BM2004-007

# SEMINOLE COUNTY GOVERNMENT
# BOARD OF ADJUSTMENT
## *AGENDA MEMORANDUM*

**SUBJECT:** REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) AT 1655 RETREAT ROAD; (TERRENCE & JUDITH MCGREW, APPLICANTS).

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

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Rich Steiger **EXT.** 7936

**Agenda Date** 04-26-04 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☐

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMENANT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR FIVE YEARS AT 1655 RETREAT ROAD; (TERRENCE & JUDITH, APPLICANTS); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMENANT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR FIVE YEARS AT 1655 RETREAT ROAD; (TERRENCE & JUDITH, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

---

| | | |
|---|---|---|
| **GENERAL INFORMATION** | TERRENCE & JUDITH MCGREW, APPLICANTS<br>1655 RETREAT ROAD<br>GENEVA, FL 32732 | A-5 (RURAL ZONING CLASSIFICATION DISTRICT) |
| **BACKGROUND / REQUEST** | • THE APPLICANTS PROPOSE TO PERMANENTLY PLACE A MOBILE HOME (1984 MODEL YEAR) IN THE A-5 DISTRICT.<br>• THE PERMANENT PLACEMENT OF A MOBILE HOME IS PERMITTED ONLY BY SPECIAL EXCEPTION IN THE A-5 DISTRICT. | |
| **ZONING & FLU** | | |

| DIRECTION | EXISTING ZONING | EXISTING FLU | USE OF PROPERTY |
|---|---|---|---|
| SITE | A-5 | RURAL-5 | VACANT |
| NORTH | A-5 | RURAL-5 | VACANT & |

| | | | | |
|---|---|---|---|---|
| | SOUTH | A-5 | RURAL-5 | VACANT & MOBILE HOME |
| | EAST | A-5 | RURAL-5 | SINGLE-FAMILY & MOBILE HOME |
| | WEST | A-5 | RURAL-5 | MOBILE HOME |

**STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2)**

THE BOARD OF ADJUSTMENT (BOA) SHALL HAVE THE POWER TO HEAR AND DECIDE THOSE SPECIAL EXCEPTIONS IT IS SPECIFICALLY AUTHORIZED TO PASS UNDER THE TERMS OF THE LAND DEVELOPMENT CODE UPON DETERMINATION THE USE REQUESTED:

***IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:***

GIVEN THE TREND OF MOBILE HOME DEVELOPMENT IN THE AREA, THE TEMPORARY PLACEMENT OF THE MOBILE HOME WOULD NOT BE INCOMPATIBLE AND WOULD BE AN APPROPRIATE USE IN THE A-5 DISTRICT.

AVAILABLE RECORDS INDICATE THAT SEVERAL PARCELS WITHIN THE GENERAL VICINITY HAVE MOBILE HOMES, BUT THE BOA HAS TYPICALLY APPROVED THE SAME FOR LIMITED TIME PERIODS UP TO FIVE YEARS.

***DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:***

SINCE THE EXISTING USE IS A SINGLE-FAMILY UNIT THAT WOULD NOT BE HIGHLY INTENSIVE IN NATURE, STAFF DOES NOT BELIEVE IT WOULD ADVERSELY IMPACT ADJOINING TRANSPORTATION FACILITIES.

***IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN;***

THE REQUEST WOULD BE CONSISTENT WITH THE TREND OF LOW-DENSITY MOBILE HOME LAND USE ESTABLISHED IN THIS AREA.

***MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:***

THE SUBJECT PROPERTY MEETS THE MINIMUM SIZE AND YARD REQUIREMENTS OF THE A-5 DISTRICT.

***WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:***

AT PRESENT THE TREND OF DEVELOPMENT IN THE

| | |
|---|---|
| | IMMEDIATE AREA INCLUDES CONVENTIONAL HOMES, MOBILE HOMES, AND VACANT PROPERTIES. THEREFORE, THE TEMPORARY PLACEMENT OF A MOBILE HOME AT THE PROPOSED LOCATION WOULD BE CONSISTENT WITH THE CHARACTER OF NEARBY MOBILE AND CONVENTIONAL HOMES. |
| **STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT); LDC SECTION 30.104(a)** | THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) UPON MAKING FINDINGS OF FACT, IN ADDITION TO THOSE REQUIRED BY SECTION 30.43(B)(2) OF THE LAND DEVELOPMENT CODE, THAT THE USE:<br><br>***IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE RURAL ZONING CLASSIFICATIONS:***<br><br>THE PROPOSED MOBILE HOME IS A SPECIAL EXCEPTION IN THE A-5 DISTRICT. TO ENSURE CONSISTENCY WITH THE GENERAL ZONING PLAN OF THE A-5 DISTRICT AND PROTECT THE CHARACTER OF THE AREA, THE MOBILE HOME SITING STANDARDS ENUMERATED IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE WOULD APPLY AS STATED ELSEWHERE IN THIS REPORT.<br><br>***IS COMPATIBLE WITH THE CONCEPT OF LOW-DENSITY RURAL LAND USE:***<br><br>THE PROPOSED USE WOULD BE CONSISTENT WITH THE CONCEPT OF SURROUNDING MOBILE HOMES, RURAL LAND USE SINCE THE COMPREHENSIVE PLAN DESCRIBES RURAL-5 AS AN APPROPRIATE FLU CATEGORY FOR THE SITING OF MOBILE HOMES AND ACCESSORY USES BY SPECIAL EXCEPTION.<br><br>***IS NOT HIGHLY INTENSIVE IN NATURE:***<br><br>THE REQUEST IS NOT HIGHLY INTENSIVE IN NATURE, AS THE TEMPORARY PLACEMENT OF THE PROPOSED MOBILE HOME IS ONLY PERMITTED FOR SINGLE-FAMILY OCCUPANCY.<br><br>***HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES.***<br><br>THE PROPOSED USE WOULD BE SERVED BY ON-SITE SEPTIC AND WELL SYSTEMS. AN ON-SITE SEPTIC PERMIT SHALL BE APPLIED FOR AND OBTAINED, PRIOR TO THE SITING OF THE PROPOSED MOBILE HOME ON THE SUBJECT PROPERTY, OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, ARE ALSO AVAILABLE TO THE SITE. |
| **MOBILE HOME / MANUFACTURED** | THE FOLLOWING MOBILE HOME SITING STANDARDS SHALL APPLY WHEN THE PLACEMENT OF A MOBILE HOME IS |

| | |
|---|---|
| **HOME SITING STANDARDS; LDC SECTION 30.1401** | OTHERWISE PERMITTED BY THE LAND DEVELOPMENT CODE:<br>• AN ON-SITE SEPTIC PERMIT SHALL BE APPLIED FOR AND OBTAINED, PRIOR TO THE SITING OF THE PROPOSED MOBILE HOME ON THE SUBJECT PROPERTY;<br>• THE PROPOSED MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS; CURRENTLY ACCESS IS PROVIDED BY A PRIVATE EASEMENT.<br>• THE PROPOSED MOBILE HOME SHALL CONFORM TO APPLICABLE BUILDING CODES FOR INSTALLATION, ANCHORING, UTILITY ACCESSIBILITY, AND SKIRTING; AND<br>• THE PERMIT TO PLACE AND/OR OCCUPY A MOBILE HOME SHALL BE LIMITED BY THE BOA AND SUBJECT TO A ONE TIME RENEWAL.<br>• THE PROPOSED MOBILE HOME SHALL CONFORM TO THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE. |
| **FINDINGS** | SPECIAL EXCEPTIONS WITHIN ANY ZONING DISTRICT ARE GENERALLY GRANTED PERMANENTLY. HOWEVER, WITH RESPECT TO MOBILE HOMES, SECTION 30.43(b)(4) OF THE LAND DEVELOPMENT CODE PROVIDES THE ABILITY FOR THE BOA IN ITS SOUND DISCRETION TO PLACE REASONABLE CONDITIONS AND LIMITATIONS, WHICH ARE NECESSARY TO PROTECT THE CHARACTER OF AN AREA AND ARE IN FURTHERANCE OF THE PUBLIC INTEREST. THEREFORE, THE BOA SHOULD GIVE PRIMARY CONSIDERATION TO EITHER GRANTING PERMANENT STATUS OR DENYING THE REQUEST, BASED UPON THE FOLLOWING FACTORS:<br><br>***DEVELOPMENT TRENDS IN THE AREA (CONVENTIONAL VS. MOBILE HOMES); AND***<br><br>SINCE THE EARLY 1980s, DEVELOPMENT TRENDS IN THE AREA HAVE LARGELY COMPRISED MOBILE HOMES WITH A LIMITED NUMBER OF SINGLE-FAMILY HOMES. MANY OF THE CURRENT MOBILE HOMES IN THE AREA HAVE BEEN GRANTED SPECIAL EXCEPTIONS BY THE BOARD OF ADJUSTMENT THAT HAVE SINCE EXPIRED.<br><br>***COMPATIBILITY & PREVIOUS BOA DECISIONS:***<br><br>STAFF'S RECOMMENDATION FOR TEMPORARY PLACEMENT IS INTENDED TO ALLOW THE LONG-TERM MONITORING OF DEVELOPMENT TRENDS IN THE AREA, PURSUANT TO THE IDENTIFICATION OF A PREDOMINATE SINGLE-FAMILY LAND USE TYPE. STAFF BELIEVES A FIVE YEAR APPROVAL WOULD BE CONSISTENT WITH PAST MOBILE HOME |

| | |
|---|---|
| | SPECIAL EXCEPTION APPROVALS IN THE AREA AND PROVIDE STAFF ADDITIONAL TIME FOR THE STAFF TO MONITOR AREA DEVELOPMENT TRENDS AND IDENTIFY A PERDOMINANT SINGLE-FAMILY LAND USE TYPE, WHICH WOULD DETERMINE THE APPROPRIATENESS OF PERMANENT MOBILE HOME PLACEMENT ON THE SUBJECT PROPERTY. |
| **STAFF RECOMMENDATION** | THE APPLICANTS HAVE SATISFIED THE CRITERIA FOR THE PLACEMENT OF A MOBILE HOME IN THE A-5 DISTRICT, AS REQUIRED BY THE LAND DEVELOPMENT CODE. BASED ON THE STATED FINDINGS, STAFF BELIEVES THE TEMPORARY PLACEMENT OF THE PROPOSED MOBILE HOME UP TO FIVE YEARS WOULD BE APPROPRIATE, IF THE FOLLOWING STANDARDS ARE APPLIED AS REQUIRED BY SECTION 30.1401 OF THE LAND DEVELOPMENT CODE:<br><br>• AN ON-SITE SEPTIC PERMIT SHALL BE APPLIED FOR AND OBTAINED, PRIOR TO THE SITING OF THE PROPOSED MOBILE HOME ON THE SUBJECT PROPERTY;<br>• THE PROPOSED MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS;<br>• THE PROPOSED MOBILE HOME SHALL CONFORM TO APPLICABLE BUILDING CODES FOR INSTALLATION, ANCHORING, UTILITY ACCESSIBILITY, AND SKIRTING; AND<br>• THE PERMIT TO PLACE AND/OR OCCUPY A MOBILE HOME SHALL BE LIMITED BY THE BOA AND SUBJECT TO A ONE TIME RENEWAL.<br>• THE PROPOSED MOBILE HOME SHALL OTHERWISE CONFORM TO THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE. |

SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX APPL.NO. BM2004-007

## APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☐ **VARIANCE**

☐ **SPECIAL EXCEPTION**

☒ **MOBILE HOME SPECIAL EXCEPTION** 1984 model Permanent

☒ EXISTING ☐ PROPOSED ☐ REPLACEMENT
MOBILE HOME IS FOR
YEAR OF MOBILE HOME 1984 SIZE OF MOBILE HOME 1350 SQ FT
ANTICIPATED TIME MOBILE HOME IS NEEDED
PLAN TO BUILD ☐ YES ☒ NO IF SO, WHEN
MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

| | PROPERTY OWNER | AUTHORIZED AGENT * |
|---|---|---|
| NAME | Terrence + Judith McGrew | |
| ADDRESS | 1655 Retreat Road | |
| | Geneva, FL 32732 | |
| PHONE 1 | | |
| PHONE 2 | | |
| E-MAIL | | |

PROJECT NAME: RETREAT (1655)

SITE ADDRESS: 1655 Retreat Road

CURRENT USE OF PROPERTY: Mobile home residence

LEGAL DESCRIPTION: LEG SEC 05 TWP 20S RGE 32E E 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4 (5.06 AC)

SIZE OF PROPERTY: 5.06 acre(s) PARCEL I.D. 05-20-32-302-0180-0000

UTILITIES: ☐ WATER ☒ WELL ☐ SEWER ☒ SEPTIC TANK ☐ OTHER

KNOWN CODE ENFORCEMENT VIOLATIONS NA

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on April 26th (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Judith McGrew 2/25/04
SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.

## ADDITIONAL VARIANCES

VARIANCE 2:

.RINACE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

## APPEAL FROM BOA DECISION TO BCC

| | PROPERTY OWNER | AUTHORIZED AGENT * |
|---|---|---|
| NAME | | |
| ADDRESS | | |
| | | |
| PHONE 1 | | |
| PHONE 2 | | |
| E-MAIL | | |

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

## FOR OFFICE USE ONLY

PROCESSING:

FEE: $185 COMMISSON DISTRICT 5 FLU / ZONING R-5/A-5

LOCATION FURTHER DESCRIBED AS east of Mullet Lake Park Road on Retreat Road (SOUTH SIDE OF RETREAT RD. APPROX. 1,500 FT. WEST OF THE INTERSECTION WITH BANDIT WAY.)

PLANNER JV DATE 2/25/04

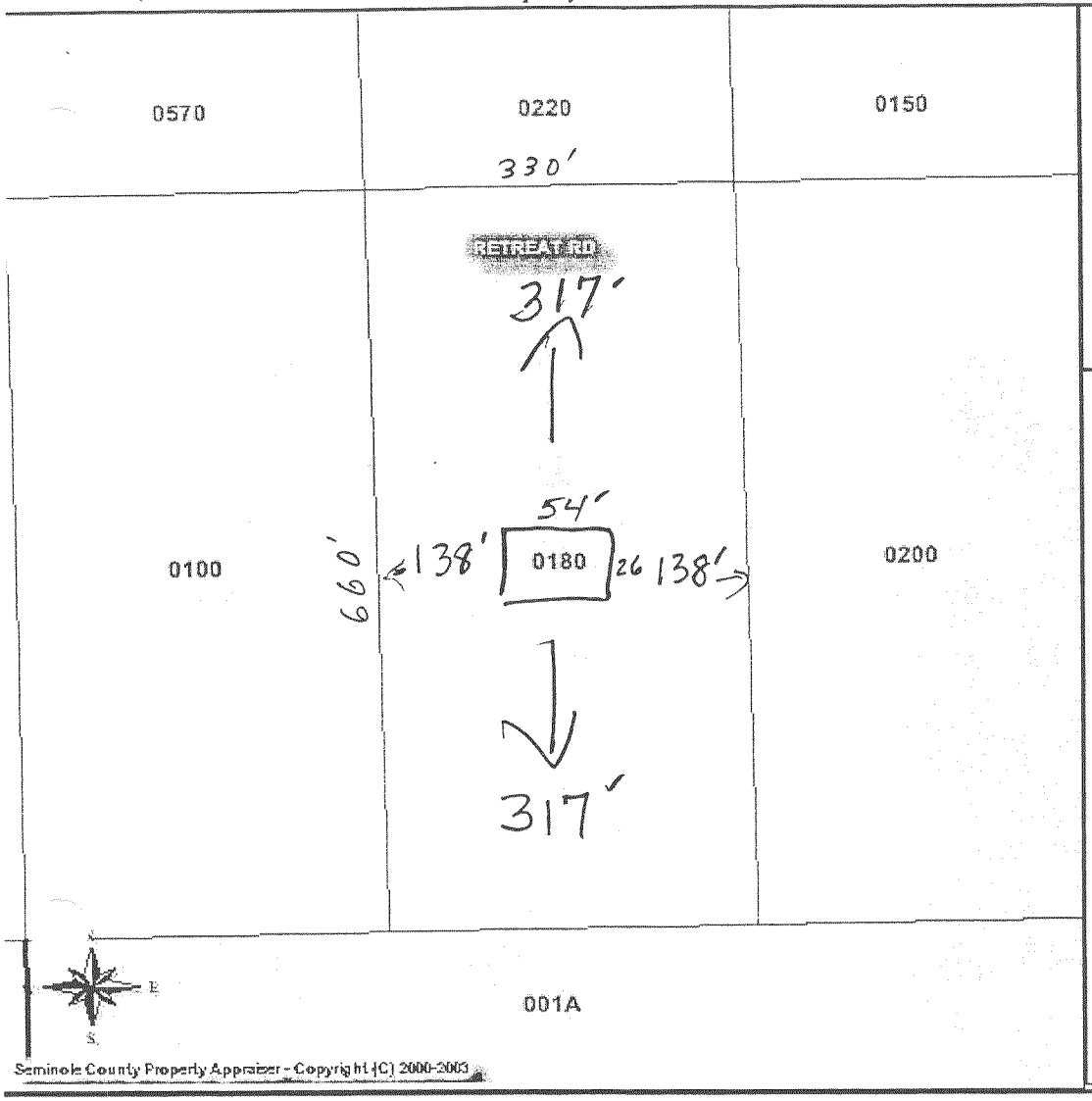
SUFFICIENCY COMMENTS applicant to submit site plan by 3/5/04

Seminole County, Florida

# Property Appraiser Services

Your Source for Property Information... Quick, Convenient, Accurate

H. W. "Bill" Suber CFA, ASA




Seminole County Property Appraiser - Copyright (C) 2000-2003

Seminole County
Property Appraiser Services
1101 E. First St.
Sanford FL 32771
407-665-7506

Legend

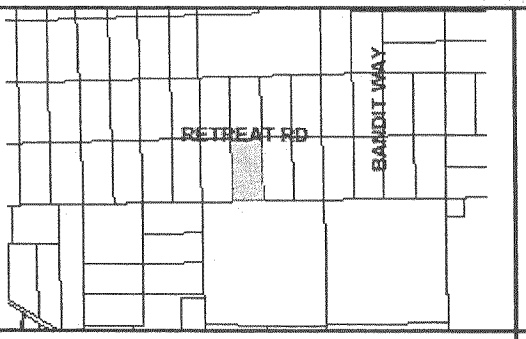
- County Boundary
- Streets
- Subdivision Lines
- Parcels
- Facilities
- Golf Course
- Parks

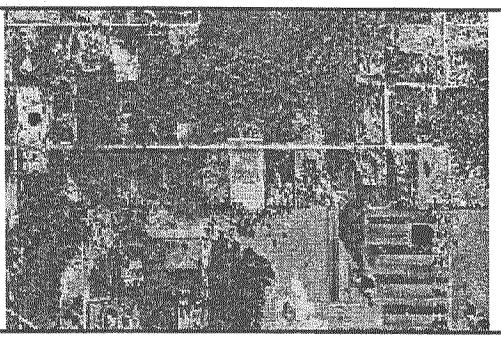
Personal Property Please Select Account

## PARCEL DETAIL

REAL ESTATE | PERSONAL PROP | TAX ROLL | SALES SEARCH | Back

Seminole County
Property Appraiser Services
1101 E. First St.
Sanford Fl. 32771
407-665-7506



### GENERAL

| | | | |
|---|---|---|---|
| Parcel Id: | 05-20-32-302-0180-0000 | Tax District: | 01-TX DIST 1 - COUNTY |
| Owner: | CONFIDENTIAL PER STATUTES | Exemptions: | 00-HOMESTEAD |
| Own/Addr: | 119.07(03)(I) CID# 371 | | |
| Address: | 1101 E 1ST ST | | |
| City,State,ZipCode: | SANFORD FL 32771 | | |
| Property Address: | | | |
| Subdivision Name: | | | |
| Dor: | 02-MOBILE/MANUFACTURED | | |

### 2004 WORKING VALUE SUMMARY

| | |
|---|---|
| Value Method: | Market |
| Number of Buildings: | 0 |
| Depreciated Bldg Value: | $0 |
| Depreciated EXFT Value: | $54,161 |
| Land Value (Market): | $35,420 |
| Land Value Ag: | $0 |
| Just/Market Value: | $89,581 |
| Assessed Value (SOH): | $48,292 |
| Exempt Value: | $25,000 |
| Taxable Value: | $23,292 |

### SALES

| Deed | Date | Book | Page | Amount | Vac/Imp |
|---|---|---|---|---|---|
| WARRANTY DEED | 08/1992 | 02484 | 1359 | $69,500 | Improved |
| WARRANTY DEED | 06/1982 | 01398 | 1309 | $18,000 | Vacant |

Find Comparable Sales within this Subdivision

### 2003 VALUE SUMMARY

| | |
|---|---|
| Tax Value(without SOH): | $1,119 |
| 2003 Tax Bill Amount: | $384 |
| Savings Due To SOH: | $735 |
| 2003 Taxable Value: | $22,392 |

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

### LAND

| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value |
|---|---|---|---|---|---|
| ACREAGE | 0 | 0 | 5.060 | 7,000.00 | $35,420 |

### LEGAL DESCRIPTION

LEG SEC 05 TWP 20S RGE 32E E 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4 (5.06 AC)

### EXTRA FEATURE

| Description | Year Blt | Units | EXFT Value | Est. Cost New |
|---|---|---|---|---|
| MOBILE HOME | 1984 | 1,352 | $50,835 | $63,544 |
| MH A/C PKG | 1984 | 1,352 | $1,352 | $1,690 |
| FIREPLACE | 1984 | 1 | $750 | $1,500 |
| WOOD SCREEN PORCH | 1984 | 240 | $720 | $1,800 |
| POLE/BARNS/BELOW AVG | 1979 | 360 | $504 | $1,260 |

**NOTE:** *Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.*
**** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.*

BACK • PROPERTY APPRAISER HOME PAGE • CONTACT

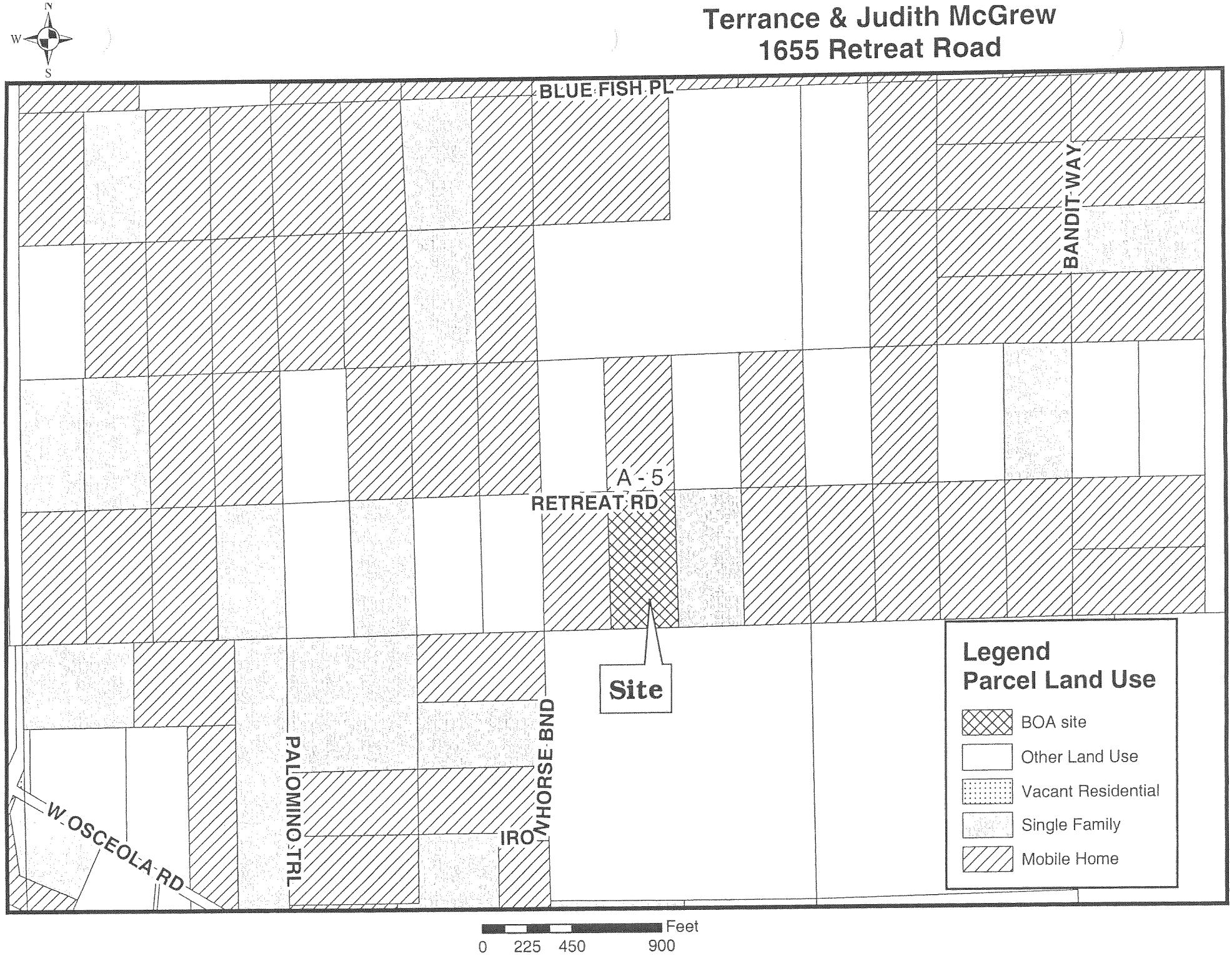
# Terrance & Judith McGrew
# 1655 Retreat Road

Feet
0 150 300 600

Parcel: 05-20-32-302-0180-0000
L:\pl\projects\BOA\2004\GISfiles

BM2004-007

# Terrance & Judith McGrew
# 1655 Retreat Road




Parcel: 05-20-32-302-0180-0000
L:\pl\projects\BOA\2004\April

BM2004-007

# SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On April 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 05 TWP 20S RGE 32E E 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4 (5.06 AC)

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

## FINDINGS OF FACT

**Property Owners**: TERRENCE & JUDITH MCGREW
1655 RETREAT ROAD
GENEVA, FL 32732

**Project Name**: RETREAT ROAD (1655)

**Requested Development Approval**:

REQUEST FOR SPECIAL EXCEPTION FOR THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASDIFICATION DISTRICT) FOR FIVE YEARS AT 1655 RETREAT ROAD, AS DEPICTED ON THE ATTACHED SITE PLAN.

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

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

Prepared by: Rich Steiger, 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:

1. THE PROPOSED MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS.
2. THE PROPOSED MOBILE HOME SHALL BE REQUIRED TO CONFORM TO APPLICABLE CODES, WHICH INCLUDE STANDARDS FOR INSTALLATION, ANCHORING, UTILITY ACCESSIBILITY, AND SKIRTING.
3. THE PERMIT TO PLACE AND/OR OCCUPY A MOBILE HOME SHALL BE LIMITED BY THE BOA AND SUBJECT TO A ONE TIME RENEWAL.

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

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

**Done and Ordered on the date first written above.**

By: _____
Matthew West
Planning Manager

**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 _____ 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 _____, 2004.

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

My Commission Expires: