

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

SUBJECT: Johnson Warehouse Small Scale Land Use Amendment from LDR to PD and Rezone from R-1 to PCD.

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

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

Agenda Date 6/4/2008 **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 Low Denisty Residential (LDR) to Planned Development (PD) and rezone from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development) on 3± acres, located on the west side of the intersection of Kennedy Point and 6th Street, and recommend approval of the attached Preliminary Site 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 Low Density Residential (LDR) to Planned Development (PD) and rezone from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development) on 3± acres, located on the west side of the intersection of Kennedy Point and 6th Street; (Jack Reynolds, applicant); or
3. **CONTINUE** until a time and date certain.

District #2 – McLean

Ian Sikonia, Senior Planner

BACKGROUND:

The applicant, Jack Reynolds, is requesting a rezone and Small Scale Land Use Amendment in order to develop a 38,500 square foot manufacturing warehouse. The requested rezone will allow all permitted uses in the M-1A zoning district with the allowance of outdoor storage properly screened from view. The applicant was granted a right-of-way vacation for a portion of 6th Street and Avenue C at the May 20, 2008 Board of County Commissioners hearing.

Reviewed by: _____
Co Atty: RPT
DFS: _____
OTHER: _____
DCM: _____
CM: _____

File No. Z2007-86

This project is located in an area which has a mixture of single-family home subdivisions and industrial parks, and was designed to minimize the impacts to the neighborhood to the west by establishing significant buffers, orienting the building away from the neighborhood and utilizing some LEED environmental commitments.

STAFF RECOMMENDATION:

Staff recommends approval of the request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and rezone from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development) on 3± acres, located on the west side of the intersection of Kennedy Point and 6th Street, and recommends approval of the attached Preliminary Site 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
Justification Statement
Rezone Ordinance
Land Use Ordinance
Denial Development Order (applicable if the request is denied)
Letter of support from adjacent parcel to the south

**Johnson Warehouse
Small Scale Land Use Amendment from LDR to PD
Rezone from R-1 to PCD**

APPLICANT	Jack Reynolds	
PROPERTY OWNER	Stillwater Properties of Central Florida	
REQUEST	Small Scale Land Use Amendment from LDR (Low Density Residential) to PD (Planned Development) and a rezone from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development).	
PROPERTY SIZE	3 ± acres	
HEARING DATE (S)	P&Z: June 4, 2008	BCC: July 22, 2008
PARCEL ID	11-21-31-508-1000-0010	
LOCATION	Located on the west side of the intersection of Kennedy Point and 6th Street.	
FUTURE LAND USE	LDR (Low Density Residential)	
ZONING	R-1 (Single-Family Dwelling)	
FILE NUMBER	Z2007-86	
COMMISSION DISTRICT	#2 – McClean	

PROPOSED DEVELOPMENT:

The applicant is proposing a 38,500 square foot manufacturing warehouse building.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Jack Reynolds is requesting a rezone and small scale land use amendment in order to develop a 38,500 square foot manufacturing warehouse building. The following table depicts the minimum regulations for the current zoning district of R-1 (Single-Family Dwelling) and the requested district of PCD (Planned Commercial Development):

DISTRICT REGULATIONS	Existing Zoning (R-1)	Proposed Zoning (PCD)
Minimum Lot Size	8,400 sq. ft.	N/A
Minimum House Size	700 sq. ft.	N/A
Minimum Width at Building Line	70 feet	N/A
Front Yard Setback	25 feet	25 feet
Side Yard Setback	7.5 feet	100 feet
(Street) Side Yard Setback	25 feet	N/A
Rear Yard Setback	30 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
R-1 (existing)	Any use permitted in the R-1A Single-Family Dwelling zoning classification, including the customary accessory uses, Home occupations and home offices, Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents, One (1) boat dock and one (1) associated boathouse per lot when accessory and incidental to the principal dwelling.	Any special exception permitted in the R-1A zoning classification, Day nurseries or kindergartens, Guest or tourist homes when located on state or federal highways, Off-street parking facilities, 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.	8,400 sq. ft.
PCD (proposed)	Allowable uses shall be those permitted in the M-1A Zoning District; (a) Manufacturing of the following: Garments, Photographic equipment and supplies, Bakery products, Boats, Ceramics, pottery, using electrically fired kilns, Chemical products and processing, Dairy products, Electrical machinery and equipment, Furniture, Glass and glass products, using electrically fired kilns, Pharmaceutical products, Shoes and leather goods, except no leather processing, Brooms and brushes, Candy and confectionery products, Cosmetics and toiletries, except soap, Candles, Jewelry, Optical equipment, Perfume, Precision instruments and machinery, Plastic products, except pyroxylin, Silverware, Spices and spice packing, Stationery, Toys, Electronic equipment and assembling, Beverage bottling and distribution, Cold storage and frozen-food lockers, Data proceeding services, Laundry and dry cleaning, except only nonflammable solvents shall be used. (Class IV National Fire Protective Association Code.), Living quarters for guards, custodians, and caretakers when such facilities are accessory uses to the primary use of the premises, Machine shops using only electrically fired forges, Assembling of metal, plastic, or cardboard containers, Post offices, Printing, bookbinding, lithographic platemaking, engraving, and publishing plants, General business and professional offices, Radio and television studios and offices, Restaurants, Signs, identification, directional, or which advertise products manufactured, processed, stored, or sold on the premises, Technical and trade schools, Testing of materials, equipment, and products, Truck terminals, Warehouses and storage buildings, providing no storage is done outside an enclosed structure, Manufacturing of water-based and/or epoxy-based coatings, adhesives, sealants, and paints, Medical clinics - out-patient service only, Public and private utility plants, stations and distribution office; provided, however, no sewer plant shall be located closer than two hundred (200) feet to the perimeter of the district nor shall any other utility plant, station, or distribution office be located closer than one hundred (100) feet to the perimeter of the district, Cabinetry and woodworking shops, Communication towers when camouflage in design, Communication towers when monopole in design if the tower is under one hundred forty (140) feet in height, Retail sales if ancillary to a use permitted by this section. For purposes of this subsection, "ancillary" shall mean supplementary, or secondary, not of primary importance.	All Special Exceptions in the M-1A district are prohibited.	N/A

COMPATIBILITY WITH SURROUNDING PROPERTIES

The area on the south side of CR 426 is a mixture of single-family residential homes and developed and vacant industrial sites. The industrial zoning to the east of this site was approved in 1989 and has developed into the Off Broadway Industrial Park. The subject property is a transitional parcel between the Low Density Residential FLU to the north and west and the Industrial FLU to the east. Due to the location of the property, it is unlikely that it would be viable for residential development. It is sometimes, difficult for industrial sites to be compatible with surrounding single family subdivisions due to the intensity of the development; however it is possible with sensitive site design standards. The applicant is proposing numerous enhancements to mitigate the impact of the development, such as establishing significant buffers with additional landscaping, orienting the building away from the residential neighborhood and utilizing some LEED environmental commitments. All mechanical equipment will also be confined to the east side of the building.

The applicant has positioned the warehouse building so that it faces the existing industrial park and the only access is through the existing industrial park entrance road. The building will be buffered from the single-family neighborhood by a minimum 25' buffer containing four canopy trees and eight understory trees per 100 linear feet and a large retention pond to the north. The west side of the building will remain passive and the 25' buffer will include a 6-foot tall PVC fence with eight canopy trees per 100 linear feet. The development is also providing some environmental commitments such as parking spaces for hybrid cars, energy efficient mechanical equipment with the highest SEER rating, building insulation will have maximum R-value, all glazing with be tinted, and a bike rack.

This site will create an additional employment center for an area which has been established as an industrial park. 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.

CONSISTENCY WITH THE VISION 2020 COMPREHENSIVE PLAN:

FLU Element Plan Amendment Review Criteria:

The Future Land Use Element in the Comprehensive Plan lays out certain criteria that proposed future land use amendments must be evaluated. Because this is a small area Future Land Use amendment with localized impacts, an individual site compatibility analysis is required utilizing the following 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 located in an area which is comprised of single-family homes and low intensity industrial developments. This area has had industrial zoning and land use for approximately 20 years which has developed into an industrial park. Staff finds that the

character of the area has changed enough to warrant a land use change from Low Density Residential to Planned Development.

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

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

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

Staff Evaluation

The development will have to undergo Concurrency Review prior to Final Engineering approval and must meet all Concurrency standards in order to proceed.

The site will have to comply with all Land Development Regulations regarding development in and around wetland and floodplain areas at the time of Final Engineering.

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

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

The proposed PCD would be an appropriate transition between the less intensive Low Density Residential FLU designations to the south, west, and north of the property. The applicant is proposing all appropriate buffering standards and some LEED environmental commitments on site.

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 applicant's development plan is not proposing or considering any of the above stated elements which would further the public interest, however they are utilizing some green design standards, which provide a public benefit.

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.

The following are other applicable Vision 2020 Policies, Exhibits, and staff's evaluation:

Policy FLU 2.5: Transitional Land Uses

The County shall evaluate Plan amendments to ensure that transitional land uses are provided as a buffer between residential and nonresidential uses, varying intensities of residential uses and in managing redevelopment of areas no longer appropriate as viable residential areas. *Exhibit FLU: Appropriate Transitional Land Uses* is to be used in determining appropriate transitional uses.

Staff Evaluation

Exhibit FLU 2: Appropriate Transitional Land Uses in the Future Land Use Element is used as a guide in evaluating compatibility between proposed and adjacent land uses. The subject property is a transitional parcel between lower density residential development to the north and west and higher intensity industrial development to the east. The proposed Planned Development FLU designation and the PCD Preliminary Site Plan and associated Development Order provides for sensitive site design as required by the Comprehensive Plan.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on FIRM map with an effective date of 2007 there appears to be no floodplains on the subject property.

Drainage:

The proposed project is located within the Lake Jesup Drainage Basin, and does not have limited downstream capacity. The site will have to be designed to not exceed the predevelopment rate of discharge for the 25-year, 24-hour storm event.

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 Future Land Use (LDR)*	Proposed Land Use (PD) Calculated as General Office**	Net Impact
Water (GPD)	7,000	9,240	+2,240
Sewer (GPD)	6,000	6,930	+930
Traffic (ADT)	191	242	+51

* LDR calculated as 20 single family detached homes.

**PD calculated as 38,500 S.F. of light industrial

Utilities:

The site is located in the Seminole County water utility service area, and will be required to connect to water service. There is a 10-inch water main on the west side of 6th Street. The applicant is proposing to utilize a septic system for sewer.

Transportation / Traffic:

The property proposes access onto 6th Street which is classified as a local road and does not have improvements programmed in the County 5-year Capital Improvement Program or FDOT 5-year Work Program.

Drainage

The proposed project is located within the Howell Creek Drainage Basin, and does not have limited downstream capacity. The site will have to be designed to meet the 25-year, 24-hour pre-development peak rate of discharge.

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 #44, which is located on Central Avenue. Based on an

average of two minutes per mile, the average response time to the subject property is less than 5 minutes.

Buffers and Sidewalks:

There is an existing 5-foot sidewalk along 6th Street.

The applicant is requesting a waiver from the standards of the Active/Passive Buffer Setback Design Standards per Section 30.1232 of the Land Development Code for the north, south, and west buffers. The proposed Preliminary Site Plan has a 6' PVC fence in lieu of the wall on the west side, a 3' berm in lieu of the wall on the north side and 6' tall PVC fence on the south side enclosing the outdoor storage area. The applicant is proposing additional landscaping in place of the wall on all sides.

The Active/Passive requirements of the Land Development Code for light industrial uses are as follows:

Passive Setback	Passive Buffer	Active Setback	Active Buffer
25'	15' containing a 6' masonry wall and 4 canopy trees per 100 linear feet	100'	25' containing a 6' masonry wall and 8 canopy trees per 100 linear feet

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

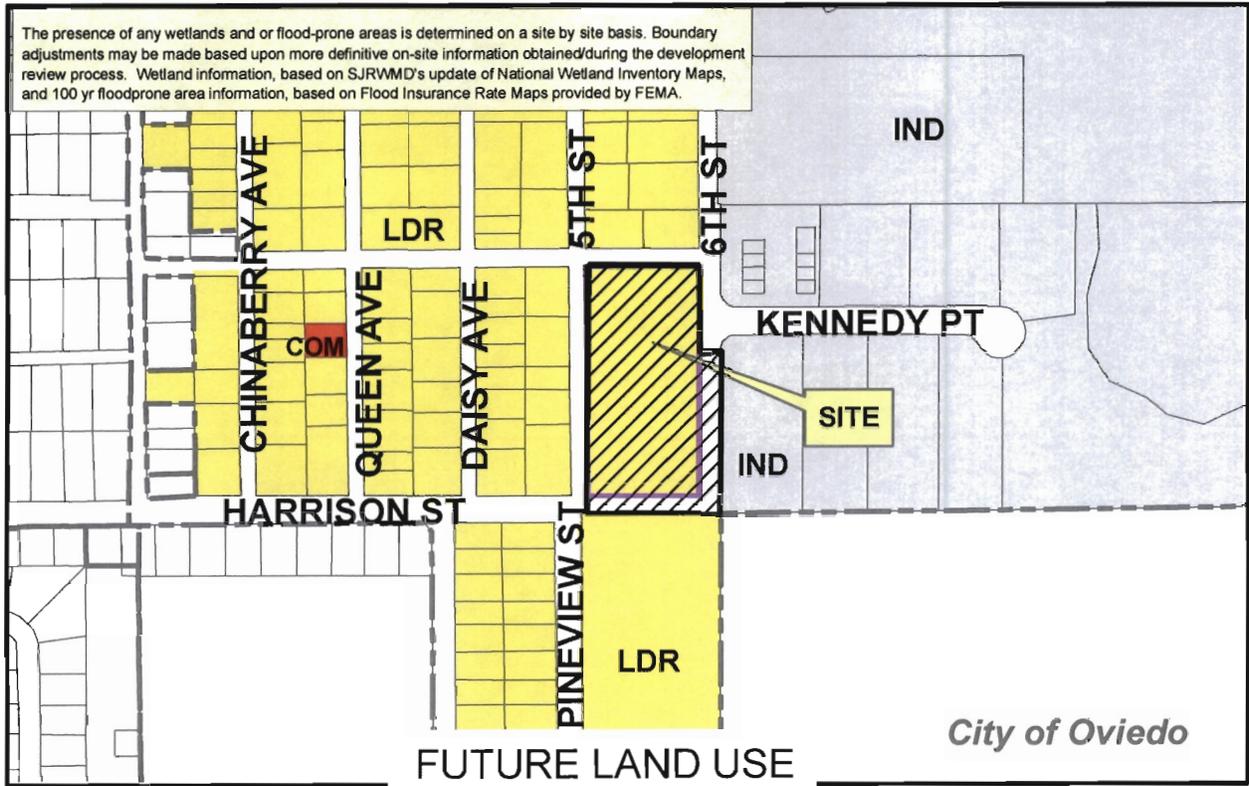
- West: 40' building setback with a 25' buffer (west side is limited to passive uses)
- North: 100' building setback with a 25' buffer for passive uses and a 35' buffer for active uses
- South: 40' setback with a 25' buffer
- East: 10' with no buffer required

The following are the proposed landscape requirements:

- West: 8 canopy trees per 100 linear feet and a 6' tall PVC fence.
- North: 4 canopy trees and 8 understory trees per 100 linear feet with a 30" hedge on a 3' tall berm that will grow to a minimum of 6' after one year with 100% opacity.
- South: 8 canopy trees per 100 linear feet and a 6' PVC fence enclosing the outdoor storage area

The owner of the adjacent property to the south has submitted a letter stating that they have no objection to the waiver request. Staff finds that the proposed buffers are consistent with the intent of the active/passive buffering standards and will provide sufficient buffering for the residential neighborhood to the north and west.

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.



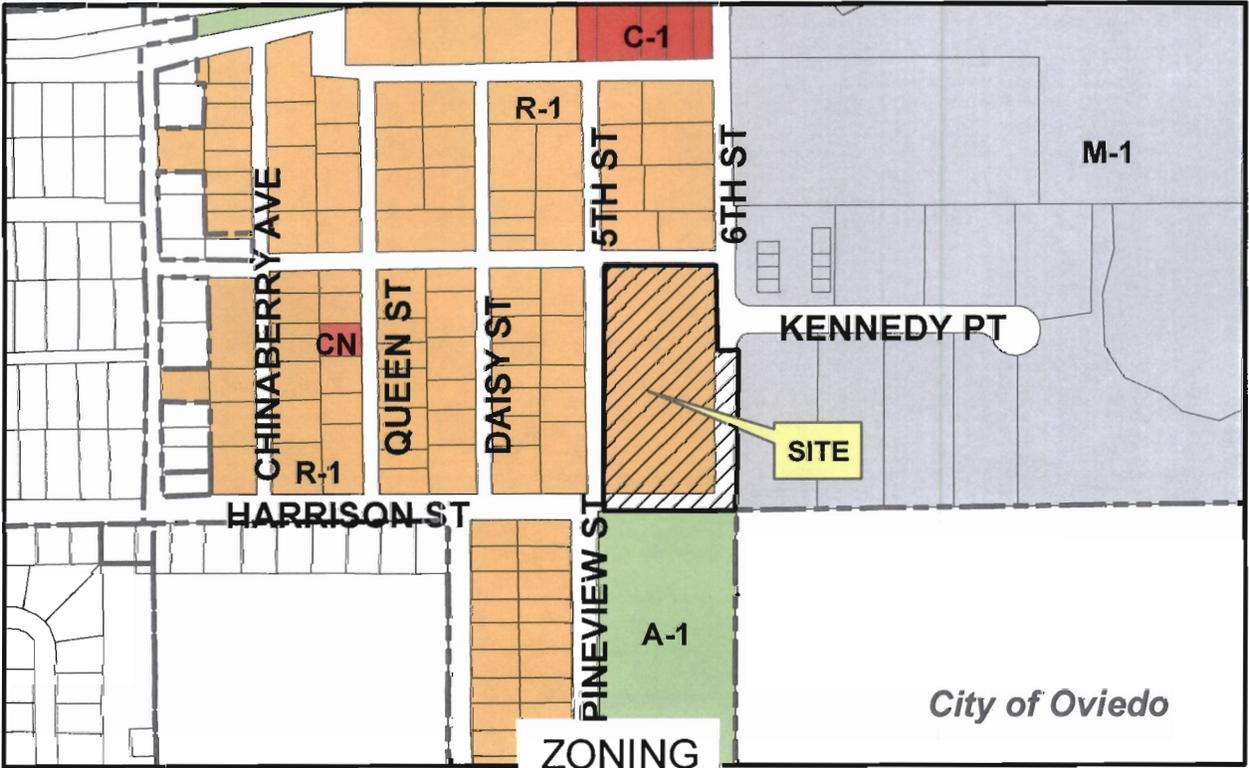
FUTURE LAND USE

City of Oviedo

LDR
 COM
 IND
 Site
 CONS
 Municipality

Applicant: Jack Reynolds
 Physical STR: 11-21-31-508-1000-0010
 Gross Acres: 2.442 +/- BCC District: 2
 Existing Use: _____
 Special Notes: _____

	Amend/ Rezone#	From	To
FLU	03-08SS.01	LDR	PD
Zoning	Z2007-086	R-1	PCD



ZONING

City of Oviedo

A-1
 R-1
 C-1
 CN
 M-1
 FP-1
 W-1



FLU No: 03-08SS.01
From: LDR To: PD

Rezone No: Z2007-086
From: R-1 To: PCD

-  Parcel
-  Subject Property



Winter 2006 Color Aerials

JOHNSON WAREHOUSE

PLANNED COMMERCIAL DEVELOPMENT

SIXTH STREET

OVIEDO, FLORIDA

PROPERTY I.D. # 11-21-31-508-1000-0010

PERMIT STATUS

DATE ISSUED

UTILITY COMPANIES

SANITARY SEWER: SEPTIC SANITARY SYSTEM (SEMINOLE CO. HEALTH DEPT.)
 WATER DISTRIBUTION: SEMINOLE COUNTY
 ELECTRICAL POWER: PROGRESS ENERGY
 TELEPHONE: SPRINT TELEPHONE CO.
 CABLE: BRIGHT HOUSE

PROPOSED USE

OFFICE/MANUFACTURING/WAREHOUSE

NOTE TO CONTRACTOR

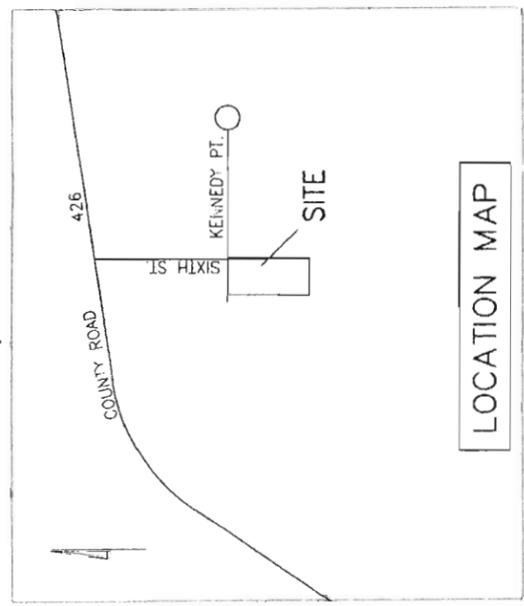
CONTRACTOR SHALL PAY FOR AND OBTAIN A SEMINOLE COUNTY RIGHT-OF-WAY PERMIT AND HOLD A PRE-CONSTRUCTION CONFERENCE BEFORE STARTING WORK. CONTACT SEMINOLE COUNTY ENGINEERING, CPM, 407-663-7409 FOR INFORMATION ON SETTING YOUR PRE-CONSTRUCTION MEETING, ISSUANCE OF COUNTY PERMITS AND OTHER REQUIREMENTS.

PROJECT DIRECTORY

APPLICANT:
 CHRIS JOHNSON
 VI-COIN DEVELOPMENT GROUP
 1705 KENNEDY POINT
 OVIEDO, FLORIDA 32765
 TELEPHONE (407) 971-7804
 FAX (407) 971-8403
 E-MAIL: chris@superiorfenceandrail.com

PROJECT MANAGER:
 JACK REYNOLDS
 JHR CONSULTANTS, INC.
 478 EAST ALTA MONTE DRIVE #162
 ALTA MONTE SPRINGS, FLORIDA 32701
 TELEPHONE (407) 282-9176
 FAX (407) 282-9170
 E-MAIL: jackreynolds@embargo.com

SURVEYOR:
 GARY R. ROCHE, PLS
 BOWYER-SINGLETON
 520 SOUTH MAGNOLIA AVE.
 ORLANDO, FLORIDA
 TELEPHONE (407) 843-5120
 FAX (407) 649-8664



LEGAL DESCRIPTION

LOT 1-20, INCLUSIVE, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 23, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FL. (PER ORB 4291, PG 89, PUBLIC RECORDS OF SEMINOLE COUNTY, FL.) CONTAINING 2.442 ACRES, MORE OR LESS.

LEGAL DESCRIPTION FOR VACATED RIGHT OF WAYS
 THAT PORTION OF 6TH STREET LYING BETWEEN ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, AND OFF BROADWAY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGES 67 AND 68, BOTH IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGIN AT THE NORTHEAST CORNER OF LOT 20, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE EAST LINE OF LOTS 11 THROUGH 20, BLOCK 10 OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 11, BLOCK 10, TO A POINT ON THE SOUTH RIGHT OF WAY LINE AVENUE C OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS; THENCE EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID AVENUE C TO THE SOUTHWEST CORNER OF LOT 5, OFF BROADWAY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGES 67 AND 68, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 347.14 FEET; THENCE WEST, PERPENDICULAR TO THE WEST LINE OF SAID LOT 5 TO A POINT ON THE PLATTED EAST RIGHT OF WAY LINE OF 6TH STREET OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, SAID POINT LYING 40.00 FEET EAST OF THE EAST LINE OF SAID LOTS 11 THROUGH 20, BLOCK 10; THENCE RUN NORTH, ALONG A LINE 40.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOTS 11 THROUGH 20, BLOCK 10, TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 20, BLOCK 10; THENCE WEST, ALONG SAID EASTERLY EXTENSION TO THE POINT OF BEGINNING.
 AND
 ALL THAT PORTION OF AVENUE C, A PLATTED 20.00 FOOT RIGHT OF WAY, LYING SOUTH OF AND CONTIGUOUS TO LOTS 10 AND 11, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

SHEET	DESCRIPTION
1	COVER SHEET
2	BOUNDARY & TOPO SURVEY
3	SITE PLAN

INDEX OF SHEETS

PLANS ISSUED FOR: DATE

JHR CONSULTANTS, INC.

478 EAST ALTA MONTE DRIVE #162
 ALTA MONTE SPRINGS, FLORIDA 32701
 TELEPHONE: 407-282-9176 FAX: 407-282-9170
 E-MAIL: jackreynolds@embargo.com

Property Appraiser ID Number 11-21-31-508-1000-0010

Seminole County
 Approved for Construction

This approval is subject to specific conformances to the Seminole County Land Development Code and any special requirements of the Board of County Commissioners. The approval is not a warranty of any kind and does not constitute a waiver of any code requirements nor does it relieve the developer of responsibility to meet these requirements. This specific approval is valid for a period of one year from the date below.

Approved: _____
 Seminole County Development Review Department
 Date: _____

DATE	4/1/08
ADDRESS	SEMINOLE COUNTY COMMENTS 3/11/08
APPROVED BY	JHR
DATE	JHR
PROJECT NO.	
PROJECT NAME	JOHNSON WAREHOUSE

DATE	12/1/07
SCALE	1"=30'
DESIGNED BY	JHR
DRAWN BY	JHR
CHECKED BY	JHR
CADD FILE TITLE	
CADD FILE	JOHNSON WAREHOUSE

JHR CONSULTANTS, INC.
 478 EAST ALAMONTA DRIVE #102
 ALAMONTA SPRINGS, FLORIDA 32704
 TELEPHONE: 407-282-9178 FAX: 407-282-9179
 E-MAIL: jhr@jhrconsultants.com

**JOHNSON WAREHOUSE PCD
 PRELIMINARY SITE PLAN**
 6TH STREET
 OVIEDO, FLORIDA

FILE NAME: JOHNSON WISE
 JOB #
 SHEET: 3 OF 4

1. PCD DEVELOPER COMMITMENT AGREEMENT

- STATEMENT OF WORK FACTS**
- Total area: 3.48 acres (includes vacated right of way)
 - Zoning: Planned Commercial Development
 - Allowable area of development: 3.48 acres
 - Development plan shall be consistent with the Seminole County Comprehensive Plan and all applicable regulations and ordinances in conjunction 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 above described property.

LAND USE INFORMATION

LAND USE	AREA	% OF SITE
Warehouse & Building Area	100,000 s.f./ 2.29 ac	66.05%
Open Space	51,404 s.f./ 1.19 ac	33.95%
Total Developable Area	151,404 s.f./ 3.48 ac	100%
Total Land Area	151,404 s.f./ 3.48 ac	100%

2. OPEN SPACE

Maintenance of the open space shall be funded by the Owner.
 Total Land Area: 3.48 acres
 Required Open Space: 25.027/0.87 acres
 Open Space Provided: 33.953/1.19 acres

3. BUILDING FOOTPRINTS

Front (East)	25'	110'
Side (North)	100' (ACTIVE)	100' (ACTIVE)
Side (South)	10'	75'
Rear (West)	25' (PASSIVE)	40' (PASSIVE)
Median roof height	<35'	24'

4. UTILITIES

Water: Water services shall be provided by Seminole Co. Public Utilities. Sewer: Sewer services shall be provided by Seminole Co. Public Utilities. Stormwater: Stormwater drainage and stormwater management shall be provided by on-site retention pond. The system will be reviewed and approved by Seminole County and St. Johns River Water Management District.

5. FIRE PROTECTION

Fire protection shall be provided by Seminole Co. Fire Department. Fire flow will be a minimum of 1250 gpm w/20 psi. Fire Hydrants shall be located according to Seminole Co. Fire Loss Management Department.

6. PARKING

Parking spaces shall be 10'x20'. Parking calculations shall be based on:
 1. Office spaces: 1 parking space per 100 employees on largest shift
 2. Warehouse/manufacturing: 1 parking space per 15 employees
 Total spaces required = 45 spaces
 Total spaces provided = 49 spaces

7. MATERIALS

Materials shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

8. LANDSCAPE

Landscaping shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

9. SIGNAGE

Signage shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

10. UTILITIES

Utilities shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

11. PROPOSED DEVELOPMENT

Proposed development shall be developed in (1) phase.

12. ENVIRONMENTAL CONSIDERATIONS

Environmental considerations shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

13. OTHER

Other conditions shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

14. APPROVAL

Approval shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

15. NOTES

Notes shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

16. LEGAL

Legal considerations shall be consistent with the approved site plan and shall be consistent with the Florida Department of Environmental Protection.

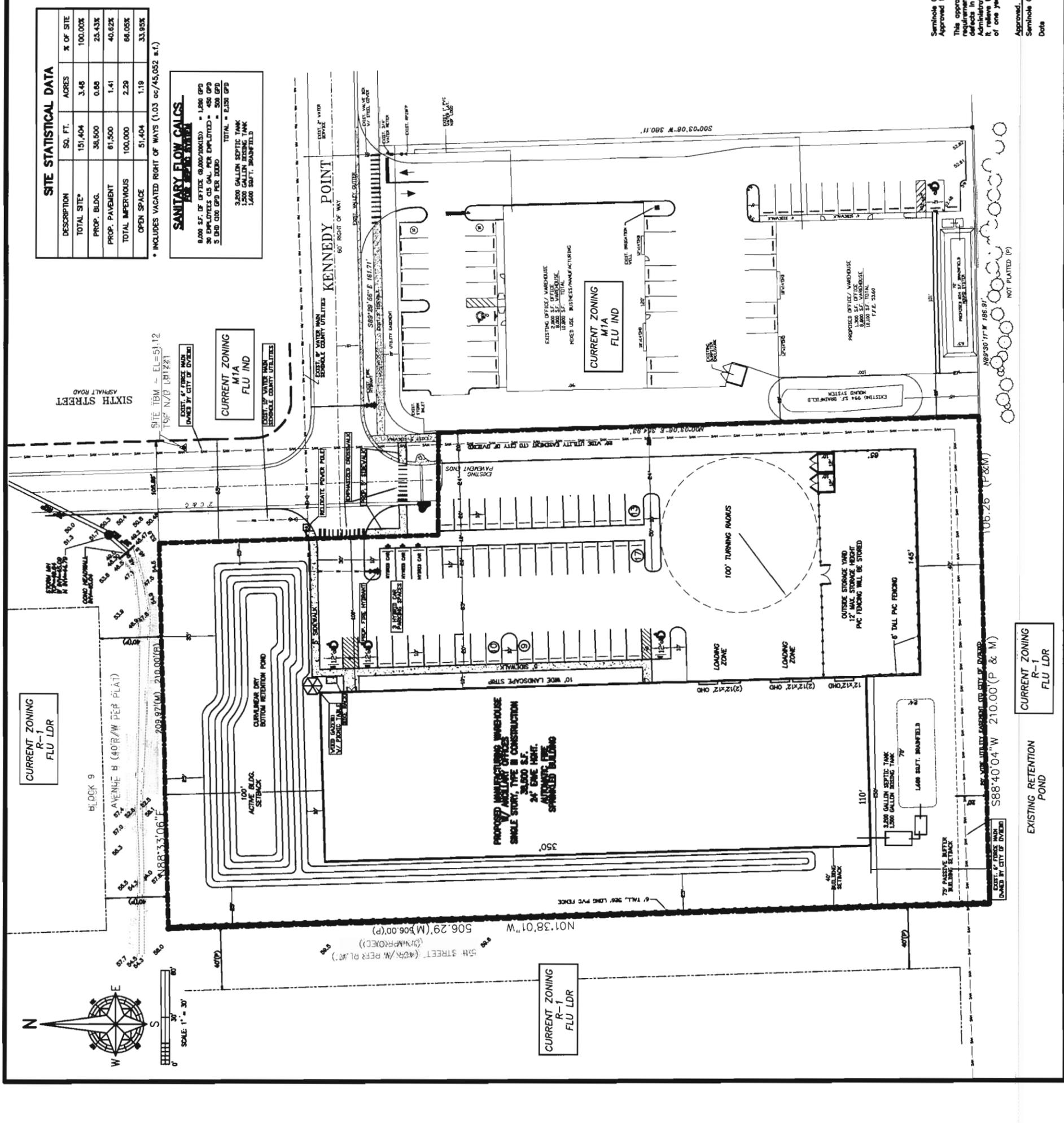
SITE STATISTICAL DATA

DESCRIPTION	SQ. FT.	ACRES	% OF SITE
TOTAL SITE*	151,404	3.48	100.00%
PROP. BLDG.	36,000	0.86	25.43%
PROP. PAVEMENT	61,500	1.41	40.62%
TOTAL IMPERVIOUS	100,000	2.29	66.05%
OPEN SPACE	51,404	1.19	33.95%

* INCLUDES VACATED RIGHT OF WAYS (1.03 ac/45,052 s.f.)

SANITARY FLOW CALCS.

3,000 GALLON SEPTIC TANK	TOTAL = 2,328 GPD
1,500 GALLON SEPTIC TANK	TOTAL = 1,164 GPD
1,600 SFT. IMPAVED D.	TOTAL = 1,600 GPD
8,000 SFT. OF OFFICE (400/PERSON) = 1,000 GPD	
30 EMPLOYEES (35 GAL PER EMPLOYEE) = 450 GPD	
5 BLDG. (100 GPD PER BLDG)	TOTAL = 500 GPD



Seminole County
 Approved for construction
 This approval is subject to specific conformances 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.

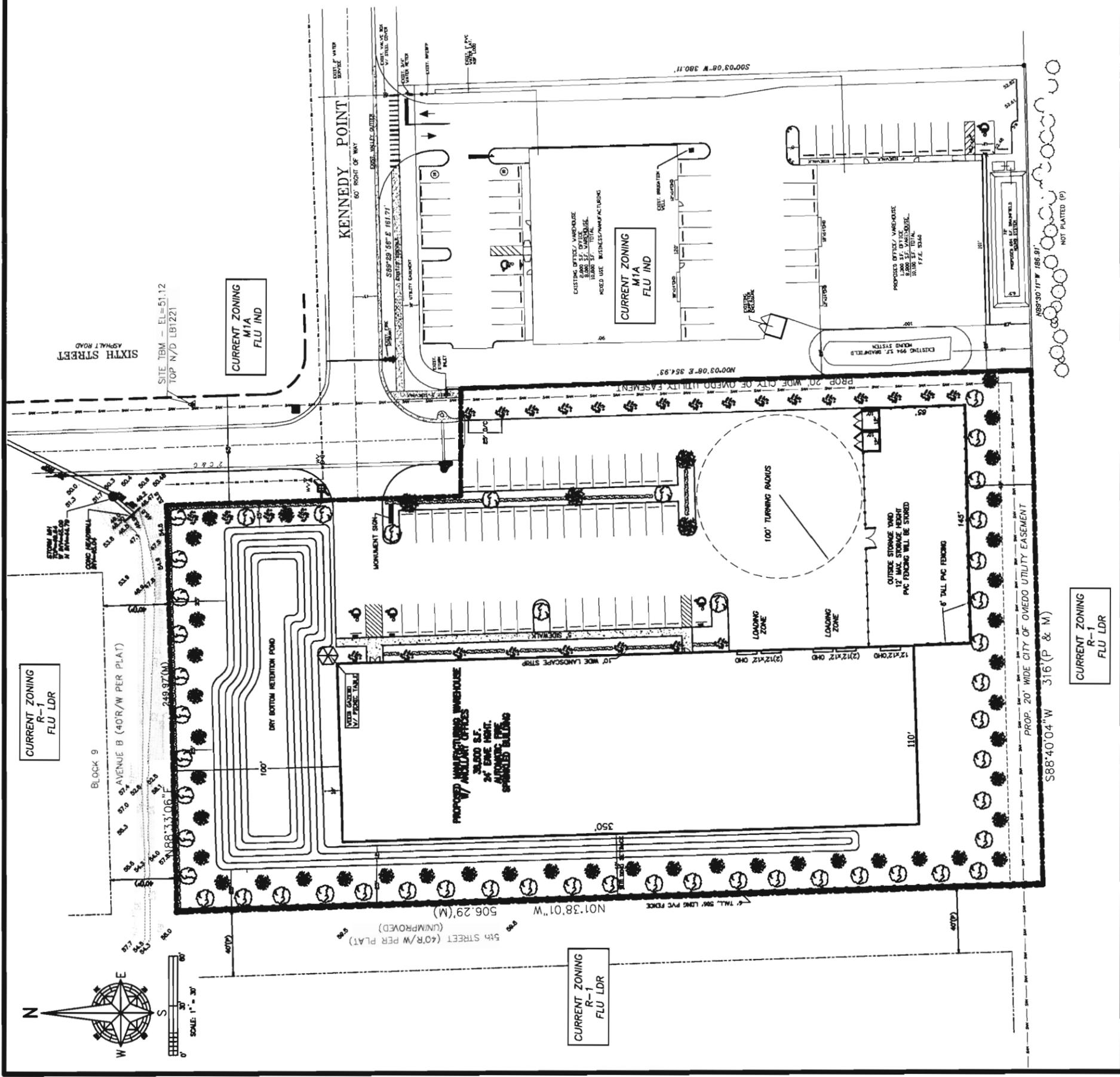
Approved:
 Seminole County Development Review Department
 Date

- LANDSCAPING LEGEND**
- WEST PROPERTY LINE**
- (10) LINE OAK OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
 - (20) SOUTHERN MAGNOLIA OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
- NORTH PROPERTY LINE**
- (10) LINE OAK OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
 - (9) SOUTHERN MAGNOLIA OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
 - (100) SWEET GUM HEDGE (30" HGT. PLANTED AT 30' O/C)
 PLANTED ON 3" TALL BERM
 TO GROW TO 6' AND HOSE OPACITY W/ ONE YEAR (MED. WATER USE)
- SOUTH PROPERTY LINE**
- (12) LINE OAK OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
 - (13) SOUTHERN MAGNOLIA OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
- EAST PROPERTY LINE**
- (2) LINE OAK OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
 - (3) SOUTHERN MAGNOLIA OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
 - (20) GRAPE VITIFOLIA OR EQUAL
 6" HIGH AT PLANTING, 8' SPREAD
 8 UNMATURED TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
- NORTHERN LANDSCAPING**
- (10) LINE OAK OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
 - (4) SOUTHERN MAGNOLIA OR EQUAL
 2 1/2" CALIPER WITH AN OVERALL AVERAGE
 8 TREES PER 100 L.F. ALONG PROPERTY LINES ADJACENT TO RESIDENTIAL
 - (6) GRAPE VITIFOLIA OR EQUAL
 6" HIGH AT PLANTING, 8' SPREAD
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 TO GROW TO 6' W/ ONE YEAR (MED. WATER USE)

Seminole County
 Approved 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 correct any defects in the plans or the facility as constructed 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



**SEMINOLE COUNTY APPROVAL DEVELOPMENT
ORDER**

On July 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: Stillwater Properties of Central Florida
Michael Sergi
1320 Old Mims Rd.
Geneva, FL 32732

Project Name: Johnson Warehouse

Requested Development Approval:

Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and rezone from R-1 (Single-Family Dwelling) to PCD (Planned Commercial 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 Site Plan attached as Exhibit B.
 - b. The allowable permitted uses for this site shall be in accordance with the M-1A zoning district and outdoor storage. All special exception uses shall be prohibited on site.
 - c. Maximum allowable building height shall be 35 feet.
 - d. The maximum allowable building square footage shall be limited to 38,500 square feet.
 - e. Building setbacks and buffer widths shall be as follows:

West:	40' building setback with a 25' buffer (west side of building is limited to passive uses)
North:	100' building setback with a 25' buffer for passive uses and a 35' buffer for active uses
South:	40' setback with a 25' buffer
East:	10' with no buffer required
 - h. The following landscaping shall be placed in the buffers;

West:	8 canopy trees per 100 linear feet and a 6' tall PVC fence
North:	8 understory trees per 100 linear feet
South:	8 canopy trees per 100 linear feet and a 6' PVC fence enclosing the outdoor storage area
 - i. 3 Parking spaces shall be reserved for hybrid cars as depicted on the Preliminary Site Plan attached as Exhibit B.
 - j. The site shall be irrigated with reclaim water when available; otherwise a shallow well will be utilized.
 - k. The site shall utilize energy efficient mechanical equipment with the highest SEER rating will be used.
 - l. The site shall use insulation that will have a maximum R-value.
 - m. This site development plan shall include such amenities as a wood gazebo with picnic table and a bicycle rack as depicted on the Preliminary Site Plan attached as Exhibit B. These open space amenities can be substituted at time of Final Master Plan for equivalent amenities if determined appropriate by the Planning Manager.

n. An exclusive 20' utility easement will be granted to the City of Oviedo prior to the submittal of the final master plan.

(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**LEGAL DESCRIPTION**

LOT 1-20, INCLUSIVE, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 23, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

AND

VACATING A PORTION OF 6TH STREET

THAT PORTION OF 6TH STREET LYING BETWEEN ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, AND OFF BROADWAY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGES 67 AND 68, BOTH IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 20, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE EAST LINE OF LOTS 11 THROUGH 20, BLOCK 10 OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 11, BLOCK 10, TO A POINT ON THE SOUTH RIGHT OF WAY LINE AVENUE C OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS; THENCE EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID AVENUE C TO THE SOUTHWEST CORNER OF LOT 5, OFF BROADWAY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGES 67 AND 68, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 347.14 FEET; THENCE WEST, PERPENDICULAR TO THE WEST LINE OF SAID LOT 5 TO A POINT ON THE PLATTED EAST RIGHT OF WAY LINE OF 6TH STREET OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, SAID POINT LYING 40.00 EAST OF THE WEST LINE OF SAID LOTS 11 THROUGH 20, BLOCK 10; THENCE RUN NORTH, ALONG A LINE 40.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOTS 11 THROUGH 20, BLOCK 10, TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 20, BLOCK 10; THENCE WEST, ALONG SAID EASTERLY EXTENSION TO THE POINT OF BEGINNING.

AND

VACATING A PORTION OF HARRISON STREET

ALL THAT PORTION OF AVENUE C, LYING SOUTH OF AND CONTIGUOUS TO LOTS 10 AND 11, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

EXHIBIT B

(See Attached Pages)

**SMALL-SCALE FUTURE LAND USE AMENDMENT &
REZONING AMENDMENT JUSTIFICATION STATEMENT**

Johnson Warehouse PD Land Use and PCD Rezone

Parcel ID Number: 11-21-31-508-1000-0010

INTRODUCTION

This application is for a small-scale future land use map amendment (SSFLUA) and associated rezoning amendments to respectively change the future land use (FLU) designation of the 3.48-acre subject property from Low Density Residential (LDR) to Planned Development (PD), and to rezone the property from R-1 to PCD, said PCD allowing, as provide for on the accompanying Master PCD Plan, those uses permitted by the very light industrial district (M1-A) and outside storage. With the following Project Justification Narrative, we submit the request is consistent with the Seminole County Vision 2020 Comprehensive Plan and compatible with the surrounding development patterns.

PROPERTY AND SURROUNDING LAND USE DESCRIPTION

**Table 1
Surrounding FLU & Zoning**

Direction	Future Land Use	Zoning	Existing Land Use
North	LDR	R-1	Avenue B (drainage ditch), vacant & SFR
South	LDR	A-1	closed construction landfill (ditch and pond)
East	IND	M-1	vacant and industrial buildings
West	LDR	R-1	5th Street (unimproved), vacant and SFR

Avenue B is a 40' wide unimproved right of way adjacent to the north of the property. It is currently used by Seminole County as a drainage ditch. Harrison Street is a vacated unimproved ½ width 20' right of way adjacent to the south of the property. It is unimproved with the exception of a City of Oviedo sewer line. 5th Street, as designated on the plat, is more commonly known as Sugar Sand Lane. The portion of this 40' wide right of way adjacent to the west of the property are unimproved. 6th Street, adjacent to the west of the property is a partially vacated right of way of varying width that is presently improved along the northern boundary of the property to the extent necessary to provide access to Off Broadway Industrial Park from Geneva Drive/CR426. (Note: at the time this document was drafted the vacate process for portion of Harrison Avenue and 6th Street had not yet been completed.)

GENERAL INFORMATION

The property is the part of the Allen's Addition to Washington Heights Plat. It consists of an entire block of 20 platted lots that have never been improved and portions of adjacent vacated rights of way. The bulk of the surrounding rights of way were also never improved.

ACREAGE

The property consists of 3.48 acres, which is a combination of the 20 platted lots referenced above with the remainder being the vacated ½ right of way of Harrison Avenue to the south and portions of 6th Street that were vacated to the east. (At the time this document was prepared, the vacate hearing had not been completed.)

CURRENT USE, ZONING and LAND USE

The property is currently vacant and unimproved. The roadways that surround it on all four sides are unimproved with the exception of that portion of 6th Street that was improved to facilitate development of Off Broadway industrial Park to the east. Even though the property is zoned R-1, which has a minimum lot size of 8,400 square feet and a minimum lot width of 70', the plat has lots that are typically 5,250 square feet and 50' wide, which would be more appropriate in an R1-BB zoning district. Although the current Land Use is LDR, the platted lot sizes are inconsistent. The lowest intensity compatible land use would be MDR.

DEVELOPMENT TRENDS

To the immediate north and west of the subject property are portions of the Washington Heights subdivision that are only partially developed. Although a few new homes were constructed during the past decade, the continued lack of use of the subject property and the relative surplus use of undeveloped parcels in the platted blocks immediately west and north of the subject make it evident the property is no longer viable for housing development. To the immediate east and northeast of the property there has been consistent and continued development during the past several years of industrial projects such as Off Broadway Industrial Park (8 lots), Winter Miles Industrial Park (47,500 square feet) and the Hayman safe company and Hayman Warehouses (18,088 square feet). Recent transactions, entitlement activities and construction make it clear that this area is rapidly depleting its available industrial land inventory.

PROPOSED USE

The property is intended to be developed for light industrial uses to accommodate the future growth of Superior Fence & Rail, Inc. and Superior Access Control, Inc., which are presently based adjacent to the east in a 10,800 square foot building in Off Broadway Industrial Park. The site will, along with the existing facility, serve as the main offices, inventory storage, and assembly areas for Superior Fence and its satellite operations, which are presently in Rockledge, Leesburg, Winter Haven and Winter Garden. Superior Access Control, Inc. will continue to be based at the facility. Eventually, the project may also serve as the primary offices for Superior Dock Builder's, Inc., which is presently based in Leesburg.

RELATIONSHIP TO THE GOALS, OBJECTIVES AND POLICIES OF THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN

Introduction:

As the proposed SSFLUA and rezone deal primarily with issues relating to the Future Land Use Element of the Comprehensive Plan, the relationship of the proposal to the applicable goals, objectives and policies of that element will be covered first, followed by the relationship to the

Economic Element. The Comprehensive Plan language will be outlined in standard type, and the analysis of consistency will be italicized.

APPLICABLE FUTURE LAND USE ELEMENT GOALS, OBJECTIVES AND POLICIES

There are two goals of the FLU element that are most applicable as follows:

- Creation of favorable economic conditions
- Maintenance of established residential neighborhoods

The purpose of the proposed SSFLUA and rezone is to provide for the continued growth of a successful Seminole County based business and provide the resultant employment opportunities to the citizens of Seminole County. The application also complies with the specific FLU Policies outlined herein below that provide for the maintenance of the residential neighborhood.

OBJECTIVE FLU 2 PROTECTION OF RESIDENTIAL NEIGHBORHOODS

Policy FLU 2.1 Subdivision Standards

The County shall maintain the viability of established and future residential neighborhoods by continuing to enforce Land Development Code provisions relating to:

- Development within flood prone areas;
- Building setbacks and heights;
- Roadway buffers;
- Landscaping;
- Tree preservation;
- Signage;
- On-site traffic circulation and parking;
- Drainage and storm water management;
- Fences, walls and entrance features; and
- Maintenance and use of common open space areas through homeowners associations.

The proposed preliminary master plan will comply with all aspects of the Seminole County Land Development Code, including the above stated provisions, as permitted by the Planned Commercial Development zoning designation.

POLICY FLU 2.2 REGULATION OF ACTIVE USES

The County shall continue to enforce Land Development Code standards relating to active uses such as parking, loading, refuse containers, signs, lights, balconies, and storage areas to minimize impacts upon and intrusion into residential areas.

The Master PCD plan complies with Sec. 30.1232. Active/passive buffer setback design standards of the Seminole County Land Development Code.

POLICY FLU 2.5 TRANSITIONAL LAND USES

The County shall evaluate Plan amendments to ensure transitional land uses are provided as a buffer between residential and nonresidential land uses, between varying intensities of residential uses and in managing redevelopment of areas no longer appropriate as viable residential areas. Exhibit FLU: Appropriate Transitional land Uses is to be used in determining appropriate transitional uses.

The Appropriate Transitional Land Uses table does not specifically have Planned Development Land Use but the accompanying text is specific:

This table is to be used as a general guide in evaluation compatibility between proposed and adjacent uses. A transitional land use which functions as: (1) a transition through space by a gradual increase in development intensity between land uses

Do the lack of appropriate infrastructure; whose installation costs may exceed the resultant lot values, the subject property is no longer economically viable for residential use. The proposed uses are those of the M-1A Very Light Industrial District, a less intensive district than M-1 Industrial District, which is the zoning of the properties to the east and northeast, providing a gradual increase in intensity from R-1 to M-1A to M-1 as provided for by the policy as well as providing for redevelopment. Due to the forgoing it is clear the SSFLUA application and concurrent rezone to PCD satisfy Policy FLU 2.5

POLICY FLU 2.7 Location of Industrial Uses

The County shall ensure that future Plan amendments to industrial uses adjacent to or in close proximity to residential areas shall be light industrial uses only to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odor, and noise.

The proposed uses of the M1-A Very Light Industrial District are in compliance with this policy.

POLICY FLU 2.11 Determination of Compatibility in the Planned Unit Development and Planned Commercial Development Zoning Classifications

The County shall consider uses or structures proposed within the Planned Unit Development (PUD) and Planned Commercial Development (PCD) zoning classifications on a case-by-case basis evaluating the compatibility of the proposed use or structure with surrounding neighborhoods and uses. Compatibility may be achieved by application of development standards such as, but not limited to, lot size, setbacks, buffering, landscaping, hours of operation, lighting, and building heights. The Board of County Commissioners shall have discretion as to the uses and structures approved with a PUD or PCD zoning classification.

The Preliminary Master Plan is included in this concurrent SSFLUA and rezoning request to demonstrate buffering, setbacks, density, and ensure compatibility with adjacent uses. Specific development standards will be established in the Final Master Plan to achieve compatibility with surrounding development.

OBJECTIVE FLU 6 PUBLIC FACILITIES AND SERVICES

The County shall require that all development be consistent with the approved Capital Improvements Element or facility and service plans in order to discourage urban sprawl, meet adopted level of service standards and thereby minimize attendant public costs through the implementation of the following policies:

Policy FLU 6.1 Development Orders, Permits and Agreements

The County shall ensure that all development orders, permits and agreements are consistent with the adopted level of service standards and provisions of the Capital Improvements Element and the appropriate facility element as well as all other provisions of this Plan.

A Development Order that outlines the future development parameters of the site and developer obligations will be drafted between the property owner and Seminole County to implement the proposed PCD zoning.

Policy FLU 6.2 Concurrency Requirements

The County shall ensure that all development orders, permits and agreements are subject to the adopted Concurrency Management System standards and provisions to ensure that facilities and services needed to serve the development are available at the adopted level of service consistent with the Implementation Element of this Plan.

A Concurrency Deferral Affidavit was filed with the SSFLUA and rezone application. Any impact issues will be addressed in the Development Order.

Policy FLU 6.3 Infrastructure and Phasing Requirements

The County shall require that all development provide services and facilities or phase the development as a condition of approval if development needs precede adopted service and facility plans and Capital Improvements Program and adopted levels of service can be maintained.

Policy FLU 6.4 Priority for Water and Sewer Services

The County shall evaluate the impact on delivering adequate service to residents within the established service area prior to the expansion of potable water or sewer service area outside the adopted service area boundaries. The County will not expand a service area if the adopted level of service cannot be maintained.

Development of the site will comply with the services and facilities requirements.

Policy FLU 6.5 Private Investment Above Land Development Code Regulations

The County shall require private investment in infrastructure improvements above and beyond Land Development Code requirements (e.g., feeder roads, aerial fire apparatus, right-of-way, signalization, access improvements, transit facilities, storm water, etc.) where improvements are

needed to accommodate the development and to minimize attendant public costs associated with growth.

The developer will comply with this policy and address these issues as necessary in the Development Order with the County.

DEFINITIONS OF FUTURE LAND USE DESIGNATIONS

PLANNED DEVELOPMENT LAND USE AND PURPOSE

This land use provides for a variety of land uses and intensities within a development site to preserve conservation areas above and beyond land development code requirements reduce public investment in provision of services, to encourage flexible and creative site design and provide sites for schools, recreation and other public facilities which provide benefit to the community.

PUD (Planned Unit Development) and PCD (Planned Commercial Development) zonings within the Planned Development Land use designation must be accompanied by a site/master plan as set forth in the Land Development Code. Such plans shall address, at a minimum, buffering, setbacks, lighting and building heights, to ensure compatibility with adjacent uses.

A PCD rezoning application and a Master Plan application are being submitted concurrent with this SSFLUA application. The Master Plan addresses the aforementioned concerns and, therefore, complies with the Seminole County Land Development Code.

APPLICABLE ECONOMIC ELEMENT GOALS, OBJECTIVES AND POLICIES

OBJECTIVE ECM 3 CONTINUE TO SHIFT PROPERTY TAX DEPENDENCE FROM RESIDENTIAL TO NON-RESIDENTIAL PROPERTIES

POLICY ECM 3.1 Tax Base Shift

The County shall continue to take actions to increase the non residential tax base and reduce dependency on homeowners for local revenues by implementing economic strategies.

and

POLICY ECM 3.2 Balance of Residential and Employment Opportunities

The County shall continue to monitor the balance of residential and employment opportunities in order to maintain equilibrium between the tax bases.

This SSFLUA will add 38,500 square feet of office and light industrial space in an area that has remained undeveloped since it was platted in 1923.

OBJECTIVE ECM 4 TARGET AREAS, INDUSTRIES AND OCCUPATIONS

POLICY ECM 4.4 Target Occupations

The County shall continue to diversify its tax base by promoting advanced technology industries which provide quality occupations and above average wages for its residents.

Superior Fence and Rail, Inc., and its associated companies had an average 2006 wage base of \$40,000 per employee. In 2007, 29 of 45 employees were based at its main 10,800 square foot location in Off Broadway Industrial Park adjacent to the subject site. The growth opportunities provided by an additional 38,500 square feet will substantially increase such employment opportunities.

OBJECTIVE ECM 6 SUPPORT SMALL BUSINES AND EXISTING BUSINESS AND TOURISM

The County shall create an economic environment that promotes the formation and expansion of small businesses which provide diverse job opportunities and help to define the image of Seminole County and the region.

The SSFLUA will provide expansion opportunities to an existing small business that has grown from 3 to 45 employees between 2002 and 2008. The severe shortage of appropriately zoned property in southeast Seminole County would likely force a relocation of company headquarters in the absence of this application.

JUSTIFICATION STATEMENT – SSFLUA AND REZONING

The subject property is best suited for very light industrial due to its location and surrounding land use patterns. Amending the future land use designation from low density residential to planned development with a rezoning to planned commercial development will permit diversification of the tax base and expansion of employment opportunities while providing an improved transition of land uses with sufficient protections to surrounding residential uses.

CONCLUSION

The requested SSFLUA and zoning amendments are well supported by the policies described within the Seminole County Vision 2020 Comprehensive Plan. The County has a desire to “promote the formation and expansion of small businesses” and at the same time “provide for the maintenance of the residential neighborhood.” The market area surrounding the subject property has a demonstrated demand for the light industrial uses of the type proposed. As stated elsewhere in this report, the subject property is believed to be best suited for very light industrial use.

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 R-1 (SINGLE-FAMILY DWELLING) 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 "Johnson Warehouse."

(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-1 (Single-Family Dwelling) 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 filing a copy of this Ordinance with the Department and recording of Development Order 07-22000014.

ENACTED this 22nd day of July 2008.
BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Brenda Carey
Chairman

EXHIBIT A LEGAL DESCRIPTION

LEGAL DESCRIPTION

LOT 1-20, INCLUSIVE, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 23, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

AND

VACATING A PORTION OF 6TH STREET

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BEGIN AT THE NORTHEAST CORNER OF LOT 20, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE EAST LINE OF LOTS 11 THROUGH 20, BLOCK 10 OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 11, BLOCK 10, TO A POINT ON THE SOUTH RIGHT OF WAY LINE AVENUE C OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS; THENCE EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID AVENUE C TO THE SOUTHWEST CORNER OF LOT 5, OFF BROADWAY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGES 67 AND 68, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 347.14 FEET; THENCE WEST, PERPENDICULAR TO THE WEST LINE OF SAID LOT 5 TO A POINT ON THE PLATTED EAST RIGHT OF WAY LINE OF 6TH STREET OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, SAID POINT LYING 40.00 EAST OF THE WEST LINE OF SAID LOTS 11 THROUGH 20, BLOCK 10; THENCE RUN NORTH, ALONG A LINE 40.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOTS 11 THROUGH 20, BLOCK 10, TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 20, BLOCK 10; THENCE WEST, ALONG SAID EASTERLY EXTENSION TO THE POINT OF BEGINNING.

AND

VACATING A PORTION OF HARRISON STREET

ALL THAT PORTION OF AVENUE C, LYING SOUTH OF AND CONTIGUOUS TO LOTS 10 AND 11, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, IN 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 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 June 4, 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 July 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 IT 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.

(d) Future Land Use Amendment:

Ord. Exh.	Name	Amendment Number	Land Use Change From – To	LPA Hearing Date	BCC Hearing Dates
A	Johnson Warehouse Small Scale Land Use Amendment & Rezone	03-08SS.01	Low Density Residential (LDR) to Planned Development (PD) containing a maximum of 38,500 square feet of industrial use	6/04/08	07/22/08

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 22nd day of July, 2008.

BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA

By: _____
Brenda Carey
Chairman

APPENDIX A

LEGAL DESCRIPTION

LOT 1-20, INCLUSIVE, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 23, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

AND

VACATING A PORTION OF 6TH STREET

THAT PORTION OF 6TH STREET LYING BETWEEN ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, AND OFF BROADWAY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGES 67 AND 68, BOTH IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 20, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 23, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN SOUTH ALONG THE EAST LINE OF LOTS 11 THROUGH 20, BLOCK 10 OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS AND THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 11, BLOCK 10, TO A POINT ON THE SOUTH RIGHT OF WAY LINE AVENUE C OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS; THENCE EAST ALONG THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID AVENUE C TO THE SOUTHWEST CORNER OF LOT 5, OFF BROADWAY INDUSTRIAL PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGES 67 AND 68, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 347.14 FEET; THENCE WEST, PERPENDICULAR TO THE WEST LINE OF SAID LOT 5 TO A POINT ON THE PLATTED EAST RIGHT OF WAY LINE OF 6TH STREET OF SAID ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, SAID POINT LYING 40.00 EAST OF THE WEST LINE OF SAID LOTS 11 THROUGH 20, BLOCK 10; THENCE RUN NORTH, ALONG A LINE 40.00 FEET EAST OF AND PARALLEL TO THE EAST LINE OF SAID LOTS 11 THROUGH 20, BLOCK 10, TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 20, BLOCK 10; THENCE WEST, ALONG SAID EASTERLY EXTENSION TO THE POINT OF BEGINNING.

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SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On July 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: Stillwater Properties of Central Florida
Michael Sergi
1320 Old Mims Rd.
Geneva, FL 32732

Project Name: Johnson Warehouse

Requested Development Approval:

Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and rezone from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development).

The Board of County Commissioners has determined that the request for a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and rezone from R-1 (Single-Family Dwelling) to PCD (Planned Commercial Development).

After fully considering staff analysis titled "Johnson Warehouse" and all evidence submitted at the public hearing on July 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

LEGAL DESCRIPTION

LOT 1-20, INCLUSIVE, BLOCK 10, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 23, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

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Robert G. Martin
John F. Martin
395 Old Mims Road
Geneva, Florida 32732
(407) 257-0652

May 21, 2008

Ian Sikonia, Seminole County Planning Division
1101 East First Street
Sanford, Florida 32771

RE: Johnson Warehouse PD comp plan amendment and PCD rezone, tax id# 11-21-31-408-1000-0000 and adjacent vacated rights of way

Dear Mr. Sikonia:

I am the owner of real property due south of the property subject to aforementioned application for comprehensive plan amendment and rezone, said property being Seminole County parcels 11-21-31-300-045A-0000, 11-21-31-300-0410-0000 and 14-21-31-300-001B-0000, all of which are presently accessed via Evans Street and which also have frontage on Pineview Avenue.

My property is a decommissioned construction and demolition landfill and the north portion of parcel# 11-21-31-300-0410-0000, which is adjacent to the south of the subject property is comprised of a buffer, ditch, and stormwater holding pond.

Although the future land use of my property is low density residential, the current use, physical characteristics, and regulatory and economic considerations make it highly unlikely that my property (especially the portion adjacent to the subject) could be ever actually be developed as a single family development.

I understand that the applicant is seeking relief from the Active/passive buffer setback design standards that are specified in Section 30.1232 of the Seminole County Land Development Code. Specifically, it is my understanding that the applicant wishes to reduce its south buffer yard from the 50' required by Section 30.1232 and wishes to substitute a vinyl fence for the masonry wall specified in said Section.

I have no objections to the applicants request.



ROBERT G. MARTIN