ITEM #_____

This item was continued from the June 4, 2008 meeting

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

SUBJECT: Kentucky Street Rezone from A-1 to PCD

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

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

Agenda Date 7/9/2008 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. **RECOMMEND APPROVAL** of the request for a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) on 12.16± acres, located ¼ mile west of the intersection of E. Lake Mary Boulevard and Beardall Avenue, and recommend approval of the attached Preliminary Site Plan, subject to the conditions in the attached Development Order, per staff findings; (Hugh Harling, applicant); or

2. **RECOMMEND DENIAL** of the request for a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on 12.16± acres, located ¼ mile west of the intersection of E. Lake Mary Boulevard and Beardall Avenue; (Hugh Harling, applicant); or

3. **CONTINUE** until a time and date certain.

District #5 – Carey — Ian Sikonia, Senior Planner

BACKGROUND:

The applicant, Hugh Harling, is requesting a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) in order to develop a retail/office/warehouse complex consisting of six buildings. The Future Land Use designation on the subject property is High Intensity Planned Development - Airport, which allows the requested zoning district.

The proposed Preliminary Site Plan indicates that the project will contain a total of 87,350 building square feet which include allowable uses in the C-3 and C-2 zoning districts. The site also is utilizing buffering and signage standards of the Lake Mary Boulevard Overlay

Reviewed by:
Co Atty: KH
DFS:
OTHER:
DCM:
CM:

File No. Z2007-80

District. The applicant is proposing two access points along the frontage of E. Lake Mary Boulevard, including a right in/right out access, and a joint use driveway with the property to the east. The applicant has designed this site to accommodate not only automobile traffic, but also pedestrian and non-motorized access. All the standards applied to this site are included in the attached Approval Development Order.

STAFF RECOMMENDATION:

Staff recommends approval of the request for a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) on 12.16± acres, located ¼ mile west of the intersection of E. Lake Mary Boulevard and Beardall Avenue, 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 Site Plan
Development Order
Rezone Ordinance
Opposition Letter
Denial Development Order (applicable if the request is denied)

Kentucky Street Retail/Office/Warehouse Complex Rezone from A-1 to PCD		
APPLICANT	Hugh Harling	
PROPERTY OWNER	Ann Takvorian	
REQUEST	Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development).	
PROPERTY SIZE	12.16± acres	
HEARING DATE (S)	P&Z: June 4, 2008 – July 9, 2008	BCC: August 26, 2008 (Tentative)
PARCEL ID	03-20-31-5AY-0000-0580	
LOCATION	Located ¼ mile west of the intersection of E. Lake Mary Boulevard and Beardall Avenue.	
FUTURE LAND USE	High Intensity Planned Development - Airport (HIP-AP)	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2007-80	
COMMISSION DISTRICT	#5 – Carey	

PROPOSED DEVELOPMENT:

The applicant is proposing a 87,350 square foot retail/office/warehouse complex.

ANALYSIS OVERVIEW:

ZONING REQUEST

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

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (PCD)
Minimum Lot Size	43,560 sq. ft.	N/A
Minimum House Size	N/A	N/A
Minimum Width at Building Line	150 feet	N/A
Front Yard Setback	50 feet	25 feet
Side Yard Setback	10 feet	0 feet
(Street) Side Yard Setback	50 feet	25 feet
Rear Yard Setback	30 feet	10 feet
Maximum Building Height	35 feet	35 feet

PERMITTED & SPECIAL EXCEPTION USES

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

Zoning District	Permitted Uses	Special Exception
A-1 (existing)	Citrus or other fruit crops cultivation, production, and horticulture, Truck farms, Plant nurseries and greenhouses not involved with retail sales to the general public, Poultry and livestock production, excluding commercial swine raising, except as otherwise provided within the district, Grazing and pasturing of animals, Home occupations and home offices, Roadside stands for the sale of fruits, vegetables, and similar products produced on the premises, provided such stand is placed no closer than twenty-five (25) feet to a property line, Government-owned or government-operated building or use, excluding public utility and service structures public, Public and private elementary schools, Fish hatcheries or fish pools, when approved in accordance with all applicable federal, state, and County regulations and laws, Publicly owned and/or controlled parks and recreation areas, Bait production, Stables, barns, sheds, silos, granaries, windmills, and related agricultural structures, Dairies, Apiculture, Silviculture including timber production, Single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, Neighborhood recreation areas, when approved as part of a subdivision plat, Churches and structures appurtenant thereto, 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.	Cemeteries and mausoleums, Kennels including the commercial raising or breeding of dogs, Hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes when such facilities and homes are approved and licensed by the State of Florida, Public and private nursery schools, kindergartens, middle schools, high schools and colleges, Temporary asphalt plants for purpose of specific public road construction, Sawmills, Public utility and service structures, Fraternal clubs when chartered with the State, Country and golf clubs, fishing clubs, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, as determined by the Planning Manager, Privately owned and operated recreational facilities open to the paying public, such as, athletic fields, stadiums, racetracks, and speedways if the use is located along a major roadway or has immediate accessibility thereto, Golf driving ranges, Riding stables, provided that no structure housing animals is located nearer than one hundred (100) feet from a property line, Airplane landing fields and helicopter ports with accessory facilities for private or public use, Commercial raising of swine (other than for family use), Sewage disposal plants, water plants, and sanitary landfill operations, Off-street parking lots. When approved, said parking lots shall: (A) Be provided with a durable, dust-free surface which is properly drained; and (B) Be adequately buffered from adjacent properties and roadways by a landscape screen, Farmworker housing; either single family or multifamily dwellings, where land use is for bona fide agriculture uses; provided further that such structures house only those persons and their immediate family or households, employed in carrying out such bona fide agricultural use. Mobile homes may be permitted in lieu of tenant dwellings, provided, however, that approval for mobile homes shall be limited to a time period not exceeding two (2) years after review and finding that the land is used for bona fideagricultural uses, "Bona fide agriculture uses," as used in this subsection, shall be determined by reference to the following criteria: (i) Whether the parcel or its adjacent lands are being actually utilized in agricultural pursuits by the same owner; and (ii) Whether the requested tenant dwelling or mobile home serve a purpose directly related to the agricultural laborers or employees and/or other agricultural purposes, A mobile home may be permitted as a Special Exception on a lot or parcel of record subject to the following requirements: (A) Only one (1) single-family mobile home may be permitted. (B) It shall bear the Florida Standards Seal or acceptable equivalent. (C) It shall be subject to all applicable regulations of the zoning classification (i.e., setbacks, land uses.) (D) Where installation of a septic tank is proposed, an acceptable percolation and depth-of-water-table test shall be submitted at the time of application. (E) If the proposed site is known to be flood prone, an acceptable plan shall be submitted at time of application which details steps to prevent hazard to health and property. (F) An approved single-family mobile home shall be firmly anchored in accordance with all applicable codes and shall have skirting installed to screen the underside of the structure, Retail nurseries where the products for sale are grown on site of sale, Organizations involved in either the slaughter of livestock, meat cutting, and/or processing operations, but that do not engage in retail sales, Community residential homes housing more than six (6) 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, all as defined in Section 419.001(3)(c), Florida Statutes (2001). (22) Landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, Communication towers, Disposal of tree cuttings or similar organic materials by burning in which materials have been transported to the property, Bed and Breakfast establishments which are not located within a platted subdivision.
PCD (proposed)	Any use permitted in the C-I District, Amusement and recreational facilities, Building and plumbing supplies, Car wash, Furniture warehouse with retail sales, Hotels and motels, Marine sales and service, Mobile home and recreational vehicle sales, Outdoor advertising signs, Parking garages, Printing and book binding shops, Automobile sales with no repair facilities, Veterinary hospitals and kennels, Multifamily housing - such as condominiums, apartments and townhouses of medium to high density. Density and design criteria must conform to the standards for properties assigned the R-3 zoning classification, Above-store or above-office flats, Communication towers when camouflage in design, Bed and Breakfast establishments, Any use permitted in the C-2 District excluding public or private elementary schools, middle schools, and high schools, Bakeries, Bottling and distribution plants, Cold storage and frozen foodlockers, Contractors' equipment-storage yards, Feed stores, Greenhouses – wholesale, Industrial trade schools, Laundry and dry-cleaning plants, Lithography and publishing plants, Lumber yards, Machinery sales and storage, Mechanical garages, bus, cab and truck repair, and storage, Paint and body shops, Plumbing shops, Trade shops, such as, upholstery, metal, cabinet, Warehouses, Wholesale meat and produce distribution with meat cutting, but not butchering, Communication towers when camouflage in design, Communication towers when monopole in design if the tower is under one hundred forty (140) feet in height, Office showroom.	Alcoholic beverage establishments, Contractors establishments with no outside storage, Drive-in restaurants, Drive-in theaters, Living quarters in conjunction with a commercial use, to be occupied by the owner or operator of the business or an employee, Lumber yards, Mechanical garages, Paint and body shops, Public utility structures, Service stations and gas pumps as an accessory use, Hospitals and nursing homes, All communication towers which are not permitted uses, Parking of semi-tractor trailers and cargo trailer boxes in rural areas for the sale of feed, hay, or other agricultural products when such products are offered for retail sale from said trailer and when the trailer is located outside of the urban/rural boundary. Trailers must be mobile and used on an interim basis until exchanged for a like trailer, Living quarters in conjunction with a commercial use to be occupied by the owner or operator of the business or an employee, Public utility structures, Service stations and gas pumps as an accessory use, Hospitals and nursing homes, Public and private schools, Communication towers when lattice or guyed in design, Communication towers when monopole in design if the tower is over one hundred forty (140) feet in height, Parking of semi-tractor trailers and cargo trailer boxes in rural areas for the sale of feed, hay, or other agricultural products when such products are offered for retail sale from said trailer and when the trailer is located outside of the urban/rural boundary. Trailers must be mobile and used on an interim basis until exchanged for a like trailer, Flea markets.

COMPATIBILITY WITH SURROUNDING PROPERTIES

The area of E. Lake Mary Boulevard is in close proximity to the Orlando/Sanford International Airport and has been assigned the Future Land Use Designation of High Intensity Planned Development – Airport (HIP-AP). The HIP-AP Future Land Use Designation has been implemented to encourage and foster growth for airport support uses such as retail, light industrial, and office. Since the construction of E. Lake Mary Boulevard the relatively large vacant sites along the frontage are an ideal location for these airport support uses. This site is adjacent to a major arterial roadway, within two miles of the SR 417, and within one mile from the entrance to the Orlando/Sanford International Airport. In the recent years this area has been transitioning from agricultural and residential uses to more intense industrial and office uses which are more compatible and consistent with the existing Future Land Use on the property.

This site is surrounded by vacant parcels and single-family homes on 1 acre and larger lots. All the surrounding properties contain the A-1 zoning district and the HIP-AP Future Land Use Designation. Due to the size of this property, its proximity to major thoroughfares, and the Orlando/Sanford International Airport the proposed development of a retail/office/warehouse complex seems consistent with the intent of the HIP-AP Future Land Use. The proposed use of this site allows for a mixture of compatible office, retail, and warehouse uses allowing for the growth of an employment center in a burgeoning area. Staff finds the requested rezone is compatible with the surrounding uses and existing development patterns of the area.

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 pre-development 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 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)(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 City of Sanford's utility service area, and will be required to connect to public utilities.

Transportation / Traffic:

The property proposes access onto E. Lake Mary Blvd., which is classified as an arterial roadway currently and is operating at a level-of-service A. E. Lake Mary Boulevard does not have improvements programmed in the County 5-year Capital Improvement Program or FDOT 5-year Work Program.

Multi-Modal Access:

The development will be required to connect a sidewalk from the proposed development to the existing sidewalk along E. Lake Mary Boulevard. The development is also providing bicycle racks as depicted on the preliminary site plan to provide for non motorized access.

Buffers / Landscaping

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

East; 15'
West; 15'
North; 15'
South; 15'

The landscaping that will be contained in the buffer consists of the following;

Buffer	Buffer Width	Length	Total Canopy Trees	Total Understory	Total Shrubs	Structure
West	15'	1062'	24	48	406	3' hedge
North	15'	650'	88	281	N/A	N/A
South	15'	315'	7	14	120	3' hedge
East	15'	910'	24	47	402	3' hedge

Staff feels the proposed buffers and landscaping is sufficient and meets the intent and regulations of the Land Development Code.

APPLICABLE POLICIES:

Fiscal Impact Analysis

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

Special Districts

The subject property is not located within any special districts.

Comprehensive Plan (Vision 2020)

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

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

Policy FLU	2.11:	Determination of Compatibility in PUD and PCD Zoning Classifications
Policy POT	4.5:	Potable Water Connection
Policy PUB	2.1:	Public Safety Level-of-Service
Policy SAN	4.4:	Sanitary Sewer Connection

INTERGOVERNMENTAL NOTIFICATION:

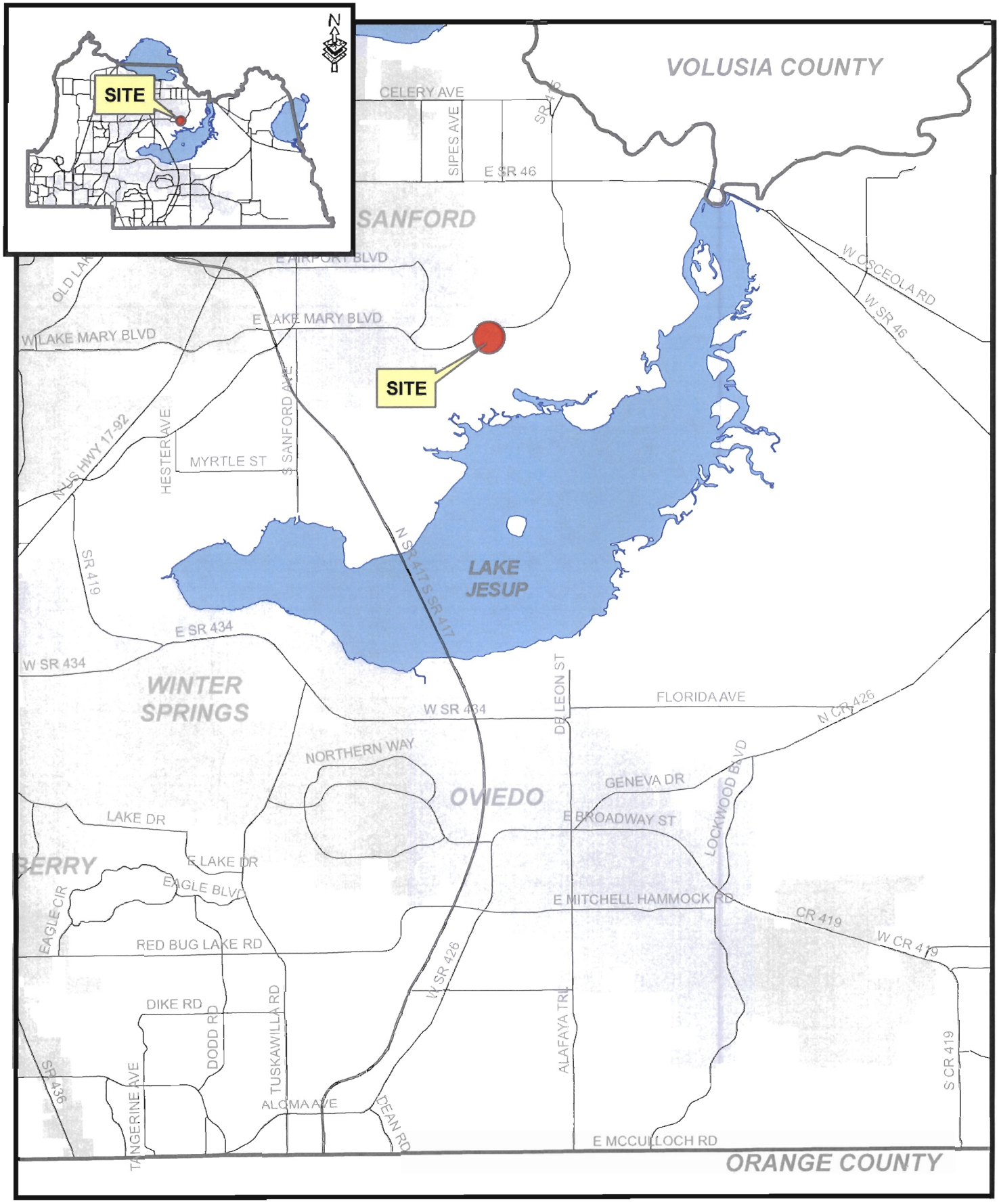
An intergovernmental notice was sent to the City of Sanford on May 7, 2008.

LETTERS OF SUPPORT OR OPPOSITION:

Staff has received one letter in opposition of the proposed rezone.

STAFF RECOMMENDATION:

Staff recommends approval of the request for a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) on 12.16± acres, located ¼ mile west of the intersection of E. Lake Mary Boulevard and Beardall Avenue, and recommends approval of the attached Preliminary Site Plan, subject to the conditions in the attached Development Order.



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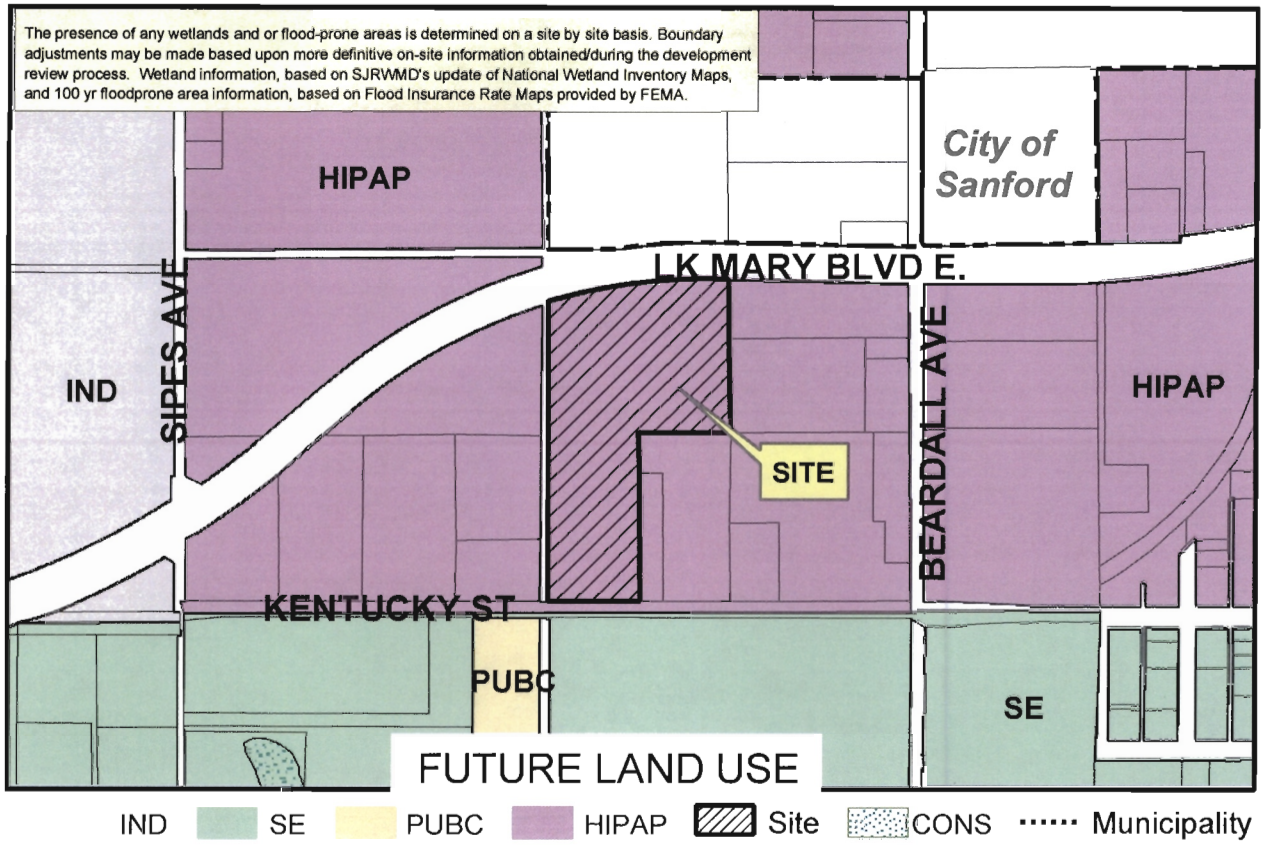
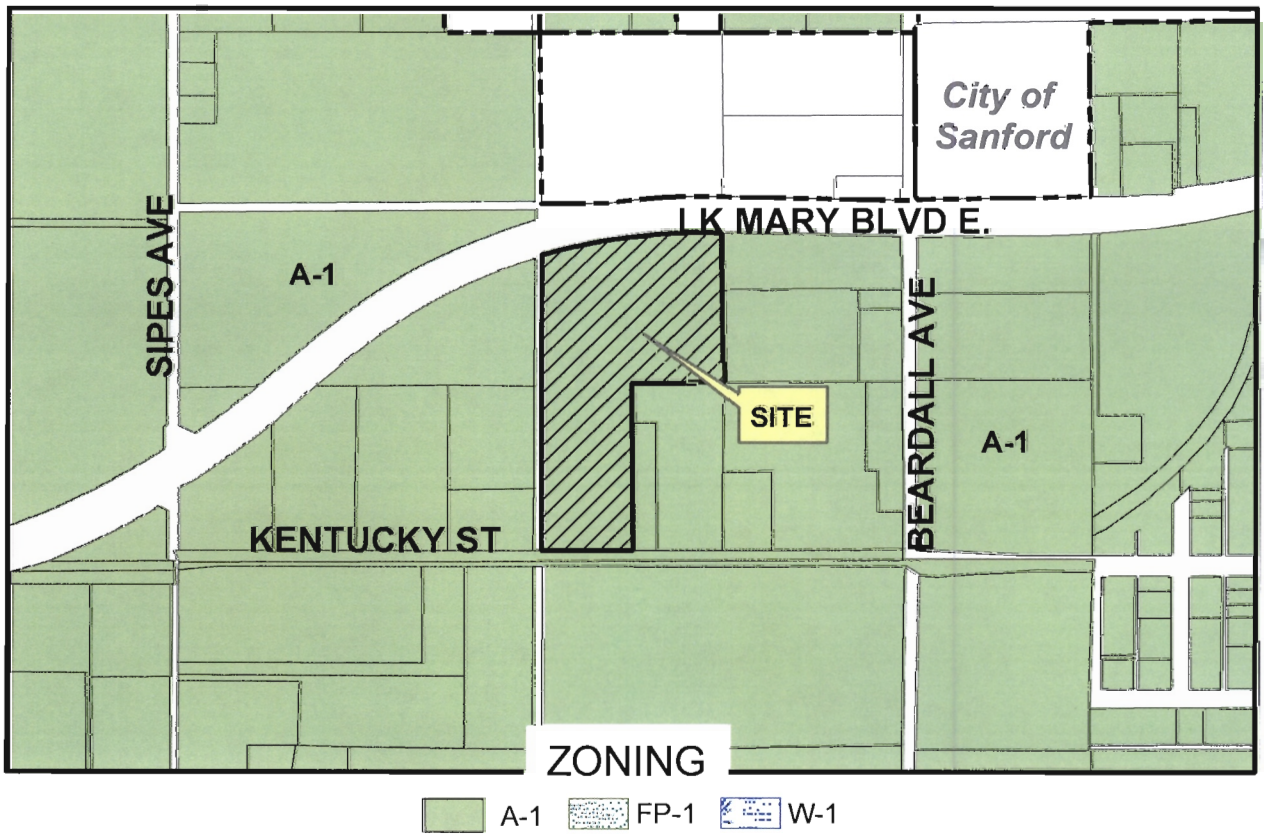


Applicant: Hugh Harling
Physical STR: 03-20-31-300-012B& 012A-0000
Gross Acres: 3.05 +/- BCC District: 5
Existing Use: Agriculture
Special Notes:

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2007-080	A-1	PCD

N



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Rezone No: Z2007-80
From:A-1 To:PCD

Parcel
Subject Property

N

Winter 2006 Color Aerials

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PRELIMINARY SITE PLAN

for

KENTUCKY STREET

03-20-31-5AY-0000-0580

Seminole County, Florida

LEGAL DESCRIPTION:

Lot 58 And The West 1/2 Of Lot 63, SANFORD CELERY DELTA, According To The Plat Thereof As Recorded In Plat Book 1, Pages 75 And 76 Of The Public Records Of Seminole County, Florida, Lying North Of Kentucky Avenue.

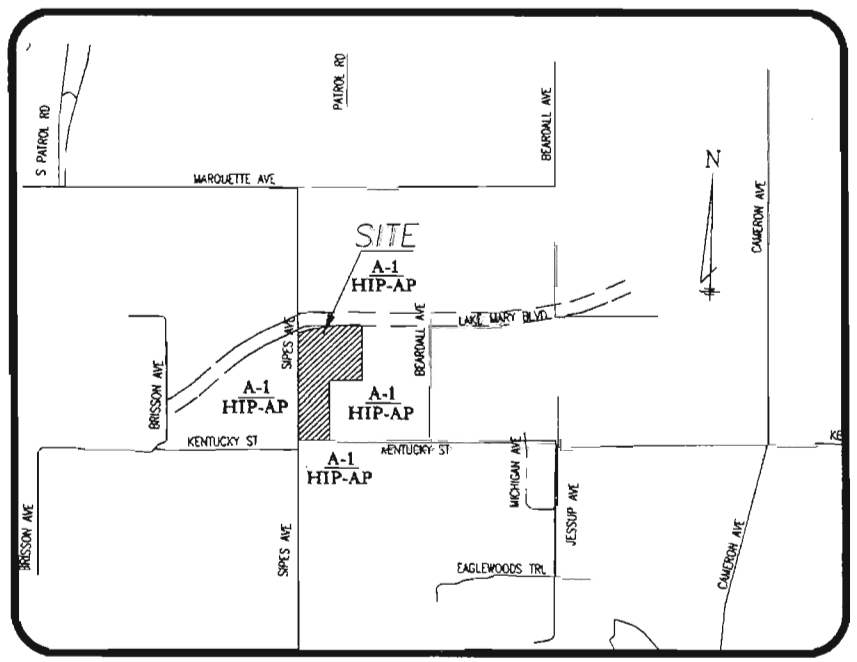
Less:

Parcel no. 213A
Fee simple

That portion of the property described in Official Record Book 1657, Page 668 of the Public Records of Seminole County, Florida.

Being more particularly described as follows:

Commencing at the Southwest corner of Section 9, Township 20 South, Range 31 East; also being the Southeast corner of Section 8, Township 20 South, Range 31 East, as shown on the Florida Department of Natural Resources certified corner records document no. 0055990; thence run N00°10'49"W along the West line of the Southwest quarter of said Section 9 a distance of 368.86 feet to a point on the Centerline of Survey of East Lake Mary Boulevard Extension according to Seminole County Right-of-Way Map, Project number PS-0137, said point also being a point on a non-tangent curve concave Northwesterly and having a radius of 2864.79 feet and a chord bearing of N53°27'06"E; thence from a radial bearing of S32°48'11"E, run along the arc of said curve and said Centerline of Survey a distance of 374.51 feet through a central angle of 07°29'25" to the point of tangency thereof; thence continuing along said Centerline of Survey, run N49°42'24"E a distance of 337.41 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2083.48 feet and a chord bearing of N61°59'34"E; thence run along the arc of said curve and said Centerline of Survey a distance of 893.54 feet through a central angle of 24°34'20" to a point on the West line of Lot 58 of the Plat of Sanford Celery Delta as recorded in Plat Book 1, Pages 75 and 76 of the Public Records of Seminole County, Florida for a Point of Beginning; thence departing said curve and said Centerline of Survey, run N00°04'09"W along said West line of Lot 58 a distance of 88.33 feet to the Northwest corner of said Lot 58; thence run N89°32'06"E along the north line of said Lot 58 a distance of 646.07 feet to the Northeast corner of said Lot 58; thence run S00°00'01"W along the East line of Lot 58 a distance of 16.88 feet to a point on aforesaid Centerline of Survey; thence Continue S00°00'01"W along said East line a distance of 70.02 feet; thence departing said East line, run N88°48'25"W a distance of 39.50 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2013.48 feet and a chord bearing of S82°27'24"W; thence run along the arc of said curve a distance of 614.03 feet through a central angle of 17°28'22" to a point on the West line of Lot 58; thence departing said curve from a radial bearing of N16°16'47"W, run N00°04'09"W along said East line a distance of 72.80 feet to the Point of Beginning.



Location Map
SEC. 7, TWP. 20S, RNG. 27E
N.T.S.

SHEET INDEX

1 COVER SHEET
2 PRELIMINARY SITE PLAN

PREPARED BY:

HARLING LOCKLIN & ASSOCIATES, INC.
Consulting Engineers Planners
850 Courtland Street
Orlando, Florida 32804
Phone: 407-629-1061
Fax: 407-629-2855
E-mail: hharling@harlinglocklin.com
Business No.: 2910

PREPARED FOR:

ANN TAKVORIAN
20 COURT STREET
HACKENSACK, N. J. 07601
201-489-2205

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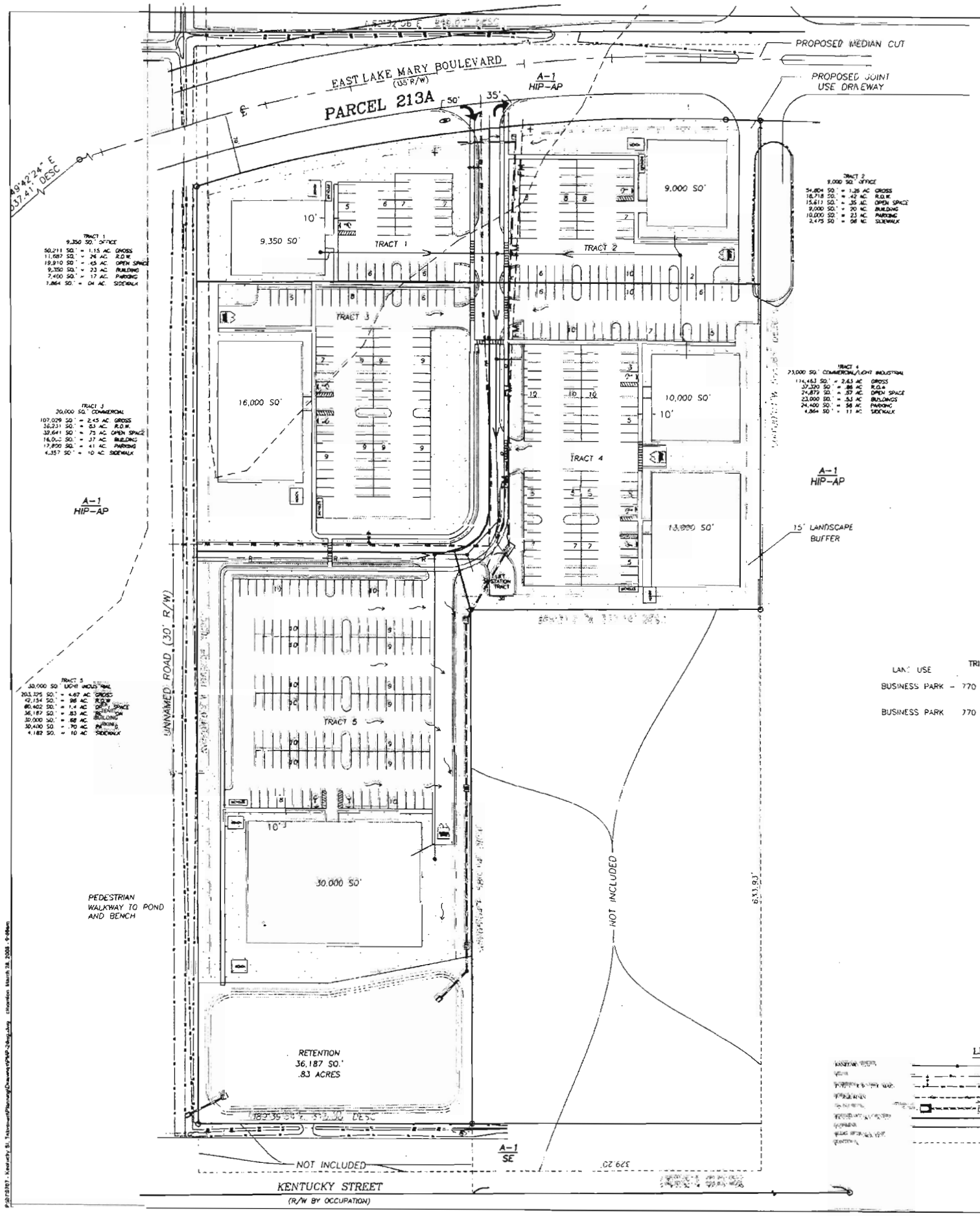
PRELIMINARY SITE PLAN
KENTUCKY STREET
SEMINOLE COUNTY FLORIDA

This is to certify that the roadway construction plans and specifications as contained herein were designed to applicable standards as set forth in the "Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways" as prepared by the Florida Department of Transportation.

Engineers: D Hugh W. Harling, Jr. P.E. No 11629

Job Number 0707 Date: MARCH, 2008



PROPOSED DEVELOPMENT DATA:

DEVELOPMENT NAME:	KENTUCKY STREET
PROPOSED DEVELOPMENT:	OFFICE/COMMERCIAL/INDUSTRIAL BUSINESS PARK
TOTAL SITE AREA:	12.16 GROSS ACRES
NET BUILDABLE AREA:	4.46 NET ACRES
CURRENT ZONING:	A-1 AGRICULTURE
PROPOSED ZONING:	PCD
CURRENT LAND USE:	HIP-AP
MINIMUM OPEN SPACE:	25% (3.04 ACRES)
OPEN SPACE PROVIDED:	4.35 ACRES = 35%

SERVICE PROVIDERS:

WATER:	CITY OF SANFORD
SEWER:	CITY OF SANFORD
SOLID WASTE:	WASTE MANAGEMENT
ELECTRIC:	FLORIDA POWER AND LIGHT
POLICE/FIRE:	SEMINOLE COUNTY
PUBLIC SCHOOLS	SEMINOLE COUNTY

PARKING

PARKING REQUIREMENTS SHALL MEET ALL REQUIREMENTS OF THE LDC PART 56, SEC. 30.1067 &
PER LDC: PART 64, SEC. 30.1221

TOTAL BUILDING SQ. FOOTAGE	87,350 SQ.'
PARKING:	1 SPACE PER 200 SQ.'/GFA
TOTAL PARKING REQUIRED:	437 SPACES
PARKING PROVIDED:	455 SPACES
HANDICAP PROVIDED:	9 SPACES

PERMITTED USES:

LDC: PART 26, SEC. 30.462, PART 41 SEC. 30.762
PART 42, SEC. 30.782
THOSE USES PERMITTED IN C-2 AND C-3 EXCEPT FOR THE FOLLOWING:
THESE C-2 USES WILL NOT BE PERMITTED:
(n) MULTI-FAMILY HOUSING

THESE C-3 USES WILL NOT BE PERMITTED:
(i) LAUNDRY AND DRY-CLEANING PLANTS
(j) LITHOGRAPHY AND PUBLISHING PLANTS

NOTES:

1. IF OUTDOOR STORAGE IS UTILIZED, SCREENING REQUIREMENTS PER CODE WILL BE MET
2. ACCESS OFF OF EAST LAKE MARY BLVD. SHALL BE RIGHT IN RIGHT OUT
3. BUFFER AND BUFFER DESIGN SHALL MEET ALL REQUIREMENTS OF SEMINOLE COUNTY LDC PART 56, SEC. 30.1066 & PART 26, SEC. 30.468(o).
4. SIGNAGE SHALL MEET ALL REQUIREMENTS OF SEMINOLE COUNTY LDC PART 56, SEC. 30.1068.
5. UTILITY LINES SHALL MEET ALL REQUIREMENTS OF THE CITY OF SANFORD.
6. EACH TRACT WILL BE AMENITIZED WITH ONE BENCH AND BICYCLE RACK.
7. THE RETENTION POND IS AMENITIZED WITH A PEDESTRIAN WALKWAY AND BENCH

TRAFFIC IMPACT
TRIP GENERATION 6TH. EDITION

LAND USE		BLDG. SQ.'	WEEKDAY ADT
BUSINESS PARK	770	87,350	12.76/1000 SQ' GFA = 1,115 ADT

		BLDG. SQ.'	P.M. PEAK HOUR - WEEKDAY
BUSINESS PARK	770	87,350	1.29/1000 SQ' GFA = 113 ADT

OWNER
ANN TAKVORIAN
20 COURT STREET
HACKENSACK, N.J. 07601
201-489-2205
201-489-4509 fax

ENGINEER
HARLING LOCKLIN & ASSOCIATES, INC
850 COURTLAND ST.
ORLANDO, FL. 32804
407-629-1061 407-629-2855 fax
hharling@harlinglocklin.com

MINIMUM SETBACKS:

FRONT SETBACK:	25'
SIDE ST. SETBACK:	25'
SIDE SETBACK:	0'
REAR SETBACK:	10'
PERIMETER BUFFER:	15'
MAXIMUM BLDG. HEIGHT	35'

STORMWATER MANAGEMENT:
STORMWATER MANAGEMENT SYSTEM SHALL MEET ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND SEMINOLE COUNTY'S REQUIREMENTS.

STREET DESIGN:
STREETS SHALL BE DESIGNED IN ACCORDANCE WITH THE SEMINOLE COUNTY ENGINEERING STANDARDS

FIRE PROTECTION:
FIRE PROTECTION WILL BE PROVIDED BY SEMINOLE COUNTY.
FIRE FLOW WILL BE A MINIMUM OF 1,250 G.P.M. WITH 20 P.S.I
ALL LOTS SHALL BE WITHIN 400' OF A FIRE HYDRANT

LIGHTING DESIGN:
EXTERIOR LIGHTING ON ANY PART OF A BUILDING SHALL BE PER SEMINOLE COUNTY'S LAND ORDINANCE # 2004-2.
LIGHT SOURCES SHALL BE SHIELDED AND DIRECTED DOWNWARD TO PREVENT GLARE. STREET LIGHTING WILL BE PROVIDED BY FLORIDA POWER AND LIGHT.

FIRM:
12127C0090F EFFECTIVE DATE: SEPTEMBER 28, 2007
PANEL 90 OF 330, ZONE X - AREAS TO BE DETERMINED OUTSIDE THE 0.2% ANNUAL CHANCE YEAR FLOODPLAIN

SOILS:
10 - BASINGER, SAMSULA, AND HONTOON SOILS DEPRESSIONAL
13 - EAUGALLIE AND IMMOKALEE FINE SANDS.
20 - MYAKKA AND EAUGALLIE FINE SANDS

North

0 25 50 100
Scale: 1" = 60'

OPEN SPACE

TRACT	GROSS AC.	OPEN SPACE
TRACT 1 OFFICE	1.15	19,910 sq' = .45 AC.
TRACT 2 OFFICE	1.26	15,611 sq' = .35 AC.
TRACT 3 COMMERCIAL	2.45	32,641 sq' = .75 AC.
TRACT 4 COMM. / LT. INDUST.	2.63	24,879 sq' = .57 AC.
TRACT 5 LIGHT INDUSTRIAL	4.67	96,589 sq' = 2.23 AC.
TOTAL SITE AREA	12.16 Ac.	189,630 sq' = 4.35 AC.
TOTAL OPEN SPACE		4.35 AC. = 35% OF SITE

LAND USE TABLE

TRACT	GROSS AC.	OPEN SPACE	R.O.W	NET ACRES	BLDG SQ.'	F.A.R.
TRACT 1 OFFICE	1.15	.45	.26	.44	9,350 SQ.'	.48
TRACT 2 OFFICE	1.26	.35	.42	.49	9,000 SQ.'	.42
TRACT 3 COMMERCIAL	2.45	.75	.83	.87	16,000 SQ.'	.42
TRACT 4 COMM. / LT. INDUST.	2.63	.57	.86	1.2	23,000 SQ'	.44
TRACT 5 LIGHT INDUSTRIAL	4.67	2.23	.96	1.48	30,000 SQ.'	.47
TOTAL SITE AREA	12.16 Ac.	4.35 Ac.	3.33 Ac.	4.48 Ac.	87,350 SQ.'	2.23

LANDSCAPING

BUFFER	BUFFER WIDTH	LENGTH	TOTAL CANOPY TREES	TOTAL UNDERSTORY	TOTAL SHRUBS	STRUCTURE
WEST	15'	1081'	24	48	408	3' HEDGE
NORTH	15'	650'	88	281	N/A	N/A
SOUTH	15'	315'	7	14	120	3' HEDGE
EAST	15'	810'	24	47	402	3' HEDGE

LEGEND

No.	Date	Revision	Dr.	Ck.
2	3-27-08	Revised per Seminole County Comments dated 3/11/08	CMT	
1	2-26-08	Revised per Seminole County comments dated 1-14-08	CMT	

HARLING LOCKLIN & ASSOCIATES, INC.
Consulting Engineers Planners Surveyors
850 Courtland Street Orlando, Florida 32804
Phone: 407-629-1061
Fax: 407-629-2855
Email: hharling@harlinglocklin.com

PRELIMINARY SITE PLAN
PCD OFFICE/COMMERCIAL/INDUSTRIAL

KENTUCKY STREET
Seminole County, Florida

Drawn by: D. Sigmund
Filename: 06-pspr
Engrs: Hugh W. Harling, Jr. Reg. No. 11628
Job Number: 0707
Scale: 1" = 60'
Date: July 2007

Sheet 2 of 2

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 26, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

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

FINDINGS OF FACT

Property Owner: Ann Takvorian
20 Court St.
Hackensack, NJ 07601

Project Name: Kentucky Street Rezone

Requested Development Approval:

Rezone from A-1 (Agriculture) 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 aforedescribed 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 C-2 and C-3 zoning district. Prohibited Uses shall include Multi-Family Housing, Laundry and Dry Cleaning Plants, and Lithography and Publishing plants.
c. Maximum allowable building height shall be 35 feet.
d. The maximum allowable building square footage shall be limited to 87,350 square feet.
e. Building setbacks shall be as follows;
   Front: 25'
   Side: 10'
   Side Street: 25'
   Rear: 10'
f. Buffer yards shall be as follows;
   West: 15'
   North: 15'
   South: 15'
   East: 15'
g. The landscaping that will be contained in the buffer consists of the following;

Buffer	Buffer Width	Length	Total Canopy Trees	Total Understory	Total Shrubs	Structure
West	15'	1062'	24	48	406	3' hedge
North	15'	650'	88	281	N/A	N/A
South	15'	315'	7	14	120	3' hedge
East	15'	910'	24	47	402	3' hedge

h. If outdoor storage is utilized screening requirements per the Land Development Code shall be met.

i. Each tract shall be amenitized with one bench and one bicycle rack as depicted on the Preliminary Site Plan.
j. The applicant shall construct an internal sidewalk system that connects to the existing sidewalk along the E. Lake Mary Boulevard.
k. The retention pond shall be amenitized with a pedestrian walkway and bench.

(4) This Development Order touches and concerns the aforedescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Brenda Carey
Chairman, Board of County Commissioners

OWNER'S CONSENT AND COVENANT

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

_____ _____
Witness Ann Takvorian

_____
Witness

STATE OF FLORIDA)
)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Ann Takvorian who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 200_.

_____
Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Lot 58 and the West ½ of Lot 63, SANFORD CELERY DELTA, according to the plat thereof as Recorded in Plat Book 1, Pages 75 and 76 of the Public Records of Sanford County, Florida, Lying North of Kentucky Avenue.
Less:
Parcel no. 213A
Fee simple
That portion of the property described in Official Record Book 1657, Page 668 of the Public Records of Seminole County, Florida.
Being more particularly described as follows:

Commencing at the Southwest corner of Section 9, Township 20 South, Range 31 East; also being the Southeast corner of Section 8, Township 20 South, Range 31 East, as shown on the Florida Department of Natural Resources certified corner records document no. 00559900; thence run N00°10'49"W along the West line of the Southwest quarter of said Section 9 a distance of 368.86 feet to a point on the Centerline of Survey of East Lake Mary Boulevard Extension according to Seminole county Right-of-Way map, Project Number PS-0137, said point also being a point on a non-tangent curve concave Northwesterly and having a radius of 2864.79 feet and a chord bearing of N58°27'06"E; thence from a radial bearing of S32°48'11"E, run along the arc of said curve and said Centerline of Survey a distance of 374.51 feet through a central angle of 07°29'25" to the point of tangency thereof; thence continuing along said Centerline of Survey, run N49°42'24"E a distance of 337.41 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2083.48 feet and a chord bearing of N61°59'34"E; thence run along the arc of said curve and said Centerline of Survey a distance of 893.54 feet through a central angle of 24°34'20" to a point on the West line of Lot 58 of the Plat of Sanford Celery Delta as Recorded in Plat Book 1, Pages 75 and 76 of the public Records of Seminole County, Florida for a Point of Beginning; thence departing said curve and said Centerline of Survey, run N00°04'09"W along said West line of Lot 58 a distance of 88.33 feet to the Northwest corner of said Lot 58; thence N89°32'06"E along the north line of said Lot 58 a distance of 646.07 feet to the Northeast corner of said Lot 58; thence run S00°00'01"W along the East line of Lot 58 a distance of 16.88 feet to a point on aforesaid Centerline of Survey; thence continue S00°00'01"W along said East line a distance of 70.02 feet; thence departing said East line, run N88°48'25"W a distance of 39.50 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2013.48 feet and a chord bearing of S82°27'24"W; thence run along the arc of said curve a distance of 614.03 feet through a central angle of 17°28'22" to a point on the West line of Lot 58; thence departing said curve from a radial bearing of N16°16'47"W run N00o04'09"W along said East line a distance of 72.80 feet to the point Beginning.

EXHIBIT B

(See Attached Pages)

PRELIMINARY SITE PLAN

for

KENTUCKY STREET

03-20-31-5AY-0000-0580

Seminole County, Florida

LEGAL DESCRIPTION:

Lot 58 And The West 1/2 Of Lot 63, SANFORD CELERY DELTA, According To The Plat Thereof As Recorded In Plat Book 1, Pages 75 And 76 Of The Public Records Of Seminole County, Florida, Lying North Of Kentucky Avenue.

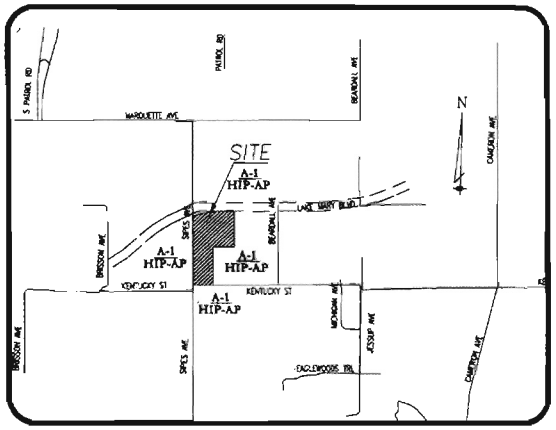
Less:

Parcel no. 213A
Fee simple

That portion of the property described in Official Record Book 1657, Page 668 of the Public Records of Seminole County, Florida.

Being more particularly described as follows:

Commencing at the Southwest corner of Section 9, Township 20 South, Range 31 East; also being the Southeast corner of Section 8, Township 20 South, Range 31 East, as shown on the Florida Department of Natural Resources certified corner records document no. 0055990; thence run N00°10'49"W along the West line of the Southwest quarter of said Section 9 a distance of 368.86 feet to a point on the Centerline of Survey of East Lake Mary Boulevard Extension according to Seminole County Right-of-Way Map, Project number PS-0137, said point also being a point on a non-tangent curve concave Northwesterly and having a radius of 2864.79 feet and a chord bearing of N53°27'06"E; thence from a radial bearing of S32°48'11"E, run along the arc of said curve and said Centerline of Survey a distance of 374.51 feet through a central angle of 07°29'25" to the point of tangency thereof; thence continuing along said Centerline of Survey, run N49°42'24"E a distance of 337.41 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2083.48 feet and a chord bearing of N61°59'34"E; thence run along the arc of said curve and said Centerline of Survey a distance of 893.54 feet through a central angle of 24°34'20" to a point on the West line of Lot 58 of the Plat of Sanford Celery Delta as recorded in Plat Book 1, Pages 75 and 76 of the Public Records of Seminole County, Florida for a Point of Beginning; thence departing said curve and said Centerline of Survey, run N00°04'09"W along said West line of Lot 58 a distance of 88.33 feet to the Northwest corner of said Lot 58; thence run N89°32'06"E along the north line of said Lot 58 a distance of 646.07 feet to the Northeast corner of said Lot 58; thence run S00°00'01"W along the East line of Lot 58 a distance of 16.88 feet to a point on aforesaid Centerline of Survey; thence Continue S00°00'01"W along said East line a distance of 70.02 feet; thence departing said East line, run N88°48'25"W a distance of 39.50 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2013.48 feet and a chord bearing of S82°27'24"W; thence run along the arc of said curve a distance of 614.03 feet through a central angle of 17°28'22" to a point on the West line of Lot 58; thence departing said curve from a radial bearing of N16°16'47"W, run N00°04'09"W along said East line a distance of 72.80 feet to the Point of Beginning.



Location Map
SEC. 1, TWP. 306, RNG. 27E
N.T.S.

SHEET INDEX

1 COVER SHEET
2 PRELIMINARY SITE PLAN

PREPARED BY:

HARLING LOCKLIN & ASSOCIATES, INC.
Consulting Engineers Planners
850 Courtland Street
Orlando, Florida 32804
Phone: 407-629-1061
Fax: 407-629-2855
E-mail: hharling@harlinglocklin.com
Business No.: 2910

PREPARED FOR:

ANN TAKVORIAN
20 COURT STREET
HACKENSACK, N. J. 07601
201-489-2205

HARLING LOCKLIN & ASSOCIATES, INC.
Consulting Engineers Planners
850 Courtland Street Orlando, Florida 32804
Phone 407-629-1061
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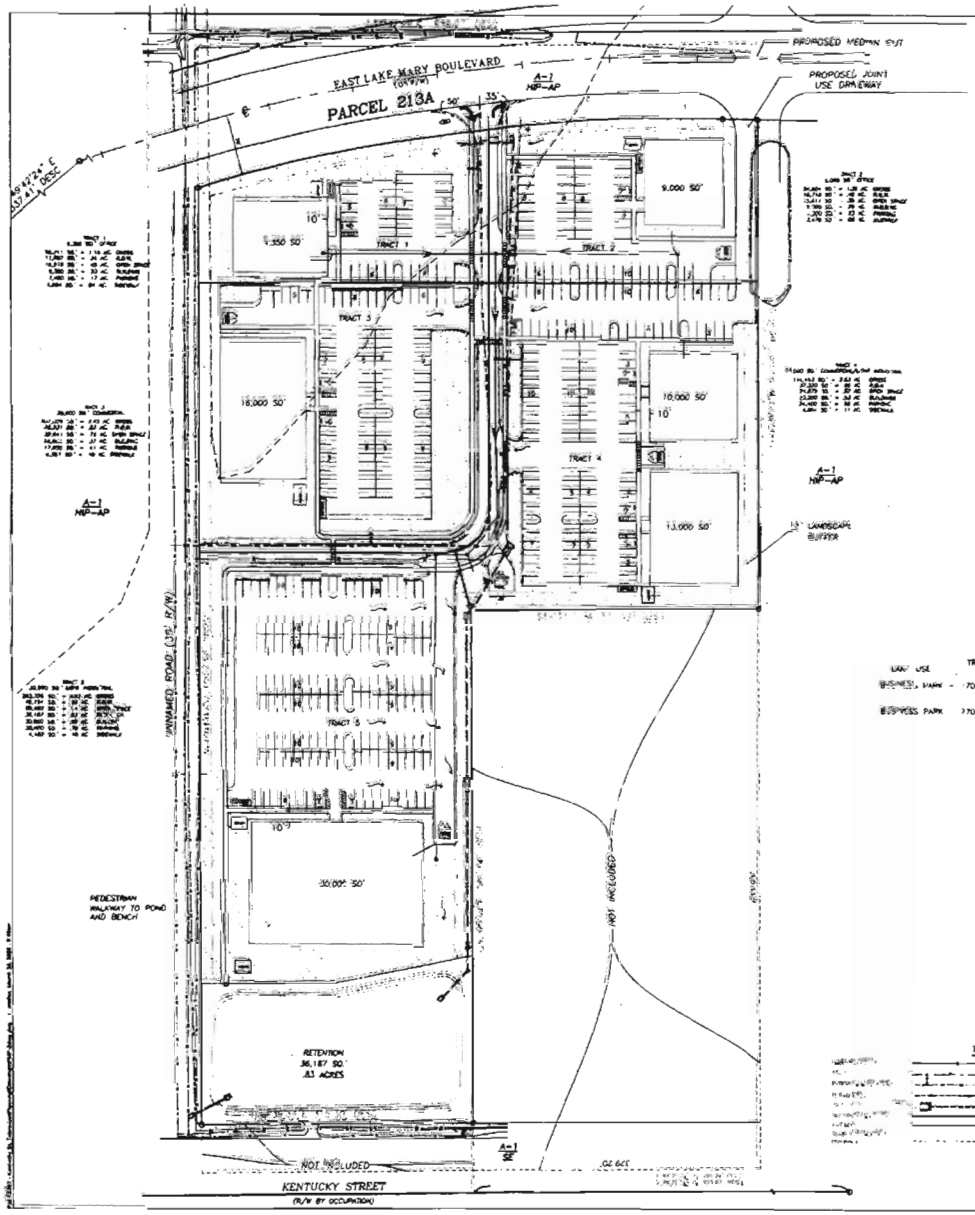
PRELIMINARY SITE PLAN
KENTUCKY STREET
SEMINOLE COUNTY FLORIDA

This is to certify that the roadway construction plans and specifications to certified herein were designed to applicable standards as set forth in the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways as prepared by the Florida Department of Transportation.

Engineer: D. Hugh W. Harling, Jr. P.E. File 13429

Job Number: 0707 Date: MARCH, 2008



PROPOSED DEVELOPMENT DATA:

DEVELOPMENT NAME: KENTUCKY STREET
PROPOSED DEVELOPMENT: OFFICE/COMMERCIAL/INDUSTRIAL BUSINESS PARK
TOTAL SITE AREA: 12.15 GROSS ACRES
NET BUILDABLE AREA: 4.48 NET ACRES
CURRENT ZONING: A-1 AGRICULTURE
PROPOSED ZONING: PCD
CURRENT LAND USE: HIP-AP
MINIMUM OPEN SPACE: 25% (3.04 ACRES)
OPEN SPACE PROVIDED: 4.35 ACRES = 35%

SERVICE PROVIDERS:

WATER: CITY OF SANFORD
SEWER: CITY OF SANFORD
SOLID WASTE: WASTE MANAGEMENT
ELECTRIC: FLORIDA POWER AND LIGHT
POLICE/FIRE: SEMINOLE COUNTY
PUBLIC SCHOOLS: SEMINOLE COUNTY

PARKING

PARKING REQUIREMENTS SHALL MEET ALL REQUIREMENTS OF THE LDC PART 56, SEC. 30.1067 A
PER LDC: PART 84, SEC. 30.1221
TOTAL BUILDING SQ. FOOTAGE 87,350 SQ.'
PARKING: 1 SPACE PER 200 SQ.'/GFA
TOTAL PARKING REQUIRED 437 SPACES
PARKING PROVIDED 455 SPACES
HANDICAP PROVIDED 9 SPACES

PERMITTED USES:

LDC, PART 28, SEC. 30.462, PART 41 SEC. 30.762
PART 42, SEC. 30.782
THOSE USES PERMITTED IN C-2 AND C-3 EXCEPT FOR THE FOLLOWING
THESE C-2 USES WILL NOT BE PERMITTED:
(n) MULTI-FAMILY HOUSING

THESE C-3 USES WILL NOT BE PERMITTED:
(1) LAUNDRY AND DRY-CLEANING PLANTS
(3) LITHOGRAPHY AND PUBLISHING PLANTS

NOTES:

1. IF OUTDOOR STORAGE IS UTILIZED, SCREENING REQUIREMENTS PER CODE WILL BE MET.
2. ACCESS, BOTH OF EAST LAKE MARY AVE. SHALL BE RIGHT IN, RIGHT OUT.
3. BUFFER AND BUFFER DESIGN SHALL MEET ALL REQUIREMENTS OF SEMINOLE COUNTY LDC PART 56, SEC. 30.1266 & PART 26, SEC. 30.458(a).
4. SIGNAGE SHALL MEET ALL REQUIREMENTS OF SEMINOLE COUNTY LDC PART 58, SEC. 30.1065.
5. UTILITY LINES SHALL MEET ALL REQUIREMENTS OF THE CITY OF SANFORD.
6. EACH TRACT WILL BE AMENITIZED WITH ONE BENCH AND BIKERACK.
7. THE RETENTION POND IS AMENITIZED WITH A PEDESTRIAN WALKWAY AND BENCH

TRAFFIC IMPACT
TRIP GENERATION 6TH EDITION

LAND USE		BLDG SQ.'	WEEKDAY ADT
BUSINESS PARK	770	87,350	12.79/1000 SQ' GFA = 1,115 ADT

		BLDG SQ.'	P.M. PEAK HOUR - WEEKDAY
BUSINESS PARK	770	87,350	1.29/1000 SQ' GFA = 113 ADT

OWNER
ANN TAKVORIAN
20 COURT STREET
HACKENSACK, N.J. 07601
201-489-2205
201-489-4509 fax

ENGINEER
HARLING LOCKLIN & ASSOCIATES, INC
850 COURTLAND ST
ORLANDO, FL 32804
407-629-1081 407-629-2855 fax
mailing@harlinglocklin.com

MINIMUM SETBACKS:

FRONT SETBACK:	25'
SIDE ST. SETBACK:	25'
SIDE SETBACK:	0'
REAR SETBACK:	10'
PERIMETER BUFFER:	15'
MAXIMUM BLDG. HEIGHT:	35'

STORMWATER MANAGEMENT:
STORMWATER MANAGEMENT SYSTEM SHALL MEET ST JOHNS RIVER WATER MANAGEMENT DISTRICT AND SEMINOLE COUNTY'S REQUIREMENTS

STREET DESIGN:
STREETS SHALL BE DESIGNED IN ACCORDANCE WITH THE SEMINOLE COUNTY ENGINEERING STANDARDS.

FIRE PROTECTION:
FIRE PROTECTION WILL BE PROVIDED BY SEMINOLE COUNTY. FIRE FLOW WILL BE A MINIMUM OF 1,250 G.P.M. WITH 20 P.S.I. ALL LOTS SHALL BE WITHIN 400' OF A FIRE HYDRANT

LIGHTING DESIGN:
EXTERIOR LIGHTING ON ANY PART OF A BUILDING SHALL BE PER SEMINOLE COUNTY'S LAND ORDINANCE # 2004-2. LIGHT SOURCES SHALL BE SHIELDED AND DIRECTED DOWNWARD TO PREVENT GLARE. STREET LIGHTING WILL BE PROVIDED BY FLORIDA POWER AND LIGHT

FIRM:
12117C0085F EFFECTIVE DATE: SEPTEMBER 28, 2007
PANEL 90 OF 350, ZONE X - AREAS TO BE DETERMINED OUTSIDE THE 0.2% ANNUAL CHANCE YEAR FLOODPLAIN

SOILS:
10 - BASINGER, SMASHLAKE, AND HINTOON SOILS DEPRESSIONAL
13 - LAUGALITE AND IMMOKALEE FINE SANDS
20 - MYAKKA AND LAUGALITE FINE SANDS

OPEN SPACE

TRACT	GROSS AC.	OPEN SPACE
TRACT 1 OFFICE	1.13	19,970 SQ' = .45 AC.
TRACT 2 OFFICE	1.26	15,811 SQ' = .36 AC.
TRACT 3 COMMERCIAL	2.45	32,647 SQ' = .75 AC.
TRACT 4 COMM. / LT. INDUST.	2.63	24,879 SQ' = .57 AC.
TRACT 5 LIGHT INDUSTRIAL	4.67	96,589 SQ' = 2.23 AC.
TOTAL SITE AREA	12.18 AC.	189,630 SQ' = 4.35 AC.
TOTAL OPEN SPACE		4.35 AC = 35% OF SITE

LAND USE TABLE

TRACT	GROSS AC	OPEN SPACE	R.O.W.	NET ACRES	BLDG SQ'	FAR
TRACT 1 OFFICE	1.13	.45	.28	.44	9,350 SQ'	.48
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TRACT 4 COMM. / LT. INDUST.	2.63	.57	.80	1.2	23,000 SQ'	.44
TRACT 5 LIGHT INDUSTRIAL	4.67	2.23	.96	1.48	30,000 SQ'	.47
TOTAL SITE AREA	12.18 Ac.	4.35 Ac.	3.33 Ac.	4.48 Ac.	87,350 SQ'	2.23

LANDSCAPING

BUFFER	BUFFER WIDTH	LENGTH	TOTAL CANOPY TREES	TOTAL UNDERSTORY	TOTAL SHRUBS	STRUCTURE
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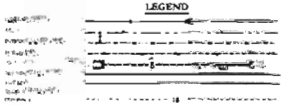
SOUTH	15'	315'	7	14	120	5' HEDGE
EAST	15'	910'	24	47	402	5' HEDGE

LEGEND



North
Scale: 1" = 60'

HARLING LOCKLIN & ASSOCIATES, INC.
Consulting Engineers Planners Surveyors
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Email: mailing@harlinglocklin.com

PRELIMINARY SITE PLAN
PCD OFFICE/COMMERCIAL/INDUSTRIAL

KENTUCKY STREET
Seminole County, Florida

Rev.	Date	Description	By	Appr.
1	7-17-08	Revised per Seminole County Comments dated 7-11-08	CMT	
2	8-27-08	Revised per Seminole County Comments dated 8-14-08		

Drawn by: CMT
Designed by: CMT
Checked by: JCP
Job Number: 07-162
Scale: 1" = 60'
Date: July 2007

Sheet 2 of 2

ORDINANCE NO. **SEMINOLE COUNTY, FLORIDA**
Z2007-80

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) 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 "Kentucky Street Rezone."

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

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to PCD (Planned Commercial Development):

SEE ATTACHED EXHIBIT A

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

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

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing a copy of this Ordinance with the Department and recording of Development Order 07-20500006.

ENACTED this 26th day of August 2008.
BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By:_____
Brenda Carey
Chairman

EXHIBIT A
LEGAL DESCRIPTION

Lot 58 and the West ½ of Lot 63, SANFORD CELERY DELTA, according to the plat thereof as Recorded in Plat Book 1, Pages 75 and 76 of the Public Records of Sanford County, Florida, Lying North of Kentucky Avenue.
Less:
Parcel no. 213A
Fee simple
That portion of the property described in Official Record Book 1657, Page 668 of the Public Records of Seminole County, Florida.
Being more particularly described as follows:

Commencing at the Southwest corner of Section 9, Township 20 South, Range 31 East; also being the Southeast corner of Section 8, Township 20 South, Range 31 East, as shown on the Florida Department of Natural Resources certified corner records document no. 00559900; thence run N00°10'49"W along the West line of the Southwest quarter of said Section 9 a distance of 368.86 feet to a point on the Centerline of Survey of East Lake Mary Boulevard Extension according to Seminole county Right-of-Way map, Project Number PS-0137, said point also being a point on a non-tangent curve concave Northwesterly and having a radius of 2864.79 feet and a chord bearing of N58°27'06"E; thence from a radial bearing of S32°48'11"E, run along the arc of said curve and said Centerline of Survey a distance of 374.51 feet through a central angle of 07°29'25" to the point of tangency thereof; thence continuing along said Centerline of Survey, run N49°42'24"E a distance of 337.41 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2083.48 feet and a chord bearing of N61°59'34"E; thence run along the arc of said curve and said Centerline of Survey a distance of 893.54 feet through a central angle of 24°34'20" to a point on the West line of Lot 58 of the Plat of Sanford Celery Delta as Recorded in Plat Book 1, Pages 75 and 76 of the public Records of Seminole County, Florida for a Point of Beginning; thence departing said curve and said Centerline of Survey, run N00°04'09"W along said West line of Lot 58 a distance of 88.33 feet to the Northwest corner of said Lot 58; thence N89°32'06"E along the north line of said Lot 58 a distance of 646.07 feet to the Northeast corner of said Lot 58; thence run S00°00'01"W along the East line of Lot 58 a distance of 16.88 feet to a point on aforesaid Centerline of Survey; thence continue S00°00'01"W along said East line a distance of 70.02 feet; thence departing said East line, run N88°48'25"W a distance of 39.50 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2013.48 feet and a chord bearing of S82°27'24"W; thence run along the arc of said curve a distance of 614.03 feet through a central angle of 17°28'22" to a point on the West line of Lot 58; thence departing said curve from a radial bearing of N16°16'47"W run N00o04'09"W along said East line a distance of 72.80 feet to the point Beginning.

Ian Sikonia, Senior Planner
Seminole County Planning Division

Re: Kentucky Street PCD Rezone

Mr. Sikonia:

As a follow up to our conversation of last week, let me start by saying that I am afraid that I may have given you the impression that I am not opposed to the rezoning of the above referenced property. Please be assured that this is not the case. We are first and foremost adamantly opposed to this rezoning in that it will dramatically affect and change our current way of living.

Let me bore you a few moments with our background that may give you some insight as to the reasons behind our objection. This area has been our home since 1975, at which time, as newly weds, we renovated the existing home on our property which was previously the home of my husband's grandparents, they lived on and owned this property for at least fifty years prior to our ownership. In 1983 to 1985 we built our existing home (doing most of the work ourselves) and have since lived and raised our children here. My husband was born and raised on Marquette St., only a half mile away and his father and grandfather farmed a large amount of the property in this area. So as you can see, this type of change does not come lightly to us.

Realizing that as much as we would like to see this area remain rural, in reality, we know there is not much we can do to stop progress (or at least what some think of as progress). In light of this, we would appreciate your consideration of a few issues:

Since this land cannot be developed as proposed without annexing into the City of Sanford, which is the water and sewer provider in this area, we strongly feel that the subject property should first be annexed into the city and then have the rezoning done within City of Sanford guidelines.

One of our concerns is that this area is still predominately rural and the size and density of the proposed commercial site is not at all within the current scope of this area. There should be less buildings of smaller size with more of the natural land remaining in place. We would like to see this type of proposed commercial development remain to the western side of Red Cleveland Blvd.

Since so much of the property is parking, what are the landscape requirements for the parking lots?

Under no circumstances should there be any access to Kentucky Street, now or in the future from this development.

The proposed buffer and set backs are not at all adequate to enable us to maintain anything close to our current way of life. We feel that to lessen the intrusion of this

development, there should be a minimum building setback of fifty feet (50') on our adjoining property lines and a twenty-five foot (25') buffer consisting of an eight foot (8') high concrete block wall with landscaping facing our property side. However; as this proposed plan includes light industrial, a seventy-five foot (75') setback with a fifty-foot (50') buffer consisting of an eight foot block wall would be more appropriate.

Dumpsters should be internal to property rather than adjacent to our property and dumpsters should not be in the setback or buffer.

There should be no outdoor storage or outside activities conducted at anytime.

The proposed plan shows an "unnamed road" on the western side of the property. This is in fact a drainage ditch/canal that drains directly to Lake Jessup.

The proposed retention pond should have a fountain or some other means of aeration to limit the stagnation and mosquito breeding.

While we have many more concerns, in an effort to deliver this to you in time for your review, I will bring this to a close. Thank you for your consideration of our requests and concerns regarding this matter.

Sincerely,

Robert & Katherine Hunter
3730 Kentucky Street
Sanford, FL 32773
407-322-7979

p.s. Would you please furnish a copy of this to each of the zoning board members as I was unable to obtain e-mail/addresses for them.

cc: Commissioner Carey, District 5

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On August 26, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

FINDINGS OF FACT

Property Owner: Ann Takvorian
20 court St.
Hackensack, NJ 07601

Project Name: Kentucky Street Rezone

Requested Development Approval:

Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development).

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

After fully considering staff analysis titled "Kentucky Street rezone from A-1 (Agriculture) to PUD (Planned Unit Development)" and all evidence submitted at the public hearing on August 26, 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

Lot 58 and the West ½ of Lot 63, SANFORD CELERY DELTA, according to the plat thereof as Recorded in Plat Book 1, Pages 75 and 76 of the Public Records of Sanford County, Florida, Lying North of Kentucky Avenue.
Less:
Parcel no. 213A
Fee simple
That portion of the property described in Official Record Book 1657, Page 668 of the Public Records of Seminole County, Florida.
Being more particularly described as follows:

Commencing at the Southwest corner of Section 9, Township 20 South, Range 31 East; also being the Southeast corner of Section 8, Township 20 South, Range 31 East, as shown on the Florida Department of Natural Resources certified corner records document no. 00559900; thence run N00°10'49"W along the West line of the Southwest quarter of said Section 9 a distance of 368.86 feet to a point on the Centerline of Survey of East Lake Mary Boulevard Extension according to Seminole county Right-of-Way map, Project Number PS-0137, said point also being a point on a non-tangent curve concave Northwesterly and having a radius of 2864.79 feet and a chord bearing of N58°27'06"E; thence from a radial bearing of S32°48'11"E, run along the arc of said curve and said Centerline of Survey a distance of 374.51 feet through a central angle of 07°29'25" to the point of tangency thereof; thence continuing along said Centerline of Survey, run N49°42'24"E a distance of 337.41 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2083.48 feet and a chord bearing of N61°59'34"E; thence run along the arc of said curve and said Centerline of Survey a distance of 893.54 feet through a central angle of 24°34'20" to a point on the West line of Lot 58 of the Plat of Sanford Celery Delta as Recorded in Plat Book 1, Pages 75 and 76 of the public Records of Seminole County, Florida for a Point of Beginning; thence departing said curve and said Centerline of Survey, run N00°04'09"W along said West line of Lot 58 a distance of 88.33 feet to the Northwest corner of said Lot 58; thence N89°32'06"E along the north line of said Lot 58 a distance of 646.07 feet to the Northeast corner of said Lot 58; thence run S00°00'01"W along the East line of Lot 58 a distance of 16.88 feet to a point on aforesaid Centerline of Survey; thence continue S00°00'01"W along said East line a distance of 70.02 feet; thence departing said East line, run N88°48'25"W a distance of 39.50 feet to a point of curvature of a curve concave Southeasterly and having a radius of 2013.48 feet and a chord bearing of S82°27'24"W; thence run along the arc of said curve a distance of 614.03 feet through a central angle of 17°28'22" to a point on the West line of Lot 58; thence departing said curve from a radial bearing of N16°16'47"W run N00o04'09"W along said East line a distance of 72.80 feet to the point Beginning.