

Item #

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

SUBJECT: Sand Lake Road Rezone From A-1 to R-1AAA

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Matthew West CONTACT: Tony Walter EXT. 7375

Agenda Date	<u>08/03/05</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 to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District); (Todd Magargee, applicant); or
2. Recommend DENIAL of the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District); (Todd Magargee, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 3 – Comm. Van Der Weide) (Tony Walter, Asst. Planning Manager)

**BACKGROUND:**

The applicant, Todd Magargee, requests the rezoning of a 2.5 acre tract located on the south side of Sand Lake Road from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District). The requested zoning allows lots with a minimum size of 13,500 square feet and lot width of 100 feet. The future land use of the subject property is LDR (Low Density Residential), which permits a maximum density of four (4) dwelling units per acre.

Section 30.1380.3 of the Land Development Code requires the application of the Weighted Method for Determining Single-Family Residential Compatibility in Residential Land Use. The analysis supports the requested rezone to R-1AAA.

Reviewed by:	<u>CR</u>
Co Atty:	_____
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2005-032</u>

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District), as supported by the Weighted Method for Determining Single-Family Residential Compatibility.

**Attachments:**

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

## SAND LAKE ROAD REZONE A-1 TO R-1AAA

REQUEST INFORMATION	
APPLICANT	Todd Magargee
PROPERTY OWNER	True North Development, LLC
REQUEST	Rezone property from A-1 (Agriculture District) to R-1AAA (Single- Family Dwelling District)
HEARING DATE (S)	P&Z: August 3, 2005      BCC: September 27, 2005
PARCEL ID	07-21-29-300-0150-0000
LOCATION	Located on the south side of Sand Lake Road, approximately 300 feet west of Sandy Lane
FUTURE LAND USE	LDR (Low Density Residential)
ZONING	A-1 (Agriculture District)
FILE NUMBER	Z2005-032
COMMISSION DISTRICT	#4 – Henley

### OVERVIEW:

**Zoning Request:** The applicant, Todd Magargee, requests the rezoning of a 2.5 acre tract located on the south side of Sand Lake Road from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District). The future land use of the subject property is LDR (Low Density Residential), which permits a maximum density of four (4) dwelling units per acre. The minimum area regulations for the R-1AAA (Single-Family Dwelling District) are as follows:

R-1AAA DISTRICT AREA REGULATIONS	
Minimum Lot Size	13,500 square feet
Minimum House Size	1,600 square feet
Minimum Width at Building Line	100 feet
Front Yard Setback	25 feet
Side Yard Setback	10 feet
(Street) Side Yard Setback	25 feet
Rear Yard Setback	30 feet

Section 30.1380.3 of the Land Development Code requires the application of the Weighted Method for Determining Single-Family Residential Compatibility in Residential Land Use. The analysis supports the requested rezone to R-1AAA. The calculations assign differing weights to the surrounding zoning districts according to permitted development intensities within those districts. For example, the R-1AAA district, with a minimum lot size of 13,500 square feet, has a weight factor of 6, while A-1, which requires

one-acre lots, has a weight factor of 4. As stated, A-1 zoned properties in proximity to a proposed rezoning receive a base weight of 4, but additional points can be assigned if water, sewer, and paved roads are available, up to a maximum weight of 7. Weighting factors, together with the acreage of parcels within a 660-foot radius of the subject property, determine the “compatible” zoning for the subject property.

**Existing Land Uses:**

Existing future land use and zoning for the subject and abutting properties are as follows:

		(North)	
	<b>PD</b> Single-Family <i>PUD</i>	<b>LDR</b> Single-Family <i>R-1AAA</i>	<b>LDR</b> Single-Family <i>R-1AAA</i>
(West)	<b>PD</b> Single-Family <i>PUD</i>	<b>(SUBJECT PROPERTY)</b> <b>LDR</b> Single-Family <i>A-1</i>	<b>LDR</b> Single-Family <i>A-1</i>
	<b>PD</b> Single-Family <i>PUD</i>	<b>LDR</b> Single-Family <i>A-1</i>	<b>LDR</b> Single-Family <i>A-1</i>
		(South)	

For more detailed information regarding zoning and land use, please refer to the attached maps.

**SITE ANALYSIS:**

**Facilities and Services:**

Adequate public facilities and services must be available concurrent with the impacts of development. The applicant submitted an Affidavit of Concurrency Review Deferral. At the time of subdivision review, the applicant is required to submit an application for concurrency review.

The site is located in the service area of Utilities, Inc. A letter from Utilities, Inc. confirming utility capacity for potable and reclaimed water is required at the time of subdivision review, and approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

**Transportation / Traffic:**

The property accesses Sand Lake Road to the north, classified as a major collector road with a level of service "C". Staff determined that a left turn lane is required on Sand Lake Road at the site entrance.

**Compliance with Environmental Regulations:**

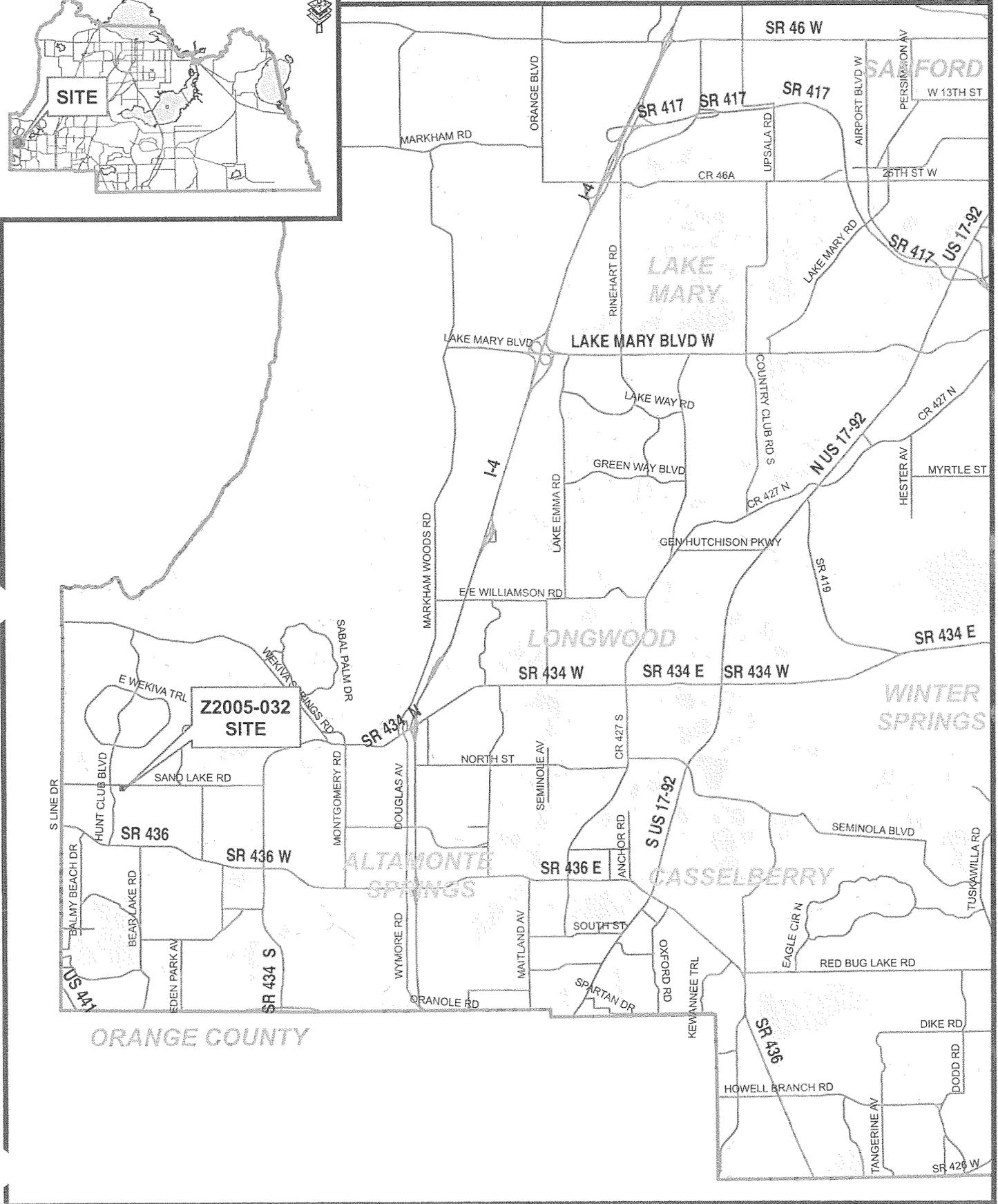
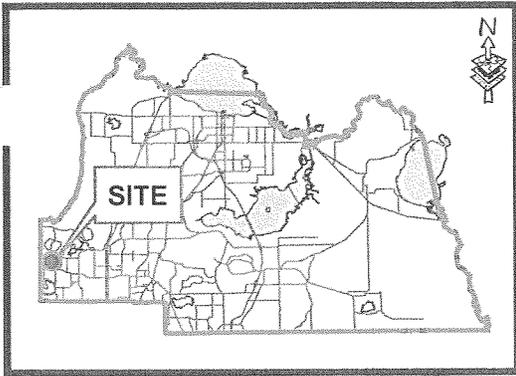
There are no identified areas of environmental concern on the property.

**Compatibility with Surrounding Development:**

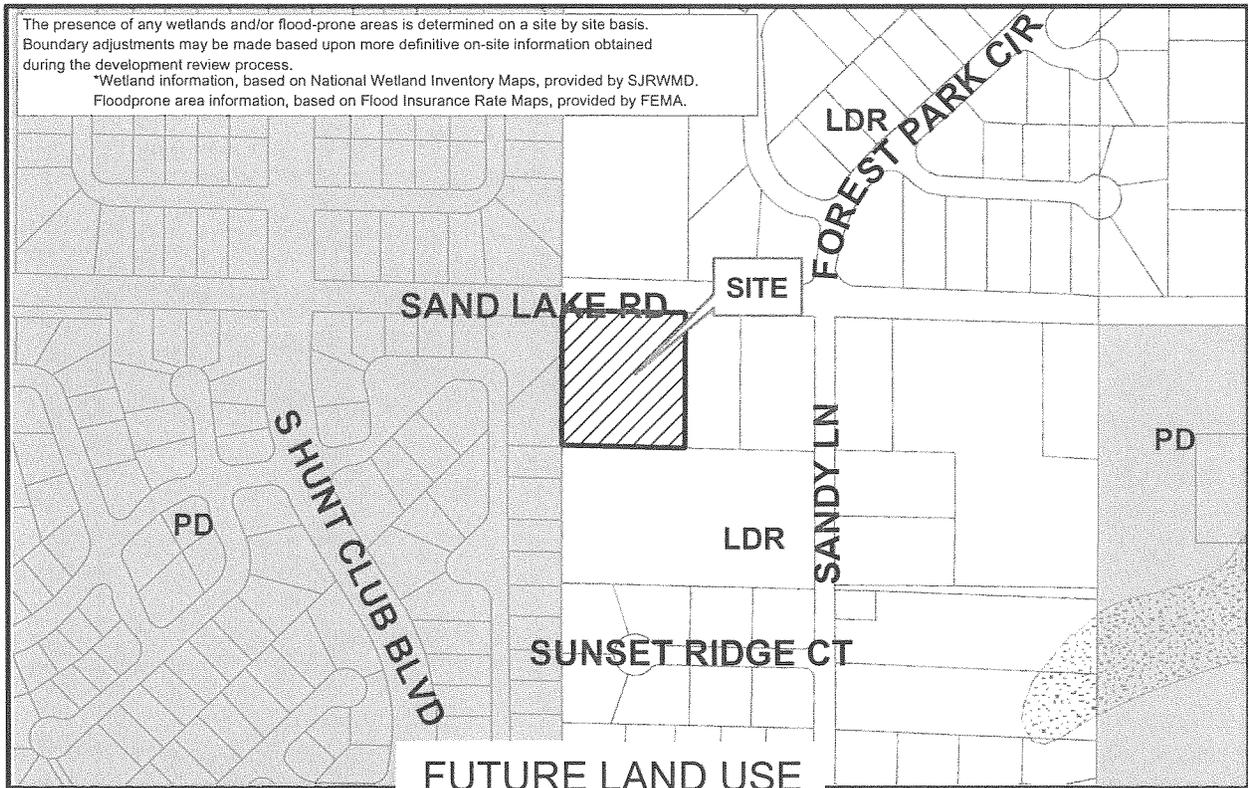
Staff conducted a lot size compatibility analysis, as required by Section 30.1380.3 of the Land Development Code and Policy FLU 2.10 of the Vision 2020 Comprehensive Plan. The analysis supports the requested rezone to R-1AAA.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request to rezone approximately 2.5 acres, located on the south side of Sand Lake Road 300 feet west of Sandy Lane from A-1 (Agriculture District) to R-1AAA (Single-Family Dwelling District), as supported by the Weighted Method for Determining Single-Family Residential Compatibility.



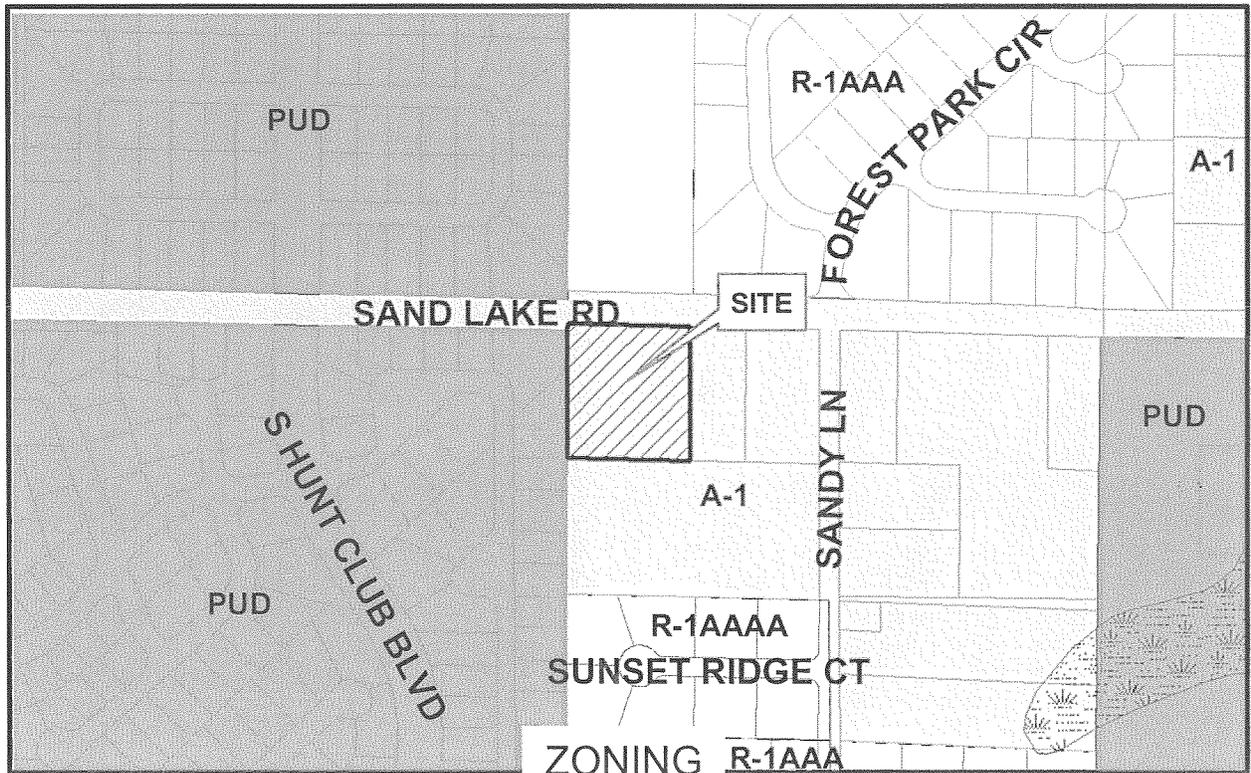
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis.  
 Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided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



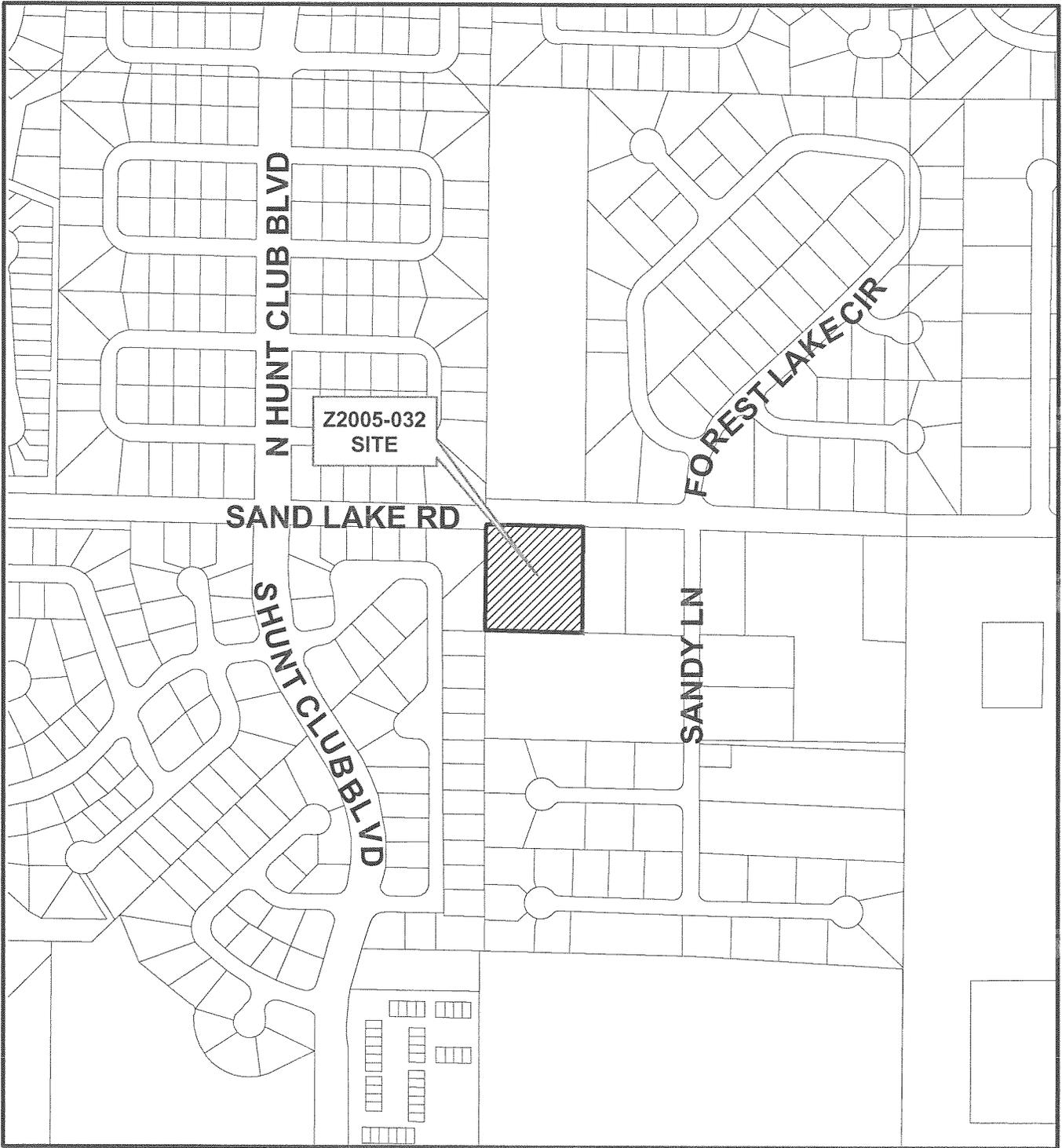
Site  
  PD  
 LDR  
  Municipality  
  CONS

Applicant: True North Development LLC/Todd Magargee  
 Physical STR: 07-21-29-300-0150-0000  
 Gross Acres: 2.5 +/- BCC District: 3  
 Existing Use: Single Family  
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-032	A-1	R1-AAA



Site  
  A-1  
  R-1AAAA  
  R-1AAA  
  PUD  
  FP-1  
  W-1



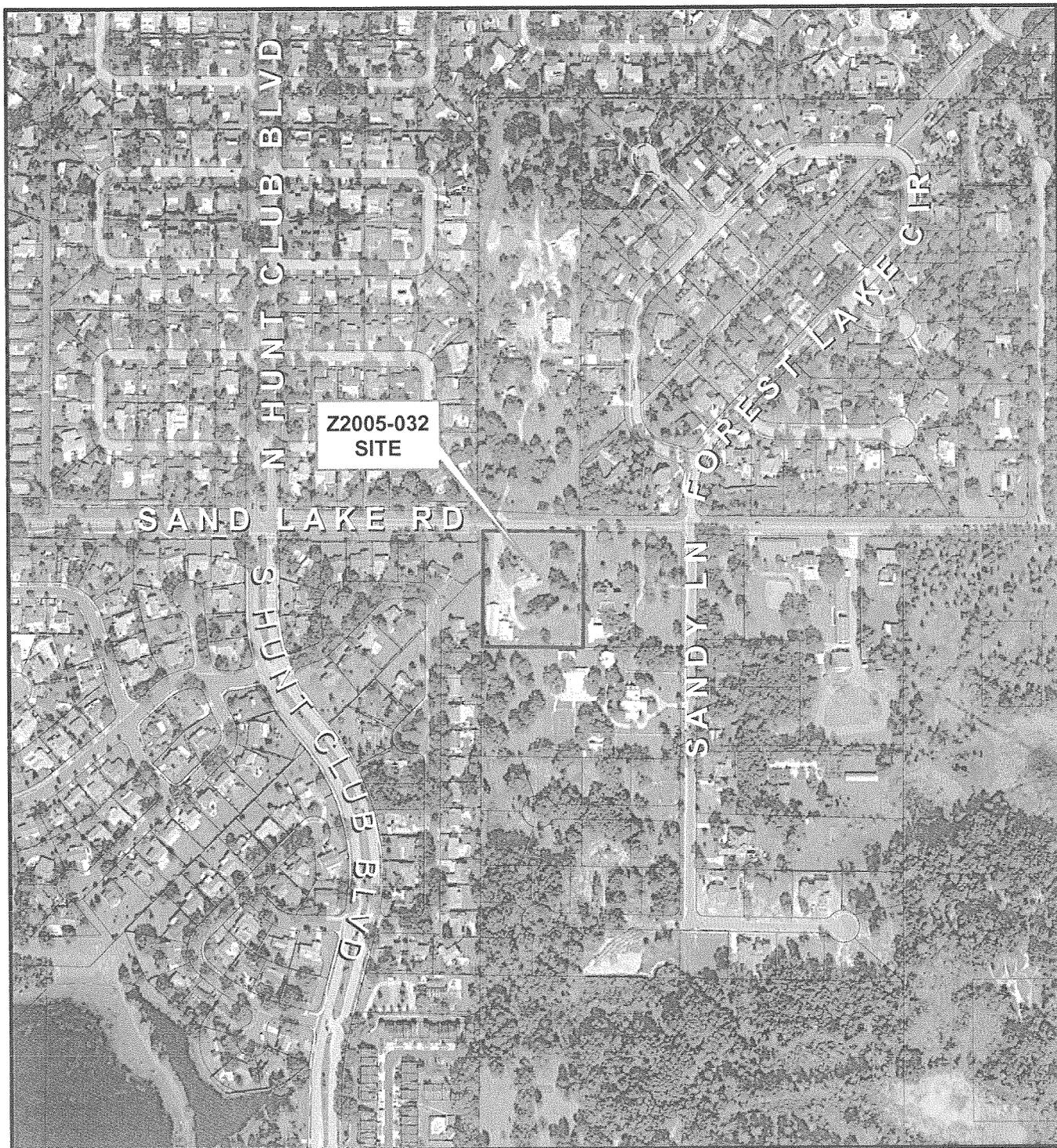
Z2005-032  
SITE

SAND LAKE RD

SHUNT CLUB BLVD

FOREST LAKE CIR

SANDY LN



Z2005-032  
SITE

Rezone No: Z2005-032  
From: A-1 To: R-1AAA

-  Parcel
-  Subject Property



January 2004 Color Aerials

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 R-1AAA (SINGLE-FAMILY DWELLING 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 "Sand Lake 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-1AAA (Single-Family Dwelling District):

LEG SEC 07 TWP 21S RGE 29E NW 1/4 OF NW 1/4 OR SE 1/4 OF NE 1/4 (LESS RD + W 16.5 FT)

**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