

**SEMINOLE COUNTY
LOCAL PLANNING AGENCY/
PLANNING AND ZONING COMMISSION
COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
BOARD CHAMBERS, ROOM 1028**

MINUTES

**WEDNESDAY, JUNE 5, 2019
6:00 P.M.**

Jaffa/O'Brien Pet Resort Rezone – Consider a Rezone from R-1 (Single Family Dwelling), A-1 (Agriculture), and C-1 (Retail Commercial) to C-2 (Retail Commercial) for a pet resort and kennel on approximately 1.37 acres, located south of the O'Brien Road and Jaffa Drive intersection; (Z2019-016) (Carl M. Smith, Applicant) District4 - Lockhart (Danalee Petyk, Project Manager).

Matt Davidson, Principal Planner, presented this item as stated in the Staff report. He further stated that the applicant is requesting a rezone to C-2 Retail Commercial in order to develop the subject property with a pet resort and kennel. The C-2 zoning classification allows kennels as a permitted use per Section 30.762(m) of the Seminole County Land Development Code. The property is currently developed with existing commercial uses and the existing building has been there since 1969 or 1970 and the most recent use was for a dance studio. The subject property has a Mixed Development (MXD) and Commercial Future Land Use designation. The intent of these Future Land Use designations is to allow for mixed commercial uses and the rezone request would bring the property further into compliance with the Comprehensive Plan. Staff finds the request of the C-2 Retail Commercial Zoning classification to be compatible with the surrounding trend of development in the area, which is primarily office, commercial mixed uses, and residential professional, with residential further to the west and north. Staff requests approval of this request.

Commissioner Stephen Smith asked if the kennel will be internal or will there be external kennels and Mr. Davidson responded that this is a straight zoning hearing, so the applicant doesn't need to provide a development plan, and Staff is reviewing the property as it is. He further stated that the applicant will need to provide a Site Plan and at that point they would show any improvements on the outside of the building.

Vice Chairman Rob Wolf asked what the County does to help make the potential noise tolerable for the homeowners nearby and Mr. Davidson responded that the County has a Noise Ordinance that they would need to adhere to especially with the commercial use of

the dog kennel and those hours of operation are listed in the County's Code of Ordinances.

Vice Chairman Wolf stated that it would be nice if Staff was more assertive on things like this and put some boundaries in there.

Commissioner Matt Brown stated that in fairness to Staff, this is a straight zoning and Staff can't put in requirements.

Commissioner Carissa Lawhun asked what the approximate distance is from the subject property to the two objection letters that were received. Mr. Davidson responded it is approximately 400' on both sides. One is to the north and one is to the west. There is a lake between the property to the west and the subject property.

Carl Smith, the applicant, stated that he lives in Oviedo. He further stated that the person that is building the kennel is here tonight and can answer any questions the Board has.

Chairman Richard Jerman stated for the record that two letters were received and are opposed to this request.

Dave Morrison, the owner of Must Love Dogs and he is currently located on U.S. 17-92 across from the Little 500. He is proposing to move to this new location. He has three letters from neighbors located next door to him. There is a hotel directly next to his property and it is 15' from the fence where the dogs are outside. He's never had a complaint about noise. The dogs spend most of the time inside.

Chairman Jerman asked what the capacity of the kennel will be and Mr. Morrison responded approximately 100 dogs. He further stated they have 75 right now and he will be tripling his space capacity with the move. The new building he's moving into is soundproofed, because it was just not a dance studio, but it was an opera training facility that was soundproofed. The dogs would be out on the east side of the building toward U.S. 17-92, which backs up to a gaming center, and in the opposite direction of his residential neighbors. All of the kennels would be inside and there are no runs.

Mr. Morrison identified on the map where the dogs would be on the outside of the building, on the right side which will be a gravel yard and to the south there is a small yard where the dogs will come out three to four times per day. In the evening, they're back in their kennels by 5:00 p.m. for feeding and they're inside for the night. He will only use the existing parking area for parking cars.

No one from the audience spoke in favor or in opposition to this request.

A motion was made by Vice Chairman Rob Wolf, seconded by Commissioner Stephen Smith to approve and refer the Jaffa/O'Brien Pet Resort Rezone to the Board of County Commissioners.

Ayes 5: Chairman Richard Jerman, Vice Chairman Rob Wolf, Commissioner Matt Brown, Commissioner Carissa Lawhun, and Commissioner Stephen Smith

Absent 2: Commissioner Kim Fogle and Commissioner Bob Turnage

(end)