

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Talman Mews Phase II, Rezone from A-1 (Agriculture) to R-1AAA
(Single Family Dwelling District). (Jay Barfield, applicant)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Don Fisher **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date <u>06/08/04</u>	Regular <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input checked="" type="checkbox"/>	Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION:

1. Enact an ordinance to APPROVE the request for rezoning from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District) on 5.2 acres located 660 feet north of Gabriella Lane, 0.4 mile west of Tuskawilla Road, (Jay Barfield, applicant); or
2. DENY the request for rezoning from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District) on 5.2 acres located 660 feet north of Gabriella Lane, 0.4 mile west of Tuskawilla Road, (Jay Barfield, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 1 – Comm. Maloy) (Jeff Hopper, Senior Planner)

BACKGROUND:

The applicant, Jay Barfield, requests approval of R-1AAA zoning on a 5.2-acre site north of Gabriella Lane and west of Tuskawilla Road. This request is a continuation of a similar subdivision proposal, known as Talman Mews Phase I, approved in August 2003. Located in the Low Density Residential future land use designation, the property is programmed under the Vision 2020 Plan for a maximum of 4 units per net buildable acre. However, as a request for conventional zoning (i.e., not PUD), the application is subject to the lot compatibility analysis required under Ordinance 98-53. This analysis supports the requested zoning classification of R-1AAA.

PLANNING & ZONING COMMISSION RECOMMENDATION:

At its regular meeting on May 5, 2004, the Planning and Zoning Commission voted 7-0 to recommend APPROVAL per staff findings.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the requested R-1AAA classification.

Reviewed by:	_____
Co Atty:	_____
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>ph130pdp07</u>

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
MAY 5, 2004
7:00 P.M.**

Members present: Alan Peltz, Ben Tucker, Thomas K. Mahoney, Richard Harris, Walt Eismann, Dudley Bates, and Chris Dorworth

Also present: Matt West, Planning Manager, Jim Potter, Development Review Division, Tina Deater, Senior Planner, Jeff Hopper, Senior Planner, Karen Consalo, Deputy County Attorney

C. Talman Mews Phase II; Jay Barfield / Gabriella Properties, LLC., applicants; approximately 5.2 acres; rezone from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District); located 0.4 mile west of Tuskawilla Road and 660 feet north of Gabriella Lane. (Z2004-015)

District 1 – Commissioner Maloy
Jeff Hopper, Senior Planner

Mr. Hopper reviewed the location of the second phase of the Talman Mews, reviewing its compatibility with adjacent uses and densities. He stated that Lot Compatibility analysis came out for R-1A, so that R-1AAA acceptable. Staff recommends approval.

Hugh Harling was present for the applicant.

There was no public comment.

Commissioner Mahoney made a motion to recommend approval with staff recommendations.

Commissioner Bates seconded the motion.

The motion passed with unanimous approval (7 – 0).

TALMAN MEWS REZONE

REQUEST INFORMATION	
APPLICANT	Jay Barfield
PROPERTY OWNERS	Gabriella Properties LLC
REQUEST	Rezone from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District)
HEARING DATE(S)	P&Z: May 5, 2003 BCC: June 8, 2004
PARCEL #	25-21-30-300-0280-0000
LOCATION	660 feet north of Gabriella Ln., 0.4 mile west of Tuskawilla Rd.
FUTURE LAND USE	Low Density Residential (LDR)
FILE NUMBER	Z2004-015
COMMISSION DISTRICT	District 1 (Maloy)

OVERVIEW

The applicant, Jay Barfield, requests approval of R-1AAA zoning on a 5.2-acre site north of Gabriella Lane and west of Tuskawilla Road. (This request is a continuation of a similar subdivision proposal on adjacent property to the south, known as Talman Mews Phase I, approved in August 2003.) If the requested rezone is approved, the applicant intends to develop the site in single family residential lots at a minimum size of 13,500 square feet.

Located in the Low Density Residential (LDR) future land use designation, the property is programmed under the Vision 2020 Plan for a maximum of 4 units per net buildable acre. However, as a request for conventional zoning (i.e., not PUD), the application is subject to the lot compatibility analysis required under Ordinance 98-53. This analysis supports a zoning classification of R-1AAA.

The analysis evaluates appropriate zoning for a given parcel on the basis of existing zoning on surrounding properties within 660 feet. The calculations assign differing weights to the various districts according to permitted development intensities within those districts. For example, the R-1A district, with a minimum lot size of 9,000 square feet, has a weight factor of 8, while R-1AAAA, requiring half-acre lots, has a weight factor of 5. Properties zoned for Agriculture (A-1) receive a base weight of 4, but additional points can be assigned where water, sewer, and paved roads are available, for a maximum of 7. Weighting factors, together with the acreage of each zone within the 660-foot radius, determine the "compatible" zoning for the subject property.

The analysis area adjoining this request is developed predominantly as single family residential at densities consistent with the LDR land use designation. While adjoining properties to the west remain in agricultural zoning at densities characteristic of rural areas, this development type is now somewhat unusual in the area.

The lot compatibility analysis yielded a weight rating of 7.54, which corresponds to R-1A, a district allowing more intense development than the requested R-1AAA.

Existing Land Uses: The existing zoning designations and land uses are as follows:

	Zoning	Future Land Use	Existing Land Use
North	R-2	MDR	single family
South	R-1AAA	LDR	single family (under development)
East	R-1AAA	LDR	single family
West	A-1	LDR	single family

For more detailed information regarding zoning and land use, please refer to the attached map.

SITE ANALYSIS

Facilities and Services:

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed zoning is consistent with the adopted future land use designation assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan.
3. Seminole County will provide water service to the site. Sewer service is not available.
4. Information on stormwater capacity and outfall will have to be provided prior to Final Subdivision approval.

Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with surrounding development: The proposed R-1AAA zoning classification is compatible with the Low Density Residential land use designation.

PLANNING & ZONING COMMISSION RECOMMENDATION:

At its regular meeting on May 5, 2004, the Planning and Zoning Commission voted 7-0 to recommend APPROVAL per staff findings.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE R-1AAA (SINGLE FAMILY DWELLING DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Talman Mews Rezone."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District):

LEGAL DESCRIPTION ATTACHED EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing with the Department of State.

ENACTED this 8th day of June, 2004.

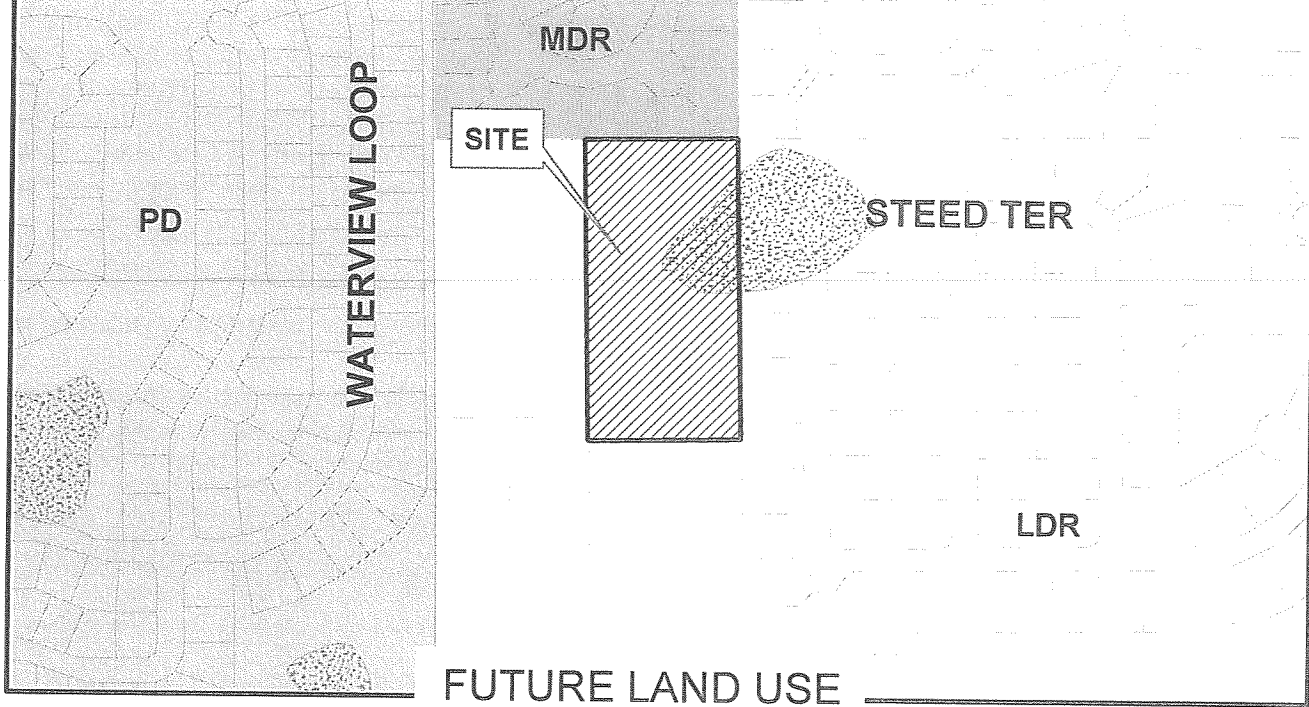
BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A
LEGAL DESCRIPTION

The north 1/2 of the east 1/2 of the west 1/2 of the NE 1/4 of the SW 1/4 of Section 25,
Township 21 South, Range 30 east, Seminole County, Florida.

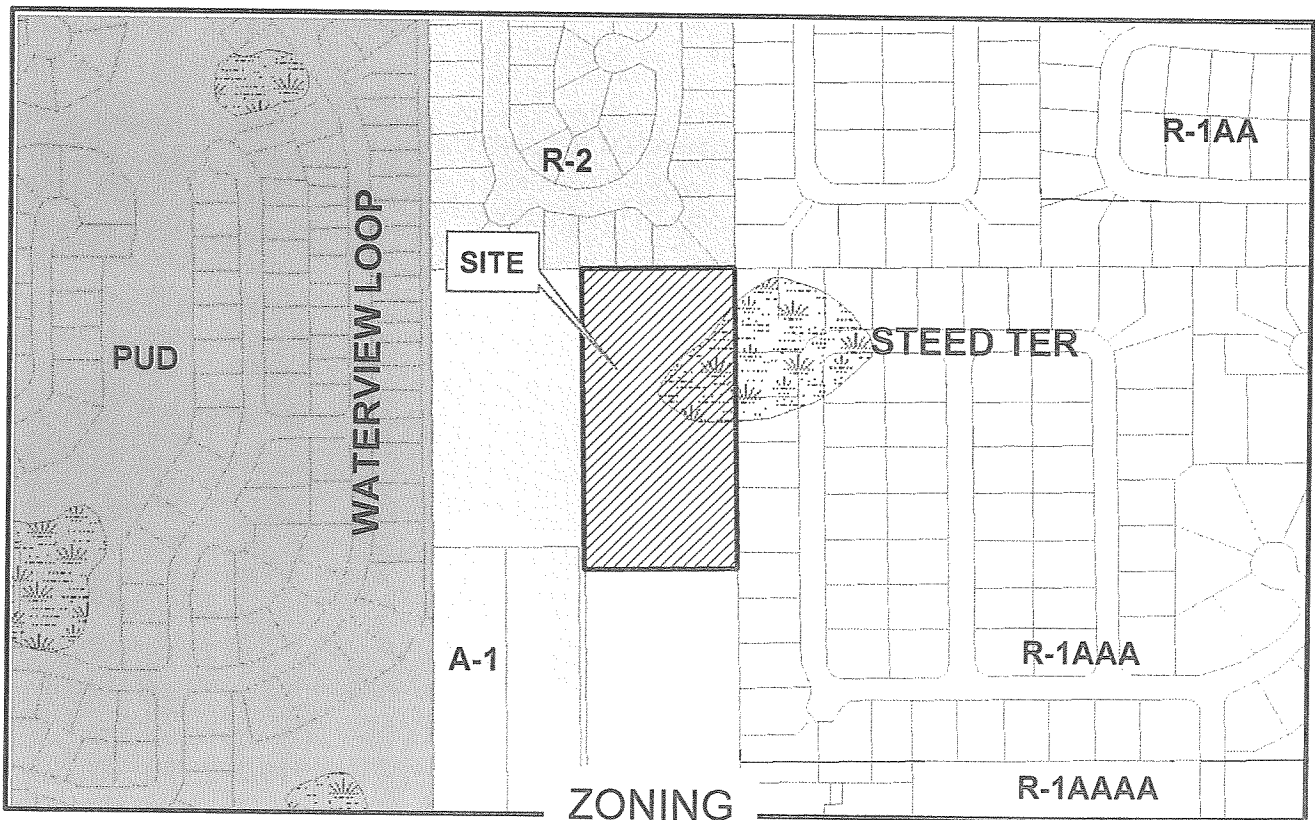
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis.
 Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site LDR MDR PD CONS

Applicant: Gabriella Properties, LLC
 Physical STR: 25-21-30-300-0280-0000
 Gross Acres: 5 BCC District: 1
 Existing Use: Single Family Residential
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2004-015	A-1	R-1AAA




Site A-1 R-1AAA R-1AA R-2 R-1AAAA PUD FP-1 W-1



Rezone No: Z2004-015

From: A-1 To: R-1AAA

 Parcel

 Subject Property



February 1999 Color Aerials