

ITEM # \_\_\_\_\_

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

**SUBJECT:** Woodbridge Commerce Center Rezone from A-1 to PUD

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

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

|   |
|---|
| <b>Agenda Date</b> <u>7/9/2008</u> <b>Regular</b> <input type="checkbox"/> <b>Work Session</b> <input type="checkbox"/> <b>Briefing</b> <input type="checkbox"/><br><b>Special Hearing – 6:00</b> <input type="checkbox"/> <b>Public Hearing – 7:00</b> <input checked="" type="checkbox"/> |
|---|

**MOTION/RECOMMENDATION:**

1.    **RECOMMEND APPROVAL** of the request for a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on 4.81± acres, located on the east side of Elder Road, approximately 500 feet south of the intersection of Elder Road and Church Street, and recommend approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order, per staff findings; (Bryan Potts, applicant); or
  
2.    **RECOMMEND DENIAL** of the request for a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on 4.81± acres, located on the east side of Elder Road, approximately 500 feet south of the intersection of Elder Road and Church Street; (Bryan Potts, applicant); or
  
3.    **CONTINUE** until a time and date certain.

District #5 – Carey Ian Sikonia, Senior Planner

**BACKGROUND:**

The applicant, Bryan Potts is requesting a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) in order to develop an industrial park. The proposed permitted uses for the industrial park are the M-1A zoning district plus outdoor storage. The M-1A zoning district allows for light manufacturing and office/warehouse uses. The applicant is proposing to subdivide the property into five parcels, which will all have to submit individual Final Master Plans. The proposed Preliminary Master Plan indicates that the

|   |
|---|
| <b>Reviewed by:</b> _____<br><b>Co Atty:</b> <u>KFT</u><br><b>DFS:</b> _____<br><b>OTHER:</b> _____<br><b>DCM:</b> _____<br><b>CM:</b> _____<br><br><b>File No. <u>Z2008-03</u></b> |
|---|

project will contain a maximum of 50,000 square feet of building space split among the five parcels.

**STAFF RECOMMENDATION:**

Staff recommends approval of the request for a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on 4.81± acres, located on the east side of Elder Road, approximately 500 feet south of the intersection of Elder Road and Church Street, and recommends approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order.

Attachments:

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

**Woodbridge Commerce Center  
Rezone from A-1 to PUD**

|                            |   |                                     |
|----------------------------|---|-------------------------------------|
| <b>APPLICANT</b>           | Bryan Potts   |                                     |
| <b>PROPERTY OWNER</b>      | Lance Bremer  |                                     |
| <b>REQUEST</b>             | Rezone from A-1 (Agriculture) to PUD (Planned Unit Development).  |                                     |
| <b>PROPERTY SIZE</b>       | 4.81± acres   |                                     |
| <b>HEARING DATE (S)</b>    | P&Z: July 9, 2008   | BCC (tentative):<br>August 26, 2008 |
| <b>PARCEL ID</b>           | 16-19-30-5AC-0000-052A  |                                     |
| <b>LOCATION</b>            | Located on the east side of Elder Road, approximately 500 feet south of the intersection of Elder Road and Church Street. |                                     |
| <b>FUTURE LAND USE</b>     | High Intensity Planned Development – Target Industry (HIP-TI)   |                                     |
| <b>ZONING</b>              | A-1 (Agriculture)   |                                     |
| <b>FILE NUMBER</b>         | Z2008-03  |                                     |
| <b>COMMISSION DISTRICT</b> | #5 – Carey  |                                     |

**PROPOSED DEVELOPMENT:**

The applicant is proposing an industrial park containing a maximum of 50,000 square feet of building space.

**ANALYSIS OVERVIEW:**

**ZONING REQUEST**

The applicant, Bryan Potts is requesting a rezone in order to develop a 50,000 square foot industrial park. The Future Land Use designation of the subject property is High Intensity Planned Development – Target Industry (HIP-TI), which allows for the requested PUD zoning district. The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested district of PUD (Planned Unit Development):

| <b>DISTRICT REGULATIONS</b>    | <b>Existing Zoning (A-1)</b> | <b>Proposed Zoning (PUD)</b> |
|--------------------------------|------------------------------|------------------------------|
| Minimum Lot Size               | 43,560 sq. ft.               | N/A                          |
| Minimum House Size             | 700 sq. ft.                  | N/A                          |
| Minimum Width at Building Line | 150 feet                     | N/A                          |
| Front Yard Setback             | 50 feet                      | 25 feet*                     |
| Side Yard Setback              | 10 feet                      | 10 feet                      |
| (Street) Side Yard Setback     | 50 feet                      | N/A                          |
| 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   |
|---------------------------|--|---|
| <p>A-1<br/>(existing)</p> | <p>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.</p> | <p>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:</p> <p>(A) Be provided with a durable, dust-free surface which is properly drained; and<br/>         (B) Be adequately buffered from adjacent properties and roadways by a landscape screen.</p> <p>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 fide agricultural uses, "Bona fide agriculture uses," as used in this subsection, shall be determined by reference to the following criteria:</p> <p>(i) Whether the parcel or its adjacent lands are being actually utilized in agricultural pursuits by the same owner; and<br/>         (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.</p> <p>A mobile home may be permitted as a Special Exception on a lot or parcel of record subject to the following requirements:</p> <p>(A) Only one (1) single-family mobile home may be permitted.<br/>         (B) It shall bear the Florida Standards Seal or acceptable equivalent.<br/>         (C) It shall be subject to all applicable regulations of the zoning classification (i.e., setbacks, land uses.) 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. 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. 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.</p> <p>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). 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.</p> |

| Zoning District           | Permitted Uses   | Special Exception  |
|---------------------------|--|--|
| <p>PUD<br/>(proposed)</p> | <p>All permitted uses in the M-1A zoning district and outdoor storage which are listed as follows;</p> <p>Manufacturing of the following:<br/> 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.</p> | <p>Heliports and airports, Recreational facilities provided by an employer within the district for the exclusive use of employees, their families, and guests, Public and private elementary schools, middle schools, and high schools, Communication towers when lattice or guyed in design, Communication towers when monopole in design if the tower is one hundred forty (140) feet or over in height.</p> |

**COMPATIBILITY WITH SURROUNDING PROPERTIES**

The area of Church Street and Elder Road consists of a mixture of single-family homes, vacant land, and industrial type uses. For the past several years, the trend of development in the area is the conversion of larger vacant tracts of land into 5 acre or larger industrial parks, due to its proximity to Interstate 4 and the Orlando Metropolitan Area. The other approved PUD/PCD's in the area which reflect these trends are the Monroe Commerce Center North, Monroe Commerce Center South, and Vantage Point. The previously stated PCD developments have all allowed similar uses (M-1A & C-3) to the proposed Woodbridge Commerce Center PCD.

The subject property is surrounded by the High Intensity Planned Development – Target Industry and Industrial Future Land Uses. The surrounding zoning districts are M-1A, A-1, and PCD. To the north and east is the Monroe Commerce Center South PCD, to the south is a single-family home, and to the west is vacant land with industrial zoning.

Staff believes this PUD meets the intent of the High Intensity Planned Development – Target Industry Future Land Use. This project will be providing jobs in the manufacturing and sales arena, which is similar to the other business and industrial parks in the immediate 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 Monroe Drainage Basin, and has limited downstream capacity. The outfall for this site is constrained and will have to meet both the 25-year, 24-hour, pre-development rate and not exceed the capacity of the existing outfall system.

#### *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)(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 Seminole County utility service area, and will be required to connect to public utilities. There is an 8-inch water main on the south side of the existing dirt road and a 10-inch force main on the west side of N. Elder Rd. The subject property is in the ten year master plan for reclaimed water. An alternative source for irrigation water, such as a shallow well, may be required until reclaimed water becomes available.

*Transportation / Traffic:*

The property proposes access onto Elder Road which is classified as a local road and does not have improvements programmed in the County 5-year Capital Improvement Program.

*Buffers and Sidewalks:*

The proposed development will be required to construct a sidewalk along Elder Road. The applicant is also providing a pedestrian connection from the proposed sidewalk to the entrance of the buildings.

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

Front (Elder Road): 25'  
Front: 10'  
Side: 10' External 5' Between Internal Lot Lines  
Rear: 10'

Parking and Buffer areas shall be landscaped in accordance with the provisions of the Section 30.1230, "Landscaping of Parking Areas" of the Seminole County Land Development Code. The required number of plantings in the proposed buffers shall consist of a screen of landscaping, composed of natural and/or man-made materials, arranged or planted in the designated landscape buffer in order that a height of at least three feet shall be attained within one year after planting and shall screen a minimum opacity of seventy five percent of the parking areas to that height. The required number of trees will consist of four canopy trees for every one hundred linear feet.

**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:**

Intergovernmental notices were not required due to this property not being located near or adjacent to any municipality.

### **LETTERS OF SUPPORT OR OPPOSITION:**

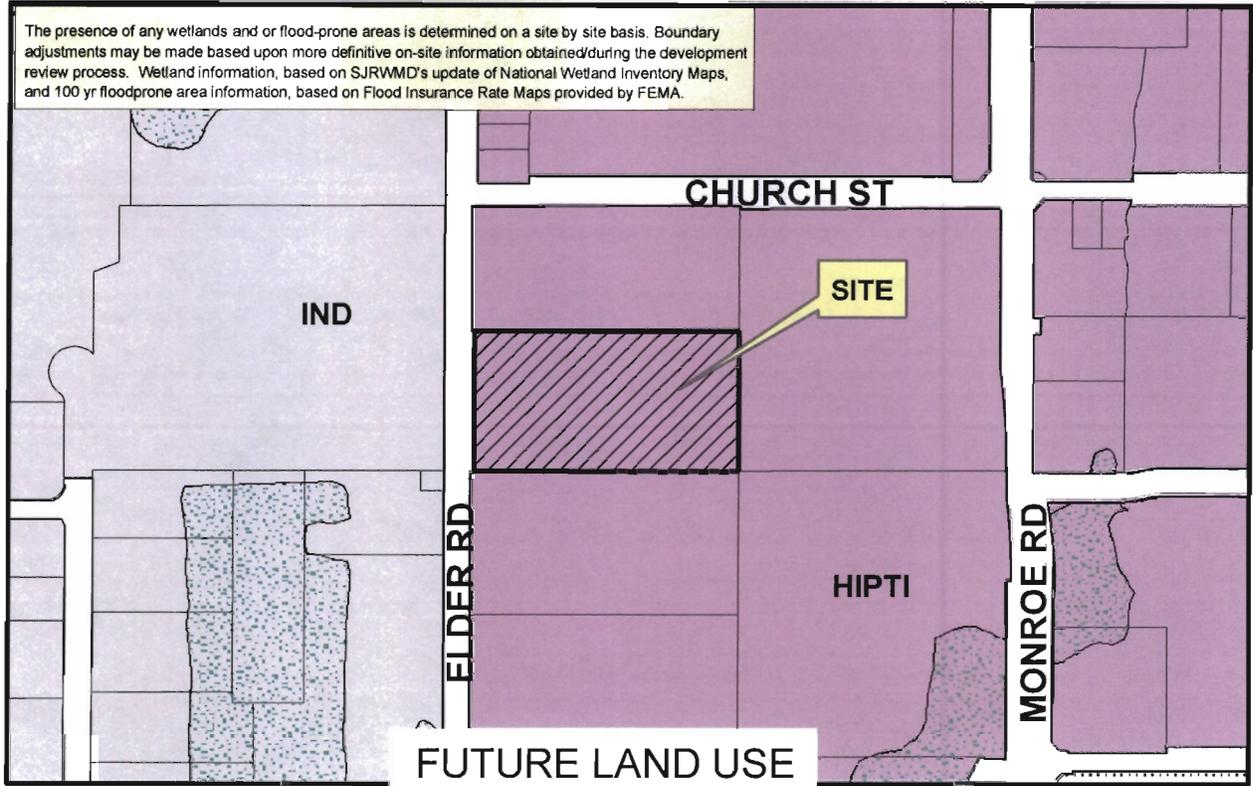
Staff has not received letters of support or opposition.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the request for a rezone from A-1 (Agriculture) to PUD (Planned Unit Development) on 4.81± acres, located on the east side of Elder Road, approximately 500 feet south of the intersection of Elder Road and Church Street, and recommends approval of the attached Preliminary Master Plan, subject to the conditions in the attached Development Order.



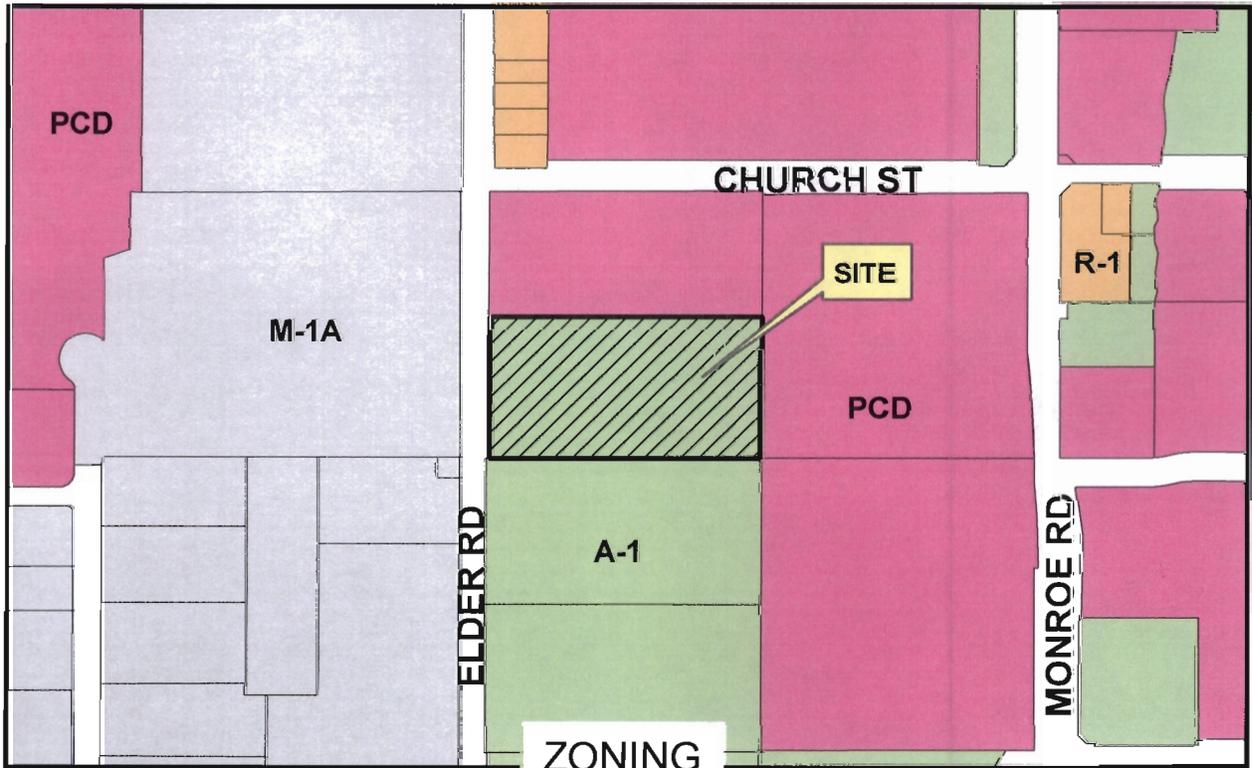
The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps,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



IND HIPTI Site CONS Municipality

Applicant: Bryan Potts  
 Physical STR: 16-19-30-5AC-0000-052A  
 Gross Acres: 4.60 +/- BCC District: 5  
 Existing Use: Residential  
 Special Notes: \_\_\_\_\_

|        | Amend/<br>Rezone# | From | To  |
|--------|-------------------|------|-----|
| FLU    | --                | --   | --  |
| Zoning | Z2008-003         | A-1  | PUD |



A-1 R-1 PCD M-1A FP-1 W-1



Rezone No: Z2008-003  
From: A-1 To: PUD

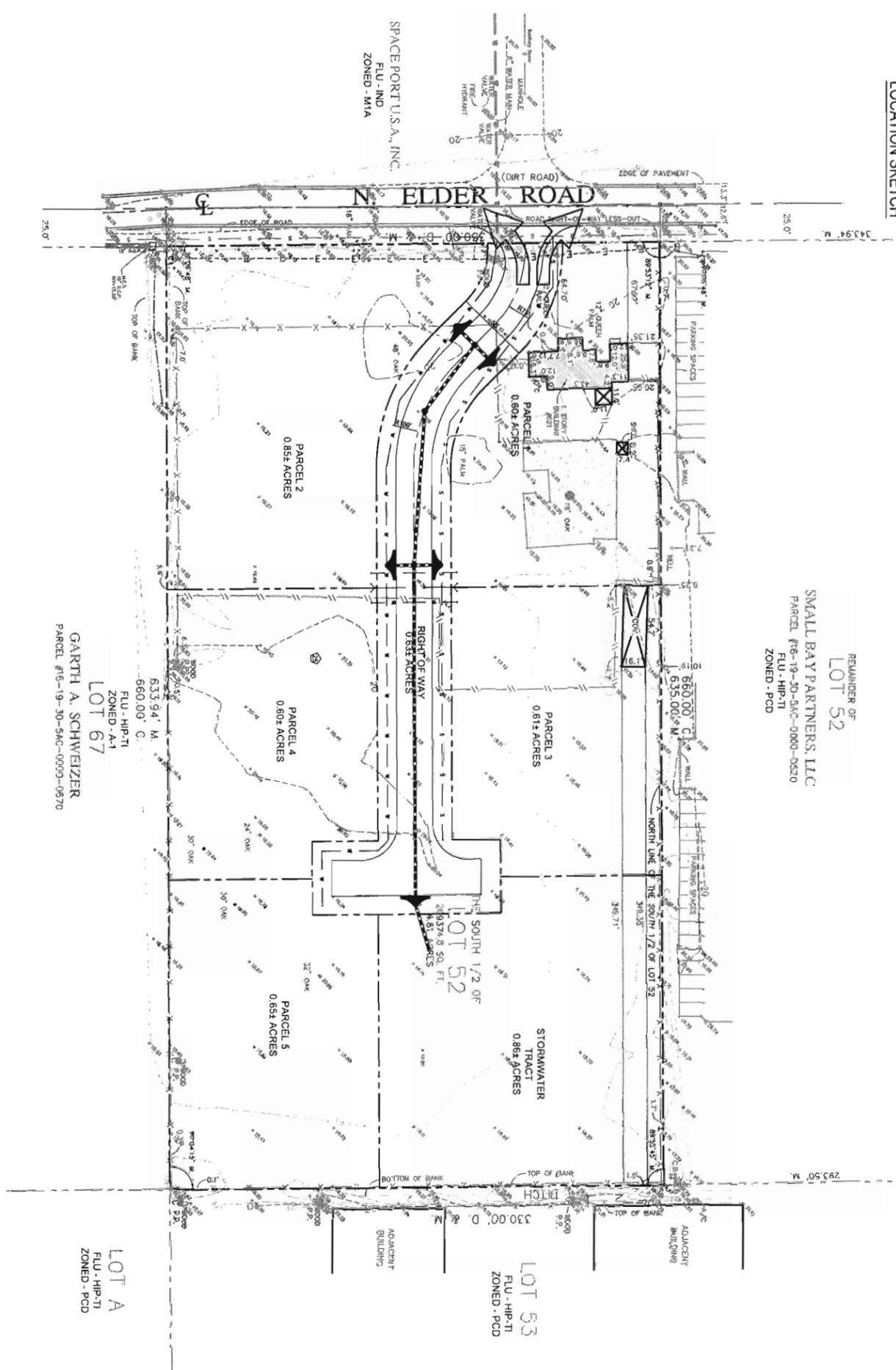
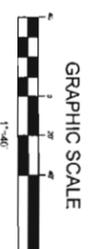
-  Parcel
-  Subject Property



Winter 2006 Color Aerials



| LAND USE               |         |
|------------------------|---------|
| USE                    | ACREAGE |
| STORMWATER             | 0.88    |
| RIGHT OF WAY           | 0.83    |
| WATER/UNDER INDUSTRIAL | 3.32    |



REMAINDER OF  
LOT 52  
SMALL BAY PARTNERS, LLC  
PARCEL #16-19-30-54C-0000-0530  
FLU - HIP-TI  
ZONED - PCD

GARTH A. SCHWEIZER  
PARCEL #16-19-30-54C-0000-0570  
FLU - HIP-TI  
ZONED - A-1  
LOT 67

LOT A  
FLU - HIP-TI  
ZONED - PCD

LOT 53  
FLU - HIP-TI  
ZONED - PCD

**SITE DATA**

PROPERTY LOCATION: 621 N. ELDER ROAD  
PARCEL ID: 16-19-30-54C-0000-0530  
LOCAL MUNICIPALITY: SEMINOLE COUNTY  
CURRENT ZONING: A-1  
PROPOSED ZONING: PCD  
CURRENT FUTURE LAND USE DESIGNATION: A-1  
PROPOSED FUTURE LAND USE DESIGNATION: PCD  
PROPOSED USE: USES ALLOWED IN M-1/A-1 USE OUTDOOR STORAGE  
PROJECT NO: 21-001

MAX. BUILDING HEIGHT: 18 FT  
MAX. BUILDING SF: 50,000 SF  
MAX. UNFURNISHED: 75  
MAX. FAN: 35  
NET BUILDING AREA: 132 AC  
OPEN SPACE REQUIRED: 291

BUILDING SETBACKS:  
FRONT: 10'  
REAR: 10'  
SIDE: 10'

LANDSCAPE BUFFERING: 10' EXTERNAL AND 5' BETWEEN INTERNAL LOTS  
REAR: 10'  
SIDE: 10'

VEGETATION: THE SITE CURRENTLY HAS A SINGLE STORY BUILDING LOCATED AT THE NORTHWEST CORNER WITH THE REMAINDER OF THE SITE BEING VACANT.  
WELL RECHARGE AREA: THE WELL IS NOT LOCATED IN A WELL RECHARGE AREA  
UTILITIES: UTILITIES WILL BE PRIVATELY OWNED AND MAINTAINED  
SOLID WASTE: SEMINOLE COUNTY SOLID WASTE MANAGEMENT  
TELEPHONE: BELLSOUTH  
FIRE PROTECTION: SEMINOLE COUNTY

STORMWATER MANAGEMENT: STORMWATER MANAGEMENT WILL BE DESIGNED AND PERMITTED IN ACCORDANCE WITH SEMINOLE COUNTY AND STATE WATER MANAGEMENT DISTRICT REGULATIONS.  
LIGHTING: ALL SITE LIGHTING WILL MEET THE REQUIREMENTS OF SEMINOLE COUNTY LAND DEVELOPMENT CODE.

LEGAL DESCRIPTION: THE SOUTH 1/2 OF LOT 52 LESS ROAD RIGHT-OF-WAY, ST. JOSEPH'S BISHOPHOOD AS RECORDED IN DATA BOOK 1, PAGE 174 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, CONTAINING 4.7 ACRES MORE OR LESS.  
PROPERTY MANAGEMENT: THERE WILL BE A PROPERTY OWNERS ASSOCIATION CREATED.  
FIRE PROTECTION: EACH PARCEL WILL ASSUME A FINAL MASTER PLAN AND DETERMINE IF THE BUILDING NEEDS FIRE SUPPRESSION SYSTEMS.  
CROSS ACCESS EASEMENTS: NO CROSS ACCESS EASEMENTS ARE PROPOSED.  
OUTDOOR STORAGE: OUTDOOR STORAGE MAY BE ALLOWED BY THE COUNTY, LOCATION AND HEIGHT REGULATORY MUST BE APPROVED BY THE COUNTY DURING FINAL MASTER PLAN REVIEW.  
GENERAL SITE NOTES: A1. ALL PARCELS SHALL BE REQUIRED TO PREPARE A FINAL MASTER PLAN TO MEET PARKING, LANDSCAPING AND OTHER DESIGN REQUIREMENTS OF SEMINOLE COUNTY.  
A2. NO ON-STREET PARKING WILL BE ALLOWED IN THE DEVELOPMENT.



| REV. | DATE     | BY  | COMMENTS                               |
|------|----------|-----|--|
| 0    | 01/14/08 | BRP | ISSUED FOR SEMINOLE COUNTY PMP REVIEW  |
| 1    | 05/28/08 | BRP | REVISIONS PER SEMINOLE COUNTY COMMENTS |
| 2    |          |     |  |
| 3    |          |     |  |
| 4    |          |     |  |
| 5    |          |     |  |
| 6    |          |     |  |

**PRELIMINARY MASTER PLAN**  
WOODBRIDGE COMMERCE CENTER  
621 N. ELDER ROAD  
SANFORD, FLORIDA 32771

TANNATH DESIGN, INC.  
2212 S. CHICKASAW TRAIL,  
SUITE 208  
ORLANDO, FLORIDA 32825  
(407) 982-9878  
(407) 208-1425 fax  
www.tannathdesign.com  
FL. CERT. OF AUTH. #27199

BRYAN R. POTTS, P.E.  
FL. REG. #59461

PROJECT #: 031-001  
DATE: 03/15/08  
SCALE: 1" = 40'  
DRAWN: SCP  
APPROVED: BRP  
SHEET NAME: PMP-1  
SHEET: 1 OF 1

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

### FINDINGS OF FACT

**Property Owner:** Lance Bremer  
PO BOX 471332  
Lake Monroe, FL 32747

**Project Name:** Woodbridge Commerce Center

**Requested Development Approval:**

Rezone from R-1 (Single-Family Residential) to PUD (Planned Unit Development)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

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

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. All development shall comply with the Preliminary Master Plan attached as Exhibit B.
- b. The allowable permitted uses for this site shall be in accordance with the M-1A (Very Light Industrial) zoning district including outdoor storage, which shall be screened.
- c. Maximum allowable building height shall be 35 feet.
- d. Each parcel shall be required to obtain an individual Final Master Plan and associated Developer’s Commitment Agreement which must be approved by the Board of County Commissioners.
- e. No on street parking shall be allowed in the proposed Right Of Way.
- f. Building setbacks shall be as follows;
  - Front (Elder Road): 60’
  - Front: 25’
  - Side: 10’
  - Rear: 10’
- g. Buffer yards shall be as follows;
  - Front (Elder Road): 25’
  - Front: 10’
  - Side: 10’ External 5’ Between Internal Lot Lines
  - Rear: 10’
- h. Landscaping requirements for the buffers shall include 4 canopy trees per 100 linear feet and a screen of landscaping, composed of natural and/or man-made material, shall be arranged or planted in the designated landscape buffer in order that a height of at least three (3) feet shall be attained within one (1) year after planting and shall screen a minimum opacity of seventy-five (75) percent of the parking areas to that height.

(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*

The south ½ of Lot 52 (Less Road Right-Of-Way), "St. Joseph's Subdivision", as recorded in Plat Book 1, Page 114, Public records of Seminole County, Florida. Containing 4.81 acres more or less.

**EXHIBIT B**

*Preliminary Master Plan*

(See Attached Pages)



## 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:** Lance Bremer  
PO BOX 471332  
Lake Monroe, FL 32747

**Project Name:** Woodbridge Commerce Center Rezone

**Requested Development Approval:**

Rezone from A-1 (Agriculture) to PUD (Planned Unit 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 "Woodbridge Commerce Center 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

The south ½ of Lot 52 (Less Road Right-Of-Way), "St. Joseph's Subdivision", as recorded in Plat Book 1, Page 114, Public records of Seminole County, Florida. Containing 4.81 acres more or less.

SEMINOLE COUNTY  
**APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

Please provide the information as requested below in accordance with Ordinance No. 07- \_\_\_\_\_:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

|                                 |                |
|---------------------------------|----------------|
| Name: <u>LANCE A. BREMER</u>    | Name: _____    |
| Address: <u>P.O. BOX 971332</u> | Address: _____ |
| <u>LAKE MONROE, FL. 32771</u>   |                |
| Phone #: <u>907-466-9542</u>    | Phone #: _____ |
|                                 |                |
| Name: _____                     | Name: _____    |
| Address: _____                  | Address: _____ |
| Phone #: _____                  | Phone #: _____ |

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

|                            |                            |
|----------------------------|----------------------------|
| Name of Corporation: _____ | Name of Corporation: _____ |
| Officers: _____            | Officers: _____            |
| Address: _____             | Address: _____             |
| Directors: _____           | Directors: _____           |
| Address: _____             | Address: _____             |
| Shareholders: _____        | Shareholders: _____        |
| Address: _____             | Address: _____             |

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

|                      |                      |
|----------------------|----------------------|
| Name of Trust: _____ | Beneficiaries: _____ |
| Trustees: _____      | Address: _____       |
| Address: _____       | _____                |

(Use additional sheets for more space.)

SEMINOLE COUNTY  
**APPLICATION AND AFFIDAVIT**

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: \_\_\_\_\_ Name of Partnership: \_\_\_\_\_  
Principal: \_\_\_\_\_ Principal: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

\* 5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee: \_\_\_\_\_ Contract Vendee: \_\_\_\_\_  
Name: KAREN S. CHAWA Name: \_\_\_\_\_  
Address: 865 N. S.R. 939 Address: \_\_\_\_\_  
ALT. SPR, FLA. 32719 (Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

\_\_\_\_\_ Date

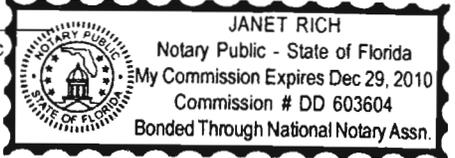
\_\_\_\_\_  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 4 day of Jan, 2008 by Lance

Bremer  
\_\_\_\_\_  
Signature of Notary Public

Janet Rich  
\_\_\_\_\_  
Print, Type or Stamp Name of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification   
Type of Identification Produced FUDL

|  |                           |
|--|---------------------------|
| <b>For Use by Planning &amp; Development Staff</b> |                           |
| Date: _____  | Application Number: _____ |