

## SEMINOLE COUNTY DEVELOPMENT ORDER

On October 12, 2021, Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Attached Exhibit A

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

### FINDINGS OF FACT

**Property Owners:** 1728 Timocuan Way LLC

**Project Name:** Beardall Avenue PD Major Amendment Rezone

**Requested Development Approval:** Rezone from PD (Planned Development) to PD (Planned Development) on 5.94 acres for office and warehouse uses, located on the west side of Beardall Avenue, approximately 500 feet north of Moores Station 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 will run with, follow and perpetually burden the above described property.

Prepared by: Joy Giles, Senior Planner  
1101 East First Street  
Sanford, Florida 32771

**Order**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The subject application for development approval is **GRANTED**.
- (2) All development must 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 must comply with the Master Development Plan attached as Exhibit (B).
  - B. Permitted Uses: Office, Warehouse, and Contractor's Equipment Storage Yard.
    1. All outdoor storage will be screened from view.
    2. There will be no parking or storing of R.V's.
  - C. Maximum Net Intensity: 0.65 floor area ratio
  - D. Maximum Square Footage: 11,500 square feet
  - E. Maximum Building Height: Thirty-five (35) feet
  - F. Minimum Open Space: Twenty (20) percent
  - G. The buffers are as follows:
  - H. Building Setbacks:

<u>North</u> :	Ten (10) feet
<u>South</u> :	Ten (10) feet
<u>East</u> :	Twenty-five (25) feet
<u>West</u> :	Twenty-five (25) feet
  - I. The buffers are as follows:

<u>North</u> :	Ten (10) foot wide landscape buffer with a six (6) foot high wall; 2.5 plant units per 100 linear feet.
<u>South</u> :	Ten (10) foot wide landscape buffer with a six (6) foot high wall; 2.5 plant units per 100 linear feet.
<u>East</u> :	Twenty-five (25) foot landscape buffer; 2.7 plant units per 100 linear feet.
<u>West</u> :	Six (6) foot high wall to be located along the perimeter of the outdoor storage area as depicted on the Master Development Plan.

The six (6) foot high masonry wall will be located behind the office.

Buffer components will be established at Final Development Plan.
  - J. Architectural renderings will be submitted to Seminole County and the City of Sanford prior Final Site Plan approval.

- K. The developer will be required to dedicate five (5) feet of additional right-of-way along Beardall Avenue to Seminole County.
- L. The developer is required to provide a five (5) foot wide sidewalk along Beardall Avenue or pay into the Seminole County Sidewalk Fund.
- M. The developer must provide a pedestrian circulation system giving access to all portions of the development and connect to the external sidewalk.
- N. A fifteen (15) foot minimum, twenty-five (25) foot overall average upland buffer will be provided from all jurisdictional wetland boundaries.
- O. Parking will meet the requirements as defined in the Seminole County Land Development Code Sec. 30.1221.
- P. All project signage must comply with the Land Development Code of Seminole County.
- Q. The subject development is within the County's Urban Bear Management Area and must comply with the requirements outlined in Chapter 258 of the Seminole County Code of Ordinances (2015-33).
- R. In the case of a conflict between the written conditions A through Q in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through Q shall apply.

(4) This Development Order touches and concerns the above described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude upon and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.

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

(6) In the case of a conflict between the written conditions in this Development Order and the attached Master Development Plan, the terms of the written conditions shall apply.

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

(8) Issuance of this Development Order does not in any way create any rights on the part of the Applicant 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 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.

(9) In approval of this Development Order by Seminole County, the property owner(s) understands that the County must receive a Final Development Plan within five (5) years of approval of the Master Development Plan, unless this time period is extended by the Seminole County Local Planning Agency / Planning and Zoning Commission. If substantial development has not begun within eight (8) years after approval of the Master Development Plan, the planned development will be subject to review by the Local Planning Agency / Planning and Zoning Commission and the Board of County Commissioners may move to rezone the subject property to a more appropriate zoning or extend the deadline for start of construction (see Sections 30.446 and 449, LDC).

(10) This Order becomes effective upon recording with the Seminole County Clerk of the Court.

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

**SEMINOLE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Lee Constantine, Chairman

**EXHIBIT A**  
Legal Description

North 230 feet of South 1,375 of East  $\frac{1}{2}$  of Southwest  $\frac{1}{4}$  Section 4, Township 20 South, Range 31 East (less North 120 feet of East 334 feet and Road), Public Records of Seminole County Florida.

