ITEM # VI F

SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM

SUBJECT: Rezoning from A-1 to RC-1 (Robert M. Picerne)

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

AUTHORIZED BY: Matthew West MW **CONTACT:** Jeff Hopper **EXT.** 7431

Agenda Date 1/09/02 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

Approval of the rezoning from A-1 to RC-1, east side of Lake Markham Rd., 100' north of Markham Rd. intersection (2.5 acres). Robert M. Picerne, applicant.

(District 5 – Comm. McLain) (Jeff Hopper, Senior Planner)

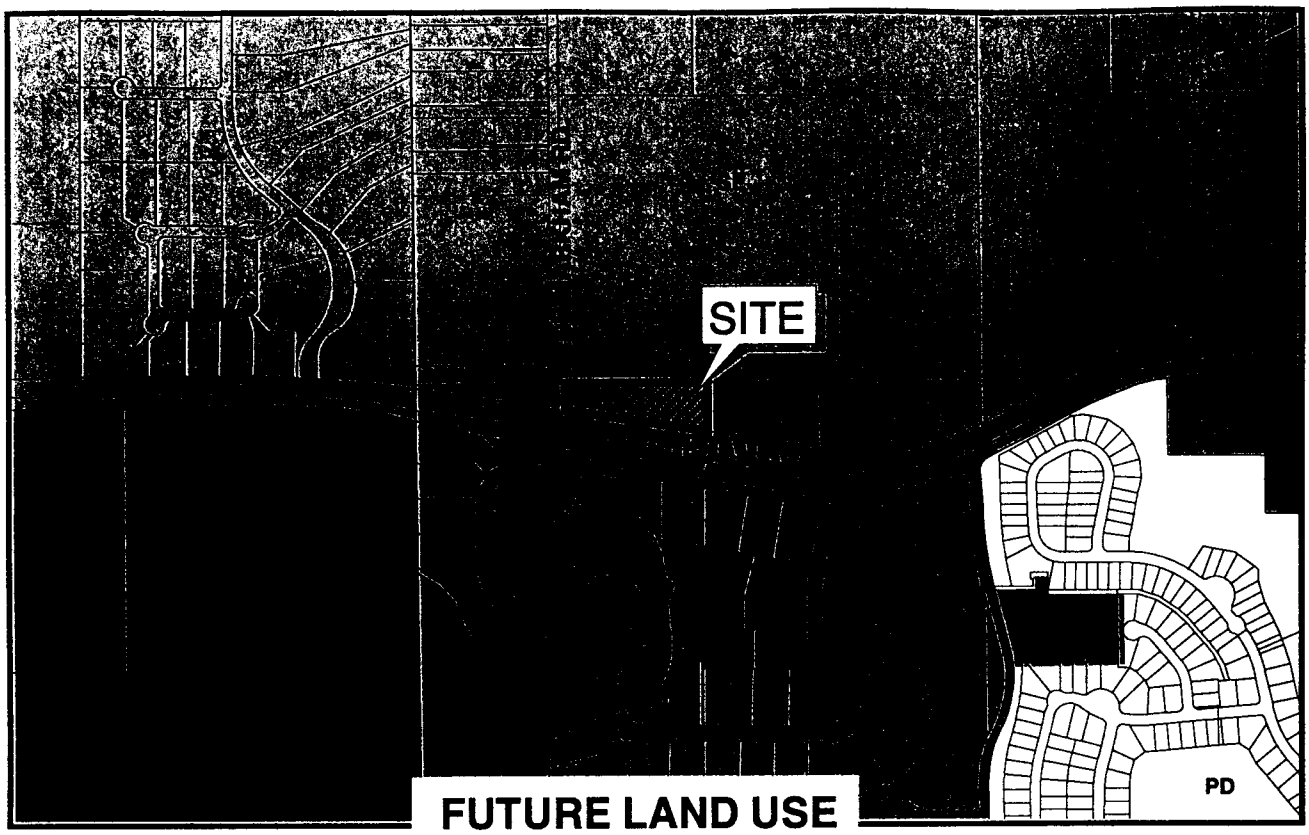
BACKGROUND:

The applicant, Robert M. Picerne, requests approval of a rezoning from A-1 to RC-1 for this 2.5-acre parcel in order to divide the property into 2 lots. The subject property is currently undeveloped and has a Suburban Estate land use designation.

Planning staff is recommending approval of this request.

Reviewed by:
Co Atty: KEC
DFS:
OTHER: CM
DCM:
CM:

File No. Z2001-047



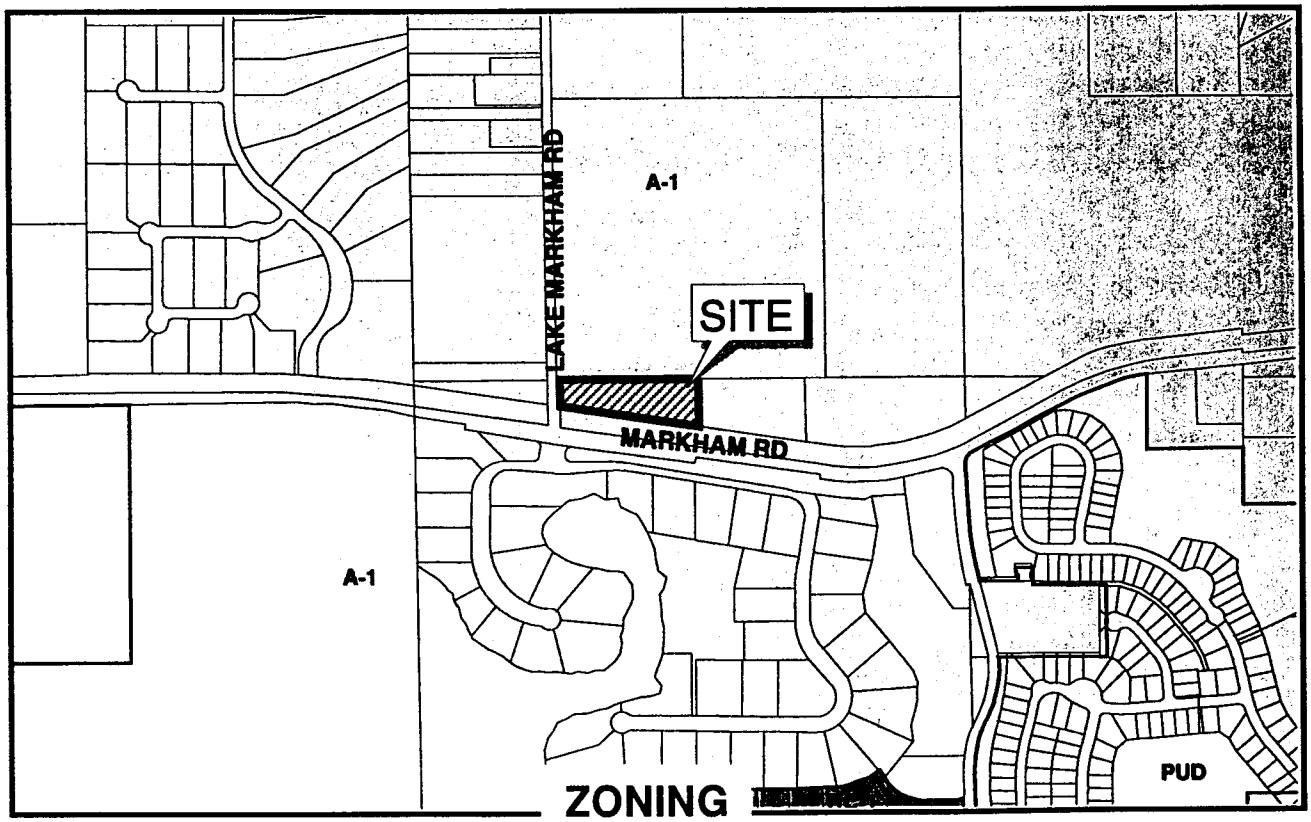
FUTURE LAND USE

Site ····· Municipality SE PD REC

Applicant: Robert M. Picerne
Physical STR: 35-19-29-300-029D-0000
Gross Acres: 2.507 BCC District: 5
Existing Use: Vacant
Special Notes:

	Amend/ Rezone#	From	To
FLU			
Zoning	Z2001-047	A-1	RC-1

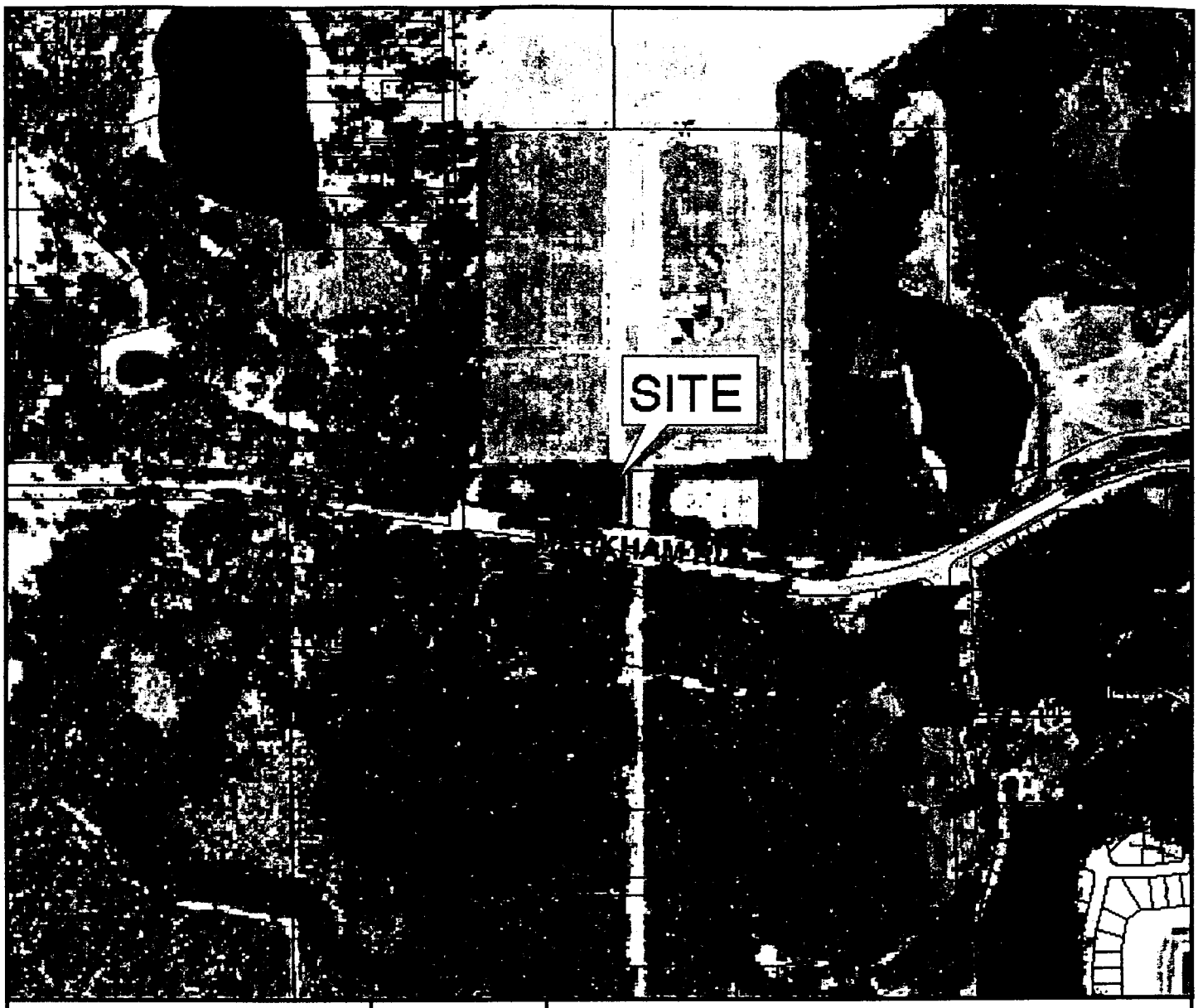
N



ZONING

A-1 PUD RC-1

filename: /plan/cpcr02/amend/z2001-047.apr/z2001-047staffcolor 11/26/01



Rezone No. Z2001-047
From: A-1 To: RC-1

Subject Property
Parcelbase

N

February 1999 Color Aerials

L:\cp\teams\a\pzaerials\powerpoint\z2001-047aer.ppt

PICERNE DEVELOPMENT CORP.

REQUEST INFORMATION		
APPLICANT	PICERNE DEVELOPMENT CORP	
PROPERTY OWNER	ROBERT M. PICERNE	
REQUEST	A-1 TO RC-1	
HEARING DATE (S)	P&Z: JAN. 9, 2002	BCC: TBD
SEC/TWP/RNG	35-19-29-300-029D-0000	
LOCATION	NORTHEAST CORNER OF MARKHAM RD. AND LAKE MARKHAM RD.	
FUTURE LAND USE	SUBURBAN ESTATES (SE)	
FILE NUMBER	Z2001-047	
COMMISSION DISTRICT	5	

OVERVIEW

Zoning Request: The applicant is seeking to rezone the subject property, approximately 2.5 acres fronting on Lake Markham Rd., from A-1 (Agriculture) to RC-1 Country Homes District. Proposed use is Single Family residential with minimum lot sizes of 1 acre, net buildable area. Minimum house size would be 1200 square feet.

The property is located 100 feet to the north of Markham Rd., separated from the intersection by an abandoned SCL railroad right-of-way, now in use as a Trail Corridor. This rezoning is being requested in order to facilitate subdivision of the property into two lots. Because of its narrow width and its lack of frontage on Markham Rd., the property cannot be subdivided in A-1. A proposed lot layout submitted with the rezoning application shows two lots with frontage on Lake Markham Rd.

Legal access to the site is through direct frontage on Lake Markham Rd. Of the total frontage of 114 feet, 20 feet is parceled out to the east lot and the balance to the west lot. While the proposed narrow access strip serving the east lot may be used for a driveway, an existing asphalt drive at the other end of the property may be used as physical access.

This request is consistent with permitted land use and density under the Vision 2020 Plan, specifically the Suburban Estates land use designation.

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

North – Future Land Use is Suburban Estates, zoning is A-1. Existing use is a soccer field.

South – Future Land Use is Suburban Estates, zoning is A-1. Existing use is an abandoned railroad R/W and now a Seminole County Trail Corridor

East – Future Land Use is Suburban Estates, zoning is A-1. Existing use is an FPL power substation.

West – Future Land Use is Suburban Estates, zoning is A-1. Existing land use is vacant (however, there is an approved subdivision which has not yet been constructed).

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. County water mains for potable and reclaimed water are available to the property. Solid waste disposal will be by septic system.

4. A 10-foot strip of property along Lake Markham Rd. will need to be dedicated to complete a 40-foot half right-of-way.

5. No additional access points to this property may be created over the Trail Corridor to the south.

6. A 15-foot trail easement will be needed along Lake Markham Rd. for a trail connection to Sylvan Lake Park.

Compliance with Environmental Regulations: There are no concerns regarding compliance with environmental regulations. However, at least 50% of all trees on the site will have to be preserved, and a Listed Species survey report must be submitted. Prior to development of the property, Planning Staff will require an Application for Consistency Review under the Wekiva River Protection Act. Also, the development will have to meet requirements of the Longwood-Markham Overlay within 40 of the Lake Markham Rd. right-of-way:

- no improvements other than driveways or fences shall be permitted
- fencing shall be of natural material (brick, wood, etc.)
- no existing canopy trees shall be removed without approval from the Planning Manager
- no clearing of native vegetation
- no sod

Compatibility with surrounding development: Currently, the area has a Suburban Estate land use designation. The proposed RC-1 zoning classification is compatible with the SE land use designation.

STAFF RECOMMENDATION

Staff recommends approval of the requested RC-1 zoning classification, based on compliance with the Land Development Code and the Vision 2020 Plan.

ORDINANCE NO. 2002- **SEMINOLE COUNTY, FLORIDA**

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM A-1 TO RC-1; 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 "Picerne Development Corp. "

(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 A-1 (Agriculture) to RC-1 (Country Homes District):

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. This Ordinance shall be come effective upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners.

ENACTED this ___ day of January, 2002.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By:_____
Daryl G. McLain
Chairman

EXHIBIT "A"

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 19 SOUTH, RANGE 29 EAST, SEMINOLE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4, THENCE RUN S.89°11'29"E. ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 687.22 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.89°11'29"E. AND ALONG SAID NORTH LINE 662.74 FEET; THENCE RUN S.00°58'17"W. 215.83 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE SEABOARD SYSTEMS RAILROAD; THENCE RUN N.80°26'29"W. AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE 669.70 TO A POINT ON THE EAST RIGHT-OF-WAY LINE LAKE MARKHAM ROAD; THENCE RUN N.00°41'52"E. AND ALONG SAID EAST RIGHT-OF-WAY LINE 113.95 FEET TO THE POINT OF BEGINNING

CONTAINING 2.507 ACRES MORE OR LESS.