ITEM #_____

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

SUBJECT: Hickman Circle Rezone, request for rezoning from M-1A (Very Light Industrial) to M-1 (Industrial); (Donald J. Hachenberger, applicant)

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

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

Agenda Date 10/01/03 **Regular** ☒ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of a rezoning from M-1A to M-1, based on staff findings, on approximately 6.9 acres adjacent to the east side of I-4 north of SR 46, on the west side of Hickman Circle ¼ mile north of Hickman Drive (Donald J. Hachenberger, applicant); or
2. Recommend DENIAL of a rezoning from M-1A to M-1 on approximately 6.9 acres adjacent to the east side of I-4 north of SR 46, on the west side of Hickman Circle ¼ mile north of Hickman Drive (Donald J. Hachenberger, applicant); or
3. Continue the item to a time and date certain.

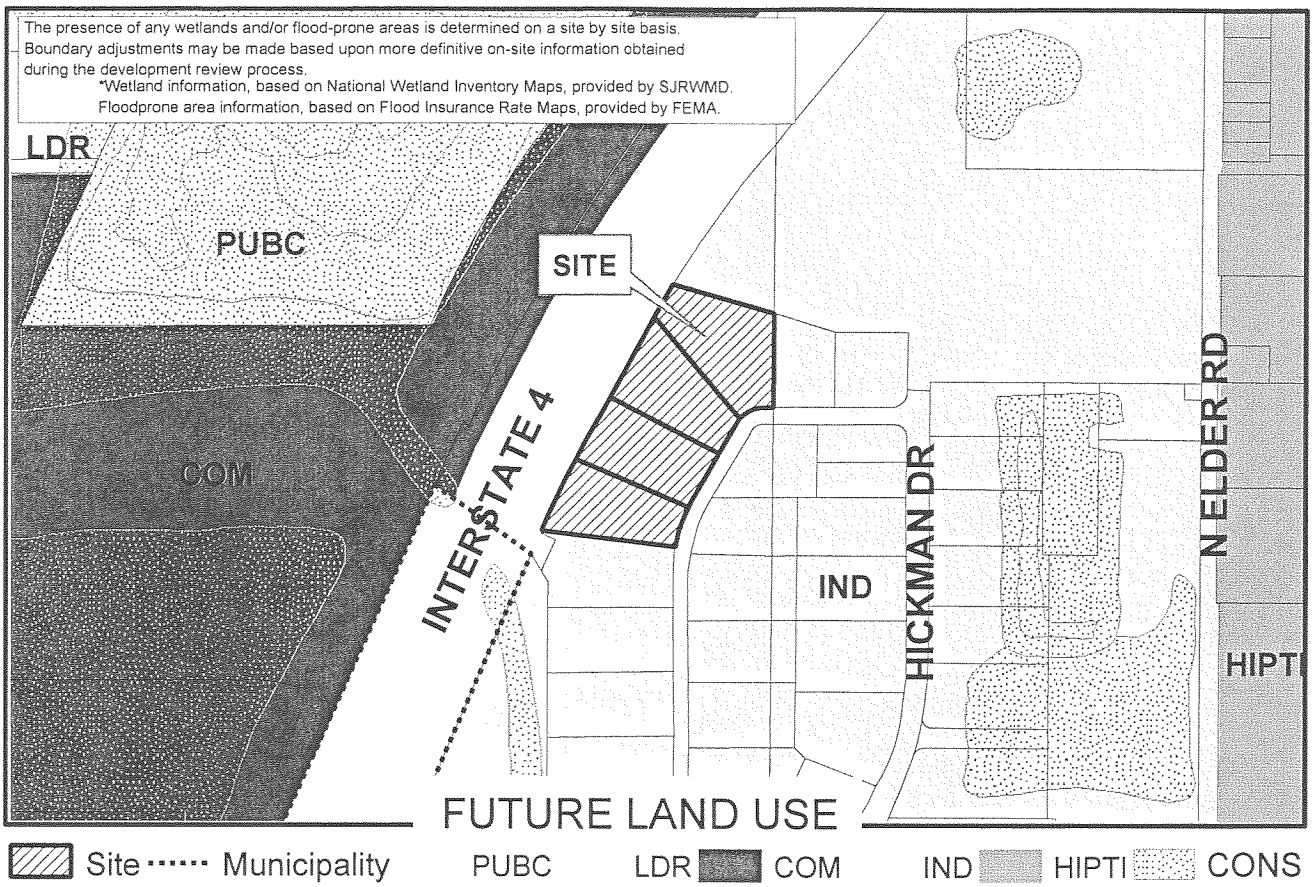
District 5 – McLain Jeff Hopper, Senior Planner

BACKGROUND:
The applicant is requesting a change in zoning from M-1A to M-1 on 4 adjacent lots in the I-4 Industrial Park between Hickman Circle and I-4. The reason for the request is to provide a wider range of permitted uses associated with the less restrictive M-1 classification. Approval of the request would permit outdoor storage of equipment and merchandise, with no special site design criteria established recognizing the site's proximity to a major highway.

STAFF RECOMMENDATION:
Staff recommends APPROVAL of the request based on its consistency with the Industrial future land use designation.

Reviewed by:
Co Atty: KZC
DFS:
OTHER:
DCM:
CM:

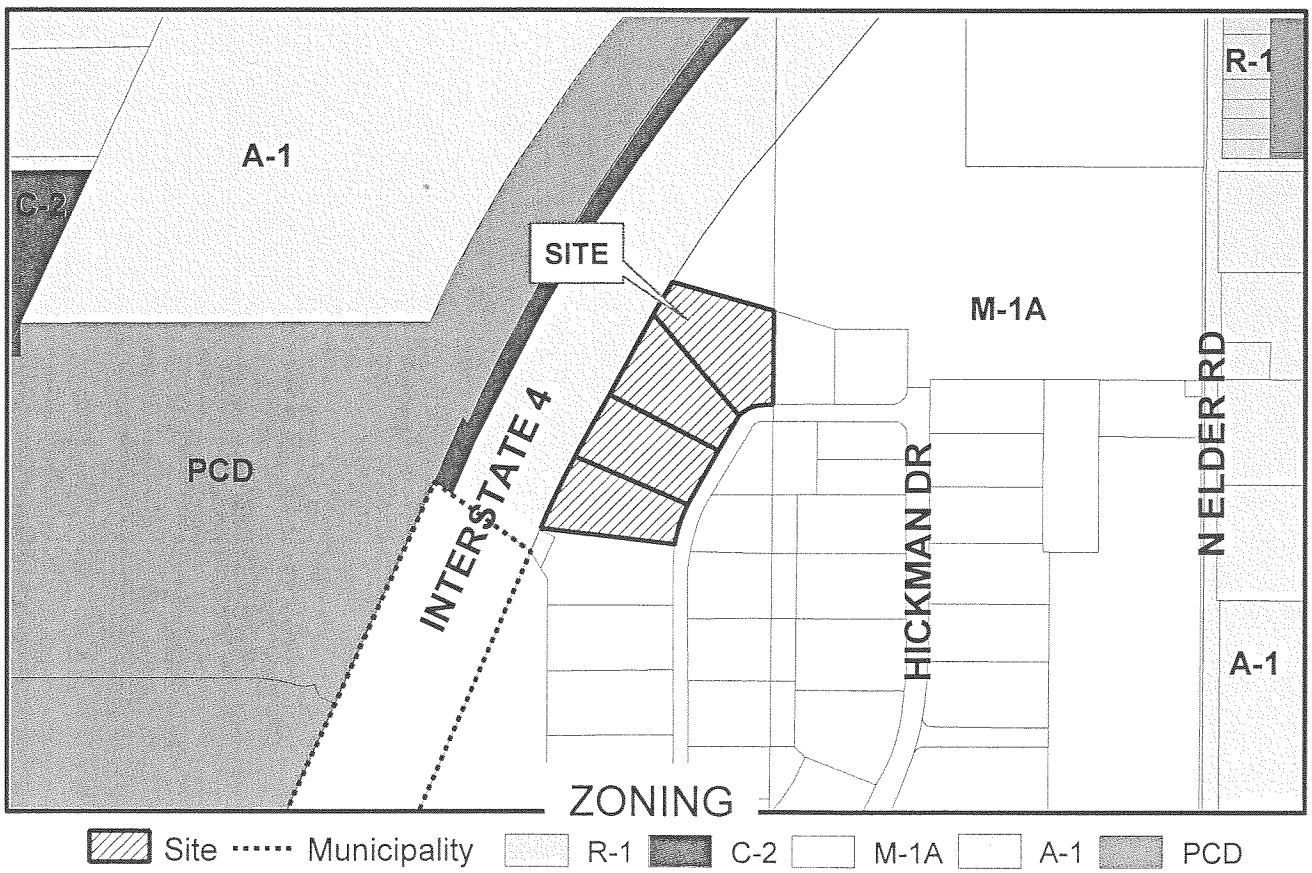
File No. Z2003-037



Applicant: Donald J. Hachenberger
Physical STR: 20-19-30-5FL-0C00-0090, 0100, 0110, & 0120
Gross Acres: 6.9 BCC District: 5
Existing Use: Vacant
Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-037	M-1A	M-1

N



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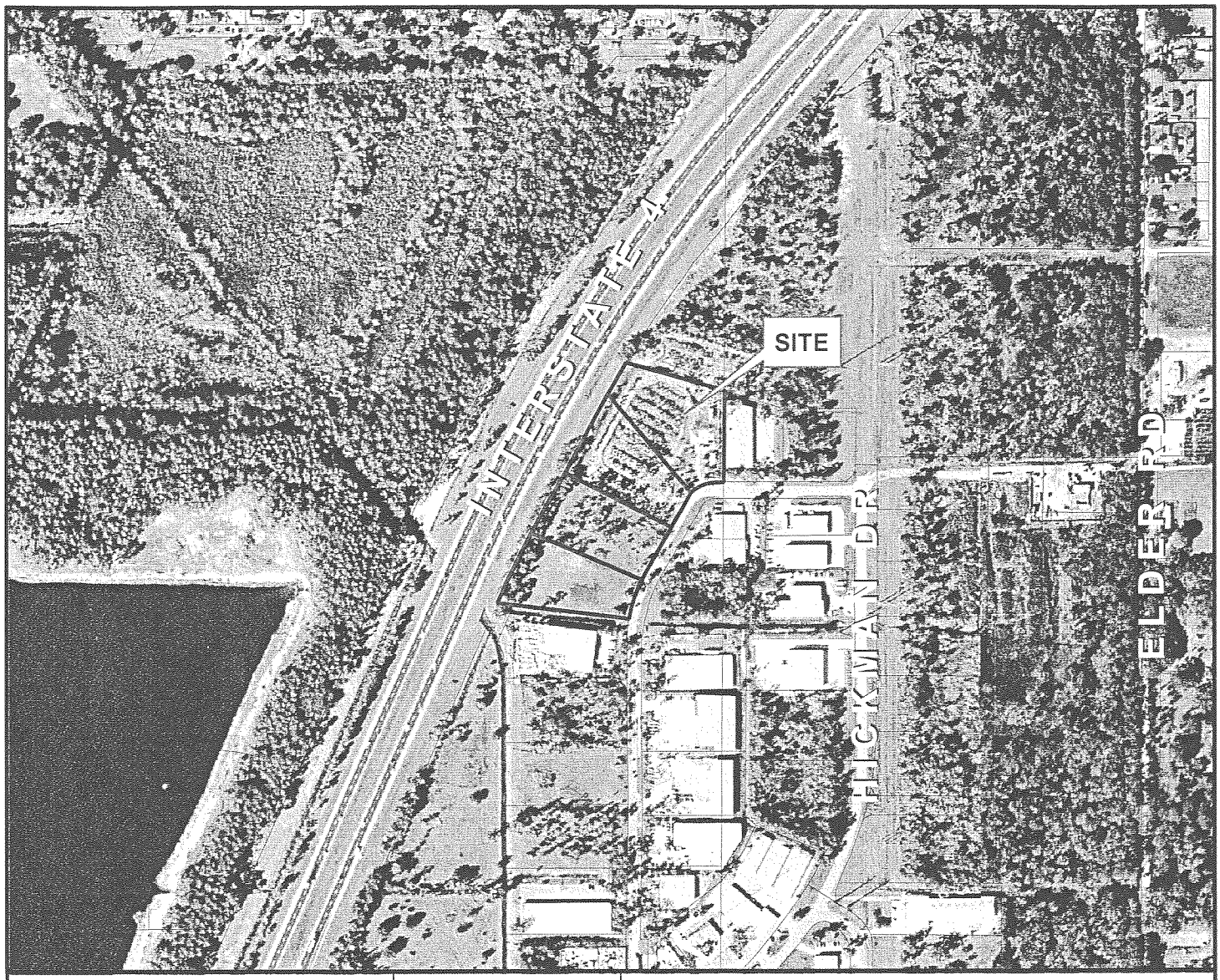

Rezone No: Z2003-037
From: M-1A To: M-1
Parcel
Subject Property

N

February 1999 Color Aerials

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HICKMAN CIRCLE REZONE

REQUEST INFORMATION		
APPLICANT	Donald J. Hachenberger	
PROPERTY OWNERS	Spaceport USA Inc.	
REQUEST	Rezone from M-1A (Very Light Industrial) to M-1 (Industrial)	
HEARING DATE(S)	P&Z: October 1, 2003	BCC: October 28, 2003
SEC/TWP/RNG	20-19-30-5FL-0C00-0090 20-19-30-5FL-0C00-0100 20-19-30-5FL-0C00-0110 20-19-30-5FL-0C00-0120	
LOCATION	East of I-4 north of SR 46, west of Hickman Circle, ¼ mile north of Hickman Drive	
FUTURE LAND USE	Industrial	
FILE NUMBER	Z2003-037	
COMMISSION DISTRICT	District 5 (McLain)	

OVERVIEW

Zoning Request: The applicant is requesting a change in zoning from M-1A to M-1 on 4 adjacent lots in the I-4 Industrial Park on Hickman Circle. Current zoning on the site permits a wide range of manufacturing and other industrial activities, but with the restriction that all uses must take place within enclosed permanent buildings. Outdoor storage must be screened from view from adjacent properties.

According to the applicant, the reason for the request is to provide a wider range of permitted uses on the property. Up to two of the four lots would be used for the sales and display of heavy-duty utility trailers. Approval of the request would permit outdoor storage of such equipment, with no special site design criteria addressing the property's proximity to a major highway.

The site comprises 4 of the 5 lots of I-4 Industrial Park which are directly adjacent to the I-4 right-of-way. Although the applicant's request for M-1 is consistent with the Vision 2020 Plan, the PCD (Planned Commercial Development) classification may be considered as an alternative to provide development criteria recognizing the site's highly visible location, such as screening, buffering and setbacks.

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

	Zoning	Future Land Use	Existing Land Use
North	M-1A	Industrial	vacant
South	M-1A	Industrial	industrial
East	M-1A	Industrial	industrial/vacant
West	--	--	I-4

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 Site Plan approval.

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

Compatibility with surrounding development: The proposed M-1 zoning classification is consistent with the Industrial future land use designation of the Vision 2020 Plan.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request based on its consistency with the Industrial future land use designation. However, the Commission should understand that its approval would allow outdoor storage on the site, which is not permitted under existing zoning.

ORDINANCE NO. 2003- SEMINOLE COUNTY, FLORIDA

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 M-1A (VERY LIGHT INDUSTRIAL) ZONING CLASSIFICATION THE M-1 (INDUSTRIAL) 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 "Hickman Circle 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 M-1A (Very Light Industrial) zoning classification to the M-1 (Industrial) zoning classification:

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. This Ordinance shall become effective upon its filing with the Department of State.

ENACTED this 28th day of October, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By:_____
Daryl G. McLain
Chairman

EXHIBIT A

LEGAL DESCRIPTION

Lots 9, 10, 11, 12, I-4 Industrial Park, Block C according as recorded in Plat Book 25, Pages 23, 24 of the Public Records of Seminole County, Florida