

ITEM # _____

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

SUBJECT: Beardall Avenue (2850) Rezone from A-1 to PCD

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

AUTHORIZED BY: Alison Stettner **CONTACT:** Joy Williams EXT. 7399

Agenda Date <u>10/01/2008</u> Regular <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/> Special Hearing – 6:00 <input type="checkbox"/> Public Hearing – 7:00 <input checked="" type="checkbox"/>

MOTION/RECOMMENDATION:

1. **RECOMMEND APPROVAL** of the request for a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) on 6.04± acres, located approximately 1 mile south of the intersection of Beardall Avenue and E. SR 46, and recommend approval of the attached Preliminary Site Plan, subject to the conditions in the attached Development Order, per staff findings (Robert Couch, applicant); or

2. **RECOMMEND DENIAL** of the request for a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) on 6.04± acres, located approximately 1 mile south of the intersection of Beardall Avenue and E. SR 46, and recommend approval of the attached Preliminary Site Plan, subject to the conditions in the attached Development Order, per staff findings (Robert Couch, applicant); or

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

District 5 - Carey

BACKGROUND:

The applicant, Robert Couch, is requesting a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development), in order to develop an office/warehouse business park consisting of thirteen buildings. The Future Land Use designation on the subject

Reviewed by: Co Atty: <u>JCT</u> DFS: _____ OTHER: _____ DCM: _____ CM: _____ File No. <u>Z2008-26</u>

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 proposed building area of 48,000 square feet, which will allow for those uses permitted under the M-1A (Very Light Industrial) district.

STAFF RECOMMENDATION:

Staff recommends approval of the request for a rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) on 6.04± acres, located approximately 1 mile south of the intersection of Beardall Avenue and E. SR 46, 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
Denial Development Order (applicable if the request is denied)
Ownership Disclosure Form

Beardall Avenue (2850) Rezone Rezone from A-1 to PCD		
APPLICANT	Robert Couch	
PROPERTY OWNER	1728 Timocuan Way LLC, C/O Philip L Logas	
REQUEST	Rezone from A-1 (Agriculture) to PCD (Planned Commercial Development).	
PROPERTY SIZE	6.04± acres	
HEARING DATE	P&Z: October 1, 2008	BCC: November 25, 2008 (Tentative)
PARCEL ID	04-20-31-300-0340-0000	
LOCATION	Located approximately 1 mile south of the intersection of Beardall Avenue and E. SR 46	
FUTURE LAND USE	High Intensity Planned Development - Airport (HIP-AP)	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2008-26	
COMMISSION DISTRICT	#5 – Carey	

PROPOSED DEVELOPMENT:

The applicant is proposing a 48,000 square foot office/warehouse business park which will allow for those permitted uses under the M-1A (Very Light Industrial) district.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Robert Couch is requesting a rezone in order to develop a 48,000 square foot office/warehouse business park. The Future Land Use designation of the subject property is High Intensity Planned Development - Airport (HIP-AP), which allows for the requested PCD zoning district. 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	10 feet
(Street) Side Yard Setback	50 feet	25 feet
Rear Yard Setback	30 feet	10 feet
Maximum Building Height	35 feet	35 feet

COMPATIBILITY WITH SURROUNDING PROPERTIES

The area of Beardall Avenue 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, office, and warehouse. In recent years, this area has been transitioning from agricultural and residential uses to more intense industrial and office uses. Due to the size of this property, its proximity to major thoroughfares and the Orlando/Sanford International Airport, the proposed development of an office/warehouse business park is consistent with the intent of the HIP-AP Future Land Use.

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 may have limited downstream capacity. The site will have to be designed to demonstrate capacity of the downstream system or hold the total retention 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 may be endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3)(c); Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has submitted a Concurrency Deferral Affidavit for this process, and will be required to undergo concurrency review at the time of Final Site Plan.

Utilities:

The site is located in the City of Sanford's water and sewer utility service area, and will be required to connect to the public utilities that are available.

Transportation / Traffic:

The property proposes access onto Beardall Avenue which is classified as a local road and does not have improvements programmed in the County 5-year Capital Improvement Program. The nearest roadways that meet county standards are SR 46 to the north and E. Lake Mary Blvd. to the east.

Buffers / Landscaping

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

East: 10'
West: 10'
North: 10'
South: 10'

The landscaping that will be contained in the buffer for the parcel consists of the following:

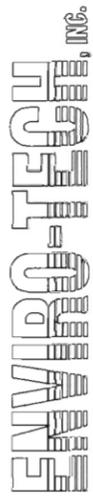
Buffer	Buffer Width	Length	Total Canopy Trees	Total Understory	Total Shrubs	Structure
North	10'	1310'	27	26	436	3' Hedge
East	10'	230'	7	7	63	3' Hedge
South	10'	1310'	53	N/A	435	3' Hedge
West	10'	230'	6	4	76	3' Hedge

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

PRELIMINARY SITE PLAN FOR: LOGAS INDUSTRIAL PARK

SEMINOLE COUNTY, FLORIDA

INDEX OF SHEETS:	
SHEET	DESCRIPTION
1	TITLE SHEET WITH LOCATION MAP
2	SURVEY
3	PRELIMINARY SITE PLAN
4	LANDSCAPE PLAN



ENVIRONMENTAL & CIVIL ENGINEERING CONSULTANTS

- ENVIRONMENTAL SITE AUDITS
- SOIL CONTAMINATION EVALUATION
- WATER SAMPLING & ANALYSIS

3852 SE MARICAMP ROAD
OCALA, FLORIDA 34480

- SITE PLANS
- WATER SYSTEMS
- WASTEWATER SYSTEMS

PHONE: (352) 694-1799
FAX: (866) 832-0250

PRELIMINARY SITE PLAN
LOGAS INDUSTRIAL PARK
SEMINOLE COUNTY, FLORIDA

PHONE: (352) 694-1799
FAX: (866) 832-0250

3852 SE MARICAMP ROAD
OCALA, FLORIDA 34480

ENVIRO-TECH, INC.
ENVIRONMENTAL & CIVIL ENGINEERING CONSULTANTS

TITLE SHEET
WITH LOCATION MAP

SCALE: N.T.S.

CHECKED: MFC-3
DESIGNED: MFC-3
DRAWN: WFD
PLOTTED: WFD

REVISIONS

07/15/08 REVISED PER STAFF COMMENTS 08-13-08
08/26/08 REVISED PER STAFF COMMENTS 08-27-08

LOCATION MAP
SEC 04, TWP. 20 SOUTH, RGE. 31 EAST

SCALE: 1"=2000'

0 2000 4000

OWNER:
LOUIS P. LOGAS
1728 TIMOCUAN WAY, LLC
111 SPRING VALLEY LOOP
ALAMONTE SPRINGS, FL 32714
TELE: (407)862-7387

ENGINEER:
ENVIRO-TECHNOLOGIES, INC.
3852 SE MARICAMP ROAD
OCALA, FLORIDA 34480
PHONE: (352) 694-1799
FAX: 866-832-0250
CONTACT: ROBERT M. COUCH III, P.E.

SURVEYOR:
GEOMARKS LAND SURVEYORS, INC.
1000 W. UNIVERSITY AVENUE
ORLANDO, FLORIDA 32817
TELE: 407-736-1697
FAX: 407-275-5275

PROJECT INFORMATION:
PARCEL I.D. NO.: 04-20-31-300-0340-0000
EXISTING ZONING & LAND USE: A-1, HIP-AP (AIRPORT)
PROPOSED ZONING & LAND USE: A-1, HIP-AP (AIRPORT)
ADJACENT PROPERTY ZONING & LAND USE: NORTH: A-1, HIP-AP
EAST: A-1, HIP-AP
SOUTH: A-1, HIP-AP
WEST: R1, RP

PROJECT DESCRIPTION:
THIS PROJECT INVOLVES THE CONSTRUCTION OF 10,000 SF OF OFFICE AND 18,000 SF OF WAREHOUSE WITH 64,566 SF OF PAVED PARKING. THE SITE IS SITUATED ON THE EASTERLY BOUNDARY OF THE SANFORD AIRPORT IN SEMINOLE COUNTY, FLORIDA. STORMWATER RUNOFF FROM THE S.J.R.W.M.D. PRE VS. POST 100 YEAR 24 HOUR STORM EVENT WILL BE TREATED ON-SITE BY AN ON-SITE DRAINAGE DETENTION AREA. CENTRAL WATER TO BE PROVIDED BY THE CITY OF SANFORD. SEWER TO BE TREATED ON-SITE BY A MOUNDDED SEPTIC SYSTEM. THE SITE WILL BE ANNEXED INTO THE CITY OF SANFORD AFTER THE PROPOSED REZONING FROM A-1 TO PCD.

PROPERTY ADDRESS:
2850 BEARDALL AVENUE, SANFORD, SEMINOLE COUNTY, FLORIDA

PERMITS REQUIRED:
CITY OF SANFORD SITE PLAN PERMIT
SJRWD E.P.P. STANDARD GENERAL
DETERMINATION OF WASTEWATER
AND SEWER TRANSMISSION
SEMINOLE COUNTY REZONING

OWNER'S CERTIFICATION:
I HEREBY CERTIFY THAT I AND MY SUCCESSORS AND ASSIGNS SHALL PERPETUALLY AGREE WITH THE DEVELOPMENT ORDER AND OR COMMITMENTS FOR THE IMPROVEMENTS AS SHOWN ON THIS PLAN AS OBLIGED BY SEMINOLE COUNTY AS A RESULT OF THE REZONING.

LOUIS P. LOGAS
1728 TIMOCUAN WAY, LLC
DATE: _____

ENGINEER'S CERTIFICATION:
I HEREBY CERTIFY THAT THE SITE DISTANCE FOR THIS PROPERTY MEETS OR EXCEEDS THE RECOMMENDED VALUES SET FORTH IN AASHTO POLICIES AND THE FDOT SITE IMPACT HANDBOOK.
I HEREBY CERTIFY THAT THE WORK PROPOSED BY THESE PLANS COMPLIES, TO THE BEST OF MY KNOWLEDGE, WITH THE APPLICABLE STANDARDS AND SPECIFICATIONS AS REQUIRED BY THE SEMINOLE COUNTY LAND DEVELOPMENT CODE, AND SJRWMD EXCEPT AS NOTED OR SHOWN.
ROBERT M. COUCH III, P.E.
FLORIDA REG.# 55311
DATE: _____

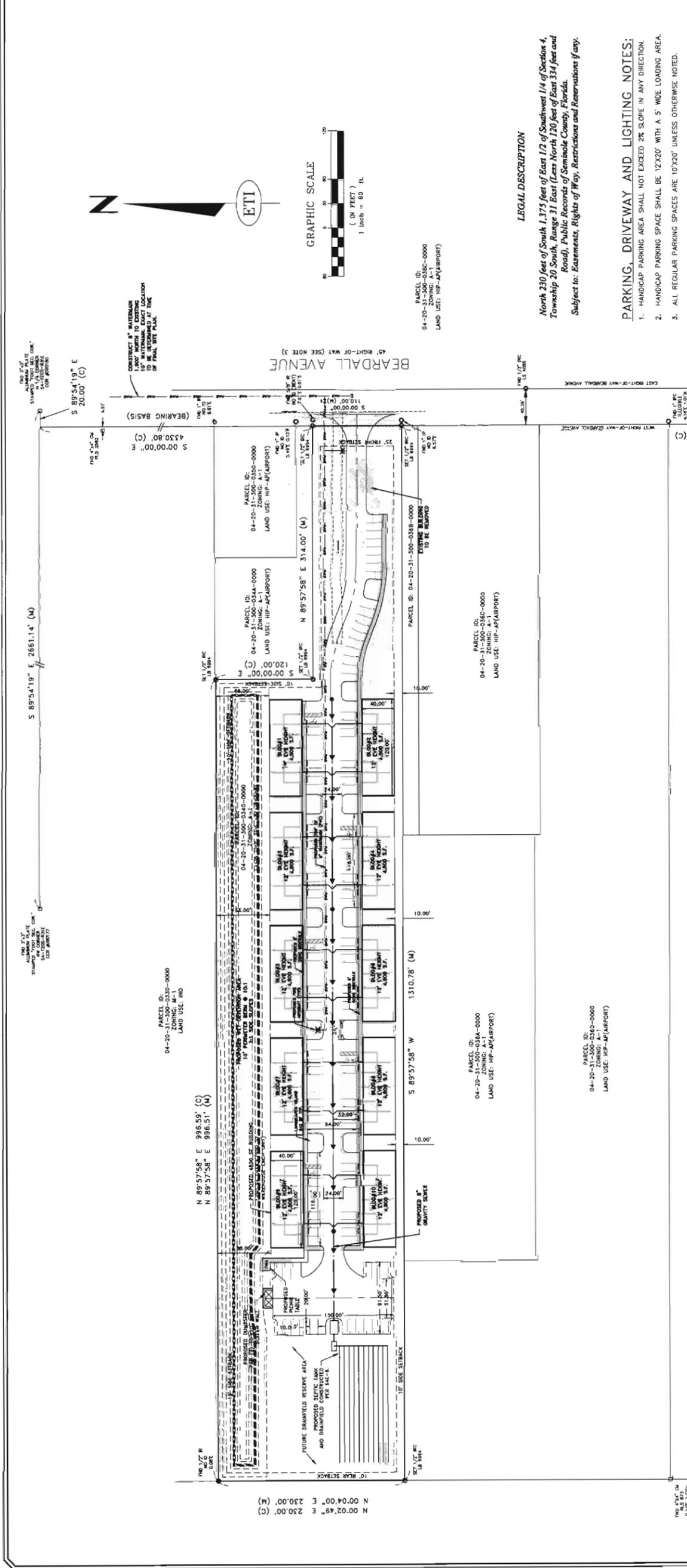
C.C.A. NO. 8692

REVISIONS	DATE	DESCRIPTION
PLOTTED	04-20-00	04-20-00
DRAWN	04-20-00	04-20-00
CHECKED	04-20-00	04-20-00
DESIGNED	04-20-00	04-20-00
REVISED PER STAFF COMMENTS	04-20-00	04-20-00
REVISED PER STAFF COMMENTS	04-20-00	04-20-00

PRELIMINARY SITE PLAN

LOGAS INDUSTRIAL PARK
SEMINOLE COUNTY, FLORIDA

ENVIRONMENTAL & CIVIL ENGINEERING CONSULTANTS
PHONE: (322) 694-1799
FAX: (866) 852-0250
3622 SE MARICAMP ROAD
OCALA, FLORIDA 34480
CITY/NOTE
P.N. 2008.017
DATE:
C.O.A. NO. 8692



LEGAL DESCRIPTION
North 230 feet of South 1,375 feet of East 1/2 of Southwest 1/4 of Section 4, Township 20 South, Range 31 East (Less North 120 feet of East 334 feet and Road), Public Records of Seminole County, Florida.
Subject to: Easements, Rights of Way, Restrictions and Reservations if any.

PARKING, DRIVEWAY AND LIGHTING NOTES:
1. HANDICAP PARKING AREA SHALL NOT EXCEED 2% SLOPE IN ANY DIRECTION.
2. HANDICAP PARKING SPACE SHALL BE 12'X20' WITH A 5' WIDE LOADING AREA.
3. ALL REGULAR PARKING SPACES ARE 10'X20' UNLESS OTHERWISE NOTED.
4. ALL STRIPING SHALL BE 6" THERMOPLASTIC UNLESS OTHERWISE NOTED.
5. REFER TO F.D.O.T. 17246 FOR STRIPING AND ARROW DIMENSIONS.
6. ALL ACCESS AND PARKING SHALL COMPLY WITH THE 1997 F.A.C.
7. ALL PARKING SPACES SHALL BE PAINT STRIPED AND BUMPER STOPPED.
8. RAISED EMBOSSED SYMBOLS SHALL BE PLACED AT HANDICAP PARKING SPACES.
9. PARKING AREA LIGHTS AND OTHER OUTDOOR LIGHTING SHALL BE LOCATED TO AVOID SHINING ONTO PROPERTIES ADJACENT TO THE SITE.
10. ALL OUTDOOR LIGHTING SHALL BE SHIELDED WITH NON-GLARE FIXTURES.

PERMITTED USES:
THE PERMITTED USES FOR THIS SITE ARE THE USES DESIGNATED IN PER LOC PART 26, SECTION 30.862, NOT INCLUDING THE SPECIAL EXCEPTIONS. IF OUTDOOR STORAGE IS UTILIZED SCREENING REQUIREMENTS SHALL MEET THE SEMINOLE COUNTY LAND DEVELOPMENT CODE.

SEPTIC SYSTEM DESIGN CRITERIA:
SEPTIC TANK DESIGN:
NUMBER OF EMPLOYEES PER UNIT EQUALS SIX
USE 15 GPD PER EMPLOYEE PER BHR SHIRT PER 44-6
40 UNITS X 6 EMPLOYEES X 15 GPD = 3,600 GPD
USE 5300 GALLON SEPTIC TANK
LOADING RATE FOR MOUNTED DRAINFIELD = 0.75
3,600 GPD / 0.75 / 3' WIDE TRENCH = 1,600 LF OF TRENCH
NOTE: THE BUILDING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A SEPTIC SYSTEM PERMIT THROUGH THE DEPARTMENT OF HEALTH. CALL 407-865-3819 FOR MORE INFORMATION.

OPEN SPACE:

TABLE	TOTALS AREA	OPEN SPACE	PERCENTAGE OF SITE
1	263,778 SF = 6.06 AC.	137,200 SF = 3.12 AC.	44.38%

LANDSCAPE TABLE:

BUFFER	BEETES	LENGTH	TOTAL	TOTAL	STRUCTURE
	W/	1310'	27	27	3' HEDGE
NORTH	10'	330'	2	2	3' HEDGE
EAST	10'	1310'	27	27	3' HEDGE
SOUTH	10'	1310'	27	27	3' HEDGE
WEST	10'	330'	2	2	3' HEDGE

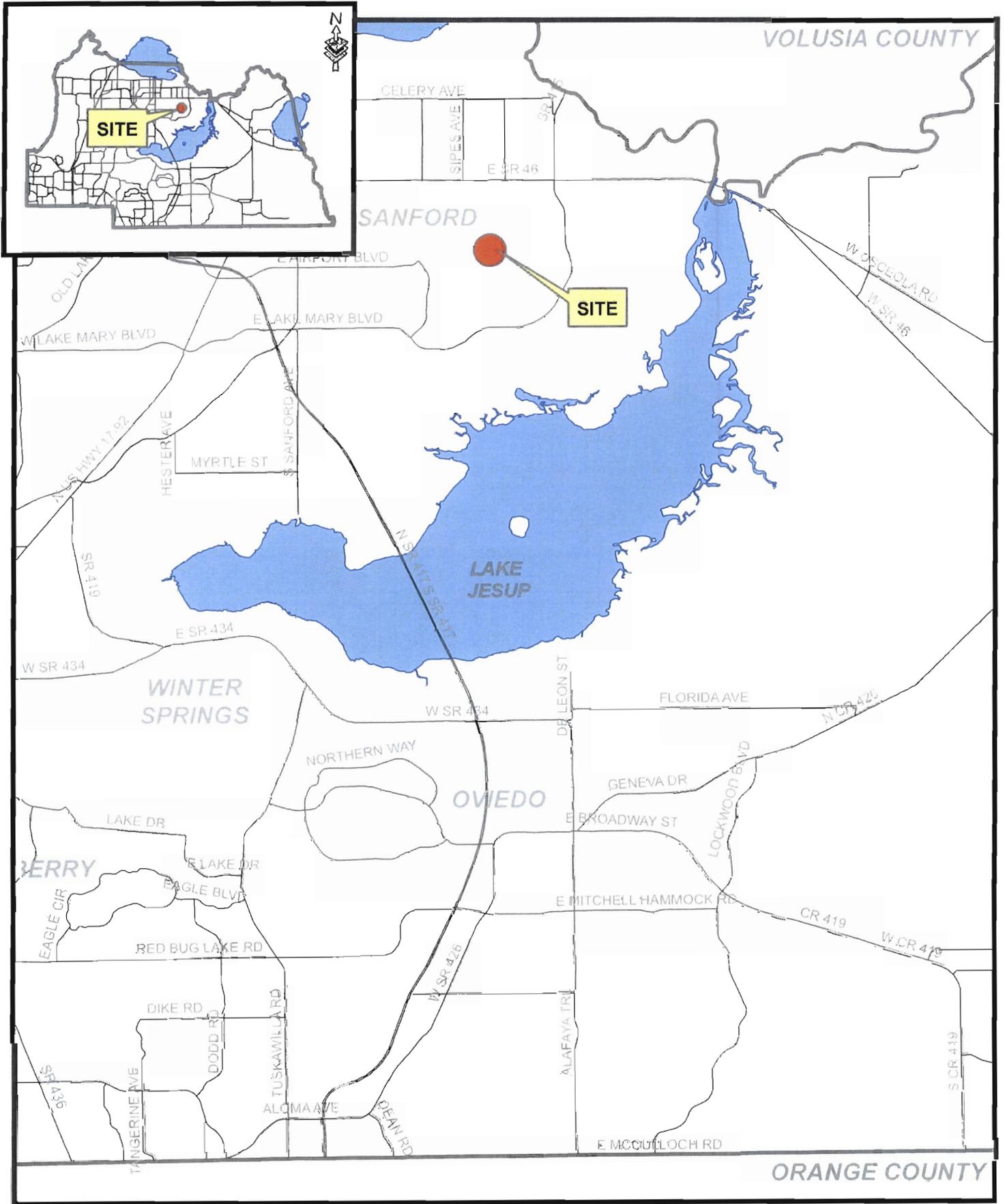
GENERAL NOTES:

- CURRENT ZONING IS A-1. PROPOSED ZONING IS PCO.
- CURRENT LAND USE IS HP-AP(AIRPORT).
- ALL EXTERIOR EQUIPMENT SHALL BE SCREENED FROM OFF-SITE VIEWS.
- STOP SIGNS SHALL BE 30" HIGH INTENSITY REFLECTORIZED AS SPECIFIED IN THE LATEST EDITION OF THE M.U.T.C.D.
- STOP BAR SHALL BE 24" WIDE AND THERMOPLASTIC AND LOCATED AS SHOWN ON THE SITE PLAN.
- NO CONSTRUCTION SHALL TAKE PLACE UNTIL THIS PLAN IS APPROVED FOR CONSTRUCTION BY THE CITY OF SANFORD, FLORIDA AND SEMINOLE COUNTY.
- ALL WORK IN THE STREET RIGHT OF WAY SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE CITY OF SANFORD LAND DEVELOPMENT CODE.
- EACH UNIT WITHIN THE PROPOSED BUILDINGS CONSISTS OF 250 SF OFFICE AND 500 SF WAREHOUSE.
- SITE CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
- CENTRAL WATER TO BE PROVIDED BY THE CITY OF SANFORD.
- SEWER TO TREATED BY ON-SITE SEPTIC SYSTEM AND BE PRIVATELY MAINTAINED.
- SIGNAGE WILL REQUIRE A SEPARATE PERMIT FROM THE CITY OF SANFORD.
- ALL WORK AND MATERIALS COVERED IN THESE PLANS SHALL CONFORM WITH THE REQUIREMENTS AND QUALITY CONTROL STANDARDS CONTAINED IN THE LOCAL GOVERNING CITY, COUNTY, AND STATE LAND DEVELOPMENT REGULATIONS AND THE F.D.O.T. STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION. THE CONTRACT DOCUMENTS SHALL GOVERN. IN CASE OF CONFLICT, THE LOCAL GOVERNING REGULATIONS AND STANDARD SPECIFICATIONS, THE LOCAL GOVERNING LAND DEVELOPMENT REGULATIONS SHALL GOVERN.

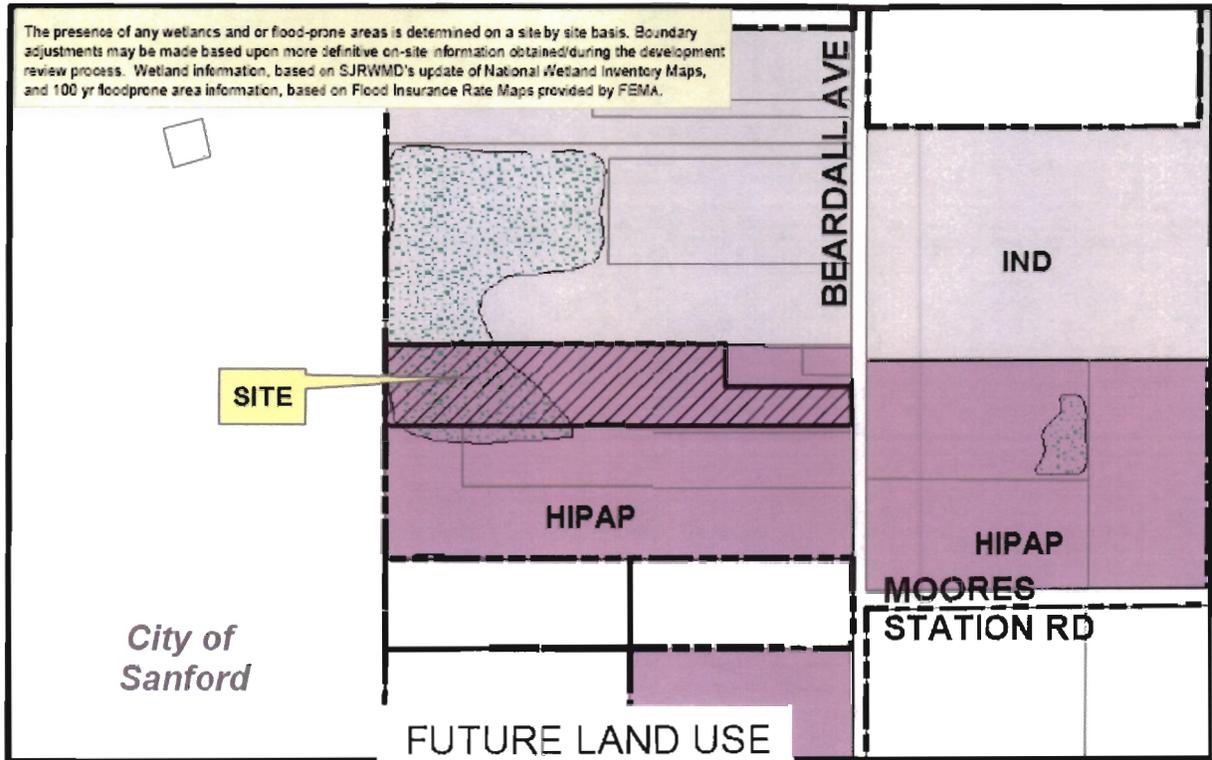
MINIMUM SETBACKS:
FRONT: 25 FEET
NORTH SIDE: 10 FEET
EAST SIDE: 10 FEET
SOUTH SIDE: 10 FEET

PARKING DATA:
REQUIRED:
1. SPACE PER 200 SF PROPOSED OFFICE: (10,000/200) = 50
1. SPACE PER 1,000 SF PROPOSED WAREHOUSE: (50,000/1000) = 50
PLUS SIDE, REAR & IMPROVED EXISTING TOTAL = 128
TOTAL REQUIRED SPACES = 128
PARKING SPACES PROVIDED = 128

PARCEL DATA:
SITE AREA: 263,778 SF, OR 6.06 ACRES
EXISTING ZONING: A-1
EXISTING FUTURE LAND USE: HP-AP (AIRPORT)
EXISTING BUILDING AREA: 1,721 SF (0.65%)
PROPOSED BUILDING AREA: 48,000 SF (18.2%)
MAX BUILDING HEIGHT: 35 FEET
IMPERVIOUS AREA: 148,777 SF (56.44%)
(INCLUDES SURFACE AREA AT TREATMENT POOL (LEV.)
OPEN SPACE: 117,001 SF (44.38%)



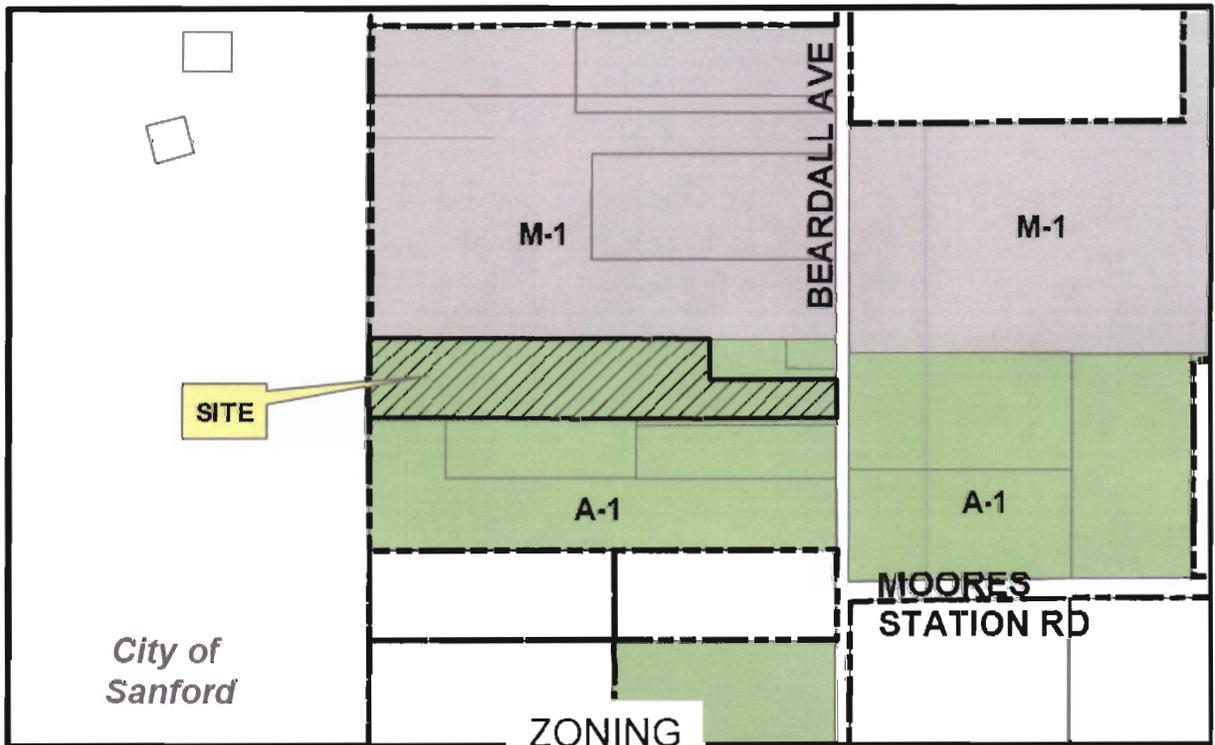
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps,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



HIPAP
 IND
 Site
 CCNS
 Municipality

Applicant:	<u>Louis Logas</u>			
Physical STR:	<u>C4-20-31-300-0340-0000</u>			
Gross Acres:	<u>6.04 +/-</u>	BCC District:	<u>5</u>	
Existing Use:	<u>vacant acreage with house</u>			
Special Notes:				

	Amend/ Rezone#	From	To
FLU		-	
Zoning	Z2008-026	A-1	PCO



A-1
 R-1AA
 R-1AAA
 FP-1
 W-1



Rezone No: Z2008-26
From: A-1 To: PCD

-  Parcel
-  Subject Property



Winter 2006 Color Aerials

**SEMINOLE COUNTY APPROVAL DEVELOPMENT
ORDER**

On November 25, 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: 1728 TIMOCUAN WAY LLC
C/O PHILIP L LOGAS
111 SPRING VALLEY LP
ALTAMONTE SPRINGS, FL 32714

Project Name: Beardall Avenue (2850) 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 aforescribed property.

Prepared by: Joy Williams, 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 permitted uses under the M-1A zoning district.
- c. Maximum allowable building height shall be 35 feet.
- d. The maximum allowable building square footage shall be limited to 48,000 square feet.
- e. Office use is limited to 10,000 square feet, and warehouse use is limited to 38, 000 square feet.
- f. Changes in the allocation of uses that affect the minimum parking requirements may require additional parking or require an amendment to this PCD as determined by the Planning Manager.
- g. Outdoor storage shall comply with the Land Development code and shall be screened from adjacent properties.
- h. Outdoor lighting shall consist of cutoff-shoebox style fixtures and shall be limited to 16 feet in height, and no more than 0.5 foot-candles in intensity at the property lines.
- i. Building setbacks shall be as follows:
 - Front: 25'
 - Side: 10'
 - Side Street: 25'
 - Rear: 10'
- j. Buffer yards shall be as follows:
 - West: 10'
 - North: 10'
 - South: 10'
 - East: 10'

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
North	10'	1310'	27	26	436	3' hedge
East	10'	230'	7	7	63	3' hedge
South	10'	1310'	53	N/A	435	3' hedge
West	10'	230'	6	4	76	3' hedge

(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

North 230 feet of South 1,375 feet of East 1/2 of Southwest 1/4 of Section 4, Township 20 South, Range 31 East (Less North 120 feet of East 334 feet and Road), Public Records of Seminole County, Florida.

Subject to: Easements, Rights of Way, Restrictions and Reservations if any.

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 "Beardall Avenue (2850) 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 08-20500002.

ENACTED this 25th day of November 2008.
BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Brenda Carey
Chairman

EXHIBIT A
LEGAL DESCRIPTION

North 230 feet of South 1,375 feet of East 1/2 of Southwest 1/4 of Section 4,
Township 20 South, Range 31 East (Less North 120 feet of East 334 feet and
Road), Public Records of Seminole County, Florida.

Subject to: Easements, Rights of Way, Restrictions and Reservations if any.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On November 25, 2008, Seminole County issued this Denial Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

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

Property Owner(s): 1728 TIMOCUAN WAY LLC
C/O PHILIP L LOGAS
ALTAMONTE SPRINGS, FL 32714
111 SPRING VALLEY LP

Project Name: Beardall Avenue (2850) Rezone

Requested Development Approval:

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

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

After fully considering staff analysis titled "Beardall Avenue (2850) Rezone" and all evidence submitted at the public hearing on November 25, 2008, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested rezone from A-1 (Agriculture) to PCD (Planned Commercial Development) district 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

Z2008-26

DEVELOPMENT ORDER # 08-20500002

EXHIBIT "A"

North 230 feet of South 1,375 feet of East 1/2 of Southwest 1/4 of Section 4, Township 20 South, Range 31 East (Less North 120 feet of East 334 feet and Road), Public Records of Seminole County, Florida.

Subject to: Easements, Rights of Way, Restrictions and Reservations if any.

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: PHILIP L. LOGAS, P.A.
Address: 55 E. PINE STREET
Phone #: ORLANDO, FL 32801

Name: LOUIS LOGAS
Address: 111 SPRING VALLEY LOOP
Phone #: ALTAMONTE SPRINGS, FL 32714
407-862-7387

Name: _____
Address: _____
Phone #: _____

Name: _____
Address: _____
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: _____
Officers: _____
Address: _____
Directors: _____
Address: _____
Shareholders: _____
Address: _____

Name of Corporation: _____
Officers: _____
Address: _____
Directors: _____
Address: _____
Shareholders: _____
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: _____
Trustees: _____
Address: _____

Beneficiaries: _____
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: _____ Name: _____
Address: _____ Address: _____
(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.

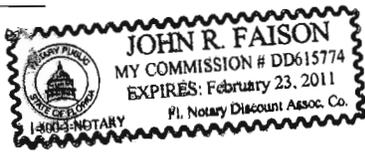
7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this 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.

May 14, 2008
Date
Louis P. Logas
Owner, Agent, Applicant Signature
LOUIS LOGAS, MGR
1728 TIMOCHAN WAY, LLC

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 14th day of May, 2008 by
Louis Logas
Signature of Notary Public
John R. Faison
Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification ✓
Type of Identification Produced FL driver license



For Use by Planning & Development Staff	
Date: _____	Application Number: _____

**SEMINOLE COUNTY APPLICANT AUTHORIZATION FORM
(ORIGINAL ONLY)**

An authorized applicant is defined as:

- The property owner of record: or
- An agent of said property owner (power of attorney to represent and bind the property owner must be submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I LOUIS LOGAS, MEIR - 1728 TIMOCIAN WAY, LLC, the fee simple owner of the following
(Owner's Name) described property (Provide Legal Description or Tax Parcel ID Number(s)) 04-20-31-300-0340-0000

hereby petition Seminole County to amend the Comprehensive Plan, Future Land Use Map, Official Zoning Map (circle one or more) from A-1 to PCD and affirm that ROBERT M. COUCH III, P.E. is hereby designated to act as my / our authorized agent and to file the attached application for the stated amendment and make binding statements and commitments regarding the amendment request.

LOUIS LOGAS, MEIR
Owner's Name

Owner's Name

Louis P. Logas
Owner's Signature

Owner's Signature

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of Seminole County, Florida and are not returnable.

SWORN TO AND SUBSCRIBED before me this 14th day of MAY, 2008.

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared LOUIS LOGAS, who is personally known to me or who has produced FLA. driver license has identification and who executed the foregoing instrument and sworn an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 14th day of MAY, 2008.

Robert M. Couch III
Notary Public in and for the County and State
Aforementioned

My Commission Expires: FEB 23, 2011

