

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: W SR 46 Subdivision Rezone from A-1 and RM-3 to RC-1

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

AUTHORIZED BY: Donald S. Fisher **CONTACT:** ^{MR}Michael Rumer **EXT.** 7431

Agenda Date <u>07/25/06</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:

- APPROVE** the request and enact an ordinance to rezone 28± acres from A-1 (Agriculture) and RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes), located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd, based on staff findings, (Tony Cipparone, applicant); or
- DENY** the request to rezone 28± acres from A-1 (Agriculture) and RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes), located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd, based on staff findings, (Tony Cipparone, applicant); or
- CONTINUE** the item to a time and date certain.

District 5 – Commissioner Carey Michael Rumer, Senior Planner

BACKGROUND:

The applicant is requesting to rezone 28± acres located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd (west side of Twelve Oaks RV Resort), from A-1 (Agriculture) and RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes) in order to develop a single-family subdivision. The requested zoning allows lots with a minimum size of one (1) acre and lot width of 120 feet. The future land use of the subject property is SE (Suburban Estates), which permits a maximum density of one (1) dwelling unit per acre.

Reviewed by:	<u>ICF</u>
Co Atty:	<u>ICF</u>
DFS:	_____
OTHER:	_____
DCM:	<u>MR</u>
CM:	<u>CF</u>
File No. <u>ph130pdp02</u>	

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone 28± acres from A-1 (Agriculture) and RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes), located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd, based on staff findings.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On June 7, 2006, the Planning and Zoning Commission voted (5-0) to recommend APPROVAL of a request to rezone 28± acres from A-1 (Agriculture) and RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes), located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd.

Attachments:

Staff Analysis
Location Map
FLU/Zoning Map
Aerial Photo
Ordinance
Seminole County Public School Capacity Report
06/07/2006 Planning and Zoning Board Minutes

W SR 46 Subdivision Rezone

Rezone from A-1 / RM-3 to RC-1

APPLICANT	Tony Cipparone	
PROPERTY OWNER	Tony Cipparone	
REQUEST	Rezone from A-1 (Agriculture) and RM-3 (Travel Trailer Park and Campsites) to RC-1 (Country Homes)	
PROPERTY SIZE	28 ± acres	
HEARING DATE (S)	P&Z: June 7, 2006	BCC: July 25, 2006
PARCEL ID	25-19-29-300-028A-0000, 26-19-29-300-0030-0000	
LOCATION	Located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd.	
FUTURE LAND USE	SE (Suburban Estates)	
ZONING	A-1 (Agriculture) & RM-3 (Travel Trailer Park and Campsites)	
FILE NUMBER	Z2006-25	
COMMISSION DISTRICT	#5 – Carey	

Proposed Development:

The applicant is proposing to develop a 21 lot single-family residential community on 28 ± acres.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Tony Cipparone, is requesting to rezone 28± acres from A-1 (Agriculture) & RM-3 (Travel Trailer Park and Campsites) to RC-1 (Country Homes). The subject property is a vacant parcel of land located on the north side of W SR 46 and on the west side of the Twelve Oaks RV Resort. The Future Land Use designation of the subject property is SE (Suburban Estates), which permits a maximum density of one (1) dwelling unit per net buildable acre. Since the RM-3 zoning district is an antiquated zoning that is no longer provided for in the Seminole County Comprehensive Plan and because the site has not been developed it is necessary to rezone said property to another zoning district allowing a maximum density of one unit per net buildable acre.

The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) & RM-3 (Travel Trailer Park and Campsites) district and the requested district of RC-1 (Country Homes) district:

DISTRICT REGULATIONS	Existing Zoning (A-1) / (RM-3)	Proposed Zoning (RC-1)
Minimum Lot Size	43,560 / 30x50 camp sites	43,560 square feet
Minimum House Size	N/A / N/A	1,200 square feet
Minimum Width at Building Line	150 feet / N/A	120 feet
Front Yard Setback	50 feet / N/A	35 feet
Side Yard Setback	10 feet / N/A	20 feet
(Street) Side Yard Setback	50 feet / N/A	35 feet
Rear Yard Setback	30 feet / N/A	35 feet
Maximum Building Height	35 feet / N/A	35 feet

PERMITTED & SPECIAL EXCEPTION USES

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

Uses	A-1 (Existing)	RM-3 (Existing)	RC-1 (proposed)
Permitted Uses	Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Transient parking of trailers, campers, and placing of tents on individual sites, Recreational buildings, laundry, toilet, and shower facilities, A service store, with living quarters, if desired, to provide groceries, bottle gas, a snack bar, and supplies for occupants of the park, Recreational facilities, such as, golf courses, swimming pools, tennis courts, marinas, etc. Petroleum products may be sold in marina areas only for marina use, Utility or storage building for maintenance equipment and supplies, Sewer and water plants where no other such facilities are available. Must be located within the park and not closer than two hundred (200) feet from any property line, One	Single-family residences and their customary accessory uses, Citrus cultivation, Boathouses and docks used for the shelter and storage of boats, Guest cottages and servants quarters, Home occupations, Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents, Public and private elementary schools.

Uses	A-1 (Existing)	RM-3 (Existing)	RC-1 (proposed)
		<p>(1) house or mobile home is permitted as office and housing for the operator of the park. Additional houses or mobile homes may be permitted for night watchman or security guards on approval of the Board of Adjustment, Public and private elementary schools.</p>	
<p>Special Exception Uses</p>	<p>Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.</p>	<p>Public and private middle schools and high schools, Communication towers, Private recreational facilities constructed as an accessory use to civic, fraternal, or social organizations if the existing use is located in a predominantly residential area as determined by the Planning Manager.</p>	<p>The keeping of horses or ponies for the immediate use of the occupant and his guest, Public and private middle schools and high schools, Public utility and service structures, Churches with their attendant educational, recreational buildings, and off-street parking, Parks and recreational areas, publicly owned and operated, Assisted living facilities and community residential homes housing 7--14 permanent unrelated residents (including group homes and foster care facilities), Communication towers.</p>
<p>Minimum Lot Size</p>	<p>One Acre</p>	<p>N/A</p>	<p>One Acre</p>

COMPATIBILITY WITH SURROUNDING PROPERTIES

The proposed RC-1 zoning is compatible with the trend of single-family residential development located along W SR 46. The purpose of the RC-1 district is to provide for a country lifestyle and low density, single-family development at the same density as the existing A-1 zoning, without many of the undesirable features of a purely agriculture district. Furthermore, RC-1 is a compatible zoning category under the existing SE (Suburban Estates) future land use and will result in no increase in residential density. Staff believes the proposed rezone to be compatible with surrounding development.

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

	(North)			
	SE Single-Family Residential <i>A-1</i> (1 acre lots)	SE Single-Family Residential <i>A-1</i> (1 acre lots)	SE Single-Family Residential <i>A-1</i> (1 acre lots)	
(West)	SE Wholesale Nursery <i>A-1</i> (1 acre lots)	SE Vacant <i>A-1/ RM-3</i> (1 acre lots, N/A)	SE Twelve Oaks Campground <i>RM-3</i>	(East)
	SE SR 46 / Single-Family Residential <i>PUD</i> (15,000 sq. ft. lots)	SE SR 46 / Church <i>A-1</i>	SE SR 46 / Wholesale Nursery <i>A-1</i> (1 acre lots)	
	(South)			

Example:

Future Land Use
Existing Use
<i>Current Zoning</i>
(Minimum Lot Size)

- **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:

Based on FIRM map numbers 12117C0010E, 12117C0020E, 12117C0030E, and 12117C0040E with effective dates of 04/17/1995, the site is outside of the 100 year floodplain.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, the subject property contains approximately 2.5 ± acres of wetlands. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

Endangered and Threatened Wildlife:

Based on preliminary analysis, there may be endangered and threatened wildlife on the subject property. A threatened and endangered study along with a species of special concern survey will be required prior to final site plan approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has applied for Concurrency Review and the test resulted in sufficient capacity for roads, water, and sewer.

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

Public Facility	Existing Zoning (A-1) / (RM-3)*	Proposed Development	Net Impact
Water (GPD)	0	7,350	7,350
Sewer (GPD)	0	6,300	6,300
Traffic (ADT)	0	201	201

Utilities:

The site is located in the service area of Seminole County and is proposing to connect to public utilities for water and sewer. There is a 12-inch water main on the south side of SR 46 and a 16-inch force main on the north side of SR 46. This parcel must connect

to a 20-inch reclaim water main on the south side of SR 46. Approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

The property accesses SR 46 which is classified as an arterial roadway. SR 46 is not currently programmed to be improved according to the County 5-year Capital Improvement Program. However, it is possible this portion of SR 46 may become part of the Western Beltway or may be significantly affected by it.

School Impacts:

Based on the formulas provided by the Seminole County School District, the proposed development will generate approximately 10 school age children. However, since the proposed rezoning does not increase the overall net density, no new school impacts are projected. This subject site is currently zoned for, and will affect, the following schools:

Schools Impacted	Proposed Impact	Current Capacity	Enrollment as of 2/10/06	Percent Capacity
Northwest Cluster :	5			
Bentley Elementary		933	1,018	109.1%
Crystal Lake		853	0	0%
Idyllwilde Elementary		825	1,027	124.5%
Wicklow Elementary		694	1,011	145.7%
Wilson Elementary		881	1,030	116.9%
Sanford Middle	2	1,564	1,507	96.4%
Seminole High	3	2,069	2,900	140.2%

The Seminole County Public School District has prepared an analysis regarding impacts resulting from recently platted residential developments that are zoned for the same schools as the subject property, but are not yet included in the school capacity numbers in the previous table. This analysis is included as an attachment to this report.

Public Safety:

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station 34, which is located at 4905 W SR 46.

Drainage:

The proposed project is located within the Wekiva River Protection Area and shall meet SJRWMD criteria pertaining to that area. Design of the drainage system will be evaluated in more detail prior to final engineering approval.

Parks, Recreation and Open Space:

In accordance with Section 30.1344 of the Land Development Code, the applicant will be required to provide twenty (20) percent of the site in open space.

Buffers and Sidewalks:

Active/Passive Buffers are not required since the existing land use designation is Suburban Estates and the proposed development is single-family. A twenty-five (25) foot landscape buffer is required within the fifty foot building setback from the right-of-way line of SR 46. A four foot wide sidewalk is required internally and a five foot wide sidewalk is required along W SR 46.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

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

SPECIAL DISTRICTS

The subject property is located within the Wekiva River Protection Area, Wekiva River Study Area and the State Road 46 Scenic Corridor Overlay. SR 46 Scenic Corridor standards per LDC Part 62 apply, including:

- 1) No structure or outdoor storage shall be located within fifty (50) feet from the right-of-way of State Road 46.
- 2) Seventy-five (75) percent of all required trees and shrubs shall be native plant species as set forth in the Land Development Code. Selected landscaping shall re-establish native habitat consistent with soil types that may have existed in the pre-development condition. Additionally, no plants on the department of environmental protection prohibited list or the Florida Exotic Pest Plant Councils Category I or II lists may be used.
- 3) Within the designated scenic corridor setback there shall be established a landscape buffer of twenty-five (25) feet.
- 4) No existing canopy trees greater than six (6) inches in diameter shall be removed in the scenic corridor buffer unless approved by the Planning Manager because the clearing is necessary to provide access, the tree is diseased or public safety requirements.
- 5) No clearing within the scenic corridor setback or buffer shall be permitted except in conjunction with a permit issued for development authorized under the provisions of this part or for public safety requirements. Specimen trees shall be preserved to the maximum extent possible.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy FLU 1.2:	Flood Plain Protection
Policy FLU 1.3:	Wetlands Protection
Policy FLU 1.4:	Conservation Easements
Policy FLU 1.7:	Wekiva River Protection
Policy FLU 2.1:	Subdivision Standards
Policy FLU 14.1:	Recognition of the Wekiva River Protection Area
Policy FLU 14.8:	Compliance Agreements Between Seminole County and the Florida Department of Community Affairs.
Policy FLU 14.9:	Wekiva River Protection Area Environmental Design Standards
Policy FLU 15.2:	Wekiva Study Area Natural Resource Protection
Policy CON 2.5:	Wekiva River
Policy CON 3.9:	Conservation Easement/Dedication
Policy REC 7.3:	Wekiva and Econlockhatchee River Protection Zone
Policy PUB 2.1:	Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notice was sent to the Seminole County School District on May 18, 2006. The School District has provided a School Capacity Report, which is attached.

LETTERS OF SUPPORT OR OPPOSITION:

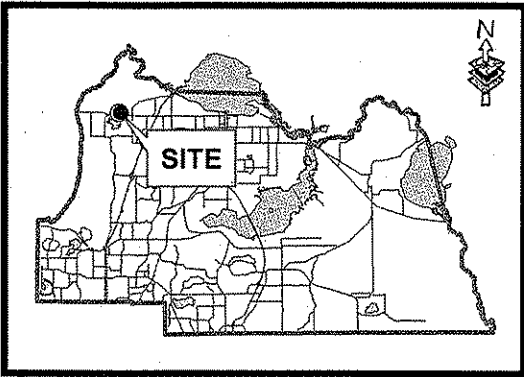
At this time, Staff has received no letters of opposition or support.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone 28± acres from A-1 (Agriculture) and RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes), located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd, based on staff findings.

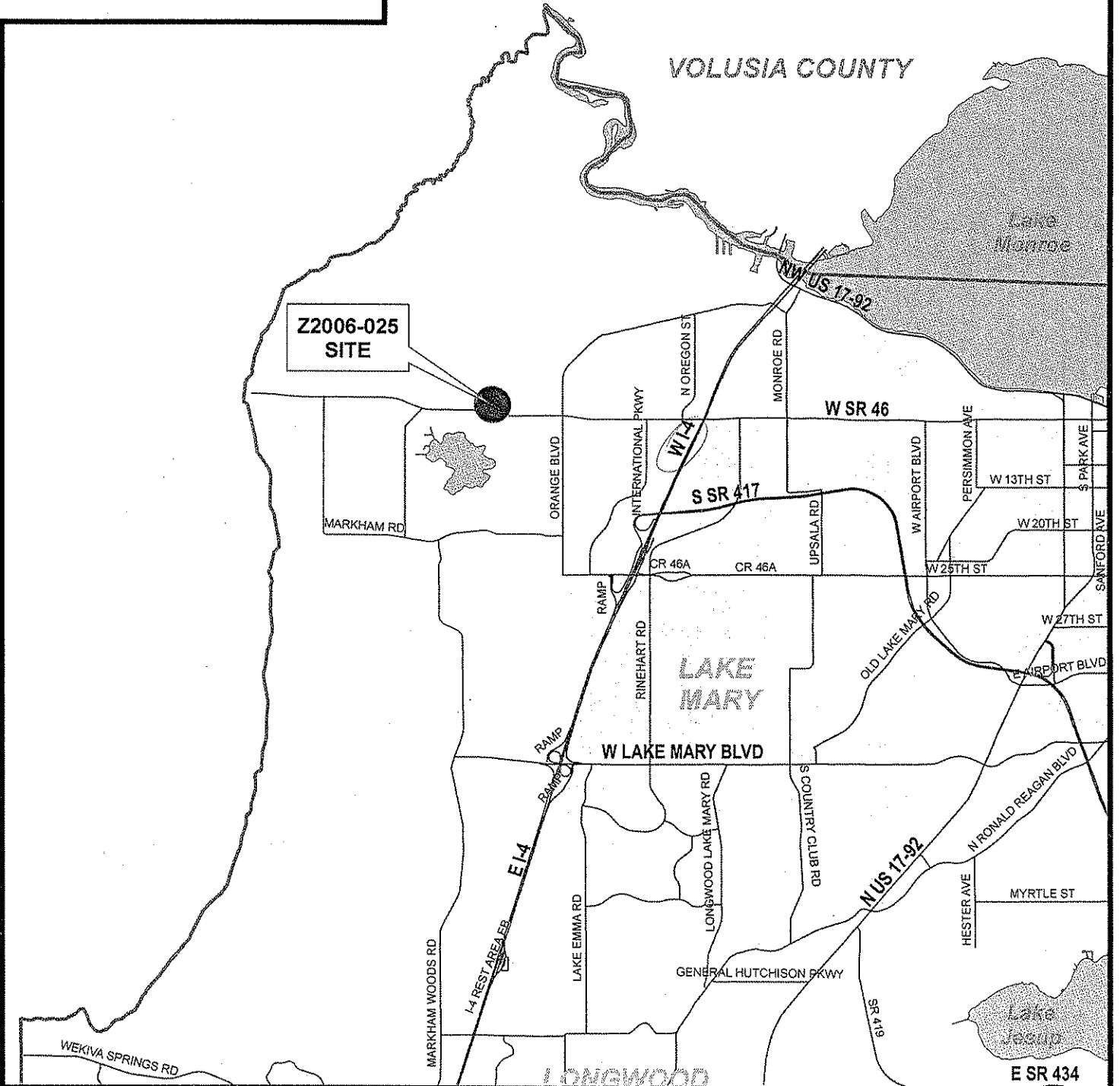
PLANNING AND ZONING COMMISSION RECOMMENDATION:

On June 7, 2006, the Planning and Zoning Commission voted (5-0) to recommend APPROVAL of a request to rezone 28± acres from A-1 (Agriculture) and RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes), located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd.

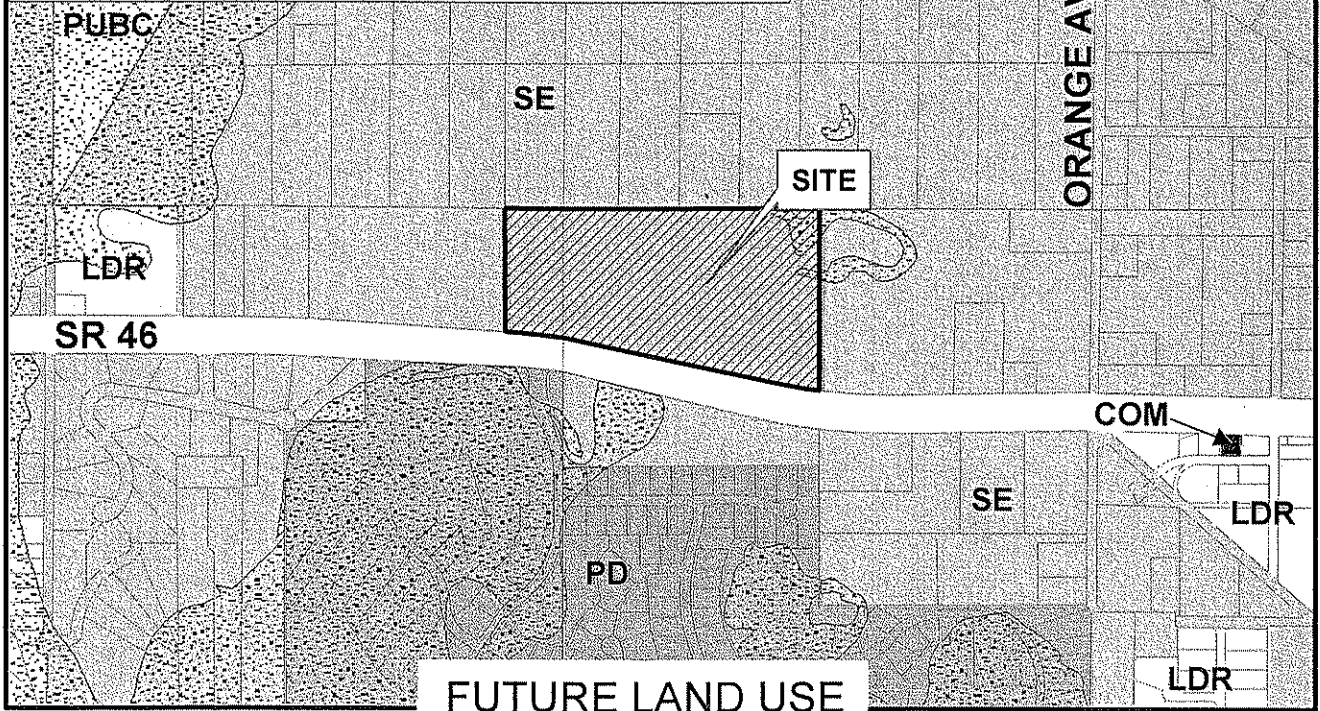


VOLUSIA COUNTY

Z2006-025
SITE



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.

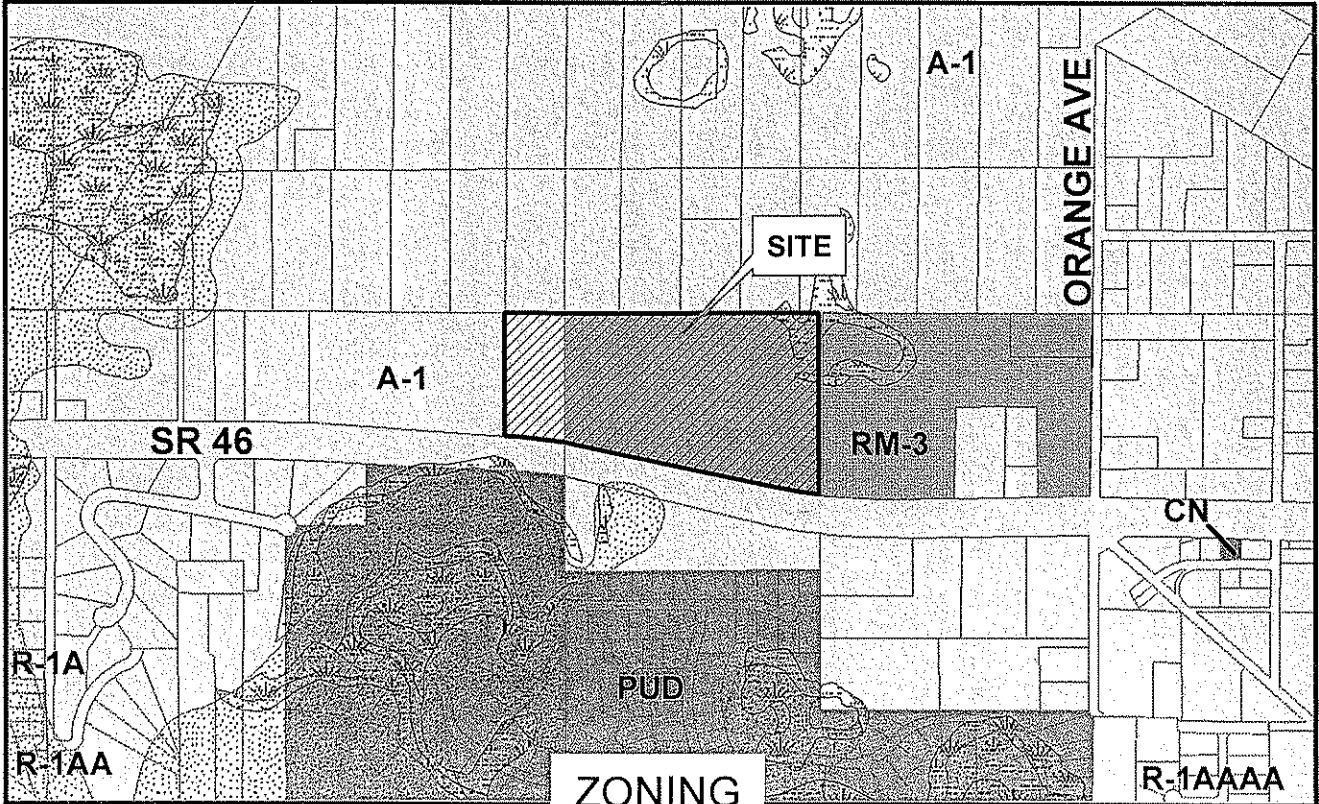


FUTURE LAND USE

Site
 Municipality
 LDR SE PD COM PUBC CONS

Applicant: Tony Cipparone
 Physical STR: 25-19-29
 Gross Acres: 28 acres +/- BCC District: 5
 Existing Use: Vacant
 Special Notes: None

	Amend/Rezoning#	From	To
FLU	-	-	-
Zoning	Z2006-025	A-1/RM-3	RC-1





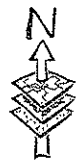
ZONING

A-1
 RM-3
 R-1A
 R-1AA
 R-1AAAA
 CN
 PUD
 FP-1
 W-1



Rezone No: Z2006-025
From: A-1 & RM-3 To: RC-1

-  Parcel
-  Subject Property



January 2004 Color Aerials

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED AS EXHIBIT A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) & RM-3 (TRAVEL TRAILER PARK & CAMPSITES) ZONING CLASSIFICATION THE RC-1 (COUNTRY HOMES) 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 W SR 46 Subdivision 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) & RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes):

SEE ATTACHED EXHIBIT A

Section 3. SEVERABILITY:

If any provision of this Ordinance or the application 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 4. EXCLUSION FROM CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

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 25th day of July 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

EAST 1/4 OF NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 29 EAST, LESS RIGHT OF WAY FOR STATE ROAD 46, ALSO WEST 1321 FEET OF NORTHWEST 1/4 LYING NORTH OF STATE ROAD 46, IN SECTION 25, TOWNSHIP 19 SOUTH, RANGE 29 EAST. ALL LYING IN SEMINOLE COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF FLORIDA RECORDED IN OFFICIAL RECORDS BOOK 831, PAGE 558.

CONTAINS 1,219,625 SQUARE FEET OR 27.999 ACRES



SEMINOLE COUNTY PUBLIC SCHOOLS School Capacity Report

To: Seminole County Board of County Commissioners

From: George Kosmac, Deputy Superintendent, Seminole County Public Schools

Date: July 6, 2006

RE. West State Road 46 Rezone Z2006-25

Seminole County Public Schools (SCPS), in reviewing the above rezone request, has determined that if approved the new zoning designation would have the effect of increasing residential density, and as a result generate additional school age children.

Description – 28 +/- acres located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd, from A-1 (Agriculture) to and RM-3 (Travel Trailer Park & Campsite) to RC-1 (County Homes 1/1).

Based on information received from Seminole County Planning and from the staff report for the West SR 46 rezone request, SCPS staff has summarized the potential school enrollment impacts in the following tables:

Total Proposed units					
Total # of Units		# of Single-Family Lots		# of Multi-Family Units	
21		21		0	
Student Generation					
Impacted Schools	Projected Number of Additional Students	Current Capacity	Current Enrollment	Percent Utilization	Students Resulting from Recently Approved Developments
Elementary Northwest Cluster	5	4186	4086	97.6	207
Middle Markham Woods	2	1251	N/A	N/A	26
High Seminole	3	1966	2900	140.2	192

Projected Number of Additional Students is determined by applying the current SCPS student generation rate (calculated by using US Census data analysis) to the number and type of units proposed.

Current Capacity is based on the current enrollment FTE date not including relocatable stations.

Current Enrollment is based on the most recent official FTE count (February).

Percent Utilization is the ratio of enrollment to total permanent building student stations.

Students Resulting from Recently Approved Developments is a summary of students generated from developments approved and platted since January 2005. Student enrollment changes due to existing housing are excluded from these totals.

Comments:

The students generated at the elementary and middle school level resulting from the proposed development would at this point be able to be absorbed into the zoned schools without adverse affect. However, the students generated from the new residential dwelling units could not be absorbed into the high school without the increased use of relocatable student stations (portables), or significant reduction in level of service at the affected campus. There are no planned expansions/additions in the current five-year capital plan that would provide additional student capacity to relieve the Northwest Cluster or Seminole High.

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING & ZONING COMMISSION
JUNE 7, 2006**

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

Members absent: Walt Eismann, Rob Wolf.

Also present: Tony Walter, Planning Manager; April Boswell, Assistant Planning Manager; Tina Williamson, Principal Coordinator; Michael Rumer, Senior Planner; Benjamin Dunn, Senior Planner; Arnold Schneider, Assistant County Attorney; Kelly Brock, Senior Engineer; and Candace Lindlaw-Hudson, Senior Staff Assistant.

D. W SR 46 Subdivision Rezone; Tony Cipparone, applicant; 28± acres; Rezone from A-1 (Agricultural) and RM-3 (Travel Trailer Park & Campsites) to RC-1 (Country Homes); located on the north side of W SR 46; 3,300 feet west of the intersection of SR 46 and Orange Blvd. (Z2006-25)

Commissioner Carey – District 5
Michael Rumer, Senior Planner

Mr. Rumer said that the applicant is requesting the rezone in order to develop a 21 lot single family subdivision zoned RC-1. The proposed zoning allows lots with a minimum size of one acre and a minimum width of 120 feet. This property will have to comply with the standard of the Wekiva River Protection area, the Wekiva River Study Area, and the Rt.46 Scenic Corridor overlay. Staff recommendation is for approval of the request.

Ron Hinson of Design services Group said that this project will preserve the trees. It will have public utilities. The site is adjacent to a nursery and a camp ground..

Commissioner Tucker asked about the existing right of way to SR 46.

Mr. Hinson said that was a non-issue.

Thomas Vellanti, owner of the 12 Oaks RV Resort, spoke next. He said that developers clear land. He does not want to see a big sand lot next door. SR 417 will be coming into SR 46 right at the entrance to 12 Oaks Park. He also wants the drainage pond preserved.

Mr. Hinson said the goal is to preserve trees. The lots will be one acre lots, with dimensions of 120 feet by 310 to 320 feet. The wetlands have been delineated, with a 50 foot upland protection outlined.

Commissioner Bates made a motion to recommend approval.

Commissioner Brodeur seconded the motion.

Commissioner Hattaway asked if the schools had been notified. She and Commissioner Brodeur expressed concern for school overcrowding in the area.

Mr. Rumer said that the School Board had been notified, with no response.

The vote was 5 – 0 in favor of the motion.