

ITEM #

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

SUBJECT: Maitland Avenue (1680) Rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional).

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

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

Agenda Date <u>2/3/10</u>	Regular <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Special Hearing – 6:00 <input type="checkbox"/>	Public Hearing – 6:00 <input checked="" type="checkbox"/>	

MOTION/RECOMMENDATION:

1. **RECOMMEND APPROVAL** of the request for a rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional) on 0.3 acres, located east of the intersection of Maitland Avenue and Oranole Road, based on staff findings, (Byron Bonyadi, applicant); or
2. **RECOMMEND DENIAL** of the request for a rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional) on 0.3 acres, located east of the intersection of Maitland Avenue and Oranole Road, (Byron Bonyadi, applicant); or
3. **CONTINUE** the item to a time and date certain.

District 4 – Henley

Ian Sikonia, Senior Planner

BACKGROUND:

The applicant is requesting a rezone from the R-1AA (Single-Family Dwelling) zoning district to the RP (Residential Professional) zoning district on 0.3 acres, located at 1680 Maitland Avenue. The purpose of this rezone is to change the use of the single-family home to a 2,960 square foot office. The proposed rezoning will allow for the special uses outlined in the RP zoning district, such as general office. This property will be required to have a cross access to the neighboring property to the north, due to its proximity to the intersection of Maitland Avenue and Oranole Road. The applicant has also attended

Reviewed by:	<u>KFI</u>
Co Atty:	<u> </u>
DFS:	<u> </u>
OTHER:	<u> </u>
DCM:	<u> </u>
CM:	<u> </u>
File No.	<u>Z2009-18</u>

the December 7, 2009 Board of Adjustment meeting and had a variance approved for a rear setback to 23 feet. This variance was approved because the existing structure was built in 1967, which predates the required 30 foot setback at that time. This property is one of the last parcels fronting on Maitland Avenue in unincorporated Seminole County that hasn't been converted or rezoned to an office use. Other properties fronting on Maitland Avenue have been converting to office uses since the 1980's.

STAFF RECOMMENDATION:

Staff recommends approval of the request for a rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional) on 0.3 acres, located east of the intersection of Maitland Avenue and Oranole Road.

Attachments:

Staff Analysis
Location Map
Future Land Use & Zoning Map
Aerial Map
Site Plan
Development Order
City of Altamonte Springs Intergovernmental Response Comments
Rezone Ordinance
Denial Development Order (applicable only if denied)
Ownership Disclosure Form

Maitland Avenue (1680) Rezone		
APPLICANT	Byron Bonyadi	
PROPERTY OWNER	NRRN Holdings, LLC	
REQUEST	Rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional)	
PROPERTY SIZE	0.3 acres	
HEARING DATE (S)	P&Z: February 3, 2010	BCC: March 23, 2010
PARCEL ID	24-21-29-300-0380-0000	
LOCATION	Located east of the intersection of Maitland Avenue and Oranole Road.	
FUTURE LAND USE	OFF (Office)	
ZONING	R-1AA (Single-Family Dwelling)	
FILE NUMBER	Z2009-18	
COMMISSION DISTRICT	#4 – Henley	

STAFF FINDINGS:

The following tables depict the minimum regulations for the current zoning district of RP (Residential Professional):

DISTRICT REGULATIONS	Existing Zoning (R-1AA)	Proposed Zoning (RP)
Minimum Lot Size	11,700 sq. ft.	9,000 sq. ft.
Minimum House Size	1300 sq. ft.	N/A
Minimum Width at Building Line	90 ft.	75 ft.
Front Yard Setback	25 feet	25 feet
Side Yard Setback	10 feet	10 feet
Rear Yard Setback	30 feet	30 feet*
Maximum Building Height	35 feet	35 feet

*BOARD OF ADJUSTMENT APPROVED A VARIANCE FOR 23 FEET ON DECEMBER 7, 2009.

COMPATIBILITY WITH SURROUNDING PROPERTIES

The surrounding properties consist of residential, office and general business uses. The surrounding zoning districts consist of RP (Residential Professional), OP (Office), and R-1AA (Single-Family Dwelling) zoning districts. The surrounding Future Land Use designations consist of the Office and Low Density Residential. This property has frontage on Maitland Avenue which is a corridor consisting of commercial, office, and general business type uses. This property is one of two parcels within this corridor of Maitland Avenue in unincorporated Seminole County to still have a residential zoning district. The other properties along Maitland Avenue all have the RP (Residential Professional) and OP (Office) zoning districts. This change from a residential corridor to an office corridor appears to have started in the early 1980's. Changing the use of this structure from a single family home to an office use would have minimal impact to the neighborhood and would be an infill parcel along an office corridor. Staff finds the proposed rezone is

compatible and consistent with the existing character of the neighborhood and trend of development 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.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there are not endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant will be required to undergo Concurrency Review prior to final engineering approval.

Utilities:

The site is located in the City of Altamonte Springs utility service area, and will be required to connect to public utilities. There is a 12-inch water main on the west side of Maitland Avenue and 6" sewer line along the east side of Maitland Avenue.

Drainage:

The proposed project is located within the Howell Creek Drainage Basin, and has limited downstream capacity. The site will have to be designed to hold the 25-year, 24-hour total retention for any new impervious to the site.

Transportation / Traffic:

The property proposes access onto Maitland Avenue, which is classified as Minor Collector roadway. There are no improvements programmed in the County 5-year Capital Improvement Program for Maitland Avenue at this time.

The RP zoning district requires that the Board of County Commissioners determine the acceptable amount of required parking for properties requesting this zoning district. The applicant is providing twelve parking spaces on-site, located in the front and rear of the property. The Seminole County Land Development Code requires in a standard zoning district that this parcel have a minimum of 15 parking spaces provided on-site. However, since the RP zoning district specifically allows for the conversion of existing single-family homes into professional office buildings, some concessions must be made due to the limited lot area available on single-family home parcels. The applicant proposes to mitigate this impact by reserving three parking spaces for employees in the rear of the parcel and proposes cross access with the neighbor to the west. Staff feels that this proposed general office use is relatively limited in size and will not cause a hardship to the surrounding property owners.

School Impacts:

The proposed use of the property as an office will not have any impact to the Seminole County Public School District.

Parks, Recreation and Open Space:

The applicant is required to provide 25% of the site in open space per Section 30.1344 of the Seminole County Land Development Code.

Buffers and Sidewalks:

There is an existing 5' sidewalk along the east side of Maitland Avenue. The applicant is proposing to buffer the east property line by planting 4 canopy trees and a viburnum hedge to buffer the existing single-family home subdivision. The south and west buffers will contain canopy trees 15' on-center with a viburnum hedge.

APPLICABLE POLICIES:

SPECIAL DISTRICTS

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

COMPREHENSIVE PLAN

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.

Policy FLU 17.4: Relationship of Land Use to Zoning Classifications
Policy FLU 17.5: Evaluation Criteria of Property Rights Assertions
Policy FLU 2.6: Conversion of Residential Structures

INTERGOVERNMENTAL NOTIFICATION:

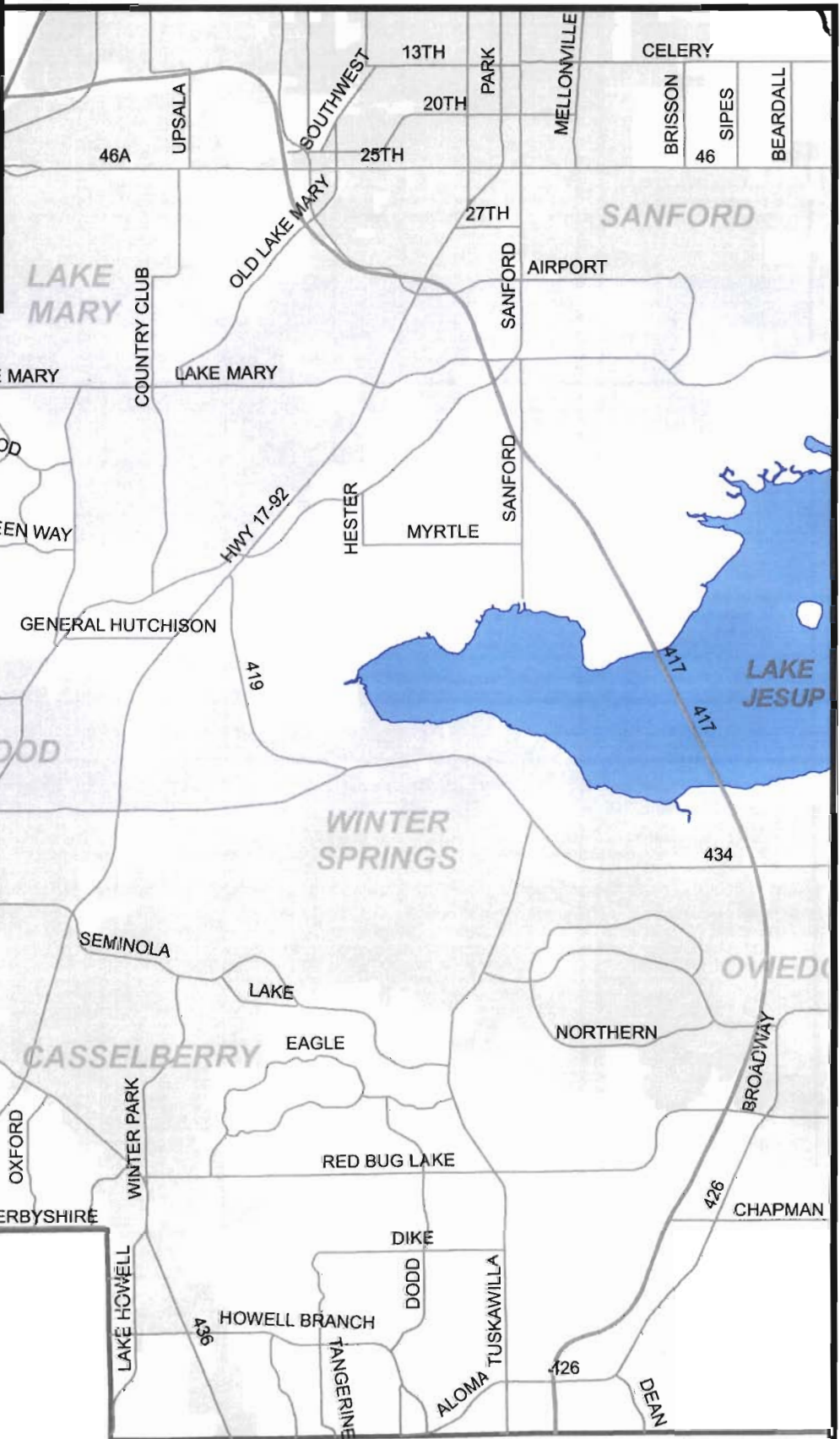
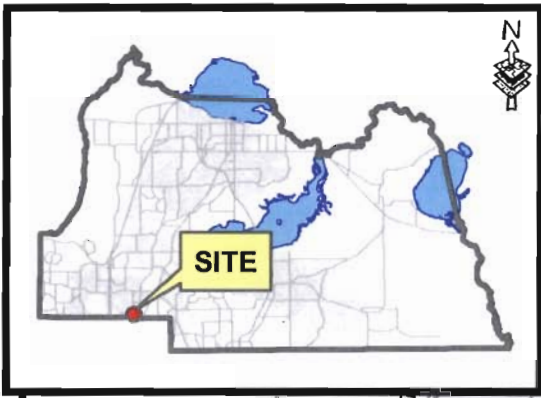
An intergovernmental notice was sent to the City of Altamonte Springs on January 13, 2010.

LETTERS OF SUPPORT OR OPPOSITION:

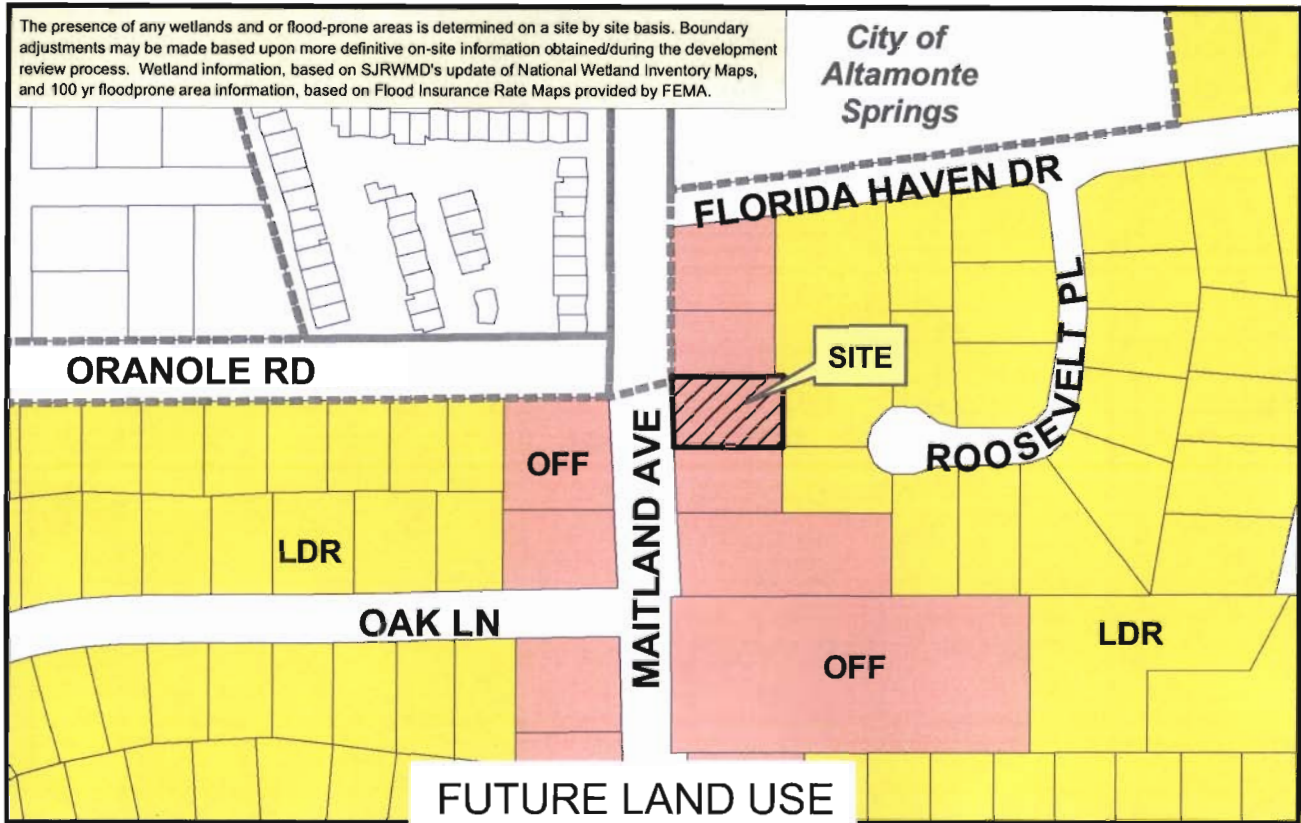
No letters of support or opposition have been received.

