

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

SUBJECT: LAKE HAYES RD; REZONING FROM A-1 (AGRICULTURE) TO R-1AA (SINGLE FAMILY DWELLING)

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matthew West ^{mw} CONTACT: Rob Walsh ^{RW} EXT. 7446

Agenda Date	<u>3/5/03</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 R-1AA (Single Family Dwelling District) on approximately 7.98 acres located on the north side of Lake Hayes Road, approximately ½ mile east of Alafaya Trail, with staff findings and recommendations (Shutts & Bowen, applicant); or
2. Recommend denial of R-1AA (Single Family Dwelling District) on approximately 7.98 acres located on the north side of Lake Hayes Road, approximately ½ mile east of Alafaya Trail, with staff findings and recommendations (Shutts & Bowen, applicant); or
3. Continue the proposed rezoning to a date certain.

Commissioner Maloy - District 1

Rob Walsh, Principal Coordinator

BACKGROUND

The applicant, Shutts & Bowen (on behalf of Mag Development Co., Inc.), is requesting a rezoning from A-1 (Agriculture) to R-1AA (Single Family Dwelling District) for approximately 7.98 acres located on the north side of Lake Hayes Road, approximately ½ mile east of Alafaya Trail. The site and surrounding area is designated Low Density Residential land use (see enclosed site map).

STAFF RECOMMENDATION

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

Attachments: Site maps
 Ordinance

Reviewed by: _____
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. _____

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
 LDR
 MDR
 PUBC

Applicant: Mag Development Co. Inc.
 Physical STR: 27-21-31-300-0040-0000
 Gross Acres: 7.98 BCC District: 1
 Existing Use: Single Family Residential
 Special Notes: _____



	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2002-113	A-1	R-1AA



A-1
 R-1AA
 R-2
 PUD



Rezone No. Z2002-113
From: A-1 To: R-1AA

-  Subject Property
-  Parcelbase



February 1999 Color Aerials

LAKE HAYES REZONING	
APPLICANT	Shutts & Bowen, LLP
PROPERTY OWNER(S)	Tommy E. Rewis
REQUEST	Rezoning from A-1 (Agriculture) to R-1AA (Single Family Dwelling District)
HEARING DATE(S)	LPA/P&Z: March 5, 2003 BCC: April 8, 2003
SEC/TWP/RNG	27-21-31
LOCATION	North side of Lake Hayes Road, approximately ½ mile east of Alafaya Trail
APPROXIMATE SIZE	7.98 acres
FUTURE LAND USE DESIGNATION	Low Density Residential
ZONING CLASSIFICATION	A-1 (Agriculture)
FILE NUMBER	Z2002-113
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 professional judgement.

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 Lake Hayes Road. It is estimated that a total of 290 average daily trips will be generated by this development, verses 80 trips under the existing zoning. There are no identified traffic problems on Lake Hayes Road, although residents of the area have commented that traffic volume is a problem at intersections with nearby arterial roadways.

Water and Sewer

The site is served by Seminole County utilities. There is a 12" water main approximately 1050 feet west on Lake Hayes Road, and a 16" force main approximately 950 feet west on Lake Hayes 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 proposed R-1AA zoning and R-1AAA for comparison:

	R-1AAA Zoning	Proposed R-1AA Zoning
Lot size	13,500 square feet	11,700 square feet
House size	1,600 square feet	1,300 square feet
Width at building line	100 feet	90 feet
Front setback	25 feet	25 feet
Side setback	10 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	Single family residential	Low Density Residential	A-1
South	Single family residential	Low Density Residential	R-1AA
East	Single family residential	Low Density Residential	A-1
West	Single family residential	Low Density Residential	R-1AA

STAFF FINDINGS AND RECOMMENDATIONS

Recommend approval of R-1AA (Single Family Dwelling) zoning, with findings that:

1. R-1AA zoning meets the minimum level of presumptive compatibility as provided for in the "Lot Size Compatibility Ordinance" of the Land Development Code of Seminole County.
2. R-1AA zoning is consistent with Vision 2020 Plan policies relative to the Low Density Residential future land use designation.
3. R-1AA zoning is compatible with adjacent single family residential development and development trends in the area.
4. Development must comply with the applicable provisions of the Seminole County Comprehensive Plan (Vision 2020) and Land Development Code of Seminole County.

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.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Lake Hayes Rezoning".

(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 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 8th day of APRIL, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

Z2002-113 (A-1 to R-1AA)

To Be Provided