C1.0

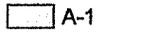
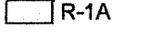
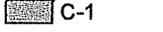


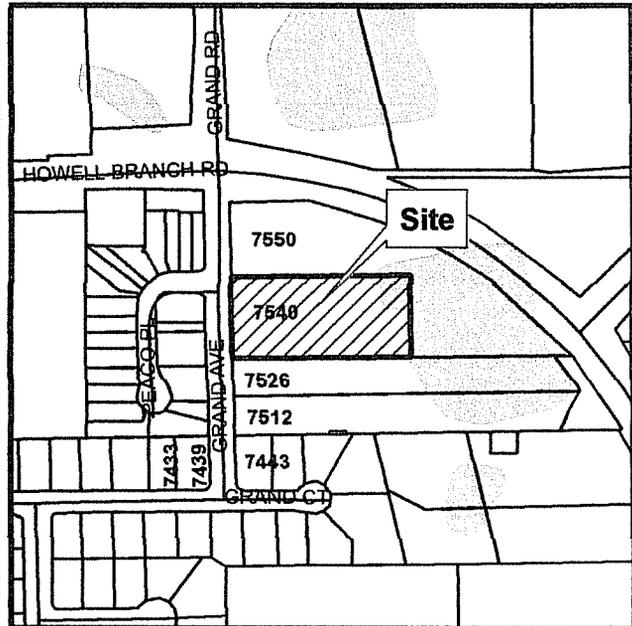
Beat Kahli/K&S Investments, LLC  
 7540 Grand Avenue  
 Winter Park, Florida 32792



Seminole County Board of Adjustment  
 September 24, 2007  
 Case: BS2007-15 (Map 3211, Grid A5)  
 Parcel No: 35-21-30-300-012A-0000

**Zoning**

- |   |           |   |     |   |     |
|---|-----------|---|-----|---|-----|
|  | BS2007-15 |  | R-2 |  | PUD |
|  | A-1       |  | OP  |  | PCD |
|  | R-1A      |  | C-1 |   |     |





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EXTRA FEATURE				
Description	Year Blt	Units	EXFT Value	Est. Cost New
COMMERCIAL CONCRETE DR 4 IN	1979	1,536	\$1,309	\$3,272
PATIO CONC COMM	1979	72	\$95	\$238

**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.

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On September 24, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 35 TWP 21S RGE 30E BEG 219.55 FT N OF SW COR OF NW 1/4 OF NE 1/4 RUN E 455 FT N 200 FT W 455 FT S 200 FT TO BEG (LESS RD)

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

**FINDINGS OF FACT**

**Property Owner:** K & S INV LLC  
450 South Orange Boulevard  
Orlando, Fl. 32801

**Project Name:** Grand Avenue (7540)

**Requested Development Approval:**

Special exception for a private school 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: Kathy Fall, Principal 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. There be a maximum of 80 students and 12 staff member.
  2. The hours of operation will be 7:45 am to 4:00 pm for staff and 8:15 to 3:00 for students.
  3. All drop-off and pick-up vehicles shall be contained on site.
  4. 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: \_\_\_\_\_  
Dori L. DeBord  
Planning & Development Director

**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 \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: