

ITEM # _____

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

SUBJECT: ORANGE BLVD SANDHILL HOMES REZONE FROM A-1 TO R-1A

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Tony Walter ^{TV} CONTACT: Michael Rumer ^{MR} EXT. 7431

Agenda Date <u>05/03/06</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 DENIAL of a request to rezone 10 ± acres, located on the east side of Orange Blvd., 1500 feet north of W. SR 46, from A-1 (Agriculture) to R-1A (Single-Family Dwelling), based on staff findings, (David Coggin, applicant); or
2. Recommend APPROVAL of a request to rezone 10 ± acres, located on the east side of Orange Blvd., 1500 feet north of W. SR 46, from A-1 (Agriculture) to R-1A (Single-Family Dwelling), (David Coggin, applicant); or
3. CONTINUE the item to a time and date certain.

District 5 – Commissioner Carey Michael Rumer, Senior Planner

BACKGROUND:

The applicant is requesting to rezone 10 ± acres from A-1 (Agriculture) to R-1A (Single-Family Dwelling). The subject property is located on the east side of Orange Blvd., 1500 feet north of West SR 46. Under the current A-1 zoning designation, 1 dwelling unit per net buildable acre is permitted. The requested zoning designation allows single family development on lots with a minimum area of 9,000 square feet and lot width of 75 feet.

The Future Land Use designation of the subject property is Low Density Residential (LDR), which permits a maximum density of 4 dwelling unit per net buildable acre. Under the requested R-1A

Reviewed by:
Co Atty: <u>[Signature]</u>
DFS: _____
OTHER: <u>[Signature]</u>
DCM: _____
CM: _____
File No. <u>Z2006-18</u>

zoning, the property may develop with a maximum of 4 dwelling units per net buildable 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 Uses. The analysis supports rezoning to R-1AA.

STAFF RECOMMENDATION:

Staff recommends DENIAL of a request to rezone 10 ± acres, located on the east side of Orange Blvd., 1500 feet north of W. SR 46, from A-1 (Agriculture) to R-1A (Single-Family Dwelling).

ATTACHMENTS:

Staff Analysis
Location Map
FLU/Zoning Map
Aerial Photo
Ordinance

Orange Blvd Sandhill Homes Rezone

Rezone from A-1 to R-1A (Z2006-18)

APPLICANT	David Coggin, Sandhill Homes	
PROPERTY OWNER	Swanlea Inc.	
REQUEST	Rezone from A-1 (Agriculture District) to R-1A (Single-Family Dwelling)	
PROPERTY SIZE	10 ± acres	
HEARING DATE (S)	P&Z: May 3, 2006	BCC: June 27, 2006
PARCEL ID	19-19-30-300-0130-0000 19-19-30-300-013D-0000	
LOCATION	5467 Orange Blvd, located on the east side of Orange Blvd., 1500 feet north of W. SR 46.	
FUTURE LAND USE	LDR (Low Density Residential)	
ZONING	A-1 (Agriculture District)	
FILE NUMBER	Z2006-18	
COMMISSION DISTRICT	#5 – Carey	

Proposed Development:

The applicant is proposing to develop a 31 lot single-family residential community on 10 ± acres.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, David Coggin, is requesting to rezone 10 ± acres from A-1 (Agriculture District) to R-1A (Single-Family Dwelling). The subject property is located on the east side of Orange Blvd., 1500 feet north of W. SR 46. The Future Land Use designation of the subject property is LDR (Low Density Residential), which permits a maximum density of four (4) dwelling units per net buildable acre. The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) and the requested district of R-1A (Single-Family Dwelling):

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (R-1A)
Minimum Lot Size	43,560 square feet	9,000 square feet
Minimum House Size	N/A	1,100 square feet
Minimum Width at Building Line	150 feet	75 feet
Front Yard Setback	50 feet	25 feet
Side Yard Setback	10 feet	7.5 feet
(Street) Side Yard Setback	50 feet	25 feet
Rear Yard Setback	30 feet	30 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:

Uses	A-1 (existing)	R-1A (proposed)
Permitted Uses	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.	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.
Special Exception Uses	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.	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-high-water line. Assisted living facilities and community residential homes housing 7-14 permanent unrelated residents (including group homes and foster care facilities), 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.
Minimum Lot Size	1 Acre	9,000 sq. ft.

COMPATIBILITY WITH SURROUNDING PROPERTIES

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

(North)

	SE Single-Family <i>A-1</i> (1 acre lots)	LDR Single-Family <i>PUD</i> (11,700 & 8,400 sq. ft. lots)	PD Single-Family <i>PUD</i> (13,500 sq. ft. lots)	
(West)	SE Single-Family <i>A-1</i> (1 acre lots)	LDR Single-Family <i>A-1</i> (1 acre lots)	PD Single-Family <i>PUD</i> (13,500 sq. ft. lots)	(East)
	SE Single-Family <i>A-1</i> (1 acre lots)	LDR Single-Family <i>A-1</i> (1 acre lots)	LDR Single-Family <i>R-1A</i> (9,000 sq. ft. lots)	

(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 12117C0030E, there appears to be no floodplains on the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be no wetlands on the subject property.

Endangered and Threatened Wildlife:

Based on preliminary analysis, there may be 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 submitted for concurrency review at this time.

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)	3,150	10,850	7,700
Sewer (GPD)	2,700	9,300	6,600
Traffic (ADT)	86	297	211
Schools			
Elementary	2	8	6
Middle	1	4	3
High	1	4	3

* The Proposed Development is calculated on 20% of the property being dedicated for roads and retention and the proposed lot sizes of 9,000 square feet, for a total yield of 38 lots. The applicant is proposing 31 lots.

Utilities:

The site is located in the service area of Seminole County and will be required to connect to public utilities. Water capacity for new development is limited in the Northeast Service Area. Water & Sewer facility capacity is available subject to execution of a Utility Agreement and payment of fees. There is a 12-inch water main on the east side of Orange Blvd and a 10-inch force main on the east side of Orange Blvd. This parcel is in the ten year master plan for reclaimed water and will be required to connect upon availability. A separate irrigation system will be required such as a shallow well; will be required until reclaimed water becomes available. Approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

Transportation / Traffic:

The property will access Orange Boulevard which is classified as collector roadway. Orange Boulevard is not currently programmed to be improved according to the County 5-year Capital Improvement Program. Staff has determined that the owner will be required to dedicate a 50' half (25' additional) right of way along property frontage on Orange Boulevard.

School Impacts:

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately 16 school age children. This subject site is currently zoned for, and will affect, the following schools:

Schools Impacted	Proposed Impact	Current Capacity	Enrollment as of 2/10/06	Percent Capacity
Northwest Cluster	8			
Bentley Elementary		933	1,018	109.1%
Crystal Lake		853	0	0%
Idyllwilde Elementary		825	1,027	124.5%
Wicklow Elementary		694	1,011	145.7%
Wilson Elementary		881	1,030	116.9%
Sanford Middle	4	1,564	1,507	96.4%
Seminole High	4	2,069	2,900	140.2%

Public Safety:

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station #34, which is located at 4905 W S.R. 46 and meets the Level-Of-Service standard.

Drainage:

The proposed project is located within the Lake Monroe Drainage Basin. Design of the drainage system will be designed to hold the 100 year total retention since no positive outfall exists.

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. Per Section 30.1344 (e), the common open space may include landscape buffers, recreational areas accessible to all residents, as well as the preservation of floodplain areas, wetlands and other natural resources.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

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

SPECIAL DISTRICTS

The subject property is not within any special districts.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy FLU 2.5: Transitional Land Uses
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 Seminole County School District on April 18, 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.

STAFF RECOMMENDATION:

Staff recommends DENIAL of a request to rezone 10 ± acres, located on the east side of Orange Blvd., 1500 feet north of W. SR 46, from A-1 (Agriculture) to R-1A (Single-Family Dwelling).

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 A-1 (AGRICULTURE) ZONING CLASSIFICATION TO THE R-1A (SINGLE-FAMILY DWELLING) 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 Orange Blvd Sandhill Homes 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-1A (Single-Family Dwelling):

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 upon filing with the Department of State.

ENACTED this 27th day of June, 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

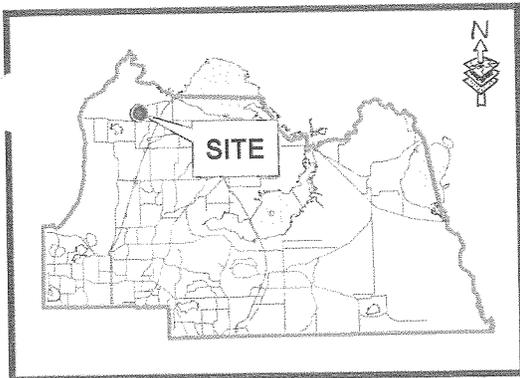
**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 1

THE WEST 806.23 FEET OF THE NORTH 280.59 FEET OF THE SOUTH 665.39 FEET OF THE SOUTH $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 30 EAST, LESS THE WEST 25 FEET FOR ROAD RIGHT OF WAY OF ORANGE BOULEVARD, ALL LYING WITHIN SEMINOLE COUNTY, FLORIDA.

PARCEL 2

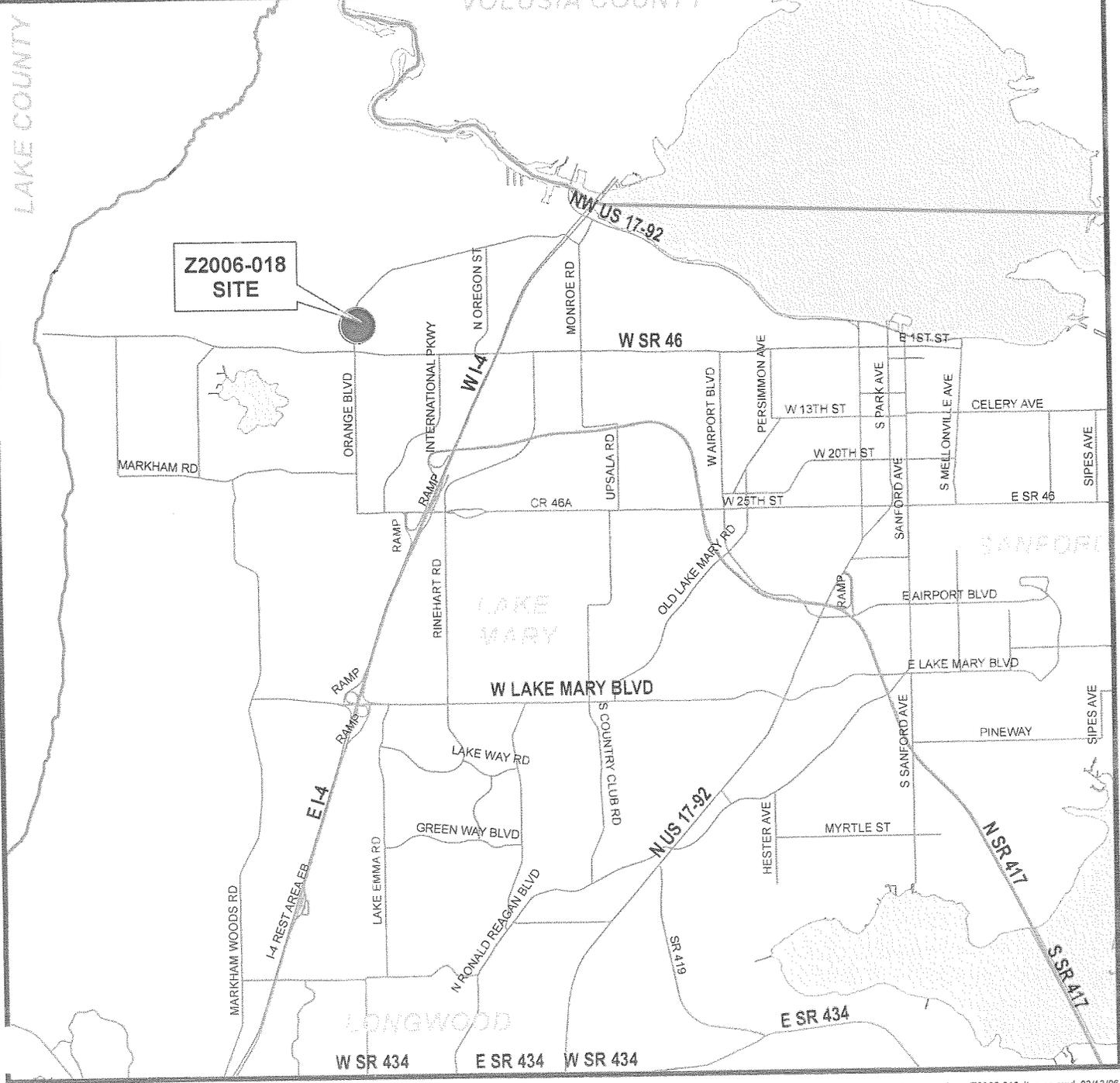
THE SOUTH 665.39 FEET OF THE SOUTH $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, LESS THE SOUTH 5.3 CHAINS OF THE WEST 10 CHAINS AND ALSO LESS THE WEST 806.23 FEET OF THE NORTH 280.59 FEET OF THE SOUTH 665.39 FEET OF THE SOUTH $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 19, LESS RIGHT OF WAY FOR ROADS.



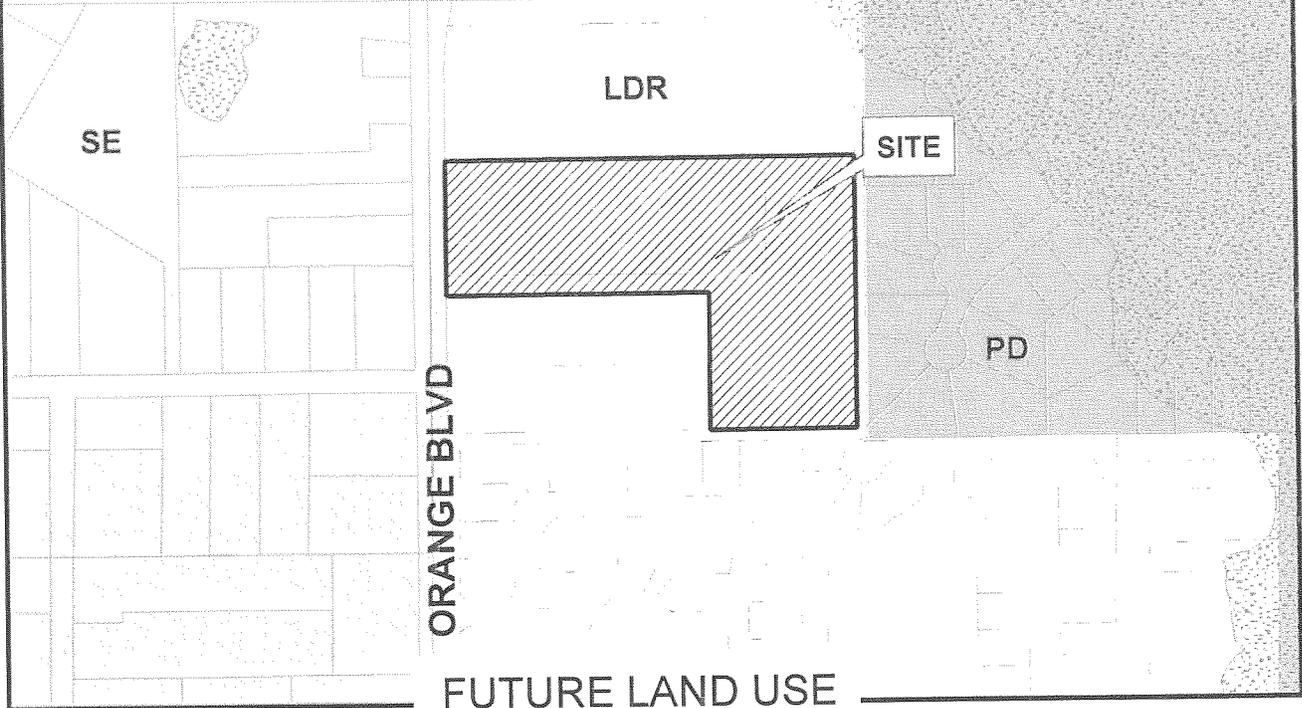
LAKE COUNTY

VOLUSIA COUNTY

Z2006-018
SITE



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.

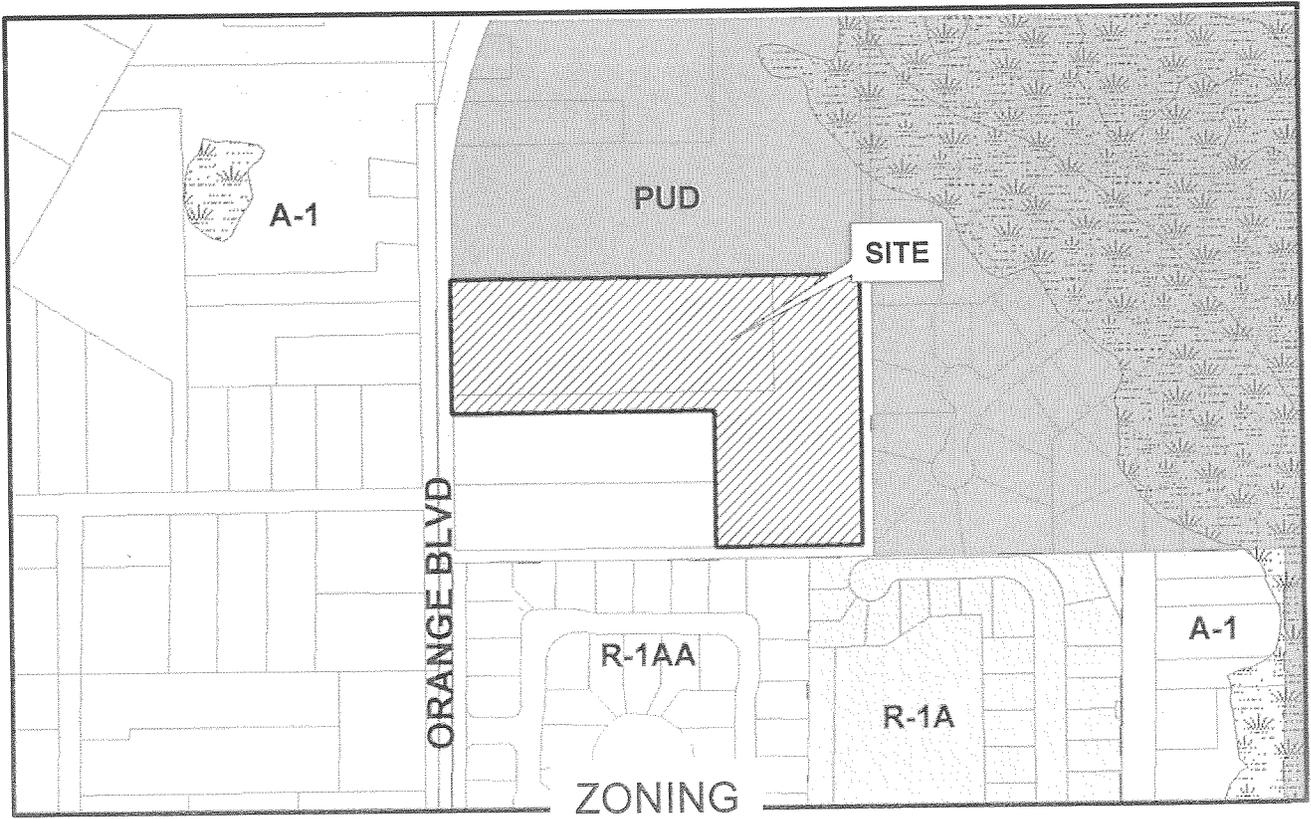


FUTURE LAND USE

Site
 Municipality
 LDR
 SE
 PD
 CONS

Applicant: David Coggin
 Physical STR: 19-19-30-300-0130-0000 and 013D-0000
 Gross Acres: 1.99 BCC District: 5
 Existing Use: Single-Family Res.
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2006-018	A-1	R-1A



ZONING

A-1
 R-1AA
 R-1A
 PUD
 FP-1
 W-1



Rezone No: Z2006-018
From: A-1 To: R-1A

-  Parcel
-  Subject Property



January 2004 Color Aerials