

Item #

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

SUBJECT: Jackson Street Rezone from R-1 to R-2

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matthew West CONTACT: Michael Rumer EXT. 7337

Agenda Date	<u>03/02/05</u>	Regular	<input type="checkbox"/>	Work Session	<input type="checkbox"/>	Briefing	<input type="checkbox"/>
		Special Hearing – 6:00	<input type="checkbox"/>	Public Hearing – 7:00	<input checked="" type="checkbox"/>		

**MOTION/RECOMMENDATION:**

1. Recommend APPROVAL of the request for rezoning from R-1 (Single-family Dwelling) to R-2 (One- and Two-family Dwelling) of approximately 0.21 acres, located on the west side of Jackson Street (Forrest Jackson, applicant); or
2. Recommend DENIAL of the request for rezoning from R-1 (Single-family Dwelling) to R-2 (One- and Two-family Dwelling District) of approximately 0.21 acres, located on the west side of Jackson Street (Forrest Jackson, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 4 – Comm. Henley)

(Michael Rumer, Planner)

**BACKGROUND:**

The applicant, Forrest Jackson, requests R-2 zoning for approximately 0.21 acres, located on the west side of Jackson Street approximately 2,200 feet north of the intersection of Jackson Street and S. R. 436, to accommodate a duplex. The subject property has an R-1 zoning classification. The future land use designation for the property is MDR (Medium Density Residential) which allows the proposed R-2 zoning classification.

**STAFF RECOMMENDATION:**

Staff recommends DENIAL of the requested R-2 zoning classification. Please see staff analysis enclosed.

**Attachments:**

- Staff Analysis
- Locator Map
- Aerial map
- FLU/Zoning Map
- Plat
- Ordinance

Reviewed by:	
Co Atty:	_____
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2005-001</u>

## JACKSON STREET REZONE R-1 TO R-2

REQUEST INFORMATION	
APPLICANT	Forrest Jackson
PROPERTY OWNER	Forrest Jackson
REQUEST	Rezone property from R-1 (Single-family Dwelling District) to R-2 (One- and Two- family Dwelling District)
HEARING DATE (S)	P&Z: March 3, 2005      BCC: April 12, 2005
PARCEL ID	07-21-30-513-0000-0070
LOCATION	The west side of Jackson Street
FUTURE LAND USE	Medium Density Residential (MDR)
FILE NUMBER	Z2005-001
COMMISSION DISTRICT	#4 – Henley

### OVERVIEW

**Zoning Request:** The applicant, Forrest Jackson, requests R-2 zoning for approximately 0.21 acres, located on the west side of Jackson Street approximately 2,200 feet north of the intersection of Jackson Street and S. R. 436, to accommodate a duplex. The subject property was created by a platted subdivision known as Hayman Addition No.2 (Please see a copy of the recorded plat enclosed). The plat was recorded in 1926 with the majority of the lot sizes being 50 feet by 125 feet. The property currently has an R-1 zoning classification. The land use for the property is MDR which allows the proposed R-2 zoning classification.

North of the subject parcel is a vacant residential lot zoned R-1. To the East, West & South of the parcel are residential lots with single family homes zoned R-1. The existing R-1 designation allows for one single-family dwelling on a minimum lot size of 8,400 s.f. with 70 feet of lot width. The requested zoning of R-2 permits one and two family dwellings on a minimum 9,000 square foot lot, while accommodating setbacks and necessary site improvements. The subject parcel is approximately 75 feet wide, and the minimum parcel width in the R-2 district is 75 feet.

### Existing Land Uses:

		North		
	SFR	Vacant	SFR	
West	SFR	<b>SITE</b>	SFR	East
	SFR	SFR	SFR	
		South		

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. Seminole County does not provide water and sewer in this area. Water will be provided by the City of Altamonte Springs and sewer provided by the City of Casselberry is in the area. Because the sewer line does not abut the property line per F.S. 381.0065 (2) (a) (1), the applicant is not required to connect. However, the subject parcel meets the conditions of F.S. 381.0065 (8) (g) (2) which allows for on-site septic service. The Health Department is responsible for permitting septic systems.

### **Transportation / Traffic:**

Access is available to the site from Jackson Street. The proposed R-2 zoning allows a slightly higher density than the R-1 zoning designation; however a duplex may have a slightly higher trip generation than a single family house.

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

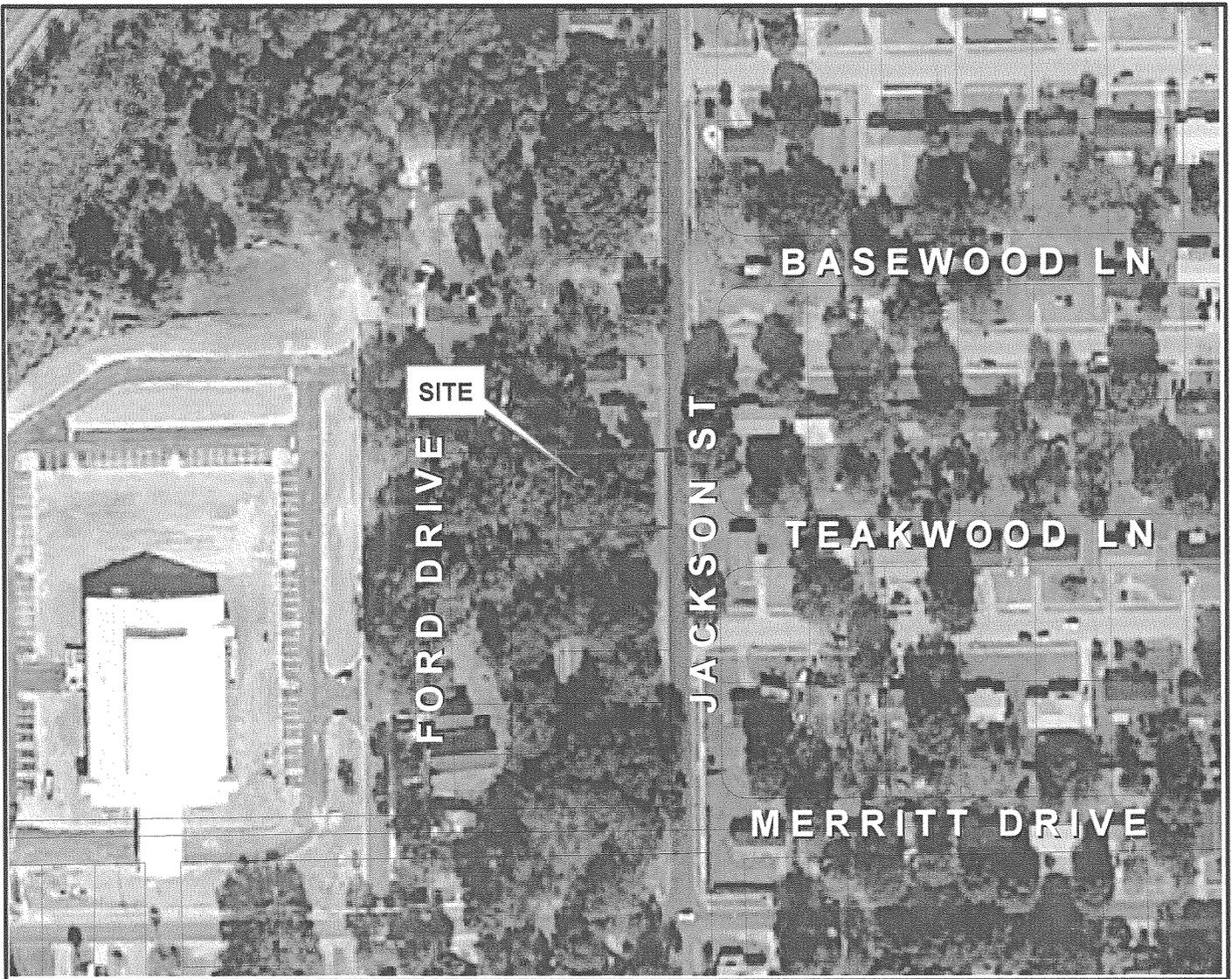
To date there are no concerns regarding compliance with environmental regulations.

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

Existing properties in the area are generally characterized by MDR future land use to the west of Jackson Street and Low Density Residential (LDR) future land use to the east, as shown on the attached Future Land Use Maps. While MDR allows two-family development, the trend of development along Jackson Street is for single-family. The nearest two-family development is located three hundred thirty feet south of the subject property at the southwest corner of Jackson Street and Merritt Drive. Staff believes the proposal would be incompatible with the trend of development of the surrounding neighborhood.

## ***STAFF RECOMMENDATION***

Based upon the above findings, staff recommends denial of the request to rezone the subject property from R-1 to R-2.

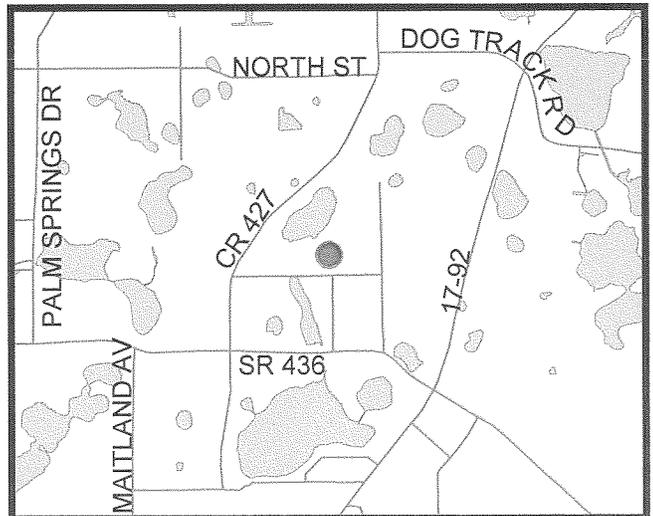


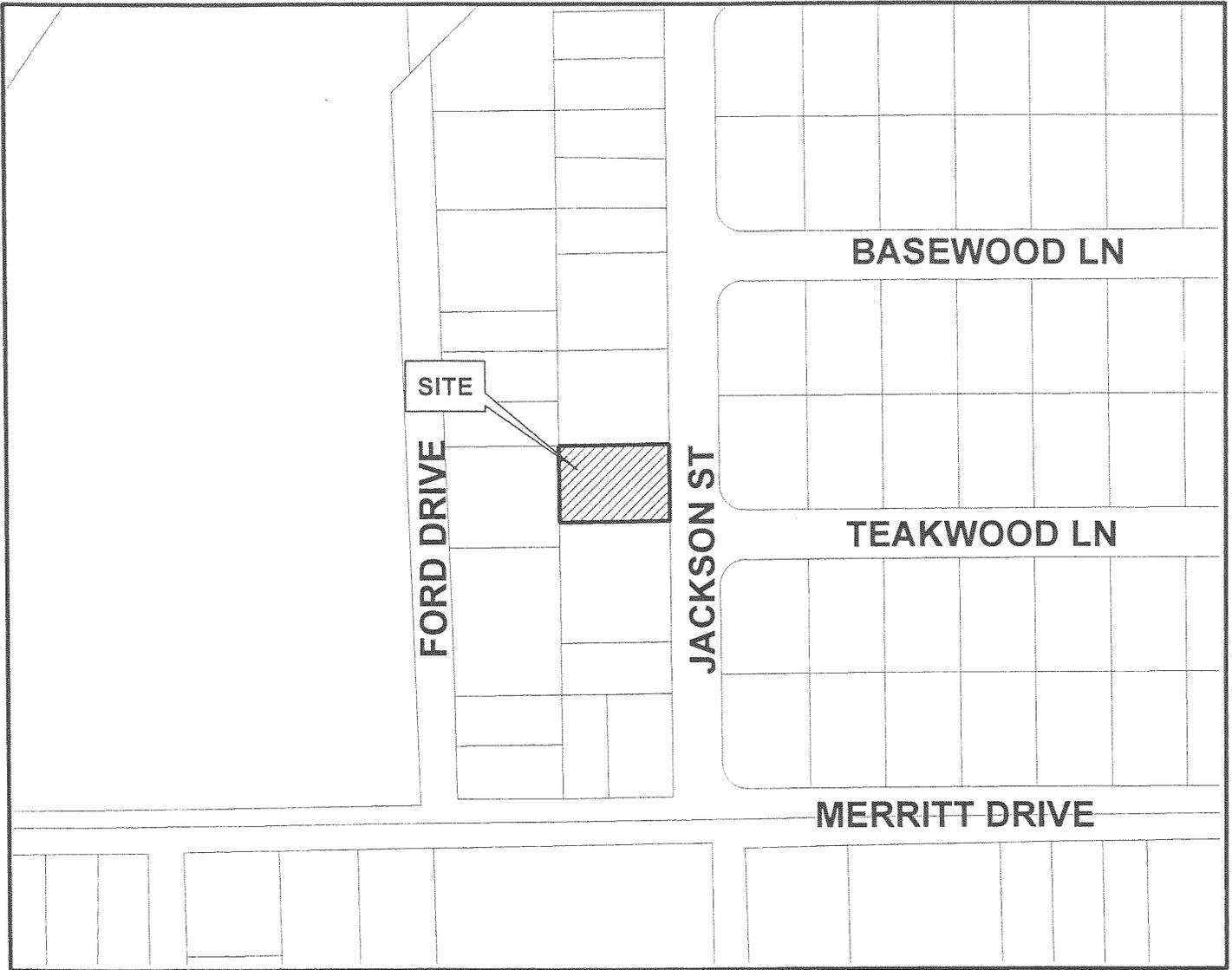
Rezone No: Z2005-001  
 From: R-1 To: R-2

- Parcel
- Subject Property

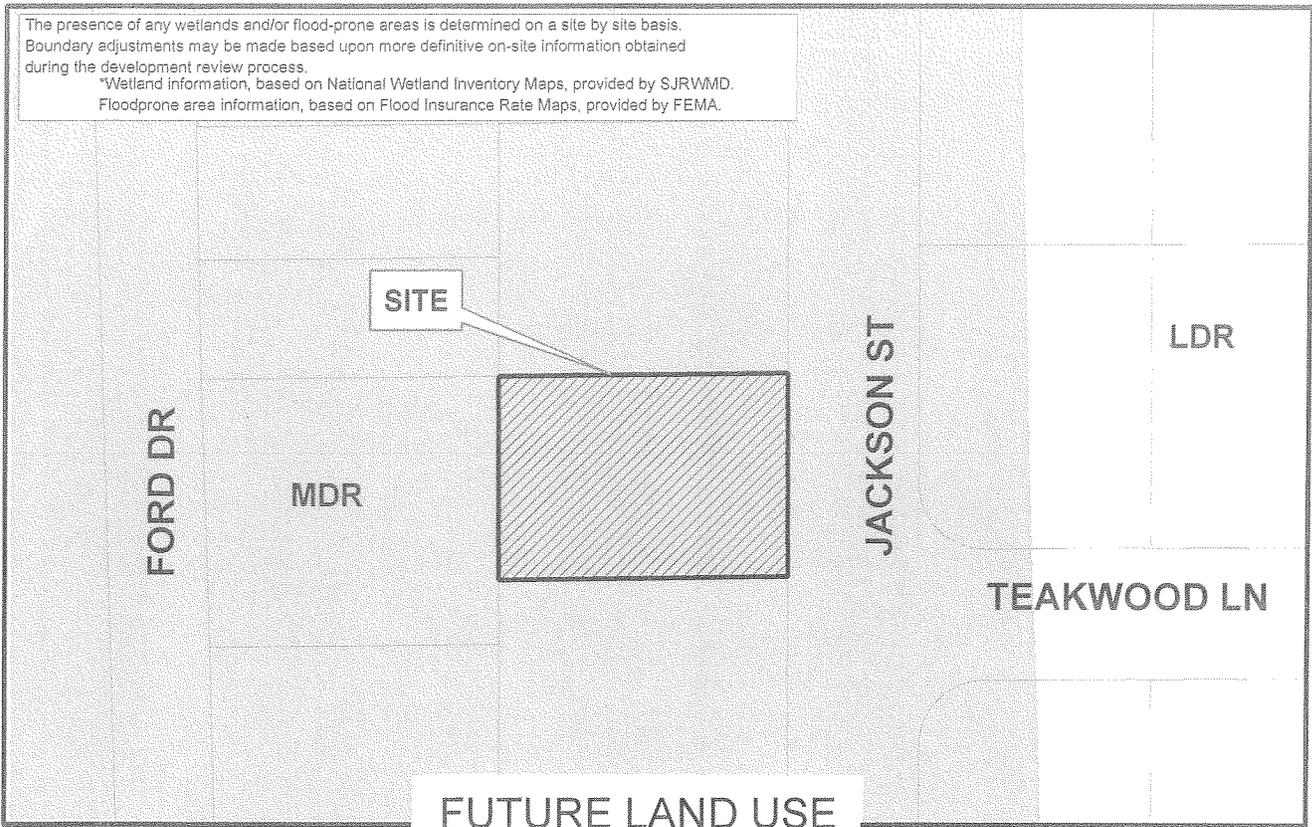


January 2005 Color Aerials





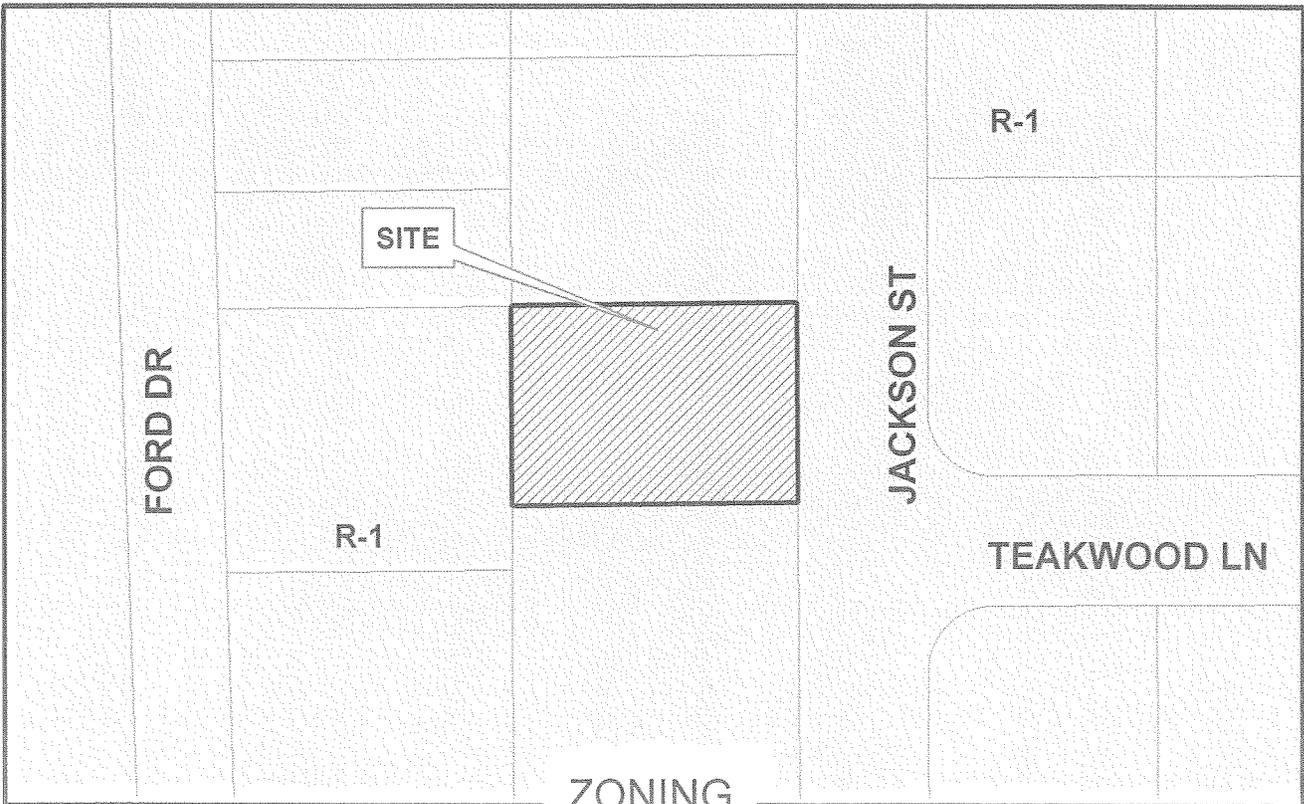
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided by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



Site
  Municipality
  LDR
  MDR
  CONS

Applicant: FORREST JACKSON  
 Physical STR: 07-21-30-513-0000-0070  
 Gross Acres: .21 acres BCC District: 4  
 Existing Use: Vacant Residential  
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2004-001	R-1	R-2



Site
  R-1
  FP-1
  W-1

# HAYMAN ADDITION NO. 2

SEMINOLE COUNTY FLORIDA  
ALLAMONTA SPRINGS FLORIDA

SCALE: 1 INCH = 60 FEET.  
DATE: APRIL 1926.

PAGE ENGINEERING CO.  
ORLANDO FLA

### DESCRIPTION

Beginning at the S.E. Corner of S.W. 1/4 of S.E. 1/4, Section 7 T. 21 S., R. 30 E. Run North 10.35.2 Feet to A.C.L. R.R. Right of Way, thence South Westerly along said right of way 209.6 feet, thence South 085.1 feet, thence East 150 feet to Point of Beginning. Apart of Lots 18 & 19 of Annie E. Griffiths Subdivision according to plat book No. 2 page 43 of the public records of Seminole County, Florida.

### OWNER'S CERTIFICATE

State of Florida: County of Seminola:-  
Know all men by these presents: that we William H. Hayman and Ida Hayman his wife, owners of the land described in the caption do hereby accept this plat and do hereby dedicate to the use of the public all streets and alleys and parts, shown as such on this plat.  
Witness our hands and seals this 2nd day of April AD 1926.  
Wm. H. Hayman (owner)  
Ida Hayman (owner)  
Geo. W. Beach (witness)

State of Florida: County of Seminola:-  
Personally appeared before me William H. Hayman, and Ida Hayman his wife, who acknowledged that they executed the foregoing instrument for the purposes therein set forth. Also upon private examination taken apart from her husband, Ida Hayman wife of said William H. Hayman, did further acknowledge that she executed the foregoing instrument freely and voluntarily and without compulsion, restraint, apprehension or fear of or from her said husband.  
Witness my hand and official seal this 2nd day of April AD 1926.  
My commission expires April 8th 1929  
Geo. W. Beach (Notary Public)

### ENGINEER'S CERTIFICATE

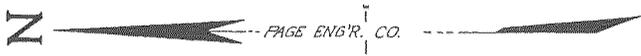
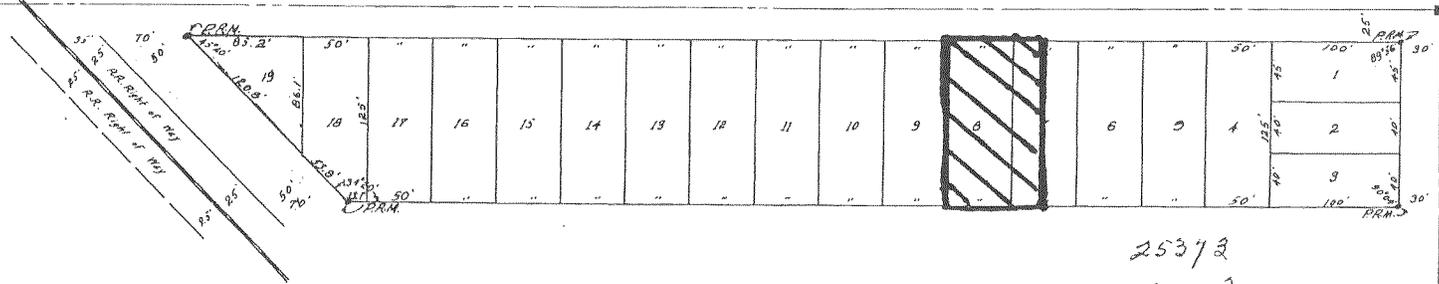
Examined and approved by City Zoning Commission of the City of Allamanta Springs, County of Seminola, State of Florida this 15th day of April AD 1926.  
Frank H. Hulse (Chairman)

State of Florida: County of Orange.  
We the Page Engineering Co. who made this map do hereby certify that this is a correct representation of the land platted and that permanent reference monuments have been placed as called for by the laws of the State of Florida regulating the making of surveys and filing for record of maps and plats.

Approved by the Board of County Commissioners of Seminola County Florida: this 14th day of May AD 1926.  
W. E. Douglas by A. M. W. (Clerk)

Page Eng'g. Co.  
by W. E. Douglas  
Reg. Cert. No. 951

S.E. Corner of S.W. 1/4 of S.E. 1/4 Section 7 T. 21 S., R. 30 E.



PAGE ENGR. CO.

25373

Filed this 24th day of May 1926 at 2:28 P.M. and recorded in Plat 7 Book No. 5 Page 7 of the Public Records of Seminola County, Florida this 24th day of May A. D. 1926  
W. E. Douglas  
Clerk Circuit Court  
by A. M. W. (Clerk)

Field: Sandstrom.  
Office: Boardman  
Checked: H.N.D.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE R-1 ZONING CLASSIFICATION THE R-2 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 Jackson Street Rezone from R-1 to R-2.

(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-1 to R-2:

**Leg N ½ of Lot 7 & all of Lot 8 Haymans Addition No 2 PB 5 Page 7**

**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 April 2005.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Carlton Henley  
Chairman