

Item #

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

SUBJECT: Windsor Woods Rezone From A-1 to RC-1

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 8.7 acres, located on the east side of Lake Markham Road and opposite Sylvan Drive, from A-1 (Agriculture District) to RC-1 (Country Homes District); (Windsor Oaks LLC, applicant); or
2. Recommend DENIAL of the request to rezone approximately 8.7 acres, located on the east side of Lake Markham Road and opposite Sylvan Drive, from A-1 (Agriculture District) to RC-1 (Country Homes District); (Windsor Oaks LLC, applicant); or
3. CONTINUE the public hearing until a time and date certain.

(District 5 – Comm. Carey)

(Tony Walter, Asst. Planning Manager)

BACKGROUND:

The applicant, Windsor Oaks, LLC, requests the rezoning of a 8.7 acre tract, located on the east side of Lake Markham Road and opposite Sylvan Drive, from A-1 (Agriculture District) to RC-1 (Country Homes District). The requested zoning would allow lots with a minimum size of one (1) acre and lot width of 120 feet. The future land use of the subject property is SE (Suburban Estates), which permits a maximum density of one (1) dwelling unit per acre.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone

Reviewed by:	<u>KR</u>
Co Atty:	_____
DFS:	_____
OTHER:	_____
DCM:	_____
CM:	_____
File No.	<u>Z2005-033</u>

WINDSOR OAKS, LLC. REZONE A-1 TO RC-1

REQUEST INFORMATION	
APPLICANT	Windsor Oaks LLC
PROPERTY OWNER	Windsor Oaks LLC
REQUEST	Rezone property from A-1 (Agriculture District) to RC-1 (Country Homes District)
HEARING DATE (S)	P&Z: August 3, 2005 BCC: September 27, 2005
PARCEL ID	26-19-29-300-0090-0000
LOCATION	The east side of Lake Markham Road and opposite Sylvan Drive.
FUTURE LAND USE	SE (Suburban Estates)
ZONING	A-1 (Agriculture District)
FILE NUMBER	Z2005-033
COMMISSION DISTRICT	#5 – Carey

OVERVIEW

Zoning Request: The applicant, Windsor Oaks LLC, requests RC-1 zoning for approximately 8.7 acres, located on the east side of Lake Markham Road and opposite Sylvan Drive. The requested zoning would allow lots with a minimum size of one (1) acre and lot width of 120 feet. The future land use of the subject property is SE (Suburban Estates), which permits a maximum density of one (1) dwelling unit per acre.

Existing Land Uses:

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

(North)			
	SE Vacant RC-1	SE Vacant A-1	
(West)	SE Vacant A-1	(SUBJECT PROPERTY) SE Vacant A-1	SE / LDR Vacant / Single- Family A-1 / R-1A
	SE Vacant A-1	SE Vacant A-1	LDR Single-Family R-1A
(South)			
			(East)

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

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 Northwest Service Area, where water capacity for new development is limited. Capacity availability is determined during the concurrency process. There is a 12-inch water main and a 12-inch reclaim water main on the east side of Lake Markham Road.

A letter 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.

A portion of the site is located within the 100-year flood zone, which can not be impacted in the WRPA (Wekiva River Protection Area) and requires a 50-foot undisturbed upland buffer. The site is also located within an area of high recharge with no clearly defined outfall. Consequently, the site is required to hold the 100-year, 24-hour storm event onsite.

Transportation / Traffic:

The property accesses Lake Markham Road, classified as a local road. Staff determined that a left turn lane is required on Lake Markham Road at the site entrance.

Compliance with Environmental Regulations:

Staff determined that a Conservation Easement dedicated to Seminole County is required over all wetlands (no impacts to wetlands permitted) and required upland buffers at the time of subdivision approval. A listed species survey must be submitted before final engineering approval.

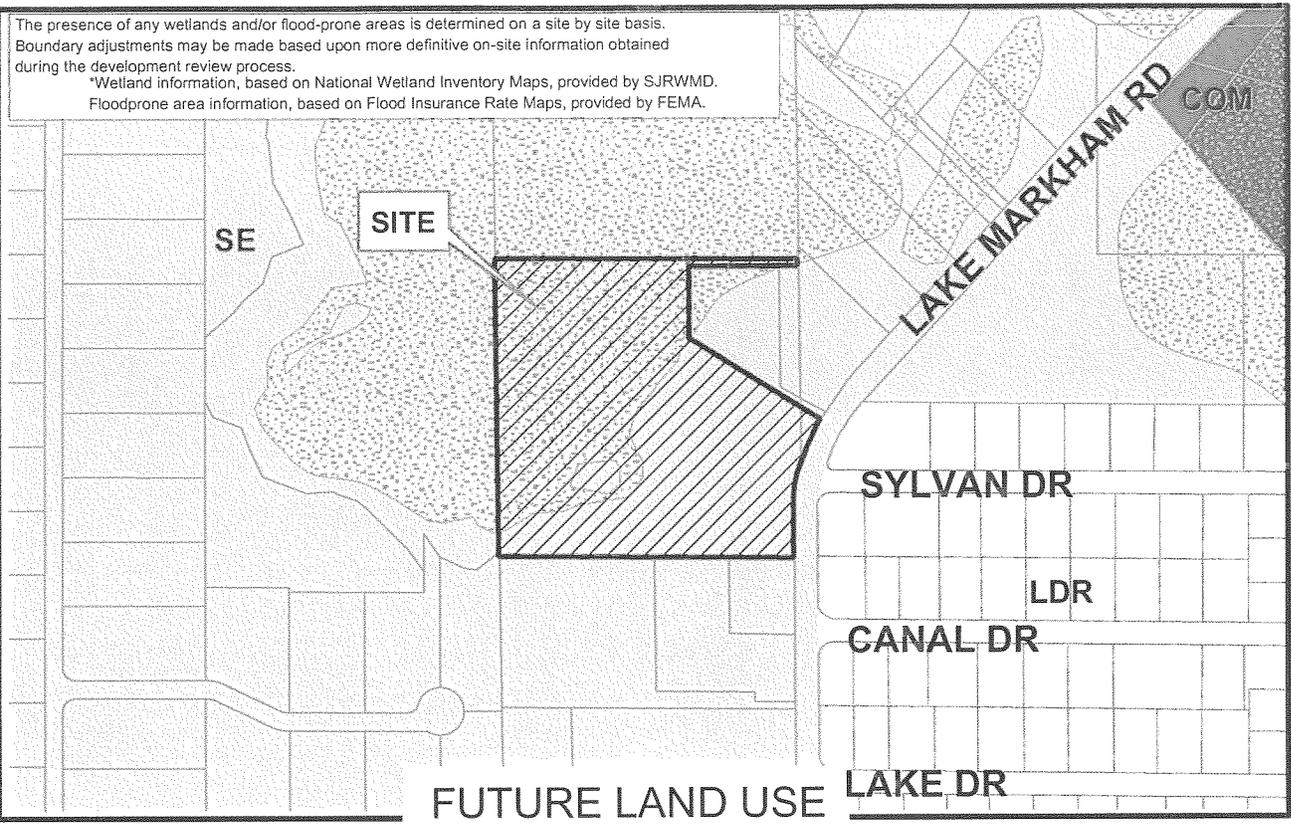
Compatibility with Surrounding Development:

The proposed RC-1 zoning is compatible with the trend of single-family residential development located along this section of Lake Markham Road. The purpose of the RC-1 district is to provide for a country lifestyle and low density, single-family development at the same density as the existing A-1 zoning, without many of the undesirable features of a purely agriculture district. Furthermore, RC-1 is a compatible zoning category under the existing SE (Suburban Estates) future land use and would result in no increase in

residential density. For these reasons, staff believes the proposed rezone would be compatible with surrounding development.

STAFF RECOMMENDATION

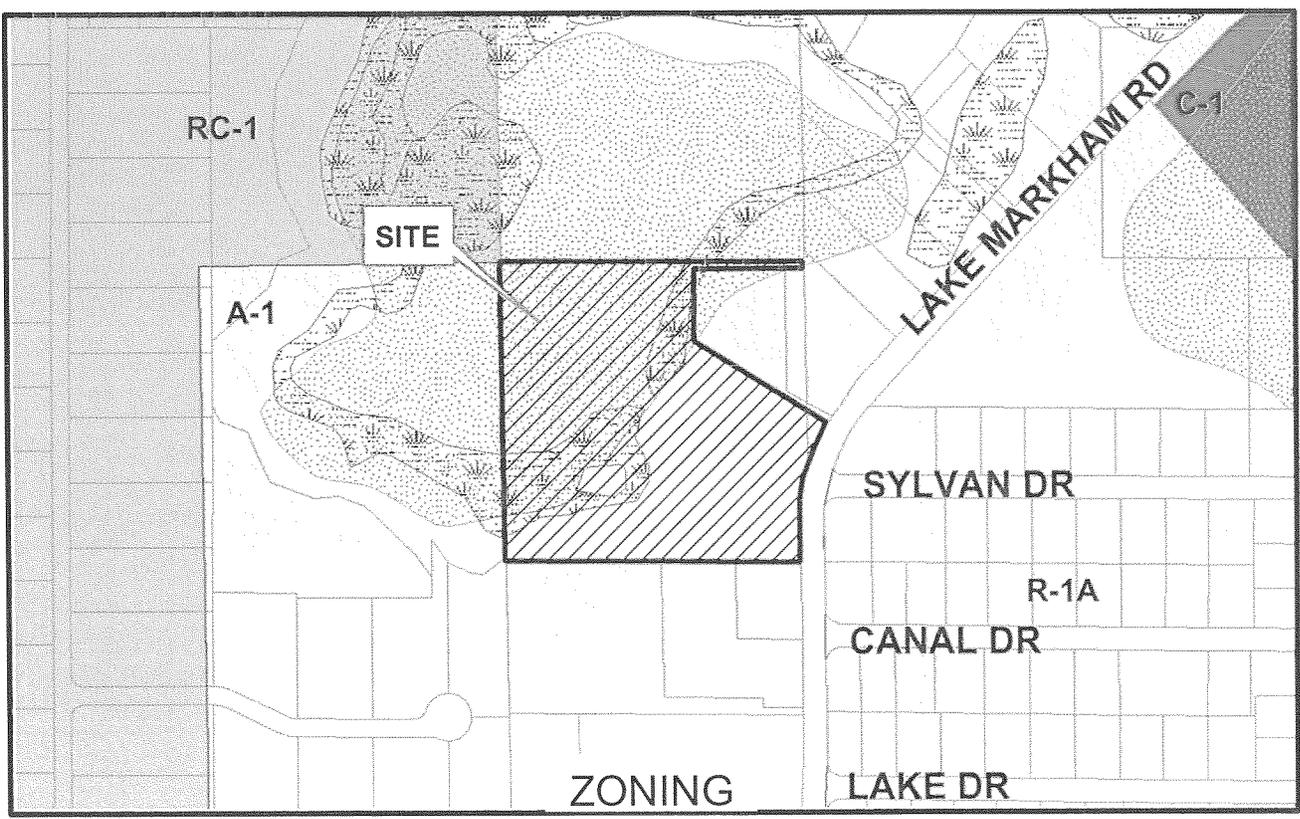
Based upon the above findings, staff recommends APPROVAL of the request to rezone approximately 8.7 acres, located on the east side of Lake Markham Road and opposite Sylvan Drive, from A-1 (Agriculture District) to RC-1 (Country Homes District).



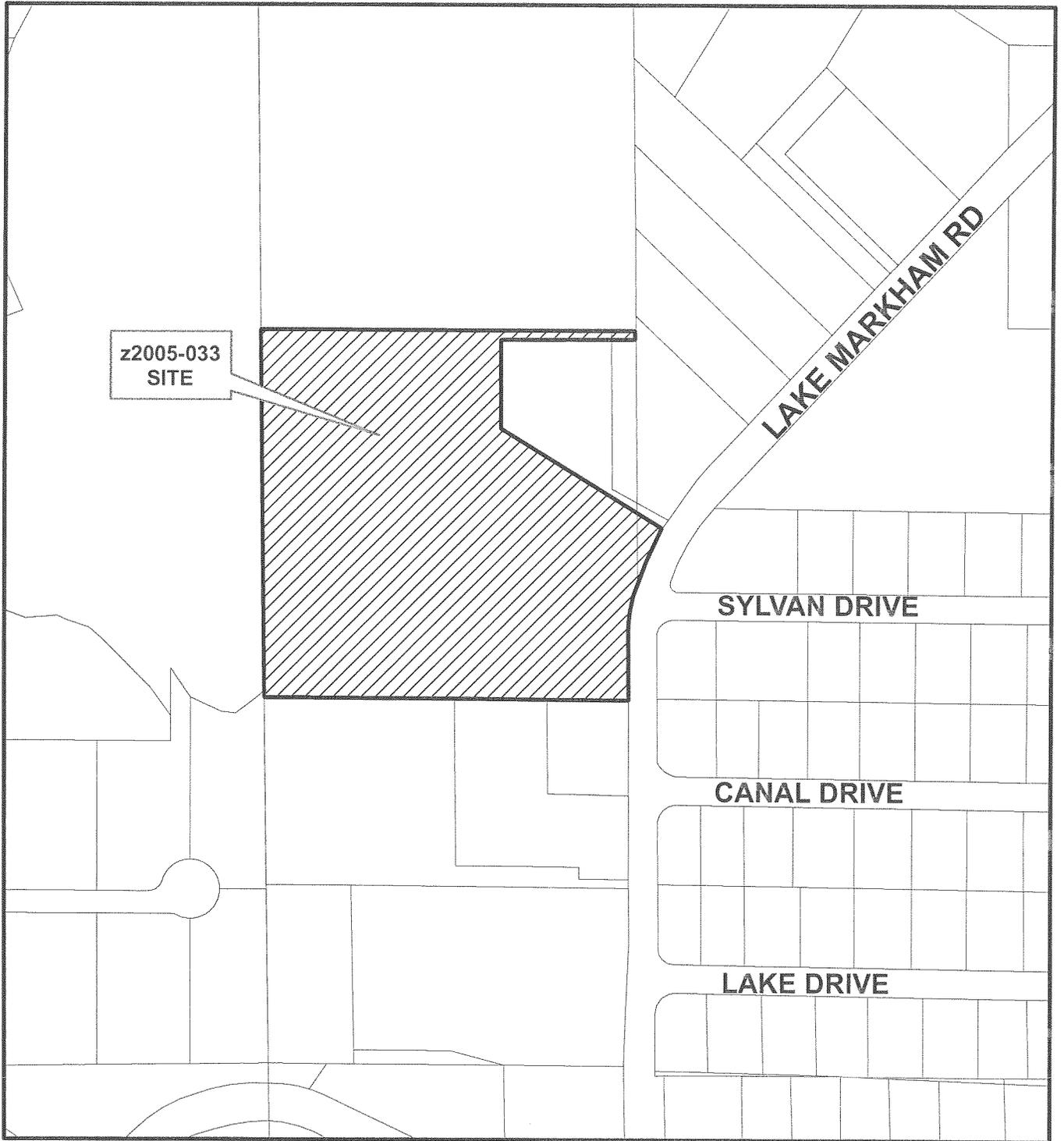
Site
 Municipality
 SE
 COM
 LDR
 CONS

Applicant: Windsor Oaks, LLC
 Physical STR: part of 26-19-29-300-0090-0000
 Gross Acres: 8.7 +/- acres BCC District: 5
 Existing Use: Vacant
 Special Notes: None

	Amend/Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-033	A-1	RC-1



A-1
 RC-1
 C-1
 R-1A
 FP-1
 W-1





z2005-033
SITE

SYLVAN DRIVE

CANAL DRIVE

LAKE DRIVE

Rezone No: Z2005-033
From: A-1 To: RC-1

-  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 RC-1 (COUNTRY HOMES 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 "Windsor Woods 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 RC-1 (Country Homes District):

LOT 7, BLOCK 6 OF SANFORD FARMS, ACCORDING TO THE PLOT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 127, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

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