

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Red Bug Lake Road (Vacant) – Rich Sommer, applicant; Request for a special exception to establish a retail tire service automotive garage “Discount Tire Company” in PUD (Planned Unit Development).

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Kathy Fall CONTACT: Joy Williams EXT: 7399

Agenda Date 7-28-08 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **Approve** the request for special exception to establish a retail tire service automotive garage “Discount Tire Company” in PUD (Planned Unit Development ; or
2. **Deny** the request for special exception to establish a retail tire service automotive garage “Discount Tire Company” in PUD (Planned Unit Development ; or
3. **Continue** The request to a time and date certain.

GENERAL INFORMATION	SCI Funeral Serv of Fla Red Bug Lake Road Oviedo, Fl 32765	Oviedo Market Place PUD (Planned Unit Development); Conditional uses: Alcoholic beverage establishments, Gasoline stations, Mechanical or automotive garage, Gasoline pumps.
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to establish a Discount Tire Company that would provide retail sales and installation of tires and wheels. • The independent retail tire dealer will only provide retail sales and installation of tires and wheels, no mechanical repairs of any kind will take place on site. • All installation of tires and wheels will take place within the building. 	

	<ul style="list-style-type: none"> The proposed hours of operation will be Monday – Friday from 8:00 a.m – 6:00 p.m, Saturday 8:00 a.m – 6:00 p.m, and closed on Sunday. 																								
	<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>PUD</td> <td>PD</td> <td>VACANT</td> </tr> <tr> <td>NORTH</td> <td>R-1A</td> <td>LDR</td> <td>SFR</td> </tr> <tr> <td>SOUTH</td> <td>PUD</td> <td>PD</td> <td>Funeral Home</td> </tr> <tr> <td>EAST</td> <td>PUD</td> <td>PD</td> <td>Conservation</td> </tr> <tr> <td>WEST</td> <td>PUD</td> <td>PD</td> <td>Vacant</td> </tr> </tbody> </table>	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	SITE	PUD	PD	VACANT	NORTH	R-1A	LDR	SFR	SOUTH	PUD	PD	Funeral Home	EAST	PUD	PD	Conservation	WEST	PUD	PD	Vacant
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<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 proposed use would be consistent with the trend of development in the area. The surrounding uses consist of office and retail businesses with a small portion of residential.</p> <p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>Prior to obtaining permits, the site must pass concurrency. A traffic study will be determined at that time. The proposed use will be consistent with the established traffic patterns of the surrounding area.</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 Planned Development (PD) future land use as providing a variety of land uses and intensities while maintaining compatibility with the surrounding 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>The site is required to go through full site plan review and meet all requirements per the PUD Developer's Commitment Agreement and any additional requirements of the Land Development Code.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>Within the PUD commitment agreement; mechanical / automotive garages are conditional uses. The proposed use of this site as a retail tire sales and installation establishment demonstrates consistency with the retail trend of nearby and adjacent development in the area.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43</p>	<p>The BOA may permit any of the conditional uses listed in the PUD Developers Commitment Agreement 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 PUD (PLANNED UNIT DEVELOPMENT):</u></p> <p>The Oviedo Market Place Planned Unit Development Developers Commitment Agreement allows for mechanical / automotive garages as a conditional use.</p> <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>The hours of operation will be limited, and the requested use would be no more intensive in nature than the surrounding retail uses.</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 property is located in the Southeast Service Area in which water and sewer will be provided by Seminole County utilities. Capacity availability for the proposed improvements will be determined at concurrency. Other county services, including emergency services and garbage disposal, are also available to the site.</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 use is consistent with the adjacent retail/commercial uses of the surrounding area and would not be detrimental to the character of the area.

STAFF RECOMMENDATION	<p>Staff recommends approval subject based upon the following conditions:</p> <ol style="list-style-type: none">1. The establishment will provide retail sale and installation of passenger car and light truck tires wheels.2. There will be no performance of any mechanical repairs on site.3. All work will be performed inside the building.4. Hours of operation will be Monday – Friday from 8:00 a.m – 6:00 p.m, and Saturday from 8:00 a.m – 5:00 p.m, no business conducted on Sunday.5. Prior to the issuance of development permits, a site plan that meets all applicable code requirements including Chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).

Fee: \$370.00

RECEIVED JUN 27 2008

Application # B'S 2008-07
Meeting Date 7-28-08



SPECIAL EXCEPTION APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

COPY

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

Name: Rich Sommer, Assistant Vice President, Discount Tire Company, Inc.
Address: 20225 North Scottsdale Road City: Scottsdale, AZ Zip code: 85255
Project Address: 7565 Red Bug Lake Road City: Oviedo, FL Zip code: 32765
Phone number(s): (480) 606-5781
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: Mechanical/Automotive Garage (Tire Service Center)

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

What is the current use of the property? Vacant

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: [Signature]

FOR OFFICE USE ONLY

Date Submitted: _____ Reviewed By: Joy Williams
 Tax parcel number: 20-51-31-5ME-0000-0060 Zoning/FLU PUD / Ad
 Legally created parcel (1971 tax roll, 5-acre dev, lot split) Platted Lot (check easements on lots / in dedication)
 Lot size _____ Meets minimum size and width
 Past approval # _____ Application and checklist complete
 Notes: _____

SPECIAL EXCEPTION SUBMITTAL CHECKLIST

A Special Exception is approved to a detailed conceptual site plan. Following approval of the Special Exception by the Board of Adjustment a final engineered site plan is required to be submitted to Development Review. View Site Plan Review information.

	1. Completed application.
	2. Provide a statement of the request including a summary of the business operation. Include information such as: square footage of facilities; hours of operation; seating capacity; number of clients, or students; number of staff and how many shifts; and address any other site concerns that may impact adjacent properties.
	3. Owner's authorization letter (if needed). <i>This form can be obtained online.</i>
	4. A Special Exception is approved to a detailed conceptual site plan and should include, at minimum, the following information:
	o Size and dimensions of the parcel
	o Location of wetland and/or flood plain line, if applicable
	o Location and names of all abutting streets
	o Location of driveways
	o Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	o Location, size and type of any septic systems, drainfield and wells
	o Location of all easements
	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	o Building height
	o Setbacks from each building to the property lines
	o Proposed fences
	o Location and size of buffers: show existing and proposed landscaping, fences and walls
	o Location, number and size of existing and proposed parking spaces
	o Location of existing and proposed outdoor lighting
	o Location of existing and proposed signage
	o Location of fire lanes
	5. Provide an 8 ½ x 11 reduction of the site plan.

DISCOUNT TIRE

20225 NORTH SCOTTSDALE ROAD • SCOTTSDALE, ARIZONA 85255 • (480) 606-6000

June 18, 2008

To Whom It May Concern:

Discount Tire is working to establish a new location in your city at 7565 Red Bug Lake Rd, Oviedo. We believe that our business will be a valuable asset to the community. Discount Tire Co. is the most successful, largest and fastest growing independent retail tire dealer in the United States. We have a passion to serve our customers, provide valuable services to the community and create employment opportunities.

Retail sale and installation of passenger car and light truck tires and wheels is our only business. We do not perform any mechanical repairs or handle any hazardous wastes such as antifreeze and oil. All our work is performed within the building in a safe, clean environment. Discount Tire Co. provides this customer experience in facilities that are clean, modern and efficient. We have a regional department that diligently maintains our buildings, interior and exterior.

Discount Tire Co will have 5 staff members on site at a time, hours of operation are Monday through Friday, 8:00am to 6:00pm, and Saturday, 8:00am through 5:00pm, closed on Sunday. We pride ourselves in being very customer oriented and providing fast service in a pleasant retail environment.

Please contact me at (480) 606-5781 if you have any questions regarding this proposed site.

Respectfully,



Don Thrailkill
Assistant Vice President

da/DT

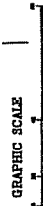
NOTICE: PER THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, RESERVATIONS AND RESTRICTIONS FOR OVIEDO CROSSING, (O.R. 2831, PAGE 134), ARTICLE IX, GENERAL PROVISIONS, SECTION 11, EASEMENTS OF ENCROACHMENTS, PROVIDES A BLANKET EASEMENT ACROSS THE SITE FOR MINOR, UNINTENTIONAL ENCROACHMENTS DUE TO CONSTRUCTION ERRORS.

LEGEND

- CANT
- BURIED CABLE TELEPHONE
- CHEMICAL UTILITY LINES
- BURIED TELEPHONE
- WATER LINE
- SEWER LINE
- BURIED POWER
- CITY WIRE
- CONCRETE UTILITY POLE
- WOOD UTILITY POLE
- ELECTRIC JACKSON BOX
- UTILITY REAR CABLE TELEPHONE
- UTILITY REAR TELEPHONE
- WATER METER
- WATER VALVE
- GAS VALVE
- BEVER VALVE
- IRRIGATION CONTROL VALVE
- RECLAIMED WATER VALVE
- SANITARY SEWER MANHOLE
- DRAINAGE MANHOLE
- TELEPHONE MANHOLE
- FIRE HYDRANT
- CLEARED
- LIGHT POLE
- BOX
- HULL
- POLLARD
- CONTINUING
- DROP INLET
- TRAFFIC SIGNAL BOX
- DIRECTION OF TRAFFIC FLOW

ABBREVIATIONS

- AC. ADDRESS
- AD. ADJUNCTION
- CA. CALCULATED
- CD. CURVED DRAWING
- CM. COMPASS
- CP. CORRUGATED METAL PIPE
- CS. CURVED SURFACE
- DE. DEED BOOK
- DT. DEPARTMENT OF TRANSPORTATION
- ELEV. ELEVATION
- EA. EASEMENT
- EP. EDGE OF PAVEMENT
- EV. EVIDENCE
- EX. EXISTING
- LI. LINED
- LD. LOCKED BUSINESS
- LS. LAMP SIGN
- MA. MAIL BOX
- OC. OFFICIAL RECORDS
- OR. OFFICIAL RECORDS
- PA. PLAT BOOK
- PC. PERMANENT CONTROL POINT
- PCN. PERMANENT CONTROL POINT NUMBER
- RD. ROAD
- REC. RECORDED
- R/W. RIGHT OF WAY
- RP. RECOVERED CONCRETE PIPE
- SEC. SECTION
- TEMP. TEMPORARY BENCH MARK



DESCRIPTION: (PROVIDED BY CLIENT)

LOT 6, OVIEDO CROSSING—PHASE 1B, ACCORDING TO THE PLAT THEREAS, AS RECORDED IN PLAT BOOK 47, PAGES 80 THROUGH 83, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

CONTAINING 46,142 SQUARE FEET, MORE OR LESS.

SURVEYOR'S REPORT

THIS SURVEY WAS MADE FOR THE BENEFIT AND EXCLUSIVE USE OF THE REGULARY-BUSINESS CORPORATION, A MEMBERSHIP CORPORATION, HALLS PROPERTIES, LLC, AN ANNUAL LIMITED LIABILITY COMPANY, LANDS TITLE COMPANY, INCORPORATED, (HEREINAFTER REFERRED TO AS THE CLIENT) BY PROFESSIONAL SURVEYOR AND MAPPING INCORPORATED, (HEREINAFTER REFERRED TO AS THE SURVEYOR) WHO HAS MADE ON THE PREMISES AND NEIGHBORHOODS OF THE PROPERTY, (1) CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, VISIBLE ABOVE GROUND STRUCTURES AND OTHER IMPROVEMENTS ON THE PROPERTY; (2) CORRECTLY SHOWS THE BOUNDARY LINES AND DIMENSIONS OF ALL BOUNDARY ALLEYS, STREETS, ROADS, RIGHTS OF WAY, EASEMENTS AND OTHER MATTERS OF RECORD; (3) CORRECTLY SHOWS THE LOCATION OF ALL PUBLIC UTILITIES, WATER MAINS, SEWERS, GAS LINES AND OTHER MATTERS OF RECORD; (4) CORRECTLY SHOWS THE LOCATION OF ALL PUBLIC UTILITIES, WATER MAINS, SEWERS, GAS LINES AND OTHER MATTERS OF RECORD; (5) CORRECTLY SHOWS THE LOCATION OF ALL PUBLIC UTILITIES, WATER MAINS, SEWERS, GAS LINES AND OTHER MATTERS OF RECORD; 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(96) CORRECTLY SHOWS THE LOCATION OF ALL PUBLIC UTILITIES, WATER MAINS, SEWERS, GAS LINES AND OTHER MATTERS OF RECORD; (97) CORRECTLY SHOWS THE LOCATION OF ALL PUBLIC UTILITIES, WATER MAINS, SEWERS, GAS LINES AND OTHER MATTERS OF RECORD; (98) CORRECTLY SHOWS THE LOCATION OF ALL PUBLIC UTILITIES, WATER MAINS, SEWERS, GAS LINES AND OTHER MATTERS OF RECORD; (99) CORRECTLY SHOWS THE LOCATION OF ALL PUBLIC UTILITIES, WATER MAINS, SEWERS, GAS LINES AND OTHER MATTERS OF RECORD; (100) CORRECTLY SHOWS THE LOCATION OF ALL PUBLIC UTILITIES, WATER MAINS, SEWERS, GAS LINES AND OTHER MATTERS OF RECORD.

1. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF LANDS TITLE INSURANCE CORPORATION TITLE COMMITTEE, CUSTOMER REFERENCE NUMBER 800448, DATED MARCH 27, 2008 AT 8:00 AM.
2. BEARINGS AND DISTANCES ARE MEASURED UNLESS OTHERWISE NOTED.
3. ALL DIRECTIONS AND DISTANCES ARE MEASURED UNLESS OTHERWISE NOTED.
4. ELEVATIONS ARE BASED ON SEMINOLE COUNTY BENCHMARK NUMBER 4143791, POINTED AS 46.944 FEET, NATIONAL GEODETIC MONUMENT, DATUM OF 1928.
5. THIS SURVEY IS BASED ON A FIELD TRIANGULATION A DISTANCE OF GREATER THAN 1 FOOT IN 10,000 FEET AS REQUIRED IN CHAPTER 907-4 OF THE FLORIDA ADMINISTRATIVE CODE.
6. THIS SURVEY MEETS OR EXCEEDS THE "MINIMUM TECHNICAL STANDARDS" AS SET FORTH IN CHAPTER 9107-4 OF THE FLORIDA ADMINISTRATIVE CODE BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS.
7. NO RESEARCH OF THE PUBLIC RECORDS FOR EASEMENTS OR RIGHTS OF WAY WAS DONE BY THIS FIRM.
8. NO UNDERGROUND LOCATIONS WERE PERFORMED UNLESS THIS SURVEY. ONLY VISIBLE, ABOVE GROUND IMPROVEMENTS WERE FIELD LOCATED.
9. BENCHMARKS SHOWN ARE NOT DRAWN TO SCALE FOR CLIENTS.
10. THIS SURVEY WAS PERFORMED FOR THE BENEFIT AND EXCLUSIVE USE OF THE PARTIES LISTED. USE BY OTHERS IS NOT PERMITTED WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.
11. THIS SURVEY WAS PERFORMED FOR USE IN A COMMERCIAL LAND TRANSACTION, NO OTHER USES ARE PERMITTED WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.
12. TITLE EXCEPTION (A), MATTER AS SHOWN ON THE PLAT OF OVIEDO CROSSING—PHASE 1B, PLAT BOOK 47, PAGES 80 THROUGH 83 HAVE BEEN SHOWN ON THE SURVEY.
13. TITLE EXCEPTION (B), THE PROPERTY IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, RESERVATIONS AND RESTRICTIONS FOR OVIEDO CROSSING RECORDED IN OFFICIAL RECORDS BOOK 3821, PAGE 134 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.
14. TITLE EXCEPTION (C), THE DEVELOPMENT ORDERS AND THE ASSOCIATED AMENDMENTS RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA ARE NOT MATTER OF SURVEY.
15. TITLE EXCEPTION (D), SEMINOLE COUNTY DEVELOPMENT ORDERS, RECORDED IN OFFICIAL RECORDS BOOK 2161, PAGE 1847 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA IS NOT A MATTER OF SURVEY.
16. TITLE EXCEPTION (E), NOTICE RECORDED IN OFFICIAL RECORDS BOOK 2874, PAGE 88 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA IS NOT A MATTER OF SURVEY.
17. TITLE EXCEPTION (F), UTILITY AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 2881, PAGE 898 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA IS NOT A MATTER OF SURVEY.
18. TITLE EXCEPTION (G), EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 2874, PAGE 88 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA IS NOT A MATTER OF SURVEY.
19. TITLE EXCEPTION (H), INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 2874, PAGE 888 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA DOES NOT ENCUMBER THE SURVEYED PROPERTY, THE CLIENT ENCUMBERS LOT 7, OVIEDO CROSSING—PHASE 1B.

LOT 6
OVIEDO CROSSING—PHASE 1B
P.B. 47, PAGES 80-83

LOT 7
OVIEDO CROSSING—PHASE 1B
P.B. 47, PAGES 80-83

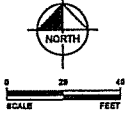
21. AFTER CAREFUL EXAMINATION OF THE FIRM COMPANY PAVEMENT DESIGN BY DATE SEPTEMBER 28, 2021, THE SUBJECT PROPERTY APPEARS TO BE IN ROAD ZONE "A", AS DETERMINED TO BE OUTSIDE THE 600 ANNUAL CHARGE FLOODPLAIN.
22. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON REBENT LOCATIONS, (PAINT MARKS OR FLAGGING), BY OTHERS AS SHOWN ON THIS SURVEY.
23. BENCH INFORMATION INCLUDING NETWORK LINES SHOWN ON THIS SURVEY ARE SHOWN AT THE REQUEST OF THE CLIENT, KIMLEY-HORN AND ASSOCIATES, INC. ALL BENCH INFORMATION WAS PROVIDED BY THE CLIENT, WHO IS NOT A PRACTICE OF LAND SURVEYING. THE BENCH INFORMATION SHOULD BE NOT RELIANT AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN.

PREPARED FOR:
KIMLEY-HORN AND ASSOCIATES, INC.

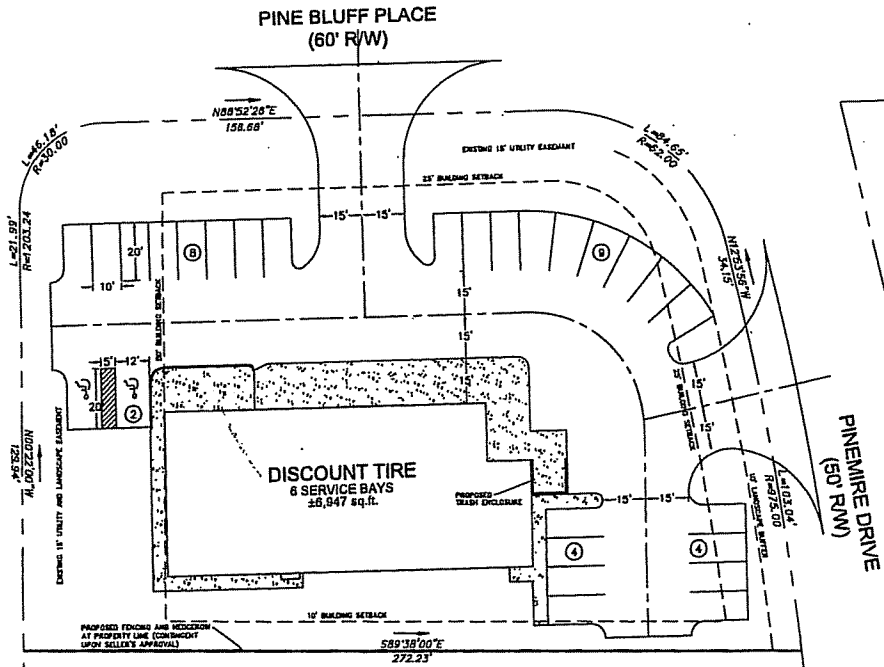
CUMMINS SURVEYING AND MAPPING, INC.
2758 Suwannee Drive
Orlando, Florida 32812
(407) 894-4254
C-646-23310-00-00-00
Certificate of Authorization No. 2192

SCALE: 1" = 20'	TECHNICIAN: MDC
ISSUE DATE: 5-13-08	PROJECT NO. 08-13
SURVEY DATE: 4-18-08	FIELD BOOK No. 19
	SHEET No. 1 OF 1

Drawing path: H:\48046000 - Discount Tire Water Home\CAD\CONCEPT\DISCOUNT TIRE - 04804600.dwg CONCEPT A Apr 14, 2008 8:31am by mark.fredda
 This document, together with the associated and related professional services, is the intellectual property of the undersigned and shall remain the property of the undersigned. No part of this document may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the undersigned.



RED BUG LAKE ROAD
 6-LANE DIVIDED HIGHWAY
 (134' R/W)



SITE DATA:

TOTAL SITE AREA: 4.224 ACRES
 IMPROVED AREA: 0.618 ACRES(100)
 OPEN SPACE: 0.416 ACRES(100)

PARKING DATA:

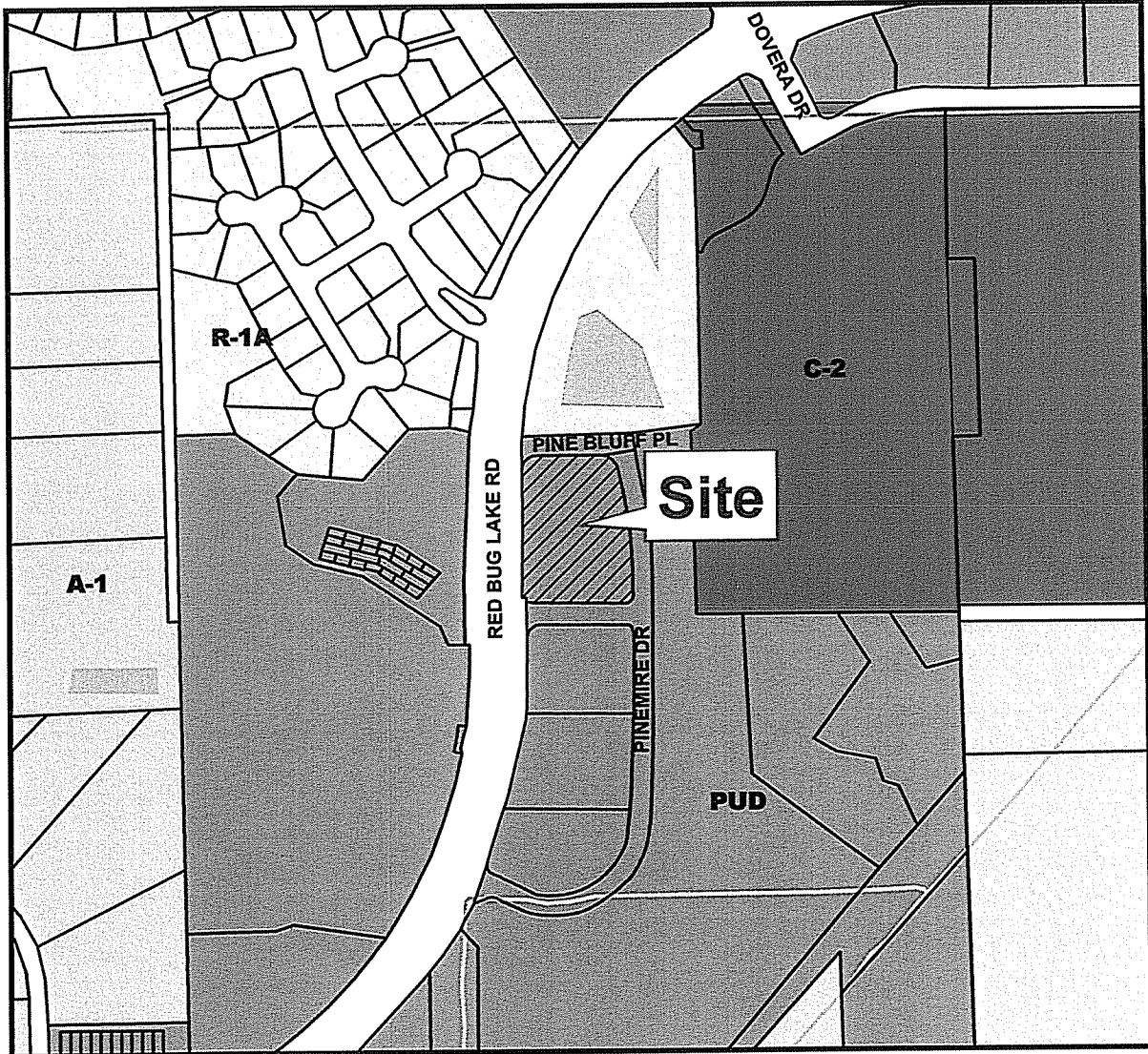
REQUIRED - 3 SPACES PER SERVICE BAY (18 SPACES)
 PROVIDED - REGULAR PARKING: 13 (10'x20')
 PROVIDED - HANDICAP SPACES: 1 (12'x20')
 TOTAL = 14

NOTES:

1. SITE PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE/REVISION DURING FINAL ENGINEERING DESIGN AND PERMITTING.
2. BOUNDARY AND RIGHT-OF-WAY LINES HAVE BEEN OBTAINED WITHOUT CERTIFIED SURVEY INFORMATION AND ARE SUBJECT TO CHANGE.
3. A DETAILED REVIEW OF SEMINOLE COUNTY AND ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT DESIGN CRITERIA HAS NOT BEEN COMPLETED. THE LAYOUT IS SUBJECT TO CHANGE TO SATISFY THE REQUIREMENTS OF THESE JURISDICTIONS.






DISCOUNT TIRE SEMINOLE COUNTY FLORIDA		CONCEPT A	
DATE 4/14/08 PROJECT NO. 048046000 SHEET NUMBER	SCALE: AS NOTED EXCEEDS 11" X 17"	DESIGNER: JASON A. LEMUS, P.E. (PROF. REGISTRATION NUMBER: 025772)	CHECKED BY: JAL DATE:
REVIEWERS:		DATE:	

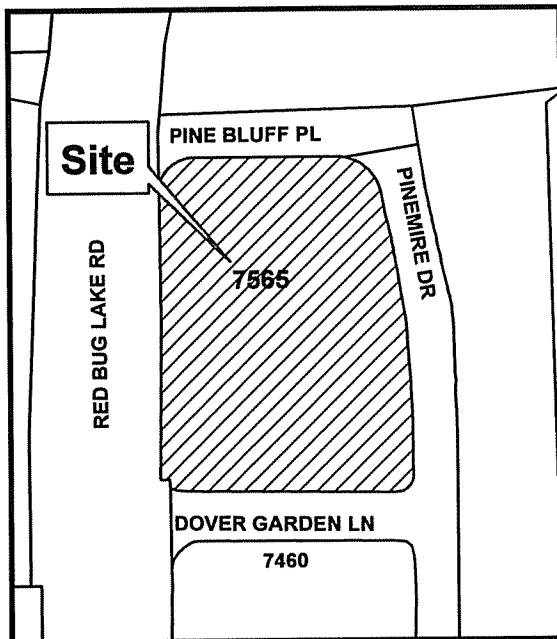
Discount Tire Company, Inc
7565 Red Bug Lake Road
Oviedo, Florida 32765



Seminole County Board of Adjustment
July 28, 2008
Case: BS2008-07 (Map 3212, Grid A2)
Parcel No: 20-21-31-5ME-0000-0060

Zoning

-  BS2008-07
-  A-1
-  R-1A
-  C-2
-  PUD



Personal Property

PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY, FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7508

GENERAL

Parcel Id: 20-21-31-5ME-0000-0060
 Owner: SCI FUNERAL SERV OF FLA INC
 Own/Addr: 8TH FLOOR #2920 PROPERTY TAX
 Mailing Address: 1929 ALLEN PKWY
 City,State,ZipCode: HOUSTON TX 77019
 Property Address: 7565 RED BUG LAKE RD
 Facility Name:
 Tax District: 02-COUNTY-DOVERA
 Exemptions:
 Dor: 76-MORTUARIES/CEMETERIE

2008 WORKING VALUE SUMMARY

Amendment 1 impact not reflected.

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$617,208
 Depreciated EXFT Value: \$25,216
 Land Value (Market): \$709,509
 Land Value Ag: \$0
 Just/Market Value: \$1,351,933
 Assessed Value (SOH): \$1,351,933
 Exempt Value: \$0
 Taxable Value: \$1,351,933

Tax Estimator
Portability Calculator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
SPECIAL WARRANTY DEED	08/1994	02815	0546	\$705,000	Vacant	No

Find Sales within this DOR Code

2007 VALUE SUMMARY

2007 Tax Bill Amount: \$20,114
 2007 Taxable Value: \$1,361,945
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
SQUARE FEET	0	0	98,202	8.50	\$709,509

LEGAL DESCRIPTION

PLATS:

LOTS 6 & 7 OVIEDO CROSSING PH 1-B PB 47
 PGS 80 THRU 83

BUILDING INFORMATION

Bld Num	Bld Class	Year Bld	Fixtures	Gross SF	Stories	Ext Wall	Bld Value	Est. Cost New
1	MASONRY PILAS	1995	14	8,800		CONCRETE BLOCK-STUCCO - MASONRY	\$617,208	\$736,965
Subsection / Sqft			OPEN PORCH FINISHED / 1200					

Permits

EXTRA FEATURE

Description	Year Bld	Units	EXFT Value	Est. Cost New
COMMERCIAL ASPHALT DR 2 IN	1995	25,488	\$15,656	\$23,194
WALKS CONC COMM	1995	2,425	\$5,418	\$8,027
POLE LIGHT CONCRETE 1 ARM	1995	1	\$1,038	\$1,038
POLE LIGHT CONCRETE 2 ARM	1995	1	\$2,594	\$2,594
BLOCK WALL	1995	252	\$510	\$756

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
APPLICATION & AFFIDAVIT**

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07-23:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: _____	Name: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Phone #: _____	Phone #: _____
Name: _____	Name: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Phone #: _____	Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: <u>"SEE ATTACHED PAGE"</u>	Name of Corporation: _____
Officers: _____	Officers: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Directors: _____	Directors: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Shareholders: _____	Shareholders: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: _____	Beneficiaries: _____
Trustees: _____	Address: _____
Address: _____	City/Zip: _____
City/Zip: _____	_____

(Use additional sheets for more space.)

SEMINOLE COUNTY
APPLICATION & AFFIDAVIT

OWNERSHIP DISCLOSURE FORM

Item 2. - Officers, Directors and Shareholder of
SCI Funeral Services of Florida, Inc.

OFFICERS AND DIRECTORS:

Noble L. Longino
President and Director
160 S. Main St., Suite A
Winter Garden, FL 34787

Pamela J. Gehl
Vice President
1295 Saxon Blvd.
Orange City, FL 32763

Keith L. Gruendl
Vice President
2550 Highlands Blvd. N.
Palm Harbor, FL 34684

Curtis G. Briggs
Vice President
1929 Allen Parkway
Houston, TX 77019

Manuel Guara
Vice President
7500 NW 52nd St.
Miami, FL 33166

Janet S. Key
Secretary and Director
1929 Allen Parkway
Houston, TX 77019

Susan L. Garrett
Assistant Secretary and Director
1929 Allen Parkway
Houston, TX 77019

Kevin J. Grajek
Treasurer
1929 Allen Parkway
Houston, TX 77019

SOLE SHAREHOLDER:

SCI Funeral Services, Inc.
1929 Allen Parkway
Houston, TX 77019

**SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT**

For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: _____	Name of Partnership: _____
Principal: _____	Principal: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee:	Contract Vendee:
Name: _____	Name: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____

(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezoning, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

6-26-08
Date

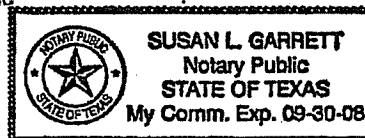
Janet S. Key
Owner/Agent, Applicant Signature
JANET S. KEY, SECRETARY

STATE OF FLORIDA Texas
COUNTY OF HARRIS

Sworn to (or affirmed) and subscribed before me this 26th day of June, 2008 by Janet S. Key

Susan L. Garrett Susan L. Garrett
Signature of Notary Public Print, Type or Stamp Name of Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced _____



For Use by Planning & Development Staff

Date: _____ Application Number: _____

**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07-23:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: <u>N/A See No. 5</u>	Name: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Phone #: _____	Phone #: _____
Name: _____	Name: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Phone #: _____	Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: <u>N/A See No. 5</u>	Name of Corporation: _____
Officers: _____	Officers: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Directors: _____	Directors: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Shareholders: _____	Shareholders: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: <u>N/A See No. 5</u>	Beneficiaries: _____
Trustees: _____	Address: _____
Address: _____	City/Zip: _____
City/Zip: _____	_____

(Use additional sheets for more space.)

**SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT**

For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: _____	Name of Partnership: _____
Principal: _____	Principal: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee:	Contract Vendee:
Name: <u>SCI Funeral Services of Florida, Inc</u>	Name: <u>Halle Properties L.L.C.</u>
Address: <u>1929 Allen Parkway</u>	Address: <u>20925 N Scottsdale Rd</u>
City/Zip: <u>Houston, TX 77019</u>	City/Zip: <u>Scottsdale, AZ 85255</u>

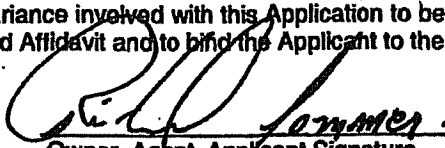
(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

6-19-08

Date

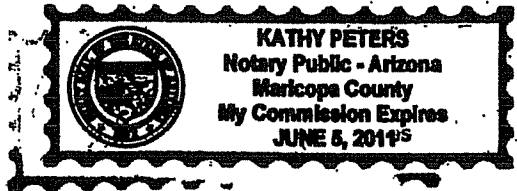

Owner, Agent, Applicant Signature

STATE OF ^{Arizona} ~~FLORIDA~~
COUNTY OF MARICOPA

Sworn to (or affirmed) and subscribed before me this 19 day of June, 2008 by Rich Sommer

Kathy Peters Kathy Peters
Signature of Notary Public Print, Type or Stamp Name of Notary Public

Personally Known X OR Produced Identification _____
Type of Identification Produced _____



For Use by Planning & Development Staff

Date: _____ Application Number: _____

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On July 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOTS 6 & 7
OVIEDO CROSSING PH 1-B PB 47 PGS 80 THRU 83

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

FINDINGS OF FACT

Property Owner: SCI FUNERAL SERV OF FLA INC
1929 ALLEN PKWY
HOUSTON TX 77019

Project Name: Red Bug Lake Road (7565)

Requested Development Approval:

Request for a Special Exception to establish a retail tire service automotive garage in PUD (Planned Unit Development) 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: Joy Williams, 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:
 - a. The establishment will provide retail sale and installation of passenger car and light truck tires wheels.
 - b. There will be no performance of any mechanical repairs on site.
 - c. All work will be performed inside the building.
 - d. Hours of operation will be Monday – Friday from 8:00 a.m – 6:00 p.m, and Saturday from 8:00 a.m – 5:00 p.m, no business conducted on Sunday.
 - e. Prior to the issuance of development permits, the applicant shall submit a site plan that meets all applicable code requirements including Chapter 40 of the Land Development Code, and obtain review and approval 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: _____
Alison C. Stettner
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.

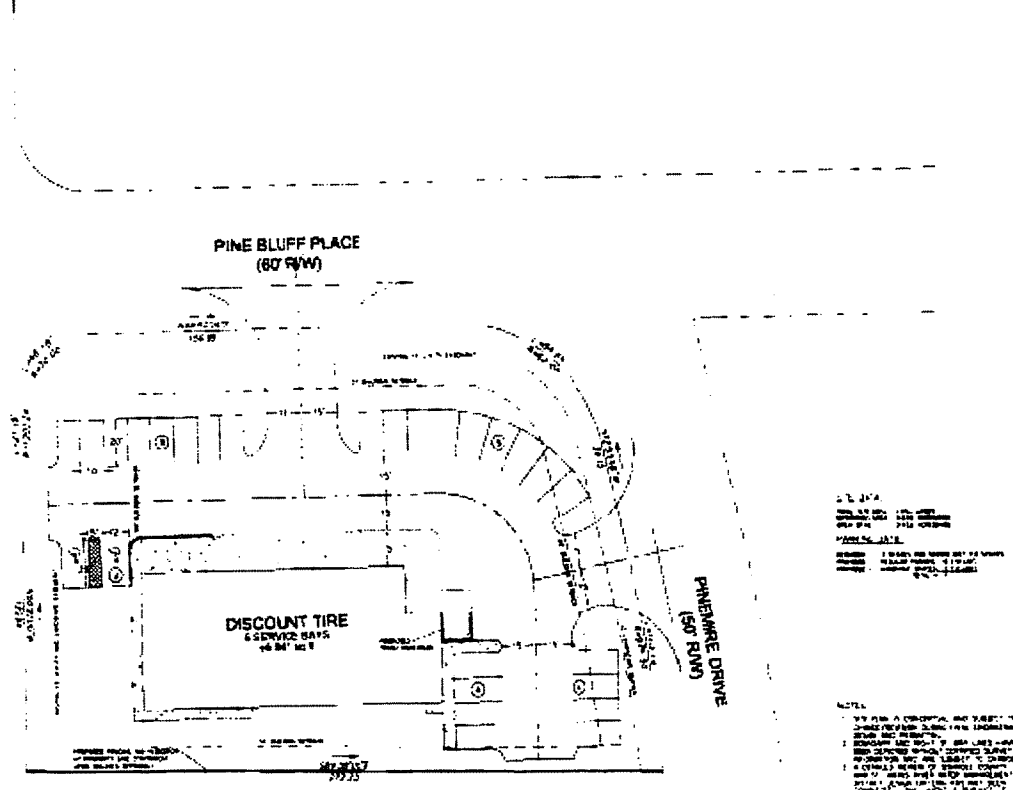
WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2008.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:



RED BUG LAKE ROAD
 6 LANE DRILLED ASPHALT
 (134' ROW)



PROJECT NO. 08-32000005	PROJECT NAME DISCOUNT TIRE	PROJECT TYPE CONCEPT A	PROJECT LOCATION 63179	PROJECT STATUS 6/13/08
PREPARED BY CIVIL ENGINEERING			CHECKED BY CIVIL ENGINEERING	
DRAWN BY CIVIL ENGINEERING			DATE 6/13/08	
SCALE AS SHOWN			SHEET NO. 01	

**SEMINOLE COUNTY DENIAL DEVELOPMENT
ORDER**

On July 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOTS 6 & 7
OVIEDO CROSSING PH 1-B PB 47 PGS 80 THRU 83

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

FINDINGS OF FACT

Property Owner: SCI FUNERAL SERV OF FLA INC
1929 ALLEN PKWY
HOUSTON TX 77019

Project Name: Red Bug Lake Road (7565)

Requested Development Approval:

Request for a Special Exception to establish a retail tire service automotive garage in PUD (Planned Unit Development) district.

The Development Approval was sought to permit a retail tire service automotive garage as a conditional use. The Board of Adjustment finds that the proposed use is inconsistent with development trends in the area and would adversely affect the public interest and should not be permitted.

The requested development approval is hereby denied.

Prepared by: Joy Williams, Planner
1101 East First Street
Sanford, Florida 32771

Done and Ordered on the date first written above.

By: _____
Alison C. Stettner
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 _____, 2008.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: