

ITEM # _____

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

SUBJECT: Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District).
(Jim Cooper, applicant)

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

AUTHORIZED BY: Matthew West **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 06/04/03 Regular Work Session Briefing
Special Hearing – 6:00 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the request for rezoning from A-1 (Agriculture) to R-1A (Single Family Dwelling District) on 17 acres on the west side of Hester Ave., ¼ mile south of CR 427, (Jim Cooper, applicant); or
2. Recommend DENIAL of the request for rezoning from A-1 (Agriculture) to R-1A (Single Family Dwelling District) on 17 acres on the west side of Hester Ave., ¼ mile south of CR 427, based on staff findings (Jim Cooper, applicant); or
3. Recommend APPROVAL of R-1AAA (Single Family Dwelling District) based on results of a lot compatibility analysis completed by Staff; or
4. CONTINUE the public hearing until a time and date certain.

(District 5 – Comm. McLain)

(Jeff Hopper, Senior Planner)

BACKGROUND:

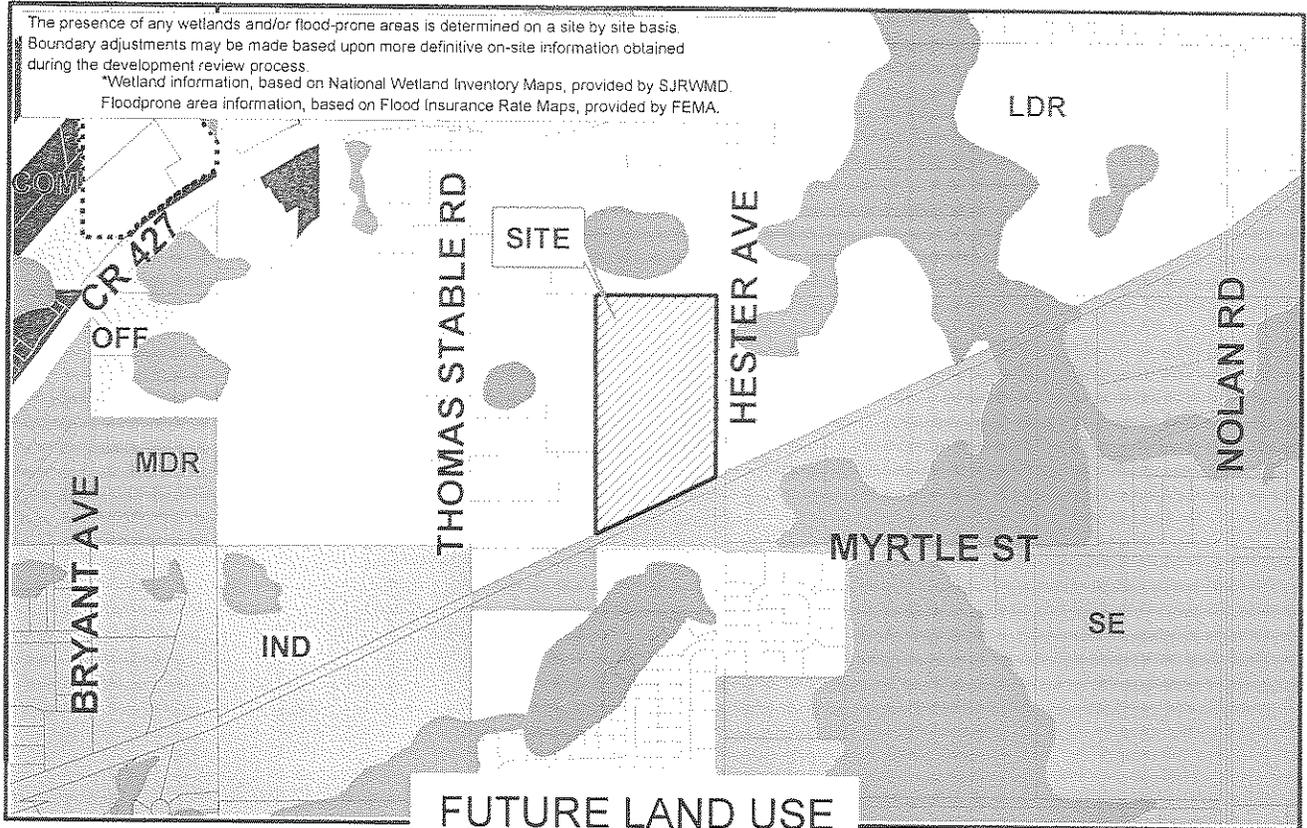
The applicant, Jim Cooper, requests approval of R-1A zoning on a 17-acre site south of CR 427. Located in the Low Density Residential future land use designation, the property is programmed under the Vision 2020 Plan for a maximum of 4 units per net buildable acre. However, as a request for conventional zoning (i.e., not PUD), the application is subject to the lot compatibility analysis required under Ordinance 98-53. This analysis supports a zoning classification of R-1AAA.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the requested R-1A classification. While the required lot compatibility analysis suggests a lower level of intensity on the site, this is only one tool for measuring compatibility. Staff believes that other factors should be considered, such as proximity to a Minor Arterial and the availability of water and sewer service.

Reviewed by: _____
Co Atty: KCC
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. Z2003-013

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.

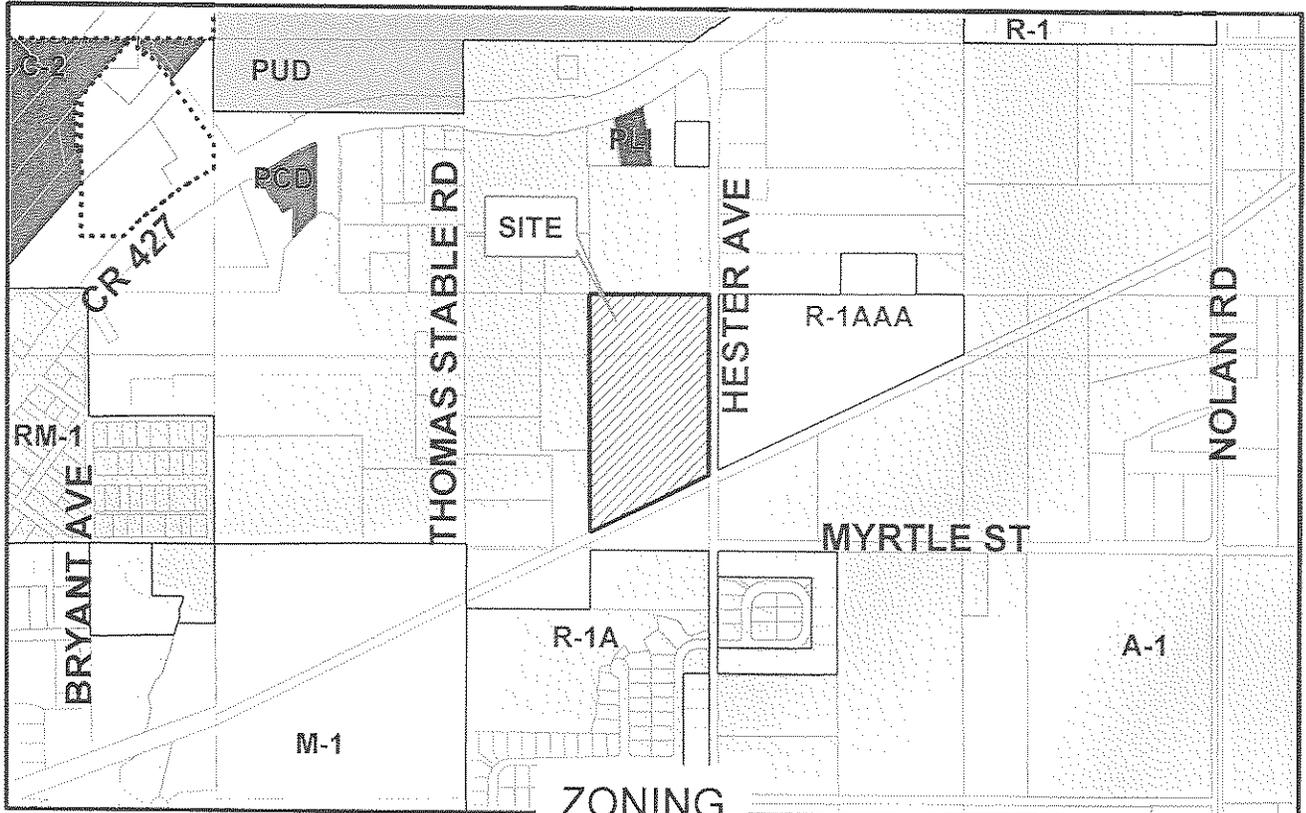


FUTURE LAND USE

- Site
- Municipality
- COM
- LDR
- OFF
- IND
- MDR
- SE
- CONS

Applicant: Jim Cooper
 Physical STR: 23-20-30-300-035B-0000
 Gross Acres: 17 BCC District: 5
 Existing Use: Single Family Residential
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-013	A-1	R-1A



ZONING

- A-1
- C-1
- C-2
- M-1
- PUD
- R-1
- R-1A
- R-1AAA
- RM-1
- PLI
- Municipality



Rezone No: Z2003-013

From: A-1 To: R-1A

 Parcel

 Subject Property



NOT TO SCALE

February 1999 Color Aerials

HESTER AVENUE REZONE

REQUEST INFORMATION	
APPLICANT	Jim Cooper
PROPERTY OWNERS	Joseph K. Kelly and Robert L. Kelly Jr.
REQUEST	Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District)
HEARING DATE(S)	P&Z: June 4, 2003 BCC: June 24, 2003
SEC/TWP/RNG	23-20-30-300-035B-0000
LOCATION	West side of Hester Ave., ¼ mile south of CR 427
FUTURE LAND USE	Low Density Residential (LDR)
FILE NUMBER	Z2003-013
COMMISSION DISTRICT	District 5 (McLain)

OVERVIEW

Zoning Request: The applicant, Jim Cooper, requests approval of R-1A zoning on a 17-acre site south of CR 427. Proposed development of the site is a 45-lot single family subdivision with a minimum lot size of 9,000 square feet.

Located in the Low Density Residential future land use designation, the property is programmed under the Vision 2020 Plan for a maximum of 4 units per net buildable acre. However, as a request for conventional zoning (i.e., not PUD), the application is subject to the lot compatibility analysis required under Ordinance 98-53. This analysis supports a zoning classification of R-1AAA.

Through a complicated methodology, the analysis evaluates appropriate zoning for a given parcel on the basis of existing zoning on surrounding properties within 660 feet. The calculations assign differing weights to the various districts according to permitted development intensities within those districts. For example, the R-1A district, with a minimum lot size of 9,000 square feet, has a weight factor of 8, while R-1AAA, requiring half-acre lots, has a weight factor of 5. Properties zoned for Agriculture (A-1) receive a base weight of 4, but additional points can be assigned where water, sewer, and paved roads are available, for a maximum of 7.

Zoning weighting factors, together with the acreage of each zone within the 660-foot radius, determine the "compatible" zoning for the subject property. The analysis area adjoining this request is predominantly A-1, with significant quantities of R-1A and R-1AAA nearby. The analysis yielded a weight rating of 6.25, which corresponds to the R-1AAA district, with a minimum lot size requirement of 13,500 square feet.

Despite the results of the lot compatibility analysis, other factors should be taken into account in evaluating this request. The site is on a paved road and has access to water and sewer service, meeting the public facility criteria established by the Vision 2020 Plan for development in Low Density Residential. It is situated approximately ¼ mile from CR

427, classified by Vision 2020 as a Minor Arterial. Also, it is more accessible from CR 427 than Autumn Chase, an existing subdivision zoned R-1A located to the south of the subject parcel and an abutting railroad right-of-way.

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

	Zoning	Future Land Use	Existing Land Use
North	A-1	LDR	SF residential
South	A-1	SE	vacant
East	R-1AAA	LDR	vacant
West	A-1	LDR	SF residential

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. If required by the concurrency review, additional facilities and services will be identified.
2. The proposed zoning 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. Seminole County will provide water and sewer service to the site.
4. Information on stormwater capacity and outfall will have to be provided prior to Final Subdivision approval.

Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with surrounding development: The proposed R-1A zoning classification is compatible with the Low Density Residential land use designation.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request.

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) ZONING CLASSIFICATION THE R-1A (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 "Hester Avenue Rezone."

(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) to R-1A (Single Family Dwelling District):

LEGAL DESCRIPTION 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 24th day of June, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____

Daryl G. McLain
Chairman

EXHIBIT A
LEGAL DESCRIPTION

Section 23, Township 20S, Range 30E ½ of SE ¼ of NW ¼ NW of RR.

