

ITEM # _____

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

SUBJECT: West Chapman Road Rezone from A-1 to PCD

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

AUTHORIZED BY: Alison C. Stettner **CONTACT:** Tina Williamson **EXT.** 7375

Agenda Date <u>1/9/08</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 rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) for 11.26 ± acres, located on the south side of W. Chapman Rd., between SR 417 and SR 426, and recommend approval of the attached Development Order and Preliminary Site Plan, based on staff findings (Terra Engineering/Rashid H. Jamalabad); or
2. **RECOMMEND DENIAL** of the request for a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) for 11.26 ± acres, located on the south side of W. Chapman Rd., between SR 417 and SR 426 (Terra Engineering/Rashid H. Jamalabad); or
3. **CONTINUE** the item to a time and date certain.

District 1 – Commissioner Dallari

Tina Williamson, Asst. Planning Mgr.

BACKGROUND:

This item was previously heard by the Planning and Zoning Commission on November 7, 2007. At that time the applicant was requesting C-3 (General Commercial & Wholesale) zoning. The Planning and Zoning Commission voted 4-0 to recommend denial of that request to the Board of County Commissioners. At their meeting on December 11, 2007, the Board of County Commissioners continued this item to their

Reviewed by:
Co Atty: <u>KFR</u>
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. <u>Z2007-48</u>

January 22, 2007 meeting, so that the applicant could pursue PCD (Planned Commercial Development) zoning.

At this time, the applicant is requesting a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development), in order to operate a boat/truck/RV rental facility, a warehouse and a truck repair/storage facility. The requested uses within the PCD are in accordance with the C-3 (General Commercial & Wholesale) zoning district. The Future Land Use Designation of the subject property is Industrial (IND) which allows the requested zoning district.

STAFF RECOMMENDATION:

Staff recommends approval of the request for a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) for 11.26 ± acres, located on the south side of W. Chapman Rd., between SR 417 and SR 426, and recommends approval of the attached Development Order and Preliminary Site Plan, based on staff findings

Attachments:

Staff Report

Location Map

Zoning & Future Land Use Map

Aerial Map

Preliminary Site Plan

Approval Development Order

Rezone Ordinance

Denial Development Order (applicable if the request is denied)

W. Chapman Road Rezone from A-1 to PCD

APPLICANT	Terra Engineering / Rashid H. Jamalabad	
PROPERTY OWNER	Chuck Blankenship	
REQUEST	Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development)	
PROPERTY SIZE	11.26 + acres	
HEARING DATE (S)	P&Z: January 9, 2008	BCC: January 22, 2008
PARCEL ID	16-21-31-5CA-0000-0510 and 16-21-31-5CA-0000-0540	
LOCATION	On the south side of W. Chapman Rd., between SR 417 and SR 426	
FUTURE LAND USE	IND (Industrial)	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2007-48	
COMMISSION DISTRICT	#1 – Dallari	

Proposed Development:

The applicant is requesting a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development), in order to operate a boat/truck/RV rental facility, a warehouse and a truck repair/storage facility. The requested uses within the PCD are in accordance with the C-3 (General Commercial & Wholesale) zoning district.

ANALYSIS OVERVIEW:

ZONING REQUEST

The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested zoning district of PCD (Planned Commercial Development).

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (PCD) (Setbacks from Property Boundaries)
Minimum Lot Size	43,560 sq. ft.	N/A
Minimum House Size	N/A	N/A
Minimum Width at Building Line	150'	N/A
Front Yard Setback	50'	50' (north)
Side Yard Setback	10'	50'/25' (east/west)
(Street) Side Yard Setback	50'	N/A
Rear Yard Setback	30'	25' (south)
Maximum Building Height	35'	35'

PERMITTED & SPECIAL EXCEPTION USES:

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

Uses	A-1 (existing)	PCD (proposed)
Permitted Uses	Single-family detached, agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Any uses permitted in the C-2 District excluding public or private elementary schools, middle schools and high schools. Bakeries, bottling and distribution plants, cold storage and frozen foodlockers, contractors' equipment-storage yards, feed stores, greenhouses-wholesale, industrial trade schools, laundry and dry-cleaning plants, lithography and publishing plants, lumber yards, machinery sales and storage, mechanical garages, bus, cab and truck repair, and storage, paint and body shops, plumbing shops, trade shops, such as, upholstery, metal, cabinet, warehouses, wholesale meat and produce distribution with meat cutting, but not butchering, communication towers when camouflage in design, communication towers when monopole in design if the tower is under one hundred forty (140) feet in height.
Special Exception Uses	Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.	Living quarters in conjunction with a commercial use to be occupied by the owner or operator of the business or an employee, public utility structures, service stations and gas pumps as an accessory use, hospitals and nursing homes, public and private schools, communication towers when lattice or guyed in design, communication towers when monopole in design if the tower is over one hundred forty (140) feet in height, parking of semi-tractor trailers and cargo trailer boxes in rural areas for the sale of feed, hay, or other agricultural products when such products are offered for retail sale from said trailer and when the trailer is located outside of the urban/rural boundary. Trailers must be mobile and used on an interim basis until exchanged for a like trailer, flea markets..
Minimum Lot Size	1-Acre	N/A

COMPATIBILITY WITH SURROUNDING PROPERTIES:

The Future Land Use designation of the surrounding properties to the east, west and south of the subject parcels is Industrial (IND). The property on the north side of Chapman Road has the Medium Density Residential (MDR) Future Land Use designation. The properties to the north, south, east and west of the subject property

are currently zoned A-1 (Agriculture). Staff finds the proposed rezone to PCD is consistent and compatible with the surrounding development patterns.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS:

Floodplain Impacts:

Based on the FIRM map, with an effective date of 1995, the subject property appears to be outside the 100-year flood plain.

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 preliminary analysis, there may be threatened and endangered species on the site. A threatened and endangered species survey will be required prior to Final Engineering approval.

PUBLIC FACILITY IMPACTS:

Rule 9J-5.0055(3)(c)1-2, Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The subject property will be required to undergo Concurrency Review prior to Final Engineering approval.

Utilities:

The site is located in the Southeast Seminole County service area. Capacity availability for this project will be determined during the Concurrency process. Seminole County has a 30-inch water main on West Chapman Road and a 16-inch force main on the east side of West State Road 426. The subject properties are in the ten-year master plan for reclaimed water. A separate reclaimed water utility system is required. This system must be charged by a temporary jumper from the potable water main and must be connected to reclaimed water when it becomes available.

Transportation / Traffic:

The parcels are adjacent to Chapman Road which is classified as a local road. Chapman Road is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

Drainage:

The proposed project is located within the Howell Creek Drainage Basin, and has limited or no downstream capacity. The site will have to be designed to hold the 25-year, 24-hour storm event onsite at the time of Final Engineering.

Parks, Recreation and Open Space:

The minimum 25% open space is required by the Seminole County Land Development Code Section 30.468

Buffers and Sidewalks:

Staff is recommending the following external buffering standards, which are contained in the attached Development Order:

The following setbacks and buffers shall be required from the external property boundaries:

North Property Line: 50' building setback and 25' buffer
South Property Line: 25' building setback and 15' buffer
East Property Line: 50' building setback and 25' buffer
West Property Line: 25' building setback and 15' buffer

The required external landscape buffers shall include the following:

- a. North property line: A minimum 8-foot opaque wall or fence, and 35 understory trees and 35 shrubs, evenly spaced along the property line.
- b. East property line: A minimum 8-foot opaque wall or fence, and 12 canopy trees, 24 understory trees and 204 shrubs evenly spaced along the property line.
- c. West property line: A minimum 8-foot opaque wall or fence, and 12 canopy trees, 24 understory trees and 204 shrubs evenly spaced along the property line.
- d. South property line: A minimum 8-foot opaque wall or fence and 4 canopy trees per 100 linear feet of buffer and a continuous shrub hedge that will attain a height of 3' within one year of planting.

The type and quality of all vegetation shall meet the requirements of the Seminole County Land Development Code.

A 5' ft. sidewalk will be required with the road construction and widening on Chapman Road.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS:

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

SPECIAL DISTRICTS:

The subject property is not located within any special district or overlay.

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 POT 4.5: Potable Water Connection
- Policy SAN 4.4: Sanitary Sewer Connection
- Policy PUB 2.1: Public Safety Level-of-Service
- Policy FLU 2.11: Determination of Compatibility in the Planned Unit Development District

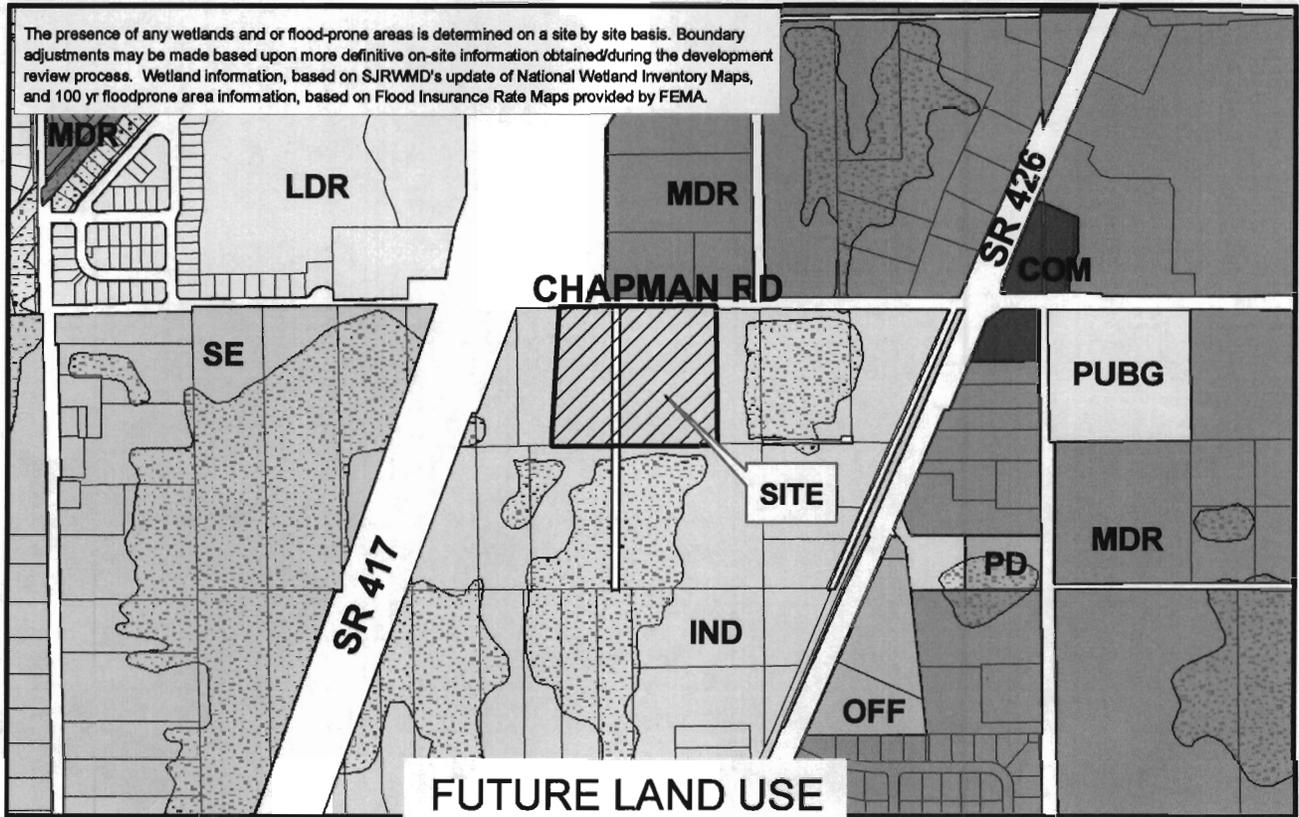
INTERGOVERNMENTAL NOTIFICATION:

An intergovernmental notice is not required for this development.

