

Item # 54

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Sand Lake Road Rezone From A-1 to R-1AAA

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

AUTHORIZED BY: Dan Matthys **CONTACT:** Tony Walter **EXT.** 7375

Agenda Date 9/27/05 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

MOTION/RECOMMENDATION:

1. APPROVE the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District); (Todd Magargee, applicant); or
2. DENY the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District); (Todd Magargee, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 3 – Comm. Van Der Weide)

(Tony Walter, Planning Manager)

BACKGROUND:

The applicant, Todd Magargee, requests the rezoning of a 2.5 acre tract located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District). The requested zoning allows lots with a minimum size of 13,500 square feet and lot width of 100 feet. The future land use designation of the subject property is LDR (Low Density Residential), which permits a maximum density of four (4) dwelling units per acre.

Section 30.1380.3 of the Land Development Code requires the application of the Weighted Method for Determining Single-Family Residential Compatibility in Residential Land Use. The analysis supports the requested rezone to R-1AAA. The requested zoning will allow approximately 3 homes per acre.

Reviewed by:	<u>KL</u>
Co Atty:	<u>KL</u>
DFS:	<u> </u>
Other:	<u> </u>
DCM:	<u> </u>
CM:	<u> </u>
File No.	<u>ph130pdp02</u>

PLANNING & ZONING COMMISSION RECOMMENDATION:

At its meeting of August 3, 2005, the Planning & Zoning Commission unanimously (6 to 0) recommended approval of the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District).

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District), as supported by the Weighted Method for Determining Single-Family Residential Compatibility.

Attachments:

Staff Analysis
Locator Map
FLU/Zoning Map
Plat Map
Aerial map
Ordinance
P&Z Minutes

SAND LAKE ROAD REZONE A-1 TO R-1AAA

REQUEST INFORMATION	
APPLICANT	Todd Magargee
PROPERTY OWNER	True North Development, LLC
REQUEST	Rezone property from A-1 (Agriculture District) to R-1AAA (Single- Family Dwelling District)
HEARING DATE (S)	P&Z: August 3, 2005 BCC: September 27, 2005
PARCEL ID	07-21-29-300-0150-0000
LOCATION	Located on the south side of Sand Lake Road, approximately 300 feet west of Sandy Lane
FUTURE LAND USE	LDR (Low Density Residential)
ZONING	A-1 (Agriculture District)
FILE NUMBER	Z2005-032
COMMISSION DISTRICT	#3 – Van Der Weide

OVERVIEW:

Zoning Request: The applicant, Todd Magargee, requests the rezoning of a 2.5 acre tract located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District). The future land use of the subject property is LDR (Low Density Residential), which permits a maximum density of four (4) dwelling units per acre. The minimum area regulations for the R-1AAA (Single-Family Dwelling District) are as follows:

R-1AAA DISTRICT AREA REGULATIONS	
Minimum Lot Size	13,500 square feet
Minimum House Size	1,600 square feet
Minimum Width at Building Line	100 feet
Front Yard Setback	25 feet
Side Yard Setback	10 feet
(Street) Side Yard Setback	25 feet
Rear Yard Setback	30 feet
Minimum House Size	1,600 square feet

Section 30.1380.3 of the Land Development Code requires the application of the Weighted Method for Determining Single-Family Residential Compatibility in Residential Land Use. The analysis supports the requested rezone to R-1AAA. The calculations assign differing weights to the surrounding zoning districts according to permitted development intensities within those districts. For example, the R-1AAA district, with a minimum lot size of 13,500 square feet, has a weight factor of 6, while A-1, which requires one-acre lots, has a weight factor of 4. As stated, A-1 zoned properties in proximity to a proposed rezoning receive a base weight of 4, but additional points can be assigned if water, sewer, and paved roads are available, up to a maximum weight of 7. Weighting

factors, together with the acreage of parcels within a 660-foot radius of the subject property, determine the “compatible” zoning for the subject property.

Existing Land Uses:

The future land use designation, zoning district and existing use for the subject and abutting properties are as follows:

		(North)		
	PD Single-Family <i>PUD</i>	LDR Single-Family <i>R-1AAA</i>	LDR Single-Family <i>R-1AAA</i>	
(West)	PD Single-Family <i>PUD</i>	(SUBJECT PROPERTY) LDR Single-Family <i>A-1</i>	LDR Single-Family <i>A-1</i>	(East)
	PD Single-Family <i>PUD</i>	LDR Single-Family <i>A-1</i>	LDR Single-Family <i>A-1</i>	
		(South)		

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

SITE ANALYSIS:

Facilities and Services:

Adequate public facilities and services must be available concurrent with the impacts of development. The applicant submitted an Affidavit of Concurrency Review Deferral. At the time of subdivision review, the applicant is required to submit an application for concurrency review.

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

Public Facilities	Existing Zoning (A-1)	Proposed Development*	Net Impact
Water (GPD)	700	1,400	700
Sewer (GPD)	700	1,400	700
Traffic (ADT)	19	38	19
Schools			
Elementary	0.5	1.0	0.5
Middle	0.25	0.5	0.25
High	0.33	0.66	0.33

*Proposed development on straight zoning is based on maximum units permitted using gross acreages.

Utilities:

The site is located in the service area of Utilities, Inc. A letter from Utilities, Inc., confirming utility capacity and intent to serve for potable water and sewer and reclaimed water, is required at the time of subdivision review, and approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

The property accesses Sand Lake Road to the north, classified as a major collector road with a level of service "C". Staff determined that a left turn lane is required on Sand Lake Road at the site entrance.

Compliance with Environmental Regulations:

There are no identified areas of environmental concern on the property.

Compatibility with Surrounding Development:

Staff conducted a lot size compatibility analysis, as required by Section 30.1380.3 of the Land Development Code and Policy FLU 2.10 of the Vision 2020 Comprehensive Plan. The analysis supports the requested rezone to R-1AAA.

PLANNING & ZONING COMMISSION RECOMMENDATION:

At its meeting of August 3, 2005, the Planning & Zoning Commission unanimously (6 to 0) recommended approval of the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District).

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District), as supported by the Weighted Method for Determining Single-Family Residential Compatibility.

MINUTES FOR THE SEMINOLE COUNTY LAND PLANNING AGENCY/PLANNING
AND ZONING COMMISSION
AUGUST 3, 2005

E. Sand Lake Road Rezone (3391); Todd Magargee / True North Development LLC, applicants; approximately 2.5 acres; rezone from A-1 (Agriculture District) to R-1AAA (Single Family Dwelling District); located on the south side of Sand Lake Road, 300 feet west of Sandy Lane. (Z2005-032)

Commissioner Van Der Weide – District 3

Tony Walter, Assistant Planning Manager

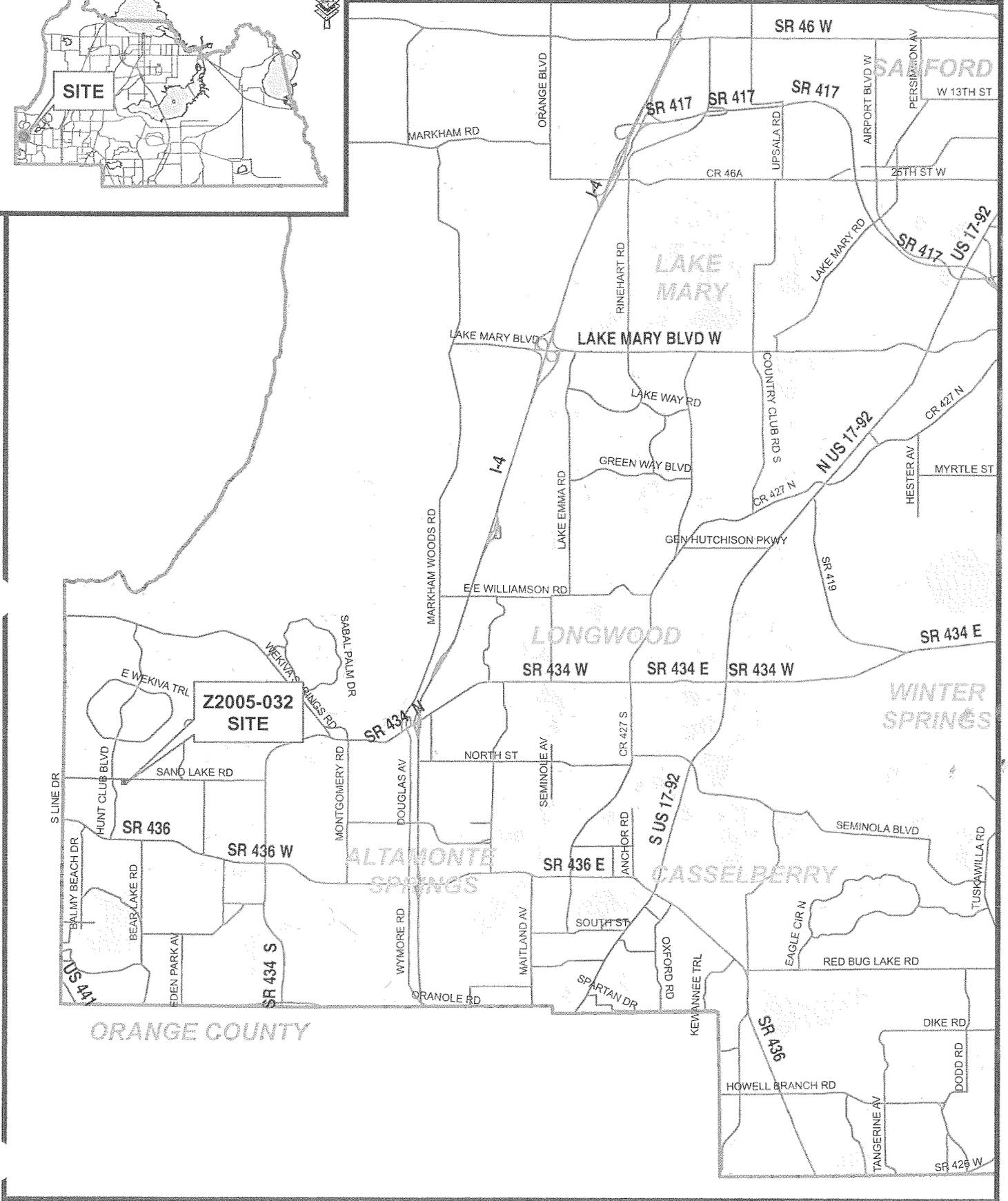
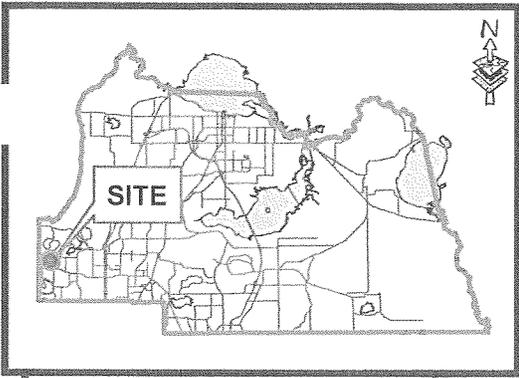
Mr. Walter stated that the lot compatibility analysis supports the R-1AAA zoning requested. Minimum lot size would be 13,500 square feet, with minimum house size of 1,600 square feet. Four lots are proposed. Staff recommendation is for approval.

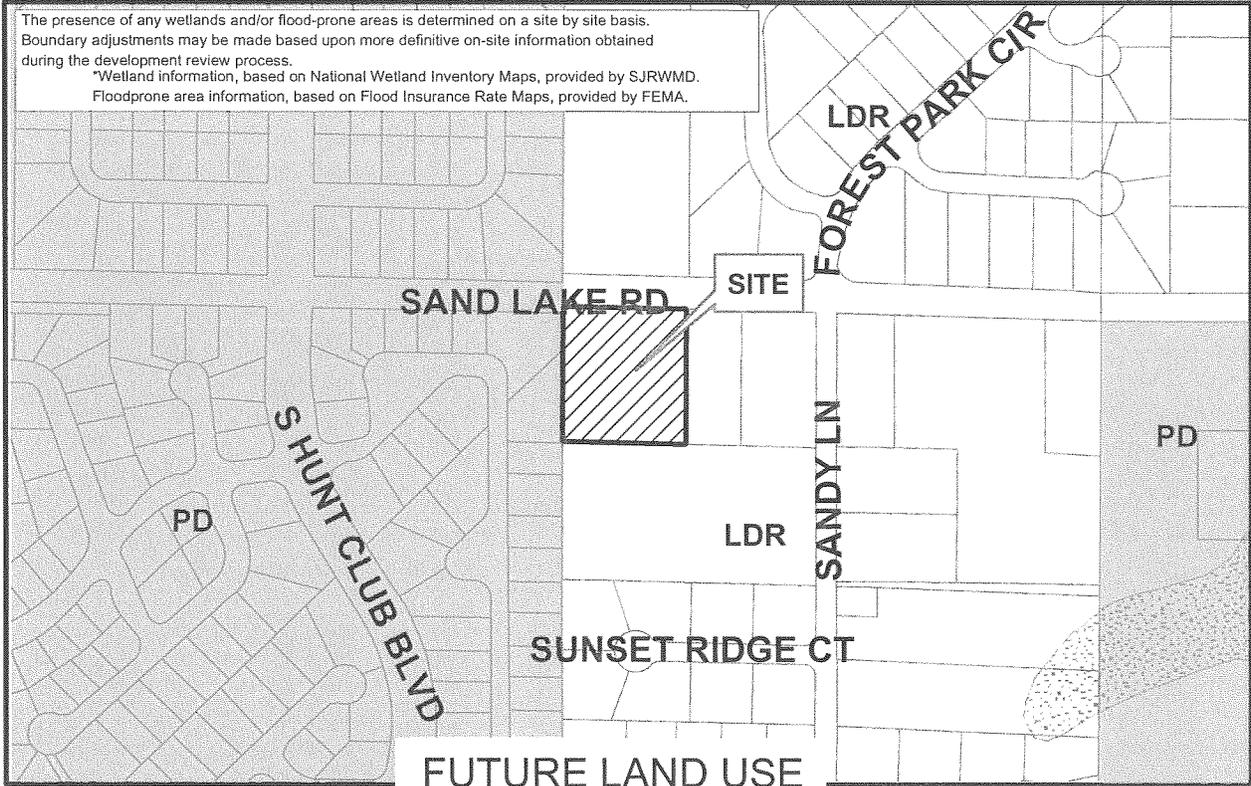
No one spoke on the item.

Commissioner Hattaway made a motion to recommend approval of the item.

Commissioner Harris seconded the motion.

The motion passed unanimously.

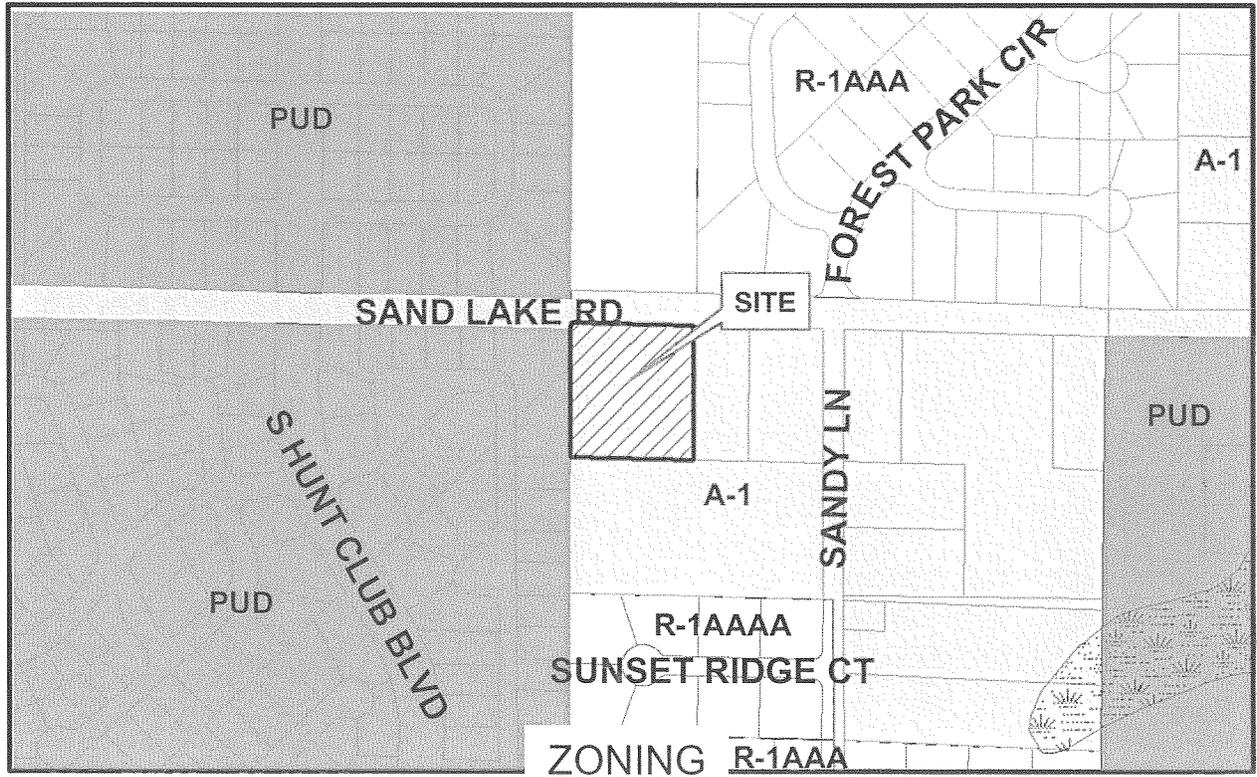




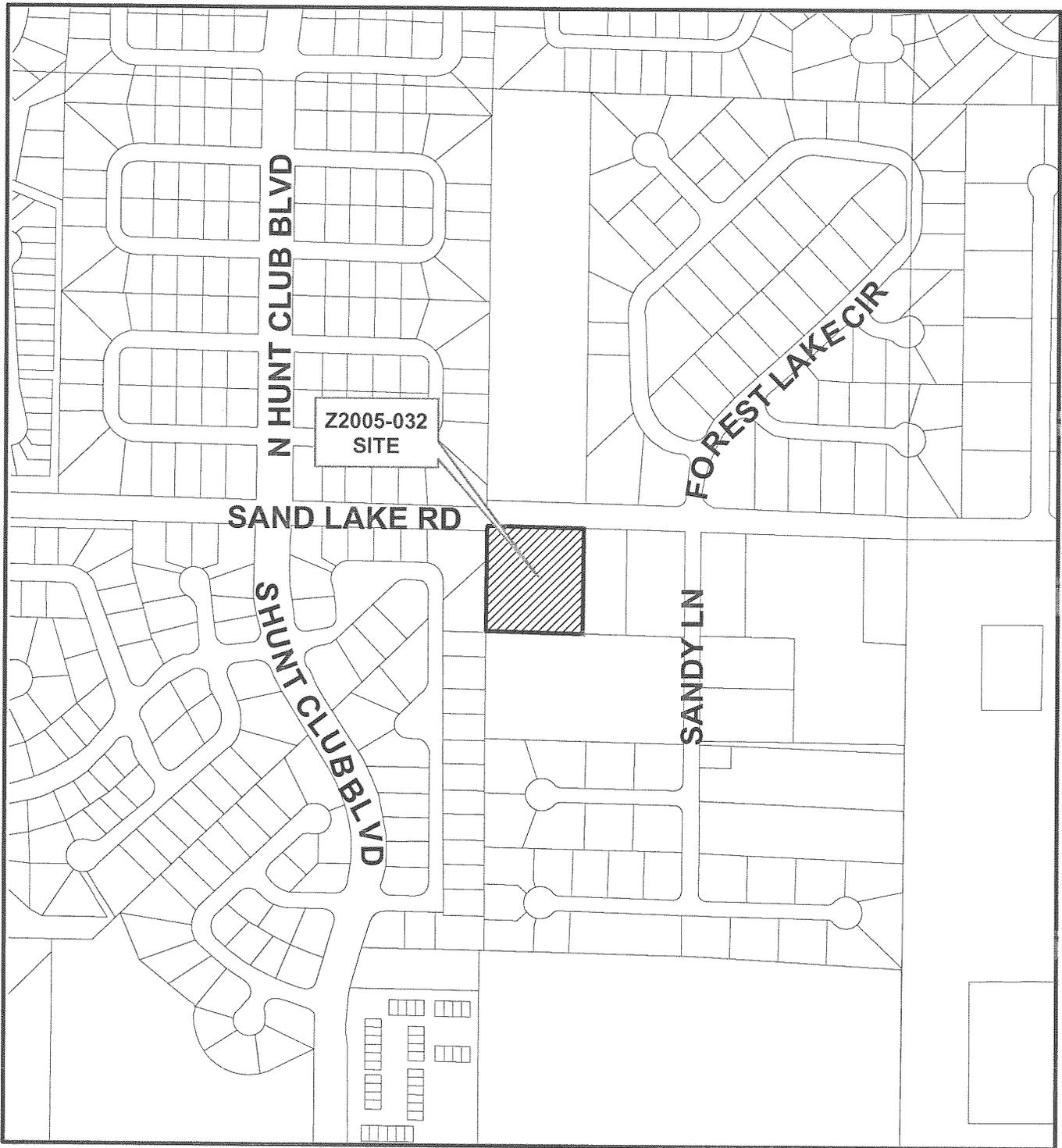
Site
 PD
 LDR
 Municipality
 CONS

Applicant: True North Development LLC/Todd Magargee
 Physical STR: 07-21-29-300-0150-0000
 Gross Acres: 2.5 +/- BCC District: 3
 Existing Use: Single Family
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-032	A-1	R1-AAA



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





Rezone No: Z2005-032
 From: A-1 To: R-1AAA

-  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; 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; 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 "Sand Lake 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 R-1AAA (Single-Family Dwelling District):

LEG SEC 07 TWP 21S RGE 29E NW 1/4 OF NW 1/4 OR SE 1/4 OF NE 1/4 (LESS RD + W 16.5 FT)

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 27th day of September, 2005

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

MINUTES FOR THE SEMINOLE COUNTY LAND PLANNING AGENCY/PLANNING
AND ZONING COMMISSION
AUGUST 3, 2005

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