

9442 & 9436 ALBEMARLE ROAD REZONE

REQUEST INFORMATION	
APPLICANTS	Robert E. Mike and Dwayne Rackard
PROPERTY OWNERS	Robert E. Mike and Malinda Rackard
REQUEST	A-1 (Agriculture) to C-3 (General Commercial & Wholesale)
HEARING DATE (S)	P&Z: July 13, 2005 BCC: August 23 2005
PARCEL NUMBER	21-21-29-300-0240-0000 & 21-21-29-300-0250-0000
LOCATION	West side of Albemarle Rd., 350' south of Arletta St.
FUTURE LAND USE	Industrial
FILE NUMBER	Z2005-025
COMMISSION DISTRICT	3 – Van Der Weide

OVERVIEW

Zoning Request: The applicants request C-3 on property in the Industrial future land use designation of the Vision 2020 Plan. The applicants or a purchaser could redevelop the subject property for retail uses or heavier commercial uses such as wholesaling or storage. The required site plan review process will address site design issues, such as access to public streets, utilities, stormwater management, landscaping, and lighting. The Development Review Division would conduct this evaluation upon receipt of a specific development proposal.

Existing Land Uses:

(North)

INDUSTRIAL SF residential <i>A-1</i>	INDUSTRIAL SF residential <i>A-1</i>	MIXED USE (City) Vacant <i>Mixed Use District</i>
OFFICE-COMMERCIAL (City) Vacant <i>Mixed Office Commercial</i>	INDUSTRIAL (SUBJECT PROPERTY) Residence <i>A-1</i>	MIXED USE (City) Vacant <i>Mixed Use District</i>
OFFICE-COMMERCIAL (City) Vacant <i>Mixed Office Commercial</i>	INDUSTRIAL SF residential <i>A-1</i>	MIXED USE (City) Vacant <i>Mixed Use District</i>

(West)

(East)

(South)

***Bold** text depicts future land use designation, plain text depicts the existing use, and *italicized* text depicts zoning district. See enclosed future land use and zoning map for more details.

SITE ANALYSIS

Facilities and Services:

1. The impacts of development shall not occur until adequate facilities and services are available.
2. The proposed rezone 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. The site is not in a designated water or sewer service area of Seminole County or any other provider. However, the site is adjacent to the established service areas of Utilities Inc. and the City of Altamonte Springs. Prior to approval of any development requiring such service, the applicant must obtain documentation from one of these providers indicating the availability of service.

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

Compatibility with Surrounding Development: The proposed C-3 zoning is compatible with the Industrial future land use designation.

Intergovernmental Notice Process: Staff sent an Intergovernmental Notice of the proposed rezone to the City of Altamonte Springs on July 14, 2005.

PLANNING & ZONING COMMISSION RECOMMENDATION:

On July 13, 2005 the Planning & Zoning Commission voted 5-0 to recommend APPROVAL of the request.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the requested rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale District) for a 2.94-acre site located on the west side of Albemarle Road, 350 feet south of Arletta Street, (Robert E. Mike and Dwayne Rackard, applicants)

**MINUTES FOR THE SEMINOLE COUNTY LAND PLANNING
AGENCY/PLANNING AND ZONING COMMISSION
JULY 13, 2005**

Members Present: Beth Hattaway, Dudley Bates, Walt Eismann, Matthew Brown, Richard Harris

Member absent: Ben Tucker

Also present: Matt West, Planning Manager; Tony Walter, Assistant Planning Manager; Jeffrey Hopper, Senior Planner; Tony Matthews, Principal Planner; Rebecca Hammock, Principal Planner; Kimberley Romano, Assistant County Attorney; Tom Radzai, Senior Engineer; and Candace Lindlaw-Hudson, Senior Staff Assistant.

B. 9442 & 9436 Albemarle Road Rezone; Robert E. Mike and Dwayne Rackard, applicants; approximately 2.94 acres; rezone from A-1 (Agriculture District) to C-3 (Commercial District); located on the west side of Albemarle Road, 350 feet south of Arletta Street. (Z2005-025)

Commissioner Van Der Weide – District 3
Jeffrey Hopper, Senior Planner

Jeff Hopper presented the applications for A-1 to C-3 zoning on adjoining properties. There are no current plans for development at this time. The City of Altamonte is to the west and south. Staff recommendation is for approval.

Earl Mike spoke on behalf of the applicants. He had no comments.

No one spoke from the floor.

Commissioner Harris made a motion to recommend approval.

Commissioner Eismann seconded the motion.

Commissioner Harris said that this area is quickly going to commercial zoning. This request will allow the property owners to get maximum value from their land.

The motion passed unanimously.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE C-3 (GENERAL COMMERCIAL AND WHOLESALE DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; 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 "9442 & 9436 Albemarle Road 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 C-3 (General Commercial and Wholesale):

LEG SEC 21 TWP 21S RGE 29E S 100 FT OF N 490 FT OF E 1/2 OF SE 1/4 OF SE 1/4 (LESS RD); AND SEC 21 TWP 21S RGE 29E S 100 FT OF N 590 FT OF E 1/2 OF SE 1/4 OF SE 1/4 (LESS RD)

Section 3. 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.

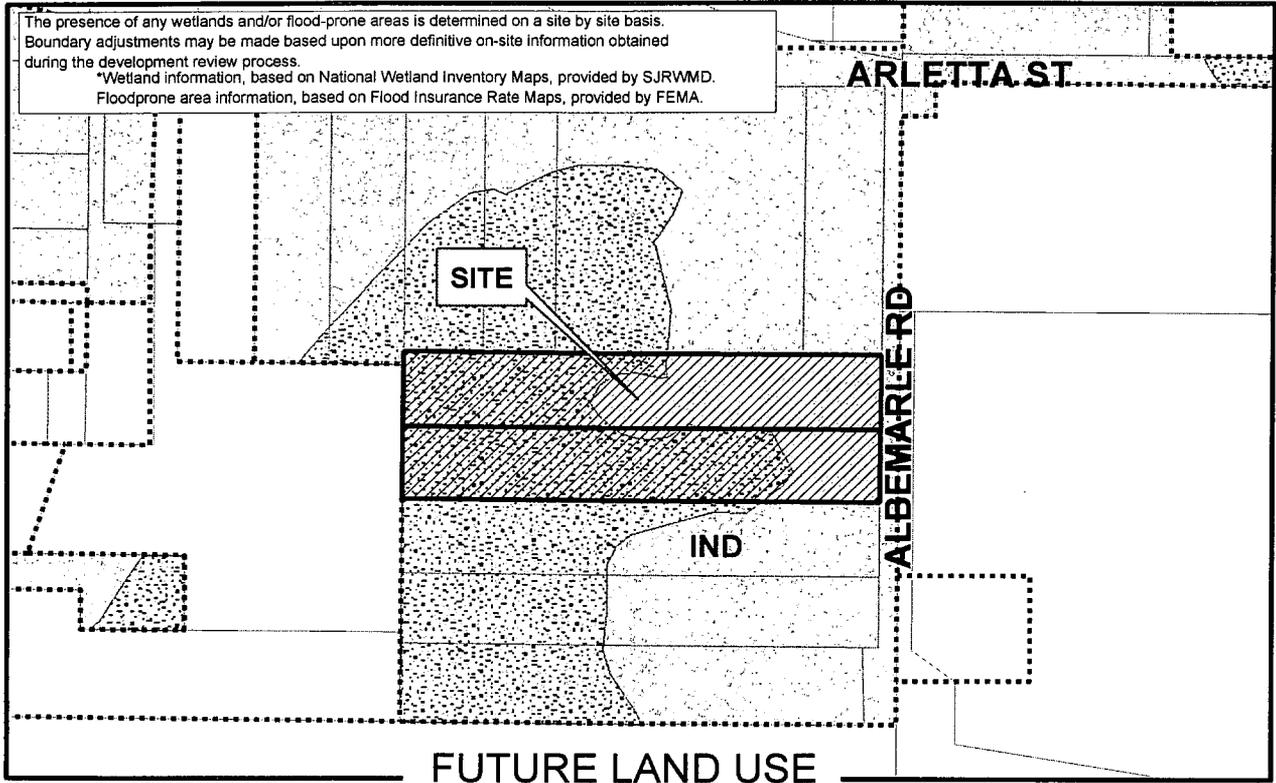
Section 4. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing with the Department of State.

ENACTED this 23rd day of August, 2005

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

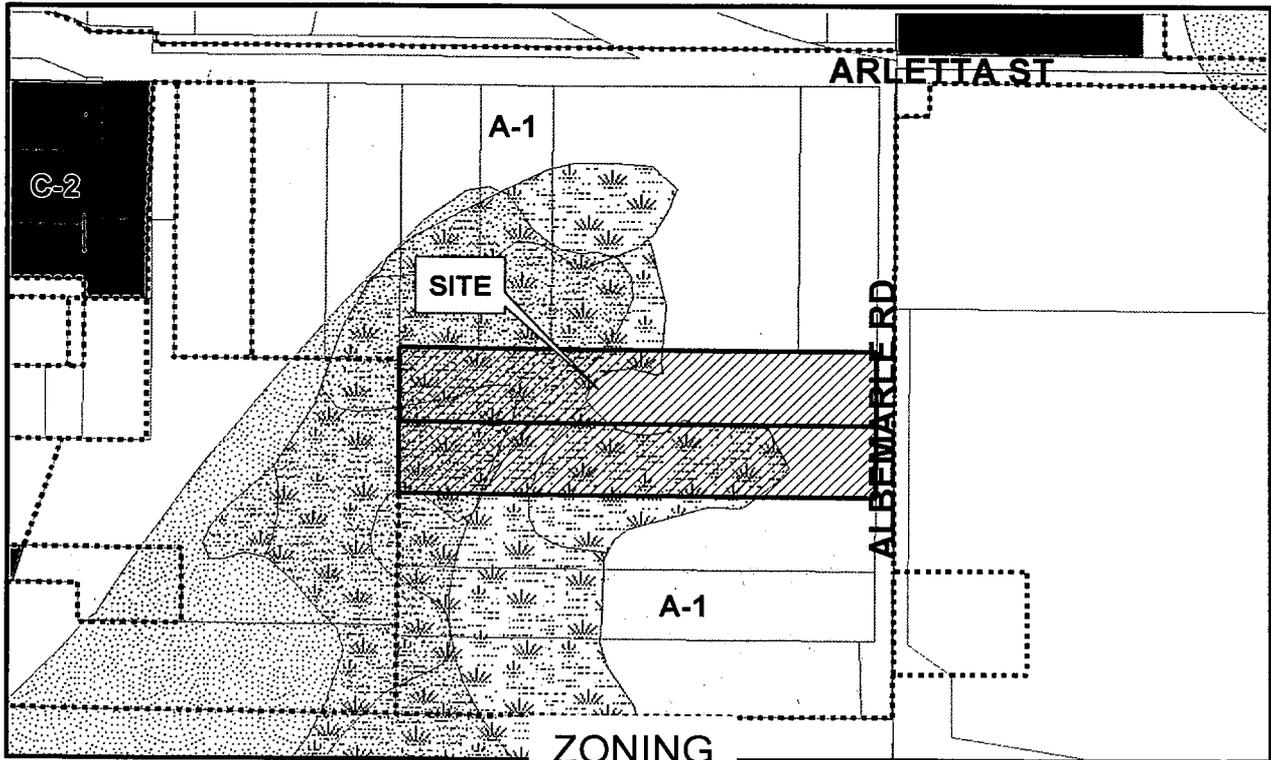
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



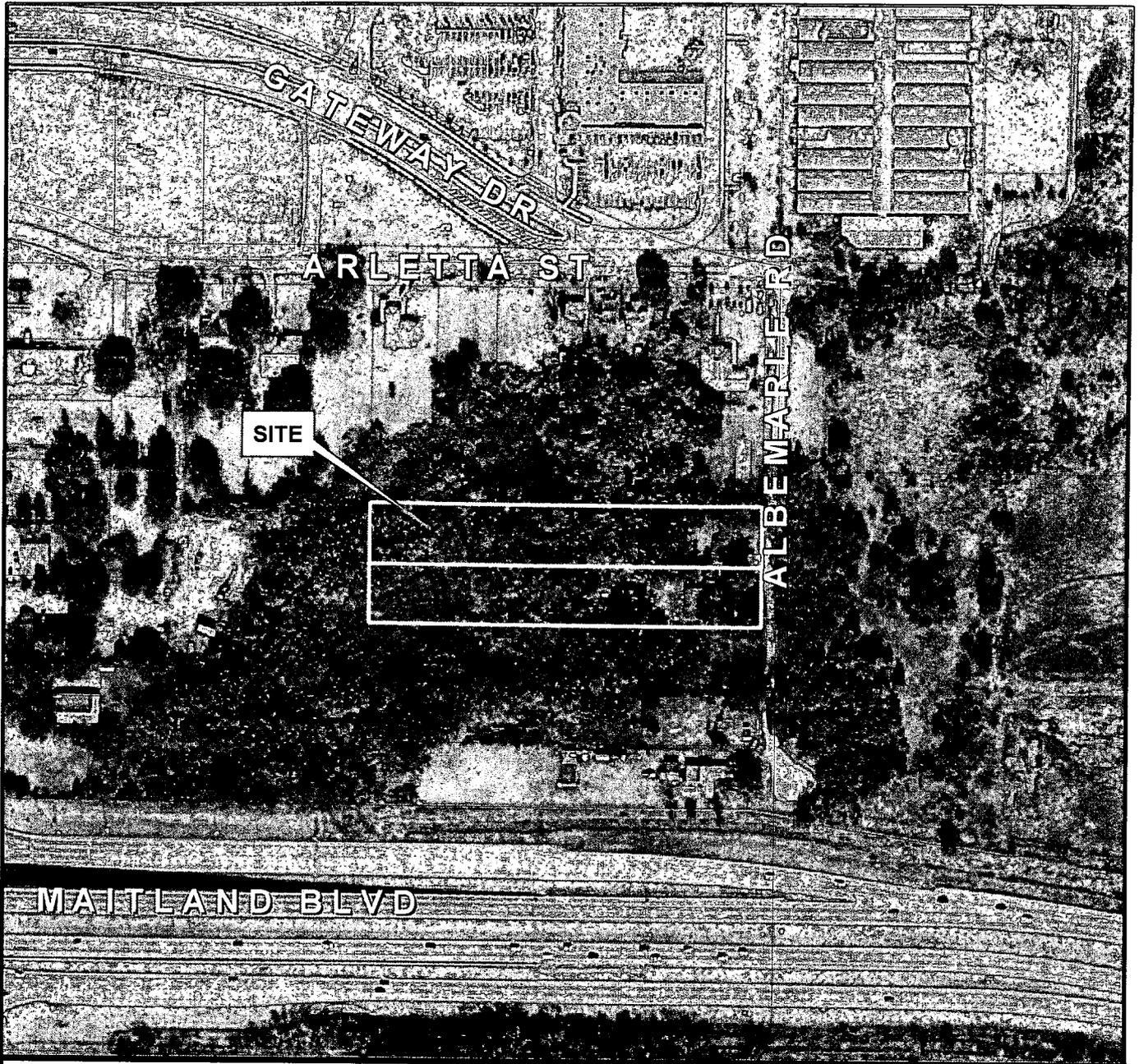
Site
 Municipality
 IND
 CONS

Applicant: Robert E. Mike and Malinda Rackard
 Physical STR: 21-21-29-300-0240 & 0250-0000
 Gross Acres: 2.95 +/- BCC District: 3
 Existing Use: Residential
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-025	A-1	C-3



Municipality
 A-1
 C-2
 FP-1
 W-1



Rezone No: Z2005-025
From: A-1 To: C-3

-  Parcel
-  Subject Property



January 2004 Color Aerials

