

ITEM #

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

SUBJECT: Rezoning from M-1 to C-2/Hickman Property

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

AUTHORIZED BY: Matthew West **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date <u>9/4/02</u>	Regular <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Special Hearing – 6:00 <input type="checkbox"/>	Public Hearing – 7:00	<input checked="" type="checkbox"/>

MOTION/RECOMMENDATION:

1. APPROVE the rezoning request from M-1 to C-2 for a 1.16 acre parcel located on the west side of US 17-92 approximately 2000 feet north of the Seminole/Orange County line; or
2. DENY the rezoning request from M-1 to C-2 for a 1.16 acre parcel located on the west side of US 17-92 approximately 2000 feet north of the Seminole/Orange County line; or
3. Continue the public hearing until a date certain.

(District 4 – Commissioner Henley)

(Kathy Fall, Senior Planner)

BACKGROUND:

The applicant is requesting to rezone 1.16 acres that is currently zoned M-1 (Industrial) to C-2 (Retail Commercial). The property is located on the west side of US 17-92 approximately 2000 feet north of the Seminole/Orange County line. The proposed use of the property is for approximately 7,000 square feet of retail commercial.

STAFF RECOMMENDATION:

Staff recommends approval of the rezone from M-1 to C-2, for a 1.16 acre parcel located on the west side of US 17-92 approximately 2000 feet north of the Seminole/Orange County line, based on staff findings.

Reviewed by:	
Co Atty:	<u>KCC</u>
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2002-016</u>

HICKMAN PROPERTY REZONE				
APPLICANT:	Lochrane Engineering			
REQUEST:	Rezone from M-1 (Industrial) to C-2 (Retail Commercial)			
HEARING DATES(S):	P&Z:	September 4, 2002	BCC:	September 24, 2002
PARCEL ID NO.:	19-21-30-519-0B00-0270 & 0280			
PROJECT LOCATION:	Located on the west side of US 17-92 approximately 2000 feet north of the Seminole/Orange County line.			
FUTURE LAND USE:	Industrial			
FILE NUMBER:	Z2002-016			
COMMISSION DISTRICT:	District 4 – Commissioner Henley			

OVERVIEW

The subject property is zoned M-1 and is within the Industrial future land use. This section on US 17-92, located to the north and west of the property, was planned for Industrial uses but the current trend of development along the corridor has been for retail commercial uses. The property owner is proposing to have uses allowed in the C-2 zoning district consisting of 4 to 5 stores with a combined square footage of 7,000 square feet.

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

DIRECTION	EXISTING ZONING	FUTURE LAND USE	USE OF PROPERTY
Site	M-1	Industrial	Vacant/proposed Retail Commercial
North	M-1	Industrial	Car dealership/Porsche
South	C-2	Commercial	Vacant
East	C-2	Commercial	Retail Commercial
West	M-1	Industrial	Warehouse/Retail Commercial

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

SITE ANALYSIS

Facilities and Services:

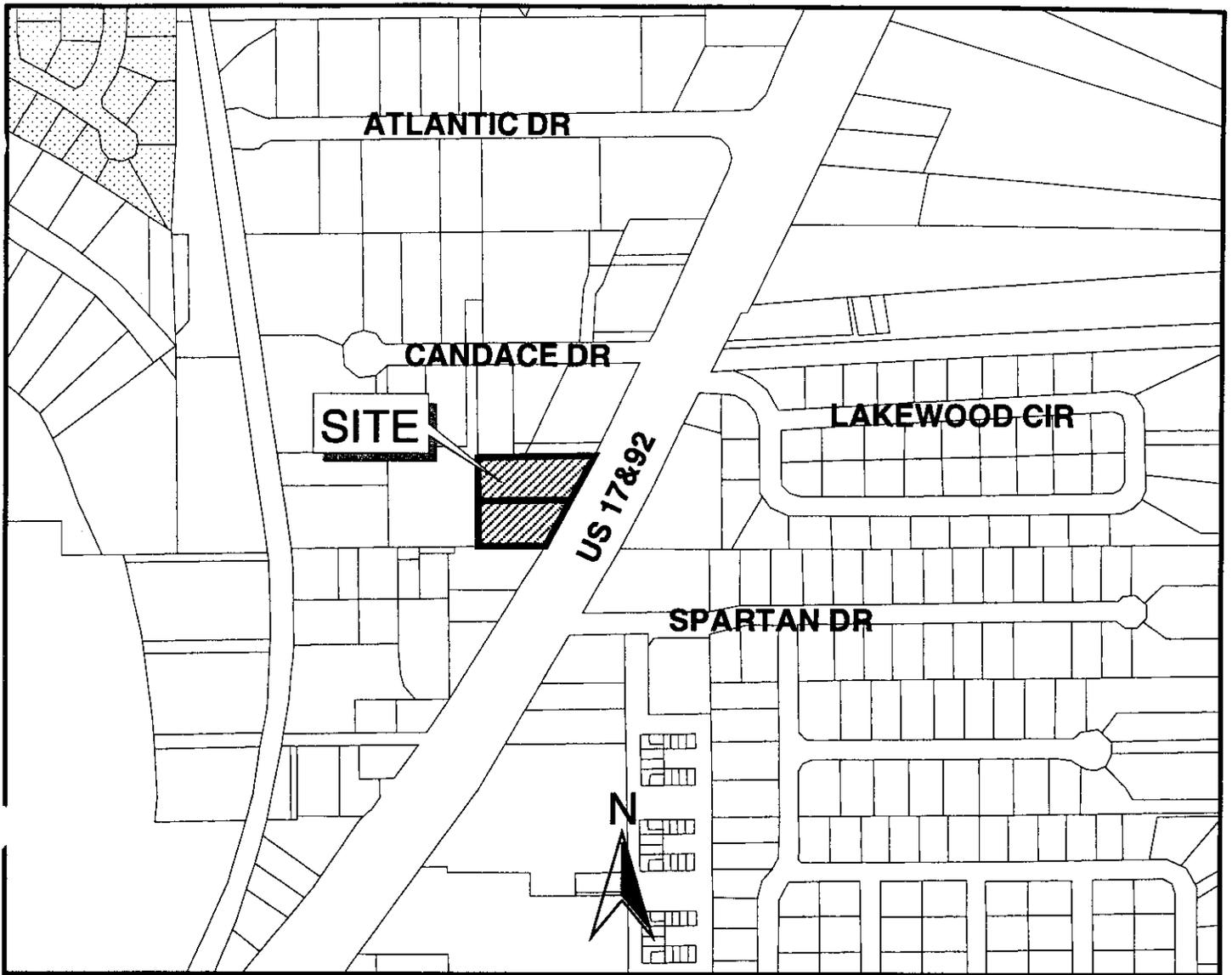
1. Adequate facilities and services must be available concurrent with the impacts of development. The applicant has submitted an affidavit for deferral of concurrency testing. Prior to final development permits being issued, the applicant must submit for concurrency review.
2. The proposed rezoning is 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. The subject site is served by City of Casselberry water and with the site will be served with septic.

Compliance with Environmental Regulations: There are no concerns regarding compliance with environmental regulations.

Compatibility with surrounding development: The request, as proposed, would be compatible with surrounding development and surrounding future land use designations of Commercial and Industrial.

STAFF FINDINGS

1. The proposed rezoning is consistent with the Vision 2020 Plan policies related to the Industrial future land use designation.
2. The proposed rezoning is compatible with adjacent commercial and industrial uses and the development trend along the US 17-92 corridor.



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 M-1 (INDUSTRIAL) TO C-2 (RETAIL COMMERCIAL); 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 "Hickman Property".

(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 M-1 (Industrial) to C-2 (Retail Commercial):

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 become effective upon recording of Development Order #2-20000008.

ENACTED this 24th day of September, 2002.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A

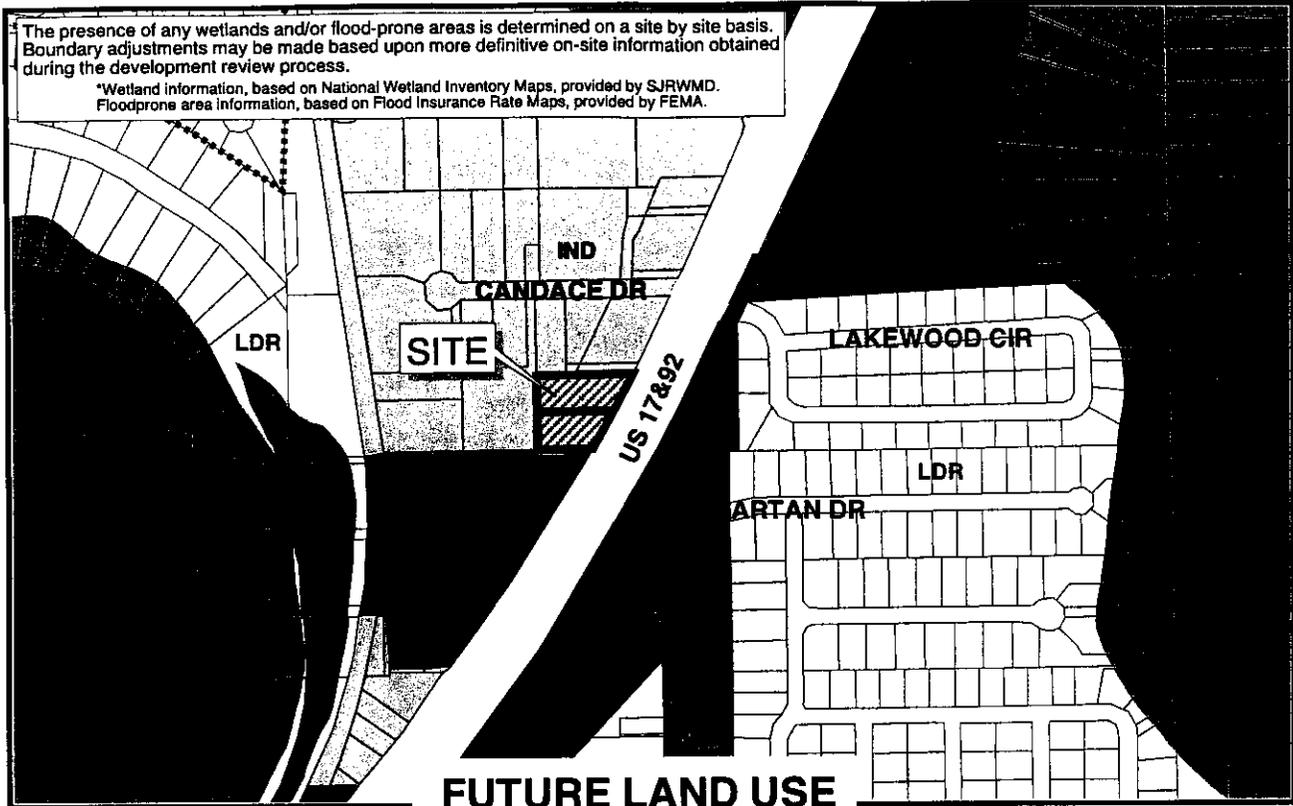
**LEGAL DESCRIPTION
HICKMAN PARCEL
PREPARED BY LOCHRANE ENGINEERING**

**A PART OF SEMINOLE INDUSTRIAL PARK 2ND ADDITION, PLAT BOOK 16, PAGE 79 AS RECORDED IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA;
MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

LEG LOT 27, BLK B AND LEG LOT 28, BLK B OF SEMINOLE INDUSTRIAL PARK 2ND ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 16, PAGE 79, 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.

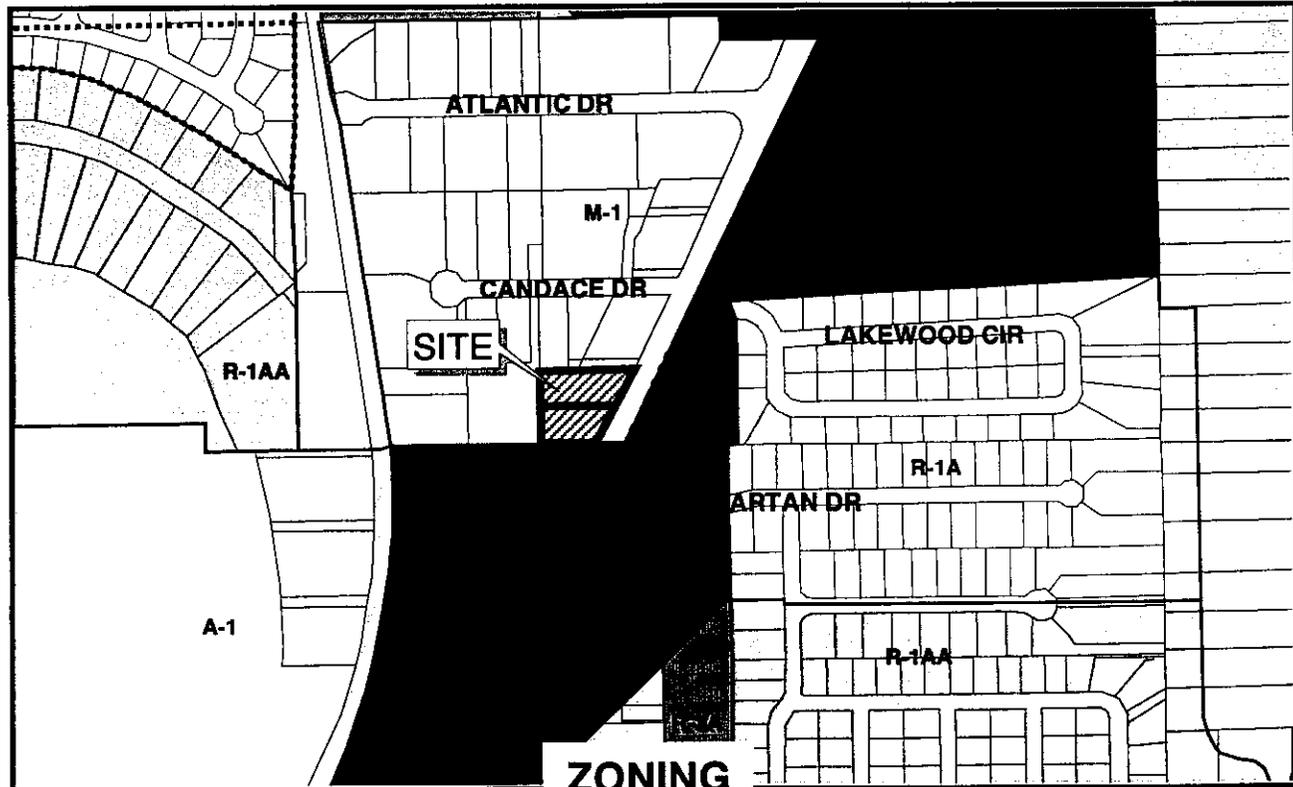


FUTURE LAND USE

Site
 Municipality
 COM
 LDR
 IND
 HDR
 CONS

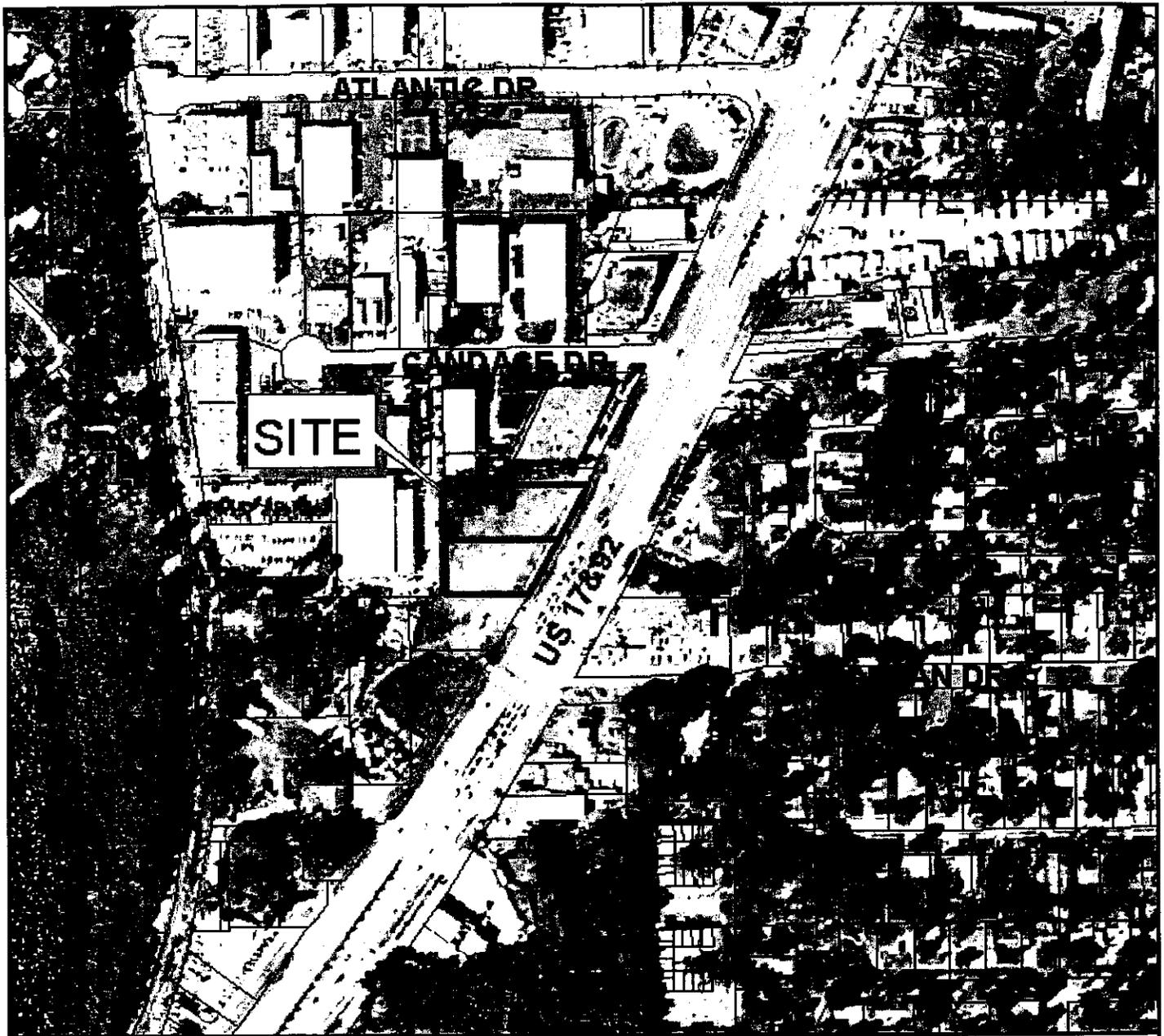
Applicant: Lochrane Engineering, Inc.
 Physical STR: 19-21-30-519-0B00-0270 & 0280
 Gross Acres: 1.16 BCC District: 4
 Existing Use: Vacant
 Special Notes: _____

	Amend/ Rezone#	From	To
FLU			
Zoning	Z2002-016	M-1	C-2



ZONING

A-1
 C-2
 M-1
 R-1A
 R-1AA
 R-3A



Rezone No. Z2002-016
From: M-1 To: C-2

-  Subject Property
-  Parcelbase



February 1999 Color Aerials