

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 1500 Timocuan Way – John Bush, applicant; Request for special exception for living quarters in conjunction with a commercial use in C-3 (General 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 living quarters in conjunction with a commercial use in C-3 (General Commercial Development) district; or
2. **Deny** the request for special exception for living quarters in conjunction with a commercial use in C-3 (General Commercial Development) district; or
3. **Continue** The request to a time and date certain.

GENERAL INFORMATION	John Bush 1500 Timocuan Way Longwood, FL 32750	C-3 (General Commercial Development) District, LDC section 30.124 (conditional uses); living quarters
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The property was rezoned this year to allow the business of wholesale distribution, storage and light manufacturing as permitted in the C-3 (General Commercial and Wholesale) district. • The applicant is requesting to allow living quarters in conjunction with the uses permitted in the C-3 zoning district. • It is typical for the uses associated with wholesale distribution, storage and light manufacturing to have heavy equipment and materials on site. The purpose of on-site living quarters would be to ensure the protection of the heavy equipment and materials when the business is not in operation. 	

Reviewed by:
Co Atty: _____
Pln Mgr: _____

**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 use of living quarters would provide a compatible transitional use abutting adjacent residential uses from the approved commercial uses in C-3 zoning district.

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

The proposed use of the living quarters will not adversely affect the existing traffic patterns that would be commonly generated from the uses permitted in the C-3 zoning district.

IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

The Seminole County Vision 2020 Comprehensive Plan describes the Industrial (IND) future land use to be oriented toward wholesale distribution, storage, manufacturing and other industrial uses. The use of living quarters would constitute as an accessory use to ensure the security of the materials and equipment associated with the uses allowed in the IND future land 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 C-3 district.

WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:

The residential use of living quarters in conjunction with the uses permitted in the C-3 zoning district will provide a transitional buffer to the adjacent residential uses. The living quarters will also address the security issues that can be

	common with unsecured properties that have expensive equipment or materials stored.
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 use of living quarters would constitute as an accessory use to ensure the security of the materials and equipment associated with the uses allowed in the IND future land use. <i>category</i>• The residential use of living quarters in conjunction with the uses permitted in the C-3 zoning district will provide a transitional buffer to the adjacent residential uses. The living quarters will also address the security issues that can be common with unsecured properties that have expensive equipment or materials stored.
STAFF RECOMMENDATION	<p>Staff recommends approval subject based upon the following conditions:</p> <ol style="list-style-type: none">1. The Special Exception granted will apply only to living quarters as depicted on the attached site plan.2. The general layout of the proposed uses as depicted on the master plan shall not change.3. No building shall be increased more than 10% without Board of Adjustment approval.4. 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).

Fee: \$370.00

Application # BS 2008-14
Meeting Date 9-22-08



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: JOHN BUSH
Address: 291 ANCHOR ROAD City: CASSELBERRY Zip code: 32707
Project Address: ¹⁵⁰²TIMOCUAN WAY City: LONGWOOD Zip code: 32750
Phone number(s): 407-339-6721
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: LIVING QUARTERS, PER SEC. 30,783

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

What is the current use of the property? _____

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: <u>8-20-08</u>	Reviewed By: <u>P. Johnson</u>
Tax parcel number: <u>21-20-30-5AP-0000-064B Zoning/FLU C-3 / Ind.</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: _____	

August 19, 2008

Ms. Kathy Fall
Principal Planner
Seminole County Government
1101 E. First Street
Sanford, FL 32771

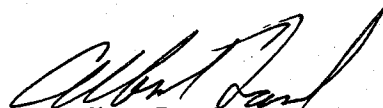
Dear Ms. Fall:

By way of this letter, we wish to add further explanation to our request for the special exception.

It is our intent to place upon this property a storage and equipment yard. We will be storing expensive materials used in our underground utility business and parking equipment that we use in the business. This equipment is worth many hundreds of thousands of dollars in value.

Our request is to allow the use of the existing housing on the property for tenants who will be assisting in the security of the equipment and materials during nighttime and weekend hours.

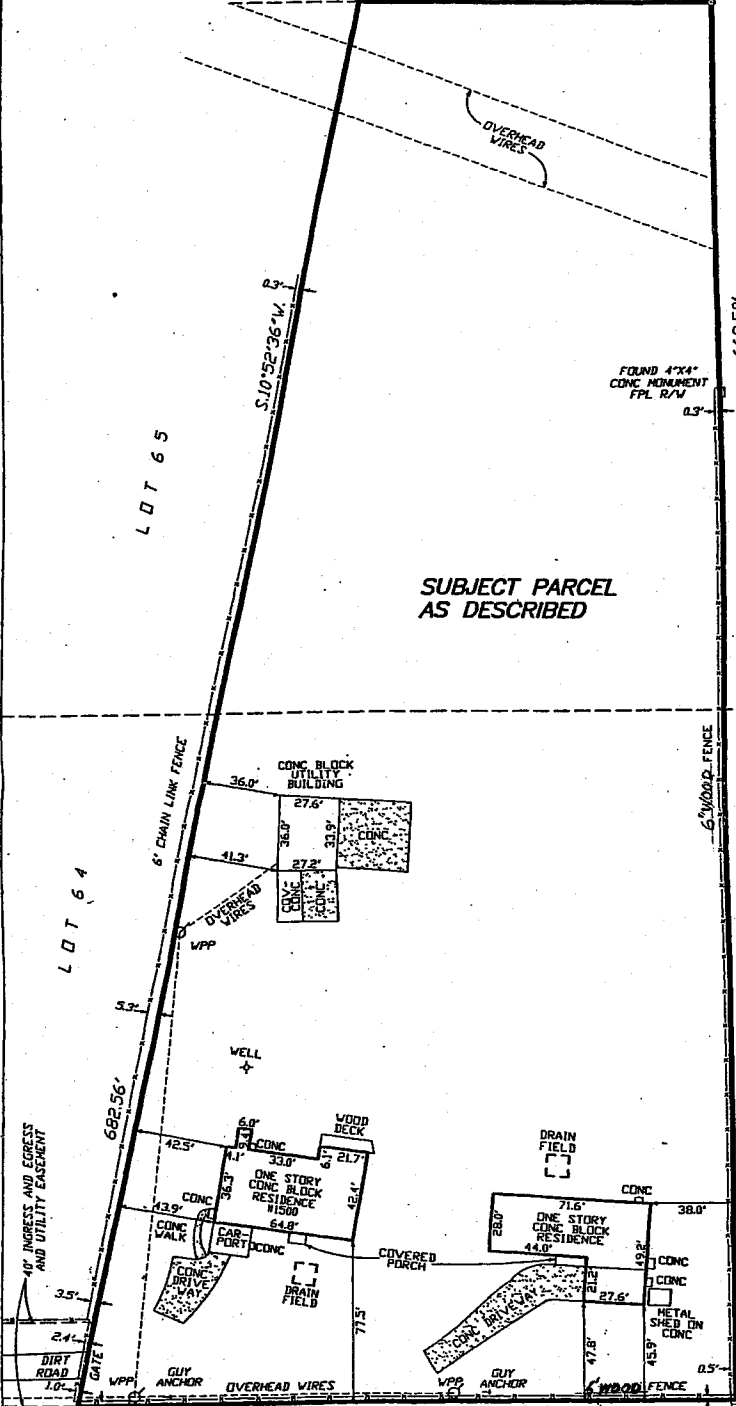
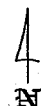
Very truly yours,


Albert Land
Engineer

MAP OF SURVEY

NORTH LINE OF LOT 65
FOUND 1" IP 162.78' S.89°59'31"W.

NORTHWEST CORNER OF THE EAST 10 CHAINS OF LOT 65, PLAT OF SPRING HAMMOCK



SUBJECT PARCEL AS DESCRIBED

NOTES :

1. BEARINGS BASED ON THE SOUTH LINE OF LOT 64 AS SHOWN.
2. UNDERGROUND IMPROVEMENTS NOT LOCATED.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. SUBJECT PROPERTY LIES IN ZONE "X" (AREA OF MINIMAL FLOODING) PER FLOOD INSURANCE RATE MAP PANEL NUMBER 120289 0130 E DATED 4/17/95
5. DATE OF FIELD SURVEY: 1/13/03
6. LEGAL DESCRIPTION PROVIDED BY CLIENT.

LEGEND

- CONC = CONCRETE
- R/W = RIGHT-OF-WAY
- PC = POINT OF CURVATURE
- ⊙ = FOUND 5/8" IRON ROD #6771
- = FOUND 1" IRON PIPE NO#
- WPP ⊕ = WOOD POWER POLE
- COV- = COVERED
- IP = IRON PIPE
- P.O.B. = POINT OF BEGINNING

CERTIFIED TO:

JOHN BUSH
COMMUNITY NATIONAL BANK
HERMAN FIELDS

CENTRAL FLORIDA
CONSULTING SURVEYORS
629 MAITLAND AVE.
ALTAMONTE SPRINGS, FL
32701 (407) 767-0166

DATE: 1/14/03
SCALE: 1" = 50'
JOB NO. 03-FIELDS1

I HEREBY CERTIFY:

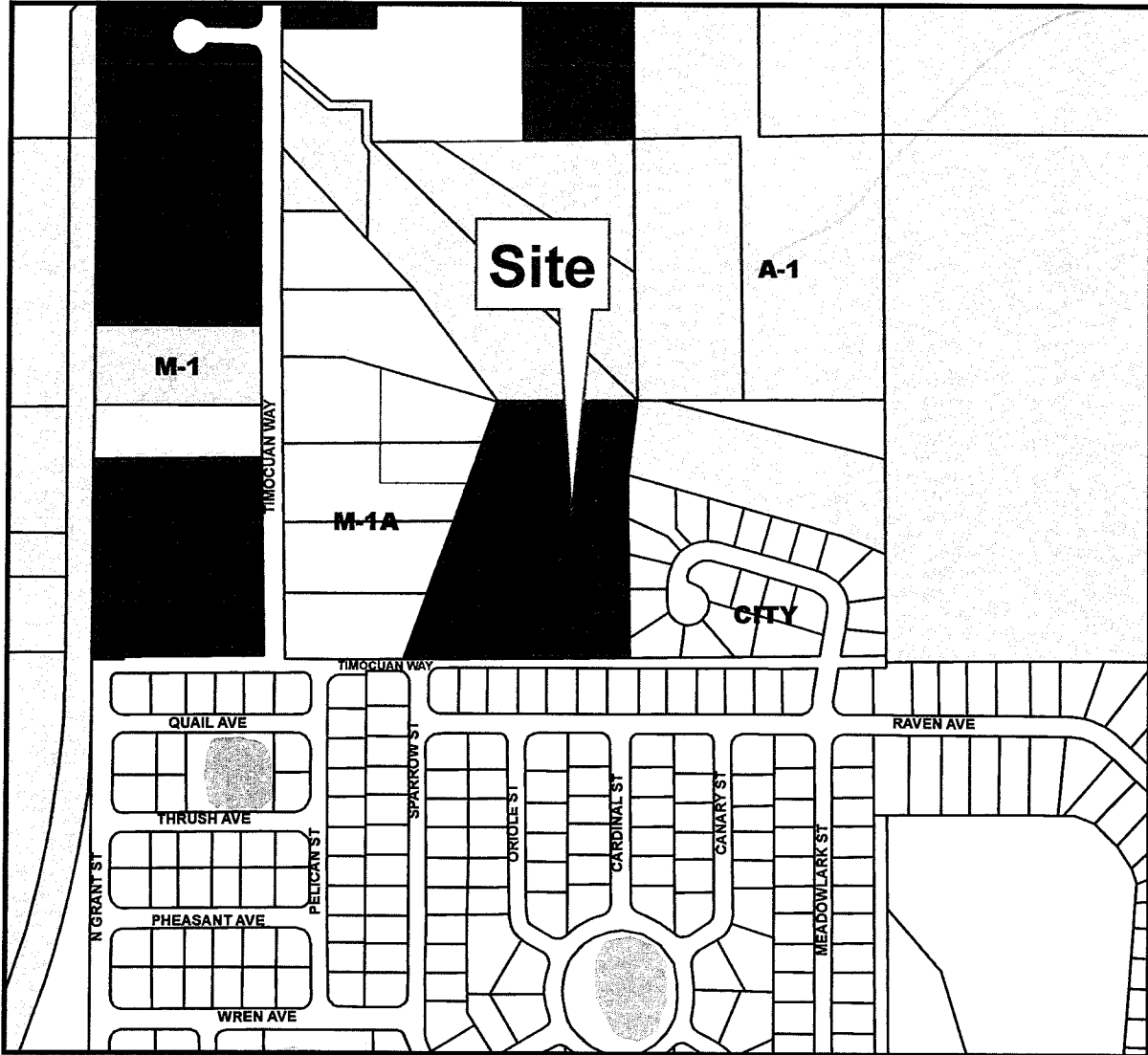
THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS IN CHAPTER 51G17 - 6, FLORIDA ADMINISTRATIVE CODE.

John E. Drexler 1/14/03
JOHN E. DREXLER
FL REG LAND SURVEYOR #4346

BOUNDARY SURVEY DESCRIPTION:
BEGIN AT THE SOUTHWEST CORNER OF THE EAST 10 CHAINS OF LOT 64 PLAT OF SPRING HAMMOCK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 2, 3, 4, AND 5, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN NORTH 0°43'16" WEST 668.5 FEET TO THE NORTHWEST CORNER OF THE EAST 10 CHAINS OF LOT 65 OF SAID PLAT OF SPRING HAMMOCK; RUN THENCE SOUTH 89°59'31" WEST ALONG NORTH LINE OF SAID LOT 65, 162.78 FEET; THENCE SOUTH 10°52'36" WEST, 682.56 FEET TO THE SOUTH LINE OF SAID LOT 64; THENCE RUN NORTH 89°38'29" EAST, 300 FEET TO THE POINT OF BEGINNING.







NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER


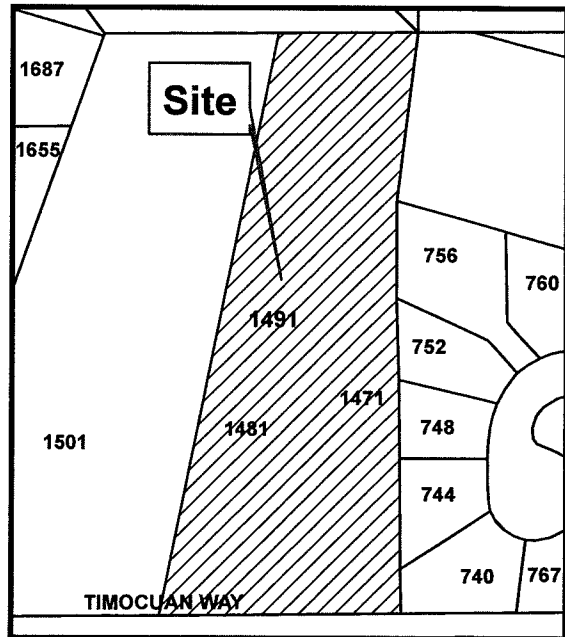
John Bush
 1500 Timocuan Way
 Longwood, Florida 32750

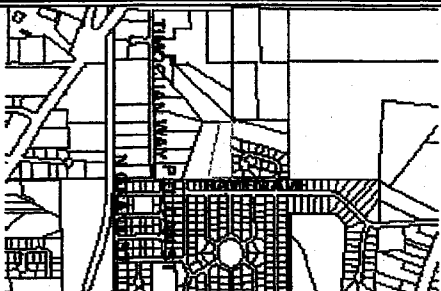



Seminole County Board of Adjustment
 September 22, 2008
 Case: BS2008-14 (Map 3103, Grid E6)
 Parcel No: 21-20-30-5AP-0000-064B

Zoning

-  BS2008-14
-  A-1
-  C-2
-  C-3
-  M-1A
-  M-1

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CPA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY, FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-685-7808</p>		
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<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 21-20-30-5AP-0000-064B Owner: SUNSHINE BLDG & DEV CORP Mailing Address: PO BOX 180958 City, State, Zip Code: CASSELBERRY FL 32707 Property Address: 1500 TIMOCUAN WAY LONGWOOD 32750 Subdivision Name: SPRING HAMMOCK Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 01-SINGLE FAMILY</p>	<p style="text-align: center;">VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">VALUES</th> <th style="text-align: center;">2008 Working</th> <th style="text-align: center;">2007 Certified</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Value Method</td> <td style="text-align: center;">Market</td> <td style="text-align: center;">Market</td> </tr> <tr> <td style="text-align: center;">Number of Buildings</td> <td style="text-align: center;">2</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: center;">Depreciated Bldg Value</td> <td style="text-align: right;">\$200,863</td> <td style="text-align: right;">\$212,157</td> </tr> <tr> <td style="text-align: center;">Depreciated EXFT Value</td> <td style="text-align: right;">\$1,200</td> <td style="text-align: right;">\$1,238</td> </tr> <tr> <td style="text-align: center;">Land Value (Market)</td> <td style="text-align: right;">\$115,375</td> <td style="text-align: right;">\$115,375</td> </tr> <tr> <td style="text-align: center;">Land Value Ag</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Just/Market Value</td> <td style="text-align: right;">\$317,438</td> <td style="text-align: right;">\$328,770</td> </tr> <tr> <td style="text-align: center;">Portability Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Save Our Homes Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Assessed Value (SOH)</td> <td style="text-align: right;">\$317,438</td> <td style="text-align: right;">\$328,770</td> </tr> </tbody> </table> <p style="text-align: center;">Tax Estimator</p> <p style="text-align: center;">Portability Calculator</p> <p style="text-align: center;">2008 Notice of Proposed Property Tax</p>	VALUES	2008 Working	2007 Certified	Value Method	Market	Market	Number of Buildings	2	2	Depreciated Bldg Value	\$200,863	\$212,157	Depreciated EXFT Value	\$1,200	\$1,238	Land Value (Market)	\$115,375	\$115,375	Land Value Ag	\$0	\$0	Just/Market Value	\$317,438	\$328,770	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$0	Assessed Value (SOH)	\$317,438	\$328,770
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2008 Taxes and Taxable Value Estimate					
Taxing Authority	Assessment Value	Exempt Values	Taxable Value	Millage	Taxes
Cnty County	\$317,438	\$0	\$317,438	4.5153	\$1,433.33
Schools	\$317,438	\$0	\$317,438	7.5430	\$2,394.43
Fire	\$317,438	\$0	\$317,438	2.3299	\$739.60
Road District	\$317,438	\$0	\$317,438	.1107	\$35.14
SJWM(Saint Johns Water Management)	\$317,438	\$0	\$317,438	.4158	\$131.99
Natural Lands/Trails I/S Debt	\$317,438	\$0	\$317,438	.1451	\$46.06
Total				15.0598	\$4,780.55

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

<p style="text-align: center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Deed</th> <th style="text-align: left;">Date</th> <th style="text-align: left;">Book</th> <th style="text-align: left;">Page</th> <th style="text-align: left;">Amount</th> <th style="text-align: left;">Vac/Imp</th> <th style="text-align: left;">Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>02/2003</td> <td>04711</td> <td>1093</td> <td>\$185,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>11/2000</td> <td>03957</td> <td>0432</td> <td>\$170,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>09/2000</td> <td>03927</td> <td>0340</td> <td>\$91,600</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1995</td> <td>02967</td> <td>1044</td> <td>\$145,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>PROBATE RECORDS</td> <td>12/1993</td> <td>02694</td> <td>1670</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1978</td> <td>01190</td> <td>1493</td> <td>\$15,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>10/1978</td> <td>01190</td> <td>1492</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	02/2003	04711	1093	\$185,000	Improved	Yes	SPECIAL WARRANTY DEED	11/2000	03957	0432	\$170,000	Improved	No	CERTIFICATE OF TITLE	09/2000	03927	0340	\$91,600	Improved	No	WARRANTY DEED	09/1995	02967	1044	\$145,000	Improved	Yes	PROBATE RECORDS	12/1993	02694	1670	\$100	Improved	No	WARRANTY DEED	10/1978	01190	1493	\$15,500	Improved	Yes	QUIT CLAIM DEED	10/1978	01190	1492	\$100	Improved	No	<p style="text-align: center;">2007 VALUE SUMMARY</p> <p style="text-align: right;">2007 Tax Bill Amount: \$4,855</p> <p style="text-align: right;">2007 Taxable Value: \$328,770</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value								
ACREAGE	0	0	3.550	65,000.00	\$115,375								

BUILDING INFORMATION

	Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
<u>Building Sketch</u>	1	SINGLE FAMILY	1980	6	1,752	4,514	1,752	CB/STUCCO FINISH	\$119,189	\$134,677
		Appendage / Sqft		UTILITY UNFINISHED / 60						
		Appendage / Sqft		SCREEN PORCH UNFINISHED / 270						
		Appendage / Sqft		GARAGE FINISHED / 720						
		Appendage / Sqft		OPEN PORCH FINISHED / 32						
		Appendage / Sqft		UTILITY UNFINISHED / 384						
		Appendage / Sqft		OPEN PORCH UNFINISHED / 288						
		Appendage / Sqft		DETACHED CARPORT UNFINISHED / 1008						

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

<u>Building Sketch</u>	2	SINGLE FAMILY	1984	6	1,820	2,718	1,820	CB/STUCCO FINISH	\$81,674	\$90,248
		Appendage / Sqft		OPEN PORCH FINISHED / 70						
		Appendage / Sqft		GARAGE FINISHED / 476						
		Appendage / Sqft		ENCLOSED PORCH UNFINISHED / 352						

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

Permits

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1980	1	\$600	\$1,500
FIREPLACE	1984	1	\$600	\$1,500

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: JOHN & REBECCA BUSH
Address: P.O. BOX 180958
City/Zip: CASSLBERRY, FL 32718
Phone #: 407-339-6721

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

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

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.

Name of Corporation: SEE ABOVE
Officers: _____
Address: _____
City/Zip: _____
Directors: _____
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.)

B52008-14

**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: _____

(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: _____

(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.

7. 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.

September 2, 2008
Date

[Handwritten Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF SEMINOLE

Sworn to (or affirmed) and subscribed before me this 2nd day of September, 2008 by John T. Bush

[Handwritten Signature]
Signature of Notary Public

Sue A. LaRosa
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: _____

Form #
Date

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

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

LEG BEG SW COR OF E 660 FT OF LOT 64 RUN N 668.5 FT W 162.78 FT S 10 DEG 52 MIN 36 SEC W 682.56 FT E 300 FT TO BEG SPRING HAMMOCK PB 2 PG 2

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

FINDINGS OF FACT

Property Owner: John Bush
PO Box 180958
Casselberry, Fl. 32707

Project Name: Timocuan Way (1500)

Requested Development Approval:

Request for special exception for living quarters in conjunction with a commercial use in C-3 (General Commercial 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: 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. The Special Exception granted will apply only to living quarters as depicted on the attached site plan.
2. The general layout of the proposed uses as depicted on the master plan shall not change.
3. No building shall be increased more than 10% without Board of Adjustment approval.
4. 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:

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

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

LEG BEG SW COR OF E 660 FT OF LOT 64 RUN N 668.5 FT W 162.78 FT S 10 DEG 52 MIN 36 SEC W 682.56 FT E 300 FT TO BEG SPRING HAMMOCK PB 2 PG 2

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

FINDINGS OF FACT

Property Owner: John Bush
PO Box 180958
Casselberry, Fl. 32707

Project Name: Timocuan Way (1500)

Requested Development Approval:

Request for special exception for living quarters in conjunction with a commercial use in C-3 (General Commercial Development) district.

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: Kathy Fall, Principal 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: