

SEMINOLE COUNTY REVISED & RESTATED DEVELOPMENT ORDER

On June 25, 2019, 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 Owner: MSC Maitland LLC

Project Name: Morning Star Self Storage Rezone and PD Major Amendment

Requested Development Approval: PD Major Amendment on 2.15 acres, and Rezone from C-2 (Retail Commercial) to PD (Planned Development), on 0.21 acres, located on the west side of US 17-92, between 2nd Street and Orange County line.

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: Jeff Hopper, 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: Self-service storage and rental office.
 - C. The project has a maximum allowable square footage of 100,000 square feet with a maximum floor area ratio (FAR) of ~~4.17~~ 1.07.
 - D. Maximum building height shall be sixty-five (65) feet.
 - E. The development shall provide a minimum of twenty-five (25) percent common usable open space.
 - F. Setbacks from the external property boundaries are as follows:

North: Ten (10) feet
South: Ten (10) feet
East: Twenty-five (25) feet
West: Five (5) feet
 - G. Buffers shall be required as follows:

Buffer	Width	Understory Trees	Evergreen Trees	Shrubs	Enhancements
North (west of entrance)	10'	7	7 <u>4</u>	77 <u>46</u>	
North (east of entrance)	10'				<u>4' Decorative Metal Fence</u> <u>Continuous 3' Hedge</u>
East (south of entrance to south edge of pond <u>2nd St. to 50' south of entrance</u>)	10'	29 <u>26</u>			<u>4' Decorative Metal Fence</u> <u>Continuous 3' Hedge</u>
East (open space parcel only <u>50' south of entrance to south terminus of property</u>)	5'				Continuous 3' Hedge
South	NA				
West	NA				
*Buffer to be provided at the time Parcel 19-21-30-300-057C-0000 (labeled as "Not Included Area #1") is incorporated into the site. **Alternative buffer enhancement(s) in lieu of a decorative metal fence may be provided as approved by the Development Services Director.					

- H. A landscape planting strip not less than five (5) feet in width shall be provided adjacent to the sides of the building facing US Hwy 17-92. This area shall be sodded or mulched, and shall provide at least ~~2.0~~ 1.0 plant units per 100 linear feet of building frontage. (See Sec. 30.1282 for information on plant units.) A landscape planting area containing four (4) canopy trees shall be provided in the northeast corner of the site adjacent to the parking area and outside designated buffers along 2nd Street and US Hwy 17-92.
- I. Outdoor storage of equipment and/or materials shall be prohibited.
- J. Building appearance shall be similar to renderings shown in Exhibit (C).
- K. Exterior walls shall be finished with natural materials such as wood, stone, and/or manufactured products such as brick, stucco, and architecturally decorative concrete block. Metal siding shall be prohibited in general; however, textured metal accent walls shall be permitted as aesthetic features, consistent with building renderings shown in Exhibit C.
- L. No structure shall have bays, canopies, or doors large enough for vehicles on any side facing a public road outside the development.
- M. The existing billboard shall be removed prior to construction.
- N. Parking lot landscaping shall comply with Sec. 30.1292 of the Seminole County Land Development Code.
- O. ~~The open space tract shall be cleared of structure(s) and debris, with existing trees to remain.~~
- P. The developer shall obtain FDOT approval of access to US Hwy 17-92 prior to construction.
- Q. 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.
- R. ~~Prior to construction, the developer shall amend the Planned Development to incorporate the property labeled on the Master Development Plan as "Not Included Area #1," OR obtain an easement over said property for access to the open space parcel to the south.~~
- S. No sidewalk shall be required along 2nd Street.
- T. **In the case of a conflict between the written conditions A through S in this Development Order and the Master Development Plan attached as Exhibit (B), the terms of the written conditions A through S 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: _____
Brenda Carey, Chairman

EXHIBIT A**Legal Description****REZONE ONLY:**19-21-30-300-057C-0000 (new parcel)

The land referred to herein below is situated in the County of Seminole, State of Florida, and is described as follows:

FROM THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, RUN S. 89°50'25" W. ALONG THE NORTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, A DISTANCE OF 221.48 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 17-92; THENCE RUN S. 35°54'32" W. ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE 301.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE S. 39°54'10" W. 100.00 FEET; THENCE LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, RUN N. 50°05'50" W. 79.98 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF A 100 FEET S.C.L. RAILROAD RIGHT-OF-WAY, SAID POINT BEING ON A CURVE CONCAVE WESTERLY, AND HAVING A RADIUS OF 1935.61 FEET; THENCE FROM A TANGENT BEARING OF N. 21°02'22" E. RUN NORTHERLY ALONG THE ARC OF SAID CURVE 98.15 FEET THROUGH A CENTRAL ANGLE OF 02°54'19" TO A POINT; THENCE RUN S. 54°05'28" E. 114.33 FEET TO THE POINT OF BEGINNING.

PD MAJOR AMENDMENT:19-21-30-508-0000-0090

LOTS 9, 10 AND 11 of RICHARDSON'S ADDITION TO WOODBRIDGE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. LESS RIGHT OF WAY FOR STATE ROAD NO. 15-600 (U. S. HIGHWAY NO. 17-92).

19-21-30-508-0000-0010

LOTS 1, 2, 13 AND 14 AND THE NORTH 1/2 OF VACATED 1ST STREET ADJACENT TO LOTS 1 AND 2 OF RICHARDSON'S ADDITION TO WOODBRIDGE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

19-21-30-508-0000-0030

LOTS 3 AND 12, AND THAT PART OF LOT 4 LYING WEST OF U.S. 17-92, OF RICHARDSON'S ADDITION TO WOODBRIDGE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. TOGETHER WITH THE NORTH OF VACATED STREET ADJACENT ON THE SOUTH.

19-21-30-300-0550-0000

FROM THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, RUN SOUTH 89 DEGREES 50 MINUTES 25 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, A DISTANCE OF 221.48 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 17-92, THENCE RUN SOUTH 35 DEGREES 54 MINUTES 32 SECONDS WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE 301.61 FEET; THENCE SOUTH 39 DEGREES 54 MINUTES 10 SECONDS WEST 100.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 39 DEGREES 54 MINUTES 10 SECONDS WEST 314.59 FEET TO A POINT ON THE WEST LINE OF THE AFORESAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19; THENCE RUN NORTH 00 DEGREES 37 MINUTES 23 SECONDS WEST ALONG SAID WEST LINE 2.30 FEET TO A POINT ON

THE EASTERLY RIGHT OF WAY LINE OF A 100 FOOT S.C.L. RAILROAD RIGHT OF WAY, SAID POINT BEING ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1935.61 FEET; THENCE FROM A TANGENT BEARING OF NORTH 30 DEGREES 35 MINUTES 53 SECONDS EAST RUN NORTHERLY ALONG THE ARC OF SAID CURVE 322.91 FEET THROUGH A CENTRAL ANGLE OF 09 DEGREES 33 MINUTES 31 SECONDS TO A POINT; THENCE RUN SOUTH 50 DEGREES 05 MINUTES 50 SECONDS EAST 79.98 FEET TO THE POINT OF BEGINNING.

19-21-30-300-057C-0000

The land referred to herein below is situated in the County of Seminole, State of Florida, and is described as follows:

FROM THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, RUN S. 89°50'25" W. ALONG THE NORTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, A DISTANCE OF 221.48 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 17-92; THENCE RUN S. 35°54'32" W. ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE 301.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE S. 39°54'10" W. 100.00 FEET; THENCE LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, RUN N. 50°05'50" W. 79.98 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF A 100 FEET S.C.L. RAILROAD RIGHT-OF-WAY, SAID POINT BEING ON A CURVE CONCAVE WESTERLY, AND HAVING A RADIUS OF 1935.61 FEET; THENCE FROM A TANGENT BEARING OF N. 21°02'22" E. RUN NORTHERLY ALONG THE ARC OF SAID CURVE 98.15 FEET THROUGH A CENTRAL ANGLE OF 02°54'19" TO A POINT; THENCE RUN S. 54°05'28" E. 114.33 FEET TO THE POINT OF BEGINNING.

19-21-30-300-057B-0000

FROM THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, RUN SOUTH 89°50'25" WEST ALONG THE NORTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, A DISTANCE OF 221.48 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17-92; THENCE RUN SOUTH 35°54'32" WEST ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE 236.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 35°54'32" WEST 65.00 FEET; THENCE LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, RUN NORTH 54°05'28" WEST 114.33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF A 100 FOOT S.C.L. RAILROAD RIGHT-OF-WAY, SAID POINT BEING ON A CURVE CONCAVE WESTERLY, AND HAVING A RADIUS 1935.61 FEET; THENCE FROM A TANGENT BEARING OF NORTH 18°08'03" EAST RUN NORTHERLY ALONG THE ARC OF SAID CURVE 68.66 FEET THROUGH A CENTRAL ANGLE OF 02°01'57" TO A POINT; THENCE RUN SOUTH 54°05'28" EAST 136.45 FEET TO THE POINT OF BEGINNING.

19-21-30-300-0570-0000

FROM THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, RUN S.89°50'25"W. ALONG THE NORTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, A DISTANCE OF 221.48 FEET TO THE POINT OF BEGINNING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 17- 92; THENCE RUN S.35°54'32"W. ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE 171.61 FEET; THENCE N.54°05'28"W. 161.19 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF A 100 FOOT S.C.L. RAILROAD RIGHT-OF-WAY, SAID POINT BEING ON A CURVE CONCAVE WESTERLY, AND HAVING A RADIUS OF 1935.61 FEET; THENCE FROM A TANGENT BEARING OF N.14°02'34"E. RUN NORTHERLY ALONG THE ARC OF SAID CURVE 45.07 FEET THROUGH A CENTRAL ANGLE OF 01°20'02" TO A POINT ON THE AFORESAID NORTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19; THENCE RUN N.89°50'25"E. 220.78 FEET TO THE POINT OF BEGINNING.

19-21-30-300-057A-0000

FROM THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, RUN S.89°50'25"W. ALONG THE NORTH LINE OF SAID NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, A DISTANCE OF 221.48 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 17-92; THENCE RUN S.35°54'32"W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 171.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.35°54'32"W. 65.00 FEET; THENCE LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE, RUN N.54°05'28"W. 136.45 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF A 100 FOOT S.C.L. RAILROAD RIGHT-OF-WAY, SAID POINT BEING ON A CURVE CONCAVE WESTERLY, AND HAVING A RADIUS OF 1935.61 FEET; THENCE FROM A TANGENT BEARING OF N.16°06'06"E. RUN NORTHERLY ALONG THE ARC OF SAID CURVE 69.55 FEET THROUGH A CENTRAL ANGLE OF 02°03'32" TO A POINT; THENCE RUN S.54°05'28"E. 161.19 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

Master Development Plan

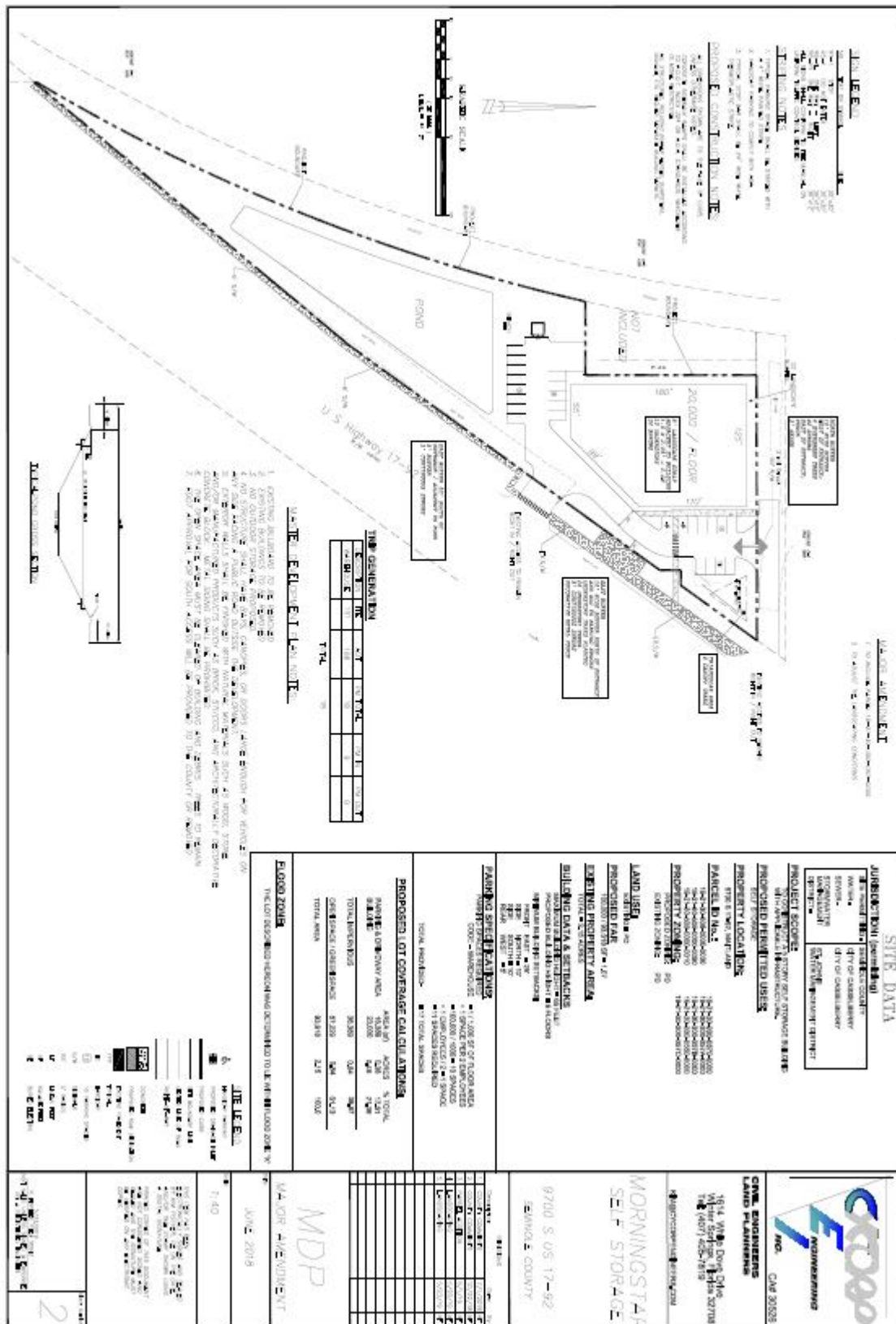


EXHIBIT C
Building Renderings