LETTERS OF SUPPORT OR OPPOSITION:

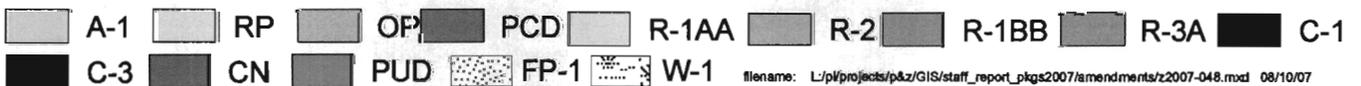
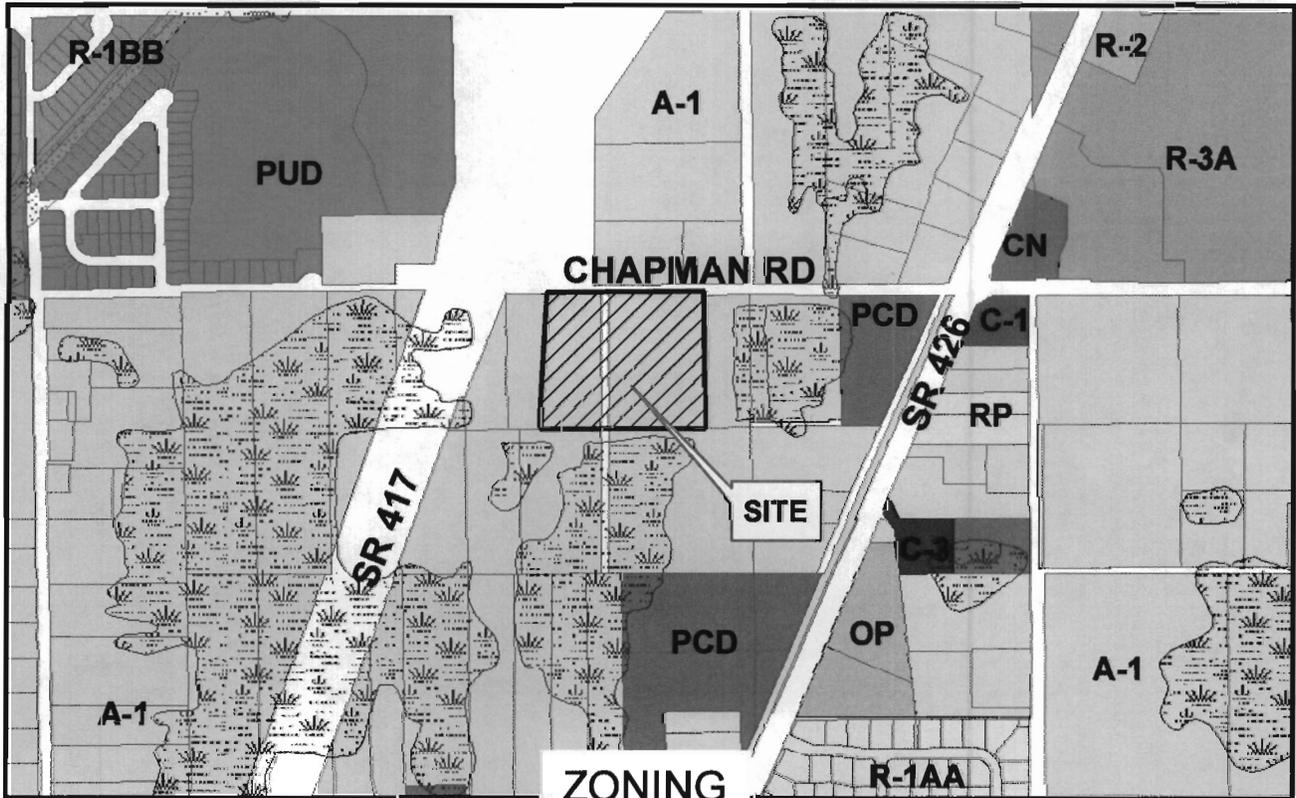
At this time, Staff has received no letters of support or opposition.

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 flood-prone area information, based on Flood Insurance Rate Maps provided by FEMA.



Applicant: Rashid Jamalabad
 Physical STR: 16-21-31-5CA-0000-0510, 0540
 Gross Acres: 11.26 +/- BCC District: 1
 Existing Use: Residential, Vacant
 Special Notes:

	Amend/ Rezone#	From	To
FLU	-	-	-
Zoning	Z2007-048	A-1	PCD





Rezone No: Z2007-048
From: A-1 To: PCD

-  Parcel
-  Subject Property



Winter 2006 Color Aerials

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

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

EXHIBIT A LEGAL DESCRIPTION

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

FINDINGS OF FACT

Property Owner: Chuck Blankenship

Project Name: W. Chapman Road Rezone

Requested Development Approval: Rezoning from the A-1 (Agriculture) zoning classification to the PCD (Planned Commercial Development) zoning classification.

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:
Tina Williamson, Assistant Planning Manager
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:

1. Permitted and Special Exception uses shall be in accordance with the C-3 (General Commercial and Wholesale) zoning district.
2. All development shall comply with the Preliminary Site Plan, attached as Exhibit B.
3. The maximum building square footage shall be limited to 53,200 square feet.
4. Parking shall be provided based upon the uses determined at the time of Final Site Plan. More parking may be required than is shown on the Preliminary Site Plan, depending on the final uses.
5. The following setbacks and buffers shall be required from the external property boundaries:

North Property Line: 25' building setback and 15' buffer

South Property Line: 25' building setback and 15' buffer

East Property Line: 50' building setback and 25' buffer

West Property Line: 25' building setback and 15' buffer

6. The required external landscape buffers shall include the following:
 - a. North property line: 4 canopy trees and 4 understory trees per 100 linear feet of buffer and a continuous shrub hedge that will attain a height of 3' within one year of planting. The trees shall be planted so that they do not interfere with any power lines.
 - b. East property line: A minimum 8-foot opaque wall or fence, and 12 canopy trees, 24 understory trees and 204 shrubs evenly spaced along the property line.
 - c. West property line: A minimum 8-foot opaque wall or fence, and 12 canopy trees, 24 understory trees and 204 shrubs evenly spaced along the property line.

- d. South property line: A minimum 8-foot opaque wall or fence and 4 canopy trees per 100 linear feet of buffer and a continuous shrub hedge that will attain a height of 3' within one year of planting.

The type and quality of all vegetation shall meet the requirements of the Seminole County Land Development Code.

7. Internal setback and buffer widths shall be in accordance with the Preliminary Site Plan, attached as Exhibit B. The internal landscape buffers shall include at a minimum 4 canopy trees per 100 linear feet of buffer and a continuous shrub hedge that will attain a height of 3' within one year of planting.
8. Building height is limited to one-story, not to exceed 35'.
9. No less than 25% of the site shall be maintained as open space. Open space areas shall include buffers and grassed or mulched areas, but not gravel or paved surfaces of any kind.
10. A 5' sidewalk will be required along the property frontage on W. Chapman Road. Internal sidewalks shall be provided to provide pedestrian connectivity.
11. The site development shall meet all requirements specified in the Seminole County Land Development Code and shall be reviewed during the Final Site Plan process. These requirements include, but are not limited to: signage, lighting, drainage, fire safety, utilities and road improvements. The site layout may change based on these 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: _____
Brenda Carey, Chairman
Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Chuck Blankenship, on behalf of himself and his 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

Chuck Blankenship
Owner

Print Name

Witness

Print Name

**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 Chuck Blakenship, 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 _____, 2008.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A LEGAL DESCRIPTION

PARCEL B:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 51, SLAVIA COLONY CO.S, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE RUN N89°D44'37"E ALONG THE SOUTH LINE OF SAID LOT 51 A DISTANCE OF 350.98 FEET TO THE POINT OF BEGINNING; THENCE RUN THENCE RUN N03°D06'02"E A DISTANCE OF 649.99 FEET TO A POINT ALONG THE NORTH LINE OF SAID LOT 51; THENCE RUN N89°D41'39"E ALONG THE NORTH LINE OF SAID LOT 51 A DISTANCE OF 183.51 FEET; THENCE DEPARTING THE SAID NORTH LINE RUN S00°D44'08"E A DISTANCE OF 649.05 FEET TO A POINT ALONG THE SOUTH LINE OF SAID LOT 51; THENCE RUN S89°D44'37"W ALONG THE SOUTH LINE OF SAID LOT 51 A DISTANCE OF 227.00 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 133,197 SQ. FT. OR 3.058 ACRES MORE OR LESS.

PARCEL C:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 51, SLAVIA COLONY CO.S, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE RUN N89°D44'37"E ALONG THE SOUTH LINE OF SAID LOT 51 A DISTANCE OF 577.98 FEET TO THE POINT OF BEGINNING; THENCE RUN THENCE RUN N00°D44'08"W A DISTANCE OF 649.05 FEET TO A POINT ALONG THE NORTH LINE OF SAID LOT 51; THENCE RUN N89°D41'39"E ALONG THE NORTH LINE OF LOT 51 AND THE NORTH LINE OF LOT 54 OF AFORESAID PLAT OF SLAVIA COLONY CO.S A DISTANCE OF 275.00 FEET; THENCE DEPARTING THE SAID NORTH LINE RUN S00°D44'07"E A DISTANCE OF 649.29 FEET TO A POINT ALONG THE SOUTH LINE OF SAID LOT 54; THENCE RUN S89°D44'37"W ALONG THE SOUTH LINE OF SAID LOT 54 AND SAID LOT 51 A DISTANCE OF 275.00 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 178,516 SQ. FT. OR 4.098 ACRES MORE OR LESS.

PARCEL D:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 51, SLAVIA COLONY CO.S, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE RUN N89°D44'37"E ALONG THE SOUTH LINE OF SAID LOT 51 AND THE NORTH LINE OF LOT 54 OF AFORESAID PLAT OF SLAVIA COLONY CO.S A DISTANCE OF 852.97 FEET TO THE POINT OF BEGINNING; THENCE RUN THENCE RUN N00°D44'07"W A DISTANCE OF 649.29 FEET TO A POINT ALONG THE NORTH LINE OF SAID LOT 54; THENCE RUN N89°D41'39"E ALONG THE NORTH LINE OF SAID LOT 54 A DISTANCE OF 275.00 FEET; THENCE DEPARTING THE SAID NORTH LINE RUN S00°D44'07"E ALONG A LINE 201.19 FEET WEST AND PARALLEL TO THE EAST LINE OF SAID LOT 54 A DISTANCE OF 649.53 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 54; THENCE RUN S89°D44'37"W ALONG THE SOUTH LINE OF SAID LOT 54 A DISTANCE OF 275.00 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 178,582 SQ. FT. OR 4.100 ACRES MORE OR LESS.

