

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: East Lake Brantley Drive Rezone from RP (Residential Professional) to RP (Residential Professional) to allow a professional eye clinic

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

AUTHORIZED BY: Dan Matthys **CONTACT:** Benjamin Dunn EXT 7440

Agenda Date <u>6/27/06</u>	Regular <input type="checkbox"/>	Consent <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. **APPROVE** the request and authorize the Chairman to enact an ordinance to rezone 0.26 ± acres, located on the west side of East Lake Brantley Drive north of SR 434, from RP (Residential Professional) to RP (Residential Professional), subject to the attached site plan and Development Order and based on staff findings (Christopher Pearson, applicant); or
2. **DENY** the request to rezone 0.26 ± acres, located on the west side of East Lake Brantley Drive north of SR 434, from RP (Residential Professional) to RP (Residential Professional) to allow a professional eye clinic, (Christopher Pearson, applicant); or
3. **CONTINUE** the item to a time and date certain.

District 3 – Comm. Van Der Weide

Benjamin Dunn, Sr. Planner

BACKGROUND:

The applicant is requesting to rezone 0.26 ± acres, located on the west side of East Lake Brantley Drive north of SR 434, from RP (Residential Professional) to RP (Residential Professional) to allow a professional eye clinic. The Future Land Use Designation of the subject property is Office, which is consistent with the requested zoning district. The subject property was originally rezoned to RP in

Reviewed by:	<u>KFT</u>
Co Atty:	<u>KFT</u>
DFS:	<u> </u>
OTHER:	<u> </u>
DCM:	<u> </u>
CM:	<u> </u>
File No.	<u>ph139pd05</u>

the 1980's. The use approved at that time was for an accounting office. The Seminole County Land Development Code (LDC) requires uses other than single-family residential to be reviewed by the Planning and Zoning Commission and approved by the Board of County Commissioners (BCC). Staff recommends that during this rezone, the site be approved for all general office uses listed as Special Uses in the RP zoning district in the LDC. The BCC may allow any of the special uses upon making the following findings of fact pursuant to Section 30.624 of the LDC:

1. Is not detrimental to the character of the area or neighborhood or inconsistent with the trends of development in the area; and
2. Is not incompatible with the concept of low intensity of land usage and site coverage; and
3. Does not have an unduly adverse effect on existing traffic patterns, movements, and intensity.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone 0.26 ± acres, located on the west side of East Lake Brantley Drive just north of SR 434, from RP (Residential Professional) to RP (Residential Professional), subject to the attached site plan and Development Order.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board met on May 3, 2006 and voted 6-0 to recommend APPROVAL of the request to rezone 0.26 ± acres, located on the west side of East Lake Brantley Drive north of SR 434, from RP (Residential Professional) to RP (Residential Professional) to allow a professional eye clinic subject to the attached site plan and development order, based on staff findings.

Attachments:

Staff Report
Location Map
Zoning & Future Land Use Map
Aerial Map
Site Plan
Rezone Ordinance
Development Order
BCC Minutes From Original RP Rezone
5-3-06 Planning & Zoning Board Minutes

East Lake Brantley Drive RP Rezone

Rezone from RP to RP

APPLICANT	Christopher Pearson	
PROPERTY OWNER	Jeffrey M. Schroeder	
REQUEST	Rezone from RP (Residential Professional) to RP (Residential Professional) to allow an Optometrist Office.	
PROPERTY SIZE	0.26 + acres	
HEARING DATE (S)	P&Z: May 3, 2006	BCC: June 27, 2006
PARCEL ID	04-21-29-513-0C00-0090	
LOCATION	West side of East Lake Brantley Drive just north of SR 434.	
FUTURE LAND USE	Office	
ZONING	RP (Residential Professional)	
FILE NUMBER	Z2006-19	
COMMISSION DISTRICT	#3 – Van Der Weide	

Proposed Development:

The applicant is proposing to develop a professional eye clinic.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant is requesting to rezone 0.26 ± acres, located on the west side of East Lake Brantley Drive north of SR 434 from RP (Residential Professional) to RP (Residential Professional) to allow an optometrist office. The subject property had a rezone to RP for an accounting office approved in the 1980's. Therefore, under the RP zoning criteria any new use on the subject property would have to be approved by the Board of County Commissioners, based on the following findings of fact pursuant to Section 30.624 of the LDC:

1. Is not detrimental to the character of the area or neighborhood or inconsistent with the trends of development in the area; and
2. Is not incompatible with the concept of low intensity of land usage and site coverage; and
3. Does not have an unduly adverse effect on existing traffic patterns, movements, and intensity.

The Future Land Use Designation of the subject property is OFF (Office), which is consistent with the proposed use. The following table depicts the minimum regulations for the current zoning district of RP (Residential Professional).

DISTRICT REGULATIONS	Existing/Proposed Zoning (RP)
Minimum Lot Size	*
Minimum House Size	N/A
Minimum Width at Building Line	N/A
Front Yard Setback	25 feet
Side Yard Setback	10 feet
(Street) Side Yard Setback	25 feet
Rear Yard Setback	30 feet
Maximum Building Height	**1 story

* NO MINIMUM LOT SIZE REQUIREMENT. HOWEVER, THE SITE SHALL HAVE ADEQUATE ROOM TO MEET THE NECESSARY PARKING REQUIREMENTS.

** NEW CONSTRUCTION ONLY.

PERMITTED & SPECIAL EXCEPTION USES:

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Uses	RP (existing/proposed)
Permitted Uses	Single-Family dwelling structures, including customary accessory uses.
Special Exception Uses	General office uses, including insurance, real estate, architects, engineering, attorneys, medical, dental, accounting, auditing, bookkeeping services, and other similar office uses. Communication towers if determined compatible by the BCC. Private recreational facilities constructed as an accessory use, such as civic, fraternal, or social organization if determined compatible by the BCC.
Minimum Lot Size	No minimum lot size requirement. However, the site shall have adequate area to meet the necessary parking requirements of the LDC.

COMPATIBILITY WITH SURROUNDING PROPERTIES:

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

The subject property is located within an area that has transitioned into an area consisting of professional office uses. Additionally, there is an existing bank to the east and an approved PCD for a bank to the south.

(North)

	LDR Single-Family <i>R-1AA</i> (11,700 sq. ft lots)	MDR Professional Office <i>RP</i>	OFFICE Bank <i>OP</i>
(West)	LDR Single-Family <i>R-1AA</i> (11,700 sq. ft lots)	OFFICE Accounting Office <i>RP</i> 0.26 acres	OFFICE Bank <i>OP</i>
	LDR Single-Family <i>R-1AA</i> (11,700 sq. ft lots)	PD Vacant <i>PCD</i> Proposed Bank	OFFICE Bank <i>OP</i>
		(South)	(East)

Example:

Future Land Use Existing Use <i>Existing Zoning</i> (Lot Size)
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* **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS:

Floodplain Impacts:

According to FIRM Map # 12117C0110E there appears to be no floodprone areas on the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, the subject property contains no wetlands.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there appears to be no endangered and threatened wildlife on the subject property.

PUBLIC FACILITY IMPACTS:

Rule 9J-5.0055(3)(c)1-2, Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time and, therefore has submitted an Affidavit of Concurrency Review Deferral.

The following table depicts the impacts the proposed development has on public facilities:

Public Facility	Existing Zoning (A-1)	Proposed Development*	Net Impact
Water (GPD)	2,750	2,750	0
Sewer (GPD)	2,750	2,750	0
Traffic (ADT)	358	358	0

Utilities:

The subject site currently has water service through Seminole County, wastewater service via a septic tank system, and is not in the 10-year master plan for reclaimed water.

Transportation / Traffic:

The property access is from East Lake Brantley Drive, which is classified as a local roadway. East Lake Brantley Drive was recently improved from SR 434 to Wekiva Springs Road. There are no further planned improvements in the County's 5-year CIP.

Since the proposed office use will be replacing an existing office, there should be no new significant traffic impacts.

School Impacts:

The proposed change in use will not generate any school impacts.

Public Safety:

The nearest response unit to the subject property is Station # 16, which is located at 930 Wekiva Springs Road. The County Level-Of-Service (LOS) standard for response

times is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan. The subject property does meet the LOS standard for response times.

Drainage:

At this time the applicant has no plans to modify or add additional impervious surface to the site. Therefore, no new drainage requirements are required to be met. However, at any time the applicant adds a significant amount of additional impervious surface to the site, a new drainage analysis will be required.

Parks, Recreation and Open Space:

The subject property is an existing office use and does not have to provide any additional open space. Based on the site plan all parking requirements will be met.

Buffers and Sidewalks:

The subject site currently has a 10 foot buffer on the front western portion of the building and additional landscaping along the front of the building. Additionally, there is an existing 8 foot tall block wall on the southern and western property line.

A sidewalk is currently located along the frontage of the property.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS:

This project does not warrant running the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS:

The subject property is not located within any special district or overlay.

COMPREHENSIVE PLAN (VISION 2020):

The following policies are applicable with the proposed project:

Policy POT 4.5: Potable Water Connection
Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notices were not required; the subject site is not within or directly adjacent to any local municipality and will not impact schools.

LETTERS OF SUPPORT OR OPPOSITION:

At this time, Staff has received no letters of support or opposition.

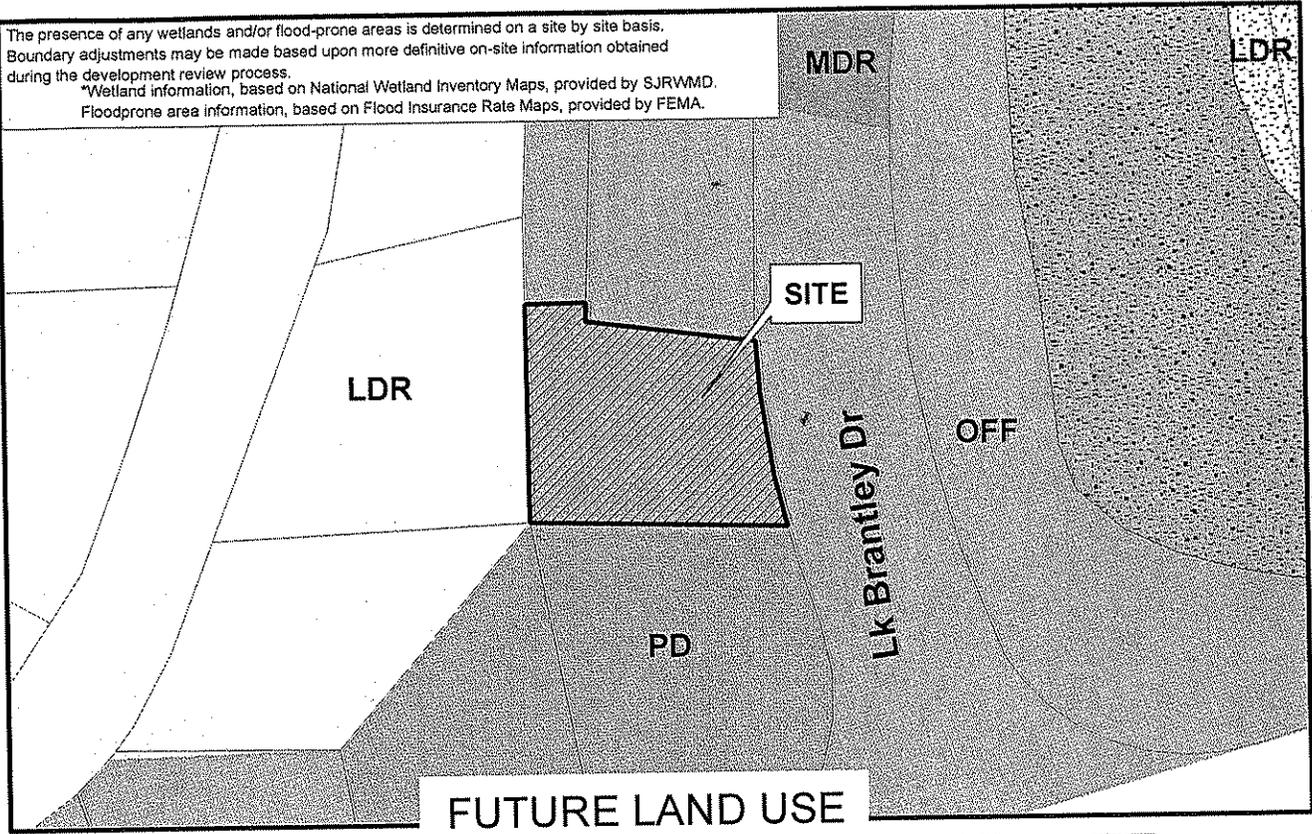
STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone 0.26 ± acres, located on the west side of East Lake Brantley Drive just north of SR 434, from RP (Residential Professional) to RP (Residential Professional), subject to the attached site plan and Development Order.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board met on May 3, 2006 and voted 6-0 to recommend APPROVAL of the request to rezone 0.26 ± acres, located on the west side of East Lake Brantley Drive just north of SR 434, from RP (Residential Professional) to RP (Residential Professional) to allow a professional eye clinic subject to the attached site plan and development order, based on staff findings.

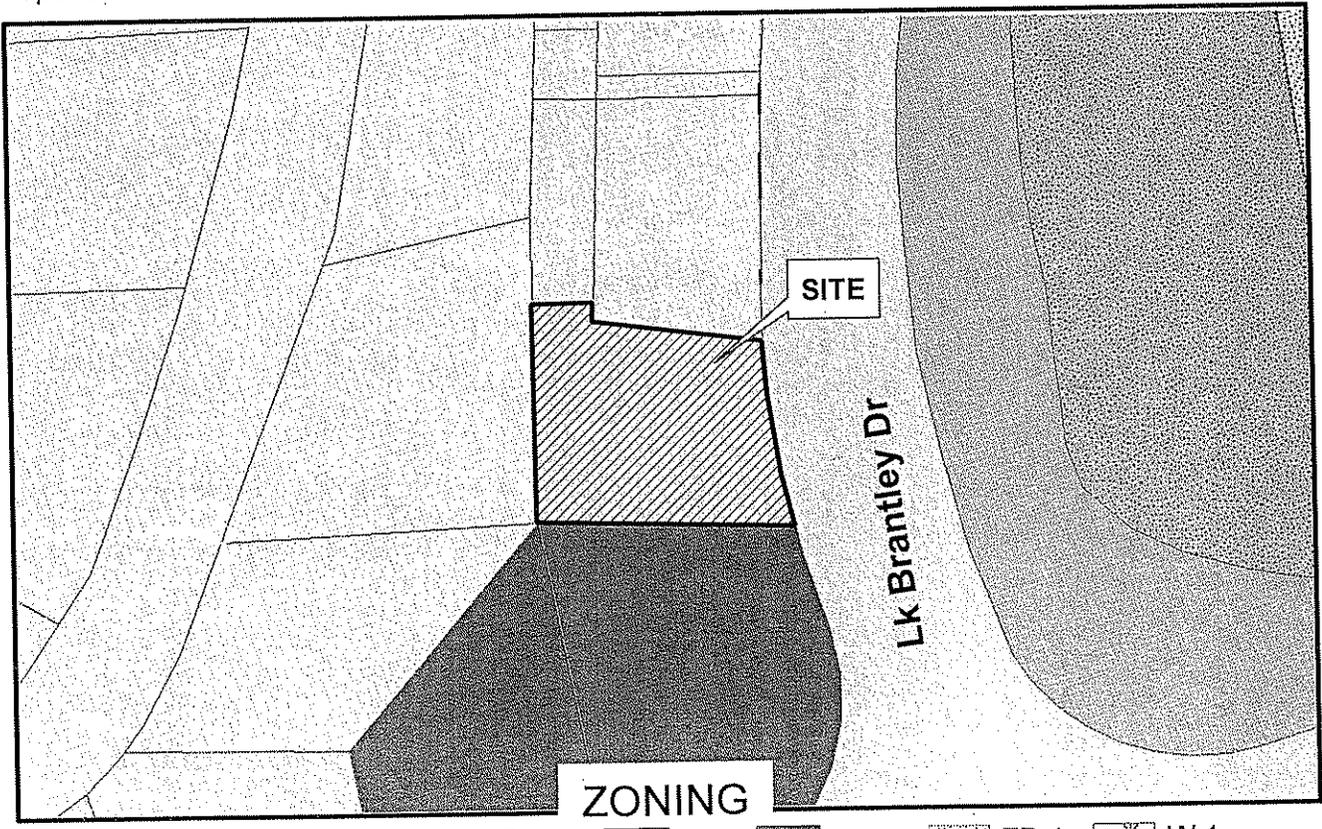
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



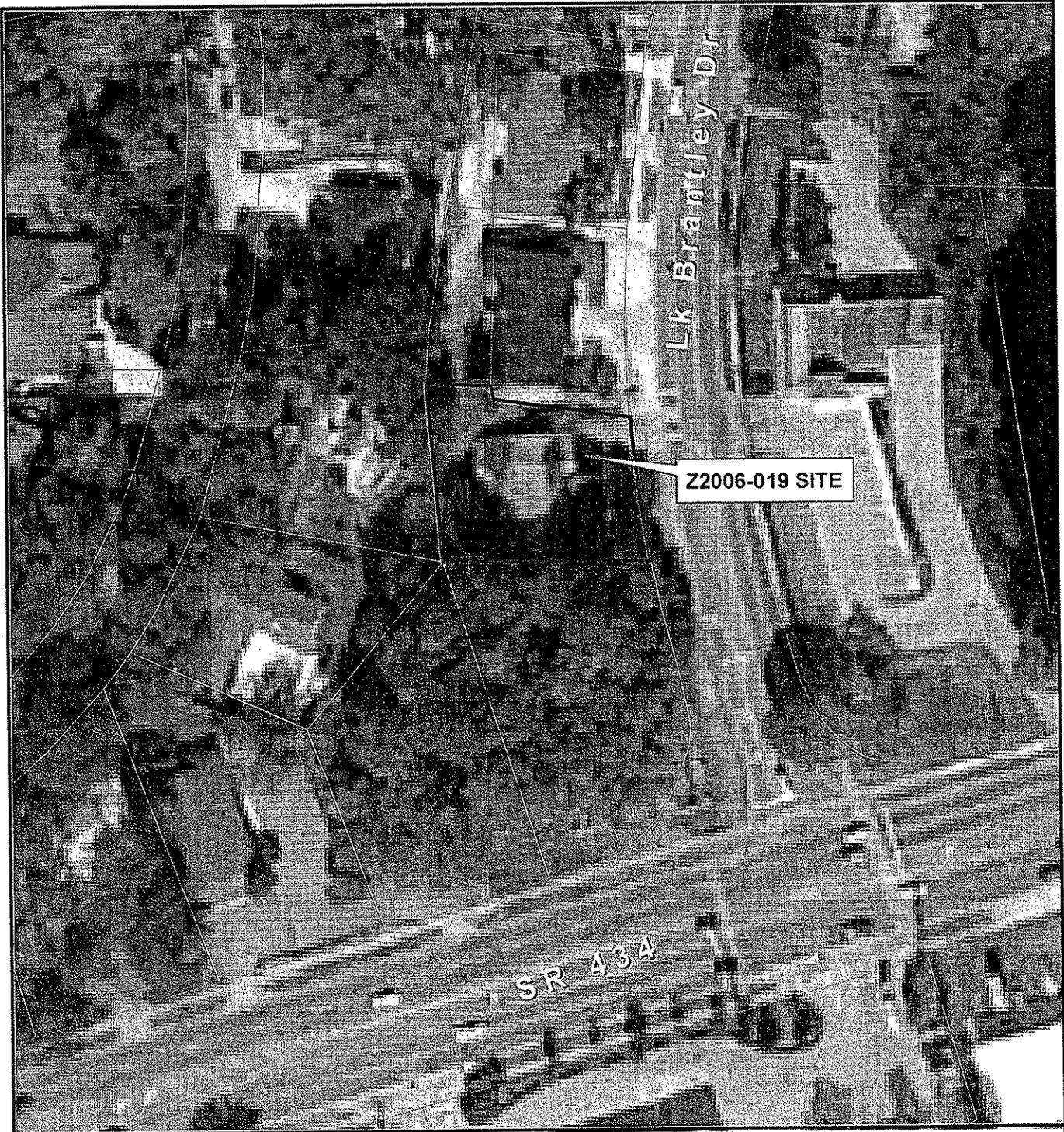
Site
 Municipality
 LDR
 MDR
 PD
 OFF
 CONS

Applicant: Christopher Pearson
 Physical STR: 04-21-29-513-0C00-0090
 Gross Acres: 21 acres +/- BCC District: 3
 Existing Use: Office
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2006-019	RP	RP



A-1
 R-1AA
 RP
 OP
 PCD
 FP-1
 W-1



Rezone No: Z2006-019
From: RP To: RP

- Parcel
- Subject Property



January 2004 Color Aerials

SITE PLAN

105 E LAKE BRANTLEY DRIVE, LONGWOOD

FRONT PARKING = MULCH and CONCRETE
 REAR PARKING = MULCH
 10' x 20' SPACES = 13 (1-13)
 12' x 20' SPACES = 5 (14-18)
 O-BUSHES (EXISTING)
 W - GRASS

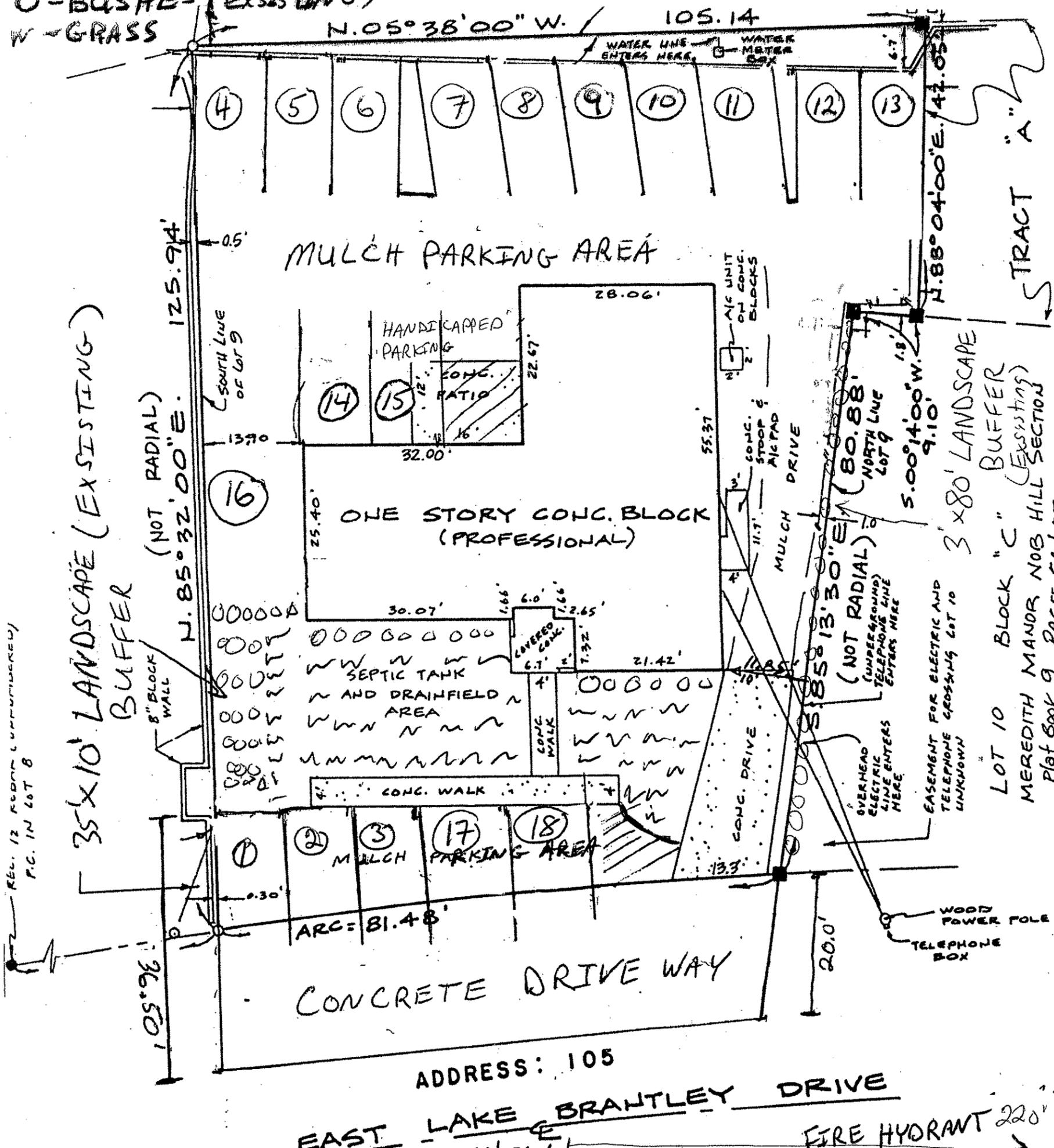
PROPERTY APPRAISER ID NUMBER 04-2129-5130C000090

SEMINOLE COUNTY
APPROVED FOR CONSTRUCTION

THIS APPROVAL IS SUBJECT TO SPECIFIC CONFORMANCE TO THE SEMINOLE COUNTY LAND DEVELOPMENT CODE AND ANY SPECIAL REQUIREMENTS OF THE BOARD OF COUNTY COMMISSIONERS. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO CORRECT ANY DEFECTS IN THE PLANS OR THE FACILITY AS CONSTRUCTED WHICH RESULTS IN A FAILURE TO MEET APPLICABLE CODE REQUIREMENTS. ADMINISTRATIVE ACCEPTANCE OF THE DEVELOPER'S PLANS DOES NOT CONSTITUTE A WAIVER OF ANY CODE REQUIREMENTS NOR DOES IT RELIEVE THE DEVELOPER OF RESPONSIBILITY TO MEET THOSE REQUIREMENTS. THIS SPECIFIC APPROVAL IS VALID FOR A PERIOD OF ONE YEAR FROM THE DATE BELOW.

SEMINOLE COUNTY DEVELOPMENT REVIEW DEPARTMENT

DATE



TRACT "A"

BLOCK "C" (EXISTING)

LOT 10 MEREDITH MANOR NOB HILL SECTION
Plot Book 9, PAGES 54 & 55

REV. 12 (FOR UNNUMBERED)
P.C. IN LOT 8

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 RP (RESIDENTIAL PROFESSIONAL) ZONING CLASSIFICATION THE RP (RESIDENTIAL PROFESSIONAL) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM 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 East Lake Brantley Rezone, dated June 27, 2006.

(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 Residential Professional (RP) to Residential Professional (RP):

SEE ATTACHED EXHIBIT A

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

ORDINANCE NO. 2006-

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 on the recording date of the Development Order # 06-24000001 in the Official Land Records of Seminole County.

ENACTED this 27th day of June 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Board of County Commissioners

**EXHIBIT A
LEGAL DESCRIPTION**

LOT 9, A REPLAT OF BLOCK "C" NOB HILL SECTION MEREDITH MANOR PB14 PG 21

Z2006-19

DEVELOPMENT ORDER # 06-24000001

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On June 27, 2006, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Lot 9, A Replat of Block "C" Nob Hill Section Meredith Manor PB 14 PG 21.

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

FINDINGS OF FACT

Property Owner: Jeffrey M. Schroeder

Project Name: East Lake Brantley Drive RP Rezone

Requested Development Approval: Rezoning from Residential Professional (RP) zoning classification to Residential Professional (RP) zoning.

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 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 have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Benjamin Dunn, Senior Planner
1101 East First Street
Sanford, Florida 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall 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, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. Allowable uses shall be limited to the general office uses listed as Special Uses in the RP (Residential Professional) zoning district description of the Seminole County Land Development Code, including insurance, real estate, architects, engineering, attorneys, medical, dental, eye clinics, accounting, auditing, bookkeeping services, and other similar office uses.
- b. All development shall comply with the site plan attached as Exhibit A.
- c. Any significant changes to the site plan in the future will result in the site plan being reviewed by the Seminole County Planning and Zoning Commission and approved by the Seminole County Board of Commissioners.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

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

Done and Ordered on the date first written above.

By: _____
Carlton D. Henley, Chairman
Board of County Commissioners

2. Pledge of Allegiance

3. Reports:

A. Department of Public Safety

B. Department of Public Works

C. County Attorney

D. Clerk

E. Sheriff

F. County Administrator

G. Chairman

Board of County Commission Minutes
From
December 22, 1981.

4. Public Hearings - 7:00 P.M.

A. Rezone from A-1 Agriculture to Planned Unit Development (PUD), property described as 28 acres MOL at the SE corner of Tuskawilla Road and Dike Road (Thomas G. Freeman). District 1 - Application Withdrawn and Not Advertised.

B. Specific Amendment from Commercial to Medium Density Residential and Rezone from C-2 Retail Commercial to R-3A Multiple Family Dwelling District, property described as located at the Northeast corner of 17-92 and Lake of the Woods Blvd., on the North side of the Lake of the Woods Townhouse Section 12, approximately 1.59 acres (B.M.A. Properties, Inc. and Lake of the Woods Venture). District 4

C. Specific Amendment from Low Density Residential to Medium Density Residential and Rezone from R-1AA Single Family Dwelling District to RP Residential Professional, property described as the second lot North of Highway 434, on the West side of East Lake Brantley Drive (Elmer F. Heckinger). District 3

D. Specific Amendment from Low Density Residential to Low Intensity Commercial and Rezone from R-1A Single Family Dwelling District to RP Residential Professional District, property described on the North side of Laura Street, 500 feet East of Highway 17-92, North and adjacent to Lake Kathryn Mobile Home Park (Karl O. Stairs). District 1

E. Specific Amendment from Low Density Residential to Low Intensity Commercial and Rezone from A-1 Agriculture to OP Office District, property described as at the Southwest corner of Douglas Avenue and North Street (Condev Group, Inc.). District 3

F. Consider Adoption of Ordinance Creating Section 6-128, to the Seminole County Code, providing for installation of water conservation plumbing fixtures in all new construction and replacement fixtures in existing construction.

5. Commissioners Reports, District 3, 4, 5, 1 and 2.

6. Approval of Minutes dated November 17, 24 and December 1, 1981.

7. Items for next Agenda.

8. Adjourn.

Persons are advised that, if they decide to appeal any decisions made at these meetings/hearings, they will need a record of the proceedings and for such purpose, they may need to insure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based, per Chapter 80-150, Laws of Florida.

Motion by Commissioner Glenn, seconded by Commissioner Kirchhoff and carried, to adopt Ordinance 81-71, as shown on page 90-178, amending the Comp Plan from Commercial to Medium Density Residential for the purpose of Rezoning from C-2 Commercial to R-3A Multiple Family Dwelling District on property described as located at the northeast corner of U.S. 17-92 and Lake of the Woods Boulevard, on the north side of the Lake of the Woods Townhouse Section 12, approximately 1.59 acres, as described in proof of publication, B.M.A. Properties, Inc., and Lake of the Woods Venture.

Districts 1, 2, 3, 4 and 5 voted AYE.

Motion by Commissioner Glenn, seconded by Commissioner Kirchhoff and carried, that change of zone from C-2 Commercial to R-3A Multiple Family Dwelling District on property described as located at the northeast corner of U.S. 17-92 and Lake of the Woods Boulevard, on the north side of the Lake of the Woods Townhouse Section 12, approximately 1.59 acres, as described in proof of publication, B.M.A. Properties, Inc., and Lake of the Woods Venture, be and the same is hereby zoned R-3A less that portion within the 180 feet of the east highway line of U.S. 17-92.

Districts 1, 2, 3, 4 and 5 voted AYE.

SPECIFIC AMENDMENT FROM LOW DENSITY
RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL
AND REZONE FROM R-1AA TO RP, Elmer F. Heckinger

Proof of publication, as shown on page 90-181, calling for public hearing to consider adoption of a Specific Amendment to the Comp Plan from Low Density Residential to Medium Density Residential for the purpose of Rezoning from R-1AA Single Family Dwelling District to RP Residential Professional on property described as the second lot north of Highway 434, on the west side of East Lake Brantley Drive, Elmer F. Heckinger, received and filed.

The Coordinator exhibited a map of the area and identified existing uses, facilities, applicable Comp Plan policy, staff comments and recommendations.

Mr. Heckinger addressed the Board to state he has no problems with the staff-required wall and landscaping.

No other person spoke in support or in opposition.

Motion by Commissioner Feather, seconded by Commissioner Christensen and carried, to adopt Ordinance 81-72, as shown on page 90-182, amending the Comp Plan from Low Density Residential to Medium Density Residential for the purpose of Rezoning from R-1AA Single Family Dwelling District to RP Residential Professional on property described as the second lot north of Highway 434, on the west side of East Lake Brantley Drive, as described in proof of publication, Elmer F. Heckinger.

Districts 1, 2, 3, 4 and 5 voted AYE.

34 99 85

-14- DEC 22 1981

Motion by Commissioner Feather, seconded by Commissioner Christensen and carried, that change of zone from R-1AA Single Family Dwelling District to RP Residential Professional on property described as the second lot north of Highway 434, on the west side of East Lake Brantley Drive, as described in proof of publication, Elmer F. Heckinger, be and the same is hereby zoned RP for an accountant and architectural office with staff comments regarding the wall and landscaping.

Districts 1, 2, 3, 4 and 5 voted AYE.

SPECIFIC AMENDMENT FROM LOW DENSITY RESIDENTIAL TO LOW INTENSITY COMMERCIAL AND REZONE FROM R-1A TO RP, Karl O. Stairs

Proof of publication, as shown on page 90-183, calling for public hearing to consider adoption of Specific Amendment from Low Density Residential to Low Intensity Commercial for the purpose of rezoning from R-1A Single Family Dwelling District to RP Residential Professional District on property described as on the north side of Laura Street, 500 feet east of Highway 17-92, north and adjacent to Lake Kathryn Mobile Home Park, Karl O. Stairs, received and filed.

The Coordinator exhibited a map of the area and identified existing land uses, facilities and applicable Comp Plan policy.

Helen Stairs addressed the Board in support.

The Coordinator identified staff comments and recommendations.

No other person spoke in support or in opposition.

Motion by Commissioner Christensen, seconded by Commissioner Glenn and carried, to adopt Ordinance 81-73, as shown on page 90-184, amending the Comp Plan from Low Density Residential to Low Intensity Commercial for the purpose of rezoning from R-1A Single Family Dwelling District to RP Residential Professional District on property described as on the north side of Laura Street, 500 feet east of Highway 17-92, north and adjacent to Lake Kathryn Mobile Home Park, as described in proof of publication, Karl O. Stairs.

Districts 1, 2, 3, 4 and 5 voted AYE.

Motion by Commissioner Christensen, seconded by Commissioner Glenn and carried, that change of zone from R-1A Single Family Dwelling District to RP Residential Professional District on property described as on the north side of Laura Street, 500 feet east of Highway 17-92, north and adjacent to Lake Kathryn Mobile Home Park, as described in proof of publication, Karl O. Stairs, be and the same is zoned RP for combination insurance/bookkeeping/real estate office.

Districts 1, 2, 3, 4 and 5 voted AYE.

183 09 27

**MINUTES FOR THE SEMINOLE COUNTY LAND PLANNING AGENCY
PLANNING AND ZONING COMMISSION
MAY 3, 2006**

Members present: Ben Tucker, Beth Hattaway, Dudley Bates, Matt Brown, Jason Brodeur, Walt Eismann, and Rob Wolf.

Also present: Tina Williamson, Principal Coordinator; Michael Rumer, Senior Planner; Jeffrey Hopper, Senior Planner; Benjamin Dunn, Senior Planner; Tony Walter, Planning Manager; Kathleen Furey-Tran, Assistant County Attorney; Brian Walker, Planner; Cynthia Sweet, Planner; Denny Gibbs, Senior Planner; Dan Matthys, Director of Planning and Development; and Candace Lindlaw-Hudson, Senior Staff Assistant.

East Lake Brantley Drive Rezone; Christopher Pearson, O.D., applicant; .26 ± acres; Rezone from RP (Residential Professional) to RP (Residential Professional) to allow an Optometrist Office; located on the west side of E. Lake Brantley Road, 100 feet north of W. SR 434. (Z2006-19)

Commissioner Van Der Weide – District 3
Benjamin Dunn, Senior Planner

Benjamin Dunn stated that the site was originally rezoned to RP (Residential Professional District) in the mid 1980s in order to allow an architectural office. The Land Development Code requires the applicant to come before the board for permission with a change of use to an optometrist office. The site is 100 feet north of SR 434. Across the road is a PD zoned bank. This request is consistent with the area. Staff recommends approval of the request subject to the development order, which will allow general office use in the future.

No one spoke from the audience on the application.

Commissioner Hattaway made a motion to recommend approval.

Commissioner Walsh seconded the motion.

The motion passed by a vote of 6 – 0. (Commissioner Eismann was not present in the meeting room for the vote.)