

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
WEDNESDAY, OCTOBER 1, 2003**

Members present: Alan Peltz, Chris Dorworth, Ben Tucker, Beth Hattaway, Dudley Bates

Members absent: Thomas Mahoney, Richard Harris

Also present: Tony Matthews, Principal Planner; Mike Rumer, Planner; Cynthia Sweet, Planner; Jeff Hopper, Senior Planner; Tony Walter, Principal Planner; Matthew West, Planning Manager; Candace Lindlaw-Hudson, Senior Staff Assistant; and Karen Consalo, Assistant County Attorney; Jim Potter, Development Review Division.

I. Hickman Circle Rezone; Donald J. Hachenberger, applicant; Rezone from M-1A (Very Light Industrial Zone) to M-1 (Industrial Zone); on approximately 6.9 acres located adjacent to the east side of I-4 north of SR 46, on the west side of Hickman Circle ¼ mile north of Hickman Drive. (Z2003-037)
Commissioner McLain – District 5
Jeff Hopper, Senior Planner

Mr. Hopper explained that this zoning will allow the applicant a broader use of his land. Up to two of the four lots will be used for outdoor storage of utility trailers. Staff recommends approval of the request.

Don Hackenberger, applicant, had no comments.

Commissioner Hattaway made a motion to approve the request.

Commissioner Bates seconded the motion.

The motion passed by unanimous consent.

HICKMAN CIRCLE REZONE

REQUEST INFORMATION	
APPLICANT	Donald J. Hachenberger
PROPERTY OWNERS	Spaceport USA Inc.
REQUEST	Rezone from M-1A (Very Light Industrial) to M-1 (Industrial)
HEARING DATE(S)	P&Z: October 1, 2003 BCC: October 28, 2003
SEC/TWP/RNG	20-19-30-5FL-0C00-0090 20-19-30-5FL-0C00-0100 20-19-30-5FL-0C00-0110 20-19-30-5FL-0C00-0120
LOCATION	East of I-4 north of SR 46, west of Hickman Circle, ¼ mile north of Hickman Drive
FUTURE LAND USE	Industrial
FILE NUMBER	Z2003-037
COMMISSION DISTRICT	District 5 (McLain)

OVERVIEW

Zoning Request: The applicant is requesting a change in zoning from M-1A to M-1 on 4 adjacent lots in the I-4 Industrial Park on Hickman Circle. Current zoning on the site permits a wide range of manufacturing and other industrial activities, but with the restriction that all uses must take place within enclosed permanent buildings. Outdoor storage must be screened from view from adjacent properties.

According to the applicant, the reason for the request is to provide a wider range of permitted uses on the property. Up to two of the four lots would be used for the sales and display of heavy-duty utility trailers. Approval of the request would permit outdoor storage of such equipment, with no special site design criteria addressing the property's proximity to a major highway.

The site comprises 4 of the 5 lots of I-4 Industrial Park which are directly adjacent to the I-4 right-of-way. Although the applicant's request for M-1 is consistent with the Vision 2020 Plan, the PCD (Planned Commercial Development) classification may be considered as an alternative to provide development criteria recognizing the site's highly visible location, such as screening, buffering and setbacks.

Existing Land Uses: The existing zoning designations and land uses are as follows:

	Zoning	Future Land Use	Existing Land Use
North	M-1A	Industrial	vacant
South	M-1A	Industrial	industrial
East	M-1A	Industrial	industrial/vacant
West	--	--	I-4

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

SITE ANALYSIS

Facilities and Services:

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed zoning 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. Seminole County will provide water and sewer service to the site.
4. Information on stormwater capacity and outfall will have to be provided prior to Final Site Plan approval.

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

Compatibility with surrounding development: The proposed M-1 zoning classification is consistent with the Industrial future land use designation of the Vision 2020 Plan.

PLANNING & ZONING COMMISSION RECOMMENDATION

On October 1, 2003 the Planning & Zoning Commission voted 5-0 to recommend APPROVAL of the request.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request based on its consistency with the Industrial future land use designation. However, the Commission should understand that its approval would allow outdoor storage on the site, which is not permitted under existing zoning.

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 M-1A (VERY LIGHT INDUSTRIAL) ZONING CLASSIFICATION THE M-1 (INDUSTRIAL) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR 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 "Hickman Circle 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 M-1A (Very Light Industrial) zoning classification to the M-1 (Industrial) zoning classification:

LEGAL DESCRIPTION ATTACHED EXHIBIT A

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

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. This Ordinance shall become effective upon its filing with the Department of State.

ENACTED this 28th day of October, 2003.

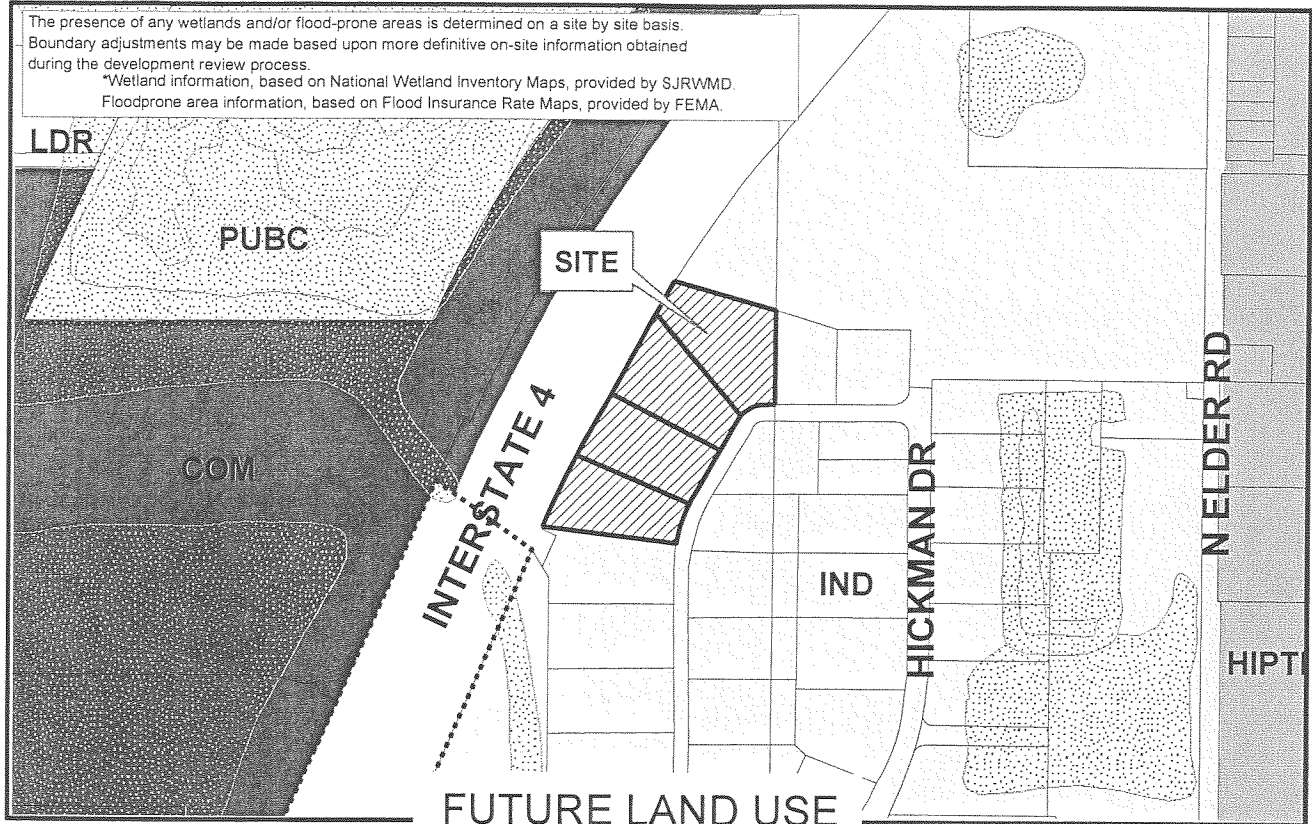
BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A
LEGAL DESCRIPTION

Lots 9, 10, 11, 12, I-4 Industrial Park, Block C according as recorded in Plat Book 25,
Pages 23, 24 of the Public Records of Seminole County, Florida

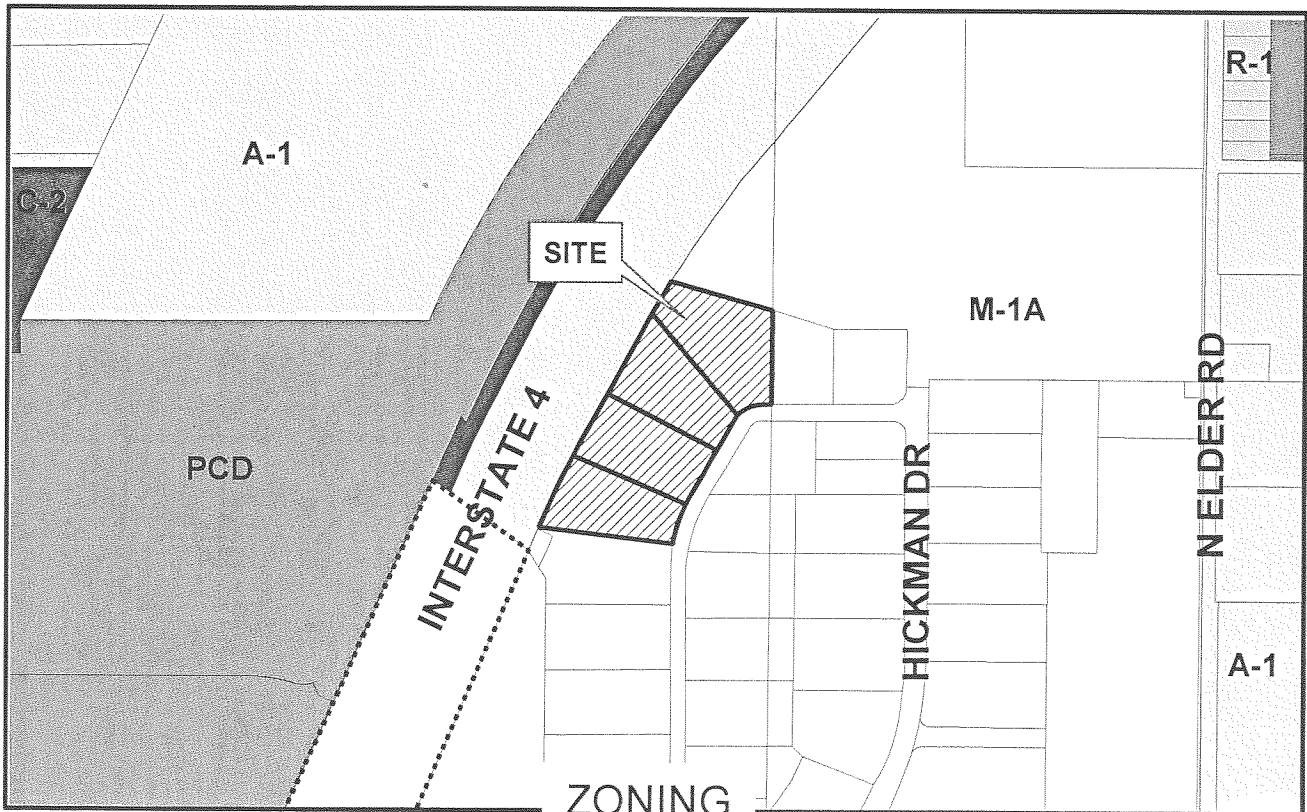
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis.
 Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



FUTURE LAND USE
 [Hatched] Site [Dotted] Municipality [Stippled] PUBC [Dark Stippled] LDR [Dark Grey] COM [Light Grey] IND [Medium Grey] HIPTI [Medium Stippled] CONS

Applicant: Donald J. Hachenberger
 Physical STR: 20-19-30-5FL-0C00-0090, 0100, 0110, & 0120
 Gross Acres: 6.9 BCC District: 5
 Existing Use: Vacant
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-037	M-1A	M-1



ZONING
 [Hatched] Site [Dotted] Municipality [Stippled] R-1 [Dark Grey] C-2 [Light Grey] M-1A [Medium Grey] A-1 [Dark Stippled] PCD



Rezone No: Z2003-037

From: M-1A To: M-1

 Parcel

 Subject Property



February 1999 Color Aerials