

ITEM # _____

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

SUBJECT: Shangri La Lane Rezone, Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District). (Sandra Bierly, applicant)

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

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

Agenda Date <u>09/03/03</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 request for rezoning from A-1 (Agriculture) to R-1A (Single Family Dwelling District), located approximately 300 feet south of SR 434, 0.8 mile east of SR 417 (Sandra Bierly, applicant); or
2. Recommend APPROVAL of the request for rezoning from A-1 (Agriculture) to R-1AA (Single Family Dwelling District), located approximately 300 feet south of SR 434, 0.8 mile east of SR 417 (Sandra Bierly, applicant); or
3. Recommend DENIAL of the request for rezoning from A-1 (Agriculture) to R-1A (Single Family Dwelling District), located approximately 300 feet south of SR 434, 0.8 mile east of SR 417 (Sandra Bierly, applicant); or
4. CONTINUE the public hearing until a time and date certain.

(District 2 – Comm. Morris)

(Jeff Hopper, Senior Planner)

BACKGROUND:

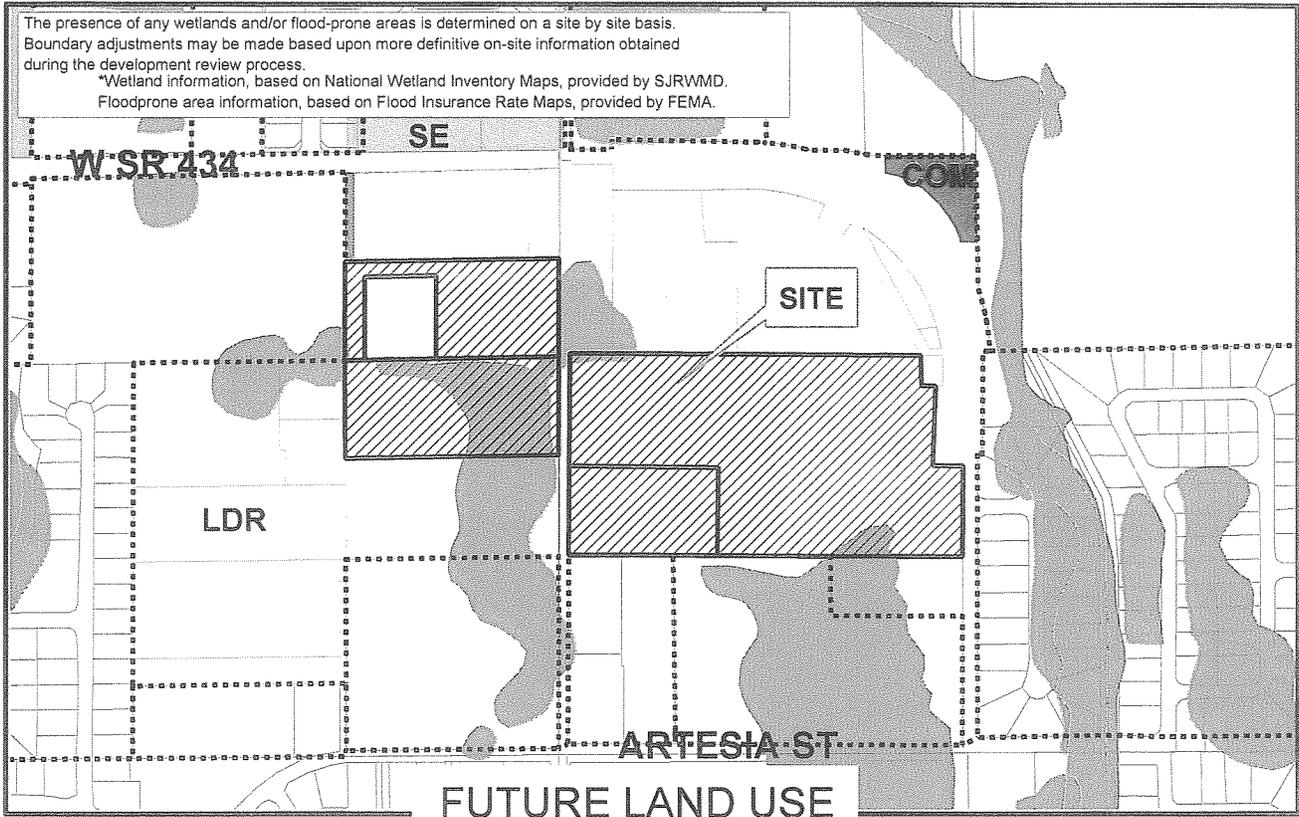
The applicant, Sandra Bierly, requests approval of R-1A zoning on a 28-acre site located south and west of SR 434. Located in the Low Density Residential (LDR) future land use designation, the property is programmed under the Vision 2020 Plan for a maximum of 4 units per net buildable acre. However, 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-1AA.

STAFF RECOMMENDATION:

Based on an analysis of surrounding densities and intensities, staff recommends DENIAL of the requested R-1A classification. R-1AA should be considered as a more appropriate alternative.

Reviewed by:
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. <u>Z2003-021</u>

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
 PUBC
 LDR
 SE
 COM
 CONS

Applicant: Acorn Development
 Physical STR: 04-21-31-300-017B, 0270-0000 & 25-20-31-5BA-0000-0150, 015A
 Gross Acres: 27.66 BCC District: 2
 Existing Use: Vacant

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-030	A-1	R-1A



ZONING

Site
 Municipality
 A-1
 A-10
 CN



Rezone No: Z2003-030

From: A-1 To: R-1A

 Parcel

 Subject Property



February 1999 Color Aerials

SHANGRI-LA LANE REZONE

REQUEST INFORMATION	
APPLICANT	Sandra Bierly
PROPERTY OWNER	Sandra Bierly
REQUEST	Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District)
HEARING DATE(S)	P&Z: September 3, 2003 BCC: TBD
PARCEL #	04-21-31-300-017B-0000 04-21-31-300-027A-0000 25-20-31-5BA-0000-0150 25-20-31-5BA-0000-015A
LOCATION	300' south of SR 434, 0.8 mile east of SR 417
FUTURE LAND USE	Low Density Residential (LDR)
FILE NUMBER	Z2003-030
COMMISSION DISTRICT	District 2 (Morris)

OVERVIEW

The applicant, Sandra Bierly, requests approval of R-1A zoning on a 28-acre site located south and west of SR 434. Located in the Low Density Residential (LDR) 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-1AA.

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-1AAAA, 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.

Weighting factors, together with the acreage of each zone within the 660-foot radius, determine the "compatible" zoning for the subject property. The majority of the analysis area adjoining this request is A-1, with several adjoining properties located in the cities of Winter Springs and Oviedo. The analysis yielded a weight rating of 7.42, which corresponds to the R-1AA district, with a minimum lot size requirement of 11,700 square feet. The requested R-1A would permit lots of 9,000 square feet in size.

The subject property lies in an area of transition from rural densities to more suburban forms of development, including neighborhood commercial and recreational uses. While the overall trend is toward higher density and intensity of development, no clear pattern has emerged to support a request of R-1A at this particular location. Nearby

developments such as Barrington Estates to the north in the City of Winter Springs, and MacKinley's Mill to the west in Oviedo, are equivalent in density to R-1A. However, Laurel Oaks, located in Oviedo to the east, has a significantly lower density comparable to R-1AAA. In the lot compatibility analysis prepared by staff, a large amount of A-1 property adjacent to the site had a downward influence on density, which was counterbalanced by a church and a golf driving range to the south, with higher intensity ratings. Staff concluded that the recommendation of R-1AA produced by the compatibility calculation is probably the most appropriate reflection of development trends in the vicinity.

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 / vacant
South	A-1 / CITY	LDR / CITY	golf range / church / vacant
East	CITY	CITY	SF
West	A-1 / CITY	LDR / CITY	SF / vacant

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. (Applicant has submitted a Concurrency Review Deferral Affidavit.)
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. Water and sewer service to the site is available from the City of Oviedo.
4. Subdivision access will be allowed only from SR 434.
5. 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 known issues regarding compliance with environmental regulations. An endangered species survey and wetlands survey will be required for Final Subdivision approval.

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

STAFF RECOMMENDATION

Based on an analysis of surrounding densities and intensities, staff recommends DENIAL of the requested R-1A classification. R-1AA should be considered as a more appropriate alternative.

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-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 "Shangri-La Lane 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-1AA (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 23rd day of September, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A

LEGAL DESCRIPTION

SEC 04 TWP 21S RGE 31E BEG 1327.51 FT N OF SE COR RUN W 401.69 FT N 281.71 FT W 209 FT S 281.62 FT W 65 FT N 331.59 FT E 675.84 FT S 331.88 FT TO BEG

LOTS 15 & 16 (LESS N 100 FT OF E 150 FT OF LOT 16 & RD & S 302.01 FT & W 491.65 FT OF LOT 15) BLACK HAMMOCK PB 1 PG 31

S 302.01 FT & W 491.65 FT OF LOT 15 BLACK HAMMOCK PB 1 PG 31

SEC 04 TWP 21S RGE 31E N 1/2 OF NE 1/4 OF SE 1/4 OF SE 1/4 (5 AC)

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