

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

**SUBJECT:** Nak Nak Run Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District), (Al Ghandour / Mag Development Co., applicant)

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

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

<b>Agenda Date</b> <u>11/03/04</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 requested rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District), for 10 acres located on the west side of Old Lockwood Road 0.5 mile north of McCulloch Rd., per the staff report; or
2. Recommend DENIAL of the requested rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District), for 10 acres located on the west side of Old Lockwood Road, 0.5 mile north of McCulloch Rd.; or
3. CONTINUE the item to a time and date certain.

District 1 – Maloy

Jeff Hopper, Senior Planner

**BACKGROUND:**

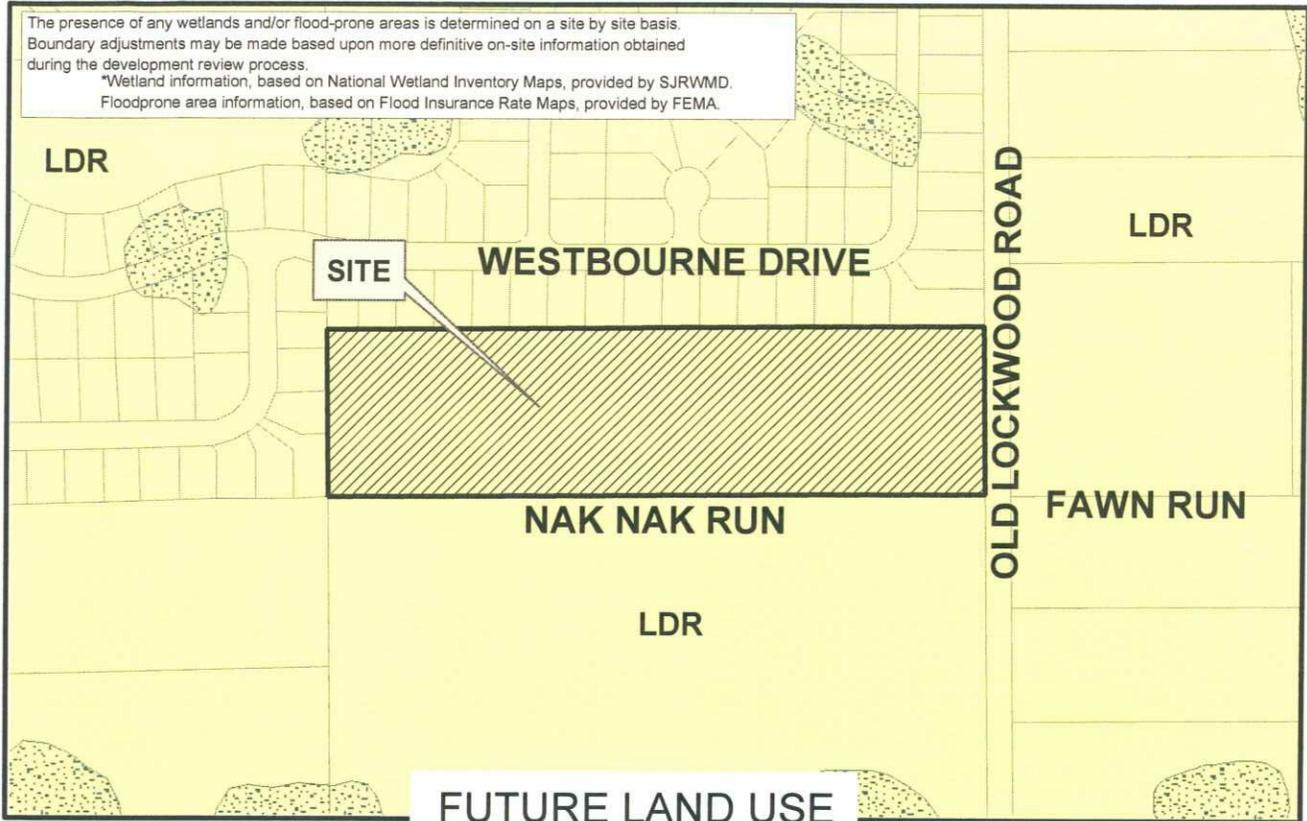
The applicant is requesting R-1A on a 10-acre site located on Old Lockwood Road adjacent to Carillon Subdivision. The requested zoning classification would permit the applicant to develop lots at a minimum 9,000 square feet in size and 75 feet in width. Located in the Low Density Residential future land use designation, the property is authorized 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:**

Staff recommends APPROVAL of the requested R-1A classification per the attached staff report.

<b>Reviewed by:</b> <u>KR</u>
<b>Co Atty:</b> _____
<b>DFS:</b> _____
<b>OTHER:</b> _____
<b>DCM:</b> _____
<b>CM:</b> _____
<b>File No.</b> <u>Z2004-049</u>

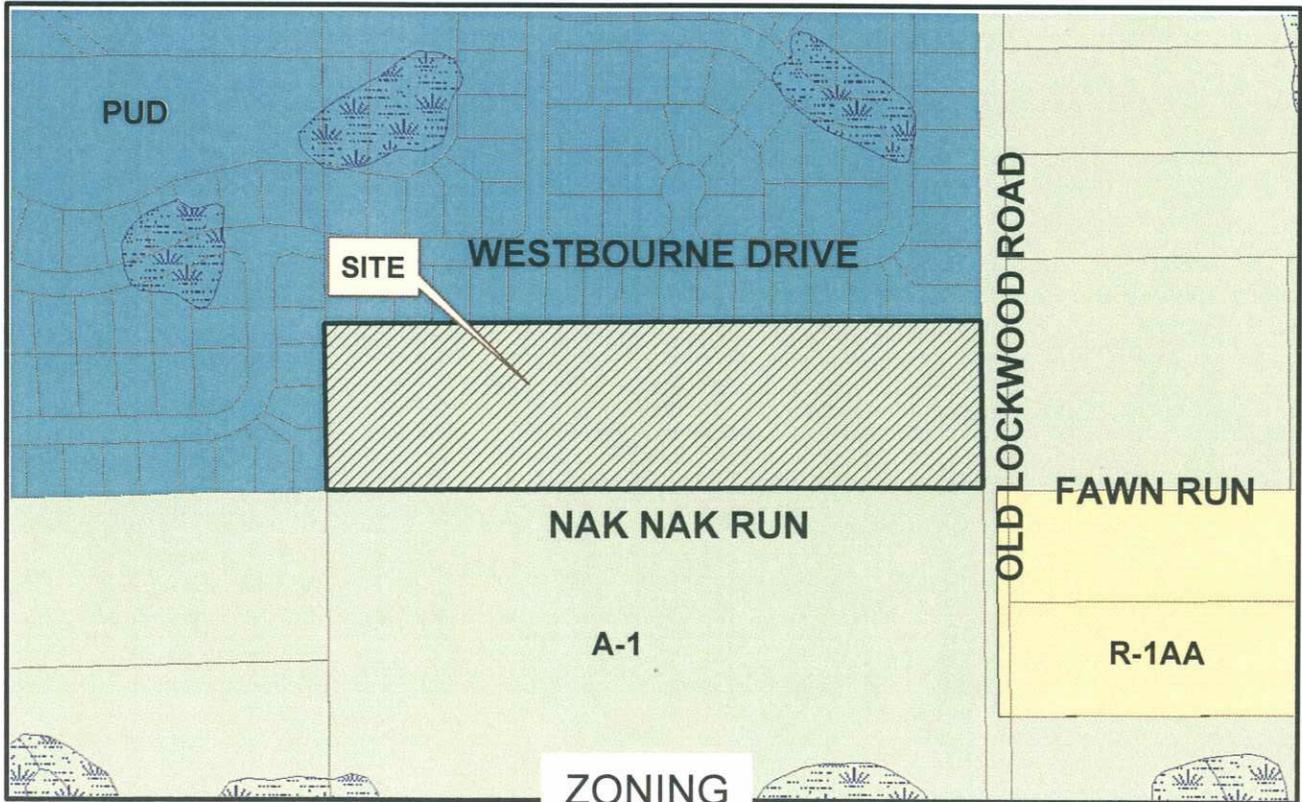
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided by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



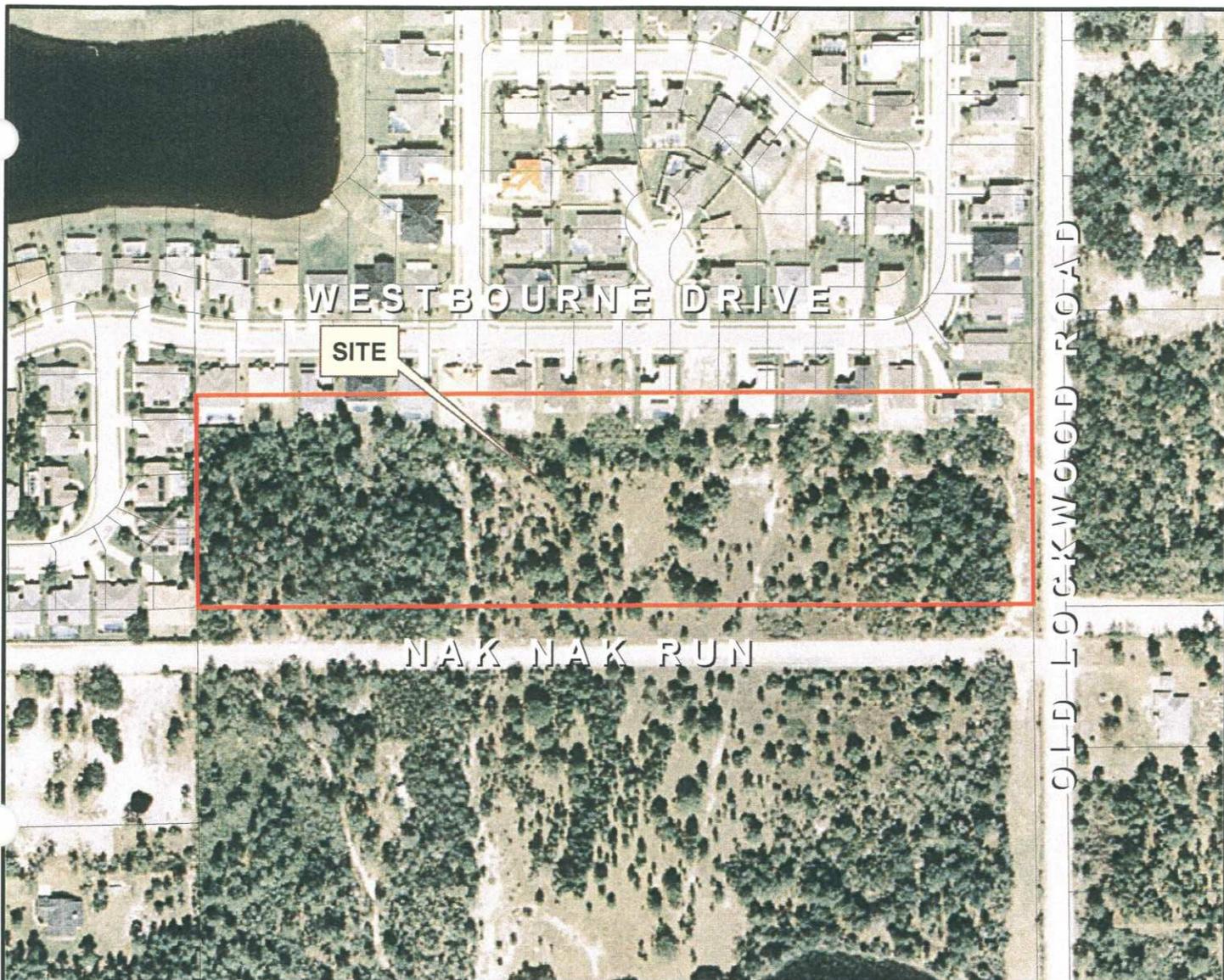
Site
  LDR
  CONS

Applicant: Mag Development Co.  
 Physical STR: 36-21-31-300-004D-0000  
 Gross Acres: +/- 10 BCC District: 1  
 Existing Use: Vacant  
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	-	-	-
Zoning	Z2004-049	A-1	R1A



Site
  PUD
  A-1
  R-1AA
  FP-1
  W-1



WESTBOURNE DRIVE

SITE

NAK NAK RUN

OLD KIRKWOOD ROAD

Rezone No: Z2004-049  
From: A-1 To: R-1A

-  Parcel
-  Subject Property



February 1999 Color Aerials

## NAK NAK ROAD REZONE

REQUEST INFORMATION	
APPLICANT	Al Ghandour
PROPERTY OWNER	Richard J. Rigdon and Gail R. Daniels
REQUEST	Rezone from A-1 (Agriculture) and R-1A (Single Family Dwelling District)
HEARING DATE(S)	P&Z: November 3, 2004   BCC: December 14, 2004
PARCEL #	36-21-31-300-004D-0000
LOCATION	West side of Old Lockwood Rd., 0.5 mile north of McCulloch Rd
FUTURE LAND USE	Low Density Residential (LDR)
FILE NUMBER	Z2004-049
COMMISSION DISTRICT	District 1 (Maloy)

### OVERVIEW

The applicant is requesting R-1A on a 10-acre site located on Old Lockwood Road adjacent to Carillon Subdivision. The requested zoning classification would permit the applicant to develop lots at a minimum 9,000 square feet in size and 75 feet in width. Located in the Low Density Residential future land use designation, the property is authorized 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. A substantial portion of the analysis area adjoining this request is A-1, with a significant quantity of PUD (equivalent to R-1A) in Carillon Subdivision, adjacent to the north and west. The analysis yielded a weight rating of 7.12, 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.

Despite the results of the lot compatibility analysis, other considerations may be taken into account in evaluating this request. Substantial development has occurred in Carillon at a density which is equal to or greater than the applicant's proposal. Also, the Agriculture-

zoned properties to the east and south are less intensely developed than the LDR land use designation permits, and therefore may not accurately represent development trends in the area.

The Land Development Code permits approval of R-1A with minimum house sizes higher than the normal standard of 1,100 square feet. Adjacent homes in Carillon are approximately 1,800 square feet or larger in habitable floor area. As a means of ensuring compatibility with the neighboring subdivision, the Commission may wish to recommend 1,800 square foot homes within the subject property on all lots abutting the existing development.

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

	<b>Zoning</b>	<b>Future Land Use</b>	<b>Existing Land Use</b>
<b>North</b>	PUD	LDR	SF residential
<b>South</b>	A-1	LDR	Vacant
<b>East</b>	A-1/R-1AA	LDR	Vacant
<b>West</b>	PUD	LDR	SF residential

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. 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 Subdivision approval.

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

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

## **STAFF RECOMMENDATION**

Although the lot compatibility analysis recommends R-1AA, Staff recommends approval of the R-1A classification as requested by the applicant based adjacent development of equivalent density, and the likelihood of similar requests on adjacent parcels which are now vacant.

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-1A (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 "Nak Nak Road 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-1A (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 14th day of December, 2004.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

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

Chairman

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

LEG SEC 36 TWP 21S RGE 31E S 1/4 OF SW 1/4 OF NW 1/4