

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: HABITAT FOR HUMANITY REZONE FROM R-2 TO R-1B

DEPARTMENT: Planning & Development DIVISION: Planning

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

Agenda Date 10/25/05 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. APPROVE the request to rezone Lot 11, Frost's Addition (less the south 94 feet and road right of way) located on the east side of S. Ronald Reagan Blvd. approximately 0.25 miles north of SR 436, from R-2 (One and Two Family Dwelling District) to R-1B (Single Family Dwelling District); (Habitat for Humanity, applicant); or
2. DENY the request to rezone Lot 11, Frost's Addition (less the south 94 feet and road right of way) located on the east side of S. Ronald Reagan Blvd. approximately 0.25 miles north of SR 436, from R-2 (One and Two Family Dwelling District) to R-1B (Single Family Dwelling District); (Habitat for Humanity, applicant); or
3. CONTINUE the public hearing until a time and date certain.

District 4 – Comm. Henley

Tony Walter, Planning Manager

BACKGROUND:

The applicant, Habitat for Humanity, requests the rezoning of Lot 11, Frost's Addition (less the south 94 feet and road right of way) located on the east side of S. Ronald Reagan Blvd. approximately 0.25 miles north of SR 436, from R-2 (One and Two Family Dwelling District) to R-1B (Single Family Dwelling District). The requested zoning permits lots with a minimum size of 6,700 square feet and lot width of 60 feet. The future land use designation of the subject property is MDR (Medium Density Residential), which permits a maximum density of ten (10) dwelling unit per acre. The applicant plans to construct 2 Habitat homes with shared access to Ronald Reagan Blvd.

Reviewed by:	<i>KR</i>
Co Atty:	_____
DFS:	_____
Other:	_____
DCM:	<i>ab</i>
CM:	<i>KB</i>
File No.	<u>ph130pdp06</u>

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone Lot 11, Frost's Addition (less the south 94 feet and road right of way) located on the east side of S. Ronald Reagan Blvd. approximately 0.25 miles north of SR 436, from R-2 (One and Two Family Dwelling District) to R-1B (Single Family Dwelling District).

Attachments:

Staff Analysis
September 7, 2005 LPA/P&Z minutes
Locator Map
FLU/Zoning Map
Plat Map
Aerial Map
Ordinance

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HABITAT FOR HUMANITY Rezone from R-2 to R-1B	
APPLICANT	Habitat for Humanity
PROPERTY OWNER	Habitat for Humanity, Inc.
REQUEST	Rezone from R-2 (One and Two Family Dwelling District) to R-1B (Single- Family Dwelling District)
PROPERTY SIZE	0.40 ± acres
HEARING DATE (S)	P&Z: September 7, 2005 BCC: October 25, 2005
PARCEL ID	18-21-30-509-0000-011A
LOCATION	East side of S. Ronald Reagan Blvd. approximately 0.25 mile north of SR436
FUTURE LAND USE	MDR (Medium Density Residential)
ZONING	R-2 (One and Two Family Dwelling District)
FILE NUMBER	Z2005-043
COMMISSION DISTRICT	#4 – Henley

Proposed Development:

The applicant is proposing to develop 2 single-family dwelling units with shared access to Ronald Reagan Blvd.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Habitat for Humanity, requests the rezoning of Lot 11, Frost's Addition (less the south 94 feet and road right of way) located on the east side of S. Ronald Reagan Blvd. approximately 0.25 miles north of SR 436, from R-2 (One and Two Family Dwelling District) to R-1B (Single Family Dwelling District). The requested zoning permits lots with a minimum size of 6,700 square feet and lot width of 60 feet. The future land use designation of the subject property is MDR (Medium Density Residential), which permits a maximum density of ten (10) dwelling unit per acre. The applicant plans to construct 2 Habitat homes with shared access to Ronald Reagan Blvd. Rezoning the property from R-2 to R-1B is required to permit the site to be split into 2 lots and meet the appropriate minimum lot width and setbacks.

The following table depicts the minimum regulations for the current zoning district of R-2 (One and Two Family Dwelling District) and the requested district of R-1B (Single-Family Dwelling District):

DISTRICT REGULATIONS	Existing Zoning (R-2)	Proposed Zoning (R-1B)
Minimum Lot Size	9,000 square feet	6,700 square feet
Minimum House Size	1,400 square feet (duplex) – 700 square feet (single family)	700 square feet
Minimum Width at Building Line	75 feet	60 feet
Front Yard Setback	25 feet	20 feet
Side Yard Setback	10 feet	7.5 feet
(Street) Side Yard Setback	25 feet	20 feet
Rear Yard Setback	30 feet	25 feet
Maximum Building Height	35 feet	35 feet

PERMITTED & SPECIAL EXCEPTION USES

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

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
R-2 (existing)	Any use permitted in the R-1 Single-Family Dwelling zoning classification such as single-family dwellings and their customary accessory uses, boathouses and boat docks, community residential homes housing six (6) or fewer permanent unrelated residents, One- and Two-Family dwelling structures, including the customary accessory uses, Home offices.	Any use permitted by special exception in the R-1 Single-Family Dwelling district such as day nurseries or kindergartens, guest or tourist homes located on state or federal highways, off-street parking facilities, assisted living facilities and community residential homes housing 7-14 permanent unrelated residents, communication towers.	9,000 square feet
R-1B (proposed)	Any use permitted in the R-1A Single-Family Dwelling zoning classification, including customary accessory uses, Home occupations and home offices, Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Any special exception permitted in the R-1A zoning classification such as, Day nurseries or kindergartens, Guest or tourist homes when located on state or federal highways, Off-street parking facilities, Assisted living facilities and community residential homes housing 7-14 permanent unrelated residents.	6,700 square feet

COMPATIBILITY WITH SURROUNDING PROPERTIES

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

(North)

	CITY/ROAD Utility <i>(United Telephone)</i>	MDR Vacant <i>R-1</i> <i>(8,400 sf lots)</i>	MDR Park <i>R-1</i> <i>(8,400 sf lots)</i>	
(West)	CITY/ROAD Utility <i>(United Telephone)</i>	MDR Vacant R-2	MDR Multi-Family R-2 <i>(20,125 sf lots)</i>	(East)
	CITY/ROAD Utility <i>(United Telephone)</i>	MDR Single-Family <i>R-2</i> <i>(10,200 sf lots)</i>	MDR Multi-Family R-2 <i>(20,125 sf lots)</i>	

(South)

* **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 number Casselberry 564, there are no areas located within the 100-year floodplain. Compliance with the Land Development Code regarding floodprone areas is required prior to the issuance of any building permits.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there are no areas identified as 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:

A Threatened and Endangered and species of special concern survey will be required prior to final engineering approval.

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 applicant is required to undergo Concurrency review prior to subdivision approval.

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

Public Facility	Existing Zoning (R-2)	Proposed Development* R-1B	Net Impact
Water (GPD)	700	700	0
Sewer (GPD)	600	600	0
Traffic (ADT)	19	19	0
Schools			
Elementary	1	1	0
Middle	1	1	0
High	1	1	0

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

Utilities:

The site is located in the service area of Altamonte Springs and will be required to connect to public utilities. A letter of capacity and intent from City of Altamonte Springs for water, wastewater and reclaimed water service is required at the time of Concurrency 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 S. Ronald Reagan Blvd., which is classified as a four-lane undivided minor arterial roadway with an adopted Level of Service E. S. Ronald Reagan Blvd. is currently operating at a level of service "C". Staff determined that a joint access driveway is required on S. Ronald Reagan Blvd.

School Impacts:

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately 3 school age children. This subject site is currently zoned for, and will affect, the following schools:

Schools Impacted	Proposed Impact	Current Capacity	05/06 Enrollment	Percent Capacity
Altamonte	1	1035	877	84.7%
Milwee Middle	1	1,440	1,128	78.3%
Lyman High	1	2,540	2,401	94.5%

Public Safety:

The nearest response unit to the subject property is Station # 11, which is located at 175 Newburyport Avenue. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 2 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

Drainage:

The proposed project poses a negligible impact on drainage. The applicant will be required to meet all stormwater site development requirements.

Parks, Recreation and Open Space:

The proposed project poses a negligible impact on County parks and recreation facilities. The applicant will be required to meet all open space site development requirements.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

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

SPECIAL DISTRICTS

The subject property is not in a Special District.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy POT 4.5 Potable Water Connection
Policy SAN 4.4: Sanitary Sewer Connection
Policy PUB 2.1 Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notices were sent to the City of Altamonte Springs and the Seminole County School District on September 26, 2005. To date, no comments have been received.

PLANNING & ZONING COMMISSION RECOMMENDATION:

At its meeting of September 7, 2005, the Planning & Zoning Commission unanimously (5 to 0) recommended approval of the request to rezone Lot 11, Frost's Addition (less the south 94 feet and road right of way) located on the east side of S. Ronald Reagan Blvd. approximately 0.25 miles north of SR436, from R-2 (One and Two Family Dwelling District) to R-1B (Single Family Dwelling District).

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 Lot 11, Frost's Addition (less the south 94 feet and road right of way) located on the east side of S. Ronald Reagan Blvd. approximately 0.25 miles north of SR436, from R-2 (One and Two Family Dwelling District) to R-1B (Single Family Dwelling District).

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/
PLANNING AND ZONING COMMISSION**

***WEDNESDAY, SEPTEMBER 7, 2005
7:00 P.M.***

Members present: Ben Tucker, Rob Wolf, Matt Brown, Walt Eismann, Jason Brodeur

Members absent: Beth Hattaway, Dudley Bates

Also present: Dan Matthys, Director of Planning and Development; Tony Walter, Planning Manager; Rebecca Hammock, Principal Coordinator, Development Review; Jeffrey Hopper, Senior Planner; Brian Nelson, Principal Coordinator; Denny Gibbs, Senior Planner; and Candace Lindlaw-Hudson, Senior Staff Assistant.

I. Habitat For Humanity of Seminole County Rezone; Robert Klettner, applicant; approximately .33 acres; Rezone from R-2 to R-1B; located on the east side of Ronald Reagan Boulevard, 150 feet north of Williams Street. (Z2005-043)

Commissioner Henley – District 4
Tony Walter, Planning Manager

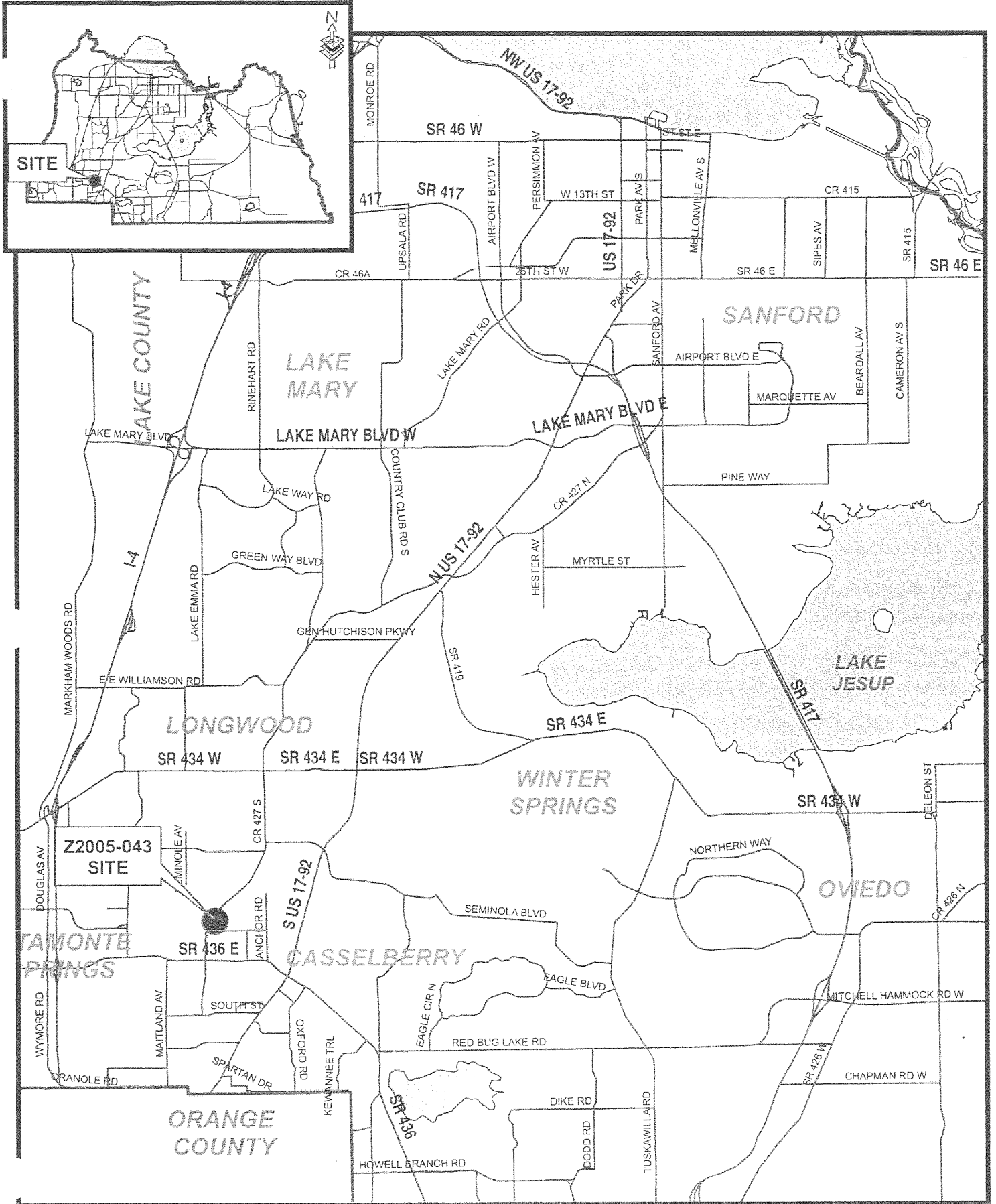
Tony Walter introduced the application stating that the lot will be split to have 2 60-foot parcels. The future land use is MDR (Medium Density Residential). The applicant does not want a duplex here. Staff recommendation is for approval.

Robert Klettner stated that this lot was deeded to Habitat for Humanity by the BCC. It will have one curb cut onto the road.

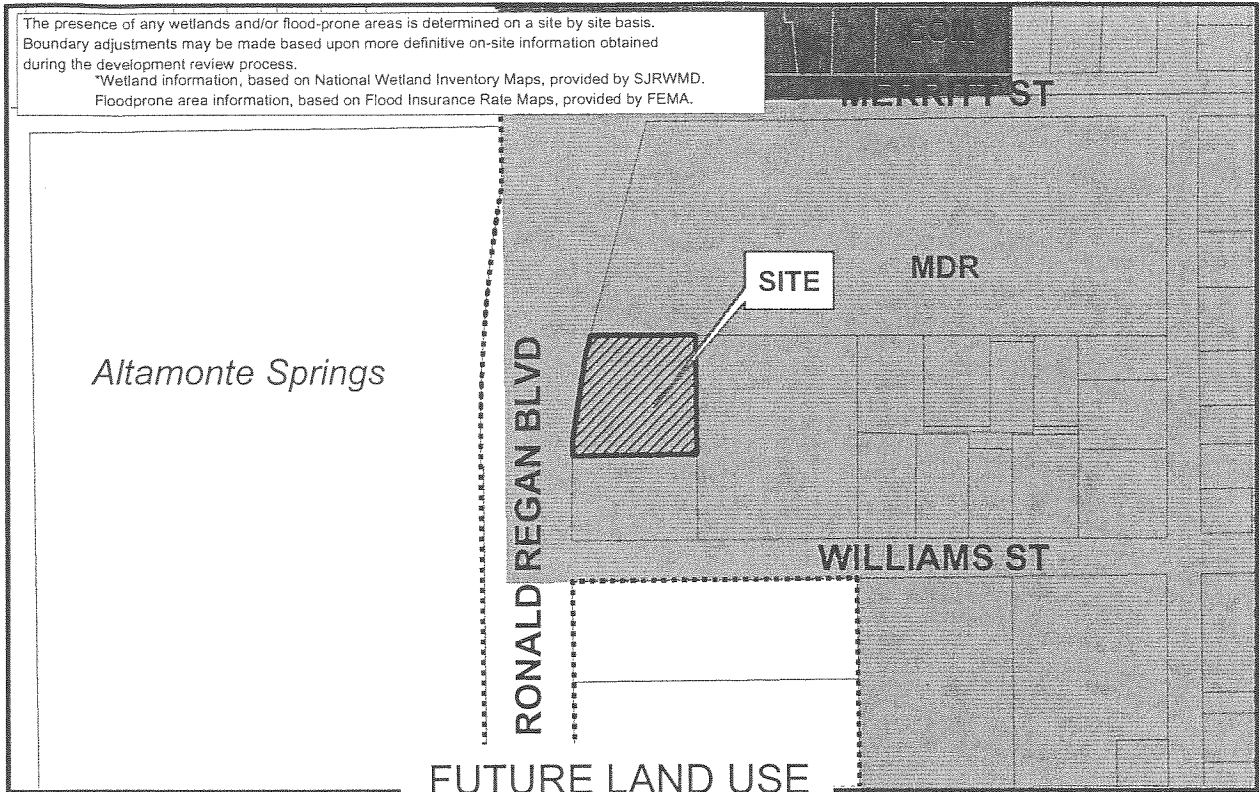
Commissioner Brown made a motion to recommend approval with staff recommendations.

Commissioner Eismann seconded the motion.

The motion passed 5 – 0.



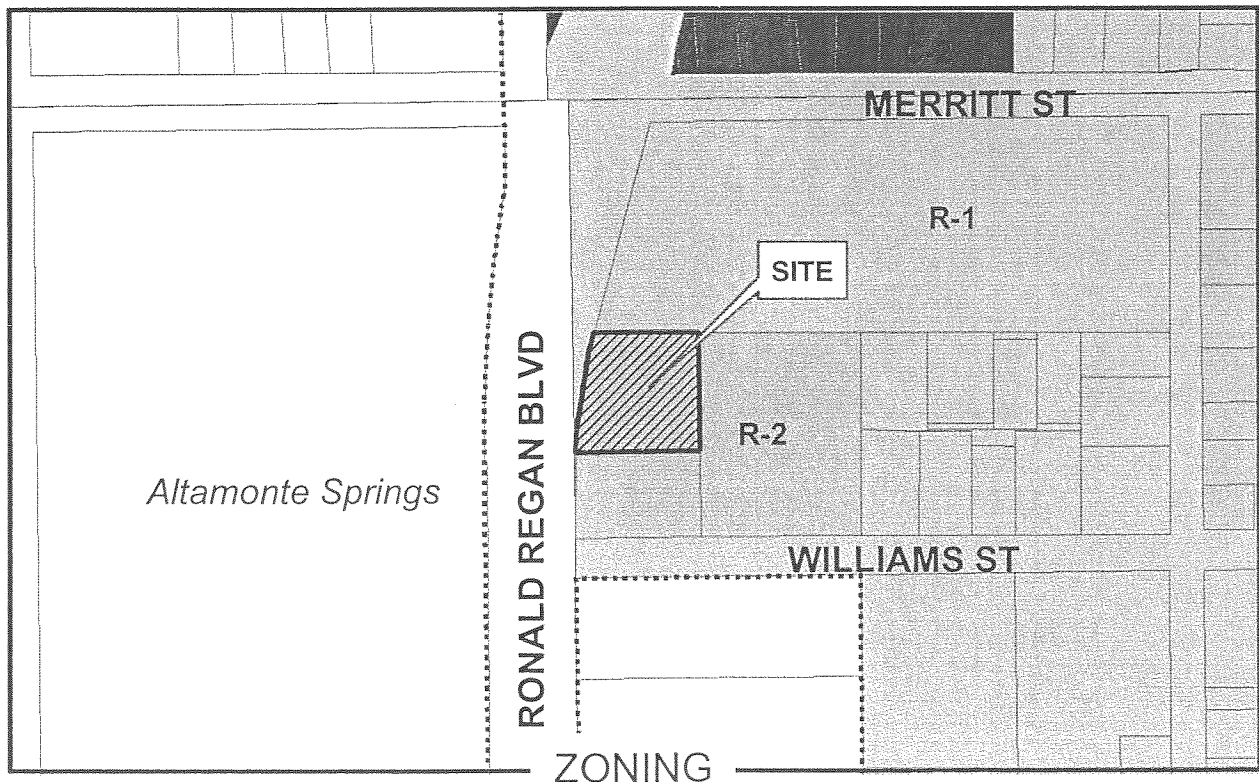
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



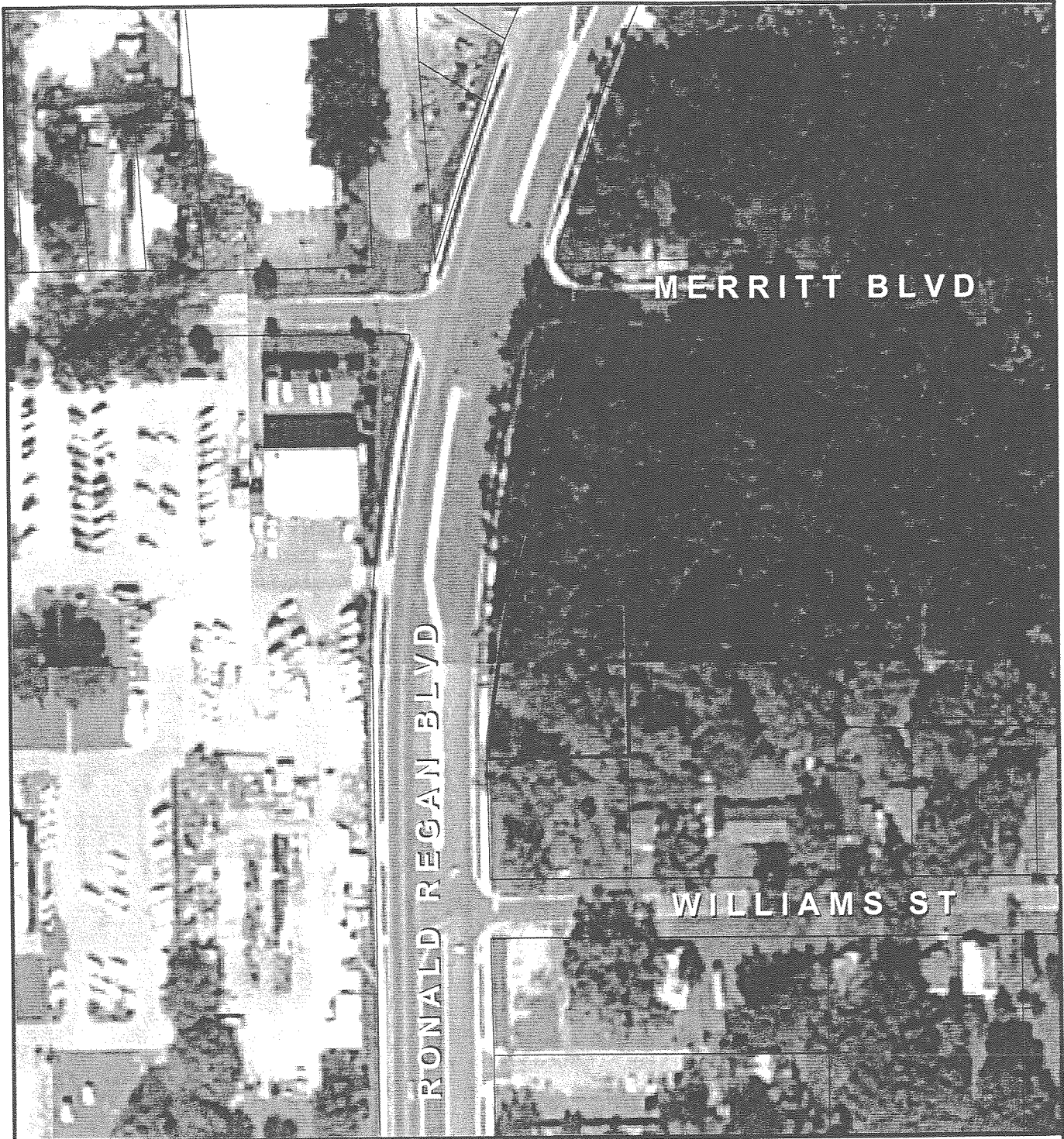
Site
 Municipality
 MDR
 COM
 CONS

Applicant: Robert Klettner
 Physical STR: 18-21-30-509-0000-011A
 Gross Acres: .41 acres +/- BCC District: 4
 Existing Use: Public
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	-	-	-
Zoning	Z2005-043	R-2	R-1B



R-1
 R-2
 C-2
 Municipality
 FP-1
 W-1



Rezone No: Z2005-0043
From: R-2 To: R-1B

- 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 R-2 (ONE AND TWO-FAMILY DWELLING DISTRICT) ZONING CLASSIFICATION THE R-1B (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 "Habitat for Humanity 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 R-2 (One and Two-Family Dwelling District) to R-1B (Single-Family Dwelling District):

LOT 11, (LESS THE SOUTH 94 FEET THEREOF AND ROAD RIGHT OF WAY), FROST'S ADDITION NUMBER 2 TO ALTAMONTE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 13 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

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 25th day of October, 2005

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman