

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Little Voices Small Scale Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and Rezone from R-1AA (Single Family Residential) to OP (Office).

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

AUTHORIZED BY: Tina Williamson **CONTACT:** Ian Sikonia EXT. 7398

Agenda Date <u>11/7/07</u> Regular <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Special Hearing – 6:00 <input type="checkbox"/> Public Hearing – 7:00 <input checked="" type="checkbox"/>

MOTION/RECOMMENDATION:

1. **RECOMMEND APPROVAL** of the request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and a rezone from R-1AA (Single Family Residential) to OP (Office) on approximately 0.62 ± acres, located on the southwest corner of the intersection of Sand Lake Road and Oak Haven Drive, and recommend approval of the attached Development Order per staff findings; (Sherry Fragomeni, applicant); or
2. **RECOMMEND DENIAL** of the request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and a rezone from R-1AA (Single Family Residential) to OP (Office) on approximately 0.62 ± acres, located on the southwest corner of the intersection of Sand Lake Road and Oak Haven Drive; (Sherry Fragomeni, applicant); or
3. **CONTINUE** the item to a time and date certain.

District 3 – Van Der Weide

Ian Sikonia, Senior Planner

BACKGROUND:

The applicant requests a Small Scale Land Use Amendment from LDR (Low Density Residential) to OFF (Office) and a rezone from R-1AA (Single Family Dwelling District) to OP (Office) on approximately 0.62± acres, located on the southwest corner of the intersection of Sand Lake Road and Oak Haven Drive. This site was previously used as a single family residence and the applicant would like to convert the structure into a day care facility. The requested zoning and Land

Reviewed by: <u>ICFT</u>
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. <u>Z2007-42</u>

Use would potentially allow for a 4,555 square foot day care facility. There is an existing 2,257 square foot single-family residence, to which they propose to add an additional 2,298 square feet.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and a rezone from R-1AA (Single Family Residential) to OP (Office) on approximately 0.62± acres, located on the southwest corner of the intersection of Sand Lake Road and Oak Haven Drive.

Attachments:

Staff Report
Location Map
Land Use & Zoning Map
Aerial Map
Site Plan
Approval Development Order
Small Scale Land Use Ordinance
Rezone Ordinance
Letters of Support
Denial Development Order

LITTLE VOICES SMALL SCALE LAND USE AMENDMENT AND REZONE	
APPLICANT	Sherry Fragomeni
PROPERTY OWNER	Annie Vasquez
REQUEST	Small Scale Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and rezone from R-1AA (Single Family Residential) to OP (Office).
PROPERTY SIZE	0.62 ± acres
HEARING DATE (S)	P&Z: November 7, 2007 BCC: January 8, 2007
PARCEL ID	08-21-29-504-0000-0010, 08-21-29-504-0000-0040
LOCATION	Located on the southwest corner of the intersection of Sand Lake Road and Oak Haven Drive.
FUTURE LAND USE	LDR (Low Density Residential)
ZONING	R-1AA (Single-Family Residential)
FILE NUMBER	Z2007-42
COMMISSION DISTRICT	#3 – Van Der Weide

Proposed Development:

The applicant is proposing to expand an existing single family home into a 4,555 square foot day care facility on 0.62 acres.

ANALYSIS OVERVIEW:

ZONING REQUEST

The following table depicts the minimum regulations for the current zoning district of R-1AA (Single Family Residential) and the OP (Office):

DISTRICT REGULATIONS	Existing Zoning (R-1AA)	Proposed Zoning (OP)
Minimum Lot Size	11,700 sq. ft.	15,000 sq.ft.
Minimum House Size	1300 sq. ft.	N/A
Minimum Width at Building Line	90 ft.	N/A
Front Yard Setback	25 feet	25 feet
Side Yard Setback	10 feet	0 feet
(Street) Side Yard Setback	25 feet	25 feet
Rear Yard Setback	30 feet	10 feet
Maximum Building Height	35 feet	35 feet

PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Uses	R-1AA (existing)	OP (proposed)
Permitted Uses	Single-family dwelling and their customary accessory uses, one (1) boat dock and one (1) boathouse per lot when accessory and incidental to the principal dwelling, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents, public and private elementary schools, home offices.	Dental and medical clinics, dental and medical laboratories, General office buildings, insurance, real estate, architects, engineering, attorneys, and other professional business services, accounting, auditing and bookkeeping services, finance offices, telephone business offices and exchanges, post offices, public parks, public, private and parochial schools, playgrounds, fire stations, and administrative public buildings, churches and attendant educational buildings, day care facilities, kindergartens, public and private elementary schools, middle schools and high schools, adult living facilities and community residential homes (group homes and foster care facilities) housing more than six (6) permanent unrelated residents.
Special Exception Uses	Churches with their attendant educational, recreational buildings, and off-street parking, public and private middle schools and high schools, parks and recreational areas, publicly owned and operated, public utility and service structures, guest cottages, subdivision sewage treatment and water plants, boathouses with roofs exceeding ten (10) feet above the mean-high water line, assisted living facilities and community residential homes housing 7-14 permanent unrelated residents (including group homes and foster care facilities) provided that the location does not create a over-concentration of such homes or substantially alter the nature and character of the area as defined in Section 419.001(3)(c), Florida Statutes (2001). In the event that the provisions of this section conflict with the provisions of Section 419.001(3)(c), Florida Statutes (2001), Section 419.001(3)(c) shall govern, communication towers, private recreational facilities constructed as an accessory use to civic, fraternal, or social organizations if the existing use is located in a predominantly residential area as determined by the Planning Manager.	Single-family dwelling unit in connection with a permitted use provided said use is occupied only by the owner or operator of the business. When permitted, the residence shall be either above the office or attached to the rear; no detached residence shall be permitted and no residence shall occupy ground-floor frontage, accessory parking for passenger vehicles when intended for a permitted adjacent commercial use. A parking lot operated as a commercial enterprise shall not be permitted, public utility and service structures, banks, savings and loan and similar financial institutions, and drive-in teller facilities, when located on a roadway having a right-of-way width of not less than eighty (80) feet, private vocational, business, and professional schools which do not have an industrial character. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required, hospitals and nursing homes. Location on a roadway having a right-of-way width of not less than eighty (80) feet shall be required, nonresidential, nonprofit clubs, lodges and fraternal organizations when located on a roadway having a right-of-way width of not less than eighty (80) feet, funeral homes when located on a roadway having a right-of-way width of not less than eighty (80) feet, communication towers.
Minimum Lot Size	11,700 sq. ft.	15,000 sq. ft.

COMPATIBILITY WITH SURROUNDING PROPERTIES

The Future Land Use Element of the Vision 2020 Comprehensive Plan lays out the following standards for evaluating Future Land Use amendments:

FLU Element Plan Amendment Review Criteria:

A. Whether the character of the surrounding area has changed enough to warrant a different land use designation being assigned to the property.

Staff Evaluation

The subject property is adjacent to Sand Lake Road, which is a collector roadway. Sand Lake Road has become an important transportation corridor for the area and is currently programmed to be widened to four lanes and have intersection improvements in the County's 5-year Capital Improvement Plan. These changes in traffic patterns have resulted in the character of the subject property undergoing a transition that may warrant a different land use designation than Low Density Residential.

B. Whether public facilities and services will be available concurrent with the impacts of development at adopted levels of service.

Staff Evaluation

Public facilities and services will be available concurrent with the impacts of development. Staff does not anticipate any level of service issues.

C. Whether the site will be able to comply with flood prone regulations, wetland regulations and all other adopted development regulations.

Staff Evaluation

Preliminary analysis indicates that there are no floodplains or wetlands on the subject property.

D. Whether the proposal adheres to other special provisions of law (e.g., the Wekiva River Protection Act).

Staff Evaluation

The project will have to comply with all of the requirements of the Wekiva Study Area at the time of Final Site Plan approval.

E. Whether the proposed use is compatible with surrounding development in terms of community impacts and adopted design standards of the Land Development Code.

Staff Evaluation

Comprehensive Plan Exhibit FLU 2 Appropriate Transitional Land Uses states that Office Future Land Use can be an appropriate transitional land use adjacent to LDR with sensitive site design. Staff feels that the proposed OP zoning district and associated site plan are compatible with the LDR Future Land Use to the south and east.

F. Whether the proposed use furthers the public interest by providing:

- 1. Sites for public facilities or facility improvements in excess of requirements likely to arise from development of the site**
- 2. Dedications or contributions in excess of Land Development Code requirements**
- 3. Affordable housing**
- 4. Economic development**
- 5. Reduction in transportation impacts on area-wide roads**
- 6. Mass transit**

Staff Evaluation

The proposed development does not address any of these items.

G. Whether the proposed land use designation is consistent with any other applicable Plan policies, the Strategic Regional Policy Plan and the State Comprehensive Plan.

Staff Evaluation

The Office Future Land Use designation is not contrary to any other applicable Plan policies, the Strategic Regional Policy Plan and the State Comprehensive Plan.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map panel 12117C0120E, with an effective date of 1995, there appears to be no floodplains on the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there are not endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

The following table depicts the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (R-1AA)*	Proposed Development (OP)¹	Net Impact
Water (GPD)	350	1,425	1,075
Sewer (GPD)	300	1,425	1,125
Traffic (ADT)	10	319	309

* Impacts based on SFR utilizing water and sewer service.

¹ Impacts based on a proposed 95 student day care facility utilizing water and sewer service.

Utilities:

Utilities Inc. has a 16-inch water main and a 6-inch force main near the west side of the subject property.

Transportation / Traffic:

The property is adjacent to Sand Lake Road which is classified a collector road. Sand Lake Road is currently programmed to be improved according to the County 5-year Capital Improvement Program.

School Impacts:

The proposed development will not generate any school impacts.

Public Safety:

The nearest response unit to the subject property is Station # 13, which is located at 1240 W. Hwy 436. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is less than 5 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

Drainage:

The proposed project is located within the Little Wekiva Drainage Basin, and has limited downstream capacity. The site will have to be designed to hold the entire volume for the 25-year, 24-hour storm event.

Parks, Recreation and Open Space:

The applicant is required to provide at a minimum 25% of the site in open space, per Section 30.1344 (Open Space Ratios and Design Guidelines) of the Seminole County LDC.

Buffers and Sidewalks:

The subject site is adjacent to properties with a residential Future Land Use Designation, therefore all development is required meet the active/passive buffering requirements of Section 30.1232 of the Land Development Code.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant running the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

This site is located within the Aquifer Recharge Overlay and the Wekiva Study Area, as designated in the Seminole County Land Development Code. The proposed development will comply with all of the requirements of these districts at the time of Final Site Plan approval.

COMPREHENSIVE PLAN (VISION 2020)

The County's Comprehensive Plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.

The proposed project is consistent with the following list of policies (there may be other provisions of the Comprehensive Plan that apply that are not included in this list):

- Policy FLU 2.5: Transitional Land Uses
- Policy POT 4.5: Potable Water Connection
- Policy SAN 4.4: Sanitary Sewer Connection
- Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

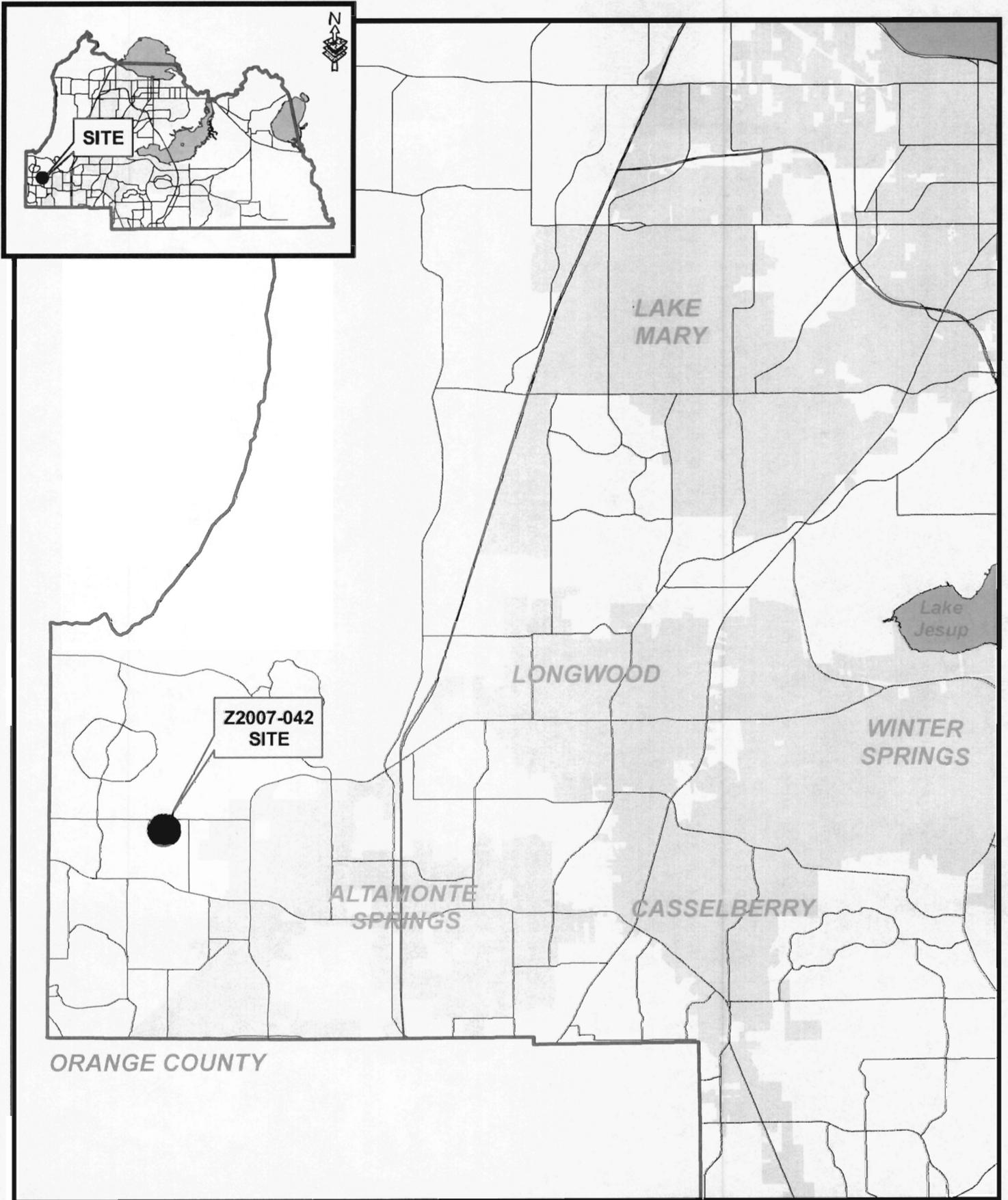
Intergovernmental notices were not sent; the subject property is not within or directly adjacent to any local municipality and will not impact schools.

LETTERS OF SUPPORT OR OPPOSITION:

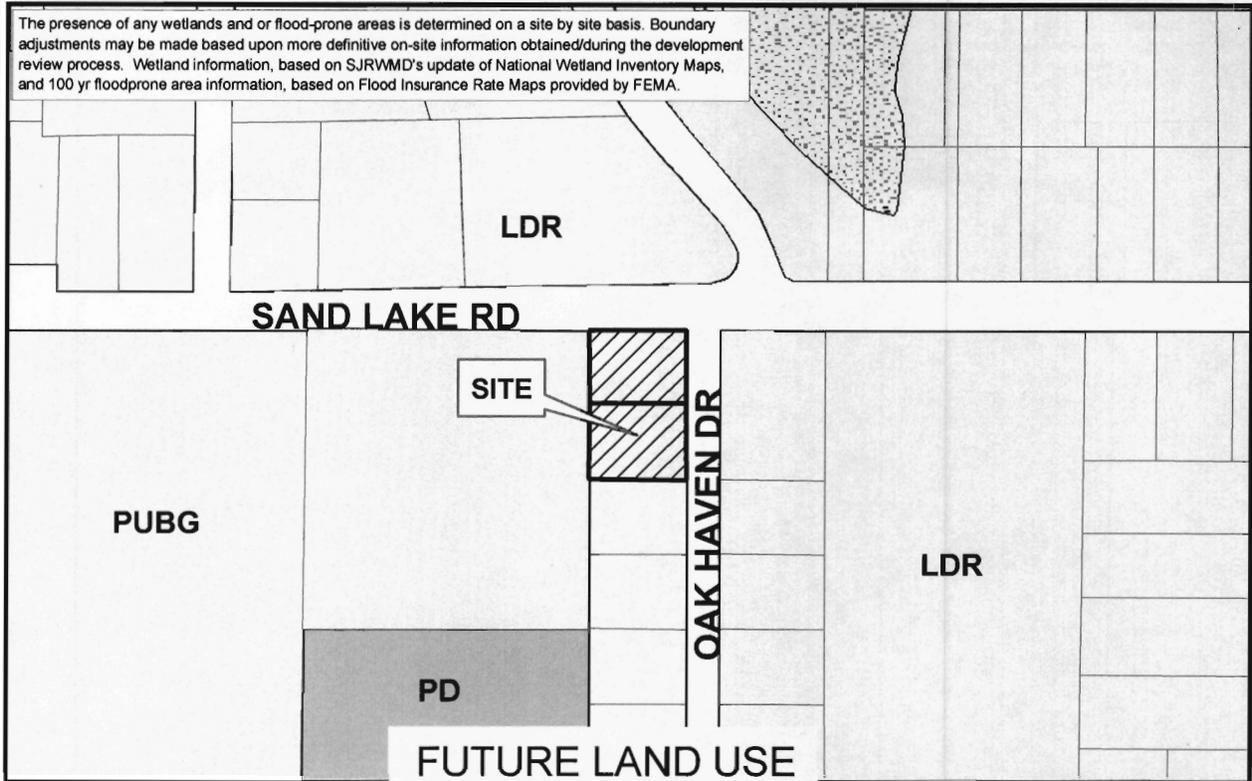
At this time, Staff has received eight letters of support for the proposed day care facility. A map of the residences who submitted the letters of support are attached to this agenda item.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and a rezone from R-1AA (Single Family Residential) to OP (Office) on approximately 0.62± acres, located on the southwest corner of the intersection of Sand Lake Road and Oak Haven Drive.



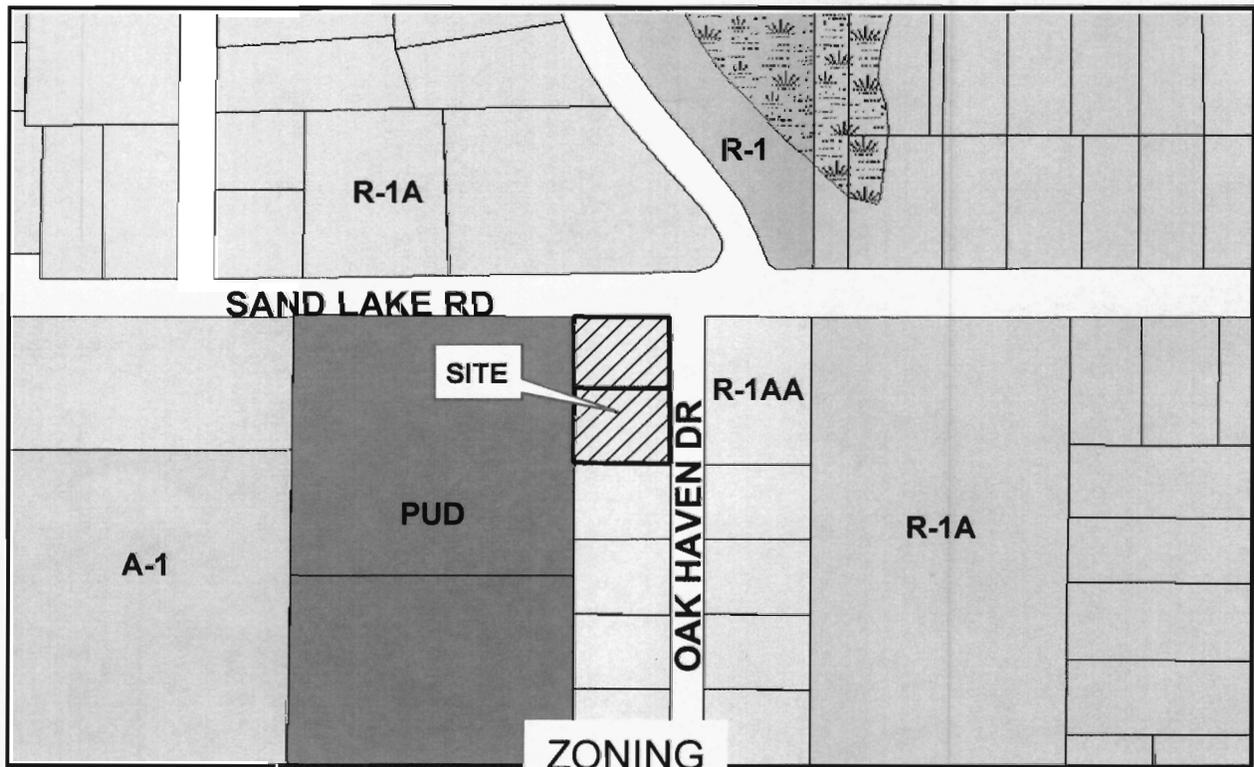
The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps, and 100 yr floodprone area information, based on Flood Insurance Rate Maps provided by FEMA.



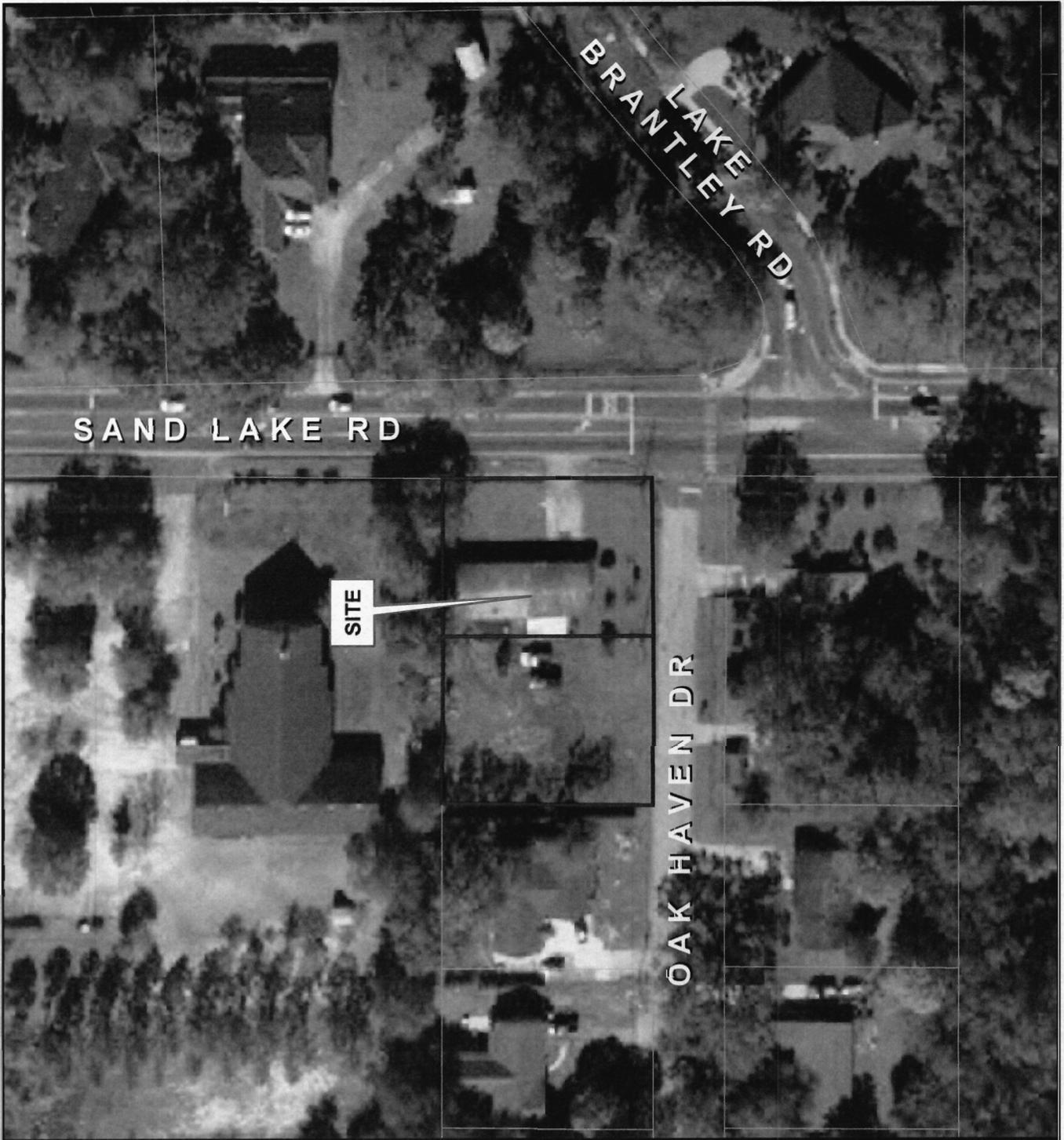
LDR PUBG PD [Hatched] Site [Dotted] Municipality [Stippled] CONS

Applicant: Sherri Fragomeni
 Physical STR: 08-21-29-504-0000-0010 & 0040
 Gross Acres: .62 +/- BCC District: 3
 Existing Use: residential
 Special Notes: _____

	Amend/ Rezone#	From	To
FLU	10-07SS.01	LDR	OFF
Zoning	Z2007-042	R-1AA	OP



[Light Gray] A-1 [Medium Gray] R-1 [Light Gray] R-1A [Light Gray] R-1AA [Stippled] FP-1 [Hatched] W-1



FLU No: 10-07SS.01
 From: LDR To: OFF
 Rezone No: Z2007-042
 From: R-1AATO: OP

-  Parcel
-  Subject Property



Winter 2006 Color Aerials

**SEMINOLE COUNTY APPROVAL DEVELOPMENT
ORDER**

On January 8, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

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

FINDINGS OF FACT

Property Owner: Ann M. Vasquez
357 Forest Park Cir.
Longwood, FL 32779

Project Name: Little Voices Rezone and Land Use Amendment

Requested Development Approval:

Small Scale Future Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and rezone from R-1AA (Single Family Residential) to OP (Office)

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:
Ian Sikonia, Senior Planner
1101 East First Street
Sanford, Florida 32771

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. All development shall comply with the Site Plan attached as Exhibit B.
- b. The permitted and special exception uses shall be in accordance with the OP zoning district.
- c. The maximum allowable building square footage shall be no more than 4,555.
- d. Maximum allowable building height shall be one story up to 35 feet.
- e. There shall be one access onto Bear Gully Road as shown on the site plan.
- f. There shall be one access onto Oak Haven Drive as shown on the site plan.
- g. The applicant shall provide a signed and sealed soil compaction test for the 4 feet of stabilized berm area prior to final engineering approval. This test shall show that the stabilized area must support 32 tons and 75 P.S.I.
- h. All landscape buffers will be provided per Seminole County Land Development Code requirements.

(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: _____
Carlton D. Henley
Chairman, Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Ann M. Vasquez, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Ann M. Vasquez, Owner

Witness

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 Ann M. Vasquez who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Z2007-42

Development Order # 07 22000008

EXHIBIT A

LEGAL DESCRIPTION

LOT 1 (LESS THE NORTH 10 FEET FOR ROAD), ROGERS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 64 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

LOT 4, ROGERS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 64 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 91-13, AS PREVIOUSLY AMENDED, KNOWN AS THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF SMALL SCALE DEVELOPMENT AMENDMENT (LEGAL DESCRIPTION IS SET FORTH AS AN APPENDIX TO THIS ORDINANCE); CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM LOW DENSITY RESIDENTIAL TO OFFICE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE SEMINOLE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 91-13 which adopted the 1991 Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a Public Hearing, with all required public notice, on November 7, 2007, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held a Public Hearing on January 8, 2008, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent, is consistent and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, the State Comprehensive Plan, and the Comprehensive Regional Policy Plan of the East Central Florida Regional Planning Council.

NOW, THEREFORE, BE IN ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. RECITALS/LEGISLATIVE FINDINGS:

- (a) The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.
- (b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE
LAND USE DESIGNATION:

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 91-13, as previously amended, is hereby further amended by amending the future land use designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Appendix "A" to this Ordinance:

(b) The associated rezoning request was completed by means of Ordinance Number 07-_____.

(c) The development of the property is subject to the development intensities and standards permitted by the overlay Conservation land use designation, Code requirements and other requirements of law.

Section 3. SEVERABILITY:

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

Section 4. EXCLUSION FROM COUNTY CODE/CODIFICATION:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the

Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

Section 5. EFFECTIVE DATE:

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State and the Florida Department of Community Affairs by the Clerk of the Board of County Commissioners in accordance with Section 125.66 and 163.3187, Florida Statutes.

(b) This ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth herein shall be thirty-one (31) days after the date of adoption by the Board of County Commissioners or, if challenged within thirty (30) days of adoption, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendment is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on an amendment may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the affected amendment may nevertheless be made effective by

the Board of County Commissioners adopting a resolution affirming its effective status, a copy of which resolution shall be provided to the Florida Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners.

ENACTED this 8th day of January, 2008.

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____
Carlton Henley, Chairman

APPENDIX A

Legal Description

LOT 1 (LESS THE NORTH 10 FEET FOR ROAD), ROGERS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 64 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

LOT 4, ROGERS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 64 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE R-1AA (SINGLE FAMILY DWELLING DISTRICT) ZONING CLASSIFICATION THE OP (OFFICE) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Little Voices Rezone and Land Use Amendment", dated January 8, 2008.

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from R-1AA (Single Family Dwelling District) to OP (Office):

SEE ATTACHED EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order #07-22000008 in the Official Land Records of Seminole County.

ENACTED this 8th day of January 2008.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

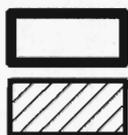
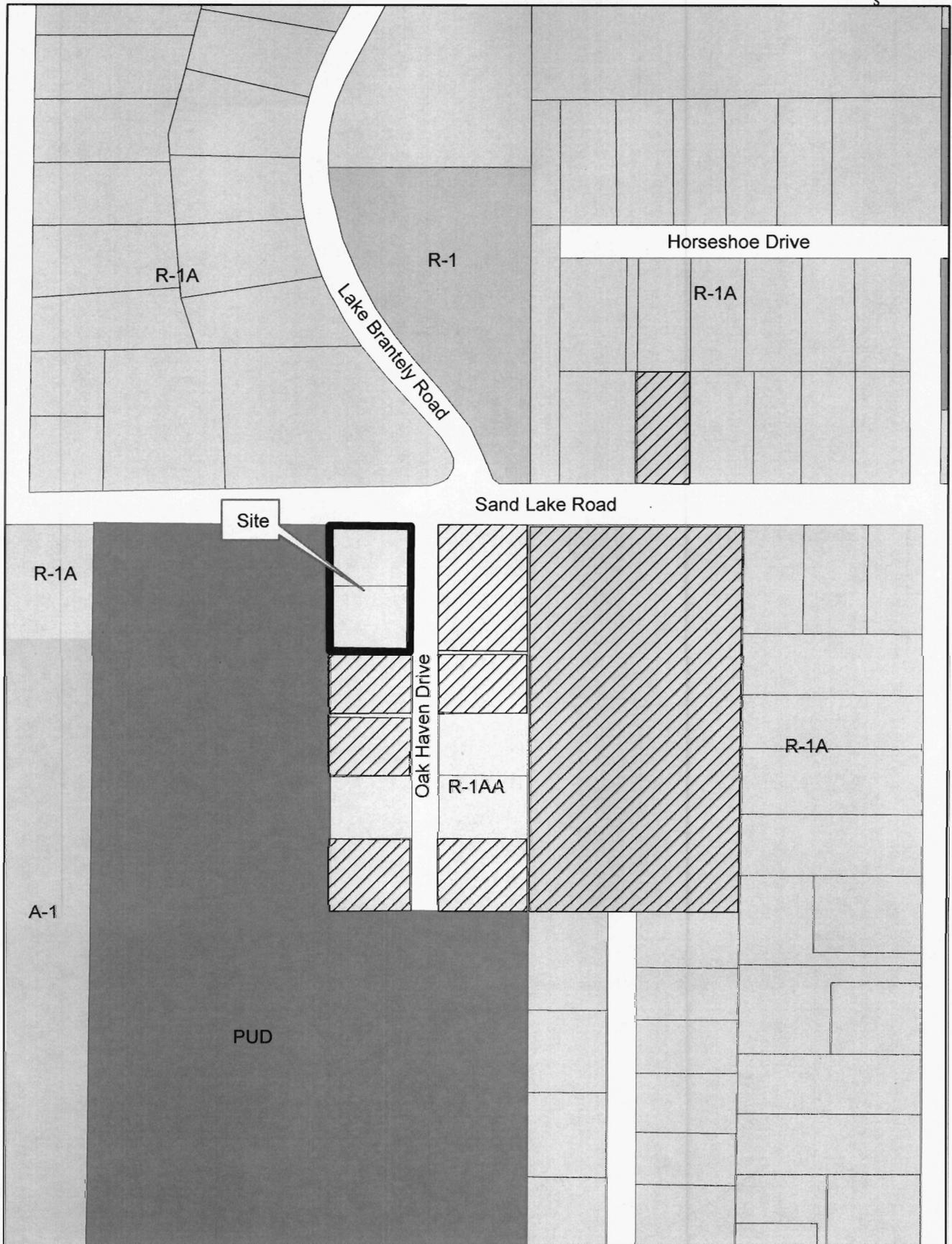
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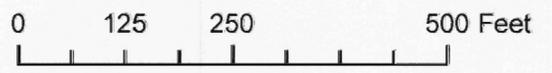
LOT 4, ROGERS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 64 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

Letters of Support Map



Subject Site

Neighbors in Support



May 31, 2007

Attn: Planning Department
Seminole County
1101 East First Street
Sanford., Florida 32771

RE: 2701 Sand Lake Road Daycare
Parcel ID No.08-21-29504-0000-0010 and
08-21-29-504-0000-0040

Dear Sir/Ms:

This letter is to advise that we have no objections to a daycare being constructed at the above reference address at the southwest corner of Sand Lake and Oak Haven Drive. We understand that the existing residence will be converted into a daycare with a building addition to the existing structure.

Please contact us if you have any questions regarding this matter.

Sincerely

NAME Edilio P. Diaz

ADDRESS 1700 OAK HAVEN DRIVE

May 31, 2007

Attn: Planning Department
Seminole County
1101 East First Street
Sanford., Florida 32771

RE: 2701 Sand Lake Road Daycare
Parcel ID No.08-21-29504-0000-0010 and
08-21-29-504-0000-0040

Dear Sir/Ms:

This letter is to advise that we have no objections to a daycare being constructed at the above reference address at the southwest corner of Sand Lake and Oak Haven Drive. We understand that the existing residence will be converted into a daycare with a building addition to the existing structure.

Please contact us if you have any questions regarding this matter.

Sincerely

NAME Mildred Boyte

ADDRESS 2661 Sandlake Rd - Hongwood, Fla.

May 31, 2007

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Seminole County
1101 East First Street
Sanford., Florida 32771

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Sincerely

NAME Mr. & Mrs. Earl & Jackie Hill Jr.
ADDRESS 2640 Sand Lake Rd

May 31, 2007

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Seminole County
1101 East First Street
Sanford., Florida 32771

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Sincerely

NAME

Patricia Childs

ADDRESS

1220 Oak Haven Dr.

May 31, 2007

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Seminole County
1101 East First Street
Sanford., Florida 32771

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Sincerely

NAME Miriam Slack

ADDRESS Oak Haven Dr.

May 31, 2007

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Sincerely

NAME Richard K. Conway
ADDRESS 1231 OAK HAVEN DR

May 31, 2007

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1101 East First Street
Sanford., Florida 32771

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Sincerely

NAME Lidia Knudsen Lidia Knudsen

ADDRESS 1230 Oak Haven Drive

May 31, 2007

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Seminole County
1101 East First Street
Sanford., Florida 32771

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Please contact us if you have any questions regarding this matter.

Sincerely

NAME Keron Pollock

ADDRESS 1201 Oak Haven Drive
Altamonte Springs FL 32714

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On January 8, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

FINDINGS OF FACT

Property Owner: Ann M. Vasquez
357 Forest Park Cir.
Longwood, FL 32779

Project Name: Little Voices Rezone and Land Use Amendment

Requested Development Approval:

Small Scale Future Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and rezone from R-1AA (Single Family Residential) to OP (Office)

The Board of County Commissioners has determined that the request for a Small Scale Future Land Use Amendment from Low Density Residential (LDR) to Office (OFF) and rezone from R-1AA (Single Family Dwelling District) to OP (Office) is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Little Voices Rezone and Land Use Amendment from Low Density Residential (LDR) to Office (OFF); and rezone from R-1AA (Single Family Dwelling District) to OP (Office)" and all evidence submitted at the public hearing on January 8, 2008, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested development approval should be denied.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:
The aforementioned application for development approval is DENIED.
Done and Ordered on the date first written above.

SEMINOLE COUNTY BOARD OF COUNTY
COMMISSIONERS

By: _____
Carlton D. Henley, Chairman

Z2007-42

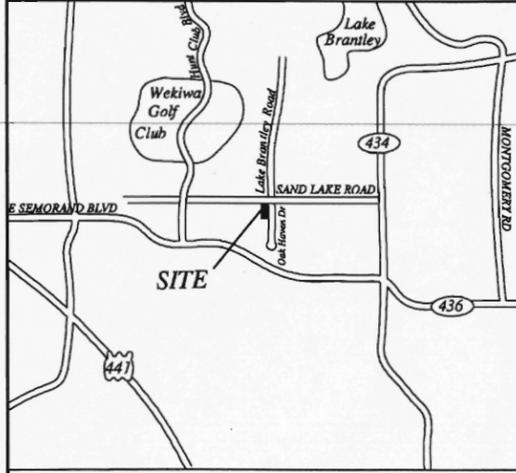
Development Order # 07 22000008

EXHIBIT A

LEGAL DESCRIPTION

LOT 1 (LESS THE NORTH 10 FEET FOR ROAD), ROGERS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 64 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

LOT 4, ROGERS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 64 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



LOCATION MAP

OWNER
ANNIE VASQUEZ
357 FOREST PARK CIRCLE
LONGWOOD, FLORIDA 32779
(407) 772-0456

ENGINEER
FRAGOMENI ENGINEERING, INC.
4985 HOFFNER AVENUE
ORLANDO, FLORIDA 32812
(407) 240-0444 PH (407) 240-0590 FAX
fragomenieng@bellsouth.net

SURVEYOR
ALTAMONTE SURVEYING AND PLATTING, INC
435 DOUGLAS AVENUE, SUITE 1505 F
ALTAMONTE SPRINGS, FLORIDA 32714
(407) 862-7555 PH (407)-862-6229 FAX

HARRISON SURVEYING AND MAPPING, INC
32529 OKALOOSA TRAIL
SORRENTO, FLORIDA 32776
(352) 735-1236 PH

SITE DATA:
PARCEL ID: 08-21-29-304-0000-0010
PARCEL Q# 08-21-29-304-0000-0040
EXIST. ZONING: R-1AA
PROP. ZONING: OF
PROP. LAND USE: OFFICE (DAYCARE FOR 95 CHILDREN)
SOILS TYPE: ASTATAULA TYPE "A" PER SEMINOLE CO. SOIL SURVEY
BUILDING SETBACKS
FRONT: 25'-FT
SIDE: 0'-FT
STREET SIDE: 25'-FT
REAR: 10'-FT
PARKING SPACES REQUIRED:
1 SPACE/EMPLOYEE
PLUS
ADEQUATE SPACE FOR DROP-OFF/PICK UP CHILDREN
1 SPACE * 7 EMPLOYEES = 7-SPACES
2 SPACES FOR DROP-OFF/PICK UP = 2-SPACES
TOTAL SPACES REQUIRED = 9-SPACES

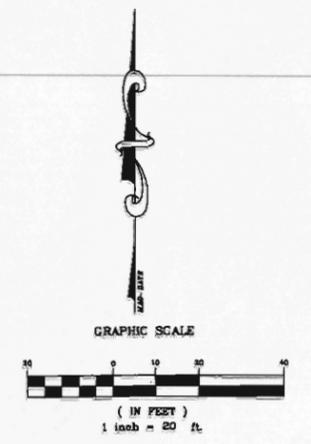
PARKING SPACES PROVIDED:
HANDICAPPED SPACE: = 1-SPACE
REGULAR SPACES: = 8-SPACES
TOTAL SPACES PROVIDED = 9-SPACES

AREAS
EXIST. BLDG = 2,256-SF
BLDG. ADDITION = 2,298-SF
PAVEMENT = 7,580-SF
S/W = 580-SF
TOTAL IMP. AREA = 12,714-SF = 0.292 AC = 48%
TOTAL PERVIOUS AREA = 14,711-SF = 0.338 AC = 54%
TOTAL PROJECT AREA = 27,425-SF = 0.63 AC

BUILDING HEIGHT NOT TO EXCEED 35 FEET
SEMINOLE COUNTY UTILITIES TO PROVIDE WATER AND SEWER TO SITE.
NO WETLANDS ON SITE
PROPERTY LOCATED OUTSIDE OF THE 100 YEAR FLOOD PLAIN
LIGHTING SHALL COMPLY WITH SEMINOLE CO. REQUIREMENTS.
LIGHTING WILL BE ON BUILDING ONLY.

ALL APPLICABLE LANDSCAPE BUFFER REQUIREMENTS WILL BE PROVIDED PER SEMINOLE COUNTY LAND DEVELOPMENT CODE REQUIREMENTS.

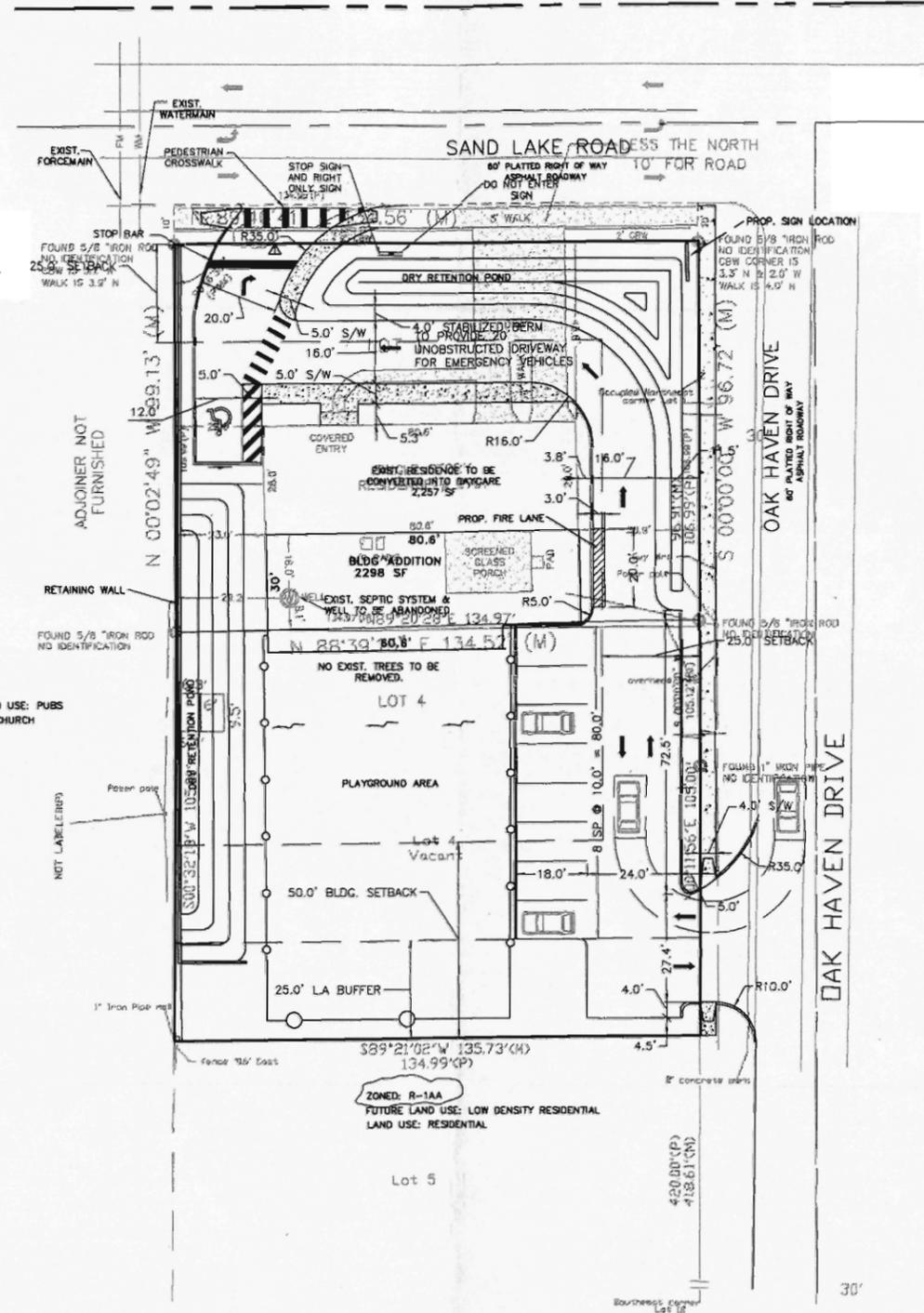
OPEN SPACE AREAS
PLAYGROUND AREA = 5910-SF
DRY RETENTION POND AREA = 3944-SF
LANDSCAPE AREA = 4857-SF
TOTAL OPEN SPACE AREA = 14,711 S.F. = 0.338 AC
% OPEN SPACE = 0.338 AC/0.63 AC * 100 = 54%
54% IS GREATER THAN REQUIRED 25%



- LEGEND**
- | | | | |
|-------|-----------------------------|------|------------------------|
| C | CENTER LINE | (C) | CALCULATED |
| Δ | DELTA (INTERSECTION ANGLE) | CNA | CORNER NOT ACCESSIBLE |
| R | RADIUS | (NR) | NON RADIAL |
| Ch | CHORD LENGTH | (R) | RADIAL |
| PC | POINT OF CURVATURE | RP | RADIUS RAMP |
| PT | POINT OF TANGENCY | BSL | BUILDING SETBACK LINE |
| PB | PLAT BOOK | (D) | PER DESCRIPTION |
| PC(S) | PAGE(S) | POC | POINT OF COMMERCEMENT |
| PRC | POINT OF REVERSE CURVATURE | POB | POINT OF BEGINNING |
| CLF | CHAIN LINK FENCE | OHUL | OVERHEAD UTILITY LINES |
| A/C | AIR CONDITIONER | CNF | CORNER NOT FOUND |
| R/W | RIGHT-OF-WAY | PI | POINT OF INTERSECTION |
| PPC | POINT OF COMPOUND CURVATURE | CBM | CONCRETE BLOCK WALL |
| (P) | PER PLAT | (M) | MESURED |
| BFE | BASE FLOOD ELEVATION | WF | Wood Fence |
| TB | TANGENT BEARING | REC | Denotes Concrete |
| ○ | REC | | |
| □ | REC | | |
| ⊕ | DENOTES UTILITY POLE | | |

LEGAL DESCRIPTION (AS FURNISHED)
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- LEGEND**
- c = Recovered 4"x4" Concrete Monument
 - m = Set 4"x4" Concrete Monument #LB6300
 - n = Recovered 5/8" Iron Rod LS3137
 - d = Recovered X Cut in concrete
 - b = Recovered 1 1/4" Iron Pipe no#
 - a = Set 1/2" Iron Rod #LB6300
 - = Light Pole as shown
 - = 6" Wood Fence
 - = 4" Chain link fence
 - = Fence as shown FILE abc.cet
 - = Concrete Slab



ZONED: R-1AA
FUTURE LAND USE: LOW DENSITY RESIDENTIAL
LAND USE: RESIDENTIAL

ZONED: R-1AA
FUTURE LAND USE: LOW DENSITY RESIDENTIAL
LAND USE: RESIDENTIAL

REG. NO. 8117
Fragomeni Engineering, Inc.
4985 Hoffner Avenue
Orlando, Florida 32812
Voice: (407) 240-044 Fax: (407) 240-0590

LITTLE VOICES LEARNING CENTER
2701 SAND LAKE ROAD

PRELIMINARY SITE PLAN

JOB NO.	V1004				
DATE:	6/19/07				
DESIGNED BY:	SLF				
DRAWN BY:	MP	2	9/21/07	REVISED PER COUNTY COMMENTS.	MP
CHECKED BY:	SLF	1	8/29/07	REVISED PER COUNTY COMMENTS.	MP
APPROVED BY:	SLF	NO.	DATE	REVISION	APPR

FILE: V1004-SITE PLAN
SCALE: 1" = 20'
SHEET NO.
C-1
SHERRI FRAGOMENI
P.E. NO. 56174