

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

**SUBJECT:** 1954 State Road 426 – Sangria's, applicant; Request for special exception for the on premise consumption of alcoholic beverages as an accessory use to a grocery/deli and eat-in cafe in the PCD (Planned Commercial Development) district.

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

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

**Agenda Date** 09/22/08 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **Approve** the request for special exception for the on premise consumption of alcoholic beverages as an accessory use to a grocery/deli and eat-in cafe in the PCD (Planned Commercial Development) district; or
2. **Deny** the request for special exception for the on premise consumption of alcoholic beverages as an accessory use to a grocery/deli and eat-in cafe in the PCD (Planned Commercial Development) district; or
3. **Continue** The request to a time and date certain.

<b>GENERAL INFORMATION</b>	Sangria's 1954 State Road 426, Suite 1106 Oviedo, Fl. 32765	PCD District, Oviedo Cross Roads; Conditional uses
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to offer beer and wine as an accessory use to grocery store with a deli and cafe.</li> <li>• The Oviedo Cross Roads PCD commitment agreement includes the proposed use with conditional uses specified with the C-2 zoning district.</li> </ul>	

<b>Reviewed by:</b>
<b>Co Atty:</b> _____
<b>Pln Mgr:</b> _____

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

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 proposed use would be accessory to an approved use in the Oviedo Cross Roads PCD. The ability to offer beer and wine is not detrimental to the trend of development in the area in which the surrounding commercial uses would permit a restaurant the same ability.

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

There would be no increased number of employees and customers of the current use that would be generated from this request.

**IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:**

The Seminole County Vision 2020 Comprehensive Plan describes the Commercial future land use as a means to provide variety commercial services. The requested use would be typical for a commercial retail center in allowing the sales of beer and wine as an accessory use.

**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 and proposed buildings meet the minimum area and dimensional requirements of the PCD.

**WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:**

Within the PCD commitment agreement the sales of alcoholic beverages are listed as an conditional uses. As stated previously the ability to offer beer and wine is not detrimental to the trend of development in the area in which the surrounding

	commercial uses would permit a restaurant the same ability.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval subject based upon the following conditions:  <ol style="list-style-type: none"><li>1. The Special Exception granted will apply only to the accessory use of beer and wine to the primary use of a grocery/deli and eat-in cafe.</li><li>2. Prior to the issuance of development permits, a site plan that meets the requirements of all other applicable code requirements including Chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).</li></ol>

**COPY**

Application # BS2008-11  
Meeting Date Sept. 22, 08

Fee: \$370.00



**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: SANGRIA'S  
Address: 1954 SR 426 STE 1106 City: oviado Zip code: 32765  
Project Address: SAME AS ABOVE City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Phone number(s): 407 8305981  
Email address: JOFFREMARQUEZ@hotmail.com

What is this request for?

- Church
- Daycare
- School
- Group Home
- Assisted Living Facility (ALF)
- Kennel
- Riding Stable
- Alcoholic Beverage Establishment
- Communication Tower
- Other: Grocery/Deli & eat-in cafe

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

What is the current use of the property? Retail

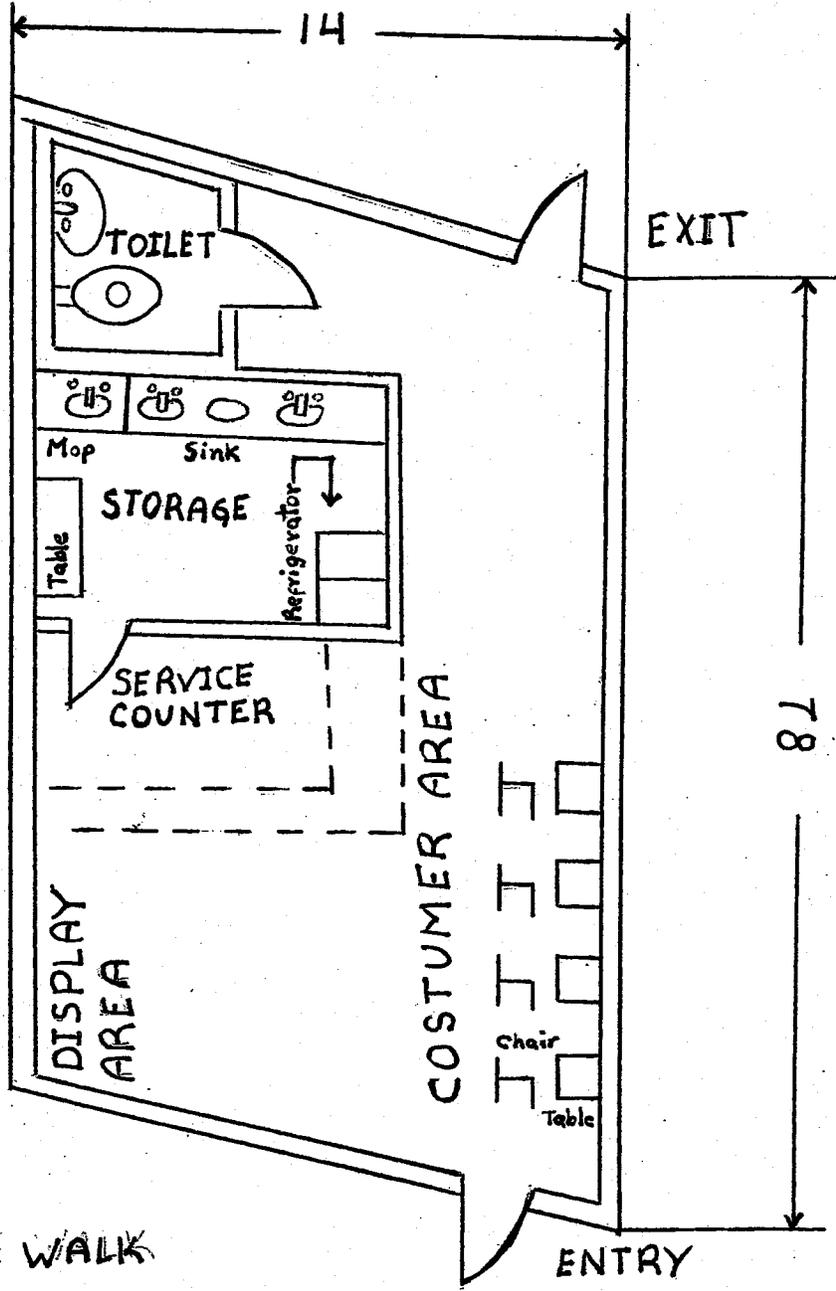
NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless the required **pre-application conference** has been held and all of the required information in the Special Exception application and submittal checklist is provided to the Planning Division.

Signed: [Signature]

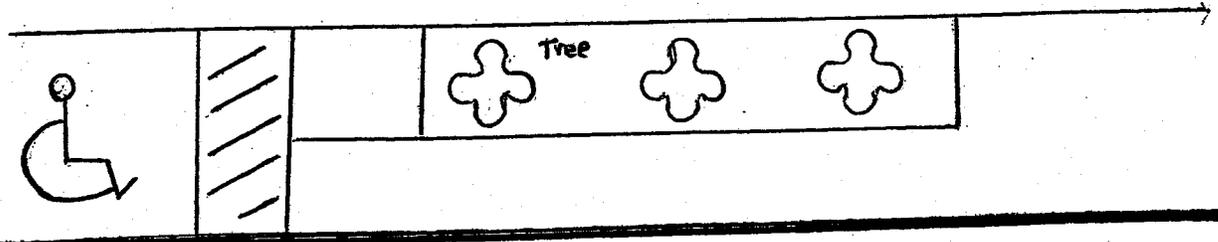
**FOR OFFICE USE ONLY**

Date Submitted: 8/11/08 Reviewed By: DG  
 Tax parcel number: 20-21-31-5LX-0000-05A0 Zoning/FLU PCD/COM  
 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: for on-premise consumption

SUITE 1106  
FLOOR PLAN  
1098 SF



SIDE WALK



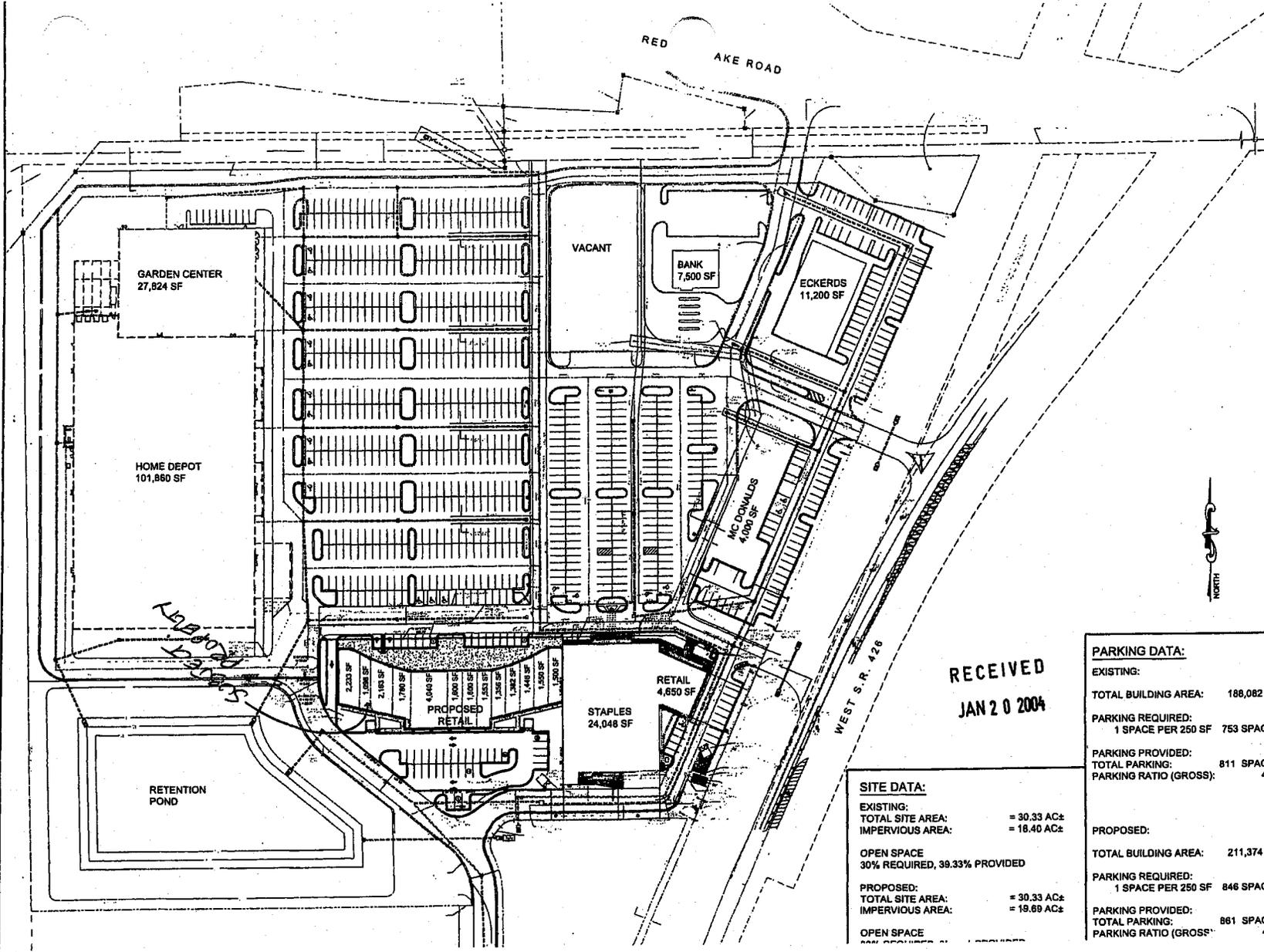
**OVIEDO CROSSROADS - PHASE III**  
SEMINOLE COUNTY, FLORIDA, SR 426  
AND RED BUG LAKE ROAD  
FOR  
**RETAIL EQUITIES, INC.**

**MASTER  
SITE PLAN**

NO.	DATE	REVISIONS
1	1/17/04	CHANGED THE PERIMETER AND BUILDING FOOTPRINT

**RECORD DRAWING**  
THIS IS TO CERTIFY THAT THE PROJECT HAS BEEN ESSENTIALLY COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.

DATE:	<b>ENGINEER</b> Robert J. Lochrane P.E. FL LIC. # 32259
DATE:	DESIGNER: OAH
JOB #: 03019.30	CHECKED: RAL
PREP. MOR: JJP	CHECKED: RAL
SHEET	OF



RECEIVED  
JAN 20 2004

**SITE DATA:**  
EXISTING:  
TOTAL SITE AREA: = 30.33 AC±  
IMPERVIOUS AREA: = 18.40 AC±  
  
OPEN SPACE  
30% REQUIRED, 39.33% PROVIDED  
  
PROPOSED:  
TOTAL SITE AREA: = 30.33 AC±  
IMPERVIOUS AREA: = 19.69 AC±  
  
OPEN SPACE

**PARKING DATA:**  
EXISTING:  
TOTAL BUILDING AREA: 188,082 SF  
PARKING REQUIRED:  
1 SPACE PER 250 SF 753 SPACES  
PARKING PROVIDED:  
TOTAL PARKING: 811 SPACES  
PARKING RATIO (GROSS): 4.31  
  
PROPOSED:  
TOTAL BUILDING AREA: 211,374 SF  
PARKING REQUIRED:  
1 SPACE PER 250 SF 846 SPACES  
PARKING PROVIDED:  
TOTAL PARKING: 861 SPACES  
PARKING RATIO (GROSS): 4.07

**DATA**

PERFORMANCE	REC 20 / TYP 21 SOUTH / RING 21 EAST	100%
PERVIOUS AREAS	19,546 SF	127 ACRES
OPEN SPACE REQUIRED	25% MAX OPEN SPACE	4,886 SF
PARCEL OR CURRENT ZONING	20-11-31 SLS-0000-0500	PCD
EXISTING USE	VACANT	
PROPOSED USE	RETAIL/COMMERCIAL	
SPECIAL EXCEPTION	NONE	

REQUIREMENTS	PROVIDED
FRONT SETBACK	FRONT 17'
SIDE SETBACK	SIDE 5'
REAR SETBACK	REAR 30'

MAJ. BUILDING HEIGHT 30'  
 FLOOD ZONE  
 THIS SITE LIES WITHIN THE FLOOD ZONE "C" WHICH LIES OUTSIDE THE 100-YEAR FLOOD PLAIN ACCORDING WITH THE FEMA FLOOD INSURANCE RATE MAP PANEL 120700024E, APRIL 11, 1995.

SOILS  
 BASED ON SOIL SURVEY FOR SEMINOLE COUNTY, THIS SITE IS PRECISELY COMPRISED OF URBAN-LAND (TYPE 2)

**PROPOSED BUILDING AREA**

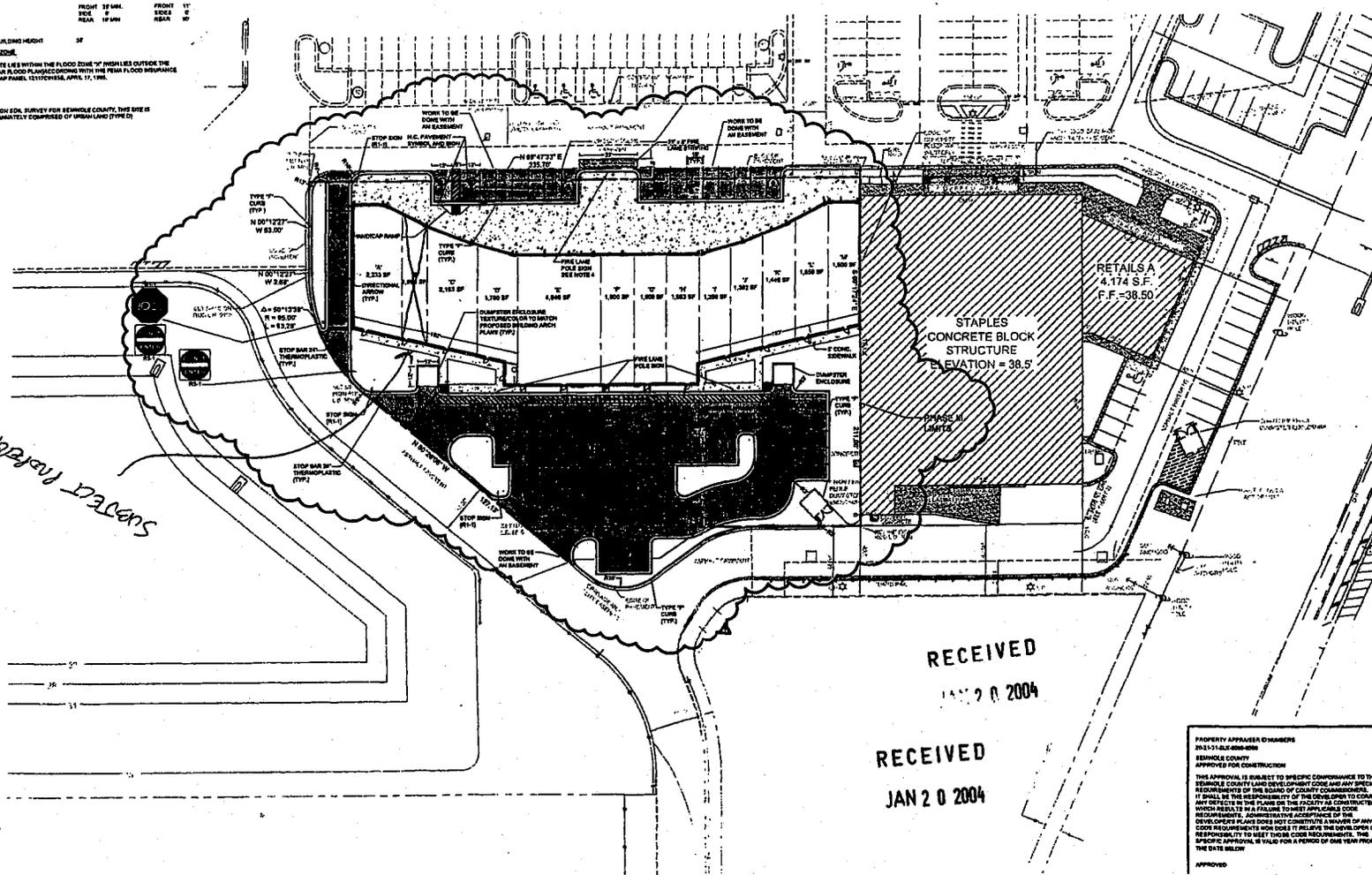
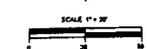
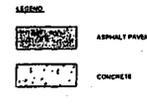
RETAIL A	4,174 SF
RETAIL B	1,700 SF
RETAIL C	1,700 SF
RETAIL D	1,700 SF
RETAIL E	1,700 SF
RETAIL F	1,700 SF
RETAIL G	1,700 SF
RETAIL H	1,700 SF
RETAIL I	1,700 SF
RETAIL J	1,700 SF
RETAIL K	1,700 SF
RETAIL L	1,700 SF
RETAIL M	1,700 SF
RETAIL N	1,700 SF
RETAIL O	1,700 SF
RETAIL P	1,700 SF
RETAIL Q	1,700 SF
RETAIL R	1,700 SF
RETAIL S	1,700 SF
RETAIL T	1,700 SF
RETAIL U	1,700 SF
RETAIL V	1,700 SF
RETAIL W	1,700 SF
RETAIL X	1,700 SF
RETAIL Y	1,700 SF
RETAIL Z	1,700 SF
TOTAL RETAIL	22,201 SF

**PARKING REQUIREMENTS**

PARKING REQUIRED	1 SPACE PER 100 SF OF BUILDING
PROVIDED	22,201 / 100 = 222 SPACES
OFFSITE PARKING PROVIDED	30 SPACES
OFFSITE NO PARKING PROVIDED	2 SPACES
TOTAL PARKING PROVIDED	252 SPACES

**NOTES**

- SEE STRENGTH HANDICAP SYMBOL AND NO CURB CUTS, DRIVEWAYS AND ALL ENTRANCES AND DO NOTES ON PLANS SHALL BE ADHERED TO.
- STORAGE AND TRAFFIC MANEUVERING SHALL BE IN ACCORDANCE WITH F.B.S.1 FUNDAMENTAL TRAFFIC DESIGN STANDARDS, MANUAL OF URBAN TRAFFIC CONTROL, SIXTH EDITION AND THE SEMINOLE COUNTY TRAFFIC DEVELOPMENT CODE, APPENDIX B, SECTION 3, TITLE 5.
- 2 1/2 HOUR FIRE RESISTANT CURB CUTS SHALL BE PROVIDED FROM TO APPLICATION OF FUNDAMENTAL TRAFFIC DESIGN STANDARDS.
- 2 1/2 HOUR FIRE RESISTANT AND EROSION SHALL BE IN ACCORDANCE WITH APPENDIX C SECTION 3.5 OF THE SEMINOLE COUNTY TDC.



**LOCHRANE**  
 Engineering, Inc.

Consulting  
 Engineers  
 & Surveyors

LAND DEVELOPMENT  
 SURVEY  
 TRANSPORTATION

381 SOUTH BUNNY AVENUE  
 GAITHERSBURG, MARYLAND 20878  
 TEL: (301) 440-1747  
 FAX: (301) 440-1748  
 WWW.LOCHRANE.COM

CERTIFICATE OF AUTHORIZATION # 000008

**OVIEDO CROSSROADS - PHASE III**  
 SEMINOLE COUNTY, FLORIDA SR. 428  
 AND RED BUG LAKE ROAD

RETAIL EQUITIES, INC.

**SITE DIMENSION PLAN**

NO.	DATE	REVISIONS
1	1/13/04	CHANGES FOR REVIEW AND RECORD FOOTPRINT

**RECORD DRAWING**  
 THIS IS TO CERTIFY THAT THE PROJECT HAS BEEN SUBSTANTIALLY COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.

DATE: \_\_\_\_\_

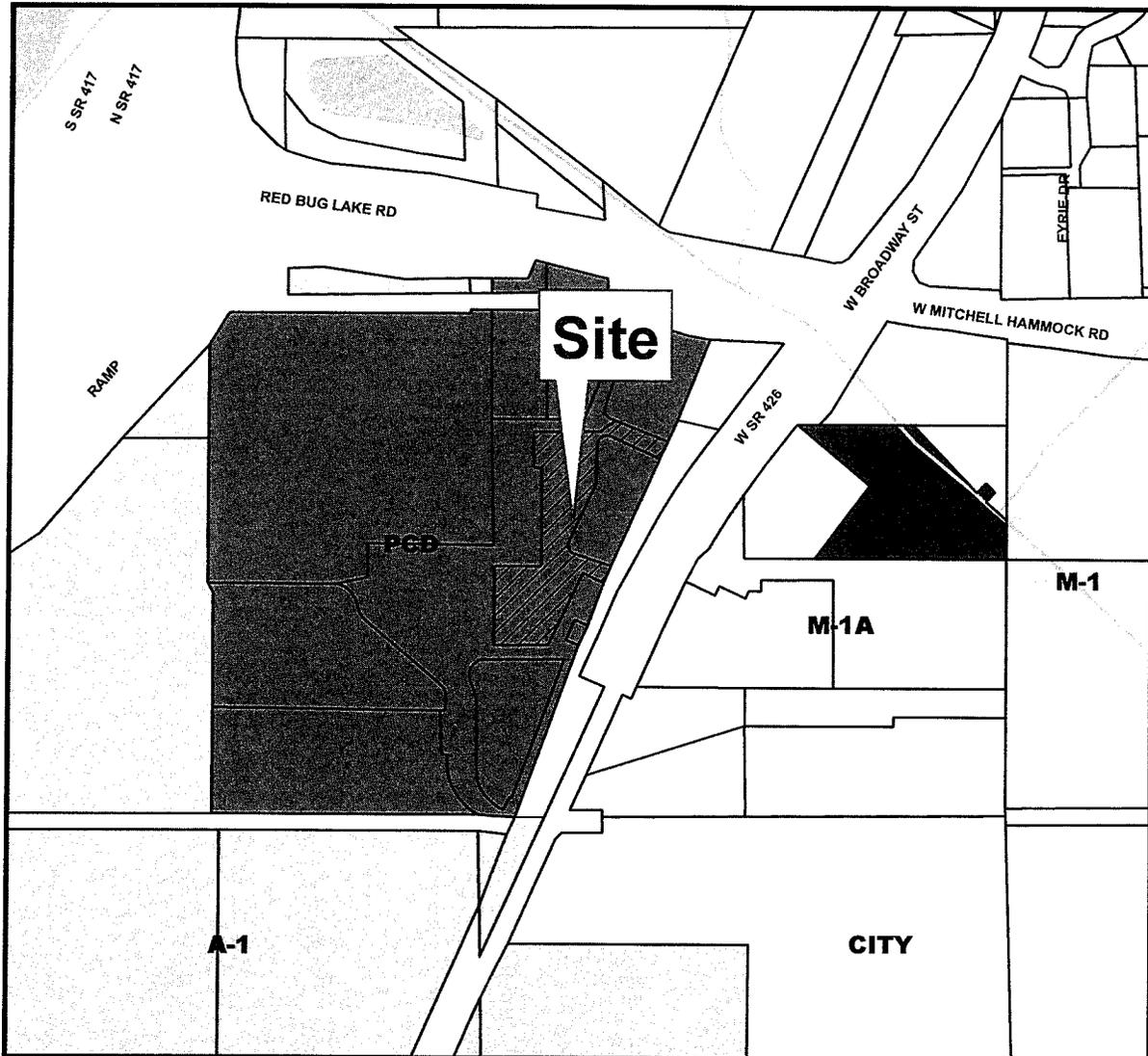
**ENGINEER**  
 Robert J. Lochrane P.E.  
 P.L.C. # 32298

DATE: \_\_\_\_\_

JOB # C0018.20  
 PRJ. MGR. JRP  
 SHEET \_\_\_\_\_ OF \_\_\_\_\_

DESIGNER: GMM  
 CHECKED: RUL

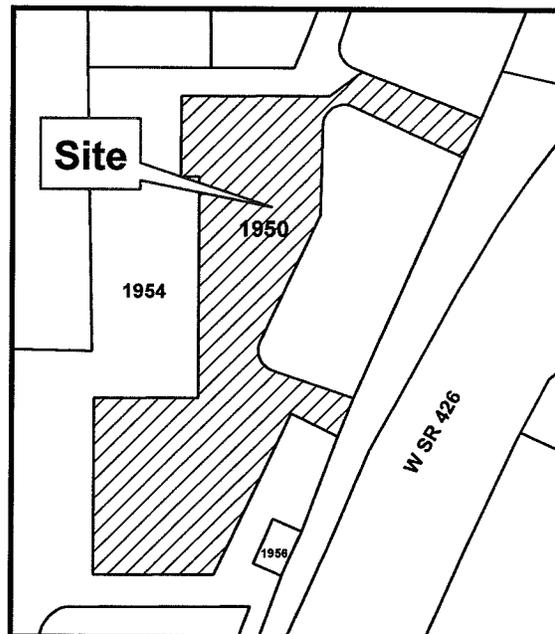
Sangria's  
1954 State Road 426  
Oviedo, Florida 32765



Seminole County Board of Adjustment  
September 22, 2008  
Case: BS2008-11 (Map3212, Grid C1)  
Parcel No: 20-21-31-5LX-0000-05A0

**Zoning**

-  BS2008-11
-  A-1
-  C-3
-  M-1A
-  M-1
-  PCD



Longwood July 28, 2008

**Subject:** To request a special exemption on the sale of wine and beer in our store.

**To:** *Mr. / Mrs. Special Exemption Board Members*

Dear board members, I am requesting an exemption to be able to sell beer and wine for on premises consumption, the sale of this products will be incidental to the Tapas and imported products from Spain that we will bring into the store and to the community. As some of you may be aware the demand for Spanish stores and products to be sold have increase in the last 10 years. The Tapas concept is one that is deeply rooted in the heart of Spain but has become extremely popular throughout the world just as Sushi did in the past. The difference relies in the fact that Tapas can be made of a wide selection of products that doesn't need the dedicated and cumbersome traditional kitchen equipment. The concept is very popular in the South Florida and the Tampa Bay area, attracting customers from a wide variety of backgrounds and providing local economies with added jobs and governments with extra tax revenues.

Our operation will be basically focused in the sale/serving of specialty foods, specialty products, and Wines imported from Spain. We are not a restaurant but a minor food store/grocery

and café, as licensed by the Department of Agriculture. We'll be operating a small deli case for the purpose of having some sandwiches and deli products, and we will serve "Tapas" which are derivatives of the same canned products, Serrano Ham, and manchego cheese.

Our business model is to operate a Spanish store with limited food prep and Tapas. The space leased for this venture is a total of one thousand ninety eight square feet, and our proposed hours of operation are Monday through Thursday from 1030am to 0900pm and Friday through Saturdays from 1030am to 1100pm. We will have approximate seating capacity of 15 customers at any one time, and our number of clients to date is unknown as it is the case for new business. We are planning to start our business with no employees, except the corporation officers, and plan to start hiring the month after we open at a rate of one employee per month until we have three employees, our officers will work 2 shifts, one of six and a half hours and the second shift will be five hours.

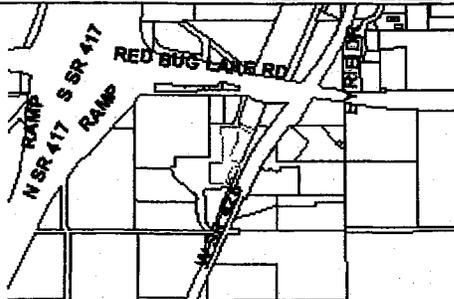
I am looking forward to sit with you members of the board and go in to more details of what Sangrias is going to be.

Best Regards, Joffre H. Marquez

Manager Sangria's.

**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: 20-21-31-5LX-0000-05A0  
 Owner: OVIEDO CROSSROADS II LLC  
 Own/Addr: S & S ENTERPRISES INC  
 Mailing Address: 400 HIGH POINT DR STE 500  
 City,State,ZipCode: COCOA FL 32926  
 Property Address: 1950 426 SR W OVIEDO 32765  
 Facility Name: OVIEDO CROSSROADS  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions:  
 Dor: 16-RETAIL CENTER-ANCHOR

**VALUE SUMMARY**

VALUES	2008 Working	2007 Certified
Value Method	Income	Income
Number of Buildings	2	2
Depreciated Bldg Value	\$0	\$0
Depreciated EXFT Value	\$0	\$0
Land Value (Market)	\$0	\$0
Land Value Ag	\$0	\$0
Just/Market Value	\$3,939,338 *	\$3,939,338 *
Portability Adj	\$0	\$0
Save Our Homes Adj	\$0	\$0
Assessed Value (SOH)	\$3,939,338 *	\$3,939,338 *
<b>Tax Estimator</b>		
<b>Portability Calculator</b>		
(* Income Approach used.)		

**2008 Taxes and Taxable Value Estimate**

Taxing Authority	Assessment Value	Exempt Values	Taxable Value	Millage	Taxes
County General Fund	\$3,939,338	\$0	\$3,939,338	4.3578	\$17,166.85
Schools	\$3,939,338	\$0	\$3,939,338	7.4130	\$29,202.31
Fire	\$3,939,338	\$0	\$3,939,338	2.3299	\$9,178.26
Road District	\$3,939,338	\$0	\$3,939,338	.1068	\$420.72
SJWM(Saint Johns Water Management)	\$3,939,338	\$0	\$3,939,338	.4158	\$1,637.98
County Bonds	\$3,939,338	\$0	\$3,939,338	.1451	\$571.60
<b>Total</b>				<b>14.7684</b>	<b>\$58,177.72</b>

The taxable values and taxes are calculated using the current years working values and the prior years approved millage rates.

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
SPECIAL WARRANTY DEED	04/2004	05271	1276	\$5,194,300	Improved	No

Find Sales within this DOR Code

**2007 VALUE SUMMARY**

2007 Tax Bill Amount: \$58,178  
 2007 Taxable Value: \$3,939,338  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
SQUARE FEET	0	0	100,623	6.00	\$603,738

**LEGAL DESCRIPTION**

PLATS:   
 LOT 5A GREENEWAY DEPOT LOT 5 REPLAT PB 60 PGS 5 THRU 7

**BUILDING INFORMATION**

Bld Num	Bld Class	Year Blt	Fixtures	Gross SF	Stories	Ext Wall	Bld Value	Est. Cost New
1	MASONRY PILAS	2000	11	24,038	1	CONCRETE BLOCK - MASONRY	\$1,404,023	\$1,560,025
Subsection / Sqft		OPEN PORCH FINISHED / 560						
2	MASONRY PILAS	2000	12	3,992	1	CONCRETE BLOCK - MASONRY	\$282,186	\$313,540
Subsection / Sqft		OPEN PORCH FINISHED / 785						

**Permits**

**EXTRA FEATURE**

Description	Year Blt	Units	EXFT Value	Est. Cost New
-------------	----------	-------	------------	---------------

COMMERCIAL ASPHALT DR 2 IN	2000	74,729	\$54,402	\$68,003
WALKS CONC COMM	2000	2,673	\$7,078	\$8,848
4' CHAIN LINK FENCE	2000	62	\$182	\$248
6' CHAIN LINK FENCE	2000	96	\$423	\$576
POLE LIGHT STEEL 1 ARM	2000	4	\$3,856	\$3,856
POLE LIGHT STEEL 2 ARM	2000	6	\$15,120	\$15,120
POLE LIGHT STEEL 3 ARM	2000	1	\$4,077	\$4,077
LOAD WELL	2000	1,024	\$1,229	\$1,536

**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.

# OVIEDO CROSSROADS III, LLC

400 HIGH POINT DR, SUITE 500

COCOA, FL 32926

(321) 636-0200; FAX: (321) 636-8406

July 15, 2008

Seminole County  
Planning Division  
1101 East First Street  
Sanford, FL 32771  
(407) 665-7444

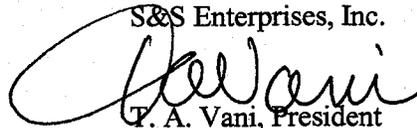
RE: SUITE 1106 – SANGRIA’S, LLC -- JOFFRE MARQUES  
1954 W. SR 426, OVIEDO, FL (OVIDEO CROSSROADS PLAZA)

To Whom it May Concern:

I, the undersigned, as Landlord and landowner, of Oviedo Crossroads, hereby authorize Joffere Marquez of Sangria’s to submit the Special Exception Application as the Applicant to allow the incidental sale of alcohol (beer and wine) for consumption on premises. Mr. Marquez intends to have a deli case, specialty food sales (groceries), sale of beer and wine for off-site and on-site consumption, offer wine tasting from time to time, and sit in eating. He has advised us that he intends to serve “tappas” appetizers, sandwiches, salads, chips, etc. for on-site consumption.

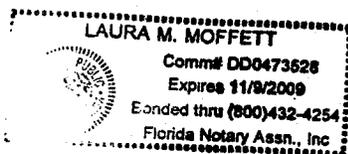
Sincerely,

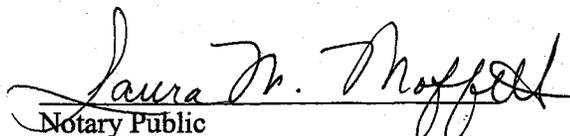
Oviedo Crossroads III, LLC  
By its Managing Member  
S&S Enterprises, Inc.

  
T. A. Vani, President

State of Florida  
County of Brevard

Personally appeared before me this 15<sup>th</sup> day of July, 2008, T. A. Vani, who after being duly sworn, says he is the President of S&S Enterprises, Inc., the Managing Member of Oviedo Crossroads III, LLC, he has full authority to act on behalf of said company, he executed the foregoing and agrees to be bound by same and



  
Notary Public

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: Joffre H. MARQUEZ  
Address: 549 E. WARREN AVE  
City/Zip: LONGWOOD FL 32750  
Phone #: 407 8305981

Name: NOBY A. MENDOZA  
Address: 175 SAVANNAH LOOP  
City/Zip: CASSELBERRY FL  
Phone #: 407 7218143

Name: MARY APARICIO  
Address: 549 E. WARREN AVE  
City/Zip: LONGWOOD FL 32750  
Phone #: 407 8305981

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
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.

Oviedo Crossroads III, LLC

Name of Corporation: a Florida limited liability company  
Mgr. Officers: T. A. Vani  
Address: 400 High Point Drive, Suite 500  
Cocoa, FL 32926  
City/Zip: \_\_\_\_\_  
Directors: n/a  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
Address: \_\_\_\_\_

Name of Corporation: \_\_\_\_\_  
Officers: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
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: \_\_\_\_\_  
Trustees: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

Beneficiaries: \_\_\_\_\_  
Address: \_\_\_\_\_  
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: _____	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.

28 July 2008  
Date

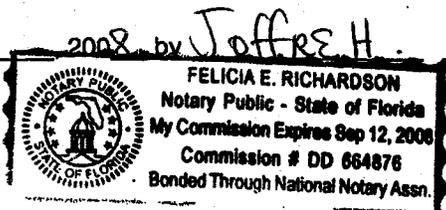
[Signature]  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 28<sup>th</sup> day of July, 2008 by Marquez

[Signature]  
Signature of Notary Public

Felicia E. Richardson  
Print, Type or Stamp Name of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification   
Type of Identification Produced FL-CDL CLASS A M022-428-75-241-0

**For Use by Planning & Development Staff**

Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

ALCOHOLIC BEVERAGE ESTABLISHMENT  
PROOF OF SEPARATION AFFIDAVIT

This notice is to certify that we, SANERIA'S LLC whose physical address is 1954 SR 426 Oviedo FL 32756 1106, and parcel I.D is 20-21-31-SLY-0000-05A0

meet the Alcoholic Beverage Establishment Separation Requirements set forth in the Seminole County Land Development Code per Sec. 30.1353(4); for the purpose of obtaining a 2COP Alcoholic Beverage License.

The closest church is 2,900 feet (measured along the shortest possible line lying entirely within public rights-of-way, such measurement being between the nearest entrance to the alcoholic beverage establishment and the nearest point on the plot occupied by the church), whose parcel I.D is: 20-21-31-300-0100-0000

The closest school is 1,920 feet (measured air-line, as the crow flies, from lot line of establishment to lot line of school), whose parcel I.D is 16-21-31-SCA-0000-0310

The closest residential property is 1300 feet (measured by shortest distance traveled by pedestrian from entrance of establishment to nearest property line of a residential zoning district or residential land use classification).

The closest residential property is 793 feet (measured by the closest vertical building extremity of the establishment to the nearest property line of a residential zoning district or residential land use classification).

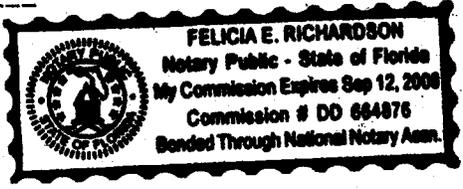
Signed: [Signature]  
Printed: Joffre H. MARQUEZ  
Date: 7/30/08

NOTARY PUBLIC:  
State of Florida  
County of: Seminole

The above was sworn to and acknowledged before me this 30 day of July, 2008 by Joffre H Marquez who is personally known to me, or has produced FDL M022-428-75-241-0 identification.

Notary Public Signature: Felicia E. Richardson  
Printed Name: Felicia E. Richardson  
My Commission Expires: 9/12/2008

Notary Seal:



## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On 9/22/2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Lot 5A Greenway Depot Lot 5 Replat PB 60 PGS 5 thru 7

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

### FINDINGS OF FACT

**Property Owner:** SS Oviedo Crossroads II LLC  
400 High Point Drive, Suite 500  
Cocoa, Fl. 32926

**Project Name:** Sangria's

#### **Requested Development Approval:**

Request for a special exception of the on-premise consumption of beer and wine as an accessory use to a grocer/deli and eat-in cafe

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:
  - a. The Special Exception granted will apply only to the on premise consumption of beer and wine as an accessory use of beer and wine to the primary use of a grocery/deli and eat-in cafe.
  - b. Prior to the issuance of development permits, a site plan that meets the requirements of all other applicable code requirements including 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: \_\_\_\_\_  
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: