

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

SUBJECT: Dike Road rezoning from A-1 (Agriculture District) to R-1A (Single-Family Dwelling District).

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matthew West CONTACT: Rob Walsh EXT. 7446

Agenda Date <u>1/8/03</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. Recommend approval of alternate zoning of R-1AA (Single Family Dwelling District) on approximately 9.3 acres located on the south side of Dike Road, west of Tuskawilla Road, with staff findings and recommendations (Daly Design Group, applicant); or
2. Recommend approval of the proposed rezoning from A-1 (Agriculture) to R-1A (Single Family Dwelling District) on approximately 9.3 acres located on the south side of Dike Road, west of Tuskawilla Road (Daly Design Group, applicant); or
3. Recommend denial of the proposed rezoning from A-1 (Agriculture) to R-1A (Single Family Dwelling District) on approximately 9.3 acres located on the south side of Dike Road, west of Tuskawilla Road (Daly Design Group, applicant); or
4. Continue the proposed rezoning to a date certain.

Commissioner District #1 (Maloy)

(Rob Walsh, Principal Coordinator)

BACKGROUND

The applicant, Daly Design Group (on behalf of Centex Homes), is requesting a rezoning from A-1 (Agriculture) to R-1A (Single Family Dwelling District) for approximately 9.3 acres located on the south side of Dike Road, west of Tuskawilla Road. The site is designated Low Density Residential land use (see enclosed site map).

STAFF RECOMMENDATION

Recommend approval of alternate R-1AA zoning, with staff findings and recommendations.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. <u>ph700pdp03</u>

DIKE ROAD SUBDIVISION REZONING		
APPLICANT	Daly Design Group	
PROPERTY OWNER(S)	Albert & Barbara Pickering, James & Ettie Fuller	
REQUEST	Rezoning from A-1 (Agriculture) to R-1A (Single Family Dwelling District)	
HEARING DATE(S)	LPA/P&Z: January 8, 2003	BCC: February 11, 2003
SEC/TWP/RNG	25-21-30	
LOCATION	South side of Dike Road, west of Tuskawilla Road	
APPROXIMATE SIZE	9.3 acres	
FUTURE LAND USE DESIGNATION	Low Density Residential	
ZONING CLASSIFICATION	A-1 (Agriculture)	
FILE NUMBER	Z2002-028	
COMMISSION DISTRICT	#1 – Maloy	

OVERVIEW

The Low Density Residential (LDR) future land use designation assigned to this property allows for a range of zonings. The specific zoning of the property and corresponding density of development is dependent upon a number of factors, including character of the surrounding area and physical characteristics of the land. In this case, Seminole County’s zoning compatibility ordinance is applicable. This ordinance establishes a procedure for numerically calculating the compatible zoning of a site, based on the intensity of surrounding zoning and uses. The analysis results in a compatible zoning of R-1AA, which is consistent with staff’s less formal perception of compatible zoning for the property.

SITE ANALYSIS

Comprehensive Plan

The requested and alternate zonings are consistent with the adopted future land use designation of Low Density Residential assigned to the property and do 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).

Concurrency

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.

Transportation

The site fronts on Dike Road (a minor collector street) and is served by Tuskawilla Road to the east (a 4-lane minor arterial street). A west bound left turn lane and any needed ROW dedication will be required at time of platting and engineering approval. A total of 260 average daily trips will be generated by this development. Dike Road is operating at Level of Service “A” which will be maintained post-development.

Water and Sewer

The site is served by Seminole County utilities. There is a 30” water main on the south side of Dike Road and a 10” force sewer main on the north side of Dike Road.

Compliance with Environmental Regulations

There are no identified flood prone areas or wetlands on this property.

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-1AA zoning would be compatible with surrounding development and development trends in the area. The following table shows building and area regulations for the requested R-1A and alternate R-1AA zoning districts:

	Requested R-1A Zoning	Alternate R-1AA Zoning
Lot size	9,000 square feet	11,700 square feet
House size	1,100 square feet	1,300 square feet
Width at building line	75 feet	90 feet
Front setback	25 feet	25 feet
Side setback	7.5 feet	10 feet
Rear setback	30 feet	30 feet

The following table shows surrounding use, future land use and zoning

Direction	Existing Use	Future Land Use	Zoning
Site	Single family residential	Low Density Residential	A-1
North	Public School*	Low Density Residential	A-1
South	Single family residential	Low Density Residential	R-1AA
East	Single family residential	Low Density Residential	R-1AA
West	Single family residential	Low Density Residential	R-1AAA

* Lake Howell High School

STAFF FINDINGS AND RECOMMENDATIONS

Recommend approval of R-1AA (Single Family Dwelling District) zoning, as an alternate to the requested R-1A zoning, with findings that:

- 1.
- 2.
- 4.

Attachments: Site maps

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.

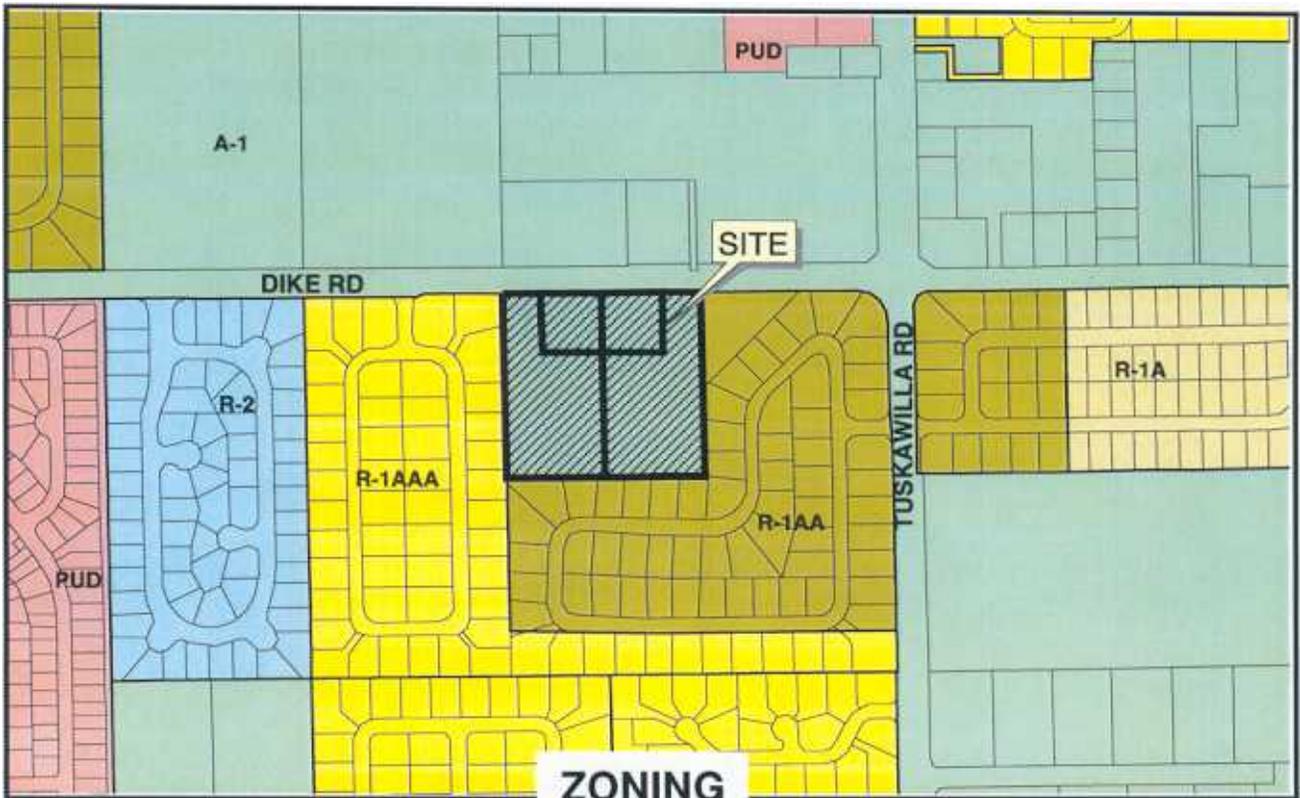
*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
Flood-prone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
 Municipality
 LDR
 MDR
 PUBS
 SE
 PD
 CONS

Applicant: Thomas Daly, Daly Design Group
 Physical STR: 25-21-30-300-018A, 018B, 018C, & 018D-0000
 Gross Acres: 9.3 BCC District: 1
 Existing Use: Single Family Residence & Grazing Land
 Special Notes: _____

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2002-028	A-1	R-1A



A-1
 R-1A
 R-1AA
 R-1AAA
 R-2
 PUD



Rezone No. Z2002-028
From: A-1 To: R-1A

-  Subject Property
-  Parcelbase

N



February 1999 Color Aerials

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 A-1 ZONING CLASSIFICATION THE R-1AA 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.

The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Dike Road Subdivision Rezoning".

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 to R-1AA.

SEE 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, and this Ordinance shall be effective upon filing with the Department of State

ENACTED this 11th day of FEBRUARY 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

Z2002-28 (A-1 to R-1AA)

Parcel A

½ acre homestead located in Section 25, Township 21 South, Range 30 East, of the Northwest ¼ of the Southwest ¼ of the Northeast ¼.

And also

Section 25, Township 21 South, Range 30 East, of the Northwest ¼ of the Southwest ¼ of the Northeast ¼, less road and the ½ acre homestead.

Parcel B

1 acre homestead located in Section 25, Township 21 South, Range 30 East, the West ¼ of the North ½ of the Southwest ¼ of the Northeast ¼.

And also

Section 25, Township 21 South, Range 30 East, the West ¼ of the North ½ of the Southwest ¼ of the Northeast ¼.