

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Sandy Lane Reserve 3, rezoning from A-1 to R-1AAA for Signature Development Corporation

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Kent Cichon *KWC* **CONTACT:** Tony Matthews *TM* **EXT.** 7373

Agenda Date <u>12/10/02</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/> Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input checked="" type="checkbox"/>
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MOTION/RECOMMENDATION:

1. Enact an ordinance adopting the proposed rezoning from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District) on approximately 4.9 acres located on the west side of Sandy Lane, approximately 1,100 feet south of the intersection of Sandy Lane and Sand Lake Road, with staff findings and recommendation; or
2. Deny the proposed rezoning from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District) on approximately 4.9 acres located on the west side of Sandy Lane, approximately 1,100 feet south of the intersection of Sandy Lane and Sand Lake Road; or
3. Continue the proposed rezoning to a date certain.

Commissioner District #3 (Van Der Weide) (Tony Matthews, Principal Planner)

BACKGROUND:

The applicant, Signature Development Corporation, is requesting a rezoning from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District) on approximately 4.9 acres located on the west side of Sandy Lane, approximately 1,100 feet south of the intersection of Sandy Lane and Sand Lake Road. The site is designated Low Density Residential land use (see enclosed site map). The applicant is proposing an eight (8) lot single family residential subdivision for this property.

STAFF RECOMMENDATION:

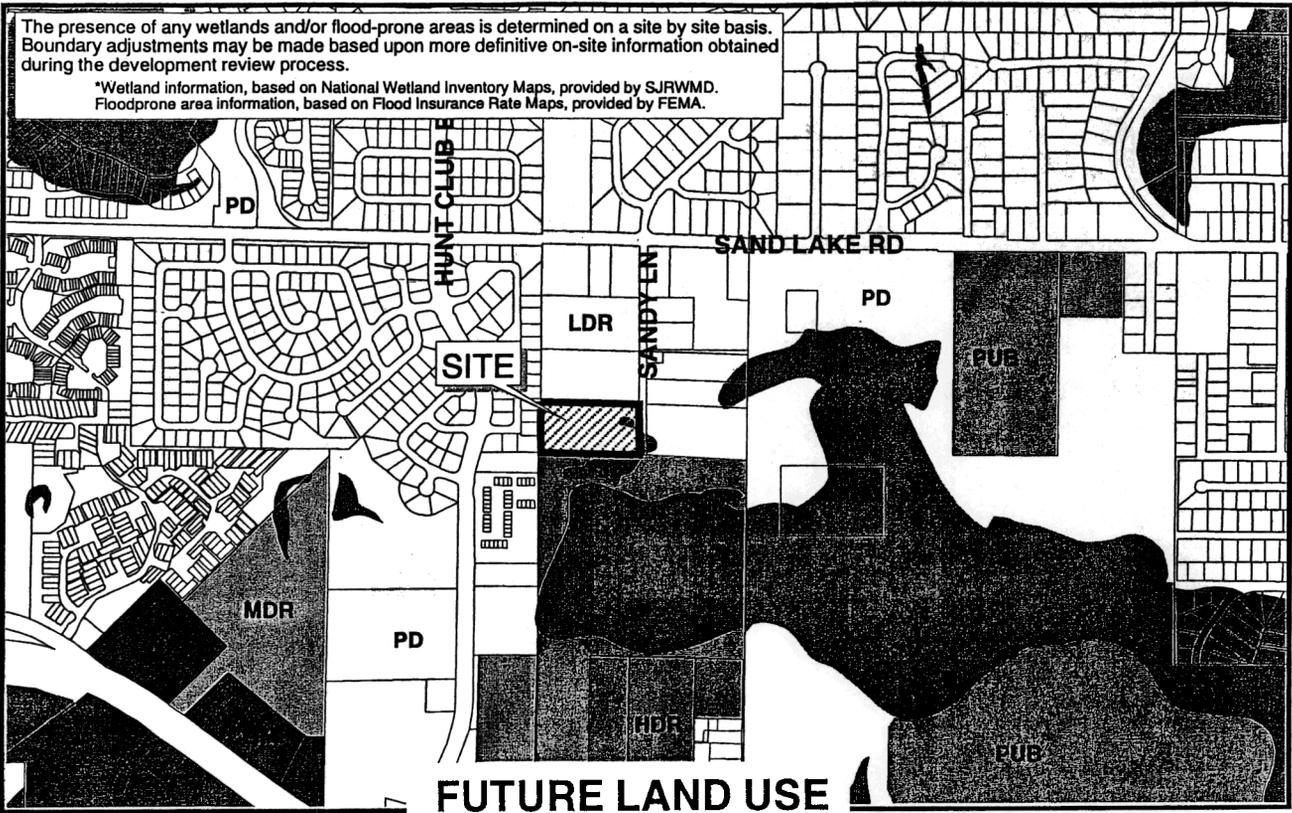
Enact an ordinance adopting R-1AAA zoning, as proposed, with the enclosed staff findings.

LAND PLANNING AGENCY/PLANNING AND ZONING

COMMISSION RECOMMENDATION (11/6/02):

Recommend approval of R-1AAA zoning, as proposed, with staff findings, and that development be limited to no more than eight (8) lots, carried 5 to 0.

Reviewed by:	<i>KZC</i>
Co Atty:	<i>KZC</i>
DFS:	
Other:	<i>MW</i>
DCM:	<i>SS</i>
CM:	<i>JCB</i>
File No.	<u>ph700pdp03</u>



Site
 Municipality
 COM
 LDR
 PUB
 PD
 HDR
 MDR

Applicant: Sandy Lane Reserve 3
 Physical STR: 07-21-29-300-0110-0000
 Gross Acres: +/-4.9 BCC District: 3
 Existing Use: Single Family
 Special Notes: _____

	Amend/Rezoned#	From	To
FLU	--	--	--
Zoning	Z2002-025	A-1	R-1AAA



A-1
 C-1
 R-1A
 R-1AA
 R-1AAA
 R-1AAAA
 PUD
 R-3A
 R-3
 R-1



Rezone No. Z2002-025
From: A-1 To: R-1AAA

-  Subject Property
-  Parcelbase



February 1999 Color Aerials

SANDY LANE RESERVE 3

APPLICANT	Signature Development Corporation	
PROPERTY OWNER(S)	Steven C. Talbert	
REQUEST	Rezoning from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District)	
HEARING DATE(S)	LPA/P&Z: November 6, 2002	BCC: December 10, 2002
SEC/TWP/RNG	07-21-29-300-0110-0000	
LOCATION	West side of Sandy Lane, south of Sand Lake Road	
APPROXIMATE SIZE	4.9 acres	
FUTURE LAND USE DESIGNATION	Low Density Residential	
ZONING CLASSIFICATION	A-1 (Agriculture)	
FILE NUMBER	Z2002-025	
COMMISSION DISTRICT	#3 – Van Der Weide	

OVERVIEW:

Zoning Request:

The applicant, Signature Development Corporation, is requesting a rezoning from A-1 (Agriculture) to R-1AAA (Single Family Dwelling District) on approximately five 4.9 acres located on the west side of Sandy Lane, approximately 1,100 feet south of the intersection of Sandy Lane and Sand Lake Road. The minimum building and area regulations for R-1AAA zoning are:

Lot size	13,500 square feet
House size	1,600 square feet
Width at building line	100 feet
Front setback	25 feet
Side setback	10 feet
Rear setback	30 feet

The Low Density Residential (LDR) future land use designation assigned to this property allows for a range of zonings that are potentially allowable but are not guaranteed. LDR allows for a net residential density of no greater than four (4) dwelling units per net buildable acre. The actual number of lots will be determined at time of subdivision review.

Existing Land Uses: Abutting uses, future land use designations and zoning classifications are:

Location	Existing Use	Future Land Use	Zoning
Site	Single family residential	Low Density Residential	A-1
North	Single family residential	Low Density Residential	A-1
South	Cemetery	Public, Quasi-Public	A-1
East	Single family residential	Low Density Residential	R-1AAAA
West	Single family residential	Planned Development	PUD

SITE ANALYSIS:

Facilities and Services: Adequate facilities and services must be available concurrent with the impacts of development. The applicant has submitted a Concurrency Review Deferral application. A full concurrency review will be required at time of preliminary subdivision review.

The proposed zoning is consistent with the adopted future land use designation of Low Density Residential 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 Seminole County Comprehensive Plan (Vision 2020).

Water and Sewer:

The site is served by Sanlando Utilities. A letter from the utility stating that water service is available to this site will be required at time of subdivision review. The applicant proposes on-site septic systems at this time.

Compliance with Environmental Regulations:

There are no identified flood prone areas on this property. A small area of wetlands are located on the eastern portion of the property. A listed species survey report will be required at the time of subdivision approval.

Compatibility with Surrounding Development:

Staff has conducted a lot size compatibility analysis, as required by the Land Development Code and Vision 2020 Plan Policy FLU 2.10 and 12.7, and has determined that R-1AAA zoning, as proposed, would be compatible with surrounding development and development trends.

STAFF FINDINGS AND RECOMMENDATION:

Recommend approval of R-1AAA (Single Family Dwelling District) zoning, as proposed, with findings that:

1. R-1AAA zoning meets the minimum level of presumptive compatibility as provided for in the "Lot Size Compatibility Ordinance" of the Land Development Code of Seminole County.
2. The proposed rezoning is consistent with Vision 2020 Plan policies related to the Low Density Residential future land use designation.
3. The proposed rezoning is compatible with adjacent single family residential development and development trends.
4. Development must meet the applicable provisions of the Seminole County Comprehensive Plan (Vision 2020) and Land Development Code of Seminole County.

Attachment: Staff report, public comment and proposed ordinance

Baldwin-Fairchild Cemeteries & Funeral Homes**2400 Harrell Road, Orlando, FL 32817****Phone 407-678-1622, ext. 280 Fax 407-677-0732**

November 6, 2002

Seminole County Planning Division
Fax 407-665-7385

Re: Sandy Lane Reserve Rezoning

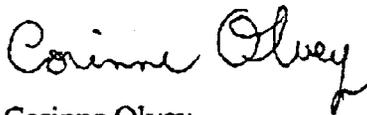
Dear Sirs:

I'm enclosing a copy of a letter written April 26, 2002, regarding our opposition to allowing more than one single-family residence per acre on this five-acre parcel.

We are concerned about the potential of ponding or flooding on our property in the future if this area is over developed. If this rezoning is approved, we would ask that special attention be given to the actual development phase by the County Engineers regarding the design of groundwater retention systems, runoff systems, etc.

Thank you for your consideration of our concerns.

Sincerely,



Corinne Olvey
Vice President
Cemetery Operations

E. Everette Huskey
President

September , 2002

Seminole County Planning Division
1101 East First Street
Sanford, FL 32771

Re: Zoning Change

Gentlemen:

I am enclosing a copy of two Applications for Change of Zoning from Agricultural to Residential for approximately 10 acres for a total of 16 units.

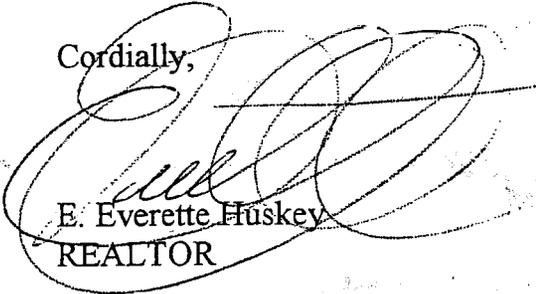
A few days ago, I signed all my rights to this property to Signature Development Corporation (Signature Homes), Ken Watkins, President. Mr. Watkins will develop these two approximate 5-acre parcels as well as another 5-acre parcel for which the plat has recently been approved for 8 homesites (see enclosed letter).

Signature Development will ultimately own the property and will be responsible for all the paving and infrastructure of the cul-de-sac as well as the paving of Sandy Lane, and will provide the water through Sanlando Utilities.

As you know, we have been working on this Sandy Lane project for three years this month. This will be a first-class, beautiful development with large estate homes and it will certainly be an asset to the entire area.

If you have any questions whatsoever, please do not hesitate to give me a call.

Cordially,



E. Everette Huskey
REALTOR

EEH/bn

Steven C. Talbert
P. O. Box 540494
Orlando, FL 32854

September 11, 2002

Seminole County Planning Division
1101 East First Street
Sanford, FL 32771

Re: Change of Zoning

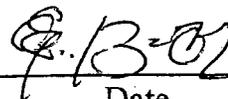
Gentlemen:

As the owner of 4.9 acres on the west side of Sandy Lane, South of Sandlake Road abutting Sandy Lane, I support and approve the zoning change on my property from Agricultural to Single Family, for a total of 8 units on my particular parcel of land (Legal Description: The South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ less the West 16.5 feet of Section 7, Township 21 South, Range 29 East, Public Records of Seminole County, Florida).

I further approve the zoning change of the contiguous property to the north in the name of George F. Spear, owner, from Agricultural to Single Family, for 8 units on his parcel (Legal Description: The North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 7, Township 21 South, Range 29 East, (less the West 16.5 feet), Public Records of Seminole County, Florida, (less East 25 feet for road), for a total of 16 units on the two parcels.



Steven C. Talbert



Date

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATION 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; 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 document titled "Sandy Lane Reserve 3".

(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. REZONING. The zoning classification assigned to the following described property is changed from the A-1 (Agriculture) to the R-1AAA (Single Family Dwelling District) zoning classification.

LEGAL DESCRIPTION ATTACHED AS 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, and this Ordinance shall take effect on filing with the Department of State.

ENACTED this 10th day of December 2002

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain, Chairman

EXHIBIT A
LEGAL DESCRIPTION

Z2002-25 (A-1 to R-1AAA)

South $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7, Township 21S, Range 29E
(less the W 16.5 feet), Public Records of Seminole County, Florida.