STAFF RECOMMENDATION:

Staff recommends approval of the request for a rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional) on 0.3 acres, located east of the intersection of Maitland Avenue and Oranole Road.



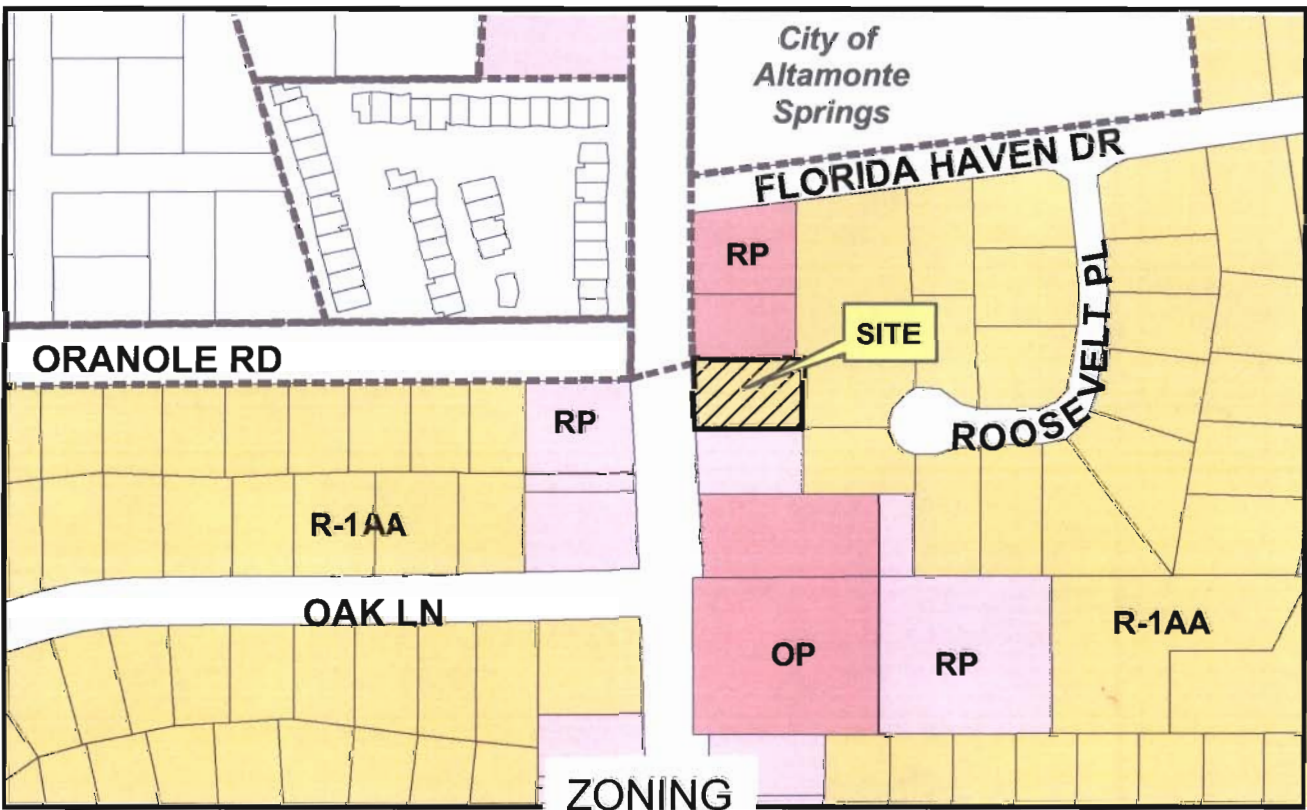
The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps,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



