

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

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

**SUBJECT:** Country Club Road Rezone A-1 and C-2 to CN

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

**AUTHORIZED BY:** Matthew West **CONTACT:** Tina Deater **EXT.** 7440

<b>Agenda Date</b> <u>09/01/04</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 the request for rezoning from A-1 (Agriculture District) and C-2 (Retail Commercial District) to CN (Neighborhood Commercial District) on approximately 3.47 acres located on the north side of Country Club Road approximately 305 feet east of Airport Boulevard. (Ellen H. Franklin/Ruth Key, applicants); or
2. Recommend DENIAL of the request for rezoning from A-1 (Agriculture District) and C-2 (Retail Commercial District) to CN (Neighborhood Commercial District) on approximately 3.47 acres located on the north side of Country Club Road approximately 305 feet east of Airport Boulevard. (Ellen H. Franklin/Ruth Key, applicants); or
3. CONTINUE the public hearing until a time and date certain.

Disirict 5 – Commissioner McLain

Tina Deater, Senior Planner

**BACKGROUND:**

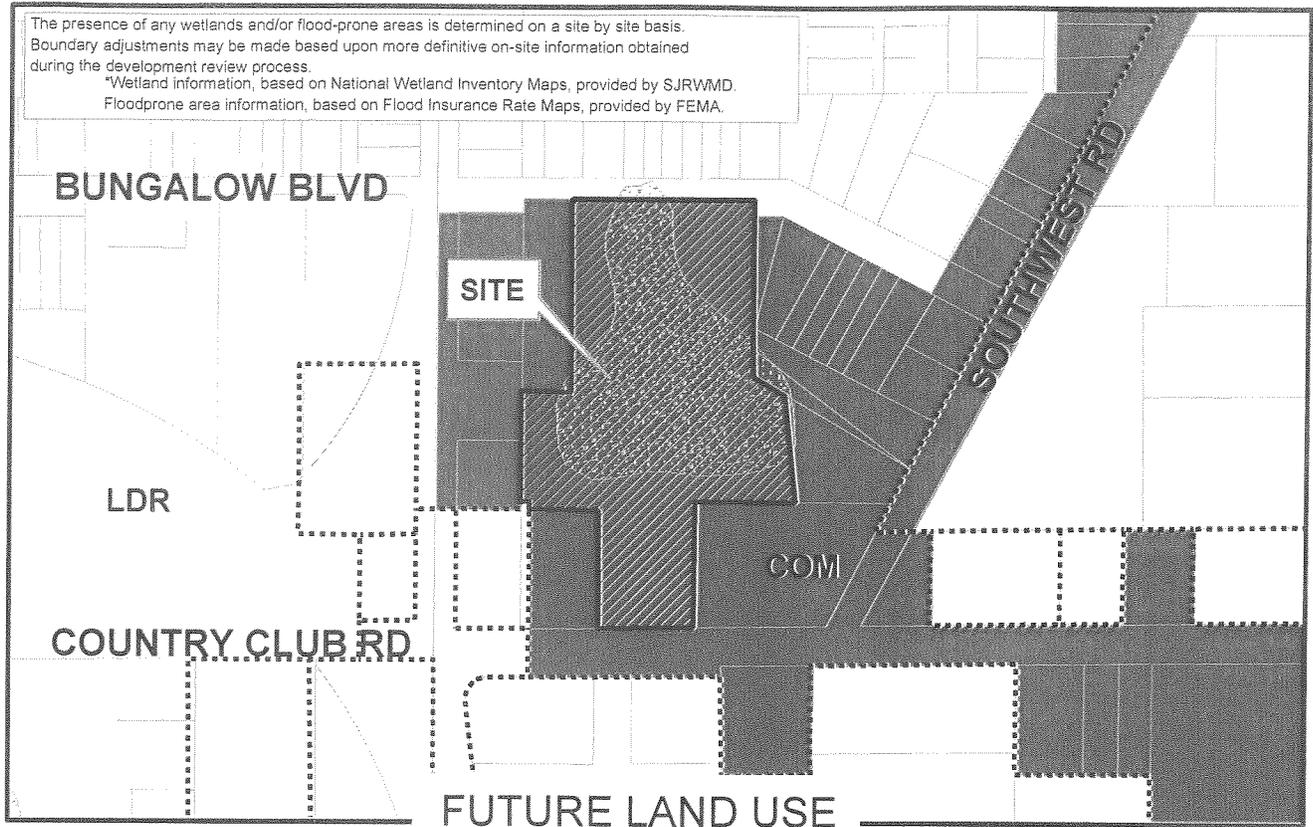
The applicant requests rezoning from A-1 and C-2 to CN on approximately 3.47 acres, located on the north side of Country Club Road approximately 305 feet east of Airport Boulevard. The future land use designation for the property is COM (Commercial) which allows the proposed CN zoning classification.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the requested CN zoning classification.

<b>Reviewed by:</b> <u>[Signature]</u>
<b>Co Atty:</b> _____
<b>DFS:</b> _____
<b>OTHER:</b> _____
<b>DCM:</b> _____
<b>CM:</b> _____
<b>File No.</b> <u>Z2004-036</u>

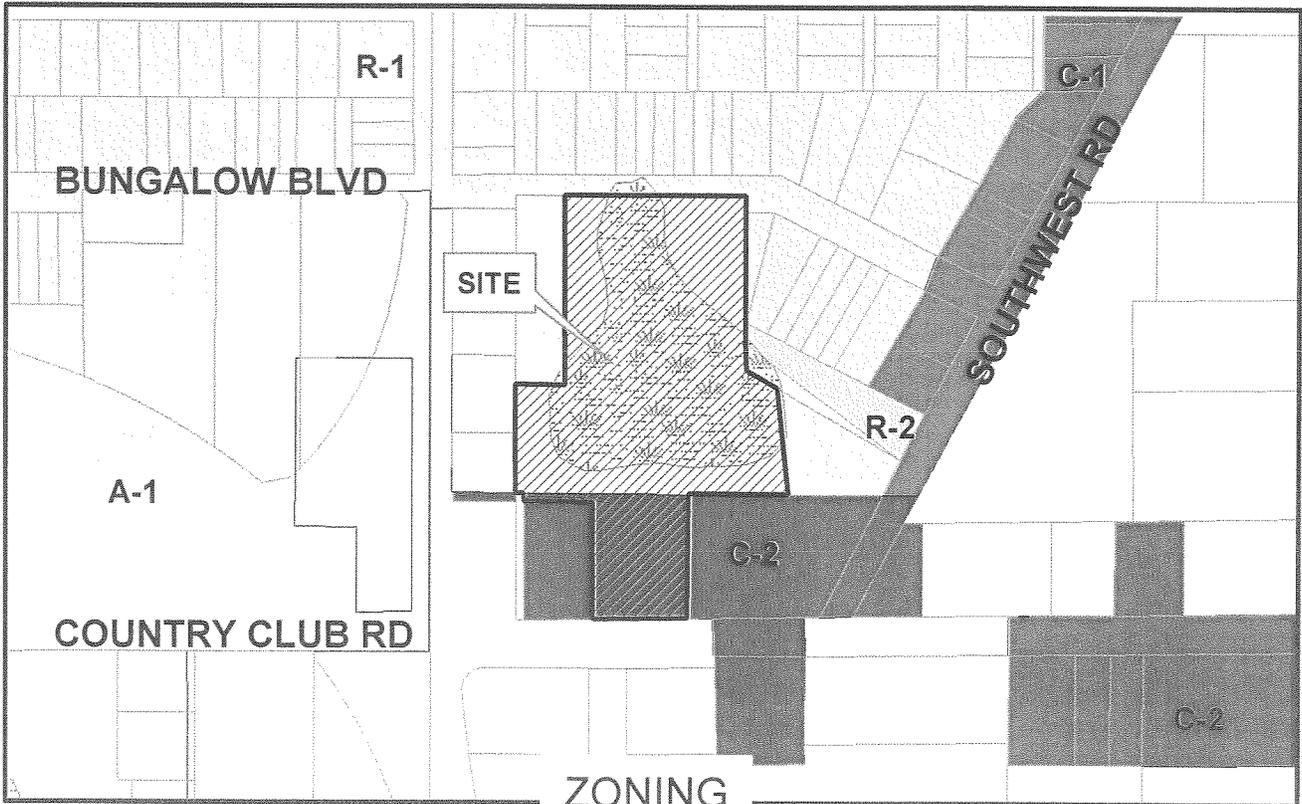
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site  
  Municipality  
 LDR  
  COM  
  CONS

Applicant: Ellen H. Franklin  
 Physical STR: 35-19-30-300-0140-0000  
 Gross Acres: +/- 3.47      BCC District: 5  
 Existing Use: Vacant  
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2004-036	A-1/C-2	CN



Site  
  Municipality  
  A-1  
  R-1  
  R-2  
  C-1  
  C-2  
  FP-1  
  W-1



Rezone No: Z2004-036  
From: A-1/C-2 To: CN

-  Parcel
-  Subject Property



February 1999 Color Aerials

## COUNTRY CLUB ROAD REZONE A-1 AND C-2 TO CN

REQUEST INFORMATION	
<b>APPLICANT</b>	Ellen H. Franklin/Ruth Key
<b>PROPERTY OWNER</b>	Ellen H. Franklin
<b>REQUEST</b>	Rezone property from A-1 (Agriculture District) and C-2 (Retail Commercial District) to CN (Neighborhood Commercial District)
<b>HEARING DATE (S)</b>	P&Z: 09/01/04      BCC:10/12/04
<b>PARCEL ID</b>	35-19-30-300-0140-0000
<b>LOCATION</b>	Located on the north side of Country Club Road approximately 305 feet east of Airport Boulevard.
<b>FUTURE LAND USE</b>	Commercial
<b>FILE NUMBER</b>	Z2004-036
<b>COMMISSION DISTRICT</b>	District 5 – Commissioner McLain

### OVERVIEW

**Zoning Request:** The applicant requests rezoning from A-1 and C-2 to CN on approximately 3.47 acres, located on the north side of Country Club Road approximately 305 feet east of Airport Boulevard. The future land use designation for the property is COM (Commercial) which allows the proposed CN zoning classification.

### Existing Land Uses:

	EXISTING ZONING	FUTURE LAND USE	CURRENT USE
<b>SITE</b>	A-1 (Agriculture District) and C-2 (Retail Commercial District)	Commercial	Vacant
<b>NORTH</b>	R-1 (Single-family Dwelling District)	Low Density Residential	Single-family Residential
<b>SOUTH</b>	C-2 (Retail Commercial District), City Of Sanford	Commercial, City of Sanford	School Board Facilities
<b>EAST</b>	R-1 (Single-family Dwelling District), A-1(Agriculture District), C-2 (Retail Commercial District)	Commercial	Single-family Residential, Vacant
<b>WEST</b>	A-1(Agriculture District)	Commercial	Single-family Residential, Vacant

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

## **SITE ANALYSIS**

### **Facilities and Services:**

The proposed zoning is consistent with the adopted future land use designation assigned to the property and would 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.

### **Utilities:**

Water and sewer utilities are provided by the City of Sanford. Reclaim water service is available to the site.

### **Transportation / Traffic:**

Access is available to the site from Country Club Road. At the time of site plan approval, the road will have to be improved to County standard from the site to Airport Boulevard.

### **Compliance with Environmental Regulations:**

There is a wetland system located on the central portion of the property. At the time of site plan approval the following requirements must be met:

- a) A wetland delineation will be required and must be field verified by SJRWMD and Seminole County staff.
- b) Provide 15-foot minimum, 25-foot average undisturbed upland buffers from approved jurisdictional wetland boundaries.
- c) A conservation easement dedicated to Seminole County is required to be placed over all jurisdictional wetlands and required upland buffers.

### **Compatibility with Surrounding Development:**

Currently, the surrounding area has Commercial and Low Density Residential future land use designations. The subject property has a Commercial future land use designation, and the proposed rezone to CN would make the zoning and future land use consistent. When the subject property goes through the site plan approval process, the applicants will be subject to the active/passive buffer standards contained within the Seminole County Land Development Code, in order to ensure compatibility with the residential properties to the north and east.

## **STAFF RECOMMENDATION**

Staff recommends approval of the requested CN rezone based on the following findings:

1. The CN zoning district would not be detrimental to the character of the area or neighborhood or inconsistent with the trends of development in the area; and
2. The CN zoning district is compatible with the concepts of its future land use designation of Commercial land use; and
3. The uses within the proposed CN zoning district would not have an unduly adverse effect on existing traffic patterns, movements or intensity.

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 A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 AND C-2 ZONING CLASSIFICATIONS THE CN 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, "Country Club Road Rezone A-1 and C-2 to CN."

(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 and C-2 to CN in accordance with the contents of the documents titled, "Country Club Road Rezone A-1 and C-2 to CN:

**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 by the Department.

ENACTED this 12th day of October, 2004.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_

Daryl G. McLain  
Chairman

**EXHIBIT A**  
**LEGAL DESCRIPTION**

LEG SEC 35 TWP 19S RGE 30E BEG 12.8 CH N + 2 CH E OF SW COR RUN E 266.4 FT N  
189 1/4 FT E 168.7 FT N 13 1/2 DEG W 181.1 FT N 59 1/4 DEG W 58 1/2 FT N 267 FT W  
330 FT S TO BEG (LESS S 174 FT OF W 121 FT + W 76.15 FT OF N 286 FT + W 8 FT OF  
N 50 FT OF S 185 FT)