

ITEM #

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

SUBJECT: 9442 & 9436 Albemarle Rd., Rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale) (Robert E. Mike and Dwayne Rackard, Applicants)

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matt West CONTACT: Jeff Hopper EXT 7431

Agenda Date 07/13/05 Regular Work Session Briefing
Special Hearing – 6:00 Public Hearing – 7:00

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the requested rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale District) for a 2.94-acre site located on the west side of Albemarle Road, 350 feet south of Arletta Street, per the attached staff report (Robert E. Mike and Dwayne Rackard, applicants); or
2. Recommend DENIAL of the requested rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale District) for a 2.94-acre site located on the west side of Albemarle Road, 350 feet south of Arletta Street, (Robert E. Mike and Dwayne Rackard, applicants); or
3. CONTINUE the item to a time and date certain.

District 3 – Van Der Weide

Jeff Hopper-Senior Planner

BACKGROUND:

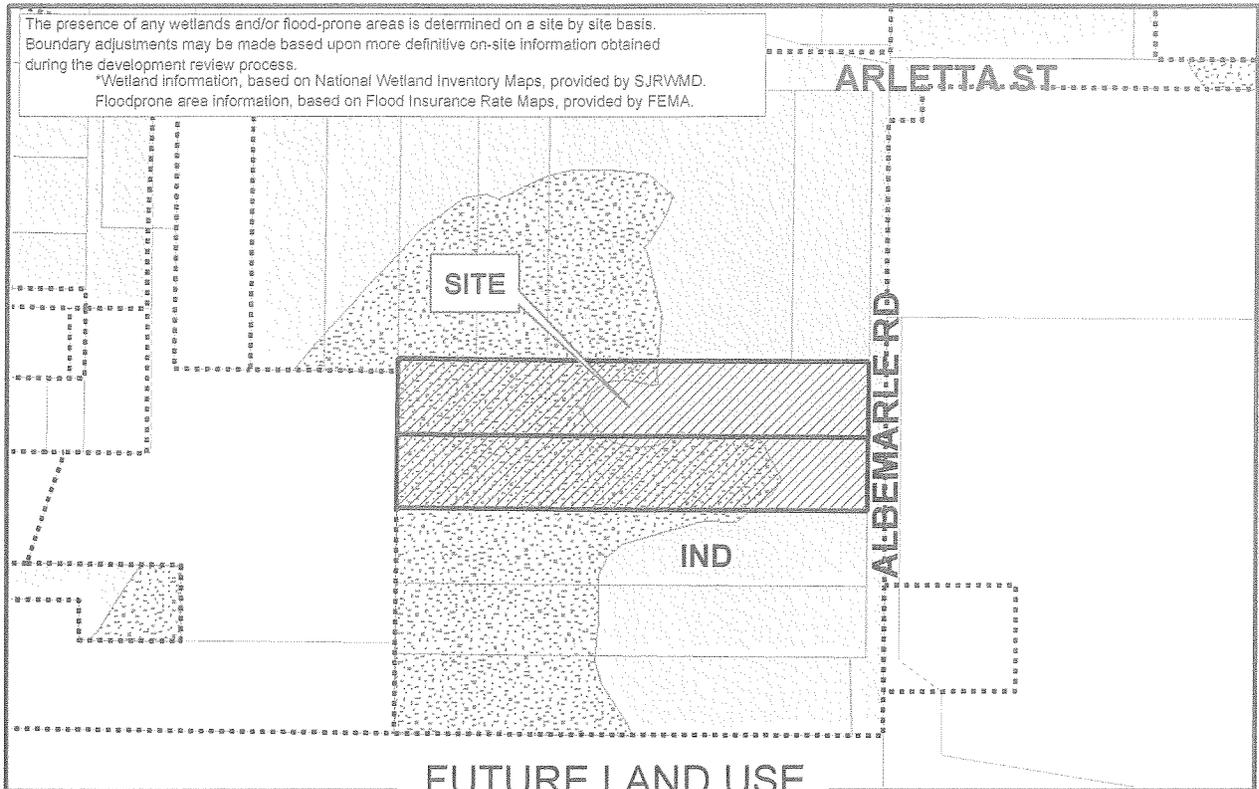
The applicants request C-3 zoning on adjoining properties with an Industrial future land use designation. The subject property includes two existing residences, and could be sold for commercial development upon approval of the rezone.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the requested rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale District) for a 2.94-acre site located on the west side of Albemarle Road, 350 feet south of Arletta Street, (Robert E. Mike and Dwayne Rackard, applicants)

Reviewed by: JR
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. Z2005-025

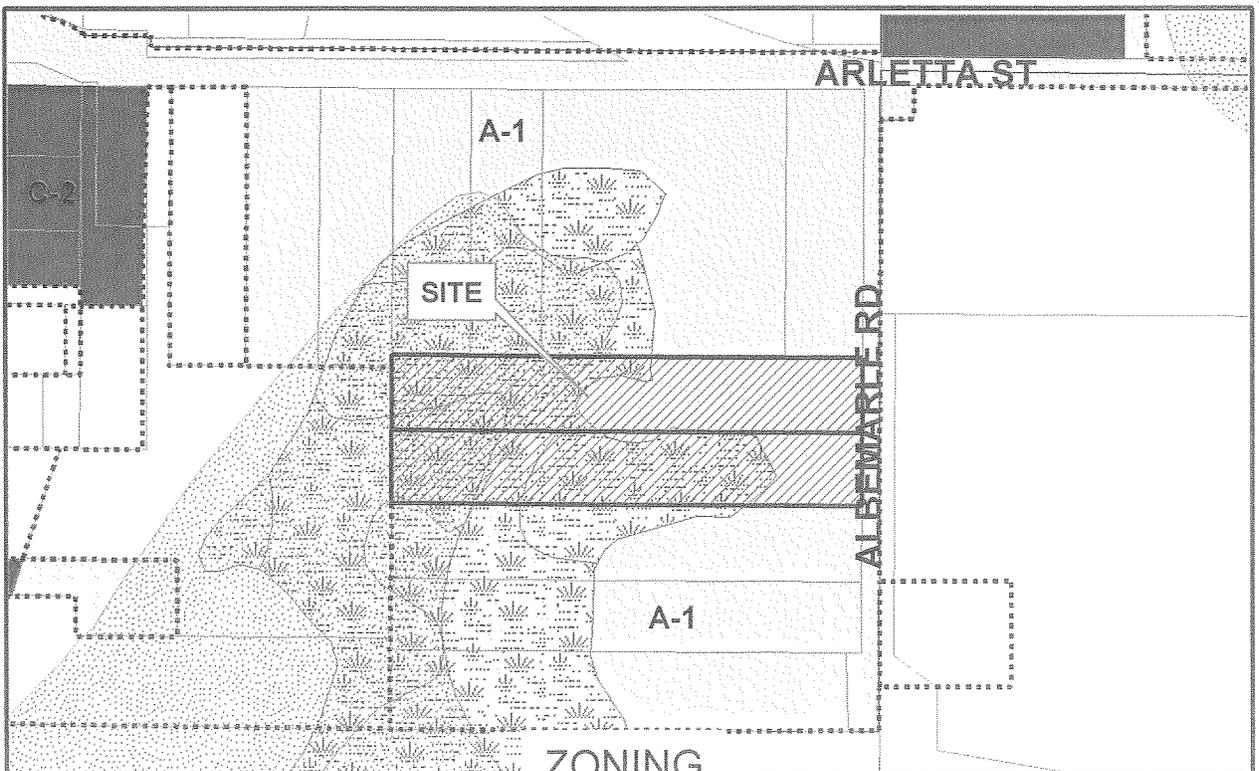
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



Site
 Municipality
 IND
 CONS

Applicant: Robert E. Mike and Malinda Rackard
 Physical STR: 21-21-29-300-0240 & 0250-0000
 Gross Acres: 2.95 +/- BCC District: 3
 Existing Use: Residential
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-025	A-1	C-3



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

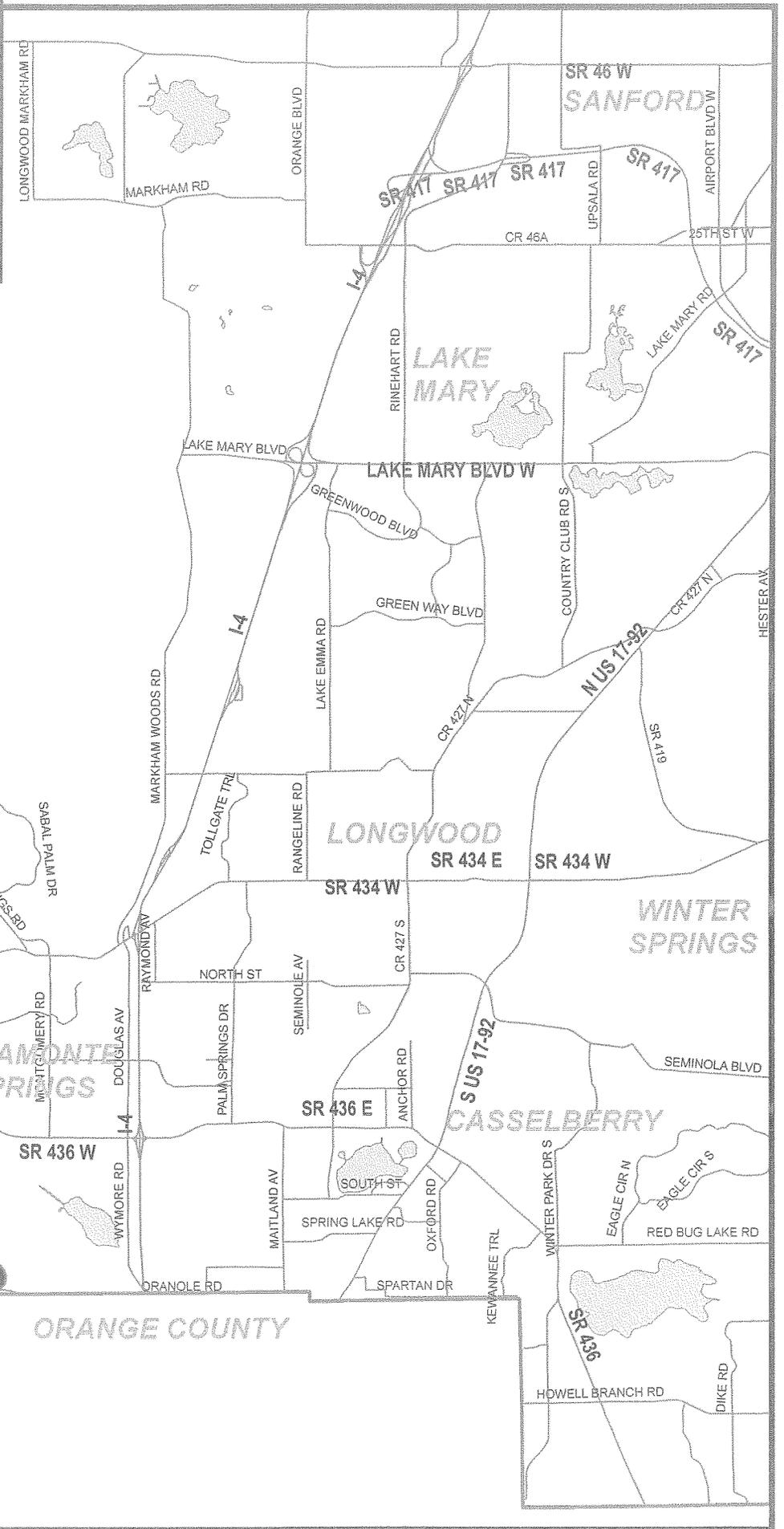
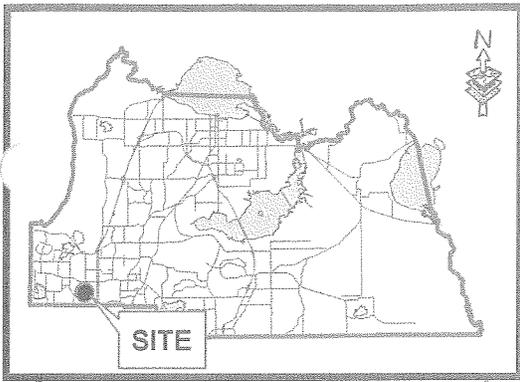


Rezone No: Z2005-025
From: A-1 To: C-3

-  Parcel
-  Subject Property



January 2004 Color Aerials



**Z2005-025
SITE**

9442 & 9436 ALBEMARLE ROAD REZONE

REQUEST INFORMATION	
APPLICANTS	Robert E. Mike and Dwayne Rackard
PROPERTY OWNERS	Robert E. Mike and Malinda Rackard
REQUEST	A-1 (Agriculture) to C-3 (General Commercial & Wholesale)
HEARING DATE (S)	P&Z: July 13, 2005 BCC: August 23 2005
PARCEL NUMBER	21-21-29-300-0240-0000 & 21-21-29-300-0250-0000
LOCATION	West side of Albemarle Rd., 350' south of Arletta St.
FUTURE LAND USE	Industrial
FILE NUMBER	Z2005-025
COMMISSION DISTRICT	3 – Van Der Weide

OVERVIEW

Zoning Request: The applicants request C-3 on property in the Industrial future land use designation of the Vision 2020 Plan. The applicants or a purchaser could redevelop the subject property for retail uses or heavier commercial uses such as wholesaling or storage. The required site plan review process will address site design issues, such as access to public streets, utilities, stormwater management, landscaping, and lighting. The Development Review Division would conduct this evaluation upon receipt of a specific development proposal.

Existing Land Uses:

(North)

(West)

INDUSTRIAL SF residential <i>A-1</i>	INDUSTRIAL SF residential <i>A-1</i>	MIXED USE (City) Vacant <i>Mixed Use District</i>
OFFICE-COMMERCIAL (City) Vacant <i>Mixed Office Commercial</i>	INDUSTRIAL (SUBJECT PROPERTY) Residence <i>A-1</i>	MIXED USE (City) Vacant <i>Mixed Use District</i>
OFFICE-COMMERCIAL (City) Vacant <i>Mixed Office Commercial</i>	INDUSTRIAL SF residential <i>A-1</i>	MIXED USE (City) Vacant <i>Mixed Use District</i>

(East)

(South)

***Bold** text depicts future land use designation, plain text depicts the existing use, and *italicized* text depicts zoning district. See enclosed future land use and zoning map for more details.

SITE ANALYSIS

Facilities and Services:

1. The impacts of development shall not occur until adequate facilities and services are available.
2. The proposed rezone 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. The site is not in a designated water or sewer service area of Seminole County or any other provider. However, the site is adjacent to the established service areas of Utilities Inc. and the City of Altamonte Springs. Prior to approval of any development requiring such service, the applicant must obtain documentation from one of these providers indicating the availability of service.

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

Compatibility with Surrounding Development: The proposed C-3 zoning is compatible with the Industrial future land use designation.

Intergovernmental Notice Process: Staff sent an Intergovernmental Notice of the proposed rezone to the City of Altamonte Springs on June 21, 2005.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the requested rezone from A-1 (Agriculture) to C-3 (General Commercial and Wholesale District) for a 2.94-acre site located on the west side of Albemarle Road, 350 feet south of Arletta Street, (Robert E. Mike and Dwayne Rackard, applicants)

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 A-1 (AGRICULTURE) ZONING CLASSIFICATION THE C-3 (GENERAL COMMERCIAL AND WHOLESALE DISTRICT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; 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 "9442 & 9436 Albemarle 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 C-3 (General Commercial and Wholesale):

LEG SEC 21 TWP 21S RGE 29E S 100 FT OF N 490 FT OF E 1/2 OF SE 1/4 OF SE 1/4 (LESS RD); AND SEC 21 TWP 21S RGE 29E S 100 FT OF N 590 FT OF E 1/2 OF SE 1/4 OF SE 1/4 (LESS RD)

Section 3. 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 4. 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 23rd day of August, 2005

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman