

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

**SUBJECT:** Ransom Property Small Scale Land Use Amendment from MDR to COM  
and Rezone from R-1A to CS

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Tony Walter **CONTACT:** Tony Walter *TW* **EXT.** 7375

<b>Agenda Date</b> <u>02/01/2006</u>	<b>Regular</b> <input type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Special Hearing – 6:00</b> <input type="checkbox"/>	<b>Public Hearing – 7:00</b> <input checked="" type="checkbox"/>	

**MOTION/RECOMMENDATION:**

1. Recommend APPROVAL of a small scale land use request to amend the land use from MDR (Medium Density Residential) to COM (Commercial), and rezone from R-1A (Single-Family Dwelling) to CS (Convenience Commercial) located on the west side of Sanford Avenue, 653 feet north of Airport Boulevard, based on staff findings, (Kim and Tamara Ransom, applicant); or
2. Recommend DENIAL of a small scale land use request to amend the land use from MDR (Medium Density Residential) to COM (Commercial), and rezone from R-1A (Single-Family Dwelling) to CS (Convenience Commercial) located on the west side of Sanford Avenue, 653 feet north of Airport Boulevard, based on staff findings, (Kim and Tamara Ransom, applicant); or
3. CONTINUE the item to a time and date certain.

District 5 – Commissioner Carey Tony Walter, Planning Manager

**BACKGROUND:**

The applicant is requesting to amend the future land use of a 0.50 ± acre parcel from MDR (Medium Density Residential) to COM (Commercial), and rezone from R-1A (Single-Family Dwelling) to CS (Convenience Commercial). The subject property is located on the west side of Sanford Avenue, approximately 653 feet north of Airport Boulevard. The Future Land Use designation of the subject property is MDR (Medium Density Residential), which permits a maximum density of ten (10) dwelling units per acre. The proposed land use designation of COM (Commercial) permits a Floor Area Ratio (FAR) of 0.35. The proposed zoning classification of CS (Commercial) permits uses that are compatible with the existing surrounding uses.

<b>Reviewed by:</b>
<b>Co Atty:</b> _____
<b>DFS:</b> _____
<b>OTHER:</b> _____
<b>DCM:</b> _____
<b>CM:</b> _____
<b>File No. <u>Z 2005-071</u></b>

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of a small scale land use amendment from MDR (Medium Density Residential) to COM (Commercial) and rezone from R-1A (Single-Family Dwelling) to CS (Convenience Commercial) for the parcel located on the west side of Sanford Avenue, 653 feet north of Airport Boulevard.

**ATTACHMENTS:**

Location Map  
Zoning & Future Land Use Map  
Aerial Map  
Land Use Amendment Ordinance  
Rezone Ordinance

**Ransom Property**  
**SSLUA from MDR to COM (FLUA 12-05SS.03)**  
**Rezone from R-1A to CS (Z2005-071)**

<b>APPLICANT/ PROPERTY OWNER</b>	Kim and Tamara Ransom	
<b>REQUEST</b>	Small Scale Land Use Amendment for MDR to COM and rezone from R-1A to CS	
<b>PROPERTY SIZE</b>	0.50 ± acres	
<b>HEARING DATE (S)</b>	P&Z: February 1, 2006	BCC: March 28, 2006
<b>PARCEL ID (S)</b>	01-20-30-519-0400-005A	
<b>LOCATION</b>	West side of Sanford Avenue, approximately 653 feet north of Airport Boulevard.	
<b>FUTURE LAND USE</b>	MDR (Medium Density Residential)	
<b>ZONING</b>	R-1 (Single-Family Dwelling District)	
<b>FILE NUMBER</b>	Z2005-071 / 12-05SS.03	
<b>COMMISSION DISTRICT</b>	#5 – Carey	

**Proposed Development:**

The applicant is not proposing to develop the subject property.

**ANALYSIS OVERVIEW:**

**ZONING REQUEST**

The applicant is requesting to amend the future land use of a 0.50 ± acre parcel from MDR (Medium Density Residential) to COM (Commercial), and rezone from R-1A (Single-Family Dwelling) to CS (Convenience Commercial). The subject property is located on the west side of Sanford Avenue, approximately 653 feet north of Airport Boulevard. The Future Land Use designation of the subject property is MDR (Medium Density Residential), which permits a maximum density of ten (10) dwelling units per acre. The proposed land use designation of COM (Commercial) permits a Floor Area Ratio (FAR) of 0.35. The proposed zoning classification of CS (Commercial) permits uses that are compatible with the existing surrounding uses. The following table depicts the allowable zoning classifications for the current Future Land Use of MDR (Medium Density Residential) and the requested designation of COM (Commercial):

Land Use Designation	Allowable Zoning Classifications	Density
MDR (Existing)	RM-1 Single-Family Mobile Home RM-2 Single-Family Mobile Home Park R-2 One and Two-Family Dwelling R3-A Multiple-Family Dwelling R-1B Single-Family Dwelling R-1BB Single-Family Dwelling RP Residential Professional (All Low Density Residential zonings)	10 du/ac
COM (Proposed)	CN Restricted Neighborhood Commercial CS Convenience Commercial C-1 Retail Commercial	0.35 FAR (Mixed Use – medium to high)

	C-2 Retail Commercial	residential uses)
	A-1 Agriculture	
	PUD Planned Unit Development	
	PCD Planned Commercial Development	
	PLI Public Lands and Institutions	
	OP Office	
	RP Residential Professional	

The following table depicts the minimum regulations for the current zoning district of R-1A (Single-Family Dwelling) and the requested district of CS (Convenience Commercial):

DISTRICT REGULATIONS	Existing Zoning (R-1A)	Proposed Zoning (CS)
Minimum Lot Size	9,000 square feet	N/A
Minimum House Size	1100 square feet	N/A
Minimum Width at Building Line	75 feet	N/A
Front Yard Setback	25 feet	50 feet
Side Yard Setback	25 feet	0 feet
(Street) Side Yard Setback	25 feet	50 feet
Rear Yard Setback	7.5 feet	10 feet
Maximum Building Height	30 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-1A (Existing)	Single-family dwelling and their customary accessory uses. Boathouses and boat docks as accessory uses, providing the roof of said boathouse does not exceed ten (10) feet above the mean-high-water line. Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents. Public and private elementary schools. Home offices.	Churches with their attendant educational, recreational buildings, and off-street parking. Public and private middle schools and high schools. Parks and recreational areas publicly owned and operated. Public utility and service structures. Guest cottages. Subdivision sewage treatment and water plants. Boathouses with roofs exceeding ten (10) feet above the mean-highwater line. Off-street parking facilities, R-1A District only. 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	9, 000 sq. ft.

		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. 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.	
CS (Proposed)	Artist studios. Barber and beauty shops. Book, stationery, and newsstands. Clinics, except animal. Confectionery and ice cream stores. Dance and music studios. Drug and sundry stores. Fire stations. Florist and gift shops. Hobby and craft shops. Interior decorating and draperies. Jewelry stores. Laundry and cleaning pick-up stations. Libraries. Locksmiths. Luggage shops. Office, business, and professional. Photographic studios. Convenience markets. Delicatessens. Grocery stores. Self-service laundries.	Self service gasoline pumps as an accessory use to a convenience store. Communication towers. Parking of semi-tractor trailers and cargo trailer boxes in rural areas for the sale of feed, hay, or other agricultural products when such products are offered for retail sale from said trailer and when the trailer is located outside of the urban/rural boundary. Trailers must be mobile and used on an interim basis until exchanged for a like trailer.	N/A

**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>MDR</b> <i>Vacant</i> <i>R-1</i>	<b>MDR</b> <i>Vacant</i> <i>R-1</i>	<b>Sanford Avenue</b> <i>Roadway</i>	
(West)	<b>MDR</b> <i>Single-Family</i> <i>R-1</i> <i>(8,400 sq.ft lot)</i>	<b>MDR</b> <i>Vacant</i> <i>R-1</i>	<b>Sanford Avenue</b> <i>Roadway</i>	(East)
	<b>City of Sanford</b> <i>Strip Commercial</i> <b>RP</b> ( <i>Resource Protection</i> ) <i>RC-1(Restricted</i> <i>Commercial)</i>	<b>City of Sanford</b> <i>Strip Commercial</i> <b>RP</b> ( <i>Resource Protection</i> ) <i>RC-1(Restricted</i> <i>Commercial)</i>	<b>Sanford Avenue</b> <i>Roadway</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 the FIRM map number 12117C0230E the property is not located within the 100-year floodplain. Compliance with the Land Development Code regarding floodprone areas is required prior to the issuance of any building permits.

*Wetland Impacts:*

Based on the preliminary aerial photos and County wetland map analysis, the southern portion of the property contains wetlands. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

*Endangered and Threatened Wildlife:*

A Threatened & Endangered Species Survey and Species of Special Concern Survey will be required prior to final engineering approval.

## PUBLIC FACILITY IMPACTS

### *Concurrency:*

Rule 9J-5.0055(3) (c) 1-2, Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer. The applicant is required to undergo Concurrency review prior to site plan approval.

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

Public Facility	Existing Zoning (R-1A)	Proposed Development*	Net Impact
Water (GPD)	1750	2668	918
Sewer (GPD)	1500	2001	501
Traffic (ADT)	48	288	240
Schools			
Elementary	1	0	-1
Middle	1	0	-1
High	1	0	-1

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

### *Utilities:*

The site is located in the service area of the City of Sanford and will be required to connect to public utilities. There is currently a 12-inch sewer force main on the east side of Sanford Avenue and a 12-inch water main located on the west side of Sanford Avenue. A letter of capacity and intent from the City of Sanford for water, wastewater and reclaimed water service is required at the time of Concurrency review, and approval of the proposed water service utility plan is required prior to the approval of final engineering plans. At this time, reclaimed water is not available in this area.

### *Transportation / Traffic:*

The property accesses Sanford Avenue, which is classified as a 4 lane undivided major collector road. Sanford Avenue is currently operating at a level-of-service "B".

Sanford Avenue is not currently programmed to be improved according to the County 5-year Capital Improvements Program. Staff has determined a bi-directional turn lane starts at the south end of the subject property. The driveway shall be located on the north edge of this site to fully utilize the existing bi-directional turn lane and only one access onto Sanford Avenue shall be allowed.

### *School Impacts:*

There are no school impacts from the subject property.

*Public Safety:*

The nearest response unit to the subject property is Station # 32, which is located at 300 E. Airport Boulevard. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 1 minute. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

*Drainage:*

The proposed project is located within the Big Econlockhatchee Drainage Basin. There is positive outfall for the subject property.

*Parks, Recreation and Open Space:*

At the time of development an active/passive setback and buffer per Seminole County code will be applied to any property boundary that is adjacent to residential zoning. This will apply to the north and west property boundaries.

**APPLICABLE POLICIES:**

**FISCAL IMPACT ANALYSIS**

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

**SPECIAL DISTRICTS**

The subject property is not located within any special districts or overlays.

**COMPREHENSIVE PLAN (VISION 2020)**

The following policies are applicable to the proposed project:

- Policy FLU 2.4: Neighborhood Commercial Uses
- Policy FLU 2.5: Transitional Land Uses
- Policy FLU 4.2: Infill Development
- Policy FLU 5.3: Strip Commercial Development
- Policy FLU 12.4: Relationship of Land Use to Zoning Classification
- Policy POT 4.5 Potable Water Connection
- Policy SAN 4.4: Sanitary Sewer Connection
- Policy PUB 2.1 Public Safety Level-of-Service

**INTERGOVERNMENTAL NOTIFICATION:**

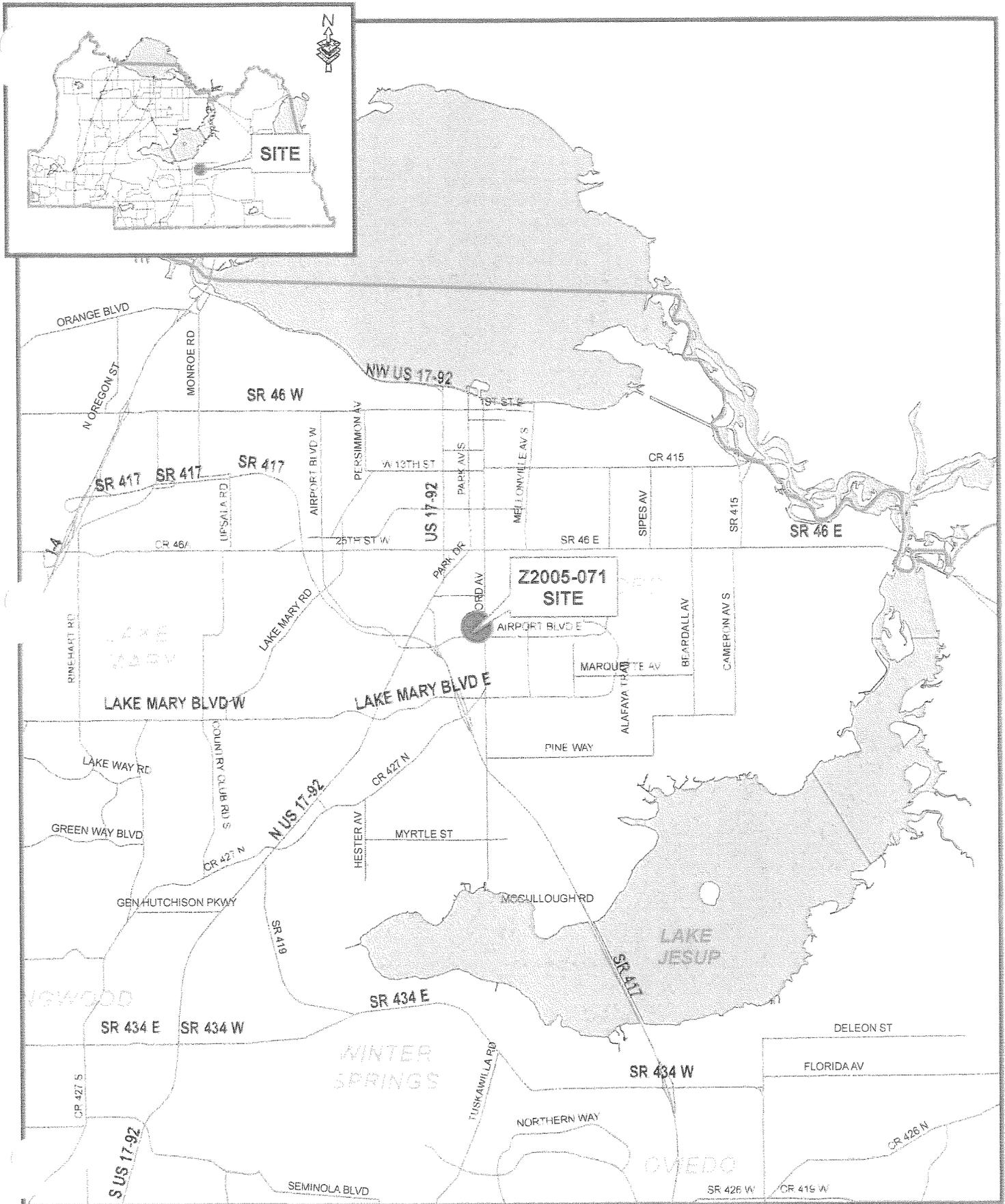
Intergovernmental notice was sent to the City of Sanford on January 10, 2006. To date, no comments have been received.

**LETTERS OF SUPPORT OR OPPOSITION:**

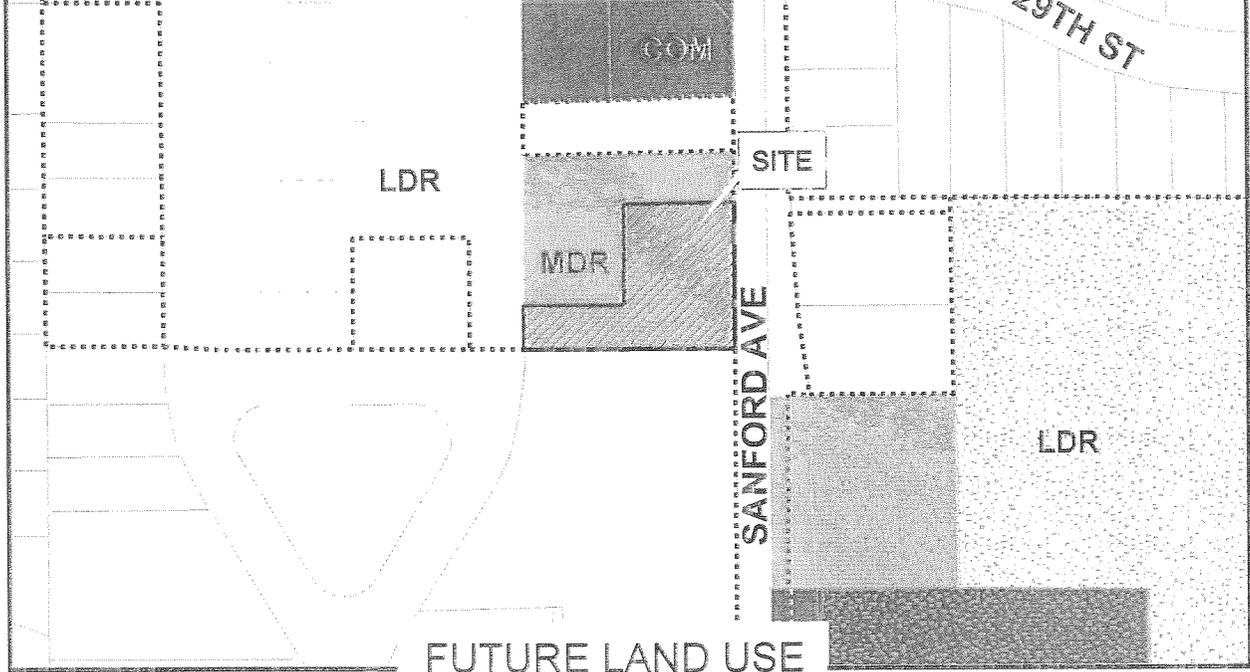
At this time, Staff has received no letters of support or opposition for this application.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of a small scale land use amendment from MDR (Medium Density Residential) to COM (Commercial), and rezone from R-1A (Single-Family Dwelling) to CS (Convenience Commercial), located on the west side of Sanford Avenue, 653 feet north of Airport Boulevard.

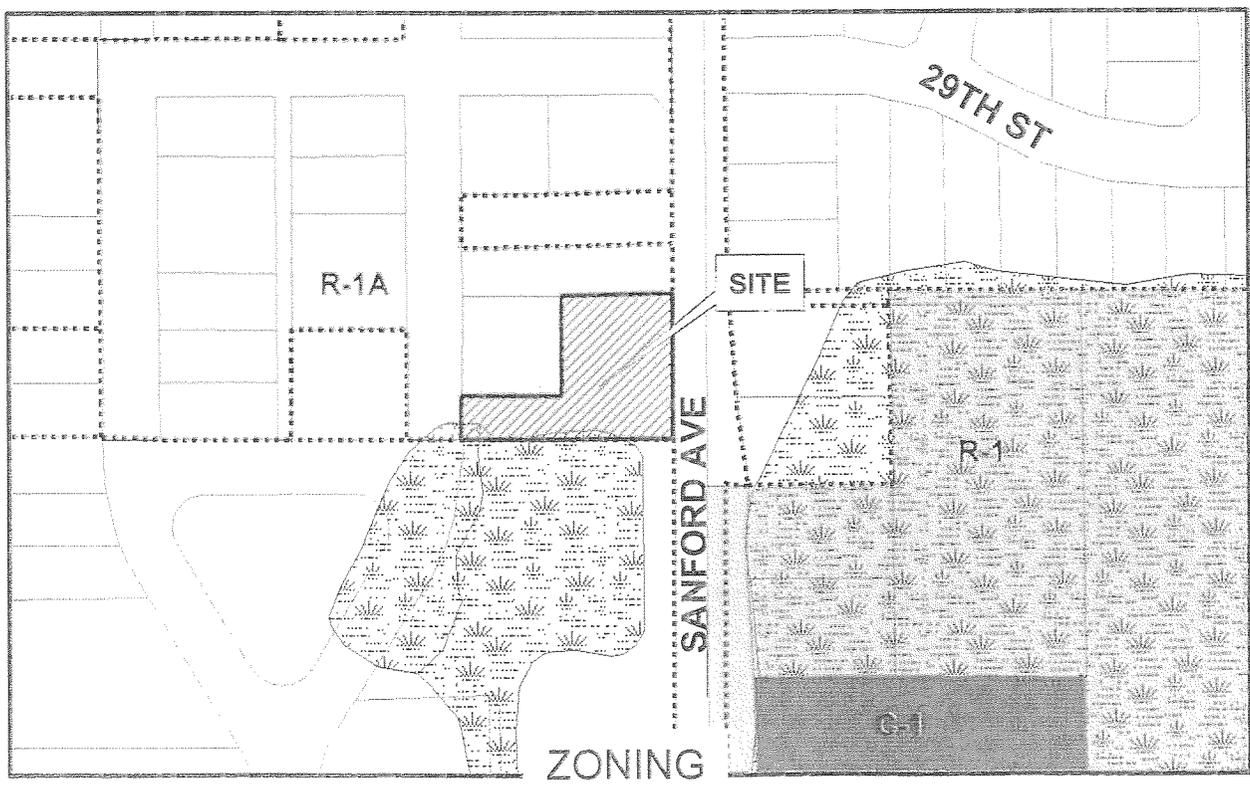


The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.  
 \*Wetland information, based on National Wetland Inventory Maps, provided by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



Applicant: Kim and Tamera Ransom  
 Physical STR: 01-20-30-519-0400-005A  
 Gross Acres: .602 ACRES +/- BCC District: 5  
 Existing Use: Vacant Wasteland  
 Special Notes: None

	Amend/Rezone#	From	To
FLU	12-055SS.03	MDR	COM
Zoning	Z2005-071	R-1A	CS



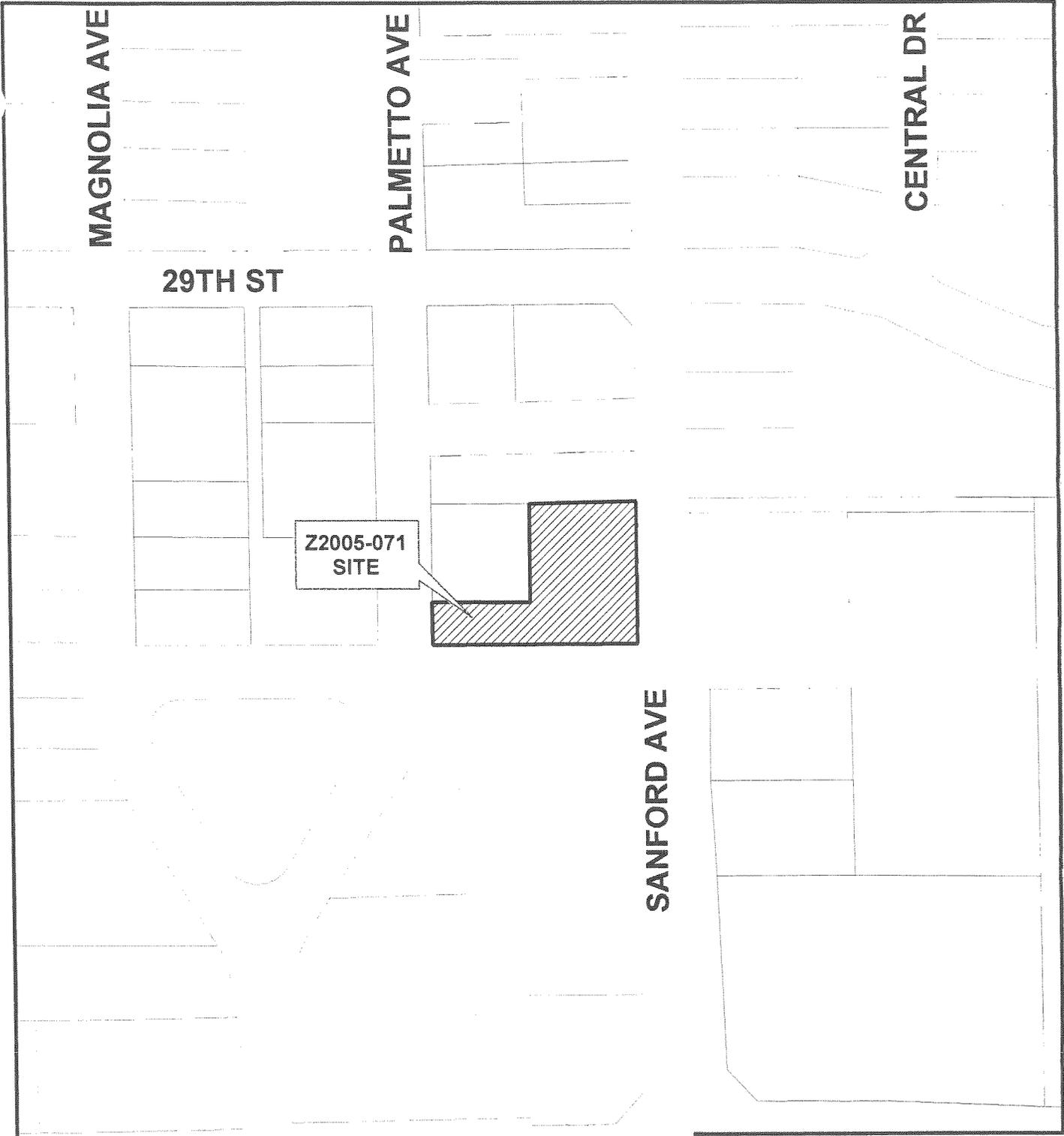


ZONE No: Z2005-071  
From: R-1A To: CS  
FLU No: 12-055SS.03  
From: MDR To: COM

- 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 (LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE R-1A (SINGLE-FAMILY DWELLING) ZONING CLASSIFICATION THE CS (CONVENIENCE COMMERCIAL) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; 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 Ransom Property Rezone, dated insert date.

(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 R-1A (Single-Family Dwelling) to CS (Convenience Commercial):

**SEE ATTACHED EXHIBIT A**

**Section 3. CODIFICATION.** It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

**Section 4. 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 5. 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 on the recording date of the Development Order #xxxxxxxxxx in the Official Land Records of Seminole County.

ENACTED this 14th day of MARCH 2006.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Carlton D. Henley  
Chairman

**EXHIBIT A  
LEGAL DESCRIPTION**

The East 100 feet of Lots 5 and 6, and all of lot 7, Block 4, Rosalind Heights, according to Plat thereof as recorded in Plat Book 3, Page 47, of the Public Records of Seminole County, Florida

AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 91-13, AS PREVIOUSLY AMENDED, KNOWN AS THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF SMALL SCALE DEVELOPMENT AMENDMENT (LEGAL DESCRIPTION IS SET FORTH AS AN APPENDIX TO THIS ORDINANCE); CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL (COM) ; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE SEMINOLE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 91-13 which adopted the 1991 Seminole County Comprehensive Plan ("the Plan"), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a Public Hearing, with all required public notice, on February 1, 2006, for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners held a Public Hearing on March 14, 2006, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent, is consistent and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, the State Comprehensive Plan, and the Comprehensive Regional Policy Plan of the East Central Florida Regional Planning Council.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. RECITALS/LEGISLATIVE FINDINGS:**

- (a) The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.
- (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. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION:**

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 91-13, as previously amended, is hereby further amended by amending the future land use designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Appendix "A" to this Ordinance:

**Appendix "A"**

(b) The associated rezoning request was completed by means of Ordinance Number Z2005-071.

(c) The development of the property is subject to the development intensities and standards permitted by the overlay Conservation land use designation, Code requirements and other requirements of law.

**Section 3. SEVERABILITY:**

If any provision of this Ordinance or the application 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. EXCLUSION FROM COUNTY CODE/CODIFICATION:**

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the

Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

Section 5. EFFECTIVE DATE:

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State and the Florida Department of Community Affairs by the Clerk of the Board of County Commissioners in accordance with Section 125.66 and 163.3187, Florida Statutes.

(b) This ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth herein shall be thirty-one (31) days after the date of adoption by the Board of County Commissioners or, if challenged within thirty (30) days of adoption, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendment is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on an amendment may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the affected amendment may nevertheless be made effective by the

Board of County Commissioners adopting a resolution affirming its effective status, a copy of which resolution shall be provided to the Florida Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners.

ENACTED this 14<sup>th</sup> day of March, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_

Carlton D. Henley  
Chairman

## APPENDIX A

The East 100 feet of Lots 5 and 6, and all of lot 7, Block 4, Rosalind Heights, according to Plat thereof as recorded in Plat Book 3, Page 47, of the Public Records of Seminole County, Florida