

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

SUBJECT: 1308 East Altamonte Drive – Douglas Tygielski, applicant; Request for a special exception for auto repair facilities in the C-2 (Retail Commercial) district.

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

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

Agenda Date 03/23/08 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Approve** the request for special exception for auto repair facilities in the C-2 (Retail Commercial) district; or
2. **Deny** the request for special exception for auto repair facilities in the C-2 (Retail Commercial) district; or
3. **Continue** The request to a time and date certain.

GENERAL INFORMATION	Applicant: Douglas Tygielski Location: 1308 East Altamonte Drive Zoning: C-2 (Retail Commercial)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant was cited for the operation of an auto repair business without a special exception in the C-2 (Retail Commercial) district. • At the time of the violation the applicant was leasing the property to an auto repair business which has vacated the property. The owner still wants to pursue the special exception for the use of an auto repair facility in order to market the property for potential businesses. The existing site has existing bays in the rear of the property to accommodate auto repair type businesses.

Reviewed by:
Co Atty: <u>gic</u>
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 subject property is located on the south side East Altamonte Drive (SR 436) between CR 427 and US 17-92. Historically the use of auto repair businesses are typical along this section of East Altamonte Drive. Uses established prior to the adoption of the Seminole County Land Development Code (LDC) and have not been vacated for more than 6 months are permitted under the non-conforming regulations of the LDC. There are no records to confirm that the property is a legal non-conforming use therefore a special exception is required.

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

The existing buildings and site are designed to accommodate an auto repair facility. The site has limited space in front of the existing building but can accommodate vehicles for repair and employee parking in the rear of the site. Staff met with the owner on-site to address safety concerns associated with older commercial sites. Staff believes with the recommended conditions of approval to require a cross access easement with the property to the west and to limit the use to only an auto repair facility will address the traffic issues.

IS CONSISTENT WITH THE SEMINOLE COUNTY COMPREHENSIVE PLAN:

The Seminole County Comprehensive Plan describes the Commercial future land use as a land use along major roadways that provide highway oriented services. Mechanical garages are listed as one of the allowed uses by special exception in the Commercial land use.

MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:

	<p>Based on the submitted site plan the property does not meet the current LDC requirements for a commercial use. The commercial uses of the property and its existing buildings have been established prior to the adoption of the LDC. We are recommending conditions of approval based upon the requested use to address any safety and compatibility issues.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>As stated previously the use of an auto repair business is typical along this section of East Altamonte Drive and will be consist with the trend of nearby and adjacent development in the area.</p>
<p>STAFF RECOMMENDATION</p>	<p>Staff recommends approval of the subject request based upon the following conditions of approval:</p> <ol style="list-style-type: none">1. The Special Exception granted will apply only to the existing buildings and an auto repair facility.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. The site will be limited to only the use of an auto repair facility with no auto sales.5. A cross access easement with the property to the west will be required.6. Screening of the auto repair and vehicles located in the rear of the property will be required along the fence.7. 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 # 052009-01
Meeting Date 2-23-09

COPY RECEIVED JAN 07 2008



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: DOUGLAS TYGIELSKI / ANTHONY EWEX
Address: 110 N. BUMBAY AVE City: DALANDO Zip code: 32803
Project Address: 1302 & 1308 E. ALTAMONTE City: ALTAMONTE Zip code: 32701
Phone number(s): OFF 407 228-2888 C-321-602-1293
Email address: TYGIELSK@BELLSOUTH.NET

What is this request for?

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

Other: AUTO SALES / REPAIR

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

What is the current use of the property? AUTO SALES & REPAIR

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>1-7-09</u>	Reviewed By: <u>P. JOHNSON</u>
Tax parcel number: <u>18-21-30-501-0800-0020</u>	Zoning/FLU: <u>C-2/COM.</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: _____	

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. See link for Site Plan Review information:
<http://www.seminolecountyfl.gov/pd/devrev/plansummary.asp>

✓	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 at http://www.seminolecountyfl.gov/pd/planning/forms.asp</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
N/A	o Location of wetland and/or flood plain line, if applicable
✓	o Location and names of all abutting streets
✓	o Location of driveways
N/A	o Identification of available utilities (ex: water, sewer, well or septic) N/A
N/A	o Location, size and type of any septic systems, drainfield and wells
N/A	o Location of all easements <i>CROSS ACCESS EASEMENT WITH LOT 1 EXISTS.</i>
✓	o Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
✓	o Building height
✓	o Setbacks from each building to the property lines
✓	o Proposed fences <i>NONE PROPOSED</i>
✓	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
N/A	o Location of existing and proposed outdoor lighting <i>NONE PROPOSED - NONE EXISTING</i>
N/A	o Location of existing and proposed signage <i>NONE PROPOSED EXCEPT H/C SIGN</i>
✓	o Location of fire lanes
✓	5. Provide an 8 ½ x 11 reduction of the site plan.

Ewen Architecture & Management, Inc.

1490 Sunshadow Drive, Suite 2010

Casselberry, FL 32707

407 310 7551

Fax 407 699 4769

AA0003299

awen@cfl.rr.com

1/6/2009To: **Seminole County Development Review**

From Anthony E. Ewen, RA, NCARB

Re: Special Exemption for 1308 E Altamonte Drive, Altamonte Springs, FL

Request to allow auto repair operations to continue.

NARRATIVE WITH PROJECT DESCRIPTION

The existing parcel of 0.65 acres has been in operation as an auto repair facility for numerous years and at least since 1980. Recently the County code enforcement bureau cited this parcel for this operation. This parcel consists of lots 2, 3, 13, and 14. It should not be confused with lot 1, which was also cited and is also owned by Mr Tygielski. All repair work on Lot 1 has ceased and all repair vehicles have been moved off that lot. It is strictly sales now.

The facility at 1308 has 3 services bays and one small 10x12 office. We calculate thus that the facility would need 10 parking spaces. (9 regular at 10'x20'; and one handicap at 12'x20', with a 5x20 access aisle). The facility has no existing parking space striping (probably worn away from use and weathering over the years). We will provide a construction detailed site plan for these improvements (striping, HC sign, HC ramp, etc) if the exemption is granted.

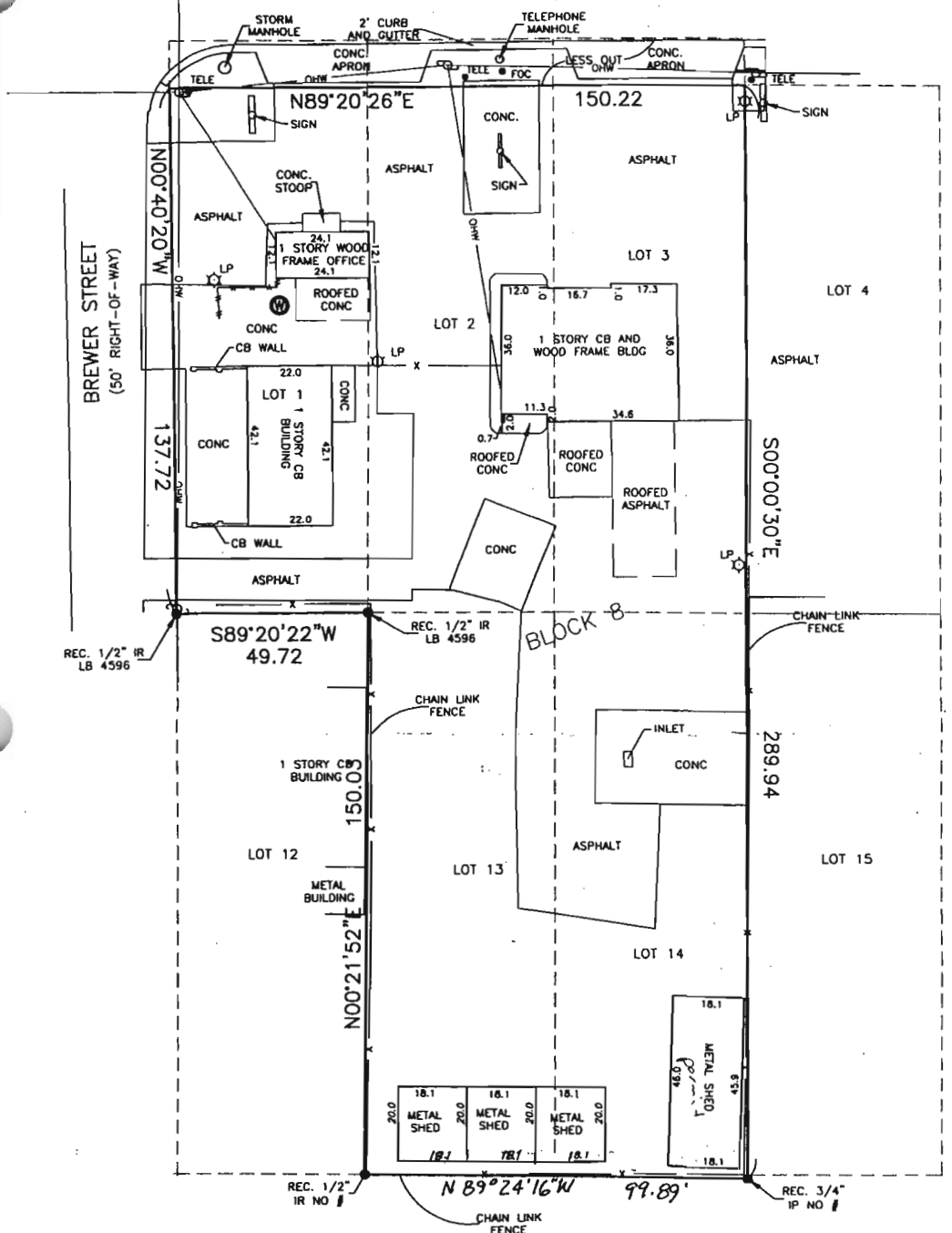
The applicant proposes to stripe the 10 spaces show as 1 thru 10. The 35 spaces (1S thru 35S) shown at the rear are for sales and repair vehicles. Please note that they are all located above paved areas. (Most of the rear of the site is unpaved and we show no parking on it). The carports at the rear are prefabricated metal type carports and are not used to house or protect repair vehicles or sales vehicles, but rather they are for the owners' own personal collection or privately owned autos. The applicant proposes that 35 spaces for repair and sale vehicles **do not** warrant paint striping.

The applicant is of the opinion that since this facility has been in operation as a repair facility for over 28 years that he should be able to continue. Thank you for your consideration in this matter.

AS-BUILT SURVEY FOR DOUGLAS TYGIELSKI

DESCRIPTION:
 LOTS 1,2,3,13 AND 14, BLOCK 8, LAKEVIEW, ACCORDING TO THE
 PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 14, PUBLIC
 RECORDS OF SEMINOLE COUNTY, FLORIDA. (LESS RIGHT-OF-WAY
 FOR S.R. 436)

S.R. 436
 (100' RIGHT-OF-WAY)



BASIS OF BEARINGS: EAST LINE OF LOT 3, BLOCK 8,
 HAVING A BEARING OF S. 00°00'30" E. (ASSUMED)

SURVEY REPORT:

1. The above described land lies within Section 18, Township 21 South, Range 30 East.
2. This survey represents a survey made on the ground under the supervision of the signing surveyor, unless otherwise noted.
3. This is not a boundary survey.
4. No Title data has been provided to this surveyor unless otherwise noted.
5. All easements of which the surveyor has knowledge of, or has had furnished to him, has been noted on the survey map.
6. Underground improvements or underground foundations have not been located except as noted on survey map.
7. According to the Federal Insurance Rate Map, this property lies in Zone "X".
 Community Panel number 12117CD165 F, Dated: SEPTEMBER 28, 2007 .

LEGEND:

- | | |
|------|---------------------------|
| REC | RECOVERED |
| IR | IRON ROD |
| IP | IRON PIPE |
| # | NUMBER |
| CB | CONCRETE BLOCK |
| LB | LICENSED BUSINESS |
| CONC | CONCRETE |
| LP | LIGHT POLE |
| W | WELL |
| TELE | TELEPHONE RISER |
| FOC | FIBER OPTIC CABLE, MARKER |

\\Server\SharedDocs\Projects\LAKEVIEW\Map\LOTS 1-3, 13, 14 BLK 8.dwg

REVISIONS

Rev.	Date:

HENRICH-LUKE & SWAGGERTY, LLC



surveyors & mappers
 1490 Sunshadow Drive
 Suite 1000
 Casselberry, Florida 32707
 (407) 647-7348
 FAX (407) 647-8097
 Licensed Business No. 7276

Job No: E-6610
 Field Date: 9-19-08
 Drawn By: JAL
 Field By: WKP
 Scale: 1"=30'

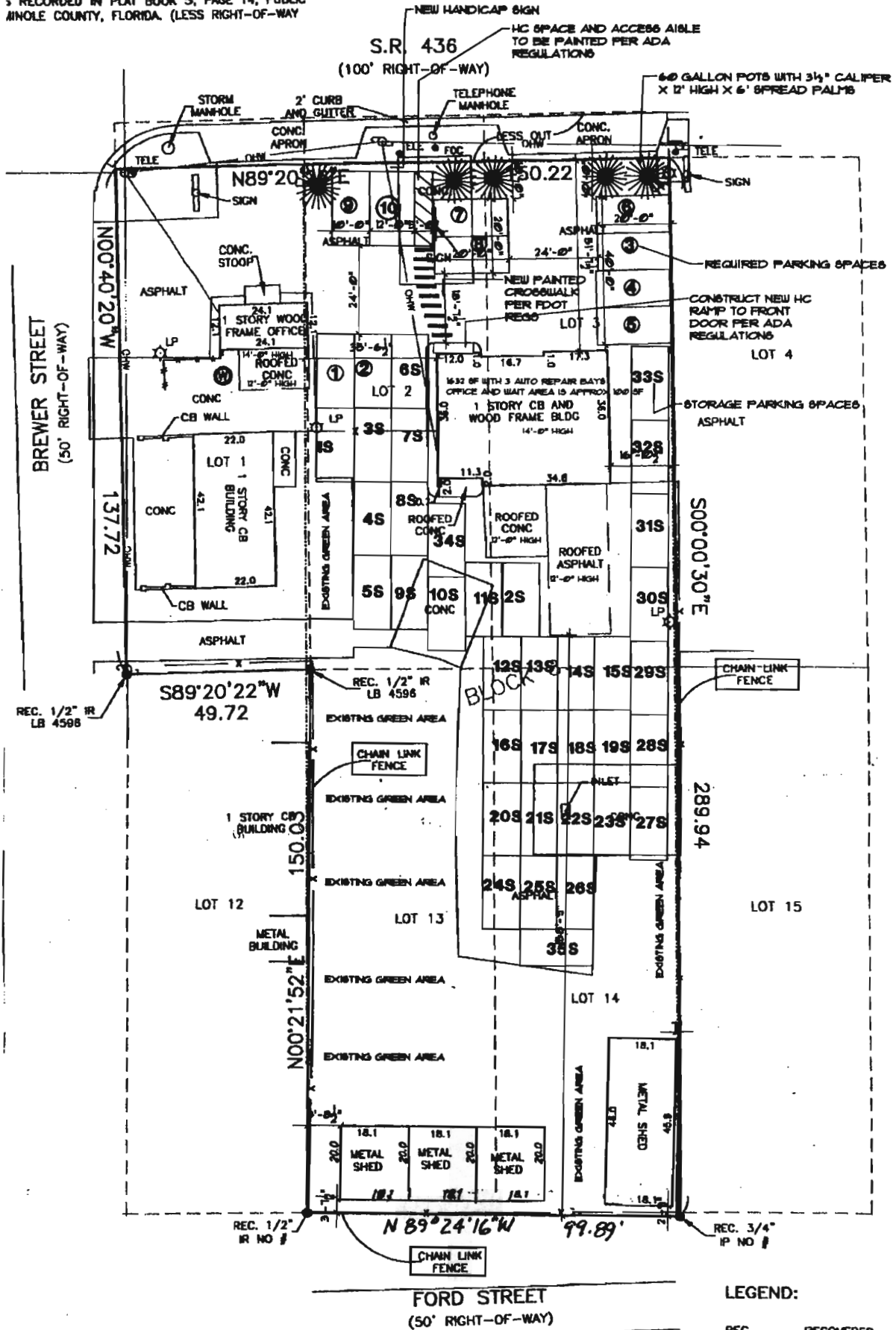
THIS SURVEY MAP AND REPORT OR THE
 COPIES THEREOF ARE NOT VALID WITHOUT THE
 SIGNATURE AND THE ORIGINAL RAISED SEAL OF
 A FLORIDA LICENSED SURVEYOR AND MAPPER.

Mark I. Luke
 Mark I. Luke
 Professional Surveyor & Mapper
 Florida Registration #5006

FILE: 64-08-M

AS-BUILT SURVEY FOR DOUGLAS TYGIELSKI

ID 14, BLOCK 8, LAKEVIEW, ACCORDING TO THE 3 RECORDED IN PLAT BOOK 5, PAGE 14, PUBLIC INDOLE COUNTY, FLORIDA. (LESS RIGHT-OF-WAY



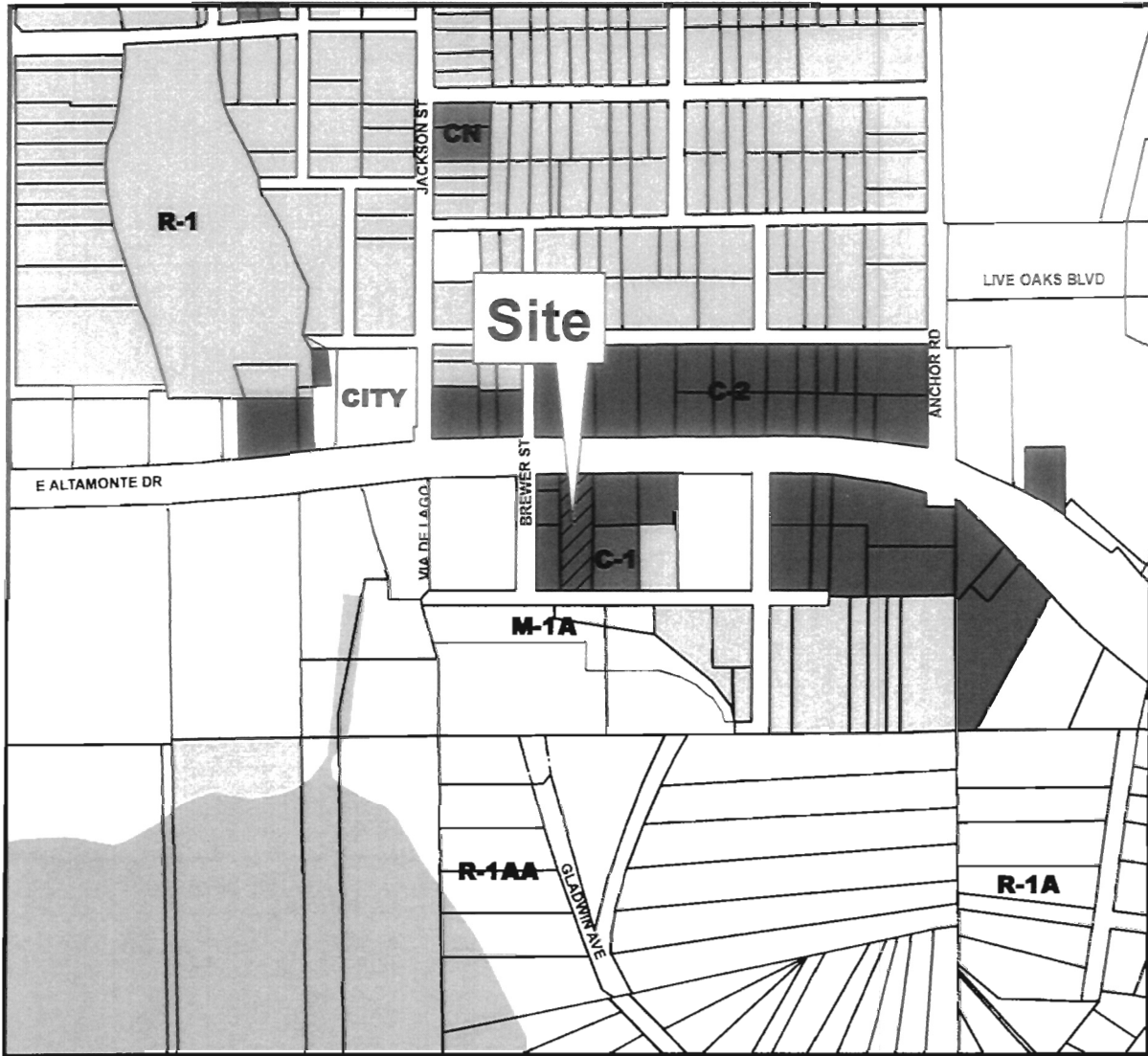
KEY REPORT:

The above described land lies within Section 18, Township 21 South, Range 30 East. The survey represents a survey made on the ground under the supervision of the signing engineer, unless otherwise noted. This is not a boundary survey.

LEGEND:









- REC RECOVERED
- IR IRON ROD
- IP IRON PIPE
- # NUMBER
- CB CONCRETE BLOC
- LB LICENSED BUSIN

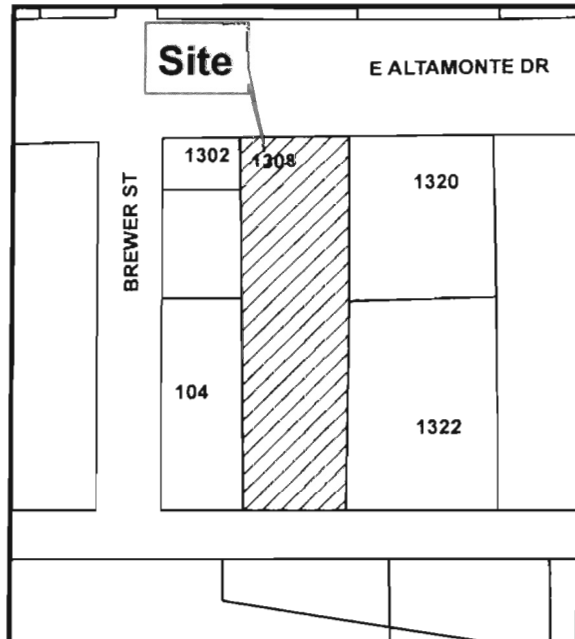
Anthony Ewen
 1302 & 1308 East Altamonte Drive
 Altamonte Springs, Florida 32701



Seminole County Board of Adjustment
 February 23, 2009
 Case: BS2009-01 (Map 3156 Grid D7)
 Parcel No: 18-21-30-501-0800-0020

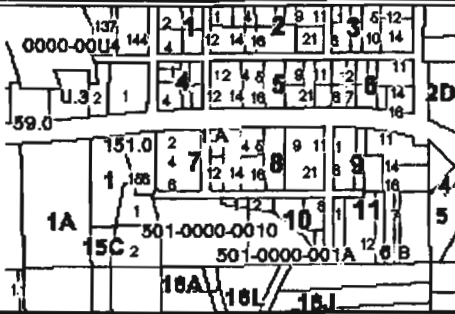
Zoning

-  BS2009-01
-  R-1AA
-  R-1A
-  R-1
-  CN
-  C-1
-  C-2
-  M-1A



PARCEL DETAIL

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 BROWARD COUNTY FL.
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-665-7505



GENERAL

Parcel Id: 18-21-30-501-0800-0020
 Owner: TYGIELSKI DOUGLAS R
 Mailing Address: 110 N BUMBY AVE
 City,State,ZipCode: ORLANDO FL 32803
 Property Address: 1308 ALTAMONTE DR E ALTAMONTE SPRINGS 32701
 Facility Name:
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions:
 Dor: 27-AUTO SALE AND SERVIC

VALUE SUMMARY

VALUES	2009 Working	2008 Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$54,858	\$56,116
Depreciated EXFT Value	\$5,811	\$5,811
Land Value (Market)	\$435,000	\$435,000
Land Value Ag	\$0	\$0
Just/Market Value	\$495,669	\$496,927
Portability Adj	\$0	\$0
Save Our Homes Adj	\$0	\$0
Assessed Value (SOH)	\$495,669	\$496,927

Tax Estimator

2009 TAXABLE VALUE WORKING ESTIMATE

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
County General Fund	\$495,669	\$0	\$495,669
Schools	\$495,669	\$0	\$495,669
Fire	\$495,669	\$0	\$495,669
Road District	\$495,669	\$0	\$495,669
SJWM(Saint Johns Water Management)	\$495,669	\$0	\$495,669
County Bonds	\$495,669	\$0	\$495,669

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
QUIT CLAIM DEED	05/1998	04334 1295	\$20,000	Improved	No
WARRANTY DEED	10/1996	03153 0889	\$300,000	Improved	No
WARRANTY DEED	02/1986	01712 0919	\$220,000	Improved	No

Find Sales within this DOR Code

2008 VALUE SUMMARY

2008 Tax Bill Amount: \$7,484
 2008 Certified Taxable Value and Taxes
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
SQUARE FEET	0	0	29,000	15.00	\$435,000

LEGAL DESCRIPTION

PLATS:
 LEG LOTS 2 3 13 + 14 (LESS ST RD) BLK 8 LAKEVIEW
 PB 5 PG 14

BUILDING INFORMATION

Bld Num	Bld Class	Year Bld	Fixtures	Gross SF	Stories	Ext Wall	Bld Value	Est. Cost New
1	MASONRY PILAS	1969	5	1,656	1	CONCRETE BLOCK - MASONRY	\$54,858	\$100,657

Permits

EXTRA FEATURE

Description	Year Bld	Units	EXFT Value	Est. Cost New
COMMERCIAL ASPHALT DR 2 IN	1979	12,514	\$4,555	\$11,388
ALUM CARPORT NO FLOOR	1979	240	\$384	\$960
6' CHAIN LINK FENCE	1979	436	\$872	\$2,180

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

The owner of the real property associated with this application is a (check one)

Individual Corporation Land Trust

Limited Liability Company Partnership

Other (describe): _____

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	ADDRESS	PHONE NUMBER
DOUG TYGIELSKI	110 N. BUMBY AVE ORLANDO FL	407 228 2888

(Use additional sheets for more space.)

2. For each corporation, list the name, address, and title of each officer; the name and address of each director of the corporation; and the name and address of each shareholder who owns two percent 2% or more of the stock of the corporation. Shareholders need not be disclosed if a corporation's stock are not traded publicly on any national stock exchange.

NAME	TITLE OR OFFICE	ADDRESS	% OF INTEREST

(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 and the percentage of interest of each beneficiary. If any trustee or beneficiary of a trust is a corporation, please provide the information required in paragraph 2 above.

Trust Name: _____

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

SEMINOLE COUNTY
APPLICATION & AFFIDAVIT

For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners. If any partner is a corporation, please provide the information required in paragraph 2 above.

NAME	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name and address of each contract purchaser. If the purchaser is a corporation, trust, or partnership, provide the information required for those entities in paragraphs 2, 3, and/or 4 above.

Name of Purchaser: _____

NAME	ADDRESS	% OF INTEREST

Date of Contract: _____

Please specify any contingency clause related to the outcome of the consideration of the application.

- 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.

JANUARY 7, 2009
Date

Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF ORANGE

Sworn to (or affirmed) and subscribed before me this 7th day of JANUARY, 2009 by DONGLAS

TYGIELSKI
Mark G. Krol
Signature of Notary Public



MARK E. KROL
MY COMMISSION # DD 390260
EXPIRES: April 7, 2009
Bonded thru Budget Notary Services

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 APPLICANT AUTHORIZATION FORM
(ORIGINAL ONLY)**

An authorized applicant is defined as:

- The property owner of record; or
- An agent of said property owner (power of attorney to represent and bind the property owner must be submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I DOUGLAS TYGIELSKI, the fee simple owner of the following
(Owner's Name)

described property (Provide Legal Description or Tax Parcel ID Number(s)) LOTS 2, 3, 13 & 14
BLOCK B LAKEVIEW, ACCORDING TO THE PLAT - BOOK
5, PAGE 14, SEMINOLE

hereby affirm that ANTHONY EWLEN is hereby designated to act as my /our
authorized agent and to file the attached application for the stated special exception / variance request and
make binding statements and commitments regarding the request.



Owner's Signature

I certify that I have examined the application and that all statements and diagrams submitted are true and
accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become
part of the Official Records of Seminole County, Florida and are not returnable.

SWORN TO AND SUBSCRIBED before me this 7th day of JAN, 2009

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to
take acknowledgments, personally appeared DOUGLAS TYGIELSKI, who is personally known to me
who has produced _____ has identification and who executed the foregoing instrument and sworn
an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 7th day of
JANUARY, 2009

Mark E. Kröl
Notary Public in and for the County and State
Aforementioned

My Commission Expires:



MARK E. KRÖL
MY COMMISSION # DD 380260
EXPIRES: April 7, 2009
Bonded Thru Budget Notary Services

Application to the Board of Adjustment / Planning Division

Last updated 7/24/08

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 23, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lots 2, 3, 13 + 14 (Less St Rd) Blk 8 Lakeview Pb 5 Pg 14

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

FINDINGS OF FACT

Property Owner: Doug Tygielski
110 Bumby Avenue
Orlando, Fl. 32803

Project Name: East Altamonte Drive (1308)

Special Exception Approval:

Auto repair facility in the C-2 (Retail Commercial) 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 the existing buildings and an auto repair facility.
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. The site will be limited to only the use of an auto repair facility with no auto sales.
5. A cross access easement with the property to the west will be required.
6. Screening of the auto repair and vehicles located in the rear of the property will be required along the fence.
7. 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 _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

**SEMINOLE COUNTY DENIAL DEVELOPMENT
ORDER**

On March 23, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lots 2, 3, 13 + 14 (Less St Rd) Blk 8 Lakeview Pb 5 Pg 14

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

FINDINGS OF FACT

Property Owner: Doug Tygielski
110 Bumby Avenue
Orlando, Fl. 32803

Project Name: East Altamonte Drive (1308)

Special Exception Approval:

Auto repair facility in the C-2 (Retail Commercial) district.

Approval was sought to establish an auto repair facility on the subject property. 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 _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: