

ITEM # _____

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

SUBJECT: Hawthorne Estates, Rezone from A-1 (Agriculture District) to R-1 (Single Family Dwelling District); (Deborah Hagen, applicant).
DEPARTMENT: Planning & Development **DIVISION:** Planning
AUTHORIZED BY: Matthew West **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 01/07/04 Regular Work Session Briefing
Special Hearing – 6:00 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the request for rezoning on 15.92 acres located on the east side of Orange Blvd., 0.4 mile north of SR 46, from A-1 (Agriculture District) to R-1 (Single Family Dwelling District) as requested; (Deborah Hagen, applicant); or
2. Recommend APPROVAL of the request for rezoning on 15.92 acres located on the east side of Orange Blvd., 0.4 mile north of SR 46, from A-1 (Agriculture District) to R-1AA (Single Family Dwelling District) per the staff report; (Deborah Hagen, applicant); or
3. Recommend DENIAL of the request for rezoning on 15.92 acres located on the east side of Orange Blvd., 0.4 mile north of SR 46, from A-1 (Agriculture District) to R-1 (Single Family Dwelling District); (Deborah Hagen, applicant); or
4. CONTINUE the public hearing until a time and date certain.

(District 5 – Comm. McLain)

(Jeff Hopper, Senior Planner)

BACKGROUND:

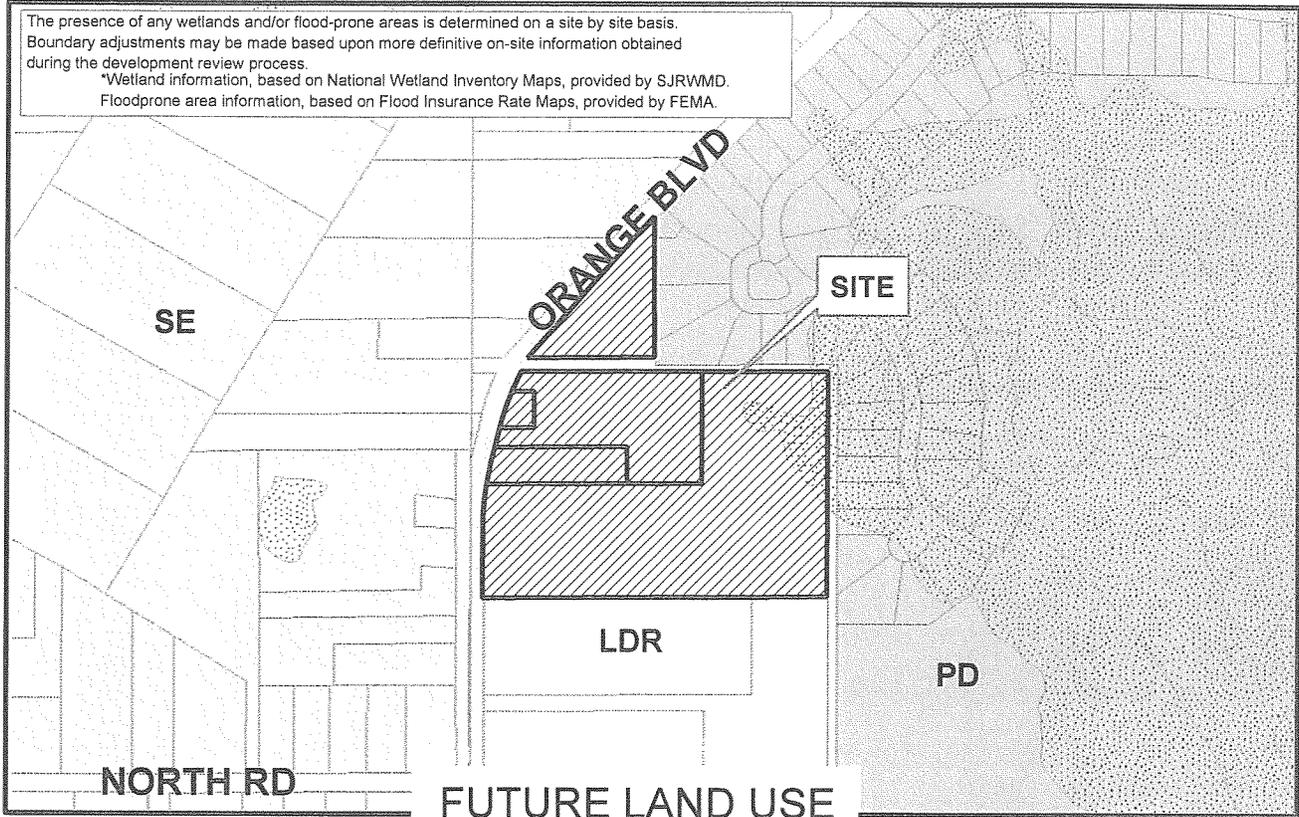
The applicant, Deborah Hagen, requests approval of R-1 District zoning on a 15.92-acre site, located on Orange Boulevard and north of SR 46. This would allow for single family residential lots at a minimum size of 8,400 square feet. Located in the Low Density Residential future land use designation, 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-1AA.

STAFF RECOMMENDATION:

Based on an analysis of surrounding densities, staff recommends DENIAL of the requested R-1 District classification. However, staff supports R-1AA District zoning.

Reviewed by: _____
Co Atty: KCC
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. Z2003-046

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.

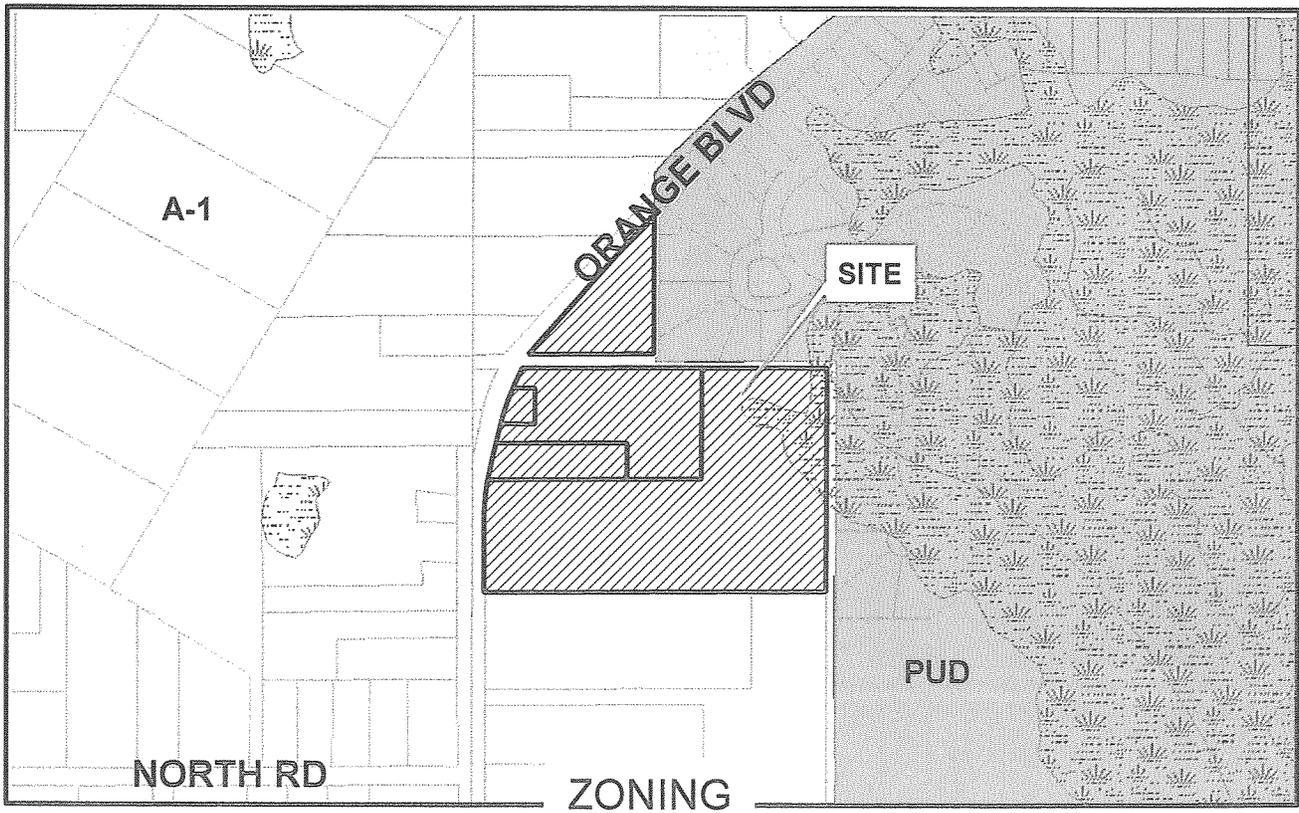


FUTURE LAND USE

Site
 SE
 LDR
 PD
 CONS

Applicant: Hawthorne Estates, LCC
 Physical STR: 19-19-30-300-0100, 0110, 0120, 012A, & 013C-0000
 Gross Acres: 15.92 BCC District: 5
 Existing Use: Vacant and Single Family
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2003-046	A-1	R-1



ZONING

Site
 A-1
 PUD
 FP-1
 W-1



Rezone No: Z2003-046
From: A-1 To: R-1

-  Parcel
-  Subject Property



February 1999 Color Aerials

HAWTHORNE ESTATES

REQUEST INFORMATION	
APPLICANT	Deborah Hagen
PROPERTY OWNER	Mae A Hawthorne, David S. and Alde F. Redwine
REQUEST	Rezone from A-1 (Agriculture District) to R-1 (Single Family Dwelling District)
HEARING DATE(S)	P&Z: January 7, 2004 BCC: February 10, 2004
PARCEL #	19-19-30-300-0110-0000 19-19-30-300-012A-0000 19-19-30-300-0100-0000 19-19-30-300-013C-0000 19-19-30-300-0120-0000
LOCATION	East side of Orange Boulevard, 0.4 mile north of SR 46
FUTURE LAND USE	Low Density Residential (LDR)
FILE NUMBER	Z2003-046
COMMISSION DISTRICT	District 5 (McLain)

OVERVIEW:

The applicant requests approval of R-1 District zoning on a 15.92-acre site, located on Orange Boulevard and north of SR 46. This would allow for single family residential lots at a minimum size of 8,400 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 by Ordinance 98-53. Based on the same analysis, a zoning classification of R-1AA has been determined appropriate.

The analysis determines the appropriate zoning classification for a given parcel, based on the surrounding zoning of properties within 660 feet. The calculations assign differing weights to the various districts according to permitted development intensities therein. 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 (with a minimum half acre lot size), has a weight factor of 5. Properties zoned A-1 District are considered to have a base weight of 4, but additional points can be assigned where water, sewer, and paved roads are available for a maximum weight 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 comprises A-1 District zoning, although some A-1 parcels received a higher weight based on the availability of paved roads and utilities. A significant quantity of PUD zoning (analyzed as the equivalent to R-1AAA District zoning) abuts the site to the east and north.

The analysis yielded a final weight of 6.56, which equates to R-1AA District zoning. In the R-1AA District, the minimum lot size is 11,700 square feet, and the minimum lot width at the building line is 90 feet. By contrast, the requested R-1 District zoning would permit smaller lots of 8,400 square feet in size with 70 foot minimum widths at the building line.

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

	Zoning	Future Land Use	Existing Land Use
SITE	A-1	LDR	vacant
North	A-1 / PUD	SE / PD	single family / vacant
South	A-1	LDR	single family
East	PUD	PD	SF / vacant
West	A-1	SE	single family

For more detailed information regarding zoning and land use, please refer to the attached map.

SITE ANALYSIS & FINDINGS:

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 Low Density Residential (LDR) 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 be provided prior to Final Subdivision approval.

Compliance with Environmental Regulations: At this time there are no identified areas of environmental concern on the property, although wetlands may be present on the site.

Compatibility with surrounding development: Per the required Lot Compatibility Analysis, the recommended R-1AA District zoning classification is compatible with the Low Density Residential future land use designation assigned to the property.

STAFF RECOMMENDATION:

Based on an analysis of surrounding densities, staff recommends DENIAL of the requested R-1 District zoning. However, staff supports the R-1AA District zoning based on the stated findings.

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 DISTRICT) 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 "Hawthorne Estates."

(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 District) 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 10th day of February, 2004.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A

LEGAL DESCRIPTION

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 30 EAST: THENCE NORTH 00°07'01" WEST ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 19, A DISTANCE OF 665.39 FEET; THENCE NORTH 89°58'42" EAST, 30.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°07'01" WEST, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF ORANGE BLVD, 4.09 FEET THENCE NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1454.78, A DELTA OF 45°33'01", AN ARC DISTANCE OF 1156.55; THENCE TANGENT TO SAID CUVE, NORTH 45°25'59" EAST, 64.53 FEET, TO A POINT OF INTERSECTION OF ORANGE BLVD AND THE WEST BOUNDARY OF LAKE FOREST SECTION 10B, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 60 PAGE 65 OF T HE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE SOUTH 00°05'58" EAST, 441.84 FEET; THENCE SOUTH 89°59'40" EAST, 511.09 FEET; THENCE SOUTH 00°02'42" EAST, 646.51 FEET, THE LAST THREE COURSES BEING COINCIDENT WITH SAID PLAT; THENCE SOUTH 89°58'42" WEST, 992.23 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN SEMINOLE COUNTY, FLORIDA, CONTAINING 15.92 ACRES.