

EXHIBIT 1

Prepared by:
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City Of Oviedo, Florida
400 Alexandria Boulevard
Oviedo, Florida 32765

Return to:
Barbara J. Barbour, City Clerk
City of Oviedo, Florida
400 Alexandria Boulevard
Oviedo, Florida 32765

Tax Parcel Id. No: 16-21-31-300-034D-0000

**FOR RECORDING DEPARTMENT
USE ONLY**

CITY OF OVIEDO SPECIAL EXCEPTION USE ORDER NO. 203-20
CHRISTIAN BROTHERS

On February 1, 2021, the City of Oviedo City Council issued this Special Exception Use Order relating to and touching and concerning the following described property:

SEC 16 TWP 21S RGE 31E BEG 506.54 FT S 89 DEG 32 MIN 27 SEC W & 15 FT N 01 DEG 01 MIN 04 SEC W OF SE COR OF SE 1/4 OF SW 1/4 RUN S 89 DEG 32 MIN 27 SEC W 58.38 FT N 00 DEG 27 MIN 33 SEC W 74.50 FT N 89 DEG 31 MIN 46 SEC E 38.38 FT N 00 DEG 27 MIN 33 SEC W 89.20 FT N 89 DEG 12 MIN 09 SEC W 20 FT N 00 DEG 24 MIN 40 SEC W 79.56 FT N 12 DEG 22 MIN 16 SEC W 34.24 FT N 00 DEG 27 MIN 33 SEC W 22 FT S 89 DEG 32 MIN 27 SEC W 77.97 FT N 01 DEG 06 MIN 27 SEC W 149.12 FT N 89 DEG 32 MIN 34 SEC E 133.50 FT SELY ALONG CURVE 7.81 FT S 00 DEG 54 MIN 20 SEC E 77.65 FT N 89 DEG 32 MIN 27 SEC E 133.55 FT S 00 DEG 27 MIN 33 SEC E 101 FT S 89 DEG 32 MIN 27 SEC W 146 FT S 00 DEG 27 MIN 33 SEC E 264.71 FT
TO BEG (1.0633 AC) WITHIN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

A. FINDINGS OF FACT:

- (1). Property Owner: Chuluota Mortgages And Homes, LLC
865 W Mitchell Hammock Road
Oviedo, Florida 32765
- (2). Applicant: Billy Green Jr.
Christian Brothers Automotive
17725 Katy Freeway, Suite 200
Houston, Texas 77094
- (3). Project Name: Motor vehicle repair and maintenance (no body work) business
Special Exception Use Order
- (4). Requested Approval: To allow the construction of a motor vehicle repair and maintenance (no body work) business use in the Commercial (C-2) zoning district in accordance with the provisions of Section 4.10, Table 4.1, of the *City of Oviedo Land Development Code*.

B. CONCLUSIONS OF LAW:

- (1).The Special Exception Use Order sought is consistent with the *City of Oviedo Comprehensive Plan*, and development of the property will be subject to and consistent and in compliance with applicable land development regulations and all other applicable regulations and ordinances as set forth in the *Code of Ordinances of the City of Oviedo*.

(2). The Owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to comply with the following conditions as set forth herein.

C. ORDER OF THE CITY:

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1). The aforementioned application for Special Exception Use approval is **GRANTED**, in that the motor vehicle repair and maintenance (no body work) business Special Exception Use Order is approved.

(2). All development of the property shall fully comply with all of the codes and ordinances in effect in the City of Oviedo at the time of issuance of a site development order, architectural development order, and/or development permit.

(3). The conditions upon this Special Exception Use Order approval and the commitments made as to this Special Exception Use Order approval, which have been accepted by and agreed to by the Property Owner, are as follows:

- (a) The development will provide additional bicycle rack in access of the required parking spaces for the commercial use.
- (b) The development has eliminated two (2) parking spaces and converted them into striped pedestrian walkways for pedestrians in the southeastern parking spaces to safely cross to the sidewalk located to the north of the property tying into the proposed building.
- (c) The generation, storage or depositing of hazardous waste or hazardous materials on the subject property are prohibited.
- (d) Issuance of a special exception use order does not act to relieve the property owner from ensuring compliance with all applicable Federal, County, and City laws, codes and ordinances as may be appropriate. The City may place other conditions on the approval of a special exception in order to protect public health, safety and welfare. All other applicable State or Federal permits shall be obtained before commencement of the development and failure to obtain such permits shall subject the property owner to enforcement actions by the permitting entity with jurisdiction. Applicants may discuss the need for permits from other permitting authorities with the City and the City may provide non-binding information to an applicant regarding what other State or Federal permits may apply.

(4). This Special Exception Use Order touches and concerns the aforementioned property. The Owner of said property has expressly covenanted and agreed to this provision and all other terms and provision of this Special Exception Use Order.

(5). Approval of the Special Exception Use Order is only for the use and shall not imply site plan approval.

(6). The terms and provisions of this Special Exception Use Order are not severable and in the event any portion of this Special Exception Use Order shall be found to be invalid or illegal then the entire Special Exception Use Order shall be null and void.

(7). This Special Exception Use Order is subject to the requirements of Section 3.3(D) of the *City of Oviedo Land Development Code*.

IN WITNESS WHEREOF, the Applicant consents and agrees to the terms and conditions of this Development Order and has hereunto set the Applicant's hand and seal, the day and year below written.

Christian Brothers Automotive

Manager

Date:

STATE OF FLORIDA)
)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that, on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____, to me known to be the person described herein/or who provided the following form of identification: _____ and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State aforesaid this _____ day of _____, 2021

Notary Public, in and for the County and
State Aforementioned

My Commission Expires: