

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

**SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM  
(Continued from 8/4/04)**

**SUBJECT:** Lake Howell Lane Rezone R-1AAA to A-1

**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 R-1AAA (Single-family Dwelling District) to A-1 (Agriculture District) of approximately 3.94 acres, located on the north side of Lake Howell Lane, approximately 550 feet east of Lake Ann Lane (Gregory Leonard, applicant); or
2. Recommend DENIAL of the request for rezoning from R-1AAA (Single-family Dwelling District) to A-1 (Agriculture District) of approximately 3.94 acres, located on the north side of Lake Howell Lane, approximately 550 feet east of Lake Ann Lane (Gregory Leonard, applicant); or
3. CONTINUE the public hearing until a time and date certain.

District 1 – Commissioner Maloy

Tina Deater, Senior Planner

**BACKGROUND:**

**This item was continued from the 8/4/04 meeting at the request of the applicant.**

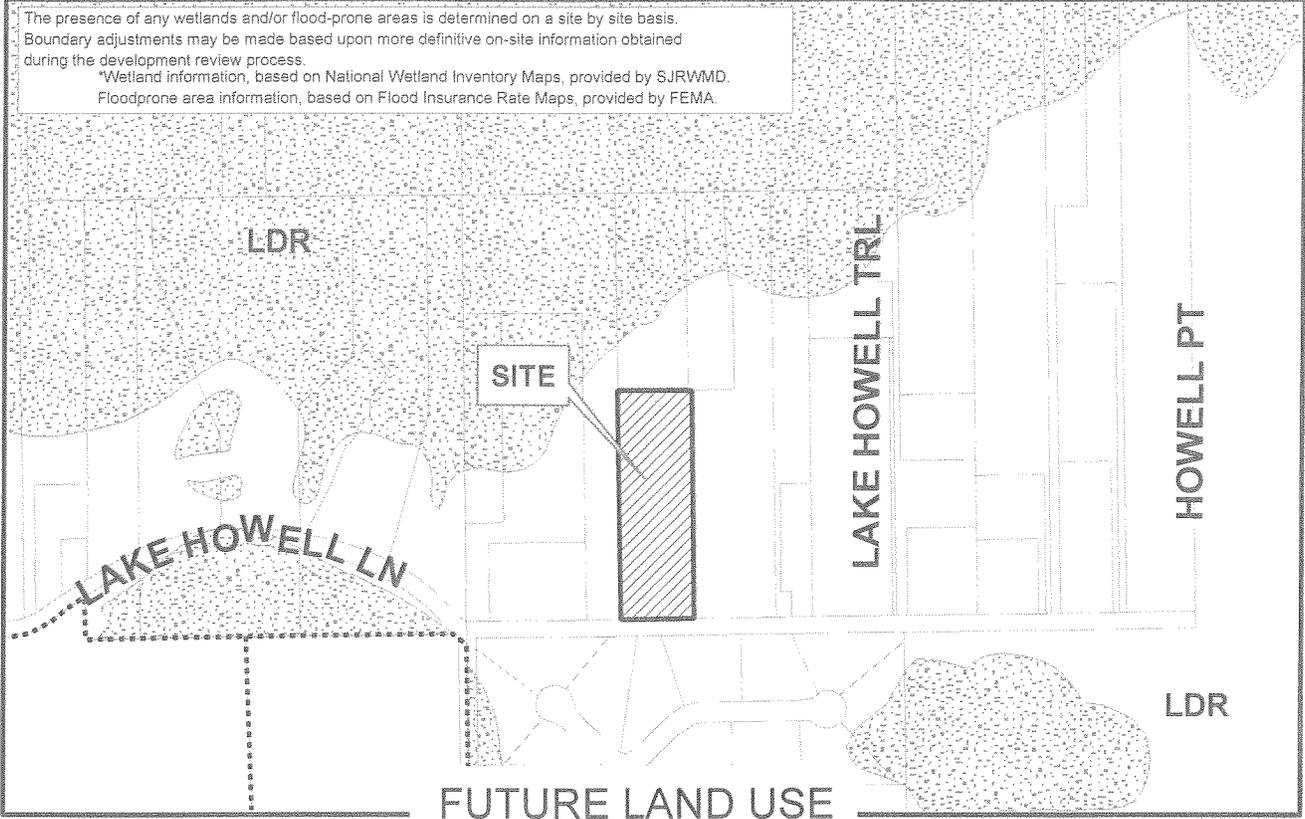
The applicant, Gregory Leonard, requests rezoning from R-1AAA (Single-family Dwelling District) to A-1 (Agriculture District) of approximately 3.94 acres, located on the north side of Lake Howell Lane, approximately 550 feet east of Lake Ann Lane, in order to put horses on the property. The future land use designation for the property is LDR (Low Density Residential), which allows the proposed A-1 zoning classification.

<b>Reviewed by:</b> _____	<b>Co Atty:</b> _____
<b>DFS:</b> _____	<b>OTHER:</b> _____
<b>DCM:</b> _____	<b>CM:</b> _____
<b>File No.</b> <u>Z2004-018</u>	

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the requested A-1 zoning classification.

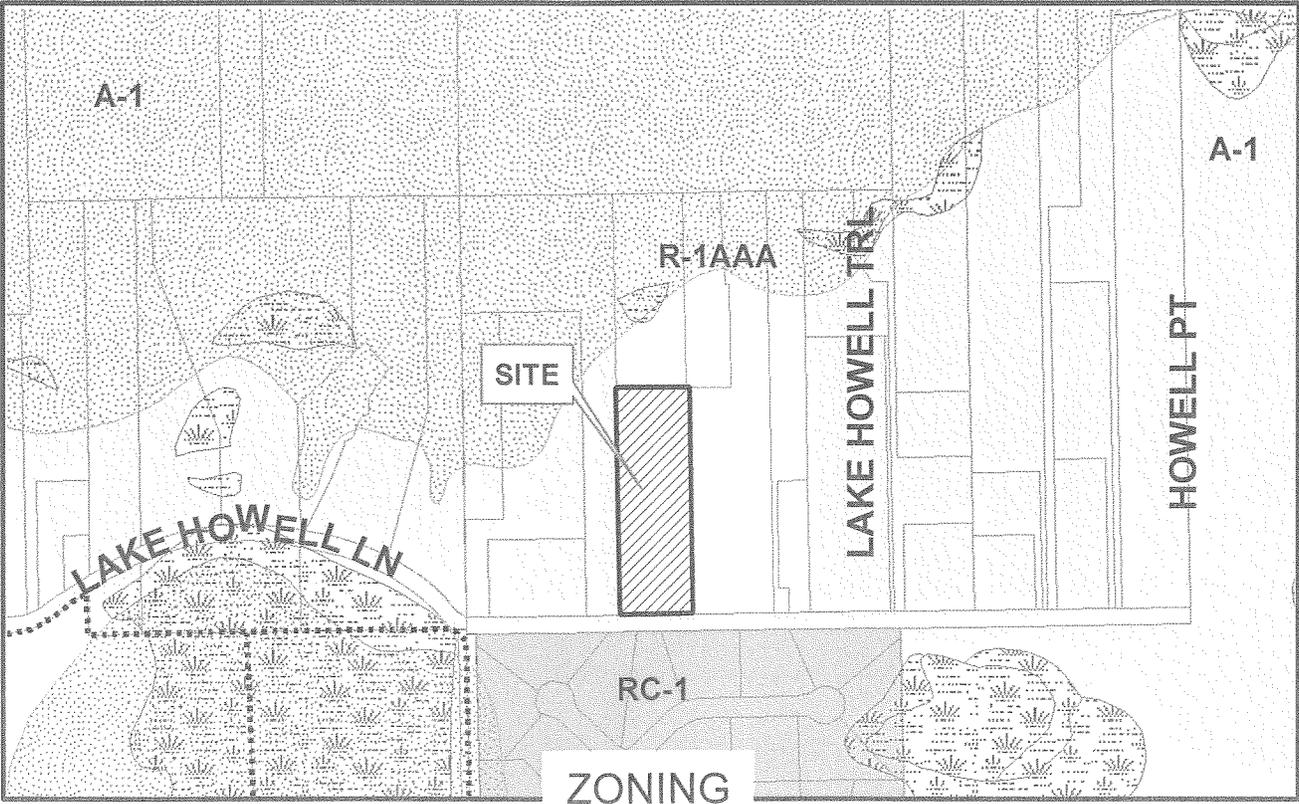
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis.  
 Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided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



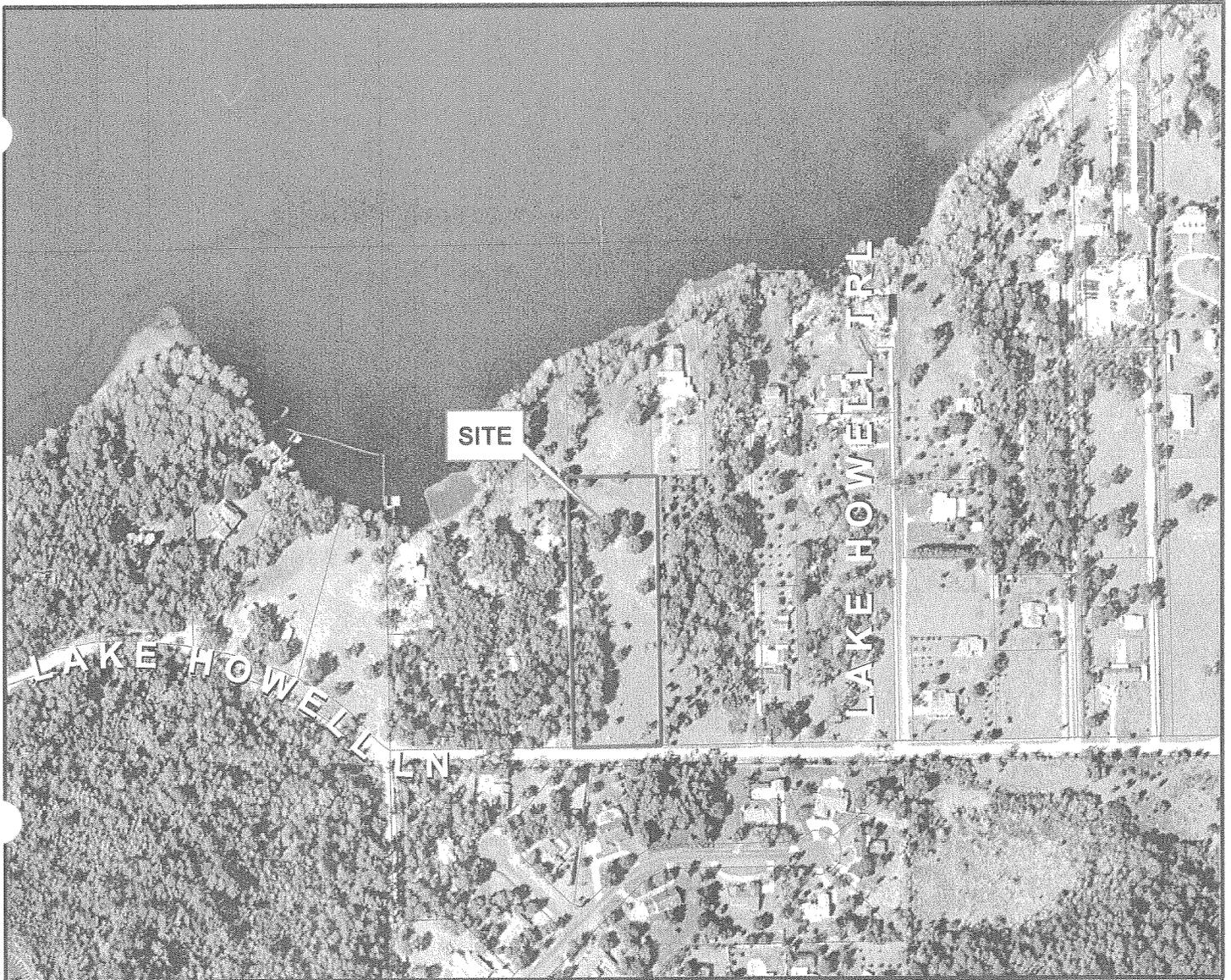
Site  
  Municipality  
 LDR  
  CONS

Applicant: Gregory T. Leonard  
 Physical STR: part of 27-21-30-300-009D-0000  
 Gross Acres: +/- 3.94      BCC District: 1  
 Existing Use: Vacant  
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2004-018	R-1AAA	A-1



Site  
  Municipality  
  A-1  
  RC-1  
  R-1AAA  
  FP-1  
  W-1



Rezone No: Z2004-018  
From: R-1AAA To: A-1

-  Parcel
-  Subject Property



February 1999 Color Aerials

Lake Howell Lane Rezone R-1AAA to A-1

REQUEST INFORMATION	
APPLICANT	Gregory Leonard
PROPERTY OWNER	Gregory Leonard
REQUEST	Rezone property from R-1AAA (Single-family Dwelling District) to A-1 (Agriculture District)
HEARING DATE (S)	P&Z: 9/1/04   BCC: 9/28/04
PARCEL ID	Part of 27-21-30-300-009D-0000
ACREAGE	Approximately 3.94 acres
LOCATION	On the north side of Lake Howell Lane, approximately 550 feet east of Lake Ann Lane
FUTURE LAND USE	Low Density Residential
FILE NUMBER	Z2004-018
COMMISSION DISTRICT	#1 – Maloy

**OVERVIEW**

**Zoning Request:** The applicant, Gregory Leonard, requests rezoning from R-1AAA (Single-family Dwelling District) to A-1 (Agriculture District) of approximately 3.94 acres, located on the north side of Lake Howell Lane, approximately 550 feet east of Lake Ann Lane. The applicant owns a total of approximately 7.15 acres zoned R-1AAA and he wants to rezone the southern 3.94 acres of the property, in order to allow horses. The future land use designation for the property is LDR (Low Density Residential), which allows the proposed A-1 zoning classification.

The subject parcel abuts Lake Howell to the north. To the east are residential lots zoned R-1AAA and A-1, to the west are properties zoned A-1, and to the south are properties zoned RC-1. The existing R-1AAA designation allows for single-family dwellings on 13,500 square foot lots. The requested zoning of A-1 requires a minimum lot size of one acre. The subject property meets the dimensional requirements of the proposed A-1 zoning district.

**Existing Land Uses:**

	EXISTING ZONING	FUTURE LAND USE
SITE	R-1AAA (Single-family Dwelling District)	Low Density Residential
NORTH	Lake Howell	Low Density Residential
SOUTH	RC-1 (Country Homes District)	Low Density Residential
EAST	R-1AAA (Single-family Dwelling District), A-1 (Agriculture District)	Low Density Residential
WEST	A-1 (Agriculture District)	Low Density Residential

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 does 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.

### **Transportation / Traffic:**

Access is available to the subject property from Lake Howell Lane. The proposed A-1 zoning district would not have any negative effects on traffic in the area.

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

There are no concerns with compliance with environmental regulations at this time.

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

Currently, the surrounding area has Low Density Residential future land use designations. The proposed A-1 zoning classification is allowed in the Low Density Residential future land use designation, and therefore, the proposed zoning is compatible with the surrounding area.

## **STAFF RECOMMENDATION**

Staff recommends approval of the requested A-1 zoning classification based on the following findings:

1. The proposed use within the A-1 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 uses within the proposed A-1 zoning district would not have an adverse effect on existing traffic patterns, movements and intensity; and
3. The proposed A-1 zoning district is compatible with the concepts of its future land use designation of Low Density Residential.

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 R-1AAA ZONING CLASSIFICATION THE A-1 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, "Lake Howell Lane Rezone R-1AAA to A-1"

(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 R-1AAA to A-1:

**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 28th day of September, 2004.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

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

Daryl G. McLain  
Chairman

**EXHIBIT A  
LEGAL DESCRIPTION**

THE SOUTH 728 FEET OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 27, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 27; THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION FOR A DISTANCE OF 462.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°15' WEST ALONG A LINE BEING PARALLEL TO THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27 FOR A DISTANCE OF 1320 FEET, MORE OR LESS; THENCE EAST ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27 FOR A DISTANCE OF 235.25 FEET; THENCE SOUTH 00°04' EAST FOR A DISTANCE 591.13 FEET, MORE OR LESS; THENCE EAST 5.00 FEET; THENCE SOUTH 00°04' EAST FOR A DISTANCE OF 728.86 FEET; THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27 FOR A DISTANCE OF 236.02 FEET TO THE POINT OF BEGINNING.

SUBJECT TO:

ROAD RIGHT OF WAY FOR LAKE HOWELL LANE AND A 15 FOOT EASEMENT FOR INGRESS AND EGRESS BEING 7.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: FROM THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 21 SOUTH, RANGE 30 EAST, RUN EAST 698.02 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 TO THE POINT OF BEGINNING; THENCE NORTH 00°04' WEST, 728.86 FEET TO THE END OF DESCRIPTION.