

**AN ORDINANCE FURTHER AMENDING THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY BY VIRTUE OF A LARGE SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM LDR (LOW DENSITY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT); PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Seminole County enacted Ordinance Number 2008-44 which adopted the Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

**WHEREAS**, the Board of County Commissioners has followed the procedures set forth in Section 163.3184, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Large Scale Future Land Use Map Amendment; and

**WHEREAS**, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

**WHEREAS**, the Seminole County Local Planning Agency held a public hearing, with all required public notice on November 2, 2016, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

**WHEREAS**, the Board of County Commissioners held public hearings on November 15, 2016 and January 10, 2017, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, required State reviewing agencies, other public

agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

**WHEREAS**, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is consistent and in compliance with the provision of State law, including, but not limited to, Sections 163.3177 and 163.3184, Florida Statutes, and with the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council; and

**WHEREAS**, the Plan amendment set forth herein has been reviewed by the required State reviewing agencies and comments prepared by those agencies have been considered by the Board; and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:**

**Section 1. Recitals/Legislative findings:**

The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.

**Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION:**

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 2008-44, as previously amended, is hereby further amended by amending the Future Land Use Map designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Exhibit "A" to this Ordinance:

Ord Exhibit	Name	Amendment Number	Future Land Use Change From-To	LPA Hearing Date	Board Hearing Dates
A	Oviedo Boat & RV Storage	2016-FLUM-LS.01 (Z2016-011)	LDR (Low Density Residential) to PD (Planned Development)*	11/02/2016	11/15/2016 01/10/2017

\*Maximum number of permitted parking spaces is 361. No other uses or structures are permitted.

(b) The associated rezoning request was completed by means of Ordinance Number 17- 02.

### Section 3. Severability:

If any provision of this Ordinance or the application 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 4. Exclusion from County Code/Codification:

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan to reflect adopted amendments to the Plan.

**Section 5. Effective Date:**

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State and the State Local Planning Agency in accordance with Section 125.66 and 163.3184, Florida Statutes.

(b) This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth herein, if the amendment is not challenged in a timely manner, shall be no earlier than thirty-one (31) days after the date the State Land Planning Agency notifies the County that the plan amendment package is complete. If challenged within the appropriate time period, this amendment shall become effective on the date the State Land Planning Agency or the State Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits or land uses dependent upon this amendment may be issued or commence before it has become effective.

**ENACTED** this 10th day of January, 2017

BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_

JOHN HORAN, CHAIRMAN

**EXHIBIT A****Amendment 2016-FLUM-LS.01****LEGAL DESCRIPTION:**

That part of Lot 38, Slavia Colony Company's Subdivision, lying westerly of Expressway, according to the plat thereof. Recorded in Plat Book 2, Page 71 of the public records of Seminole County, Florida.

and

Lot 39 and the south ½ of Lot 40, Slavia Colony Company's Subdivision, 2/71 (less road), according to the plat thereof, recorded in Plat Book 2, Page 71 of the public records of Seminole County, Florida.

## SEMINOLE COUNTY DEVELOPMENT ORDER

On January 10, 2017, 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:** Wilken Property Management, LLC

**Project Name:** Oviedo Boat & RV Storage – LSLUA & Rezone

**Requested Development Approval:** Large Scale Future Land Use Map Amendment from Low Density Residential to Planned Development, and the associated Rezone from A-1 (Agriculture) to PD (Planned Development) on 15.83 acres, located on the north side of Slavia Road, approximately ½ mile east of Red Bug Lake 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 development conditions and commitments stated below shall run with, follow and perpetually burden the aforescribed property.

Prepared by: Matt Davidson, Senior Planner  
1101 East First Street  
Sanford, Florida 32771



GRANT MALLOY, SEMINOLE COUNTY  
CLERK OF CIRCUIT COURT & COMPTROLLER  
BK 8843 Pgs 939-944 (6Pgs)  
FILE NUM 2017004532  
RECORDED 01/12/2017 03:25:22 PM  
RECORDING FEES \$52.50  
RECORDED BY Jeckenro

CERTIFIED COPY - GRANT MALLOY  
CLERK OF THE CIRCUIT COURT  
AND COMPTROLLER  
SEMINOLE COUNTY, FLORIDA  
BY Demi Porter DEPUTY CLERK





**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, are as follows:
  - A. Development shall comply with the Preliminary Master Plan attached as Exhibit (B).
  - B. Permitted Uses of the property are for the parking and storage of boats, commercial vehicles and recreational vehicles onsite. Tractor trailers are prohibited.
  - C. A maximum of 361 parking spaces will be provided.
  - D. No inoperable, junked or abandoned vehicles shall be stored onsite.
  - E. No vehicles shall be sold, displayed or offered for sale onsite.
  - F. A minimum fifty (50) foot driveway throat length from the edge of pavement to the gate shall be required to allow for vehicle stacking.
  - G. The driveway apron inside the public right-of-way shall be paved.
  - H. Twenty-five percent (25%) Open Space, including buffers, must be provided on the Subject Property.
  - I. The minimum buffers shall be as follows:
    - North: Ten (10) foot minimum buffer width.
    - West: Ten (10) foot minimum buffer width.
    - East: Ten (10) foot minimum buffer width.
    - South: Fifteen (15) foot minimum buffer width; Buffer components along Slavia Road shall exclude canopy trees by utilizing Plant Unit "C" as described in Sec. 30.1282 of the Land Development Code.Buffer components will be established at Final Development Plan and will meet the requirements of Chapter 30 Part 67 of the Seminole County Land Development Code.
  - J. Per section 30.48 of the Land Development Code of Seminole County, zoning operates independently from private legal relationships. Rezoning of this property will not grant rights to the property owner to utilize the Florida Power & Light easement area in a particular manner. The property owner must coordinate use within the easement area with Florida Power & Light. The resulting use of the easement area must be consistent with the zoning on the property.

- K. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside of the development.
- L. Signage shall comply with the Land Development Code of Seminole County. Off-premises advertising signs or billboards, trailer signs, freestanding signs and snipe signs are prohibited.
- M. In the case of a conflict between the written conditions A through L in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through L shall apply.

(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.

(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.

(6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.

(7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant and/or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant and/or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

(8) This Order becomes effective upon recording with the Seminole County Clerk of the Court. However, in no case shall this Order be effective prior to the effective date of the associated comprehensive plan amendment enacted in association with Oviedo Boat and RV Storage.

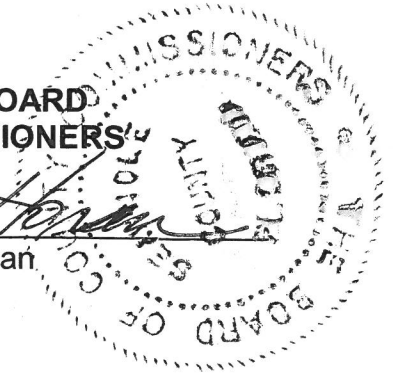


**Done and Ordered on the date first written above.**

**SEMINOLE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_

John Horan, Chairman



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That part of Lot 38, Slavia Colony Company's Subdivision, lying westerly of Expressway, according to the plat thereof. Recorded in Plat Book 2, Page 71 of the public records of Seminole County, Florida.

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[illegible]

RECEIVED JAN 13 2017

AGENDA ITEM NO. 27

Chairman's Office: \_\_\_\_\_

Recording: \_\_\_\_\_

## DOCUMENT ACTION FORM

DATE: 1/9/2017

SUBJECT: Oviedo Boat and RV Storage LSLUA and Rezone

AUTHORITY FOR PROCESSING: Rebecca Hammock

DATE OF BCC MEETING: 1/10/17

NOTE: One original and one copy of document or letter needed for original signature  
(Not applicable for Resolutions or Ordinances - original only.)

DIRECTIONS FROM ORIGINATING DEPARTMENT FOR FINAL PROCESSING OF  
ORIGINAL. EXECUTED DOCUMENTS BY COUNTY COMMISSION RECORDS -

- ☐ Plat Mylar: Please sign the Mylar with a Sharpie and return to Planning for recording
- ☐ Resolution to Vacate: return to Planning for recording

For Right-of-way Vacates please provide **original ad**

**Please record documents and return one certified copy to Planning Div (7371)**

- ☒ Ordinance: Please record in BCC Records
- ☐ Easement: Please record in Land Records
- ☐ Development Agreement: Please record in Land Records
- ☒ Approval Development Order: Please record in Land Records
- ☐ Denial Development Order: Please record in BCC Records

Also send:

- ☒ Ordinance (Rezone/Land Use) - Copy to Cartographics

Staff Contact: Matt Davidson Extension: 7308

Please return this form to originator: ☒ Yes ☐ No

FILED IN OFFICE  
CITY COMMISSION RECORDS  
GRANT MALOY

17 JAN 11 PM 3:46

CLERK TO B.C.C.  
BY SEMINOLE CO. FL  
D.C.

TO LAND REGS

JAN 12 2017