

**SEMINOLE COUNTY GOVERNMENT
Land Planning Agency/Planning and Zoning Commission
AGENDA MEMORANDUM**

SUBJECT: Text Amendment to The Future Land Use Element of Vision 2020 to add a policy to allow the Planning and Development Director to approve administrative waivers to lot size and width, under special circumstances, in the RC-1, A-1, A-3, A-5, and A-10 zoning districts.

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

AUTHORIZED BY: Matthew West **CONTACT:** Cindy Matheny^{CM} **EXT.** 7430

Agenda Date <u>04/03/02</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"/>		

MOTION/RECOMMENDATION:

Transmit the proposed text amendment to the Future Land Use Element to the Department of Community Affairs for review.

(Cindy Matheny, Senior Planner)

PROPOSED POLICY:

Policy FLU 5.19 – Administrative Approval of Waivers to Lot Size and Width

By December, 2002, the County shall adopt amendments to the Land Development Code that permit the Planning and Development Director to approve administrative waivers to lot size and width in the RC-1, A-1, A-3, A-5, and A-10 zoning districts. The Land Development Code amendments shall specify certain criteria by which the waivers may be approved or denied. Waivers shall not extend to more than three percent (3%) of the lot size and width required by the applicable zoning district. Administrative waivers shall not apply to properties within the Wekiva River Protection Area.

BACKGROUND:

On January 22, 2002, the Board of County Commissioners directed Planning Staff to move forward with a Vision 2020 text amendment enabling Planning Staff to approve limited administrative waivers to lot size and width. The proposed policy, as drafted by Staff, would permit only the Planning and Development Director to authorize such waivers, would limit the waivers to 1-acre and larger lots, and would not apply to properties within the Wekiva River Protection

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. <u>02S.TXT04</u>

Area. If the Board votes to transmit the amendment to DCA as part of the Spring, 2002, large-scale amendment cycle, it would return for an adoption hearing at a later date.

At that time, Staff will bring forward a proposed revision to the Land Development Code which would implement the proposed Vision 2020 policy addition. The Code revisions will specify certain criteria under which the waivers may be approved or denied. For example, approval may be granted if the owner provides documentation showing he/she unknowingly purchased non-conforming property, prior approval by the County of a lot split creating the parcel, or that the property was rendered non-conforming through dedication of right-of-way to the public. Circumstances under which a waiver request could be denied might include parcel size which is inconsistent with the general lot sizes in the neighborhood, inconsistency with the Comprehensive Plan, lack of documentation supporting the owner's claim, or knowledge by the County that the owner purposely rendered the property non-conforming.

STAFF RECOMMENDATION:

Approval of the proposed text amendment authorizing the Planning Director to approve administrative waivers to lot size and width under certain circumstances.