

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

SUBJECT: 5TH STREET CHULUOTA REZONE

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Tony Walter *TW* CONTACT: Brian Nelson EXT. 7430

Agenda Date: <u>10/05/05</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 a request to rezone approximately 0.23 ± acres, located on the north side of 5<sup>th</sup> Street, approximately 180 feet west of County Road 419, Chuluota from R-3 (Multiple-Family Dwelling District) to R-1B (Single-Family Dwelling District) based on staff findings (Frank Joyce, applicant); or
2. Recommend DENIAL of a request to rezone approximately 0.23 ± acres, located on the north side of 5<sup>th</sup> Street, approximately 180 feet west of County Road 419, Chuluota from R-3 (Multiple-Family Dwelling District) to R-1B (Single-Family Dwelling District) based on staff findings (Frank Joyce, applicant); or
3. CONTINUE the item to a time and date certain.

District 1 – Comm. Dallari

Brian Nelson, Principal Coordinator

**BACKGROUND:**

The applicant is requesting a change in zoning from R-3 (Multiple-Family Dwelling District) to R-1B (Single-Family Dwelling District) on a 0.23 ± acre site in Chuluota. The requested zoning would allow a single-family home on the subject site. Under the current R-3 zoning designation, a maximum of 13 dwelling units per acre could be permitted. Single-family homes however, would not be permitted under this zoning designation.

The future land use designation on the subject site is HDR (High

Reviewed by: _____
Co Atty: <i>[Signature]</i>
DFS: _____
OTHER: <i>[Signature]</i>
DCM: _____
CM: _____
File No. <u>Z2005-048</u>

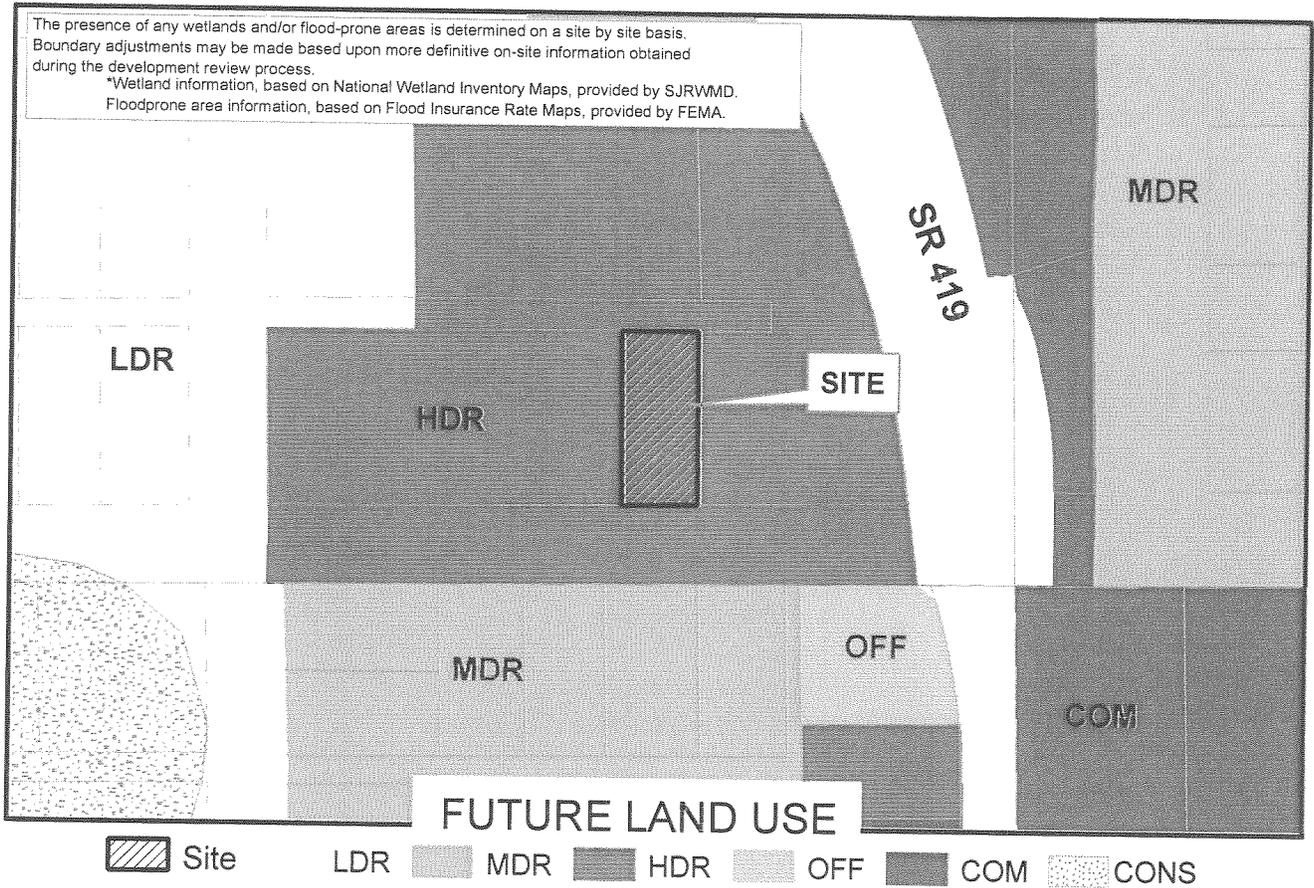
Density Residential), which would allow all Low and Medium Density Residential zoning districts, including R-1B. The applicant intends to build a one-story, single-family home on the subject site.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of a request to rezone approximately 0.23 ± acres, located on the north side of 5<sup>th</sup> Street, approximately 180 feet west of County Road 419, Chuluota from R-3 (Multiple-Family Dwelling District) to R-1B (Single-Family Dwelling District) based on staff findings.

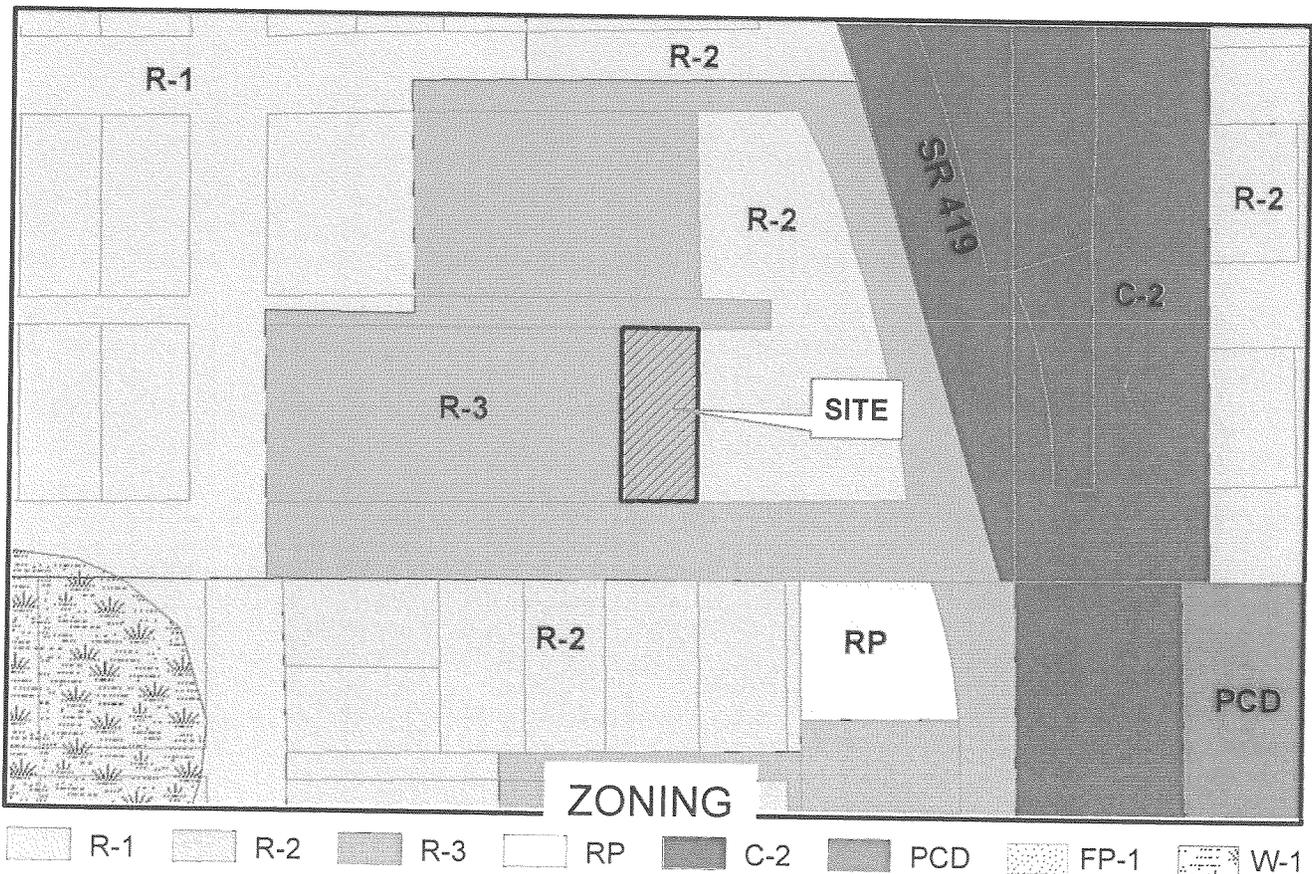
Attachments:

