

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

SUBJECT: 915 Silkwood Court – Obed Padilla, applicant; Request for a special exception to establish an automotive repair shop in C-2 (Commercial) district.

DEPARTMENT: Growth Management **DIVISION:** Planning & Development

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

Agenda Date 3/22/10 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Approve** the request for a special exception to establish an automotive repair shop in C-2 (Commercial) district; or
2. **Deny** the request for a special exception to establish an automotive repair shop in C-2 (Commercial) district; or
3. **Continue** the request to a time and date certain.

<p>GENERAL INFORMATION</p>	<p>Applicant: Obed Padilla Owner: Louis L Huntley Enterprises Location: 915 Silkwood Court Zoning: C-2 (Commercial)</p>
<p>BACKGROUND / REQUEST</p>	<ul style="list-style-type: none"> • The applicant proposes to establish a two bay auto repair shop in a vacant oil lube facility. • In 1988 a special exception established the oil lube use at this location. • All service work will be performed within the building. • The proposed hours of operation will be Monday – Friday from 8:00 a.m – 5:00 p.m; Saturday 8:00 a.m – 2:00 p.m, and closed on Sunday. • The location is within the commercial corridor of Hwy 17-92 & Ronald Regan Blvd and the 17-92 Redevelopment Corridor.

Reviewed by:
 Co Atty: *[Signature]*
 Pln Mgr: *[Signature]*

**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 facility proposed to be reused as an auto repair shop historically was an oil lube facility. The existing character of the surrounding property consists of small auto dealers and a 7-eleven store. The property is also within the 17-92 Redevelopment Corridor where the trend of development is shifting away from these types of automotive uses.

The subject building is purpose-built as an oil lube/mechanical garage and has little adaptive reuse potential beyond this type of use. The property is also constricted for redevelopment without the aggregation of surrounding properties as it is a very small, narrow parcel. Until such time that this area is trending toward redevelopment, the use as an auto repair shop is consistent with the character of the area.

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

No adverse effects of existing traffic patterns are anticipated with the use of the site as an auto repair shop.

IS CONSISTENT WITH THE SEMINOLE COUNTY COMPREHENSIVE PLAN:

The Seminole County Comprehensive Plan describes the Mixed Use (MXD) future land use as a land use category that enables redevelopment for compact, energy-efficient development patterns.

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 property and structure

	<p>meets the minimum area and dimensional requirements of the C-2 district.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>Within the C-2 zoning classification auto repair shops are allowed as conditional uses. The prior establishment of an oil lube shop at this location and the fact that this area is not poised for redevelopment at this time demonstrates consistency 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:</p> <ul style="list-style-type: none">a. The special exception granted will only apply to the existing building.b. No building shall be increased more than 10% without Board of Adjustment approval.c. The site is limited to the use of an auto repair facility with two (2) working bays.d. All service work shall be performed within the building.e. No painting of vehicles allowed on premises.f. No outside vehicle storage.g. No outside storage of vehicles used for parts.h. Outside storage of parts and goods is prohibited.i. No outside amplification of sound.j. Maximum number of employees: three (3).k. The proposed hours of operation will be Monday – Friday from 8:00 a.m – 5:00 p.m; Saturday 8:00 a.m – 2:00 p.m, and closed on Sunday.l. At site plan review, landscaping shall be required along Silkwood Court on the west side and the east side of the driveway.m. 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 # B52010-02
Meeting Date 3-22-10

COPY

SPECIAL EXCEPTION APPLICATION



SEMINOLE COUNTY PLANNING DIVISION ROOM 2201
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: OBED PADILLA
Address: 114 HEATHER LANE DR City: DELTONA Zip code: 32738
Project Address: 915 SILKWOOD CT. City: LANGWOOD Zip code: 32750
Phone number(s): 407 - 967 - 0856
Email address: padillaob@yahoo.com

What is this request for?

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

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

What is the current use of the property? VACANT REPAIR SHOP

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

Signed:

FOR OFFICE USE ONLY

Date Submitted: 2-12-10 Reviewed By: P. Johnson
 Tax parcel number: 22-20-30-300-0240-0000 Zoning/FLU C-21 MIXD
 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. See link for Site Plan Review information:

<http://www.seminolecountyfl.gov/pd/devrev/plansummary.asp>

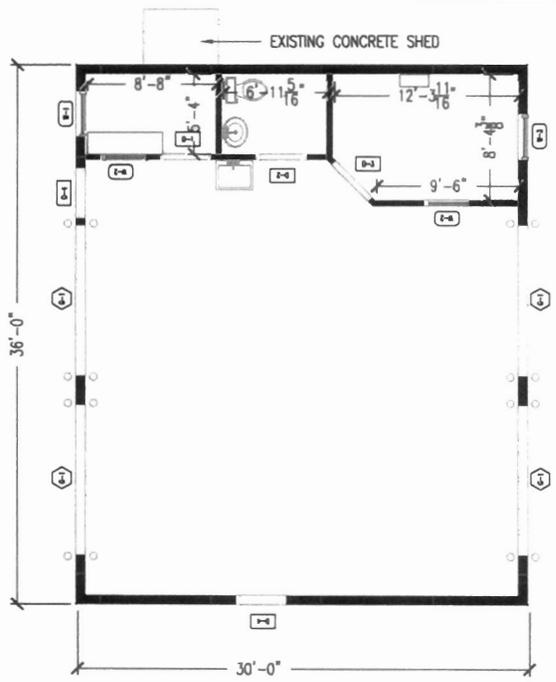
✓	1. Completed application.
✓	2. Provide a statement of the request including a summary of the business operation. Include information such as: square footage of facilities; hours of operation; seating capacity; number of clients, or students; number of staff and how many shifts; and address any other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

PADILLA AUTO CLINIC
915 SILKWOOD CT.
LONGWOOD FL. 32750

PROJECT



REF:	
PROJECT NO.:	----
DATE:	
CAD DWG FILE:	0802 SITE PLANNING
DRAWN BY:	JMF
CHECKED BY:	JMF



EXISTING DOORS			
DOORS	SIZE	ROOM NAME	MATERIAL
D-1	3'-0" X 6'-8"	OFFICE	METAL
D-2	3'-0" X 6'-8"	BATHROOM	METAL
D-3	3'-0" X 6'-8"	WAITING AREA	METAL
D-4	3'-0" X 6'-8"	SHOP AREA	METAL
G-1	10'-0" X 12'-0"	SHOP AREA	GLASS DOORS

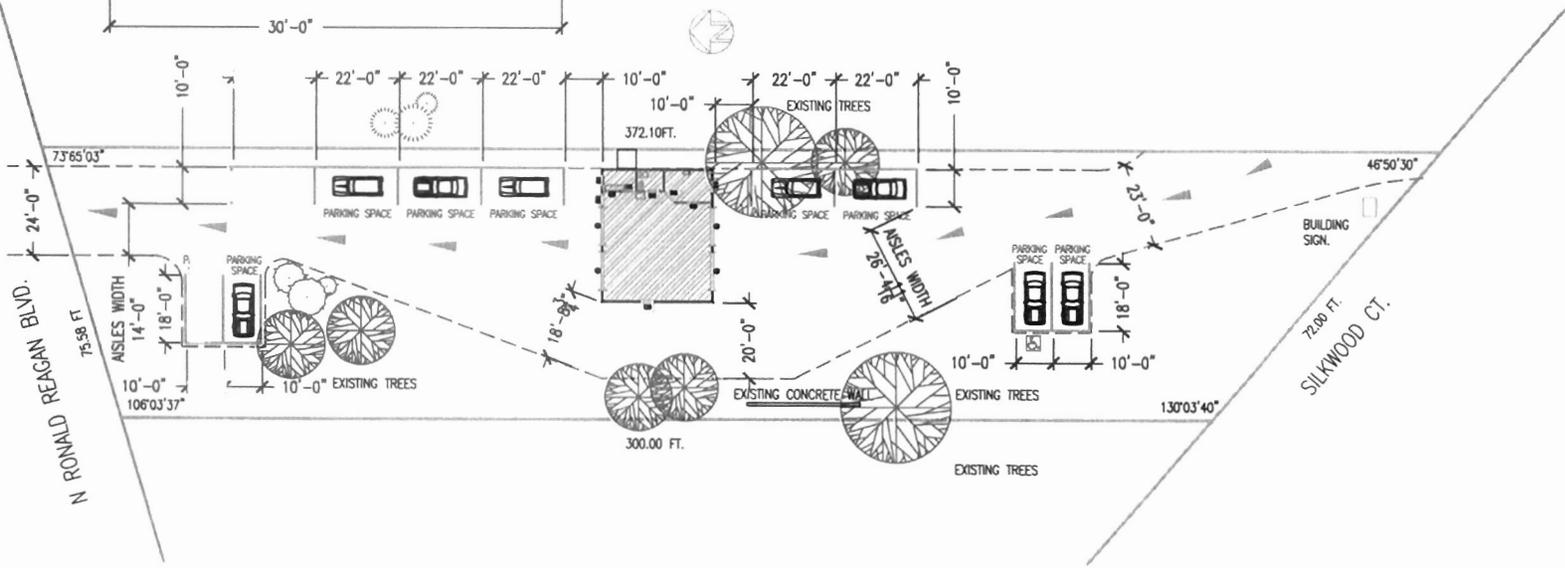
EXISTING WINDOWS			
WINDOWS	SIZE	ROOM NAME	MATERIAL
D-1	2'-0" X 4'-2 3/4"	OFFICE	FIX GLASS METAL FRAME
D-2	3'-0" X 6'-0"	WAITING AREA	FIX GLASS METAL FRAME
D-3	3'-0" X 3'-0"	OFFICE AND WAITING AREA	FIX GLASS METAL FRAME

BUILDING INFORMATION

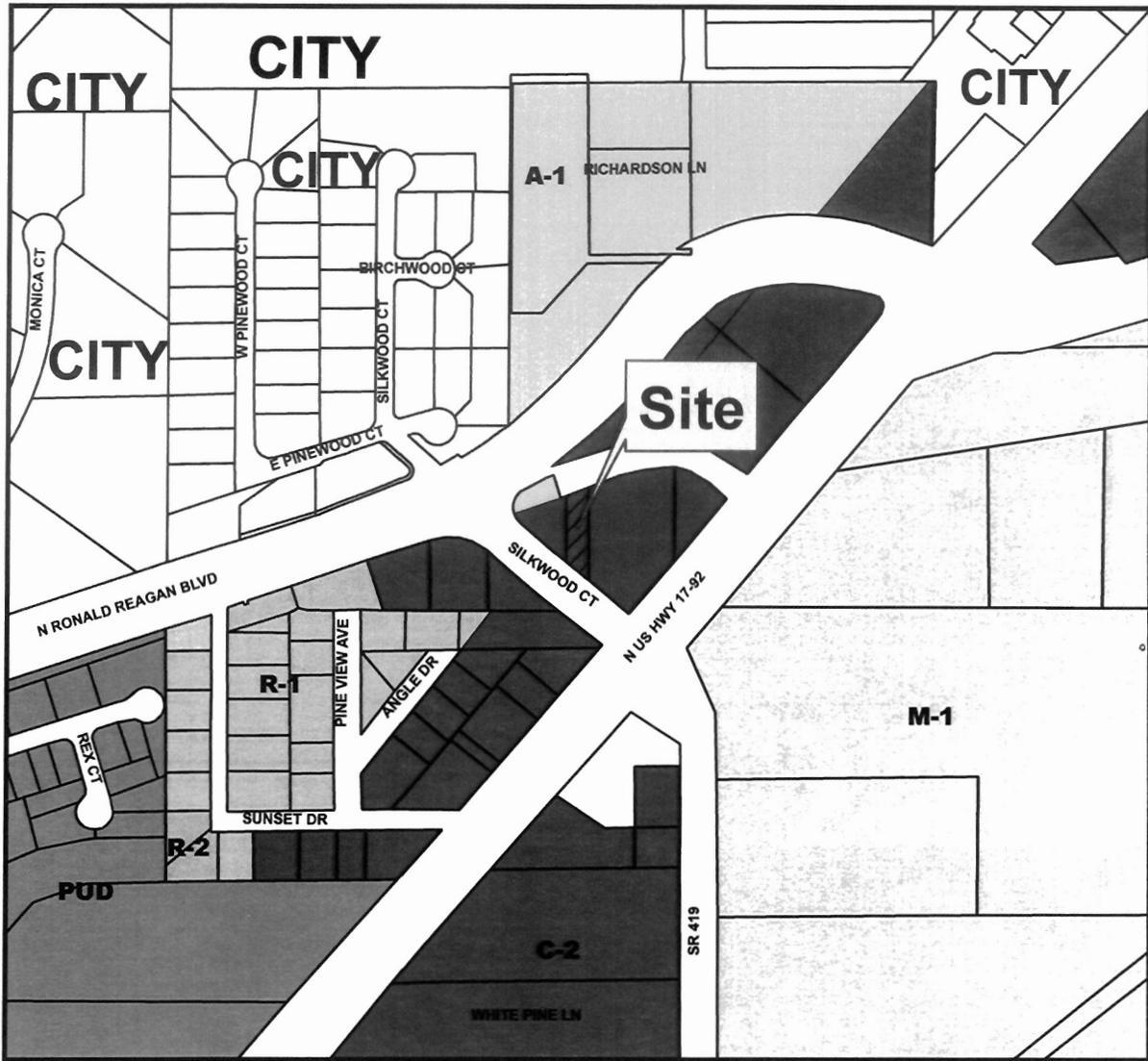
- UNIT 24
- 1 MASONRY PILAS
- 2160 SF
- EXTERIOR WALL CONCRETE BLOCK-STUCCO-MASONRY

LEGEND

- 3/8" MTL STUD AT 16" O.C W/ 5/8" DRYWALL EA. SIDE
- 8" CMU WALL
- DOOR NO (METAL DOORS)
- WINDOW NO (FIX GLASS)
- GARAGE DOORS



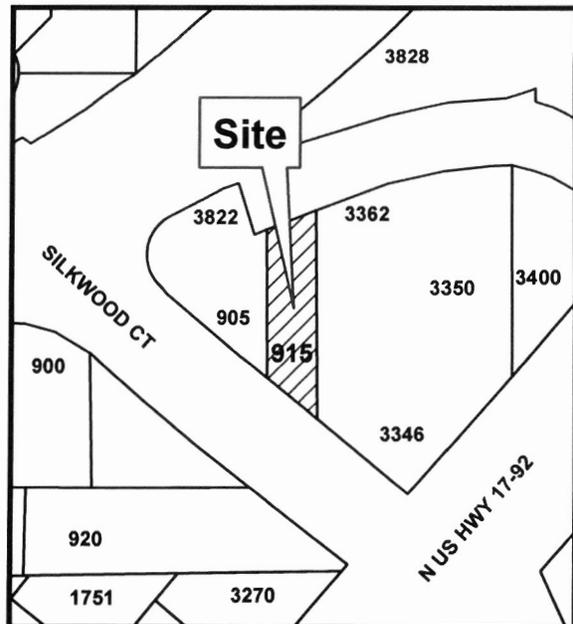
Obed Padilla
 915 Silkwood Court
 Longwood, FL 32750



Seminole County Board of Adjustment
 March 22, 2010
 Case: BS2010-02 (Map 3104 Grid C4)
 Parcel No: 22-20-30-300-0240-0000

Zoning

	BS2010-02		RP I
	A-1		C-2
	R-1		M-1
	R-2		PUD



2/12/2010

To the Seminole County Board of Adjustments;

I, Obed Padilla am in the process of opening an auto repair shop at the following location: 915 Silkwood ct. At this repair shop we will be doing general maintenance and repairs. This is including oil changes, brake jobs, diagnostics etc. Hoping to bring competition to this area and service the community of Longwood. With me I bring 14 years of experience to this business. From years of being a technician to being a General manager of a 22 bay shop, with over 40 employees.

This building has a square footage of 2,160ft. We will be opened from 8am to 5pm Monday Through Friday, 8am to 2pm on Saturdays and closed Sundays. The customer waiting area can seat 8 to 10 customers, which we will offer TV, coffee and air conditioning. At this moment we have approximately 10-15 clients. Also, for the moment the only one who will be on staff will be me. Hoping to staff 2 more technicians and a receptionist if business continues to grow. We are hoping that the adjacent businesses like 7/11, sensible choice auto sales and others, may positively be impacted by this repair shop. Bringing more customers and revenue to their businesses.

We are excited and positive that this will be a smooth and successful transition and eager to serve the community.

Thank you for your time and patience,

Obed Padilla

**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

(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
MARY HUNTLEY	President	104 MILWAUKEE AVE ORANGE PARK, FL	100%
L. WARD HUNTLEY	Vice President	1800 KINGSLEY AVE " " "	0

(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.)

4. 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. For each **limited liability company**, list the name, address, and title of each manager or managing member; and the name and address of each additional member with two percent (2%) or more membership interest. If any member with two percent (2%) or more membership interest, manager, or managing member is a corporation, trust or partnership, please provide the information required in paragraphs 2, 3 and/or 4 above.

NAME	TITLE	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

- 6. 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.

February 15, 2010
Date

[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF CLAY

Sworn to (or affirmed) and subscribed before me this 15th day of February, 2010 by L. Ward Huntley,
Vice President, Louis L. Huntley Enterprises, Inc.

Marylou R. Conroy
Signature of Notary Public

Marylou R. Conroy
Print, Type or Stamp Name of Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced _____

NOTARY PUBLIC-STATE OF FLORIDA
Marylou R. Conroy
Commission # DD931494
Expires: NOV. 21, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

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, LOUIS L. HUNTLEY ENTERPRISES, INC the fee simple owner of the following
(Owner's Name)

described property (Provide Legal Description or Tax Parcel ID Number(s))

915 SILKWOOD CT, LONGWOOD, FL 3275
Parcel # 22-20-30-300-0240-0000

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

LOUIS L. HUNTLEY ENTERPRISES, INC

L. Ward Huntley
Owner's Signature L. Ward Huntley, Vice Pres.

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 12th day of Feb, 2010

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared L. Ward Huntley, who is personally known to me or 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 12th day of February, 2010

Marylou R. Conroy
Notary Public for and for the County of Clay, Florida
Aforementioned
My Commission Expires: _____
PUBLIC-STATE OF FLORIDA
Marylou R. Conroy
Commission # DD931494
Expires: NOV. 21, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

Application to the Board of Adjustment / Planning Division

Last updated 7/24/08

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 22, 2010, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 22 TWP 20S RGE 30E BEG 1005.07 FT E OF SW COR OF NW 1/4 OF SW 1/4 RUN
E 72 FT N 323 FT SWLY ON RD 75.58 FT S 300 FT TO BEG (LESS EXTD R/W)

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

FINDINGS OF FACT

Property Owner: LOUIS L HUNTLEY ENTERPRISES
1890 KINGSLEY AVE
ORANGE PARK FL 32073

Project Name: Silkwood Court (915)

Special Exception Approval:

To establish an automotive repair shop in C-2 (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: Denny Gibbs, Senior 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 only apply to the existing building.
2. No building shall be increased more than 10% without Board of Adjustment approval.
3. The site is limited to the use of an auto repair facility with two (2) working bays.
4. All service work shall be performed within the building.
5. No painting of vehicles allowed on premises.
6. No outside vehicle storage.
7. No outside storage of vehicles used for parts.
8. Outside storage of parts and goods is prohibited.
9. No outside amplification of sound.
10. Maximum number of employees: three (3).
11. The proposed hours of operation will be Monday – Friday from 8:00 a.m – 5:00 p.m; Saturday 8:00 a.m – 2:00 p.m, and closed on Sunday.
12. At site plan review, landscaping shall be required along Silkwood Court on the west side and east side of the driveway.
13. 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).
14. The special exception granted shall expire one (1) year after approval unless a development permit based upon and incorporating the special exception is obtained within the one (1) year period. One six (6) month extension may be granted by the Board. SCLDC 30.45

(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 & Development 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 _____, 2010.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

**SEMINOLE COUNTY DENIAL DEVELOPMENT
ORDER**

On March 22, 2010, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 22 TWP 20S RGE 30E BEG 1005.07 FT E OF SW COR OF NW 1/4 OF SW 1/4 RUN
E 72 FT N 323 FT SWLY ON RD 75.58 FT S 300 FT TO BEG (LESS EXTD R/W)

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

FINDINGS OF FACT

Property Owner: LOUIS L HUNTLEY ENTERPRISES
1890 KINGSLEY AVE
ORANGE PARK FL 32073

Project Name: Silkwood Court (915)

Requested Special Exception Approval:

To establish an automotive repair shop in C-2 (Commercial) 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: Denny Gibbs, Senior Planner
1101 East First Street
Sanford, Florida 32771

Done and Ordered on the date first written above.

By: _____
Alison C. Stettner
Planning & Development 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 _____, 2010.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: