

ITEM # H

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

SUBJECT: The Sanctuary at Lake Ann rezoning from A-1 (Agriculture District) to R-1A (Single-Family Dwelling District).

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matthew West CONTACT: Earnest McDonald EXT. 7430

Agenda Date <u>01-08-03</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 the proposed rezoning from A-1 (Agriculture District) to R-1A (Single-Family Dwelling District) on approximately 3.19 acres, located on the north side of Howell Branch Road, approximately 500 feet east of the intersection of Howell Branch Road and Lake Ann Lane (Robert A. Goll, applicant); or
2. Recommend approval of the proposed rezoning from A-1 (Agriculture District) to R-1A (Single-Family Dwelling District) on approximately 3.19 acres, located on the north side of Howell Branch Road, approximately 500 feet east of the intersection of Howell Branch Road and Lake Ann Lane (Robert A. Goll, applicant); or
3. Continue the proposed rezoning to a time and date certain.

Commission District #1 (Maloy) (Earnest McDonald, Principal Coordinator)

BACKGROUND:

The applicant, Robert A. Goll of Regol Associates, Inc., requests a rezoning of a 3.19 acre tract located on the north side of Howell Branch Road, from A-1 (Agriculture District) to R-1A (Single-Family Dwelling District). The site has a Future Land Use (FLU) designation of Low Density Residential. If rezoned to the requested R-1A category, the applicant intends to develop the site for an eight (8) lot subdivision.

STAFF RECOMMENDATION:

Staff recommends the Planning and Zoning Commission recommend approval of R-1AA zoning, instead of the R-1A zoning requested, based on the staff findings in this report.

Reviewed by:
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. <u>Z2002-030</u>

SANCTUARY AT LAKE ANN			
APPLICANT	Robert A. Goll		
PROPERTY OWNER(S)	Becky M. Patterson		
REQUEST	Rezoning A-1 (Agriculture District) to R-1A (Single-Family Dwelling District)		
HEARING DATE(S)	<table border="1" style="width: 100%;"> <tr> <td>LPAP&Z January 8, 2003</td> <td>BCC January 28, 2003</td> </tr> </table>	LPAP&Z January 8, 2003	BCC January 28, 2003
LPAP&Z January 8, 2003	BCC January 28, 2003		
PROPERTY ID NUMBER	27-21-30-300-0140-0000		
LOCATION	North side of Howell Branch Road, approximately 500 feet east of the intersection of Howell Branch Road and Lake Ann Lane		
APPROXIMATE SIZE	3.19 acres		
FUTURE LAND USE DESIGNATION	Low Density Residential		
ZONING CLASSIFICATION	A-1 (Agriculture District)		
FILE NUMBER	Z2002-030		
COMMISSION DISTRICT	#3 – Commissioner Morris		

OVERVIEW:

Zoning Request:

The applicant, Robert A. Goll of Regol Associates, Inc., requests a rezoning of a 3.19 acre tract located on the north side of Howell Branch Road, from A-1 (Agriculture District) to R-1A (Single-Family Dwelling District). The minimum area regulations for the R-1A (Single-Family District) are as follows:

R-1 DISTRICT AREA REGULATIONS	
Minimum Lot Size	9,000 square feet
Minimum House Size	1,100 square feet
Minimum Width at Building Line	75 feet
Front Yard Setback	25 feet
Side Yard Setback	7.5 feet
(Street) Side Yard Setback	25 feet
Rear Yard Setback	30 feet

The Low Density Residential FLU assigned to the subject property allows for a range of compatible zoning categories, including the R-1A District requested by the applicant. Low Density residential allows a maximum residential density of four (4) dwelling units per net buildable acre. Maximum density would be determined at the time of subdivision review.

Existing Zoning and Land Use:

Existing zoning and land use for the subject and abutting properties are as follows:

LOCATION	EXISTING ZONING	FUTURE LAND USE	USE OF PROPERTY
Site	A-1	LDR	Vacant
North of Site	A-1	LDR	Vacant
South of Site	R-2	MDR	Single-Family
East of Site	A-1	LDR	Vacant
West of Site	A-1	LDR / Conservation	Vacant / Single-Family

SITE ANALYSIS:

Facilities and services. Adequate public facilities and services must be available concurrent with the impacts of development. The applicant has submitted an Affidavit of Concurrency Review Deferral. At the time of preliminary subdivision review, the applicant will be required to submit an application for concurrency review.

The recommended R-1AA zoning is consistent with the adopted FLU designation of Low Density Residential (LDR) assigned to the subject property.

Transportation:

The property is served by Howell Branch Road to the south, which is defined as a four (4) lane urban minor arterial highway. Additional traffic details will be required for the site at the time of preliminary subdivision review.

Water and Sewer:

The site is located in the City of Casselberry water and sewer service area. There is a 12 inch water line on the south side of Howell Branch Road, and the nearest sewer force main is approximately 1,650 feet east on the south side of Howell Branch Road.

A letter from the City of Casselberry confirming utility capacity would be required at the time of subdivision review, and the City's approval of proposed water and sewer utility design would be required prior to the approval of final engineering plans.

Compliance with Environmental Regulations:

There are no identified flood prone areas on the property. A small wetland area is located on the northwestern corner of the property, and a listed species survey report would be required prior to subdivision approval.

Compatibility with Surrounding Development:

Staff has conducted a lot size compatibility analysis, as required by the Land Development Code and Vision 2020 Comprehensive Plan Policy 2.10 and 12.7. Results are as follows:

Zoning District	Zoning Acreage	Total Acreage of All Districts	Zoning Acreage Total Acreage	Weight	Weight Multiplied by Zoning Acreage
RC-1	1.026	60.875	0.017	4	0.068
R-4	7.229	60.875	0.119	13	1.547
R-2	12.707	60.875	0.209	12	2.508
A-1	19.478	60.875	0.320	*6	1.920
A-1	6.000	60.875	0.099	*6	0.594
Total of Weight Multiplied by Zoning / Total Acreage					6.637≈7.000

Weight is based on the availability of municipal water service to the subject property and abutting roads being at an acceptable level of service at the time of development

Based on the results of the analysis, staff has determined the resulting weight of 7 corresponds to the R-1AA (Single-Family Dwelling District). Therefore, R-1AA zoning would be most compatible with surrounding zoning categories and consistent with development trends in the area.

STAFF FINDINGS AND RECOMMENDATION:

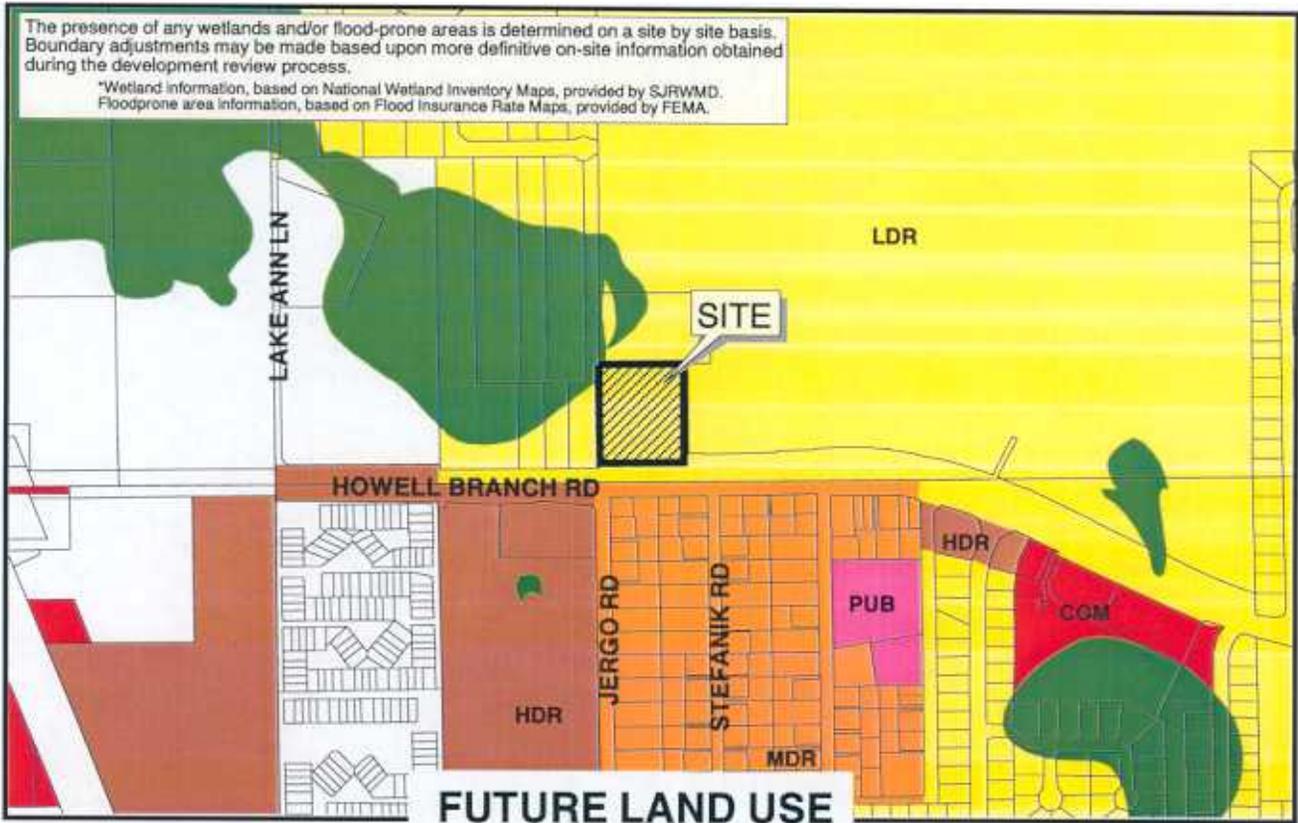
Staff recommends denial of the request to rezone the subject property from A-1 (Agriculture District) to R-1A (Single-Family Dwelling District) and recommends approval of a rezoning of the subject property from A-1 (Agriculture District) to R-1AA (Single-Family Dwelling District), based on the provisions stated in this report and the following findings:

1. The R-1AA (Single-Family Dwelling District) meets the minimum level of presumptive compatibility, as provided for in the Lot Size Compatibility Analysis of the Land Development Code; and
2. The proposed rezoning is consistent with Vision 2020 Plan policies relating to the Low Density Residential FLU designation; and
3. The proposed rezoning is compatible with surrounding zoning categories and consistent with development trends in the area.

Attachments: Zoning and FLU maps
 Proposed Ordinance
 Site Plan

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.

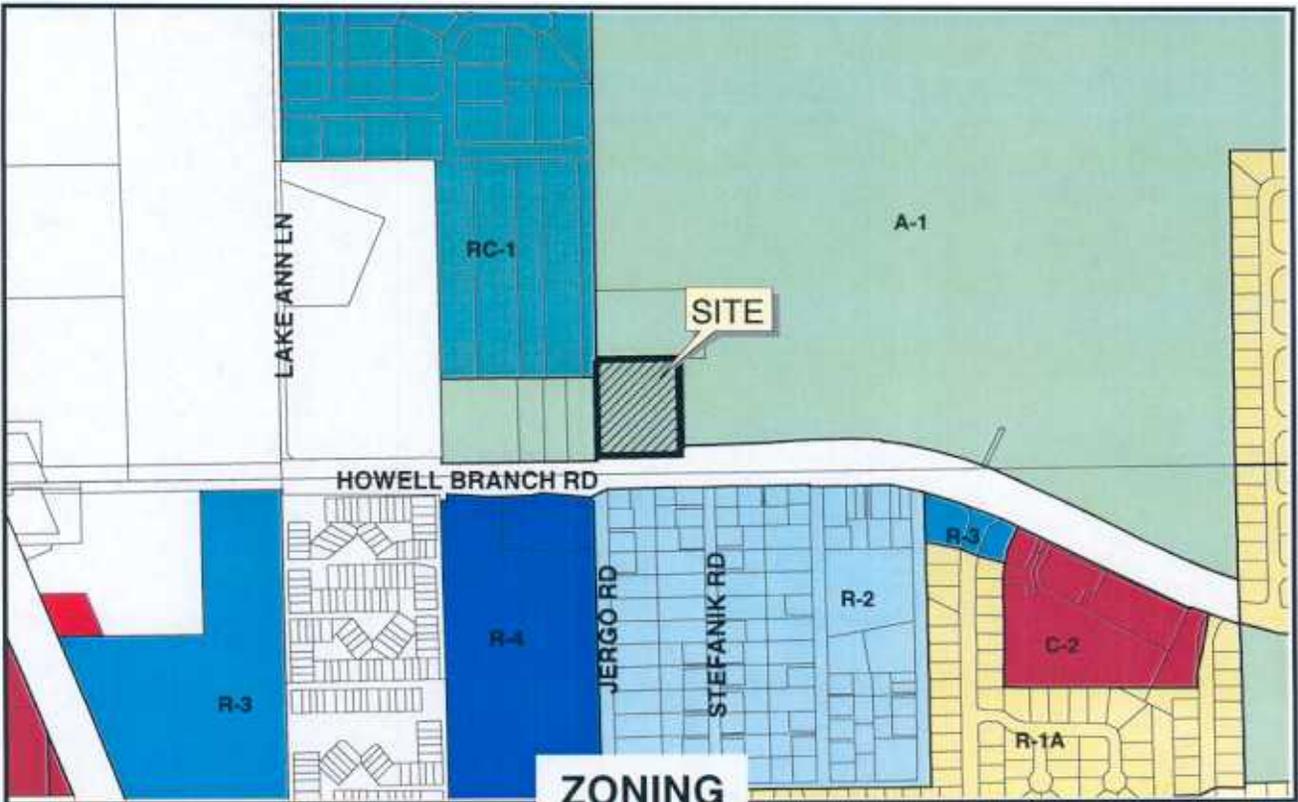
*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
 Municipality
 COM
 LDR
 PUB
 MDR
 HDR
 CONS

Applicant: Regol Associates, Inc.
 Physical STR: 27-21-30-300-0140-0000
 Gross Acres: 3.19 BCC District: 1
 Existing Use: Single Family Residence
 Special Notes: _____

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2002-030	A-1	R-1A



A-1
 C-2
 R-1A
 RC-1
 R-2
 R-3
 R-3A

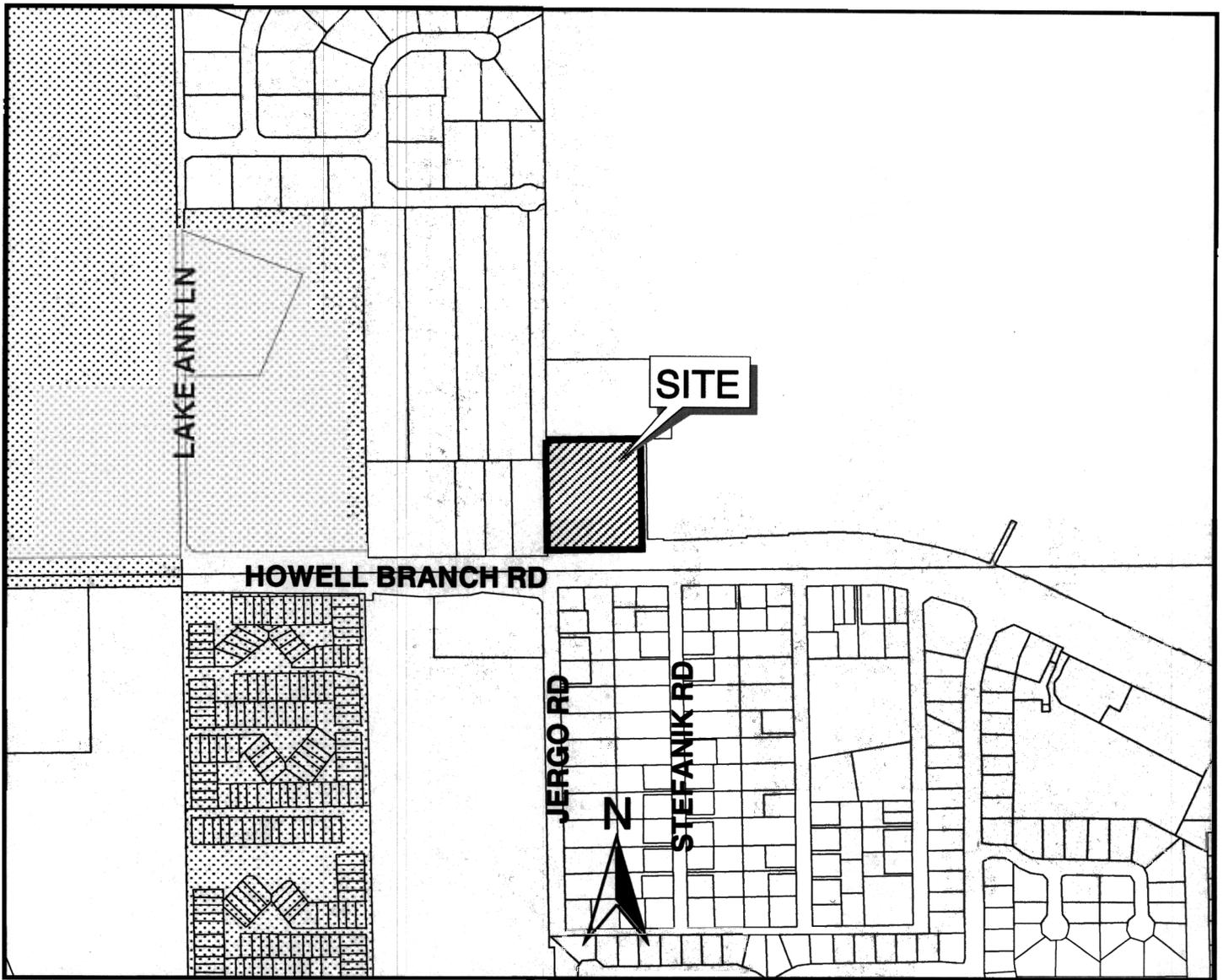


Rezone No. Z2002-030
From: A-1 To: R-1A

-  Subject Property
-  Parcelbase



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 (AGRICULTURE DISTRICT) ZONING CLASSIFICATION THE R-1AA (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 documents titled "Sanctuary At Lake Ann."

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

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 28th day of JANUARY 2003

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

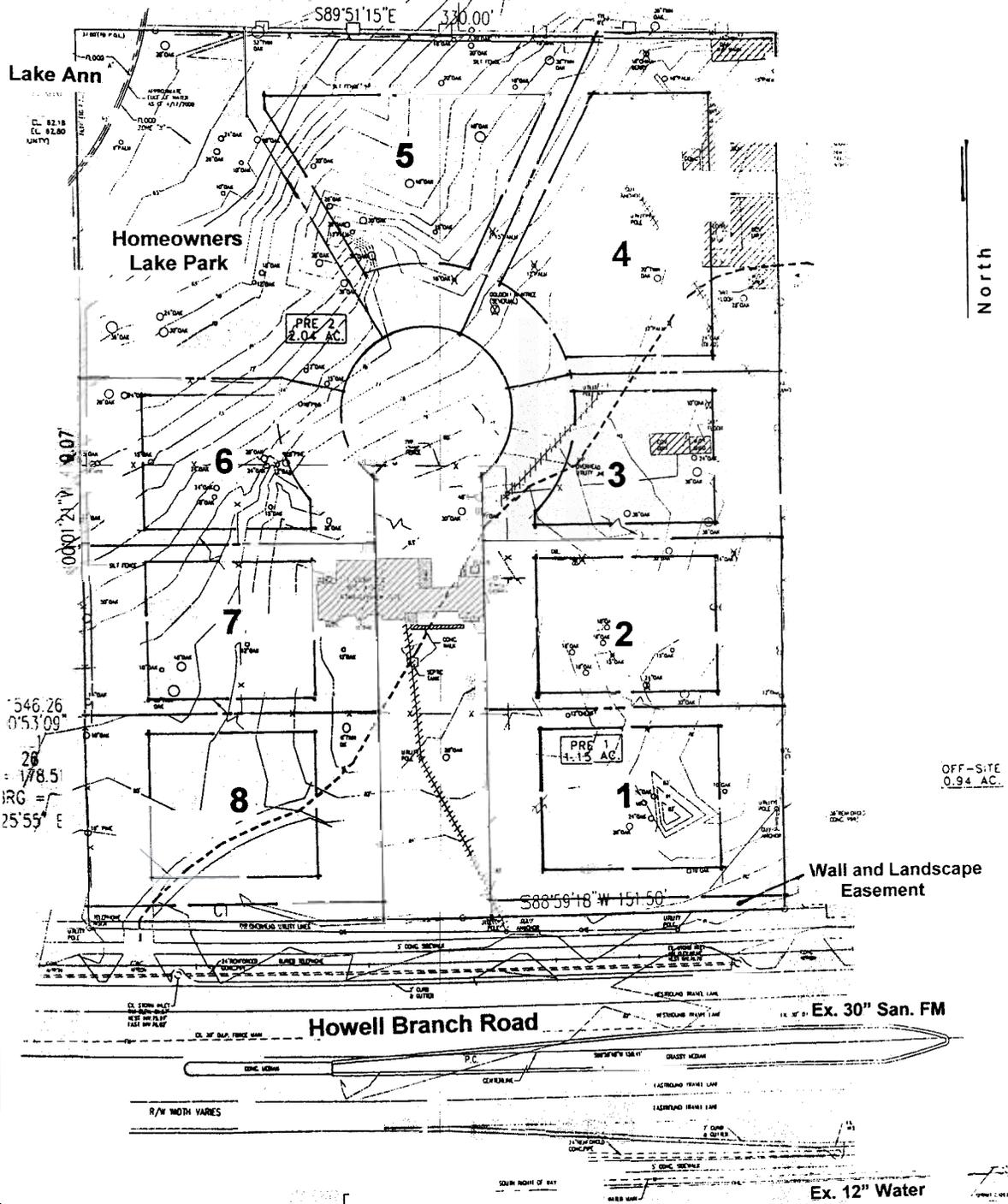
By: _____
Daryl G. McLain
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

Legal Description:

The South 475 feet of the West 330 feet, of the East half of the Southwest 1/4 of Section 27, Township 21 South, Range 30 East, Seminole County, Florida containing 3.2 acres, more or less.

NOT PLATTED
SEMINOLE COUNTY
RETENTION POND
#919



Site Data
3.19 Ac
2.5 du/Ac Proposed

R1A Zoning
Single Family Residential
Lot Size - 9,000 Sf min
Front Bldg width 75'
Front setback 25'
Side 7.5'
Rear 30'

*The Sanctuary at
Lake Ann*

Scale 1" = 50'