Staff Analysis  
Location Map  
FLU/Zoning Map  
Plat Map  
Aerial Photo  
Ordinance



Applicant: Frank Joyce  
 Physical STR: 21-21-32-5CF-3800-0210  
 Gross Acres: .23 +/-    BCC District: 1  
 Existing Use: Vacant Residential  
 Special Notes: None

	Amend/ Rezoning#	From	To
FLU	--	--	--
Zoning	Z2005-048	R-3	R-1B





Rezone No: Z2005-048  
From: R-3 To: R-1B

-  Parcel
-  Subject Property



January 2004 Color Aerials





<b>5<sup>th</sup> STREET CHULUOTA REZONE</b> <b>Rezone from R-3 to R-1B</b>	
<b>APPLICANT</b>	Frank Joyce
<b>PROPERTY OWNER</b>	Flagler Development Company
<b>REQUEST</b>	Rezone from R-3 (Multiple-Family Dwelling District) to R-1B (Single-Family Dwelling District)
<b>PROPERTY SIZE</b>	0.23 ± acres
<b>HEARING DATE (S)</b>	P&Z: October 5, 2005      BCC: November 15, 2005
<b>PARCEL ID</b>	21-21-32-5CF-3800-0210
<b>LOCATION</b>	North side of 5 <sup>th</sup> Street, approximately 180 feet west of County Road 419, Chuluota
<b>FUTURE LAND USE</b>	HDR (High Density Residential)
<b>ZONING</b>	R-3 (Multiple-Family District)
<b>FILE NUMBER</b>	Z2005-048
<b>COMMISSION DISTRICT</b>	#1 – Dallari

**PROPOSED DEVELOPMENT:**

The applicant is proposing to build a one-story, single-family home on the subject 0.23 ± acre site.

**ANALYSIS OVERVIEW:**

**ZONING REQUEST**

The applicant, Frank Joyce, is requesting to rezone 0.23 ± acres from R-3 (Multiple-Family Dwelling District) to R-1B (Single-Family Dwelling District). The subject property is located on the north side of 5<sup>th</sup> Street, approximately 180 feet west of County Road 419, Chuluota. The Future Land Use designation of the subject property is HDR (High Density Residential), which allows all Low and Medium Density Residential zoning districts, including R-1B. The following table depicts the minimum regulations for the current zoning district of R-3 (Multiple-Family Dwelling District) and the requested district of R-1B (Single-Family Dwelling District):

<b>DISTRICT REGULATIONS</b>	<b>Existing Zoning (R-3)</b>	<b>Proposed Zoning (R-1B)</b>
Minimum Lot Size	N/A	6,700 square feet
Minimum House Size	N/A	700 square feet
Minimum Width at Building Line	N/A	60 feet
Front Yard Setback	25 feet/one-story 35 feet/two-story	20 feet
Side Yard Setback	25 feet/one-story 35 feet/two-story	7.5 feet
(Street) Side Yard Setback	25 feet/one-story 35 feet/two-story	20 feet
Rear Yard Setback	25 feet/one-story 35 feet/two-story	25 feet
Maximum Building Height	35 feet	35 feet

## PERMITTED & SPECIAL EXCEPTION USES

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
R-3 (existing)	One-, two-, or three-story apartment buildings, townhouses and condominiums and their customary accessory and personal service uses. Public and private elementary schools.	Public and private middle schools and high schools, churches, personal service uses, if not approved at time of zoning, adult living facilities and group homes, communication towers, private recreational facilities constructed as an accessory use to civic, fraternal, or social organizations if the existing use is located in a predominantly residential area as determined by the Planning Manager.	N/A
R-1B (proposed)	Any use permitted in the R-1A Single-Family Dwelling zoning classification, including the customary accessory uses, home occupations and home offices, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	Any special exception permitted in the R-1A zoning classification, day nurseries or kindergartens, guest or tourist homes when located on state or federal highways, off-street parking facilities, assisted living facilities and community residential homes housing 7-14 permanent unrelated residents (including group homes and foster care facilities) provided that the location does not create a over-concentration of such homes or substantially alter the nature and character of the area as defined in Section 419.001(3)(c), Florida Statutes (2001). In the event that the provisions of this section conflict with the provisions of Section 419.001(3)(c), Florida Statutes (2001), Section 419.001(3)(c) shall govern, communication towers.	6,700 square feet

**COMPATIBILITY WITH SURROUNDING PROPERTIES**

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

(North)

	<b>HDR</b> Single-Family <i>R-3</i>	<b>HDR</b> Single-Family <i>R-3</i>	<b>HDR</b> Child Day Care Facility <i>R-2</i>	
(West)	<b>HDR</b> Single-Family <i>R-3</i>	<b>HDR</b> Single-Family <i>R-3</i>	<b>HDR</b> Child Day Care Facility <i>R-2</i> <i>(40,880 sf lot)</i>	(East)
	<b>MDR</b> Single-Family <i>R-2</i> <i>(11,250 sf lot)</i>	<b>MDR</b> Single-Family <i>R-2</i> <i>(11,250 sf lot)</i>	<b>OFF</b> Home Office <i>RP</i> <i>(11,250 sf lot)</i>	

(South)

\* **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

**SITE ANALYSIS:**

**ENVIRONMENTAL IMPACTS**

*Floodplain Impacts:*

Based on FIRM map number Geneva 566, there are no floodplain impacts associated with the subject property.

*Wetland Impacts:*

Based on preliminary aerial photo and County wetland map analysis, there are no wetland impacts associated with the subject property.

*Endangered and Threatened Wildlife:*

Based on preliminary analysis, there is no endangered and threatened wildlife on the subject property.

**PUBLIC FACILITY IMPACTS**

Concurrency Review staff determined that the requested rezone is de minimus and therefore exempt from Concurrency Management.

The following table depicts the impacts the proposed development has on public facilities:

<b>Public Facility</b>	<b>Existing Zoning (R-3)</b>	<b>Proposed Development*</b>	<b>Net Impact</b>
Water (GPD)	550	350	-200
Sewer (GPD)	500	300	-200
Traffic (ADT)	12	10	-2
Schools			
Elementary	1	1	0
Middle	1	0	-1
High	1	0	-1

\* Proposed development on straight zoning is based on maximum units permitted using gross acreage.

*Utilities:*

The property is located within the Aqua Utility service area. The applicant will be required to provide a letter from Aqua Utilities indicating that they approve the water utility design and that capacity is available to serve the site prior to final engineering plan approval.

*Transportation / Traffic:*

The property accesses 5<sup>th</sup> Street, in Chuluota, which is classified as a undivided local road. Due to the de minimus nature of the request, Staff had no objection to the proposed rezone and noted no transportation/traffic impacts associated with the request.

*School Impacts:*

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately one school age child. This subject site is currently zoned for, and will affect, the following schools:

<b>Schools Impacted</b>	<b>Proposed Impact</b>	<b>Current Capacity</b>	<b>05/06 Enrollment</b>	<b>Percent Capacity</b>
Partin Elementary	1	858	804	93.7%
Jackson Heights Middle	0	1345	1155	77.3%
Oviedo High	0	2998	3148	99.7%

*Public Safety:*

The nearest response unit to the subject property is Station #43, which is located at 110 E. 7<sup>th</sup> Street, Chuluota. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 2 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

*Drainage:*

Based on preliminary review of FEMA and County wetland map analysis, the proposed project is not located within a flood prone and drainage impacted area. The applicant will still be required to comply with County Codes prior to the issuance of a Building Permit.

*Parks, Recreation and Open Space:*

Due to the size and nature of the request, it is anticipated that the proposed project will have minimum to no impact on parks, recreation and open space.

**APPLICABLE POLICIES:**

**FISCAL IMPACT ANALYSIS**

This project does not warrant the running of the County Fiscal Impact Analysis Model.

**SPECIAL DISTRICTS**

The subject property is located within the Chuluota Nonresidential Design Standards Zoning Overlay Ordinance. The Ordinance establishes design regulations and procedures that guide new, nonresidential development within the Chuluota area. The Ordinance would not be applicable to the Rezone since the applicant intends to build a one-story, single-family home on the subject property.

**INTERGOVERNMENTAL NOTIFICATION:**

Intergovernmental notices were sent to the Seminole County School District on September 23, 2005. To date, no comments have been received.

**LETTERS OF SUPPORT OR OPPOSITION:**

At this time, Staff has received no letters of support or opposition.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the requested Rezone from R-3 (Multiple-Family Dwelling District) to R-1B (Single-Family Dwelling District) on 0.23 ± acres, located on the north side of 5<sup>th</sup> Street, approximately 180 feet west of County Road 419.

**ATTACHMENTS:**

Location Map  
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