

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

SUBJECT: Line Drive Professional Office Small Scale Land Use Amendment from PD to PD and Rezone from PUD to PUD.

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

AUTHORIZED BY: Alison Stettner **CONTACT:** Ian Sikonia EXT. 7398

Agenda Date 3/5/2008 Regular Work Session Briefing
Special Hearing – 6:00 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. **RECOMMEND APPROVAL** of the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) on .62± acres, located 300 feet south of the intersection of Sand Lake Road and Line Drive, and recommend approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order, per staff findings; (Jack Reynolds, applicant); or
2. **RECOMMEND DENIAL** of the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) on .62± acres, located 300 feet south of the intersection of Sand Lake Road and Line Drive; (Jack Reynolds, applicant); or
3. **CONTINUE** until a time and date certain.

District #3 – Van Der Weide

Ian Sikonia, Senior Planner

BACKGROUND:

The applicant, Jack Reynolds is requesting a rezone and Small Scale Land Use Amendment in order to develop a 4,600 square foot professional office building. The parcel was previously located within Tract 5 of the Stockbridge PUD which permitted 280 townhomes and single-family dwellings on 33.3 acres with a density of 8.4 units per acre. Tract 5's final approved development pattern is a total of 250 townhome

Reviewed by:	_____
Co Atty:	<u>KFT</u>
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2007-45</u>

and single-family dwellings, leaving the 0.62 acre vacant. This property was removed from the Stockbridge PUD and was rezoned to allow a 7 unit townhouse community on October 24, 2006. The requested rezone will allow all permitted uses within the OP (Office) zoning district. The reason for the small scale land use amendment request is due to the applicant submitting for a use from residential to non residential.

STAFF RECOMMENDATION:

Staff recommends approval of the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) on .62± acres, located 300 feet south of the intersection of Sand Lake Road and Line Drive, and recommend approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order.

Attachments:

- Location Map
- Zoning and Future Land Use Map
- Aerial Map
- Preliminary Master Plan
- Development Order
- Rezone Ordinance
- Land Use Ordinance
- Denial Development Order (applicable if the request is denied)

**Line Drive Professional Office
Small Scale Land Use Amendment from PD to PD
Rezone from PUD to PUD**

APPLICANT	Jack Reynolds	
PROPERTY OWNER	Huned Botee	
REQUEST	Small Scale Land Use Amendment from PD (Planned Development) to PD (Planned Development) and a rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development).	
PROPERTY SIZE	.62 ± acres	
HEARING DATE (S)	P&Z: March 5, 2008	BCC: April 22, 2008
PARCEL ID	07-21-29-300-019C-0000	
LOCATION	Located 300 feet south of the intersection of Sand Lake Road and Line Drive.	
FUTURE LAND USE	PD (Planned Development)	
ZONING	PUD (Planned Unit Development)	
FILE NUMBER	Z2007-45	
COMMISSION DISTRICT	#3 – Van Der Weide	

PROPOSED DEVELOPMENT:

The applicant is proposing a 4,600 square foot professional office building.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Jack Reynolds is requesting a rezone and small scale land use amendment in order to develop a 4,600 square foot office complex. The Future Land Use designation of the subject property is PUD (Planned Unit Development), which includes uses associated with a townhome subdivision. The following table depicts the minimum regulations for the current zoning district of PUD (Planned Unit Development) and the requested district of PUD (Planned Unit Development):

DISTRICT REGULATIONS	Existing Zoning (PUD)	Proposed Zoning (PUD)
Minimum Lot Size	1,376 sq. ft.	N/A
Minimum House Size	2,200 sq. ft.	N/A
Minimum Width at Building Line	N/A	N/A
Front Yard Setback	20 feet	25 feet
Side Yard Setback	7.5 feet	10 feet
(Street) Side Yard Setback	15 feet	N/A
Rear Yard Setback	15 feet	30 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:

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
PUD (existing)	Townhomes and their customary accessory uses, home occupations and home offices	N/A	1,376 sq. ft.
PUD (proposed)	Allowable uses shall be those permitted in the OP Zoning District.	N/A	N/A

COMPATIBILITY WITH SURROUNDING PROPERTIES

The area from Sand Lake Road to SR 436 on Line Drive consists of single family, multi-family, and some non-residential uses. To the north of the property is the Congregation of Beth Am Temple, to the south is a small office building, to the east are single-family homes, and to the west is Orange County which consists of single-family homes. The requested professional office building will create an employment center and serve the residents of the surrounding neighborhoods. The proposed use of this site allows for a mixture of compatible low density residential and non residential uses in the area. Staff finds that the requested rezone and land use amendment are compatible with the surrounding uses and existing development patterns of the area.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map panel 12117C0115E, with an effective date of 1995, there appears to be no floodplains on the subject property.

Drainage:

The proposed project is located within a landlocked drainage basin, and has no downstream capacity. The site will have to be designed to hold the entire 100-year, 24-hour storm event onsite.

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 may be 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)(c); Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has submitted an application for Full Concurrency Review. Concurrency Management has determined that water and sewer facility capacity is available for the proposed property subject to execution of a Utility Agreement and payment of fees. Concurrency Management further determined that sufficient roadway capacity is available based upon Concurrency Management System Net Available Capacity.

Utilities:

The site is located in the Southeast Seminole County water and sewer utility service area, and will be required to connect to public utilities. There is an 8-inch water main on the east side of Line Drive and an 8-inch force main approximately 1200 ft. east on the south side of Sand Lake Rd. The subject property is not in the ten-year master plan for reclaimed water. An alternative source for irrigation water will not be required.

Transportation / Traffic:

The property is adjacent to Line Drive which is classified as a local road. Line Drive is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

Public Safety:

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station 13, which is located at 1240 SR 436 and meets the Level-Of-Service standard.

Buffers and Sidewalks:

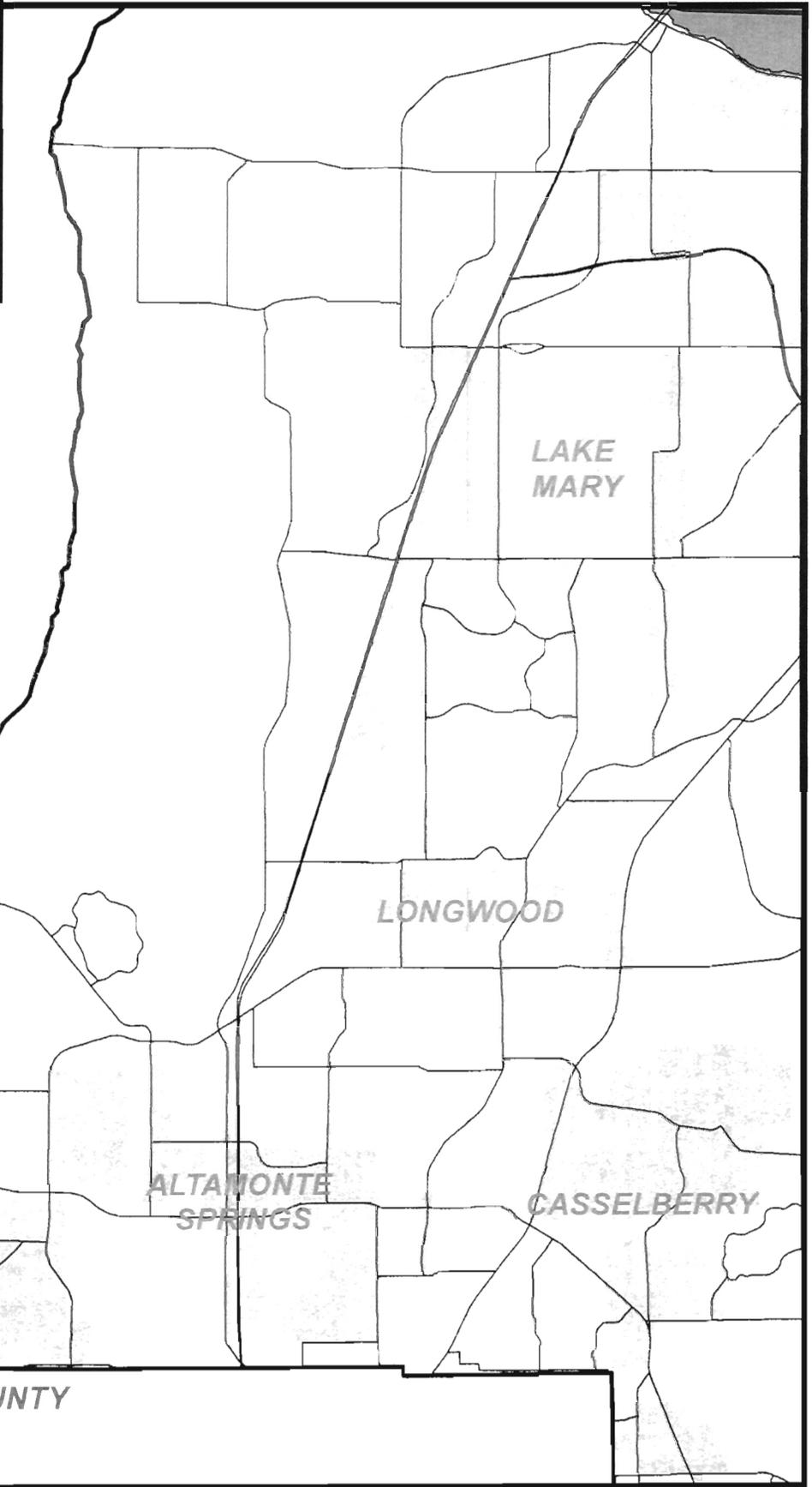
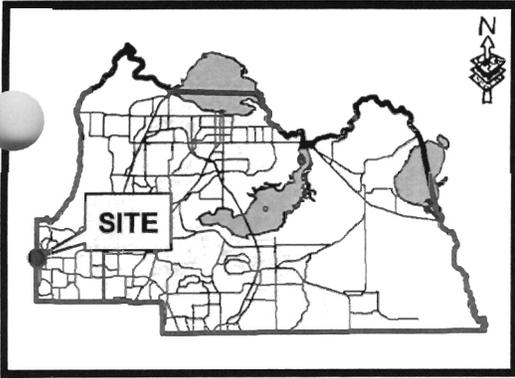
There is an existing 5-foot sidewalk along Line Drive which will be connected to the office building and the open space area.

The following proposed buffers are contained in the attached Development Order:

West: 10'
North: 5'
South: 10'

STAFF RECOMMENDATION:

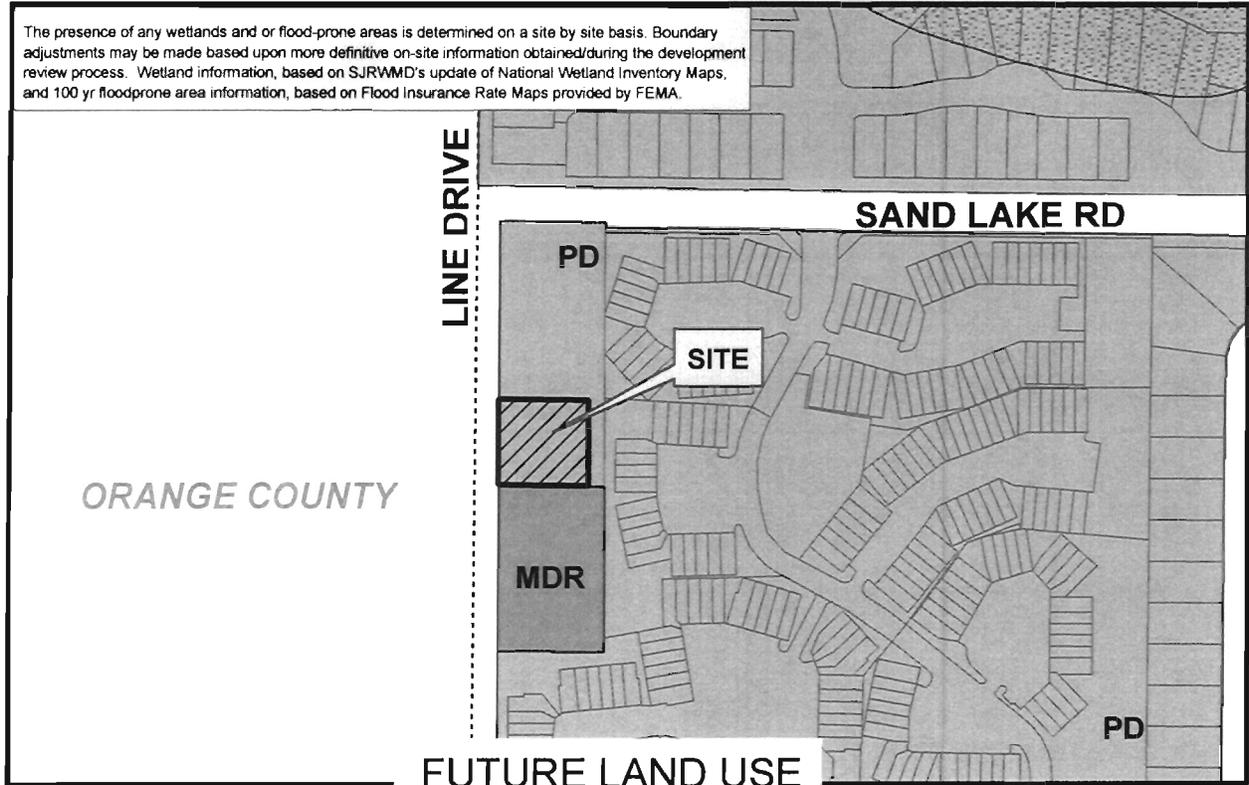
Staff recommends approval of the request for a Small Scale Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) on .62± acres, located 300 feet south of the intersection of Sand Lake Road and Line Drive, and recommend approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order.



Z2007-045
SITE

ORANGE COUNTY

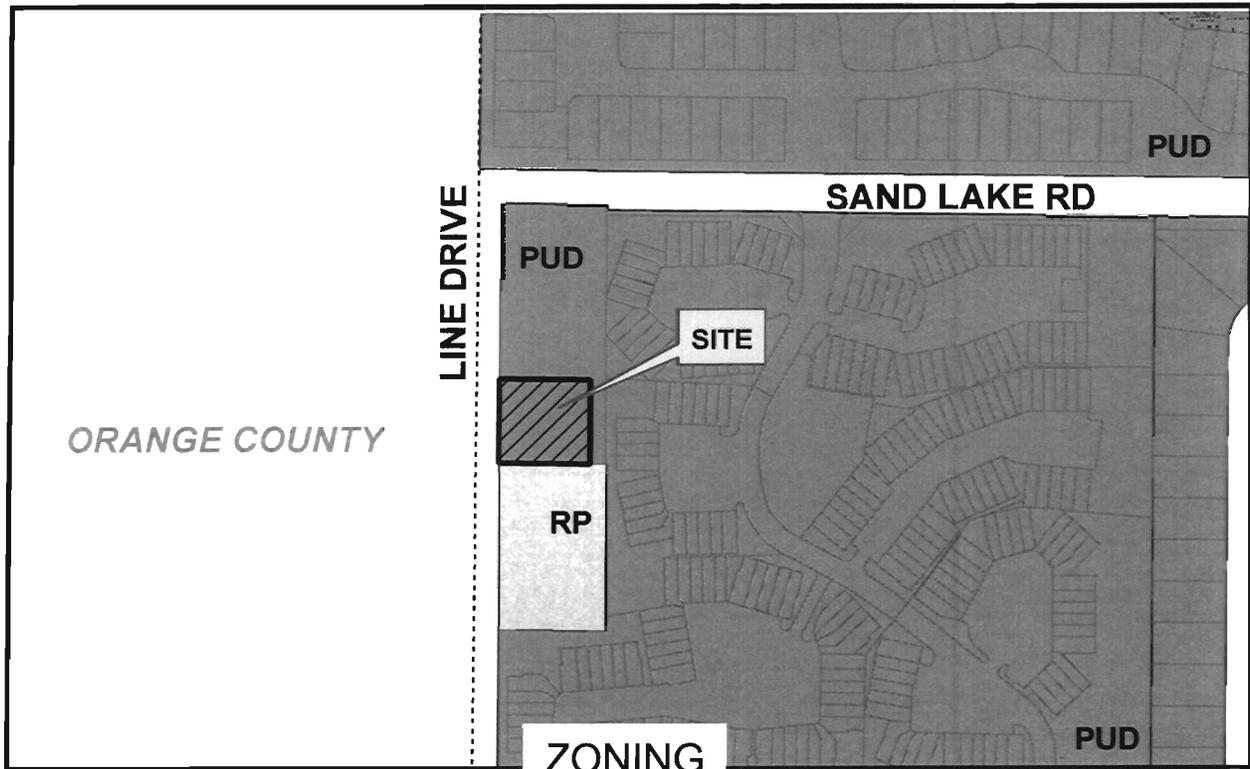
The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps,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



Site
 Municipality
 MDR
 PD
 CONS

Applicant: Jack Reynolds
 Physical STR: 07-21-29-300-019C-0000
 Gross Acres: .62 +/- BCC District: 3
 Existing Use: Vacant
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	02-08SS02	PD	PD
Zoning	Z2007-045	PUD	PUD



A-1
 RP
 PUD
 FP-1
 W-1

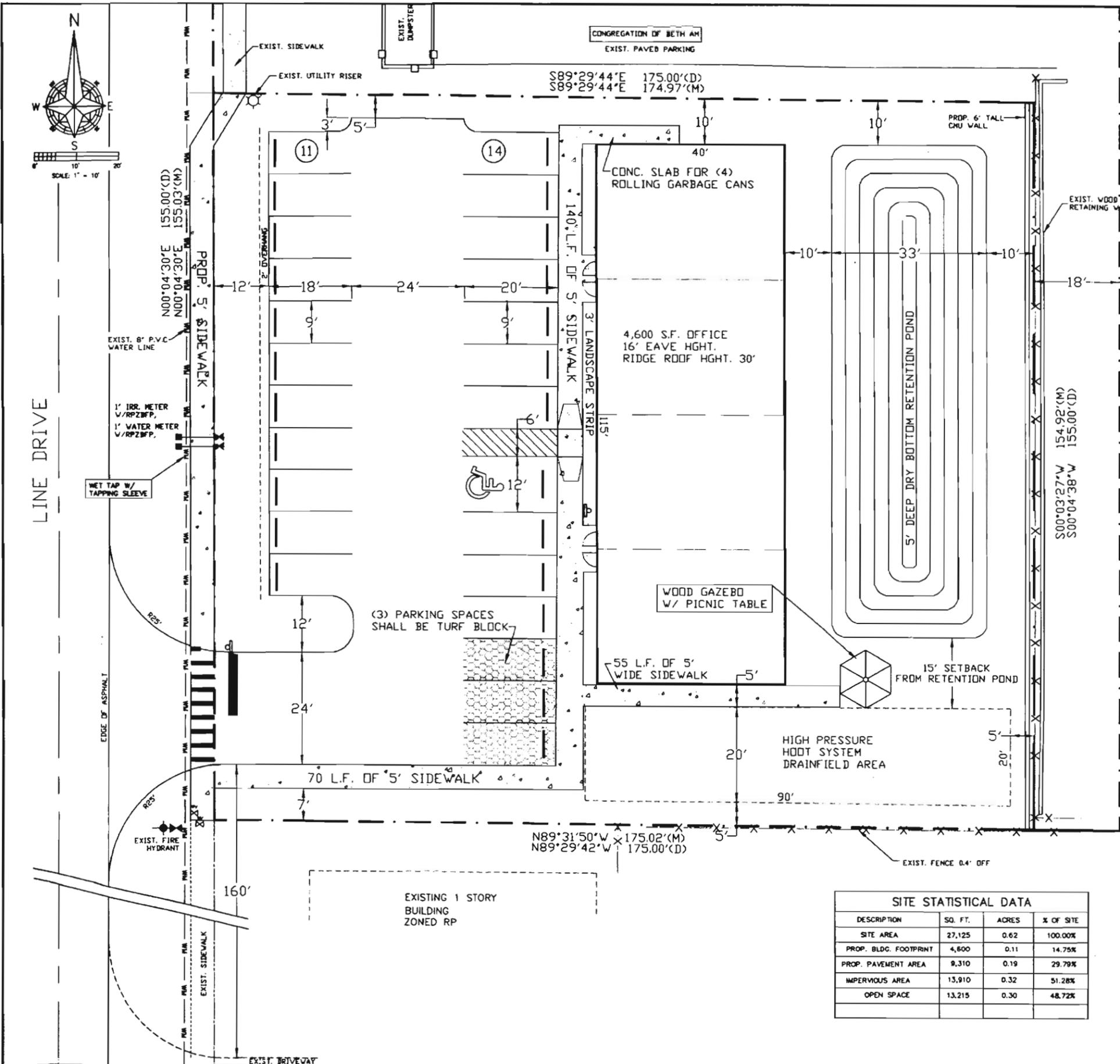


Rezone No: Z2007-045
From: PUD To: PUD

-  Parcel
-  Subject Property



Winter 2006 Color Aerials



- STATEMENT OF BASIC FACTS**
 - Total area: 0.62 acres
 - Zoning: Planned Unit Development
 - Allowable area of development: 0.62 acres
 - The development approval sought is consistent with the Seminole County comprehensive plan and will be developed consistent with and in compliance with 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 commitment run with, follow and perpetually burden the aforesaid property.
- LAND USE BREAKDOWN**

LAND USE	AREA	% OF SITE
Pavement & Building Area	13,910 s.f./ 0.32 ac	51.28%
Open Space (including retention)	13,215 s.f./ 0.30 ac	48.72%
Total Developable Area	27,125 s.f./ 0.62 ac	100%
Total Land Area	27,125 s.f./ 0.62 ac	100%
- OPEN SPACE AREAS**
Maintenance of the open space shall be funded by the Owner.
Total Land Area: 0.62 acres
Required Open Space: 35.00%/0.217 acres
Open Space Provided: 48.72%/0.30 acres
- BUILDING SETBACKS**

Front	25'
Side	10'
Rear	10'
Median roof height	30'
- PERMITTED USES**
ALL USES ALLOWED IN OP DISTRICT
- PROHIBITED USES**
 - FEDERAL POST OFFICES, PUBLIC PARKS, PUBLIC, PRIVATE & PAROCHIAL SCHOOLS
 - PLAYGROUNDS, FIRE STATIONS AND ADMINISTRATIVE PUBLIC BUILDINGS.
 - CHURCHES AND ATTENDANT EDUCATIONAL BUILDINGS
 - PUBLIC ELEMENTARY, MIDDLE AND HIGH SCHOOLS.
- LANDSCAPE & BUFFER CRITERIA**
Parking areas shall be landscaped in accordance with the provisions of the Section 30.1230, "Landscaping of Parking Area" of the Seminole County Land Development Code.
- BUFFER YARDS**

Front	10'
Side	5'
Rear	10'
- PARKING REQUIREMENTS**
 - Parking spaces shall be 9'x20' or 9'x18'
 - Parking calculations shall be based on:
One space per 200 s.f. of office = 23 spaces required
Total spaces provided = 25 spaces*
* Three spaces must be turf block or equal
- WATER, SEWER AND STORMWATER**

WATER: Water services shall be provided by Seminole Co. Public Utilities design of water lines and fire hydrants shall conform to all Seminole Co. and Florida Department of Environmental Protection.

SANITARY SEWER: Septic system to be approved by Seminole Co. Health Dept.

STORMWATER: Stormwater drainage and stormwater management shall be provided on-site and will meet the design criteria of Seminole County and St. Johns River Water Management District.

FIRE PROTECTION: Fire protection shall be provided by Seminole Co. Fire flow will be a minimum of 1250 gpm w/ 20 psi. Fire Hydrants shall be located according to Seminole Co. Fire Loss Management regulations. Building shall be protected by automatic fire sprinkler system.
- MAX. BUILDING HEIGHT - 35'**
- PHASING**
Proposed development shall be developed in single phase.
- STANDARD COMMITMENTS**
 - Unless specifically addressed otherwise herein, all development shall fully comply with all the codes and ordinances, including impact fees ordinances, in effect in Seminole County at the time of permit issuance.
 - The conditions upon this development approval and commitments made as to this development approval have been accepted by and agreed to by the owners of the property.
 - The DCA touches and concerns the aforesaid property, and the conditions, commitments and provisions of the DCA 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 Co. by virtue of a document of equal dignity herewith. The owners of said property have expressly covenanted and agreed to this provision and all other terms and provisions of the DCA.
 - The terms and provisions of the DCA are not severable, and in the event any portion of this DCA shall be found to be invalid or illegal, then the entire DCA shall be null and void.
- DEVELOPMENT COMMITMENTS AGREED TO BY OWNER**
 - THE FOLLOWING STATEMENT INCLUDED ON THE SITE PLAN, "THE PROPOSED DEVELOPMENT SHALL MEET OR EXCEED TWENTY-FIVE PERCENT (25%) OPEN SPACE FOR THE PD."
 - ALL OUTDOOR LIGHTING SHALL BE A MAXIMUM OF SIXTEEN (16) FEET IN HEIGHT SHALL COMPLY WITH THE PROVISIONS OF SEC. 30.1233(B) OF THE SEMINOLE CO. LAND DEVELOPMENT CODE.

SITE STATISTICAL DATA			
DESCRIPTION	SQ. FT.	ACRES	% OF SITE
SITE AREA	27,125	0.62	100.00%
PROP. BLDG. FOOTPRINT	4,600	0.11	14.75%
PROP. PAVEMENT AREA	9,310	0.19	29.79%
IMPERVIOUS AREA	13,910	0.32	51.28%
OPEN SPACE	13,215	0.30	48.72%

Seminole County
Approval for construction

This approval is subject to specific conformance to the Seminole County Land Development Code and any special requirements of the Board of County Commissioners. It shall be the responsibility of the developer to carry out any details to the plans or the facility as restricted which results in a failure to meet applicable code requirements. Administrative acceptance of the developer's plans does not constitute a waiver of any code requirements nor does it relieve the developer of responsibility to meet those requirements. This specific approval is valid for a period of one year from the date below.

Approved:
Seminole County Development Review Department
Date:

DATE	SCALE	REVISION	BY	CHK	DATE	THIS	THIS	THIS	THIS
DATE	SCALE	REVISION	BY	CHK	DATE	THIS	THIS	THIS	THIS
7/13/07	1" = 10'								

AMERICAN CIVIL ENGINEERING CO.

107 N. W. 10th Ave., Suite 201, Ft. Lauderdale, FL 33304
PH: (954) 367-7700 FAX: (954) 367-7887 CA. #778

LINE DRIVE OFFICES
PUD PRELIMINARY MASTER PLAN
LINE DRIVE
APOPKA, FLORIDA

FILE NAME: Botae

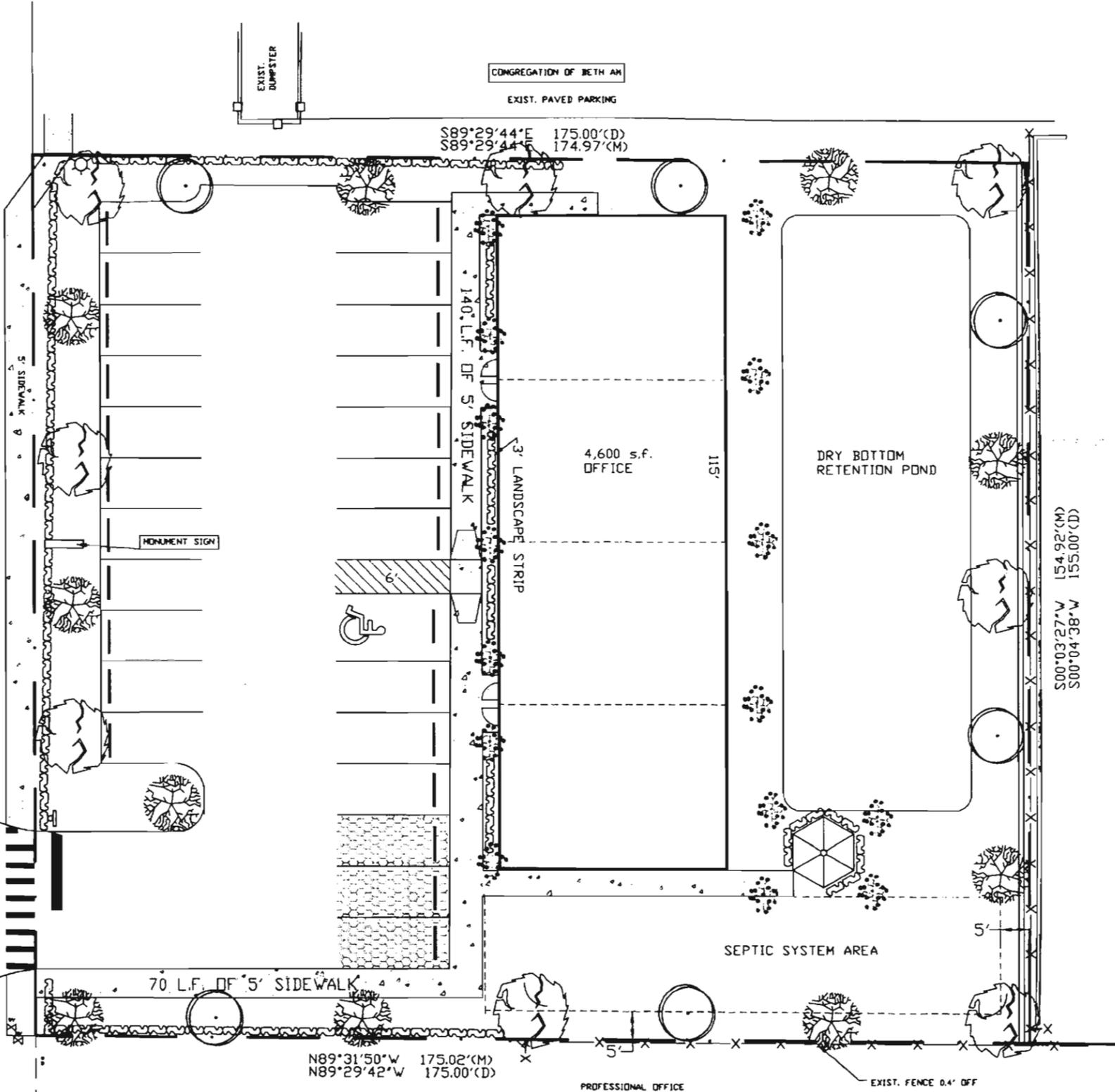
JOB # 07

HEET: 3 OF 4

LINE DRIVE

EDGE OF ASPHALT

N00°04'30"E 155.00'(D)
N00°04'30"E 155.03'(M)



N89°31'50"W 175.02'(M)
N89°29'42"W 175.00'(D)

S89°29'44"E 175.00'(D)
S89°29'44"E 174.97'(M)

S00°03'27"W 154.92'(M)
S00°04'38"W 155.00'(D)



LANDSCAPING GENERAL NOTES:

1. ALL LANDSCAPE AREAS TO BE COVERED W/ AN AUTOMATIC SPRINKLER SYSTEM.
2. ALL LANDSCAPED AREAS TO BE SOODED (ST. AUGUSTINE) AND MULCHED (2" MIN) PER SCLDC SEC. 30.122B (g).
3. NO TREES EXIST ON SITE.
4. ALL PROPOSED PLANTS WILL BE FLORIDA #1 GRADE OR BETTER ACCORDING TO THE SCLDC SEC. 30.122B (o).
5. ALL DISTURBED AREAS W/1 SEM. CO. R/W SHALL BE SOODED.
6. IF THE EXISTING PLANT MATERIAL DOES NOT MEET MIN. CODE REQUIREMENT SUPPLEMENTING THE PLANT MATERIAL TO MEET CODE WILL BE DONE.
7. IF THE EXISTING LANDSCAPING DOES NOT MEET CODE REQUIREMENT AT THE TIME OF THE FINAL INSPECTION, SUPPLEMENTING WILL BE REQUIRED PRIOR TO C. OF D.
8. THE VISION LINE SHALL BE CLEAR OF ANY OBSTRUCTIONS.
9. NO TREES W/ A TRUNK DIAM. GREATER THAN 4" AT MATURITY OR SHRUBS HIGHER THAN 2.5' SHALL BE PERMITTED W/IN THE IDENTIFIED CLEAR SIGHT TRIANGLE.
10. ANY TREES PERMITTED TO REMAIN W/IN THE IDENTIFIED CLEAR SIGHT TRIANGLE MUST BE TRIMMED UP TO A HEIGHT OF 8' IAW FOOT REGULATIONS.
11. GROUND COVER PLANTS, WHICH REACH A MAX HEIGHT OF 24", MAY BE USED IN LIEU OF GRASS PER SCLDC SEC. 30.122B (e).
12. ALL LANDSCAPING SHALL BE INSTALL IAW SCLDC SEC. 30.122B (h).

LANDSCAPE LEGEND

- (14) VIBURNUM HEDGE (30" HGT. PLANTED AT 30" O/C.)
LOW WATER USE
- (6) WINGED ELM 2.5" CALIPER @ W/
OVERALL AVERAGE OF 3" CALIPER
MEASURED @ 1' ABOVE GROUND & 10' HIGH (LOW WATER USE)
4 TREES PER 100 L.F. ALONG R/W & INTERIOR PROPERTY LINES
- (8) LIVE OAK 2.5" CALIPER @ W/
OVERALL AVERAGE OF 3" CALIPER
MEASURED @ 1' ABOVE GROUND AND 10' HIGH (LOW WATER USE)
4 TREES PER 100 L.F. ALONG R/W & INTERIOR PROPERTY LINES
- (10) CHINESE ELM 2.5" CALIPER @ W/
OVERALL AVERAGE OF 3" CALIPER
MEASURED @ 1' ABOVE GROUND & 10' HIGH (LOW WATER USE)
4 TREES PER 100 L.F. ALONG R/W & INTERIOR PROPERTY LINES
- (15) CRAPE MYRTLE
12' HIGH AT PLANTING, 6' SPREAD
6' CLEAR, SINGLE TRUNK
MEDIUM WATER USE

Seminole County
Approved for construction

This approval is subject to specific performance to the Seminole County Land Development Code and any special requirements of the Board of County Commissioners. It shall be the responsibility of the developer to correct any defects in the plan or the facility as constructed which results in a failure to meet applicable code requirements. Administrative acceptance of the developer's plan does not constitute a waiver of any code requirements nor does it release the developer of responsibility to meet those requirements. This specific approval is valid for a period of one year from the date below.

Approved:
Seminole County Development Review Department
Date

DATE	7/13/07
SCALE	1" = 10'
DESIGNED	
CHECKED BY	
DATE	
THIS DRAWING TITLE	LANDSCAPE PLAN
THIS DRAWING NUMBER	05470
PROJECT NO.	05470

**AMERICAN CIVIL
ENGINEERING CO.**
101 N. W. 10th Ave., Suite 211, Winter Springs, Florida 32789
PH: (407) 387-7799 FAX: (407) 387-0821 CA. 0729

LINE DRIVE OFFICES
PUD PRELIMINARY LANDSCAPE PLAN
LINE DRIVE
APOPKA, FLORIDA

FILE NAME: Hured Notes

JOB # 05470

SHEET 4 OF 4

**SEMINOLE COUNTY APPROVAL DEVELOPMENT
ORDER**

On April 22, 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: Huned Botee
P.O. Box 162905
Altamonte Springs, FL 32716

Project Name: Line Drive Professional Office

Requested Development Approval:

Small Scale Future Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development)

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 Preliminary Master Plan attached as Exhibit B.
 - b. The allowable permitted uses for this site shall be in accordance with the OP zoning district. Prohibited uses shall include post offices, public parks, public and private parochial schools, playgrounds, fire stations, administrative public buildings, churches, and public schools (elementary, middle, high).
 - c. Maximum allowable building height shall be 35 feet.
 - d. Building setbacks shall be as follows;

Front:	25'
Side:	10'
Rear:	10'
 - e. Buffer yards shall be as follows;

West:	10'
North & South:	5'
East:	10'
 - f. There shall be a minimum of 25 parking spaces of which 3 must be turf block or an alternative material approved by the Planning Manager to comply with the Aquifer Recharge Overlay Standards.
- (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

EXHIBIT A

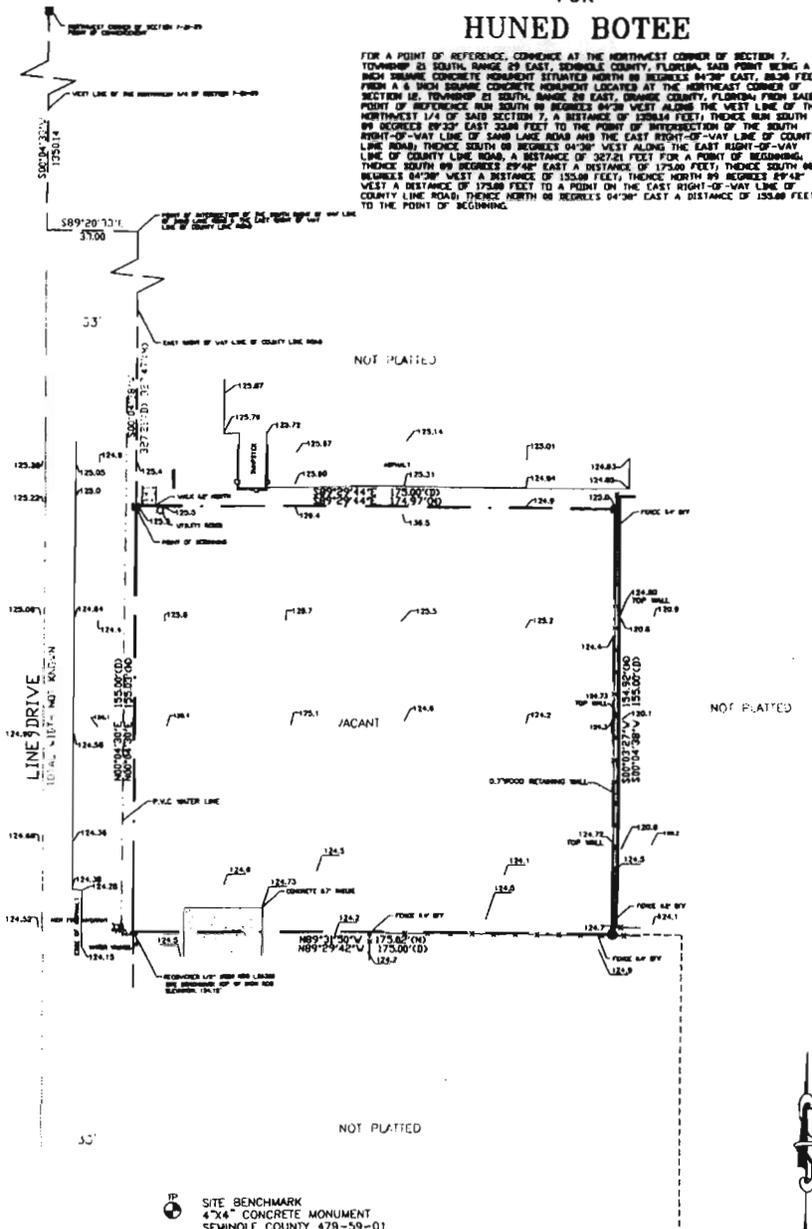
FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

(See Attached Pages)

BOUNDARY AND TOPOGRAPHIC SURVEY FOR HUNED BOTEÉ

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 23 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 89 DEGREES 04'30" EAST, 302.36 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 23 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA. FROM SAID POINT OF REFERENCE RUN SOUTH 89 DEGREES 04'30" WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1230.14 FEET; THENCE RUN SOUTH 89 DEGREES 04'30" EAST 32.08 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 89 DEGREES 04'30" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 04'30" EAST A DISTANCE OF 125.00 FEET; THENCE SOUTH 89 DEGREES 04'30" WEST A DISTANCE OF 125.00 FEET; THENCE NORTH 89 DEGREES 04'30" WEST A DISTANCE OF 125.00 FEET; THENCE NORTH 89 DEGREES 04'30" EAST A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING.



IP SITE BENCHMARK
4"x4" CONCRETE MONUMENT
SEMINOLE COUNTY 479-59-01
ELEVATION 122.69' NGVD 1929

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS AND DELETIONS TO SURVEY MAPS, SKETCHES, OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

SCALE: 1"=30'
REVIEWED BY: MWS
DRAWN BY: LJC
DATE: 5/11/00
JOB No.: 12273
REVISED: 400 SPOT ELEVATIONS 10/28/00

- LEGEND**
- = RECOVERED 4"x4" CONCRETE MONUMENT (BLS1999)
 - = RECOVERED 4"x4" CONCRETE MONUMENT (BLS1221)
 - = RECOVERED 4"x4" CONCRETE MONUMENT (H)
 - = RECOVERED 1/2" IRON ROD #
 - = RECOVERED 1/2" IRON ROD (BLS1221)
 - = RECOVERED 5/8" IRON ROD NO #
 - = SET 1/2" IRON ROD (BLS 8300)
 - = POWER POLE AS SHOWN
 - = 6" WOOD FENCE
 - = 6" CHAIN LINK FENCE
 - = CONCRETE SLAB AS SHOWN

Δ = CENTRAL ANGLE, L = ARC, R = RADIUS
R/W = RIGHT OF WAY, A/C = AIR CONDITIONER
(E) = ELEVATION, (H) = HIGH-RANGE, (P) = PLAT, (M) = MEASURED, (C) = CALCULATED, (O) = ODDS, (B) = POINT OF BEGINNING, (C) = CONCRETE, (P) = POINT OF COMMENCEMENT, (P) = POINT ON LINE
THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTRUSTED AND/OR INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITY OR INDIVIDUAL UNLESS/WHENEVER UNDERSTANDING FORMATIONS AND/OR IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY. LAND SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAIVER AND/OR EASEMENTS OF PUBLIC RECORD.

ALTAMONTE SURVEYING AND PLATTING, INC.

435 DOUGLAS AVENUE, SUITE 1505-F
ALTAMONTE SPRINGS, FLORIDA 32714
PHONE (407) 862-7555 FAX (407) 862-6229

SHEET 2 OF 4

87-118308

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 PUD (PLANNED UNIT DEVELOPMENT) THE PUD (PLANNED UNIT 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 "Line Drive Professional Office Land Use Amendment and 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 PUD (Planned Unit Development) to PUD (Planned Unit 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 filing a copy of this Ordinance with the Department and recording of Development Order 07-20500003.

ENACTED this 22nd day of April 2008.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Brenda Carey
Chairman

EXHIBIT A
LEGAL DESCRIPTION

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

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 PLANNED DEVELOPMENT TO PLANNED DEVELOPMENT; 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 March 5, 2008, 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 April 22, 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 08-_____.

(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

ORDINANCE NO.

SEMINOLE COUNTY, FLORIDA

Z2007-45

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 22nd day of April, 2008.

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____
Brenda Carey
Chairman

APPENDIX A
Legal Description

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On April 22, 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: Huned Botee
PO BOX 162905
Altamonte Springs, Fl 32716

Project Name: Line Drive Professional Office

Requested Development Approval:

Small Scale Future Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) PUD (Planned Unit Development)

The Board of County Commissioners has determined that the request for a Small Scale Future Land Use Amendment from Planned Development (PD) to Planned Development (PD) and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Line Drive Professional Office Small Scale Future Land Use Amendment from Planned Development (PD) to Planned Development (PD); and rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development)" and all evidence submitted at the public hearing on April 22, 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: _____
Brenda Carey, Chairman

EXHIBIT A

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA, SAID POINT BEING A 4 INCH SQUARE CONCRETE MONUMENT SITUATED NORTH 00 DEGREES 04'38" EAST, 20.38 FEET FROM A 6 INCH SQUARE CONCRETE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; FROM SAID POINT OF REFERENCE RUN SOUTH 00 DEGREES 04'30 WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 7, A DISTANCE OF 1350.14 FEET; THENCE RUN SOUTH 89 DEGREES 20'33" EAST 33.00 FEET TO THE POINT OF INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF SAND LAKE ROAD AND THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE SOUTH 00 DEGREES 04'38" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, A DISTANCE OF 327.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 29'42" EAST A DISTANCE OF 175.00 FEET; THENCE SOUTH 00 DEGREES 04'38" WEST A DISTANCE OF 155.00 FEET; THENCE NORTH 89 DEGREES 29'42" WEST A DISTANCE OF 175.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY LINE ROAD; THENCE NORTH 00 DEGREES 04'38" EAST A DISTANCE OF 155.00 FEET TO THE POINT OF BEGINNING.