

ITEM #

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

SUBJECT: 1701 Mikler Road, Rezone from A-1 (Agriculture) to R-1A
(Single Family Dwelling District) (Roberto Ramon, applicant)

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matt West CONTACT: Jeff Hopper EXT 7431

Agenda Date 08/03/05 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 R-1A (Single Family Dwelling District) for a 5.0-acre site located on the east side of Mikler Road, 600' south of Red Bug Lake Road, per the attached staff report (Roberto Ramon, applicant); or
2. Recommend DENIAL of the requested rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling District) for a 5.0-acre site located on the east side of Mikler Road, 600' south of Red Bug Lake Road, (Roberto Ramon, applicant); or
3. CONTINUE the item to a time and date certain.

District 1 – Dallari

Jeff Hopper-Senior Planner

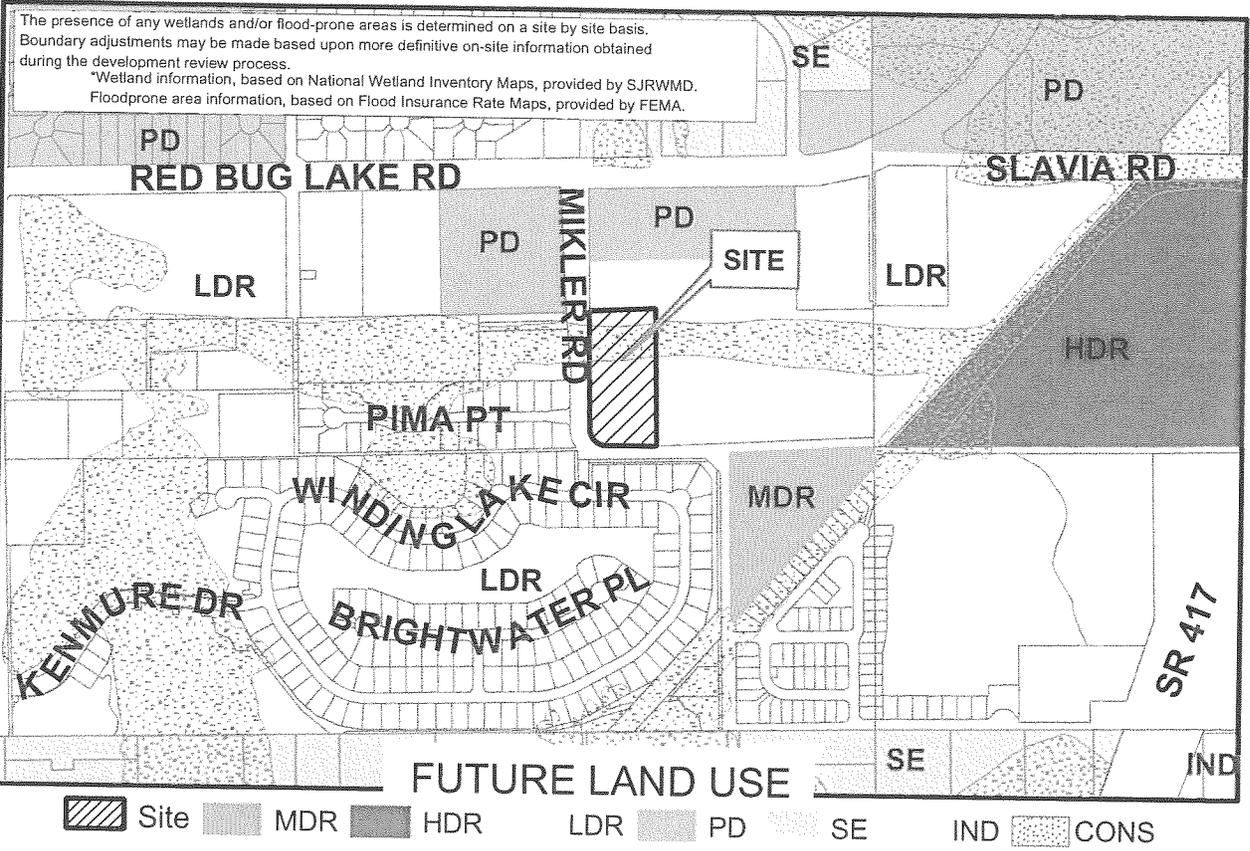
BACKGROUND:

The applicant proposes a rezoning to R-1A on a 5-acre site on Mikler Road, a short distance south of Red Bug Lake Road. The requested zoning classification allows single family development on lots having a minimum area of 9,000 square feet and a minimum width of 75 feet. Designated as Low Density Residential, the property has the potential to develop with a maximum density of 4 dwelling units per net buildable acre. However, as a request for conventional zoning (i.e., not PUD), the Land Development Code requires the application to undergo a lot compatibility analysis (Section 30.1380.3). This analysis supports the requested zoning classification.

STAFF RECOMMENDATION:

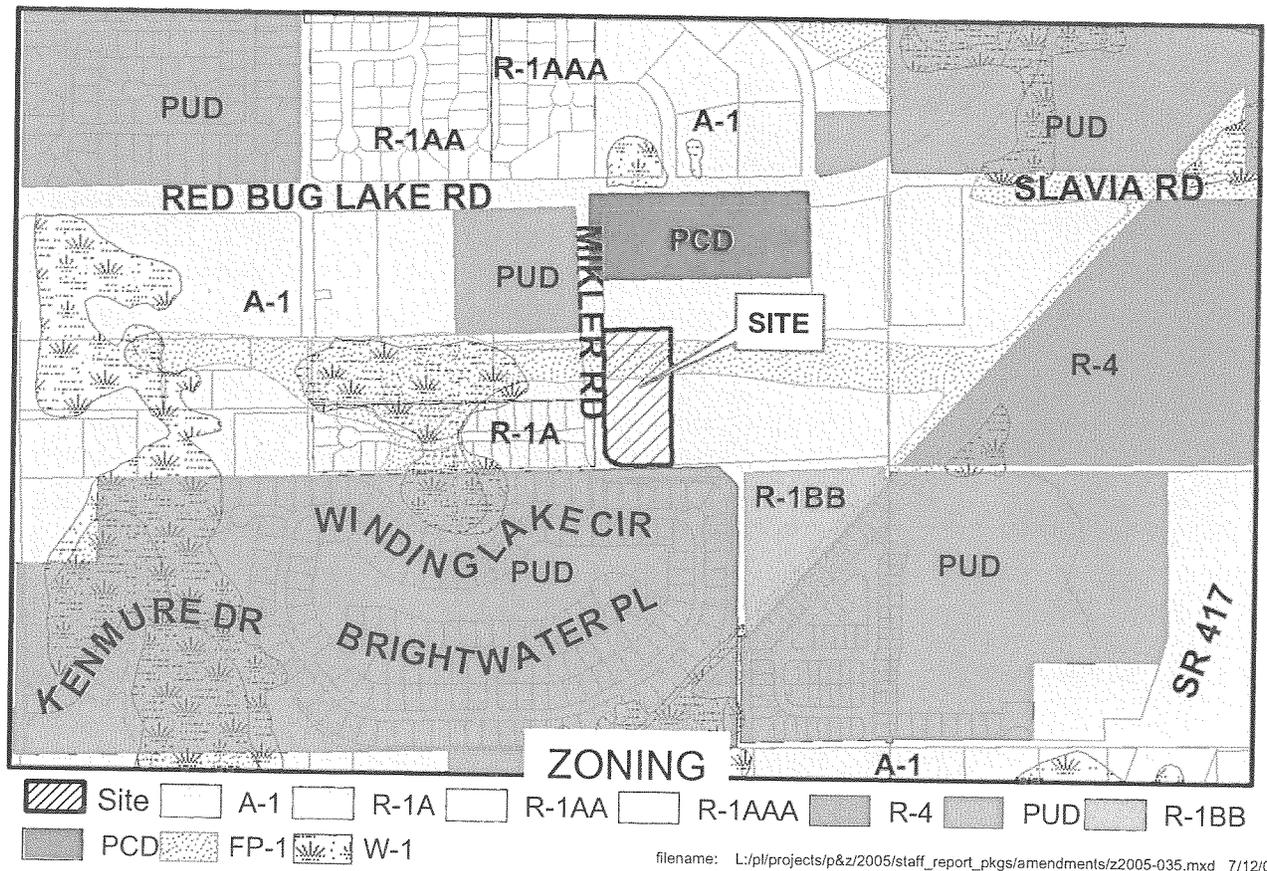
Staff recommends APPROVAL of the request.

Reviewed by: KR
Co Atty: _____
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. Z2005-035



Applicant: Roberto Ramon
 Physical STR: 16-21-31-5CA-0000-0810
 Gross Acres: 5.0 +/- BCC District: 1
 Existing Use: Single Family
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-035	A-1	R-1A



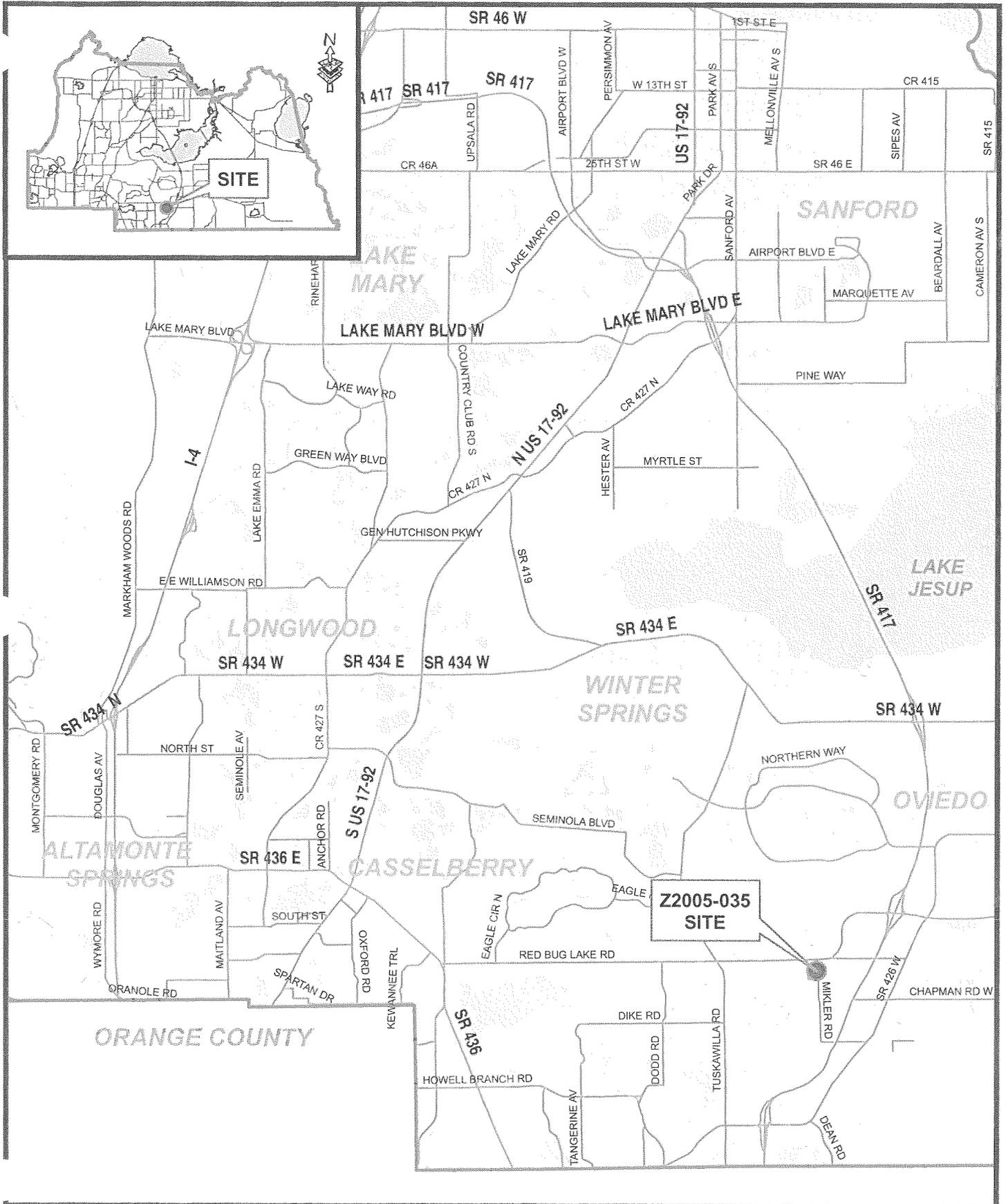


Rezone No: Z2005-035
From: A-1 To: R-1A

-  Parcel
-  Subject Property



January 2004 Color Aerials



1701 MIKLER ROAD REZONE

REQUEST INFORMATION	
APPLICANT	Roberto Ramon
PROPERTY OWNER	Roberto Ramon
REQUEST	A-1 (Agriculture) to R-1A (Single Family Dwelling District)
HEARING DATE (S)	P&Z: August 3, 2005 BCC: Sept. 27, 2005
PARCEL NUMBER	16-21-31-5CA-0000-0810
LOCATION	East side of Mikler Road, 600 feet south of Red Bug Lake Road.
FUTURE LAND USE	Low Density Residential (LDR)
FILE NUMBER	Z2005-035
COMMISSION DISTRICT	1 – Dallari

OVERVIEW

The applicant proposes rezoning to R-1A on a 5-acre site on Mikler Road, a short distance south of Red Bug Lake Road. The requested zoning classification allows single family development on lots having a minimum area of 9,000 square feet and 75 feet in width. Designated as Low Density Residential, the property has a potential to develop with a maximum density of 4 dwelling units per net buildable acre. However, as a request for conventional zoning (i.e., not PUD), the Land Development Code requires the application to undergo a lot compatibility analysis (Section 30.1380.3). This analysis supports the requested zoning classification.

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.

The analysis area adjoining this request on the south is developed as single family residential at densities consistent with the LDR land use designation. Undeveloped property to the east remains in agricultural zoning, but also carries the LDR land use designation. To the north is an approved PCD permitting low intensity commercial uses at the southeast corner of Mikler and Red Bug Lake Roads. At the southwest corner of the same intersection is an existing assisted living facility.

The lot compatibility analysis yielded a weight rating of 9.66, which corresponds to R-1B, a district allowing more intense development than the requested R-1A.

Existing Land Uses:

(North)

	PD Assisted Living Facility <i>PUD</i>	LDR / PD Vacant <i>A-1/PCD</i>	LDR Vacant <i>A-1</i>	
(West)	LDR SF Residential <i>R-1A and A-1</i>	LDR (SUBJECT PROPERTY) Residence <i>A-1</i>	LDR Vacant <i>A-1</i>	(East)
	LDR SF residential <i>PUD</i>	LDR SF residential <i>PUD</i>	MDR SF Residential (approved) <i>R-1BB</i>	

(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 LDR future land use designation, 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 in the Seminole County water and sewer service area.

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 is compatible with the LDR future land use designation.

Intergovernmental Notice Process: Intergovernmental notice to cities is not required since none are affected. Staff sent an Intergovernmental Notice of the proposed rezone to the Seminole County School Board on July 14, 2005.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LEGAL DESCRIPTION ATTACHED); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE R-1A (SINGLE FAMILY DWELLING DISTRICT) ZONING CLASSIFICATION; 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 "1701 Mikler 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 W ½ of lot 81, Slavia Colony Cos subdivision; PB2, Pg 71

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 27th day of September, 2005.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman