

ITEM # \_\_\_\_\_

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

**SUBJECT:** OLD LOCKWOOD ROAD; REZONING FROM A-1 (AGRICULTURE) TO R-1AA (SINGLE FAMILY DWELLING)

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

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

<b>Agenda Date</b> <u>3/5/03</u>	<b>Regular</b> <input type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Special Hearing – 6:00</b> <input type="checkbox"/>	<b>Public Hearing – 7:00</b> <input checked="" type="checkbox"/>	

**MOTION/RECOMMENDATION:**

1. Recommend approval of alternate zoning of R-1AAA (Single Family Dwelling) on approximately 13 acres located on the east side of Old Lockwood Road approximately 1/2 mile north of McCulloch Road, with staff findings and recommendations (Shutts & Bowen, applicant); or
2. Recommend approval of proposed R-1AA (Single Family Dwelling) on approximately 13 acres located on the east side of Old Lockwood Road approximately 1/2 mile north of McCulloch Road (Shutts & Bowen, applicant); or
3. Recommend denial of R-1AA (Single Family Dwelling) on approximately 13 acres located on the east side of Old Lockwood Road approximately 1/2 mile north of McCulloch Road (Shutts & Bowen, applicant); or
4. Continue the proposed rezoning to a date certain.

Commissioner Maloy - District 1

Rob Walsh, Principal Coordinator

**BACKGROUND**

The applicant, Shutts & Bowen (on behalf of A.G. Construction & Development Co.), is requesting a rezoning from A-1 (Agriculture) to R-1AA (Single Family Dwelling) for approximately 13 acres located on the east side of Old Lockwood Road approximately 1/2 mile north of McCulloch Road. The site and surrounding area is designated Low Density Residential land use (see enclosed site map).

**STAFF RECOMMENDATION**

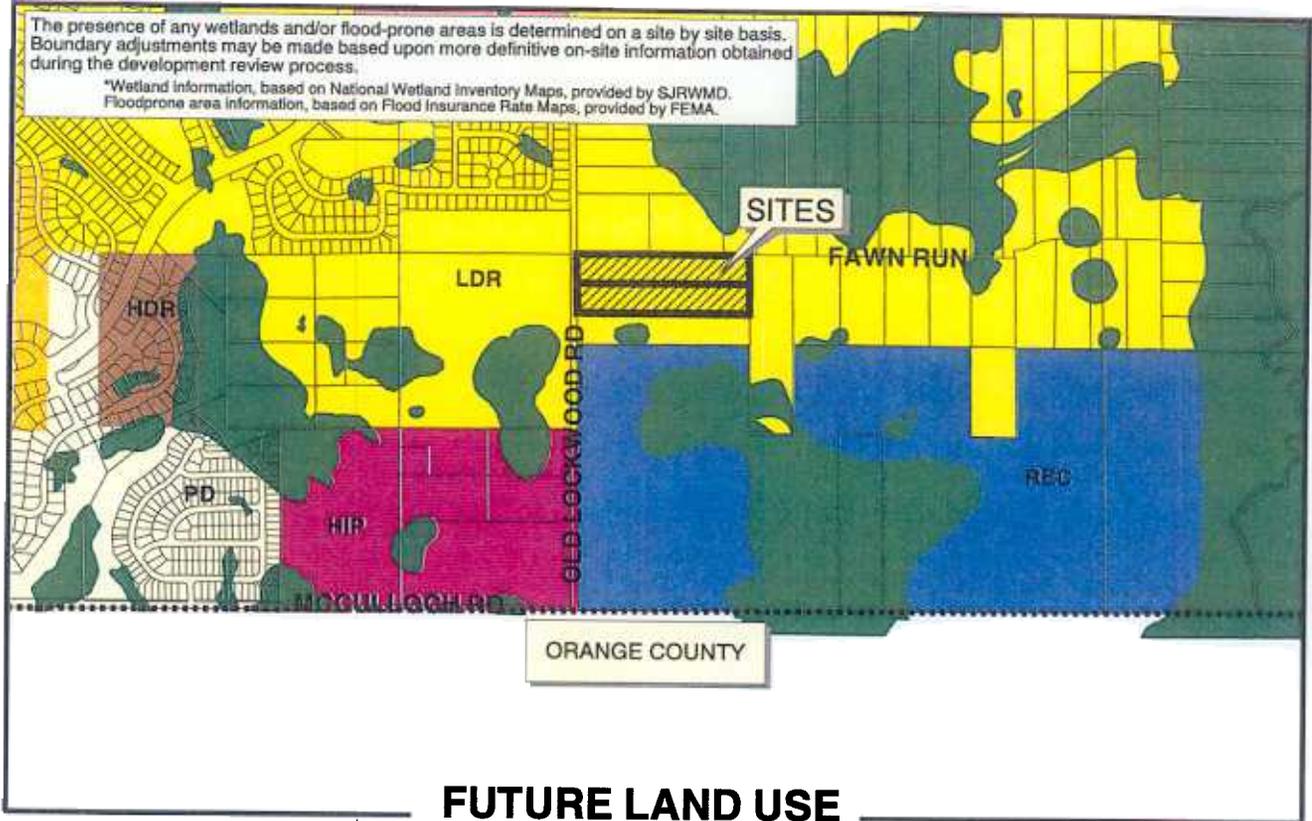
Recommend approval of alternate R-1AAA zoning, with staff findings and recommendations.

**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.

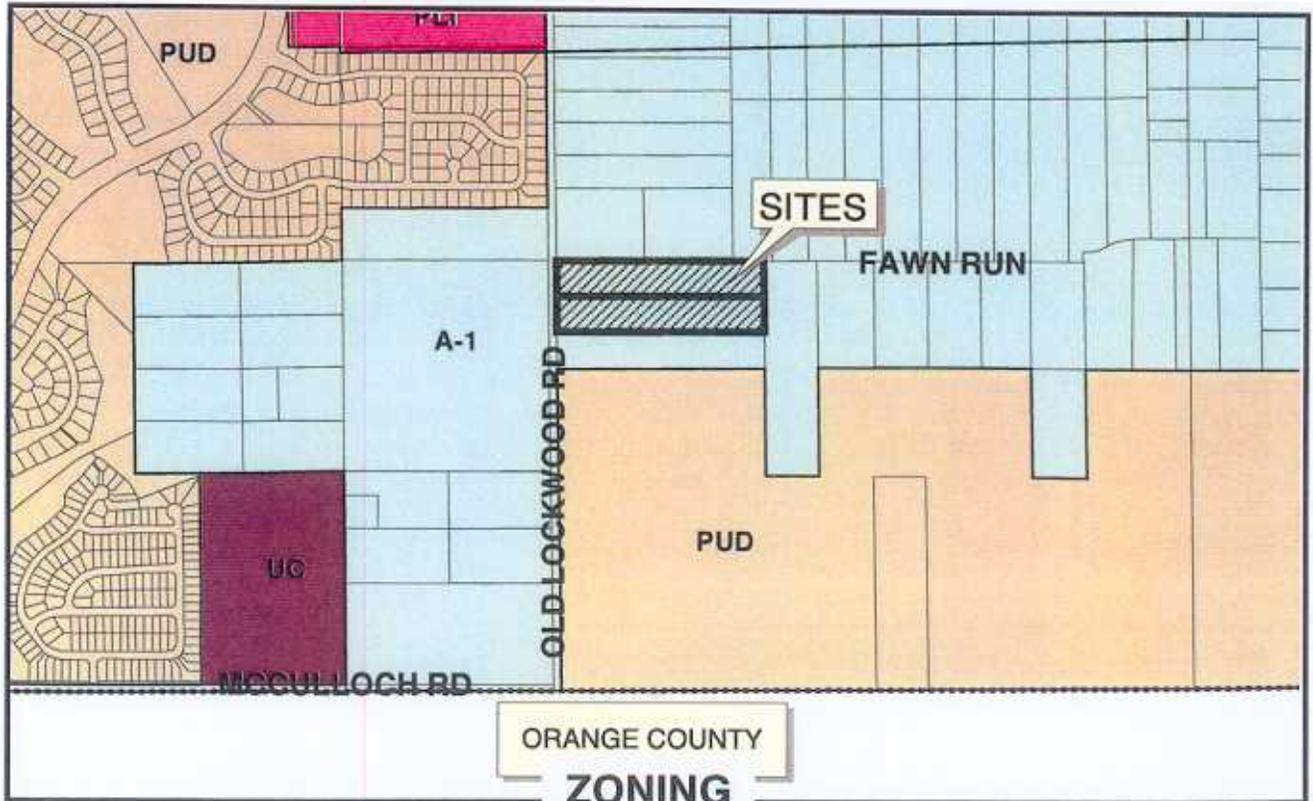


### FUTURE LAND USE

Site  
 ..... Municipality  
  PUB  
 LDR  
  HIP  
 PD  
  HDR  
  REC  
  CONS

Applicant: A.G. Construction & Development Co.  
 Physical STR: 36-21-31-300-001F & 001G-0000  
 Gross Acres: 13      BCC District: 1  
 Existing Use: Vacant Single Family  
 Special Notes: \_\_\_\_\_

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2002-114	A-1	R-1AA



### ZONING

A-1  
  PLI  
  PUD  
  UC



Rezone No. Z2002-114  
 From: A-1 To: R-1AA

-  Subject Property
-  Parcelbase



February 1999 Color Aerials

<b>OLD LOCKWOOD ROAD REZONING</b>	
<b>APPLICANT</b>	Shutts & Bowen, LLP
<b>PROPERTY OWNER(S)</b>	Richard & Merlyn Roy, Vincent & Effie Murray
<b>REQUEST</b>	Rezoning from A-1 (Agriculture) to R-1AA (Single Family Dwelling)
<b>HEARING DATE(S)</b>	<b>LPA/P&amp;Z:</b> March 5, 2003 <b>BCC:</b> April 8, 2003
<b>SEC/TWP/RNG</b>	36-21-31
<b>LOCATION</b>	East side of Old Lockwood Road approximately ½ mile north of McCulloch Road
<b>APPROXIMATE SIZE</b>	13 acres
<b>FUTURE LAND USE DESIGNATION</b>	Low Density Residential
<b>ZONING CLASSIFICATION</b>	A-1 (Agriculture)
<b>FILE NUMBER</b>	Z2002-114
<b>COMMISSION DISTRICT</b>	#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-1AAA after adding points for access to a paved road and potable water becoming available in the near future.

In support of this finding, staff believes that the R-1AAA zoning is the most appropriate transitional density from the more intense development farther west and south to the less intense to the east. As development occurs from west to east, the lot size could transition from smaller to larger.

**SITE ANALYSIS**

**Comprehensive Plan**

The requested zoning is 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 Old Lockwood Road which is paved. It is estimated that a total of 480 average daily trips will be generated by this development, verses a potential for 130 trips under the existing zoning. Dedication of an additional 15 feet of right-of-way will be required along the frontage of Old Lockwood Road. A left turn lane will also be required.

Water and Sewer

There is a 12" water main approximately 1150 feet north on Old Lockwood Road. There is also an 8" force sewer main approximately 1150 feet north on Old Lockwood Road. In about 18 months, the potable water line along with a reclaimed water line will be installed in Old Lockwood Road.

Compliance with Environmental Regulations

Wetlands occur along the eastern portion of the parcel. A conservation easement must be dedicated to the county for the wetlands and required 50-foot buffers.

Trails

Seminole County has a planned minor trail along Old Lockwood Road which will likely be located on the east side of the road. At this time, the trail is not funded or programmed for construction. The developer will be required to construct a 5 foot sidewalk along Old Lockwood Road or contribute to the County's trails fund for future construction in conjunction with the planned trail.

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-1AAA zoning would be compatible with development trends in the area. The following table shows building and area regulations for the proposed R-1AA zoning and R-1AAA for comparison:

	<b>R-1AAA Zoning</b>	<b>Proposed R-1AA Zoning</b>
<b>Lot size</b>	13,500 square feet	11,700 square feet
<b>House size</b>	1,600 square feet	1,300 square feet
<b>Width at building line</b>	100 feet	90 feet
<b>Front setback</b>	25 feet	25 feet
<b>Side setback</b>	10 feet	10 feet
<b>Rear setback</b>	30 feet	30 feet

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

<b>Direction</b>	<b>Existing Use</b>	<b>Future Land Use</b>	<b>Zoning</b>
<b>Site</b>	SFR & Vacant (2 parcels)	Low Density Residential	A-1
<b>North</b>	SFR & Vacant	Low Density Residential	A-1
<b>South</b>	Vacant	Low Density Residential	A-1
<b>East</b>	Vacant	Low Density Residential	A-1
<b>West</b>	Vacant	Low Density Residential	A-1

### **STAFF FINDINGS AND RECOMMENDATIONS**

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

1. R-1AAA 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-1AAA zoning is consistent with Vision 2020 Plan policies relative to the Low Density Residential future land use designation.
3. R-1AAA zoning is compatible with 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-1AAA 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 "Old Lockwood Road 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-1AAA.

**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-1AAA)

To Be Provided