

ITEM # _____

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

SUBJECT: BIG BOYS STORAGE I

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Tony Walter *TW* CONTACT: Ian Sikonia *IS* EXT. 7398

Agenda Date <u>4/05/06</u>	Regular <input checked="" 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 2.25 ± acres from A-1 (Agriculture) to C-3 (General Commercial & Wholesale), located on the north side of Mikler Road, 850 feet west of SR 426, based on staff findings, (Yvonne Calder & Randy Thompson, applicant); or
2. Recommend DENIAL of a request to rezone 2.25 ± acres from A-1 (Agriculture) to C-3 (General Commercial & Wholesale), located on the north side of Mikler Road, 850 feet west of SR 426, based on staff findings, (Yvonne Calder & Randy Thompson, applicant); or
3. CONTINUE the item to a time and date certain.

District 1 – Commissioner Dallari Ian Sikonia, Planner

BACKGROUND:

The applicant is requesting to rezone 2.25 ± acres from A-1 (Agriculture) to C-3 (General Commercial & Wholesale). Under the current A-1 zoning district, 1 dwelling unit per net buildable acre is permitted. The requested zoning district allows for commercial development on lots with a minimum area of 15,000 square feet and a minimum lot width of 100 feet. The Future Land Use designation of the subject site is IND (Industrial), which is consistent with the requested zoning district.

Reviewed by:
Co Atty: <u>KFT</u>
DFS: _____
OTHER: <u>JDW</u>
DCM: _____
CM: _____
File No. <u>Z2006-010</u>

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone 2.25 ± acres from A-1 (Agriculture) to C-3 (General Commercial & Wholesale), located on the north side of Mikler Road, 850 feet west of SR 426, based on staff findings.

Attachments:

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

Big Boys Storage I Rezone

Rezone from A-1 to C-3

APPLICANT	Yvonne Calder & Randy Thompson	
PROPERTY OWNER	Stephen Ratcliff	
REQUEST	Rezone from A-1 (Agriculture) District to C-3 (General Commercial & Wholesale) District	
PROPERTY SIZE	2.25 ± acres	
HEARING DATE (S)	P&Z: April 5, 2006	BCC: May 23, 2006
PARCEL ID	29-21-31-300-0060-0000	
LOCATION	North side of Mikler Road, 850 feet west of SR 426	
FUTURE LAND USE	IND (Industrial)	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2006-10	
COMMISSION DISTRICT	#1 – Dallari	

Proposed Development:

The applicant is proposing to develop an outdoor storage facility on 2.25 ± acres.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Yvonne Calder & Randy Thompson, are requesting to rezone 2.25 ± acres from A-1 (Agriculture) to C-3 (General Commercial & Wholesale). The subject property is located on the north side of Mikler Road, 850 feet west of SR 426. The Future Land Use designation of the subject property is IND (Industrial), which permits a maximum FAR of 0.65. The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested district of C-3 (General Commercial & Wholesale):

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (C-3)
Minimum Lot Size	43,560 square feet	15,000 square feet
Minimum House Size	N/A	N/A
Minimum Width at Building Line	150 feet	100 feet
Front Yard Setback	50 feet	25 feet
Side Yard Setback	10 feet	0 feet
(Street) Side Yard Setback	50 feet	25 feet
Rear Yard Setback	30 feet	10 feet
Maximum Building Height	35 feet	35 feet

PERMITTED & SPECIAL EXCEPTION USES

The following tables depict the permitted and special exception uses within the existing and proposed zoning districts:

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
<p>A-1 (existing)</p>	<p>Agricultural uses such as citrus or other fruit crops cultivation, production and horticulture, truck farms, plant nurseries and greenhouses not involved with retail sales to the general public, silva culture, public and private elementary schools, publicly owned and/or controlled parks and recreation areas, bait production, stables, barns, single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, churches and structures appurtenant thereto, community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.</p>	<p>Special Exception such as cemeteries and mausoleums, kennels including the commercial raising or breeding of dogs, hospitals, sanitariums and convalescent homes, veterinary clinics and assisted living facilities and group homes, public and private nursery schools, kindergartens, middle schools, high schools and colleges, public utility and service structures, fishing camps, marinas, gun clubs, or similar enterprises or clubs making use of land with nominal impacts to natural resources, privately owned and operated recreational facilities open to the paying public, such as athletic fields, stadium, racetracks, and speedways, golf driving ranges, riding stables, water plants, and sanitary landfill operations, off-street parking lots, farm worker housing, mobile homes, retail nurseries, landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, communication towers, bed and breakfast establishments.</p>	<p>1 acre</p>

Zoning District	Permitted Uses	Special Exception	Minimum Lot Size
C-3 (proposed)	Any use permitted in the C-2 District excluding public or private elementary schools, middle schools, and high schools. Bakeries, bottling and distribution plants, cold storage and frozen foodlockers, contractors' equipment-storage yards, feed stores, greenhouses – wholesale, industrial trade schools, laundry and dry-cleaning plants, lithography and publishing plants, lumber yards, machinery sales and storage, mechanical garages, bus, cab and truck repair, and storage, paint and body shops, plumbing shops, trade shops, such as, upholstery, metal, cabinet, warehouses, wholesale meat and produce distribution with meat cutting, but not butchering, communication towers when camouflage in design, communication towers when monopole in design if the tower is under one hundred forty (140) feet in height, office showroom.	Living quarters in conjunction with a commercial use to be occupied by the owner or operator of the business or an employee, public utility structures, service stations and gas pumps as an accessory use, hospitals and nursing homes, public and private schools, communication towers when lattice or guyed in design, communication towers when monopole in design if the tower is over one hundred forty (140) feet in height, 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), and flea markets.	15,000 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)

	IND Single-Family <i>A-1</i> <i>(Vacant)</i>	IND Single-Family <i>A-1</i> <i>(Vacant)</i>	IND Single-Family <i>A-1</i> <i>(Vacant)</i>	
(West)	IND Single-Family <i>A-1</i> <i>(1 acre lots)</i>	IND Single-Family <i>A-1</i> <i>(2.25 ± acres)</i>	IND Single-Family <i>A-1</i> <i>(1 acre lots)</i>	(East)
	IND Vacant <i>C-2</i> <i>(Vacant)</i>	IND Commercial <i>C-3</i> <i>(15,000 sq. ft. lots)</i>	IND Single-Family <i>R-1</i> <i>(8,400 sq. ft. lots)</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 #12117C0165 E, there appears to be no floodplains on the subject property.

Wetland Impacts:

Based on preliminary aerial photos and County wetland map analysis, there appears to be some wetlands on the northern portion of the subject site. 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:

Based on preliminary analysis, there appears to be no endangered and threatened wildlife on the subject property. A threatened and endangered study along with a species of special concern survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS

Rule 9J-5.0055(3) (c), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time. The applicant is required to undergo Concurrency Review prior to final engineering approval.

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

Public Facility	Existing Zoning (A-1)	Proposed Development*	Net Impact
Water (GPD)	350	17,837	17,487
Sewer (GPD)	300	13,378	13,078
Traffic (ADT)	10	124	114
Schools			
Elementary	1	0	-1
Middle	1	0	-1
High	1	0	-1

* Proposed development on straight zoning is based on a maximum 0.65 FAR minus 20% for roads and retention.

Utilities:

The site is located in the service area of Seminole County and will have to meet the requirements of policy POT 4.5 of the Vision 2020 Comprehensive Plan. There is a 16-inch water main 900 ± feet to the east at SR 426. Available capacity for this project will be determined during the Concurrency process.

Transportation / Traffic:

The property is adjacent to Mikler Road, which is classified as a local road, not up to county standards. Mikler Road is not on the coal mix list and is currently not wide enough and in poor condition. Mikler Road is not currently programmed to be improved according to the County 5-year Capital Improvement Program. The applicant will be required to improve Mikler Road in accordance with requirements set forth in the Land Development Code prior to site plan approval.

School Impacts:

The proposed project will consist of C-3 uses and will not generate any school age children.

Public Safety:

The nearest response unit to the subject property is Station # 27, which is located at 5280 Red Bug Lake Road. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 5 minutes. The County level-of-service standard for response time is 5 minutes, per Policy PUB 2.1 of the Vision 2020 Comprehensive Plan.

Drainage:

The proposed project is located within the Howell Creek Drainage Basin. Based on preliminary analysis the site is required to hold the 25 year pre post volume onsite. Preliminary analysis of FEMA maps and drainage studies done in this region, show that this site does not appear to be in a land lock basin. The storm water requirements will be further evaluated in more detail prior to final engineering approval.

Parks, Recreation and Open Space:

In accordance with Section 30.1344 of the Land Development Code, the applicant will be required to provide twenty-five (25) percent of the site in common open space.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

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

SPECIAL DISTRICTS

No special districts are applicable to this site.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

- | | |
|----------------|--------------------------------|
| Policy POT 4.5 | Potable Water Connection |
| Policy PUB 2.1 | Public Safety Level-of-Service |

INTERGOVERNMENTAL NOTIFICATION:

No intergovernmental notices were necessary for this rezone application.

LETTERS OF SUPPORT OR OPPOSITION:

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

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone 2.25 ± acres from A-1 (Agriculture) to C-3 (General Commercial & Wholesale), located on the north side of Mikler Road, 850 feet west of SR 426.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM A-1 (AGRICULTURE) DISTRICT TO C-3 (GENERAL COMMERCIAL & WHOLESALE) DISTRICT; 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, "Mikler Road (2563) Rezone to C-3"

(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 C-3 (General Commercial & Wholesale):

The South 347.7 feet of the West 270.0 feet of the East 300 feet of the Southwest ¼ of the Northwest ¼ of Section 29, Township 21 South, Range 31 East, Seminole County, Florida, LESS Road Right-of-Way.

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. This Ordinance shall become effective upon filing this order by the Department and recording of Development Order # in the official land records of Seminole County.

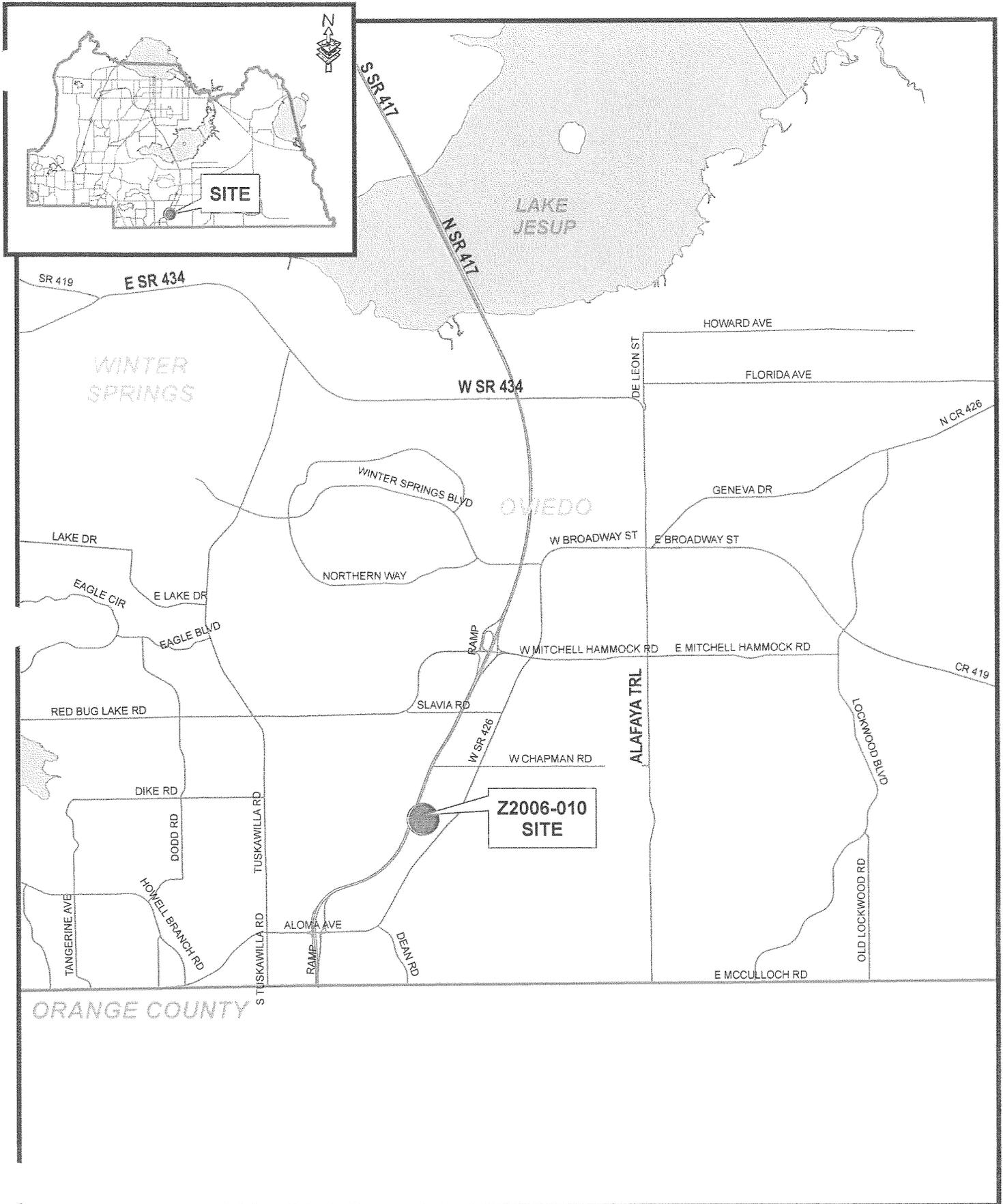
ENACTED this 23rd day of May 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley, Chairman

Exhibit A

The South 347.7 feet of the West 270.0 feet of the East 300 feet of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 29, Township 21 South, Range 31 East, Seminole County, Florida,
LESS Road Right-of-Way.



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.

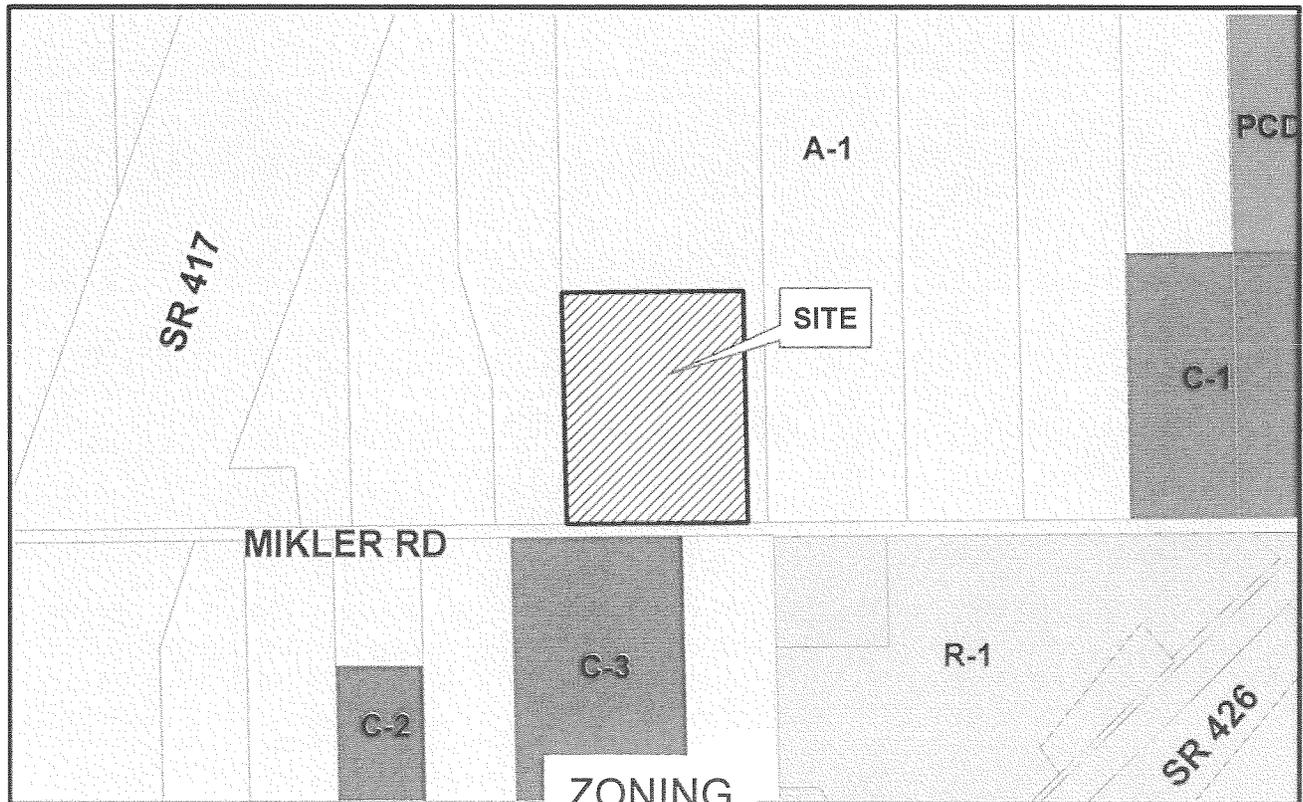
*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



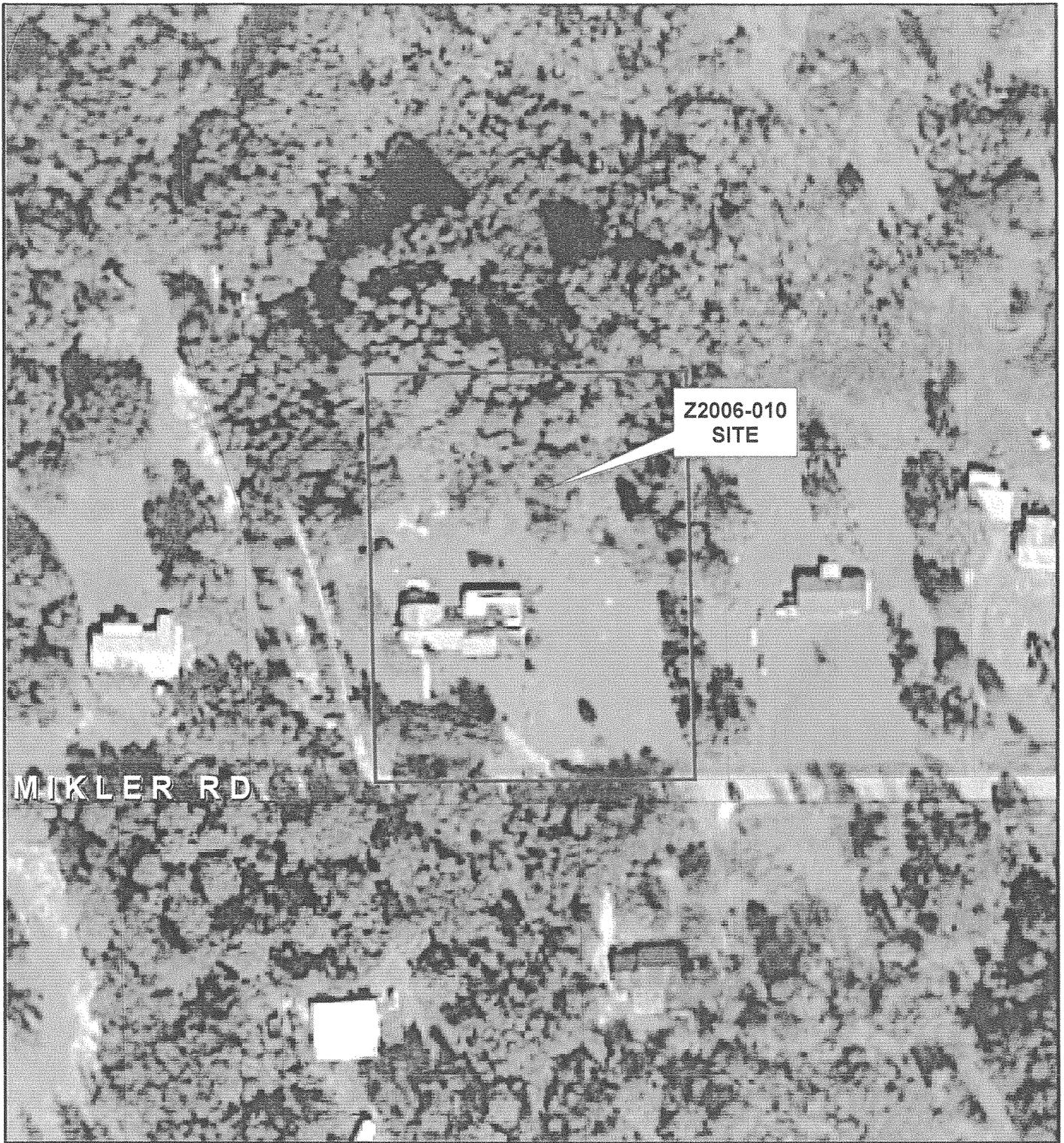
Site
 Municipality
 SE
 MDR
 IND
 CONS

Applicant: Yvonne Calder
 Physical STR: 29-21-31-300-0060-0000
 Gross Acres: 2.25 +/- BCC District: 1
 Existing Use: Residential
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2006-010	A-1	C-3



A-1
 R-1
 C-1
 C-2
 C-3
 FP-1
 W-1



MIKLER RD.

Z2006-010
SITE

Rezone No: Z2006-010
From: A-1 To: C-3

-  Parcel
-  Subject Property



January 2004 Color Aerials