

Memo

To: Conditional Use / Site Development Plan Applicant
From: Osceola County Planning Department
Subject: **Applying for a Conditional Use/Site Development Plan**

This package is intended to provide you with the information necessary for you to complete an application for a Conditional Use/Site Development Plan. The information requested to be a part of your application represents the minimum requirements for submittal under the Osceola Land Development Code. You are encouraged to submit whatever additional information you feel necessary to enhance the reviewers understanding of what is being proposed.

Following this page is a form which is intended to serve as the first two pages and/or the cover pages of your application. This form is available from this office via diskette or we will gladly email it to you. You are encouraged to take advantage of working directly on electronic copies of our form.

Following the two page form is a Conditional Use/Site Development Plan Checklist along with an application for Concurrency Review. **The Checklist is a listing of the information that is required to be included within your application in order for it to be processed.** The requirements for this information can be found in Chapters 2 and 17 of the Osceola County Land Development Code. The requirements for the Concurrency Review are found in Chapter 5 of the Land Development Code. The Land Development Code can be viewed on our Website (www.osceola.org). You are encouraged to study the appropriate portions of the Code before proceeding with your application. You are also encouraged to use the outline of this checklist as your table of contents for your application. In that way, you will know that your packet contains all of the information required by the Code.

Attached to this packet is a schedule of submission dates and hearings for the remainder of this year. Adherence to this schedule is based totally upon the thoroughness of the information you have provided. Our objective in this process is to make it as clearly understandable as we can so that you are able to gain all approvals you seek in a timely manner.

CONDITIONAL USE / SITE DEVELOPMENT PLAN APPLICATION PACKAGE

Osceola County Board of County Commissioners
Planning Department
1 Courthouse Square, Suite 1400
Kissimmee, Florida 34741
Phone (407) 343-3100 Fax (407) 343-2277

Appl. No.
Date Received
TRC Meeting
OCPC Meeting
BCC Meeting

GENERAL INSTRUCTIONS: This application must be completed and submitted to the Planning Department along with the required fee and additional information necessary to be considered by the Technical Review Committee. **The County can provide you with a copy of this form via email upon request.**

I APPLICANT INFORMATION

	Applicant	Owner	Agent/Engineer
Contact:			
Address:			
Phone:			
Fax:			
Email:			

II PROPERTY

LEGAL DESCRIPTION: **Provide a complete legal description. Include the complete parcel number of the property** as well as Plat Book and Page (if applicable) or attach a copy of the deed(s) of record for all lands within the project boundary. (Deeds of record are available from the County Clerks Office.) You may submit a digital CAD file of the boundary survey in AutoCAD or Microstation compatible form. If applicable, include the street address.

Parcel number:
Legal Description:

III APPLICANT'S REQUEST (DETAILED DESCRIPTION INCLUDING ANY VARIANCES AND HOW THEY APPLY TO YOUR PROJECT)

Is the Project Residential? Yes ____ No ____	Single Family? Yes ____ No ____
Is the Project Multi-Family? Yes ____ No ____	
Is the Project Commercial? Yes ____ No ____	
Square Footage and use of Buildings:	
Size of the Property in Square Feet or Acres:	
Number of Lots _____ Tracts _____ Parcels _____ Total:	
Amount of Fee Submitted \$	

IV GENERAL INFORMATION

Future Land Use Classification

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Zoning Classification

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Water Supply

Well	Utility	Utility Name:

Method of Sewage Disposal

Septic	Utility	Utility Name:

Name of the Access Road:

Is the road county maintained? Yes	No	Is the road paved? Yes	No

V **SITE INFORMATION**

1. Public Safety: Where are the two nearest fire stations located?

Do you propose any offsets for law enforcement impacts? If so, please specify.

2. Residential: Will there be any impacts to the schools? If there is, how will the developer offset them?

Will there be a site dedicated to the school district?

If yes, which phase will contain the school site?

3. Access: What road will the project get access from?

Are there, or will there be sidewalks, if this development is within 2 miles of the school servicing the development?

Will this development construct sidewalks? Interior _____ Exterior

4. Design: What design criteria will be used for this development? (ie: traditional neighborhood, townhome)

5. Water/Sewer: Where are the closest water, sewer and re-use lines?

To assist you in determining information on the water/sewer facilities, you may want to contact your local provider listed below:

Kissimmee area: 407-518-2160

St. Cloud area: 407-957-7222

Poinciana area: 407-933-5302 ext. 20

BVL area: 407-598-4160

****An accessible map is provided in the map room of the Growth Management Division to aid you in responding to this question.**

VI **CERTIFICATION** (Please check one)

I CERTIFY THAT, to the best of my knowledge and belief, all information supplied with this application is true and accurate, and that I am:

() **Landowner:** A landowner, or his/her agent where authorized in writing, provided however that:

Where the fee owner has entered into a contract for the sale of the property, whether it be an agreement for deed, sales contract, or otherwise, then the purchaser may initiate the application when specifically authorized in the contract to do so or by another legal document authorizing same.

Where there is more than one owner, **then all such owners must jointly initiate application or petition.**

() **Trustee:** Where the property is subject to a land trust agreement, the trustee may initiate the application when the trustee has submitted evidence that he/she is authorized by the trust document to do so, either individually or with trustees.

() **Corporation/Partnership:** Where the fee owner is a corporation or partnership then the president or general partner may initiate the application and must provide proof that the corporation or partnership exists including Certificate from Secretary of State stating that the corporation is in good standing.

() **Association:** Where the fee owner is an association, the association or its governing body may appoint an agent, in writing, to initiate the application on behalf of the association. Proof that the association exists must accompany the application.

DATE:

SIGNATURE

Owner/Agent/Corporation/Association

***Please list signature of all owners of the property

Please print name(s) listed above

*****It is advised that the applicant inquire about the possibility of impact fee assessments on this project.

CONDITIONAL USE/SITE DEVELOPMENT PLAN SUBMISSION REQUIREMENTS

The applicant shall submit a site development plan and supporting documentation with each conditional use application. The following shall constitute a conditional use/site development plan and its supporting documentation.

A. A location map indicating existing zoning on the site and adjacent properties.

B. Site plan at no less than one (1) inch equals one hundred (100) feet portraying the following information:

- < Lot lines and setbacks;
- < Location, shape, size and height of existing and proposed buildings, decorative walls and elements of entrance features;
- < Existing and proposed landscaping;
- < Recreation facilities (if applicable);
- < Phases of development (if any);
- < Location of off-street parking;
- < Indication of exterior signage;
- < Estimated delineation of jurisdictional wetlands;
- < Location of all trees to be preserved, including dripline of existing trees shown to be preserved;
- < Tree survey.

C. Narrative information indicating the following:

- < Gross and net acreage, net acreage shall indicate building area and preserve area;
- < Lot sizes (dimensions and square footage);
- < Building heights in feet and number of stories;
- < Building coverage for each lot indicated in percentage of gross lot area;
- < Amount of common open space in square feet together with percentage of gross lot area (if applicable);
- < Total number and size by type of trees provided and total trees (existing to be preserved and new plantings);
- < Parking required and provided;
- < Such other architectural and engineering data as may be required to evaluate the project; and,
- < Such other information requested, which due to the nature of the requested conditional use, will assist in the explanation of the operational aspects of the requested use.

Item C. Narrative Information

The CIPP site has three existing units that were certified under the Power Plant Siting Act, Site Certification Order, PA 98-38. Conditional use/site development plan approval was previously granted for Units 1, 2 (CU/SDP 91-90, now VOID), and Unit 3 under CU/SDP 92-86. The CIPP site encompasses 1,027 acres, of which 860 acres is in conservation easement granted to South Florida Water Management District and the Florida Fish and Wildlife Conservation Commission. Unit 4 will result in the permanent use of 9 acres in the power block area. The tallest structure will be the new Unit 4 exhaust stack. The height of the stack will be approximately 160 feet. Compliance with the tree removal ordinance was previously provided through issuance of CU/SDP 91-90. The new Unit 4 engineering design will be completed by the engineering/ procurement/ construction contractor when awarded at a later date.

CONDITIONAL USE SUBMITTAL CHECKLIST

_____ **Conditional Use / Site Development Plan application.**

_____ **Authority:** The name of all parties having interest in the subject property, or certification that the applicant is authorized to sign the application as the agent pursuant to the Osceola Land Development Code, Chapter 2, Section 2.4. **All letters of authorization must be notarized.**

_____ **Parcel Number:** Include parcel number of subject property. Parent parcel number may be referenced.

_____ **Legal Description:** A legal description of the subject property sufficiently detailed so as to locate said property on county maps or aerial photographs sufficient for recording in public records. If the application includes multiple contiguous parcels, the legal description shall describe the perimeter boundary of the total area, but need not describe each individual parcel, unity of title is necessary however. Any legal description, which is not sufficiently detailed so as to locate said property on County maps shall be rejected and owner may be required to provide a certified survey boundary sketch. Please include a digital CAD file of the boundary survey in AutoCAD or Microstation compatible format (if applicable).

_____ **Area Location Map:** The location of the subject property indicated on a Map or an aerial photograph. This map shall reference known major streets and geographic features with sufficient clarity as to be recognizable by the general public.

_____ **Existing State of the Parcel:** A map or visual display that depicts all existing structures, easements, rights-of-ways, platted roads, rights of ingress and egress, drainage easements, drainage swales, etc. and any other features existing on the land in question.

_____ **Affidavit:** If buildings or structures exist on the property, the applicant shall submit an affidavit that the buildings and structures will be removed or that the proposed use of the building, structures, and land is, or will be, in compliance with all applicable requirements of the land development code.

_____ **Application for Concurrency Review:** For more information regarding Concurrency, please refer to Osceola Land Development Code, Chapter 15 or contact the Planning and Environmental Services Department at (407) 343-3100.

_____ **Narrative** (Describing the proposed use in full detail, as well as the requirements listed in the Submission Requirements)

_____ **Number of Copies:** **Twenty-eight (28) folded copies** each of the Site Development Plan, Narrative and supporting documents.

_____ **Provide Proof of Ownership:** A copy of the tax bill or a print out from the Property Appraiser's office is required.

_____ **Application Fee:** Up to and including 2 acres \$2,512.70 or ***Greater than 2 acres \$3,043.50.***

2008 OSCEOLA COUNTY SCHEDULE FOR REVIEW AND HEARING

Application Submission Deadline		Review By Technical Review Staff		Hearing by the Planning Commission		Hearing by County Commissioners
Nov. 5(2007)	→	Dec. 5(2007)	→	Jan. 3	→	Feb. 4
Nov. 19 (2007)	→	Dec.19 (2007)	→	Jan. 17	→	Feb. 25
Dec.3 (2007)	→	Jan. 9	→	Feb. 7	→	Mar. 10
Dec. 17 (2007)	→	Jan. 23	→	Feb. 21	→	Mar. 24
Jan. 7	→	Feb. 6	→	Mar. 6	→	Apr. 14
Jan. 21	→	Feb. 20	→	Mar. 20	→	Apr. 28
Feb. 4	→	Mar. 5	→	Apr. 3	→	May 5
Feb. 18	→	Mar. 19	→	Apr. 17	→	May 12
Mar. 3	→	Apr. 9	→	May 8	→	Jun. 9
Mar. 17	→	Apr. 23	→	May 22	→	Jun. 23
Apr. 7	→	May 7	→	Jun. 5	→	Jul. 14
Apr. 21	→	May 21	→	Jun. 19	→	Jul. 28
May 5	→	Jun. 4	→	Jul. 10	→	Aug. 11
May 19	→	Jun. 18	→	Jul. 24	→	Aug. 25
Jun. 2	→	Jul. 9	→	Aug. 7	→	Sep. 8
Jun. 16	→	Jul. 23	→	Aug. 21	→	Sep. 22
Jul. 7	→	Aug. 6	→	Sep. 4	→	Oct. 13
Jul. 21	→	Aug. 20	→	Sep. 18	→	Oct. 27
Aug. 4	→	Sep. 3	→	Oct. 2	→	Nov. 3
Aug. 18	→	Sep. 17	→	Oct. 16	→	Nov. 17
Sep. 8	→	Oct. 8	→	Nov. 6	→	Dec. 8
Sep. 22	→	Oct. 22	→	Nov. 20	→	Dec. 22
Oct. 6	→	Nov. 5	→	Dec. 4	→	Jan. 5(2009)
Oct. 20	→	Nov. 19	→	Dec. 18	→	Jan. 12(2009)

NOTE: To be eligible for processing, requests must be accompanied by a complete application, supporting materials and the required fee. The deadline for submissions is 4:30pm on the dates listed above. Applications submitted after the deadline will follow the next review schedule.

Technical Review Staff meetings begin at 9:00am. The applicant will receive an agenda and comments prior to the meeting. Planning Commission meetings begin at 7:00pm and the agenda is available at the meeting. County Commission meetings begin at 1:30pm, unless otherwise noted, and the agenda is available online at www.osceola.org or at the meeting.

NOTICE TO APPLICANTS:

This application will require one or more public hearings. Attendance at all hearings by the Applicant or a representative is recommended. Inquiries from the public, the Planning Commission or the Board of County Commissioners for information or clarification may necessitate a response from the Applicant. Consequently, non-attendance may result in a vote for denial or continuance to a future hearing date.

Planning Office

OR BK0938 PG2799

Documentary Tax Pd. \$ 11,000.00
Intangible Tax Pd. 0
MEL WILLS JR., CLERK OF COURT
OSCEOLA COUNTY BY JB

WARRANTY DEED

This Warranty Deed made this 4th day of October, 1990, between NATIONAL OIL & GAS, INC., an Indiana corporation, as the successor by merger with National Petroleum, Inc. and National Oil Corporation, (the "Grantor"), and KISSIMMEE UTILITY AUTHORITY, a body politic, (the "Grantee"), whose post office address is Post Office Box 423219, Kissimmee, Florida 34742:

WITNESSETH:

That the Grantor, for and in consideration of the sum of ten and 00/100 dollars (\$10.00) and other good and valuable considerations to Grantor in hand paid by the Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to the Grantee the following parcel of land situated in Osceola County, Florida, as described on attached Exhibit "A".

Subject to:

- (1) Real estate taxes for the current year and subsequent years.
- (2) Zoning and other prohibitions, rules and regulations imposed by governmental authorities.
- (3) Utility easements, restrictions and reservations described on Exhibit "B"

The Grantor does hereby fully warrant title to the aforesaid parcel of land and will defend same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has executed this Warranty Deed on the day and year first above written.

Signed, sealed and delivered in the presence of:

William A. Zeiher
William A. Moser

NATIONAL OIL & GAS, INC.

By: William Moser
Its President

[Corporate Seal]

STATE OF INDIANA
COUNTY OF WELLS

Before me the undersigned authority personally appeared WILLIAM MOSER, President of NATIONAL OIL & GAS, INC., well known to me to be the person named in this instrument and he acknowledged that he executed this instrument for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 4 day of October, 1990.

William A. Zeiher
Notary Public

My Commission Expires: 4-18-92

Prepared by: William A. Zeiher, Esq.
William A. Zeiher, P.A.
2780 East Oakland Park Boulevard
Fort Lauderdale, Florida 33306

Exhibit "A"

Section 29 - The northwest quarter (NW 1/4) of the northwest quarter (NW 1/4) of the northwest quarter (NW 1/4); the east one half (E 1/2) of the northwest quarter (NW 1/4); the southwest quarter (SW 1/4) of the northwest quarter (NW 1/4); the east one half (E 1/2); and the southwest quarter (SW 1/4) all in Section 29, Township 25 South, Range 28 East.

Section 32 - The north one half (N 1/2), lying north of Atlantic Coastline Railroad right-of-way; and the west one half (W 1/2) of the southwest quarter (SW 1/4), lying north of the Atlantic Coast Line Railroad right-of-way, and all of the southeast quarter (SE 1/4), lying north of the Atlantic Coast Line right-of-way, all in Section 32, Township 25 South, Range 28 East.

The north one half (N 1/2) of the northeast one quarter (NE 1/4) of the southwest one quarter (SW 1/4), except the right-of-way of Atlantic Coast Line Railroad in Section 32, Township 25 South, Range 28 East, and less beginning at the southeast corner of north one half (N 1/2) of northeast one quarter (NE 1/4) of the southwest one quarter (SW 1/4) of said Section, run thence west 75.9 feet, thence north 19 10' west 39 feet to the southern boundary of Old State Road No. 2, thence north 63 14' east 96.3 feet, thence south 77.3 feet to the point of beginning, all lying and being in Osceola County, Florida and except right-of-way of Old State Road No. 2.

Exhibit "B"

1. Encroachments, overlaps and any other matters which would be disclosed by an accurate survey.
2. Easement Deed recorded in Official Records Book 925, Page 210, of the Public Records of Osceola County, Florida.
4. Reservations to Trustees of the Tufts College, a non-profit Massachusetts corporation, contained in Deed Book 107, Page 564, Public Records of Osceola County, Florida, except those released by Deed from the Trustees of Tufts College to National Petroleum, Inc. dated July 29, 1974, and filed in Official Records Book 320, Page 25, of the Public Records of Broward County, Florida.
5. Reservations of Compass Rose Corporation under instrument recorded November 13, 1967, Official Records Book 168, Page 223, (Affects all property in question in Section 29, except the Northwest quarter (NW 1/4) of the Northwest quarter [NW 1/4] of the Northwest quarter (NW 1/4)], except those released by instrument of conveyance from Compass Rose Corporation to National Oil & Gas, Inc., dated March 27, 1986 and recorded in Official Records Book 815, Page 2150, of Osceola County, Florida. The above described property is also subject to the conditions of the General Release and Covenants Not To Sue, dated July 7, 1986, recorded in Official Records Book 815, Page 2152, of the Public Records of Osceola County, Florida.
6. An undivided one-half interest of all gas petroleum and petroleum products in J.W. Cantrell reserved in Warranty Deed recorded March 27, 1958 in Deed Book 146, Page 262, Public Records of Osceola County, Florida. Affects the Northwest quarter (NW 1/4) of the Northwest quarter (NW 1/4) of the Northwest quarter (NW 1/4) of Section 29.
7. Reservations by the Trustees of the Internal Improvement Fund of the State of Florida as contained in that certain Deed No. 132 dated February 10, 1941, and filed April 10, 1941, in Deed Book 104, Page 132, Public Records of Osceola County, Florida. Affects the Northwest quarter (NW 1/4) of the Northwest quarter (NW 1/4) of the Northwest quarter (NW 1/4) in Section 29.
8. Easement to Florida Public Service Company as evidenced by said instrument dated October 25, 1928 and filed November 19, 1928 in Miscellaneous Book L, Page 620. Affects lands in the South one-half (S 1/2) of Section 32.
9. The warranties in this deed do not warrant access to the Northwest quarter (NW 1/4) of the Northwest quarter (NW 1/4) of the Northwest quarter (NW 1/4) of Section 29, Township 25 South, Range 28 East, nor title to the submerged land under the waters of Reedy Creek which meanders through the property described on Exhibit "A".

(tilnatcom.kis)

FILED, RECORDED AND
RECORD VERIFIED
MEL WILLS, JR, CLK CIR CT
OSCEOLA COUNTY

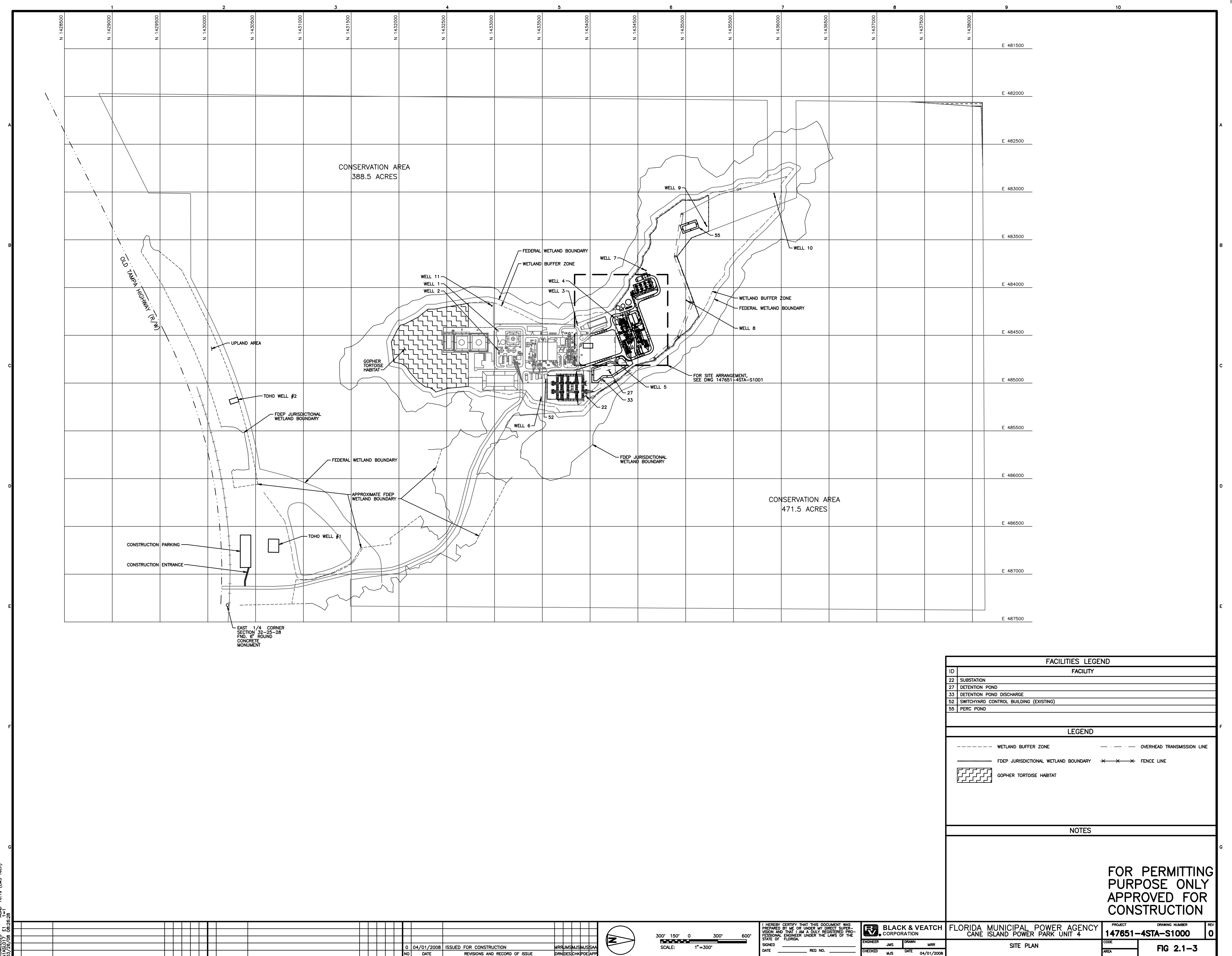
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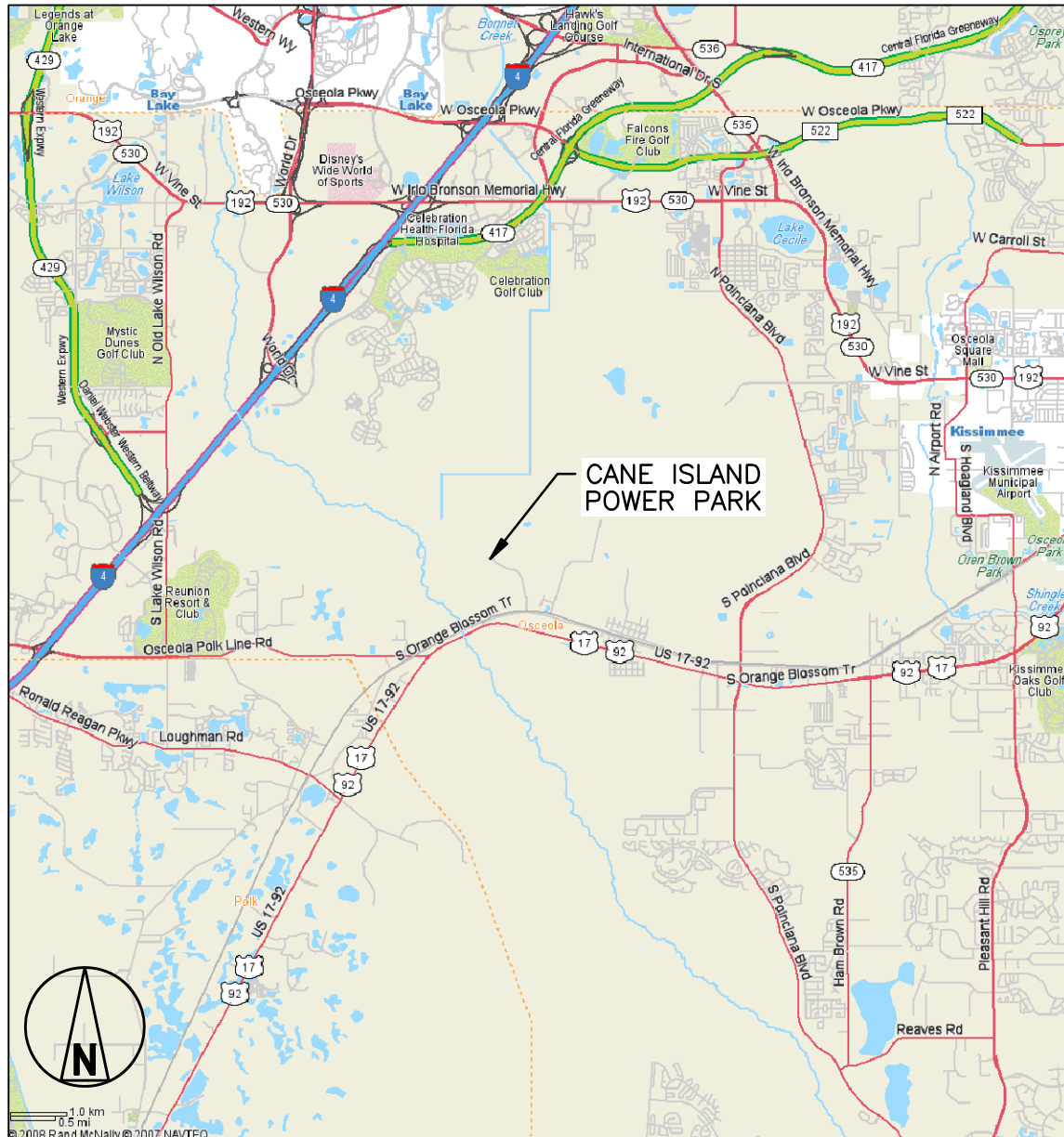
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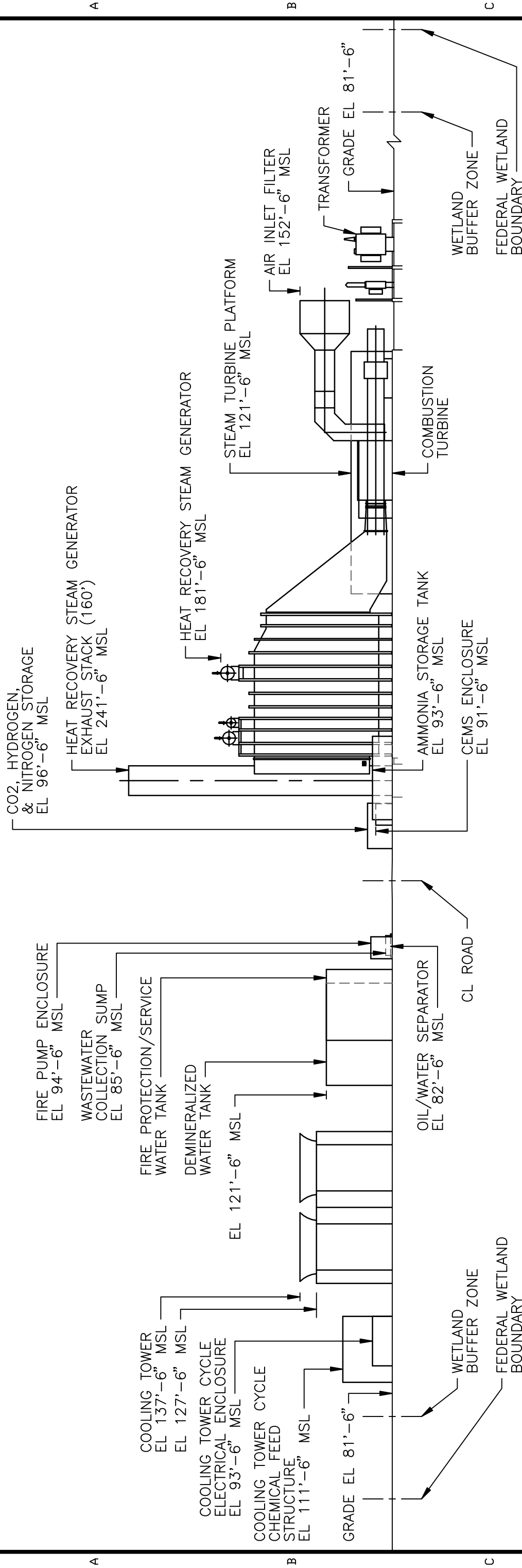
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 BLACK & VEATCH CORPORATION											
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CHECKED	MJS	DATE	04/01/2008	NO	DATE	REVISIONS AND RECORD OF ISSUE	DRN	DES	CHK	PDE	APP
FLORIDA MUNICIPAL POWER AGENCY CANE ISLAND POWER PARK UNIT 4						PROJECT DRAWING NUMBER 147651-4STA-S1002				REV 0	
REGIONAL SITE LOCATION						CODE	FIGURE 2.1-1				
						AREA					



FOR PERMITTING
PURPOSE ONLY
APPROVED FOR
CONSTRUCTION

[illegible]

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 BLACK & VEATCH CORPORATION											
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FLORIDA MUNICIPAL POWER AGENCY CANE ISLAND POWER PARK UNIT 4						PROJECT 147651-4STA-S1006	DRAWING NUMBER 147651-4STA-S1006		REV 0		
EXISTING STATE OF PARCEL						CODE					
						AREA					