FILE # Z2007-048

DEVELOPMENT ORDER # 07-2000009

EXHIBIT B

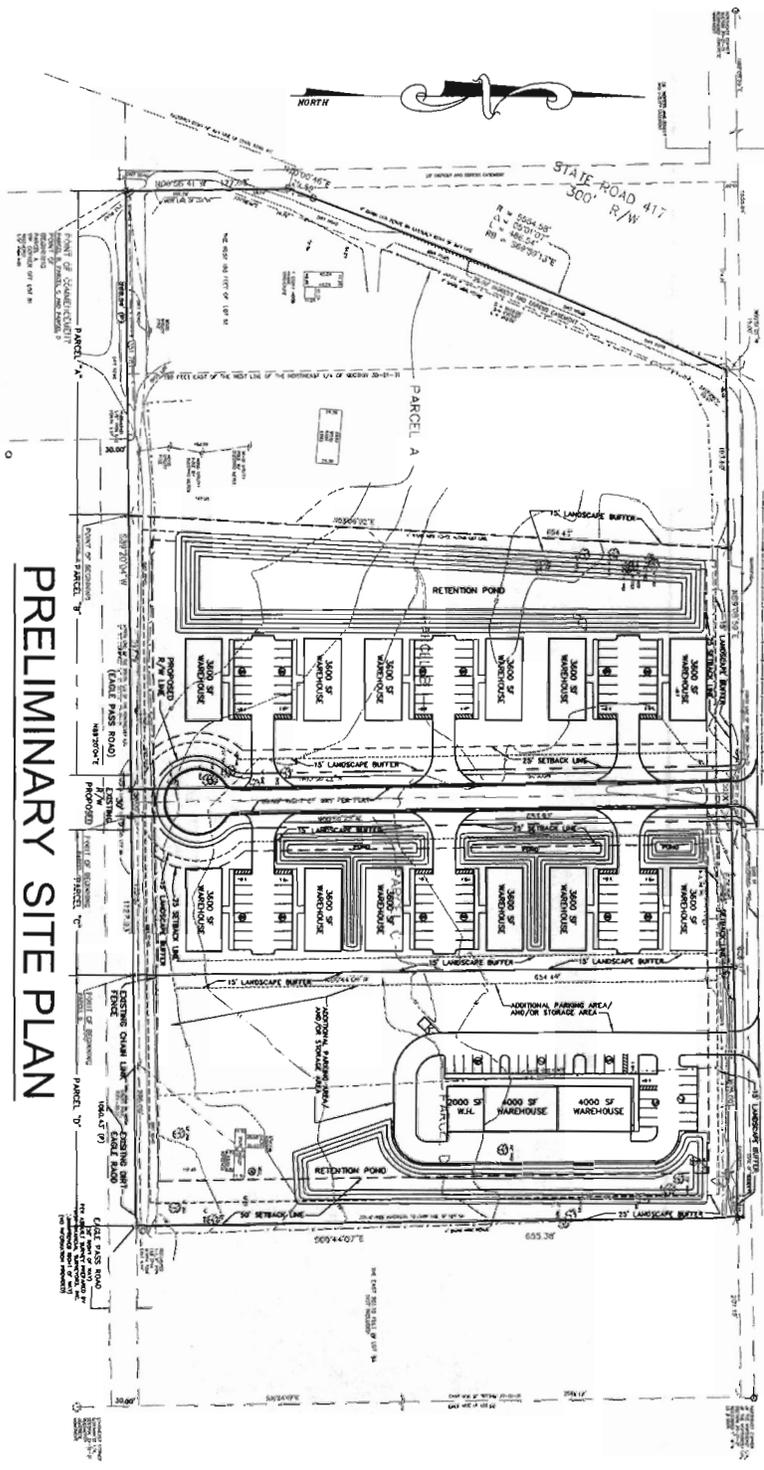
PARCEL A:
ZONING: A1 - AGRICULTURAL
NOTE: PARCEL "A" IS NOT PLANNED FOR DEVELOPMENT

PARCEL B:
ZONING: EDC - DIVERS COMMERCIAL DEVELOPMENT
BUILDING AREA: 3000 SF x 4 LANE = 12,000 SF
WAREHOUSE: 12,000 SF
TOTAL: 24,000 SF
PARKING SPACES: 22
TOTAL: 22 SPACES

PARCEL C:
ZONING: EDC - DIVERS COMMERCIAL DEVELOPMENT
BUILDING AREA: 3000 SF x 4 LANE = 12,000 SF
WAREHOUSE: 12,000 SF
TOTAL: 24,000 SF
PARKING SPACES: 22
TOTAL: 22 SPACES

PARCEL D:
ZONING: EDC - DIVERS COMMERCIAL DEVELOPMENT
BUILDING AREA: 3000 SF x 4 LANE = 12,000 SF
WAREHOUSE: 12,000 SF
TOTAL: 24,000 SF
PARKING SPACES: 22
TOTAL: 22 SPACES

NOTE: PARKING REQUIREMENT IS ONE (1) SPACE PER 1000 SF OF GROSS FLOOR AREA (GFA) FOR EACH OF PARCELS B, C, AND D.



PRELIMINARY SITE PLAN

REQUEST FOR CHANGE OF ZONING

PARCEL B / I	AREA	EXISTING ZONING	PROPOSED ZONING	EXISTING LAND USE	PROPOSED USE
PARCEL "B"	131,197 SF	A-1	EDC	VACANT	INDUSTRIAL FACILITY (BUILT/PLANNED)
PARCEL "C"	178,345 SF	A-1	EDC	VACANT	WAREHOUSE/STORAGE
PARCEL "D"	178,345 SF	A-1	EDC	VACANT	WAREHOUSE/STORAGE

No.	Date	Revisions
1	10/12/07	PLANS REVISED PER COUNTY REVIEW COMMENTS
2	10/15/07	PLANS REVISED PER COUNTY REVIEW COMMENTS
3		
4		
5		
6		
7		
8		
9		
10		

TERRA ENGINEERING CONSULTANT, INC.
CERTIFICATE OF AUTH. # 00007243
500 E. SEMORAN BLVD., SUITE 2046
CASSELBERRY, FLORIDA
TEL (407) 767-2569
FAX (407) 767-0323

PRELIMINARY SITE PLAN
CHAPMAN INDUSTRIAL CENTER
2155 W CHAPMAN RD.
OWEDO, FL 32785

PROJ. NO.: 07017
DATE: APRIL 2007
SCALE: 1" = 60'

SH.NO. C-1

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE PCD (PLANNED COMMERCIAL DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR 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 "West Chapman Road Rezone."

(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 A-1 (Agriculture) to PCD (Planned Commercial Development):

SEE ATTACHED EXHIBIT A

Section 3. EXCLUSION FROM 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 upon the date of filing with the Department and recording of Development Order #07-20000009.

ENACTED this 22nd day of January 2008.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Brenda Carey, Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL B:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 51, SLAVIA COLONY CO.S, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE RUN N89°D44'37"E ALONG THE SOUTH LINE OF SAID LOT 51 A DISTANCE OF 350.98 FEET TO THE POINT OF BEGINNING; THENCE RUN THENCE RUN N03°D06'02"E A DISTANCE OF 649.99 FEET TO A POINT ALONG THE NORTH LINE OF SAID LOT 51; THENCE RUN N89°D41'39"E ALONG THE NORTH LINE OF SAID LOT 51 A DISTANCE OF 183.51 FEET; THENCE DEPARTING THE SAID NORTH LINE RUN S00°D44'08"E A DISTANCE OF 649.05 FEET TO A POINT ALONG THE SOUTH LINE OF SAID LOT 51; THENCE RUN S89°D44'37"W ALONG THE SOUTH LINE OF SAID LOT 51 A DISTANCE OF 227.00 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 133,197 SQ. FT. OR 3.058 ACRES MORE OR LESS.

PARCEL C:

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AREA CONTAINS 178,516 SQ. FT. OR 4.098 ACRES MORE OR LESS.

PARCEL D:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 51, SLAVIA COLONY CO.S, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE RUN N89°D44'37"E ALONG THE SOUTH LINE OF SAID LOT 51 AND THE NORTH LINE OF LOT 54 OF AFORESAID PLAT OF SLAVIA COLONY CO.S A DISTANCE OF 852.97 FEET TO THE POINT OF BEGINNING; THENCE RUN THENCE RUN N00°D44'07"W A DISTANCE OF 649.29 FEET TO A POINT ALONG THE NORTH LINE OF SAID LOT 54; THENCE RUN N89°D41'39"E ALONG THE NORTH LINE OF SAID LOT 54 A DISTANCE OF 275.00 FEET; THENCE DEPARTING THE SAID NORTH LINE RUN S00°D44'07"E ALONG A LINE 201.19 FEET WEST AND PARALLEL TO THE EAST LINE OF SAID LOT 54 A DISTANCE OF 649.53 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 54; THENCE RUN S89°D44'37"W ALONG THE SOUTH LINE OF SAID LOT 54 A DISTANCE OF 275.00 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 178,582 SQ. FT. OR 4.100 ACRES MORE OR LESS.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On January 22, 2008, Seminole County issued this Denial Development Order relating to and touching and concerning the following property described in the attached legal description as Exhibit "A".

Property Owner: Chuck Blankenship

Project Name: W. Chapman Road Rezone

Requested Development Approval: Rezoning from the A-1 (Agriculture) zoning classification to the PCD (Planned Commercial Development) zoning classification.

The Board of County Commissioners has determined that the rezone request from A-1 (Agriculture) to PCD (Planned Commercial Development) is not compatible with the surrounding area to the south and could not be supported.

After fully considering staff analysis titled "W. Chapman Road Rezone" and all evidence submitted at the public hearing on January 22, 2008, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) 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: _____
Brenda Carey, Chairman

**EXHIBIT A
LEGAL DESCRIPTION****PARCEL B:**

COMMENCE AT THE SOUTHWEST CORNER OF LOT 51, SLAVIA COLONY CO.S, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE RUN N89°D44'37"E ALONG THE SOUTH LINE OF SAID LOT 51 A DISTANCE OF 350.98 FEET TO THE POINT OF BEGINNING; THENCE RUN THENCE RUN N03°D06'02"E A DISTANCE OF 649.99 FEET TO A POINT ALONG THE NORTH LINE OF SAID LOT 51; THENCE RUN N89°D41'39"E ALONG THE NORTH LINE OF SAID LOT 51 A DISTANCE OF 183.51 FEET; THENCE DEPARTING THE SAID NORTH LINE RUN S00°D44'08"E A DISTANCE OF 649.05 FEET TO A POINT ALONG THE SOUTH LINE OF SAID LOT 51; THENCE RUN S89°D44'37"W ALONG THE SOUTH LINE OF SAID LOT 51 A DISTANCE OF 227.00 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 133,197 SQ. FT. OR 3.058 ACRES MORE OR LESS.

PARCEL C:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 51, SLAVIA COLONY CO.S, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE RUN N89°D44'37"E ALONG THE SOUTH LINE OF SAID LOT 51 A DISTANCE OF 577.98 FEET TO THE POINT OF BEGINNING; THENCE RUN THENCE RUN N00°D44'08"W A DISTANCE OF 649.05 FEET TO A POINT ALONG THE NORTH LINE OF SAID LOT 51; THENCE RUN N89°D41'39"E ALONG THE NORTH LINE OF LOT 51 AND THE NORTH LINE OF LOT 54 OF AFORESAID PLAT OF SLAVIA COLONY CO.S A DISTANCE OF 275.00 FEET; THENCE DEPARTING THE SAID NORTH LINE RUN S00°D44'07"E A DISTANCE OF 649.29 FEET TO A POINT ALONG THE SOUTH LINE OF SAID LOT 54; THENCE RUN S89°D44'37"W ALONG THE SOUTH LINE OF SAID LOT 54 AND SAID LOT 51 A DISTANCE OF 275.00 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 178,516 SQ. FT. OR 4.098 ACRES MORE OR LESS.

PARCEL D:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 51, SLAVIA COLONY CO.S, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. THENCE RUN N89°D44'37"E ALONG THE SOUTH LINE OF SAID LOT 51 AND THE NORTH LINE OF LOT 54 OF AFORESAID PLAT OF SLAVIA COLONY CO.S A DISTANCE OF 852.97 FEET TO THE POINT OF BEGINNING; THENCE RUN THENCE RUN N00°D44'07"W A DISTANCE OF 649.29 FEET TO A POINT ALONG THE NORTH LINE OF SAID LOT 54; THENCE RUN N89°D41'39"E ALONG THE NORTH LINE OF SAID LOT 54 A DISTANCE OF 275.00 FEET; THENCE DEPARTING THE SAID NORTH LINE RUN S00°D44'07"E ALONG A LINE 201.19 FEET WEST AND PARALLEL TO THE EAST LINE OF SAID LOT 54 A DISTANCE OF 649.53 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 54; THENCE RUN S89°D44'37"W ALONG THE SOUTH LINE OF SAID LOT 54 A DISTANCE OF 275.00 FEET TO THE POINT OF BEGINNING.
AREA CONTAINS 178,582 SQ. FT. OR 4.100 ACRES MORE OR LESS.

PARCEL A:

ZONING: A1- AGRICULTURAL

NOTE: PARCEL "A" IS NOT PLANNED FOR DEVELOPMENT

SITE DATA

PARCEL B:

ZONING: PCD- PLANNED COMMERCIAL DEVELOPMENT

BUILDING AREA
WAREHOUSE 3600 SF x 6 UNITS = 21,600 SF
BUILDING HEIGHT ONE STORY

PARKING SPACES	REQUIRED	PROVIDED
WAREHOUSE	22	30
EMPLOYEES	6	12
HANDICAP 12x20	0	6
TOTAL	28	48 SPACES

BUILDING AREA= 21,600 SF
PAVED PARKING AREA= 21,884 SF
SIDEWALK= 3,024 SF
TOTAL IMP. AREA= 46,508 SF (27.32%)
STORMWATER POND AREA= 47,300 SF (27.90%)
PROPOSED R/W 10,140 SF (5.98%)
GREEN SPACE= 85,765 SF (38.80%)
TOTAL SITE AREA= 189,513 SF (3.89 ac.)

PARCEL C:

ZONING: PCD- PLANNED COMMERCIAL DEVELOPMENT

BUILDING AREA
WAREHOUSE 3600 SF x 6 UNITS = 21,600 SF
BUILDING HEIGHT ONE STORY

PARKING SPACES	REQUIRED	PROVIDED
WAREHOUSE	22	30
EMPLOYEES-12	6	12
HANDICAP 12x20	0	6
TOTAL	28	48

BUILDING AREA= 21,600 SF
PAVED PARKING AREA= 21,884 SF
SIDEWALK= 3,024 SF
TOTAL IMP. AREA= 46,508 SF (44.88%)
STORMWATER AREA= 16,500 SF (16.00%)
PROPOSED R/W 10,140 SF (9.83%)
GREEN SPACE= 30,241 SF (29.31%)
TOTAL SITE AREA= 103,189 SF (2.36 ac.)

PARCEL D:

ZONING: PCD- PLANNED COMMERCIAL DEVELOPMENT

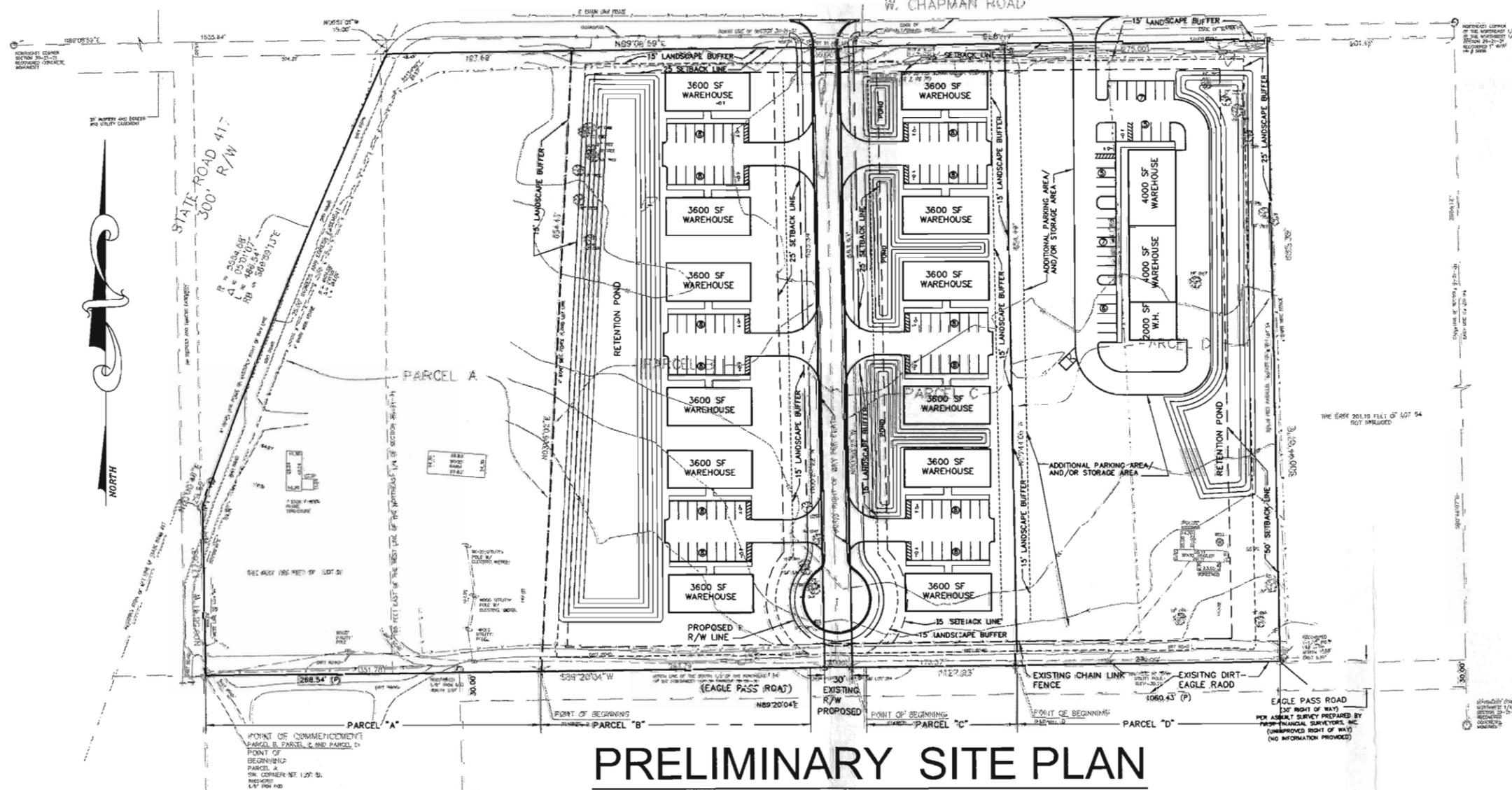
BUILDING AREA
WAREHOUSE 10,000 SF
BUILDING HEIGHT ONE STORY

PARKING SPACES	REQUIRED	PROVIDED
WAREHOUSE	10	22
EMPLOYEES	6	6
HANDICAP 12x20	0	2
TOTAL	16	30 SPACES

BUILDING AREA= 10,000 SF
PAVED PARKING AREA= 28,252 SF
SIDEWALK= 1,472 SF
TOTAL IMP. AREA= 39,724 SF (22.24%)
STORMWATER AREA= 24,475 SF (13.70%)
GREEN SPACE= 114,412 SF (64.06%)
TOTAL SITE AREA= 178,611 SF (4.10)

NOTE: PARKING REQUIREMENT IS ONE (1) SPACE FOR EACH ONE THOUSAND (1,000) SQUARE FEET OF BUILDING PLUS ONE (1) SPACE FOR EACH TWO (2) EMPLOYEES ON THE LARGEST SHIFT.

BUFFER/SET BACK:
THE FOLLOWING SETBACKS AND BUFFERS SHALL BE REQUIRED FOR FROM THE EXTERNAL PROPERTY BOUNDARIES:
NORTH PROPERTY LINE: 25' BUILDING SETBACK AND 15' BUFFER
SOUTH PROPERTY LINE: 25' BUILDING SETBACK AND 15' BUFFER
EAST PROPERTY LINE: 50' BUILDING SETBACK AND 25' BUFFER
WEST PROPERTY LINE: 25' BUILDING SETBACK AND 15' BUFFER



PRELIMINARY SITE PLAN

REQUEST FOR CHANGE OF ZONING

PARCEL ID #	AREA	EXISTING ZONING	PROPOSED ZONING	EXISTING LAND USE	PROPOSED USE
PARCEL "B"	133,197 SF	A-1	PCD	VACANT	RENTA FACILITY (BOAT,RV,TRUCK)
PARCEL "C"	178,345 SF	A-1	PCD	VACANT	WAREHOUSE STORAGE
PARCEL "D"	178,581 SF	A-1	PCD	VACANT	TRUCK REPAIR/EQUIPMENT-TRUCK STORAGE FACILITY

SH.NO. C-1

PROJ. NO. : 07017
DATE : JUNE 2007
SCALE: 1" = 60'

PRELIMINARY SITE PLAN
CHAPMAN INDUSTRIAL CENTER
2155 W CHAPMAN RD.
OVIEDO, FL 32765

TERRA ENGINEERING CONSULTANT, INC.
CERTIFICATE OF AUTH. # 00007243
500 E. SEMORAN BLVD., SUITE 2046
CASSELBERRY, FLORIDA
TEL. (407) 767-2599
FAX. (407) 767-0323

Project Mgr. _____
Designed by RHJ
Drawn by RHJ
Checked by RHJ
Prof. Eng. Rashid H. Jernadbad
PE License 48631

No.	Date	Revisions
1	12/12/07	PLANS REVISED PER COUNTY REVIEW COMMENTS
2	12/19/07	PLANS REVISED PER COUNTY REVIEW COMMENTS