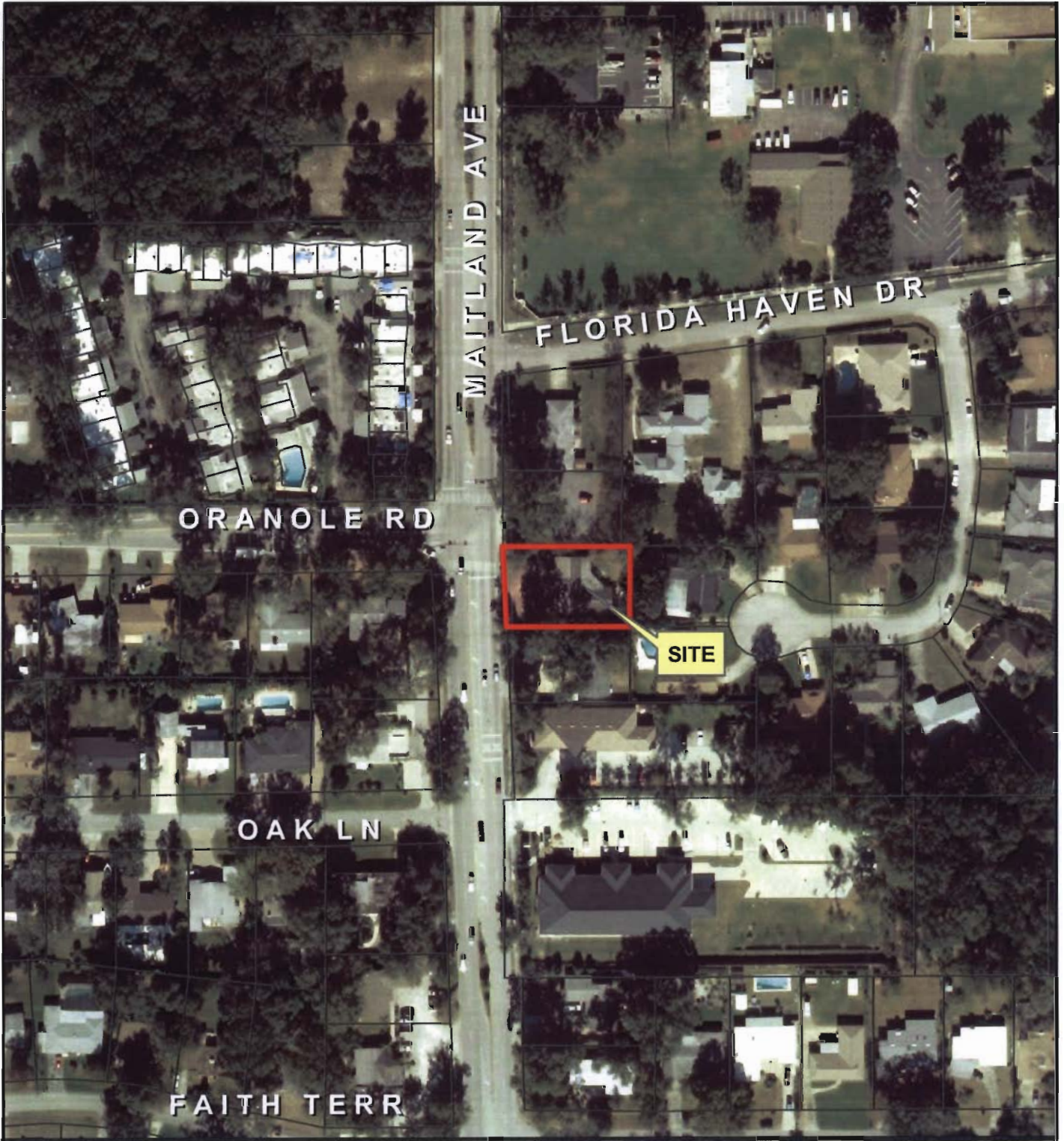
Site
 LDR
 OFF
 City Bnd

Applicant: Byron Bonyadi
 Physical STR: 24-21-29-300-0380-0000
 Gross Acres: +/- .30 BCC District: 4
 Existing Use: vacant building
 Special Notes:



	Amend/ Rezone#	From	To
FLU	FLU#	--	--
Zoning	Z2009-018	R-1AA	RP



R-1AA
 RP
 OP



Rezone No: Z2009-018
From: R-1AA To: RP

-  Parcel
-  Subject Property



Winter 2009 Color Aerials

GENERAL NOTES

CURRENT ZONING: R-1AA (Residential)

PROPOSED ZONING: RP (Residential Professional)

EXISTING BUILDING PROPOSED PERMITTED USE: OFFICE

FUTURE LAND USE: OFFICE

LOT SIZE: 0.30 AC (13,263 +/- SF)

EXISTING BUILDING SIZE: 2,960 SF OFFICE

BUILDING SETBACK: 25 FT FRONT, 10 FT SIDE, 30 FT REAR

PARKING (Variance Required): 2,960 SF OFFICE / 200 = 15 SPACES

REQUIRED: 12 SPACES

PROVIDED: 9 Standard (10'x20'), 2 Aqu. Rich (9'x15'), 1 Accessible (12'x20')

UTILITIES: POTABLE WATER, SEWER, RECLAIMED WATER

EXISTING NATURAL RESOURCES: ALTAMONTE SPRINGS UTILITIES

LANDSCAPING/IRRIGATION: 5 LANDSCAPE BUFFER

MAX. BUILDING HEIGHT: NOT TO EXCEED ONE STORY (E=MAX PER 1 Story Building)

PROPOSED SIGN: NOT TO EXCEED 16 SF

SINGLE IDENTIFICATION SIGN: NOT TO EXCEED 16 SF

TOTAL IMPERVIOUS AREA: 2850 SF BUILDING, 4570 SF DRIVEWAY, 1760 SF @ 50% PERVIOUS = 880 SF CONCRETE FLUME

OPEN SPACE AREA: 34% REQUIRED, 25% FLOOD HAZARD

DEVELOPER: NBRN HOLDINGS LLC, 77 Cypress Lane, Maitland, Florida 32751, (407) 383-3301

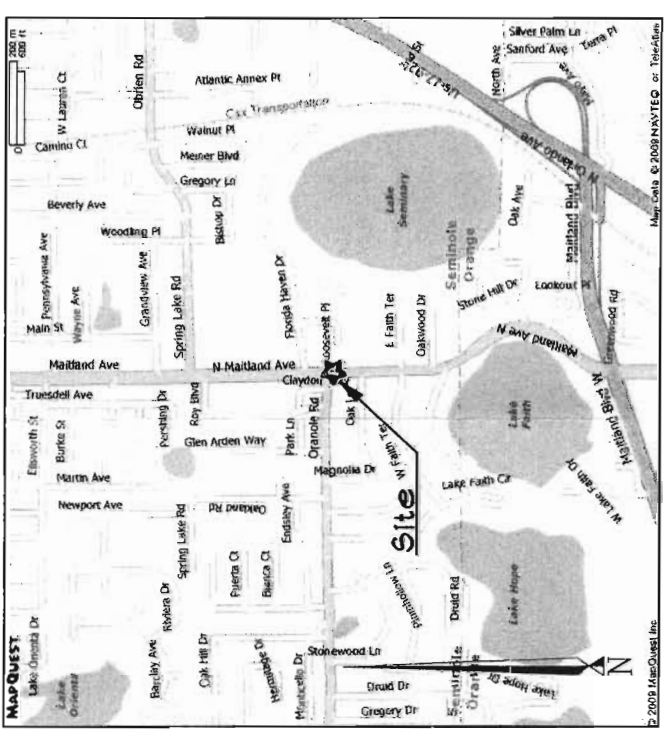
DESIGN-BUILD DEVELOPER: Associated Design & Construction, Inc., 175 Sabal Palm Drive, Maitland, Florida 32779, (407) 766-7000

SURVEYOR: Scott's Surveying Services, Inc., D. S. Hwy. 17-94, Suite B-A, Deery, Florida 32715, (386) 666-7332

SEP 07 2009

W. BONYARD ARCHITECT

175 SABAL PALM DR. LONGWOOD, FLORIDA 32779
 (407) 766-1000 FAX 766-1000
 E-MAIL: wbonyard@aol.com



LEGAL DESCRIPTION

REAL PROPERTY DESCRIPTION

FROM A POINT SITUATED 181.74 FEET SOUTH 89.05' 49" EAST AND 1100 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTH EAST 1/4 OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY FLORIDA, RUN NORTH 01.001' 00" WEST 180 FEET TO THE NORTHWEST CORNER OF LOT 10, OF ROOSEVELT PLACE, AS RECORDED IN PLAT BOOK 14, PAGE 56, PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA, FOR A POINT OF BEGINNING, RUN THENCE SOUTH 01.001' 00" EAST 90 FEET, THENCE RUN NORTH 89.05' 49" WEST 139.5 FEET, MORE OR LESS, TO THE WESTERLY RIGHT OF WAY OF STATE ROAD NO. 5-427 (MAITLAND AVENUE); THENCE RUN NORTHERLY ALONG SAID RIGHT OF WAY 90 FEET TO A POINT SITUATED NORTH 89.05' 49" WEST FROM POINT OF BEGINNING; THENCE SOUTH 89.05' 49" EAST 139.5 FEET, MORE OR LESS TO POINT OF BEGINNING.

LANDSCAPE NOTES

- THE LANDSCAPE PLAN IS FOR SEMINOLE COUNTY REVIEW PURPOSES ONLY.
- ALL PLANTS SHALL BE GRADE FLORIDA NO. 1 OR BETTER.
- ALL PLANTS SHALL BE WARRANTED FOR A PERIOD OF ONE YEAR FROM ACCEPTANCE.
- ALL PLANTS SHALL RECEIVE A SLOW RELEASE FERTILIZER PER MANUFACTURER RATES.
- ANY SOIL SHALL BE BAMA FREE OF WEEDS OR NOXIOUS PESTS.
- ALL TREE LOCATIONS SHALL BE COORDINATED WITH SITE CONTRACTOR.
- MULCH DEPTH SHALL BE NO LESS THAN 4".

TREES TO BE PROVIDED

CUMULATIVE DBH TREES TO BE ADDED:
 LIVE OAK: 9 @ 3" EA: 27"
 TOTAL TO BE ADDED: 27"

TREES TO BE REMOVED

CUMULATIVE DBH TREES TO BE REMOVED:
 TOTAL TO BE REMOVED: 0"

TREES TO BE PRESERVED

CUMULATIVE DBH TREES TO BE PRESERVED:
 (THERE ARE NO EXISTING TREES ON SITE)
 TOTAL TO BE PRESERVED: 0"

NO.	DESCRIPTION	DATE
1	TITLE	B.1
2	GENERAL NOTES	B.1
3	FUTURE SIGN LOC.	B.1
4	HC ACCESS	B.1
5	PROPOSED LANDS	B.1
6	Curb Set	9.7
7	Dumpster Detail	9.7
8	Drainage Flow	9.7
9		

REVISIONS

DATE: 12/3/09

SCALE: AS SHOWN

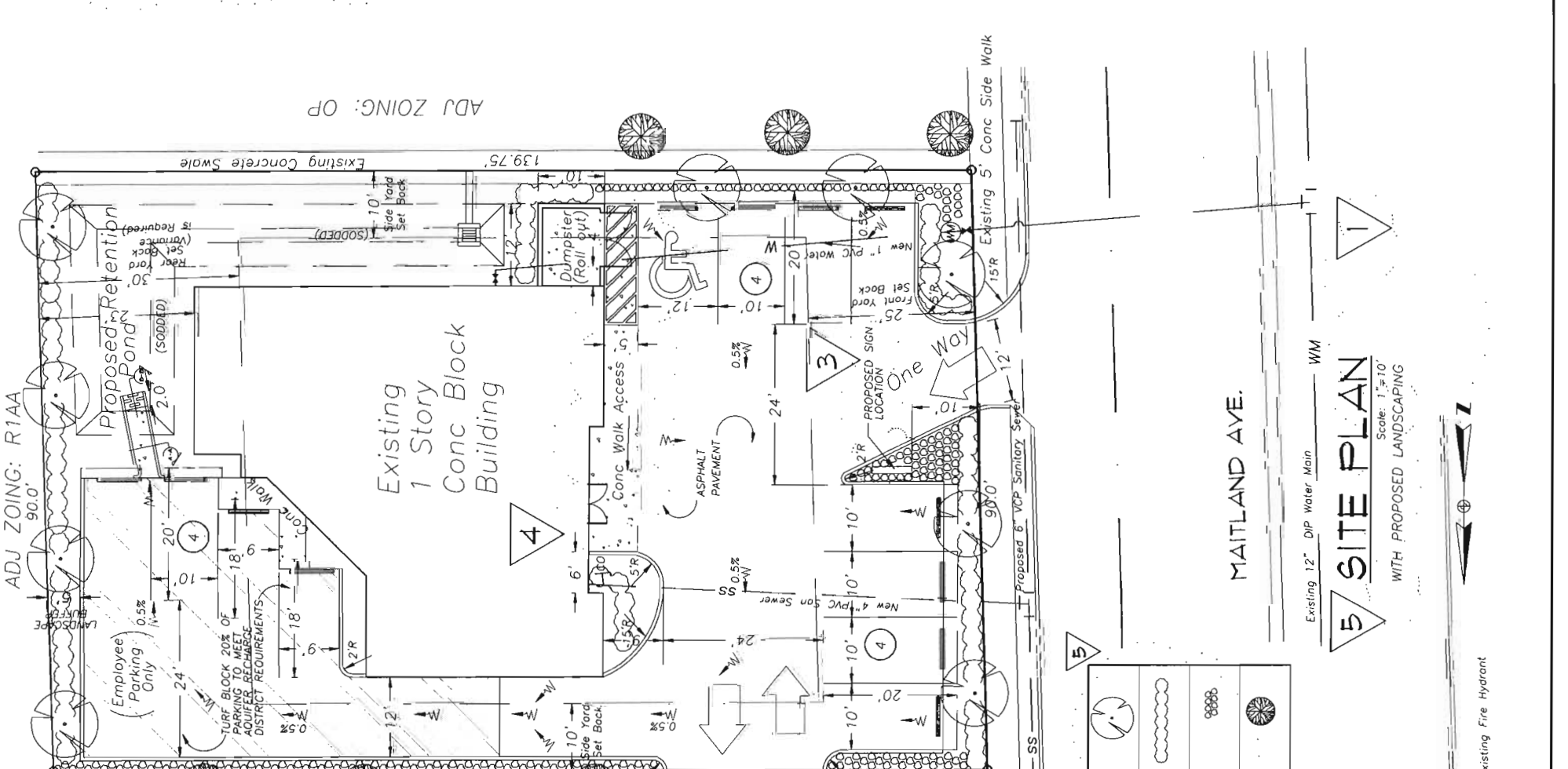
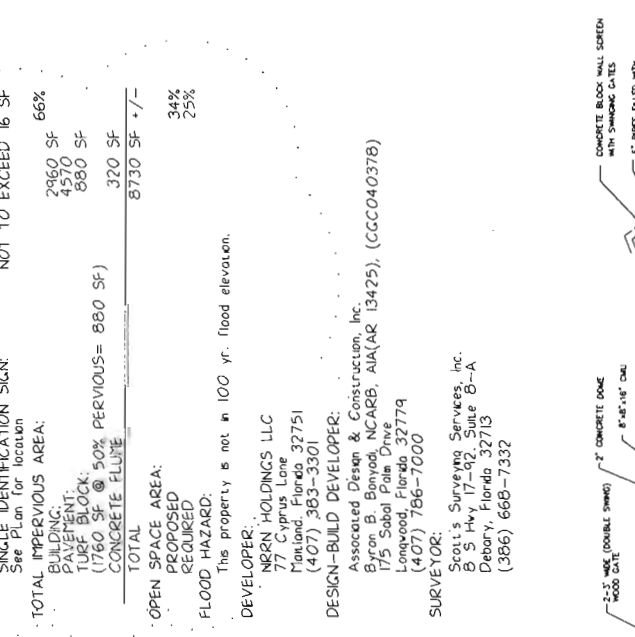
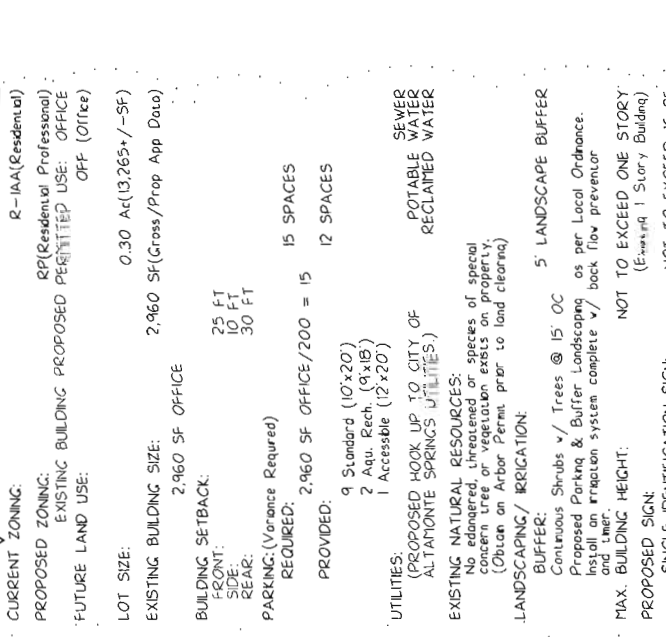
DRAWN BY: S. J. U.

PROJECT NO.: 0906011

SHEET TITLE: PRELIMINARY

SHEET: 1 OF 1

CI



LEGEND

- LIVE OAK (QUERCUS VIRGINIANA) MIN. 3" CALIPER, 10' HIGH
- VIBURNUM SUSPENSUM MIN. 36" HIGH, 30" O/C
- STAR JASMINE (TRACHEOSPERMUM JASMINE) PLANTED @ 16" O/C
- EXISTING NEIGHBORING TREES
- Existing Fire Hydrant

5 SITE PLAN

Scale: 1" = 10'

WITH PROPOSED LANDSCAPING

Existing 12" DIP Water Main WM

Existing 6" VCP Sanitary Sewer SS

Existing 5" Conc Side Walk

MAITLAND AVE.

SEMINOLE COUNTY DEVELOPMENT REVIEW DEPARTMENT

DATE:

SEMINOLE COUNTY DEVELOPMENT ORDER

On March 23, 2010, Seminole County issued this 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.)

FINDINGS OF FACT

Property Owner: NRRN Holdings, LLC
77 Cypress Lane
Maitland, FL 32751

Project Name: Maitland Avenue (1680) Rezone

Requested Development Approval: Request for a rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional) on 0.3 acres, located east of the intersection of Maitland Avenue and Oranole Road.

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

Order

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. The project shall conform to the site plan submitted, which is attached as Exhibit B.
- B. The permitted uses for this property shall be those general office uses permitted as special uses in the RP zoning district.
- C. The maximum allowable building height for new construction shall be a maximum of 35' and limited to one story.
- D. The setbacks shall be as follows:
 - North (Side): 10'
 - South (Side): 10'
 - East (Rear): 23*
 - West (Front): 25'

*23' approved at the 12/7/09 Board of Adjustment Meeting.
- E. The buffers shall be as follows:
 - North: 2'
 - South: 5'
 - East: 5'
 - West: 5'
- F. Landscape buffer content and location requirements shall be in accordance with Exhibit B.
- G. The minimum number of parking spaces required for this site is 12.
- H. 20% of the parking area shall meet the requirements of the aquifer recharge district requirements.
- I. Cross access with the parcel to the north is required as shown on Exhibit B.
- J. 25% usable open space shall be provided on the subject property.
- K. All mechanical equipment, ground or roof-mounted, shall be screened from off-site view.

(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.

**SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS**

By: _____
Bob Dallari, Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, NRRN Holdings, LLC, the owner of the aforescribed property in this Development Order, 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
Print Name _____

Mehrdad Hariri

Witness
Print Name _____

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 Mehrdad Hariri who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2010.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Legal Description

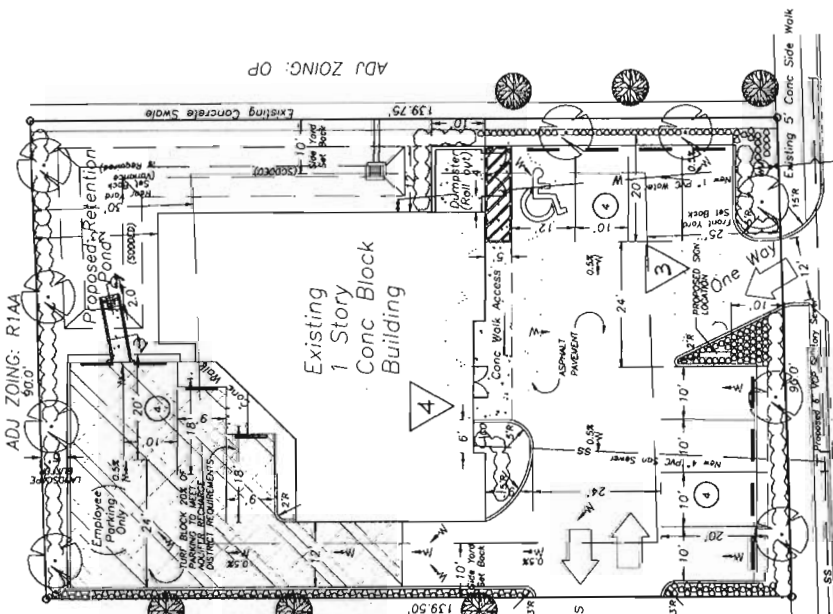
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EXHIBIT B

Site Plan
(See attached page)

GENERAL NOTES

- CURRENT ZONING: R-1A1 (Residential)
- PROPOSED ZONING: RPD (General Professional)
- EXISTING BUILDING PROPOSED RE-USED: OFFICE
- FUTURE LAND USE: OFF (Office)
- LOT SIZE: 0.30 AC (3,265 +/- SQ FT)
- EXISTING BUILDING SIZE: 2,960 SF OFFICE
- BUILDING SETBACK: 25 FT
- MIN. SIDE SETBACK: 30 FT
- MIN. REAR SETBACK: 30 FT
- PARKING (Various Options): 5 SPACES
- REQUIRED: 2,960 SF OFFICE/2,000 SF = 12 SPACES
- PROVIDED: 9 Standard (07/20) 2 Auto Cars (9'x18') 1 Accessible (8'x20)
- UTILITIES: PROPOSED WORK UP TO CITY OR ALIQUOTE SPRINGS UTILITY. NO EXISTING UTILITIES ON PROPERTY. LANDSCAPING / ROZATION: 5' LANDSCAPE BUFFER. Common Plant: 1 Tree @ 15.00' High in 15'x15' Grid. Max. Building Height: NOT TO EXCEED ONE STORY (Exceeds 1 Story Building). PROPOSED SOIL: NOT TO EXCEED 16 SF SINGLE DIVINATION SOIL. NOT TO EXCEED 6 SF TOTAL IMPROVED AREA. 25% OF 66K = 16,500 SF. 100% OF 16,500 SF = 16,500 SF. OPEN SPACE AREA: 370 SF. 34% OF 1,000 SF = 340 SF. FLOOD HAZARD: The property is in a 100 yr flood elevation. DESIGN-BUILD DEVELOPER: MOHN HOLDINGS, LLC 77 Cypress Lane #3759 (407) 963-3301 Associated Design & Construction, Inc. 175 S. 34th Street, Suite 200, Ft. Lauderdale, FL 33304 (407) 786-7000 SURVEYOR: B. S. 17422 Steven B. G. DeBruin, Florida 3710 (386) 640-7327

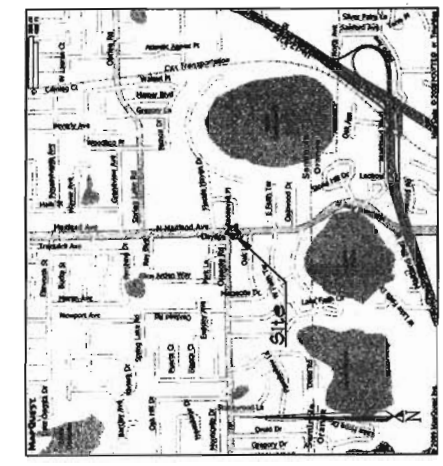


LEGEND

- (1) ONE OAK (S. IRONHAND)
- (2) VIBURNUM SUSPENSUM
- (3) STAR JASMINE (S. IRONHAND)
- (4) EXISTING NEIGHBORING TREES

Scale: 1" = 10'

WITH PROPOSED LANDSCAPING



LEGAL DESCRIPTION

REAL PROPERTY DESCRIBED AS: LOT 100, BLOCK 17, EAST 15011, BUCKHART LANE, LOTS 15011 NORTH OF THE SOUTHWEST CORNER OF THE SOUTH EAST OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 28 EAST, SEMINOLE COUNTY, FLORIDA. ALSO NORTH 1/4 CORNER WEST 1/4 SECTION 14, TOWNSHIP 21 SOUTH, RANGE 28 EAST, LOT 101 OF BUCKHART PLACE, AS RECORDED IN PLAT BOOK 14, PAGE 16, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. ALSO TRACT 100, BLOCK 17, EAST 15011, BUCKHART LANE, LOTS 15011 NORTH OF THE SOUTHWEST CORNER OF THE SOUTH EAST OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 28 EAST, LOT 101 OF BUCKHART PLACE, AS RECORDED IN PLAT BOOK 14, PAGE 16, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. ALSO TRACT 100, BLOCK 17, EAST 15011, BUCKHART LANE, LOTS 15011 NORTH OF THE SOUTHWEST CORNER OF THE SOUTH EAST OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 28 EAST, LOT 101 OF BUCKHART PLACE, AS RECORDED IN PLAT BOOK 14, PAGE 16, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. ALSO TRACT 100, BLOCK 17, EAST 15011, BUCKHART LANE, LOTS 15011 NORTH OF THE SOUTHWEST CORNER OF THE SOUTH EAST OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 28 EAST, LOT 101 OF BUCKHART PLACE, AS RECORDED IN PLAT BOOK 14, PAGE 16, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

LANDSCAPE NOTES

- THE LANDSCAPE PLAN IS FOR SEMINOLE COUNTY REVIEW.
- ALL PLANTS SHALL BE GRADE FLORIDA NO. 1.000 LISTED.
- ALL PLANTS SHALL BE WARRANTED FOR A PERIOD OF ONE YEAR.
- ALL PLANTS SHALL BE WARRANTED FOR A SLOW RELEASE FERTILIZER PER MANUFACTURER'S INSTRUCTIONS.
- ALL PLANTS SHALL BE FREE OF WEEDS OR INDIAN PESTS.
- ALL PLANTS SHALL BE COORDINATED WITH SITE CONTRACTOR.
- PLANT DEPTH SHALL BE NO LESS THAN 4".
- CUMULATIVE DBH TREES TO BE ADDED: LINE OAK: 9 @ 3" EA. 27"
- TOTAL TO BE ADDED: 27"
- CUMULATIVE DBH TREES TO BE REMOVED: 0"
- TOTAL TO BE REMOVED: 0"
- TREES TO BE PRESERVED: 0"
- TOTAL TO BE PRESERVED: 0"

SEMINOLE COUNTY DEVELOPMENT REVIEW DEPARTMENT

DATE: _____

PROPERTY APPRAISER ID Number: 21-21-29-300-038-C-000-0

APPROVED FOR CONSTRUCTION: _____

SEMINOLE COUNTY

THE APPROVAL IS SUBJECT TO SPECIFIC COMPLIANCE TO THE SEMINOLE COUNTY LAND DEVELOPMENT CODE AND ANY SPECIAL REQUIREMENTS OF THE BOARD OF COUNTY COMMISSIONERS. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO CORRECT ANY DEFECTS IN THE PLANS OR AS CONSTRUCTION WHICH RESULTS IN A FAILURE TO MEET APPLICABLE CODE REQUIREMENTS. CONSTRUCTION ACCEPTANCE OF THE DEVELOPER'S WORK SHALL BE THE RESPONSIBILITY OF THE DEVELOPER. THE DEVELOPER SHALL BE RESPONSIBLE TO MEET THOSE REQUIREMENTS. THIS SPECIFIC APPROVAL IS VALID FOR A PERIOD OF ONE YEAR FROM THE DATE BELOW.

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Sikonia, Ian

From: John Sember [JMSember@Altamonte.org]
Sent: Thursday, January 14, 2010 4:51 PM
To: Sikonia, Ian
Cc: Jamie Coker; Cathleen A. Craft; Franklin W. Martz, II
Subject: RE: Intergovernmental Notice from Seminole County (1680 Maitland Avenue)

Mr. Sikonia,

Thank you for the opportunity to review and comment on the rezoning application for the property at 1680 Maitland Avenue. We have no objection to the proposed rezoning from R-1AA to RP (Residential Professional).

I would note that the property is subject to an Annexation Agreement with the City dated December 11, 2007, and recorded in Official Records Book 6887, Pages 500-518. The Agreement addresses the property's temporary septic tank, issues related to the City's provision of utility services to the property, and the potential future annexation of the property at such time as the property becomes contiguous to the City. Pursuant to the Agreement, City review and approval of the project's site plan is a prerequisite to City's execution of the State utility permit applications, as is the payment of the associated City utility connection fees. The applicant is aware of this requirement and participated in a pre-application meeting with the City's Development Review Committee on September 15, 2009.

Should you require a copy of the Agreement, or anything additional, please let me know.

--
John Sember, AICP
Director of Planning and Development

City of Altamonte Springs
Growth Management Department
225 Newburyport Avenue, Altamonte Springs, FL 32701
Direct: (407) 571-8141 Main: (407) 571-8150 Fax: (407) 571-8156
jmsembler@altamonte.org
www.altamonte.org

From: Sikonia, Ian [mailto:ISikonia@seminolecountyfl.gov]
Sent: Wednesday, January 13, 2010 10:28 AM
To: Franklin W. Martz, II
Cc: John Sember
Subject: Intergovernmental Notice from Seminole County

P & Z hearing date: February 3, 2010
BCC hearing date: March 23, 2010

Mr. Martz,

Attached to this email is an intergovernmental notice from Seminole County regarding a rezoning to RP (Residential Professional) on Maitland Avenue. If the city has any comments regarding this proposed rezoning, please send the comments to me so I can attach them to the staff report. If you have any questions regarding this rezone please give me a call at the number below.

Thanks,

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE R-1AA (SINGLE-FAMILY DWELLING) ZONING CLASSIFICATION THE RP (RESIDENTIAL PROFESSIONAL) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING 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 Maitland Avenue (1680), dated March 23, 2010.

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

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from R-1AA (Single-Family Dwelling) to RP (Residential Professional):

SEE ATTACHED EXHIBIT A

Section 3. 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 on the recording date of the Development Order # 09-20000005 in the Official Land Records of Seminole County.

ENACTED this 23rd day of March 2009.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Bob Dallari, Chairman

EXHIBIT A

LEGAL DESCRIPTION

FROM A POINT SITUATED 181.74 FEET SOUTH 89d05'49" EAST AND 1100 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY FLORIDA, RUN NORTH 01d01'00" WEST 180 FEET TO THE NORTHWEST CORNER OF LOT 10, OF ROOSEVELT PLACE, AS RECORDED IN PLAT BOOK 14, PAGE 56, PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA, FOR A POINT OF BEGINNING; RUN THENCE SOUTH 01d01'00" EAST 90 FEET, THENCE RUN NORTH 89d05'49" WEST 139.75 FEET, MORE OR LESS, TO THE WESTERLY RIGHT OF WAY OF STATE ROAD NO. S-427 (MAITLAND AVENUE); THENCE RUN NORTHERNLY ALONG SAID RIGHT OF WAY 90 FEET TO A POINT SITUATED NORTH 89d05'49" WEST FROM POINT OF BEGINNING; THENCE SOUTH 89D05'49" EAST 139.5 FEET, MORE OR LESS TO POINT OF BEGINNING.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 23, 2010, 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): NRRN Holdings, LLC
77 Cypress Lane
Maitland, FL 32751

Project Name: Maitland Avenue (1680) Rezone

Requested Development Approval: Request for a rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional) on 0.3 acres, located east of the intersection of Maitland Avenue and Oranole Road.

The Board of County Commissioners has determined that the rezone request from R-1AA (Single-Family Dwelling) to RP (Residential Professional) district is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Maitland Avenue (1680) Rezone" and all evidence submitted at the public hearing on March 23, 2010, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested rezone from R-1AA (Single-Family Dwelling) to RP (Residential Professional) 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: _____
Bob Dallari, Chairman

EXHIBIT "A"

LEGAL DESCRIPTION

FROM A POINT SITUATED 181.74 FEET SOUTH 89d05'49" EAST AND 1100 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY FLORIDA, RUN NORTH 01d01'00" WEST 180 FEET TO THE NORTHWEST CORNER OF LOT 10, OF ROOSEVELT PLACE, AS RECORDED IN PLAT BOOK 14, PAGE 56, PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA, FOR A POINT OF BEGINNING; RUN THENCE SOUTH 01d01'00" EAST 90 FEET, THENCE RUN NORTH 89d05'49" WEST 139.75 FEET, MORE OR LESS, TO THE WESTERLY RIGHT OF WAY OF STATE ROAD NO. S-427 (MAITLAND AVENUE); THENCE RUN NORTHERNLY ALONG SAID RIGHT OF WAY 90 FEET TO A POINT SITUATED NORTH 89d05'49" WEST FROM POINT OF BEGINNING; THENCE SOUTH 89D05'49" EAST 139.5 FEET, MORE OR LESS TO POINT OF BEGINNING.

**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

Ownership Disclosure Form

The owner of the real property associated with this application is a (check one)

- Individual Corporation Land Trust
 Limited Liability Company Partnership **PROPERTY ADDRESS:**
 Other (describe): _____

NERN Holdings LLC
1680 MAITLAND AVE
MAITLAND, FLORIDA

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	ADDRESS	PHONE NUMBER
<i>MERRAD HAZIRI</i>	<i>77 CYPRUS AVE, MAITLAND</i>	<i>407-383-3301</i>
<i>NICK HAZIRI</i>		
<i>DYREN HAZIRI</i>		

(Use additional sheets for more space.)

2. For each corporation, list the name, address, and title of each officer; the name and address of each director of the corporation; and the name and address of each shareholder who owns two percent (2%) or more of the stock of the corporation. Shareholders need not be disclosed if a corporation's stock are not traded publicly on any national stock exchange.

NAME	TITLE OR OFFICE	ADDRESS	% OF INTEREST

(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 and the percentage of interest of each beneficiary. If any trustee or beneficiary of a trust is a corporation, please provide the information required in paragraph 2 above.

Trust Name: _____

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners. If any partner is a corporation, please provide the information required in paragraph 2 above.

NAME	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

5. For each **limited liability company**, list the name, address, and title of each manager or managing member; and the name and address of each additional member with two percent (2%) or more membership interest. If any member with two percent (2%) or more membership interest, manager, or managing member is a corporation, trust or partnership, please provide the information required in paragraphs 2, 3 and/or 4 above.

NAME	TITLE	ADDRESS	% OF INTEREST
MEHRDAD HARIRI	MGRM	77 CYPRUS LANE	95%
NICK HARIRI	MGR	77 CYPRUS LANE	2.5%
RYREN HARIRI	MGR	77 CYPRUS LANE	2.5%

(Use additional sheets for more space.)

6. In the circumstances of a **contract for purchase**, list the name and address of each contract purchaser. If the purchaser is a corporation, trust, or partnership, provide the information required for those entities in paragraphs 2, 3, and/or 4 above.

Name of Purchaser: _____

NAME	ADDRESS	% OF INTEREST

Date of Contract: _____

Please specify any contingency clause related to the outcome of the consideration of the application.

- 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.

1/15/2010
Date

[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

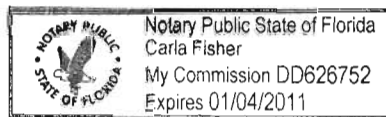
Sworn to (or affirmed) and subscribed before me this 15th day of January, 2010 by Mehrdad Hariri

[Signature]
Signature of Notary Public

Carla Fisher
Print, Type or Stamp Name of Notary Public

Personally Known OR Produced Identification _____

Type of Identification Produced _____



For Use by Planning & Development Staff

Date: _____ Application Number: _____