

compatibility analysis because the data would be substantially skewed. The subject property is surrounded on three sides by property within the City of Casselberry that is developed at a density, at least three times greater. Therefore, this property is excluded from consideration as an applicable zoning classification per section 30.1380.3 (d). Additionally, the site is bordered on the north by Lake Howell. Per section 30.1380.3 (e)(7) the lake can not be included in any calculation.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone 2.24± acres from A-1 (Agriculture) to R-1 (Single-Family Dwelling), located on the north side of Lake Howell Lane, approximately 760 feet east of the intersection of Lake Howell Lane and SR 436.

Attachments:

Staff Analysis
Location Map
FLU/Zoning Map
Aerial Photo
Ordinance
Letter of Support
Letter of intent and capacity from the City of Casselberry

Lake Howell Lane / Meahl Rezone A-1 to R-1

APPLICANT	Richard Meahl	
PROPERTY OWNER	Richard Meahl	
REQUEST	Rezone from A-1 (Agriculture) to R-1 (Single-Family Dwelling)	
PROPERTY SIZE	5.68 Acres	
HEARING DATE (S)	P&Z: June 7, 2006	BCC: July 25, 2006
PARCEL ID	28-21-30-300-0070-0000	
LOCATION	2580 Lake Howell Lane	
FUTURE LAND USE	LDR (Low Density Residential)	
ZONING	A-1 (Agriculture)	
FILE NUMBER	Z2006-21	
COMMISSION DISTRICT	#1 – Dallari	

Proposed Development:

The applicant is proposing to develop a seven lot single-family subdivision on 2.24 ± acres.

ANALYSIS OVERVIEW:

ZONING REQUEST

The applicant, Richard Meahl, is requesting to rezone approximately 2.24 acres from A-1 (Agriculture) to R-1 (Single-Family Dwelling) in order to develop a seven lot single-family subdivision. The subject property is located on the north side of Lake Howell Lane, approximately 760 feet east of the intersection of Lake Howell Lane and SR 436. The existing A-1 designation allows for single-family dwellings on 43,560 square foot lots. 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-1 (Single-Family Dwelling):

DISTRICT REGULATIONS	Existing Zoning (A-1)	Proposed Zoning (R-1)
Minimum Lot Size	43,560 sq. ft.	8,400 sq. ft.
Minimum House Size	N/A	700 sq. ft.
Minimum Width at Building Line	150 feet	70 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-1 (proposed)
Permitted Uses	Citrus or other fruit crops cultivation, production, and horticulture, Truck farms, Plant nurseries and greenhouses not involved with retail sales to the general public, Poultry and livestock production, excluding commercial swine raising, except as otherwise provided within the district, Grazing and pasturing of animals, Home occupations and home offices, Roadside stands for the sale of fruits, vegetables, and similar products produced on the premises, provided such stand is placed no closer than twenty-five (25) feet to a property line, Government-owned or government-operated building or use, excluding public utility and service structures public, Public and private elementary schools, Fish hatcheries or fish pools, when approved in accordance with all applicable federal, state, and County regulations and laws, Publicly owned and/or controlled parks and recreation areas, Bait production, Stables, barns, sheds, silos, granaries, windmills, and related agricultural structures, Dairies, Apiculture, Silviculture including timber production, Single-family dwelling and customary accessory uses including one (1) guesthouse or cottage, docks and boathouses, Neighborhood recreation areas, when approved as part of a subdivision plat, Churches and structures appurtenant thereto, Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents.	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.
Special Exception Uses	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 when such facilities and homes are approved and licensed by the State of Florida, Public and private nursery schools, kindergartens, middle schools, high schools and colleges, Temporary asphalt plants for purpose of specific public road construction, Sawmills, Public utility and service structures, Fraternal clubs when chartered with the State, Country and golf clubs, fishing clubs, fishing camps, marinas, gun clubs, Privately owned and operated recreational facilities open to the paying public, such as, athletic fields, stadiums, racetracks, and speedways, Golf driving ranges, Riding stables, provided that no structure housing animals is located nearer than one hundred (100) feet from a property line, Airplane landing fields and helicopter ports with accessory facilities for private or public use, Commercial raising of swine (other than for family use), Sewage disposal plants, water plants, and sanitary landfill operations, Off-street parking lots, Farm worker housing; either single family or multifamily dwellings, where land use is for bona fide agriculture uses; provided further that such structures house only those persons and their immediate family or households, employed in carrying out such bona fide agricultural use. Mobile homes may be permitted in lieu of tenant dwellings, "Bona fide agriculture uses," as used in this subsection, shall be determined by reference to the following criteria: Whether the parcel or its adjacent lands are being actually utilized in agricultural pursuits by the same owner; and Whether the requested tenant dwelling or mobile home serve a purpose directly related to the agricultural laborers or employees and/or other agricultural purposes, A mobile home, Retail nurseries where the products for sale are grown on site of sale, Organizations	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, Communication towers.

Uses	A-1 (existing)	R-1 (proposed)
	involved in either the slaughter of livestock, meat cutting, and/or processing operations, but that do not engage in retail sales, Community residential homes housing more than six (6) permanent unrelated residents (including group homes and foster care facilities), Landscaping contractors as an accessory use to a wholesale nursery or wholesale tree farm, Communication towers, Disposal of tree cuttings or similar organic materials by burning in which materials have been transported to the property, Bed and Breakfast establishments which are not located within a platted subdivision.	
Minimum Lot Size	43,560 sq. ft.	8,400 sq. ft.

COMPATIBILITY WITH SURROUNDING PROPERTIES

Currently, the surrounding area contains densities of 13 units per acre to the south (City of Casselberry), a density of 16 units per acre to the west (City of Casselberry), and a density of one unit per acre to the east. The proposed R-1 zoning classification will provide an orderly transition as the proposed development will be a density just less than four dwelling units per acre net buildable.

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

(North)

	City of Casselberry Multi-Family <i>PRD</i> 16 Units/Acre	LDR Lake Howell A-1 One Acre	LDR Lake Howell A-1 One Acre	
(West)	City of Casselberry Multi-Family <i>PRD</i> 16 Units/Acre	LDR Single-Family Residence A-1 One Acre	LDR Single-Family Residence A-1 One Acre	(East)
	City of Casselberry Lake Howell Lane / Multi-Family <i>RMF-13</i> 13 Units/Acre	City of Casselberry Lake Howell Lane / Multi-Family <i>RMF-13</i> 13 Units/Acre	City of Casselberry Lake Howell Lane / Multi- Family <i>RMF-13</i> 13 Units/Acre	

(South)

Example:

Future Land Use
Existing Use
<i>Current Zoning or Density</i>
Minimum Lot Size

- **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 12117C0145E, there appears to be 100 year floodplain (zone AE) on the northernmost portion of the site. This zone is also present in the new preliminary DFIRMs. If any impacts to the floodplain are proposed, compensating storage must be provided and a FEMA LOMR/LOMA/CLOMR application must be filed prior to final engineering approval.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be wetlands on the northernmost portion of the subject property. The developer will be required to comply with the Land Development Code regarding development within and around wetland areas at the time of final engineering.

Endangered and Threatened Wildlife:

Based on preliminary analysis, there are no endangered and threatened wildlife on the subject property. A threatened and endangered species 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) 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 Concurrency Review at this time and therefore, has submitted an Affidavit of Concurrency Review Deferral. Concurrency Review is required prior to subdivision approval.

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

Public Facility	Existing Zoning (A-1)	Proposed Development*	Net Impact
Water (GPD)	350	2,450	2,100
Sewer (GPD)	300	2,100	1,800
Traffic (ADT)	10	67	57
Schools			
Elementary	1	2	1
Middle	0	1	1
High	0	1	1

* The Proposed Development is calculated on 20% of the property being dedicated for roads and retention and the proposed lot sizes of 8,400 square feet, for a total yield of seven lots.

Utilities:

Seminole County does not provide water and sewer in this area. A letter of capacity and intent from the City of Casselberry 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.

Transportation / Traffic:

Access is available to the subject property from Lake Howell Lane which is classified as a local road. Lake Howell Lane is not currently programmed to be improved according to the County 5-year Capital Improvement Program. Lake Howell Lane is a substandard Cold Mix paved roadway. Lake Howell Lane will have to be paved to County standards from the end of the County standard pavement (west property line) to the end of the subject property frontage.

School Impacts:

Based on the formulas provided by the Seminole County School District, the proposed zoning change will generate approximately 4 school age children. This subject site is currently zoned for, and will affect, the following schools:

Schools Impacted	Proposed Impact	Current Capacity	02/06 Enrollment	Percent Capacity
Eastbrook Elementary	2	932	784	84.1%
Tuskawilla Middle	1	1389	1130	81.4%
Lake Howell High	1	2487	2181	87.7%

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 23, which is located at 4810 Howell Branch Rd, and meets the Level-Of-Service standard.

Drainage:

The proposed project is located within the Howell Creek Drainage Basin. Peak discharge rates for surface water management systems shall not exceed the pre-development peak discharge rate for the mean annual storm event 24 hour duration, 2.3 year return period, 4.4 inches of rainfall and the 25 year storm event 24 hour duration, 8.6 inches of rainfall.

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 open space.

Buffers and Sidewalks:

Active/Passive Buffers are not required since the existing land use designation is Low Density Residential and the proposed development is single-family. A four-foot wide sidewalk is required internally and a five-foot wide sidewalk is required along Lake Howell Lane.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant running 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 with the proposed project:

- Policy FLU 12.4: Relationships of Land Use to Zoning Classification
- Policy FLU 2.5: Transitional Land Uses
- 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 notices were sent to the City of Casselberry and the Seminole County School Board on May 16, 2006.

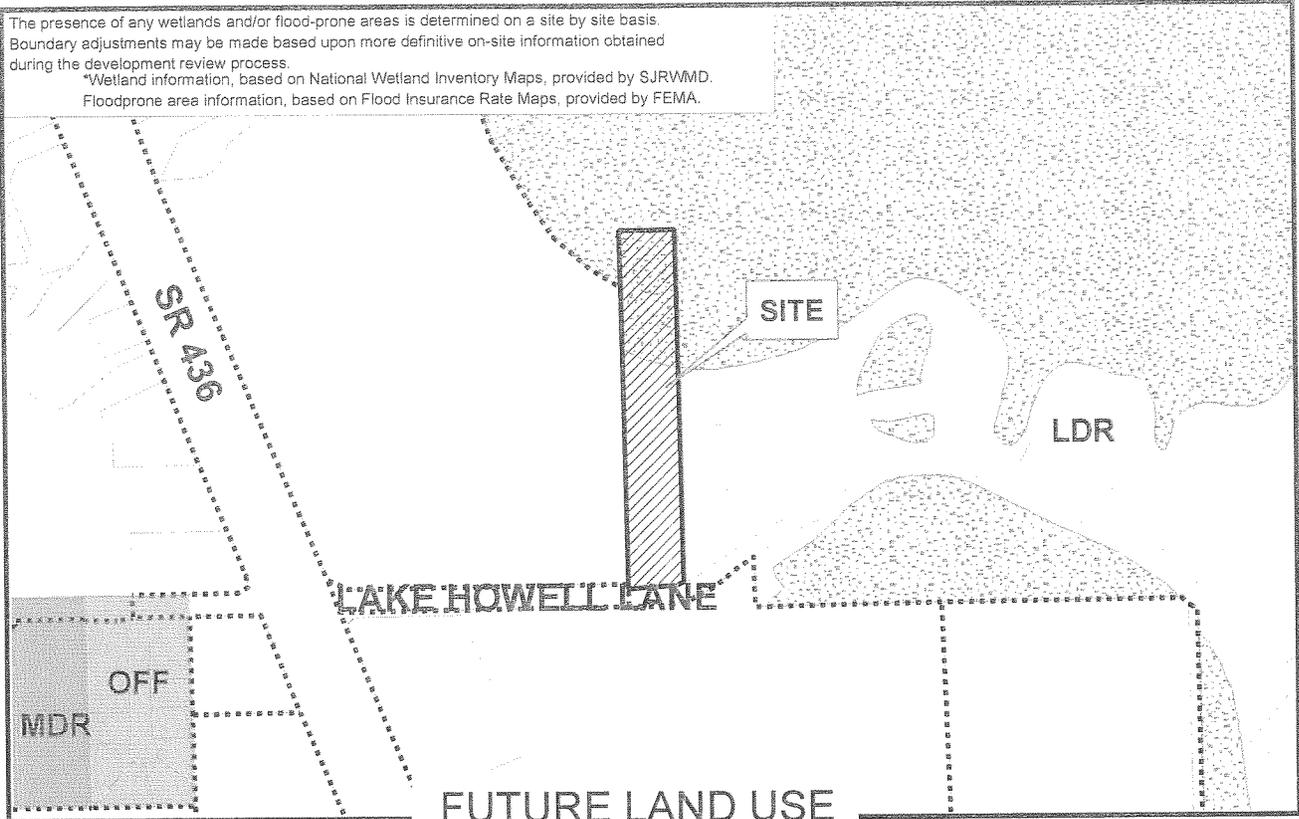
LETTERS OF SUPPORT OR OPPOSITION:

At this time, Staff has one letter of support from the City of Casselberry, which is attached.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of a request to rezone 2.24± acres from A-1 (Agriculture) to R-1 (Single-Family Dwelling), located on the north side of Lake Howell Lane, approximately 760 feet east of the intersection of Lake Howell Lane and SR 436.

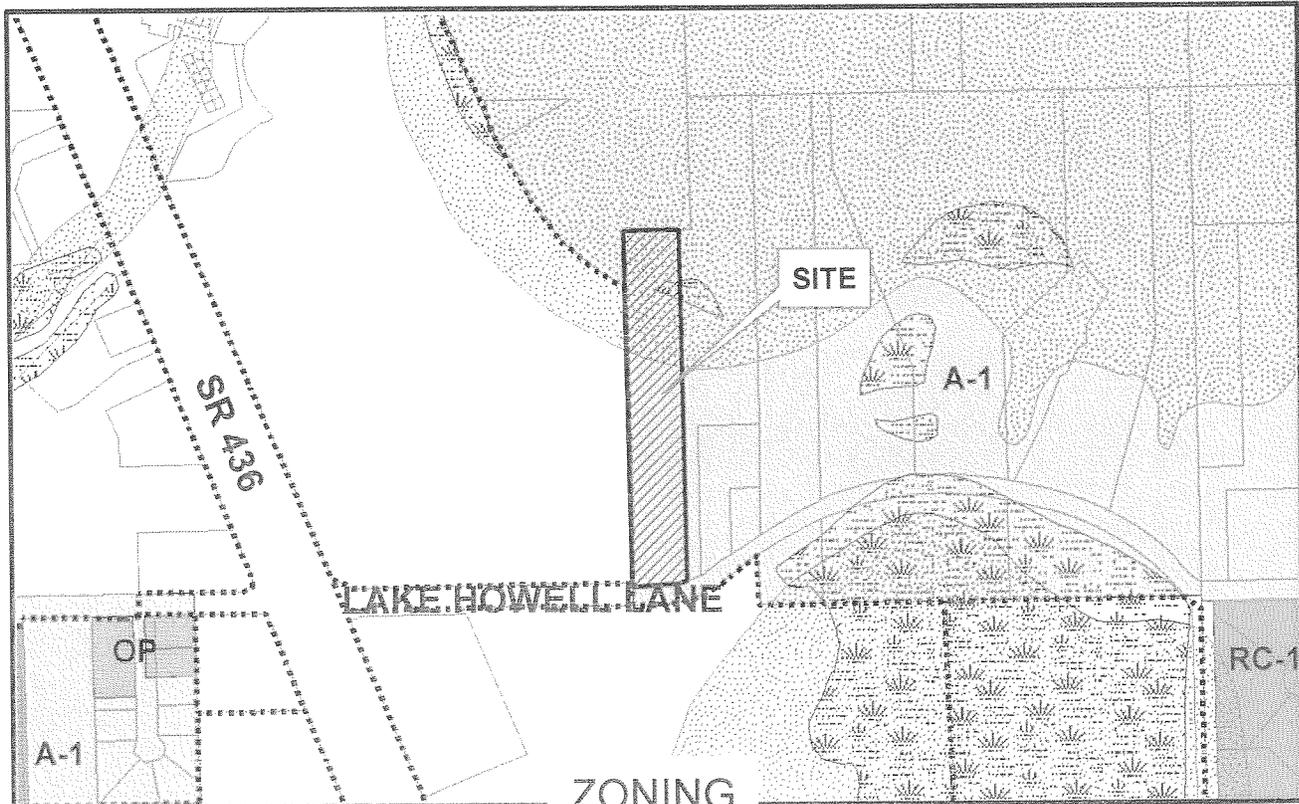
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.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



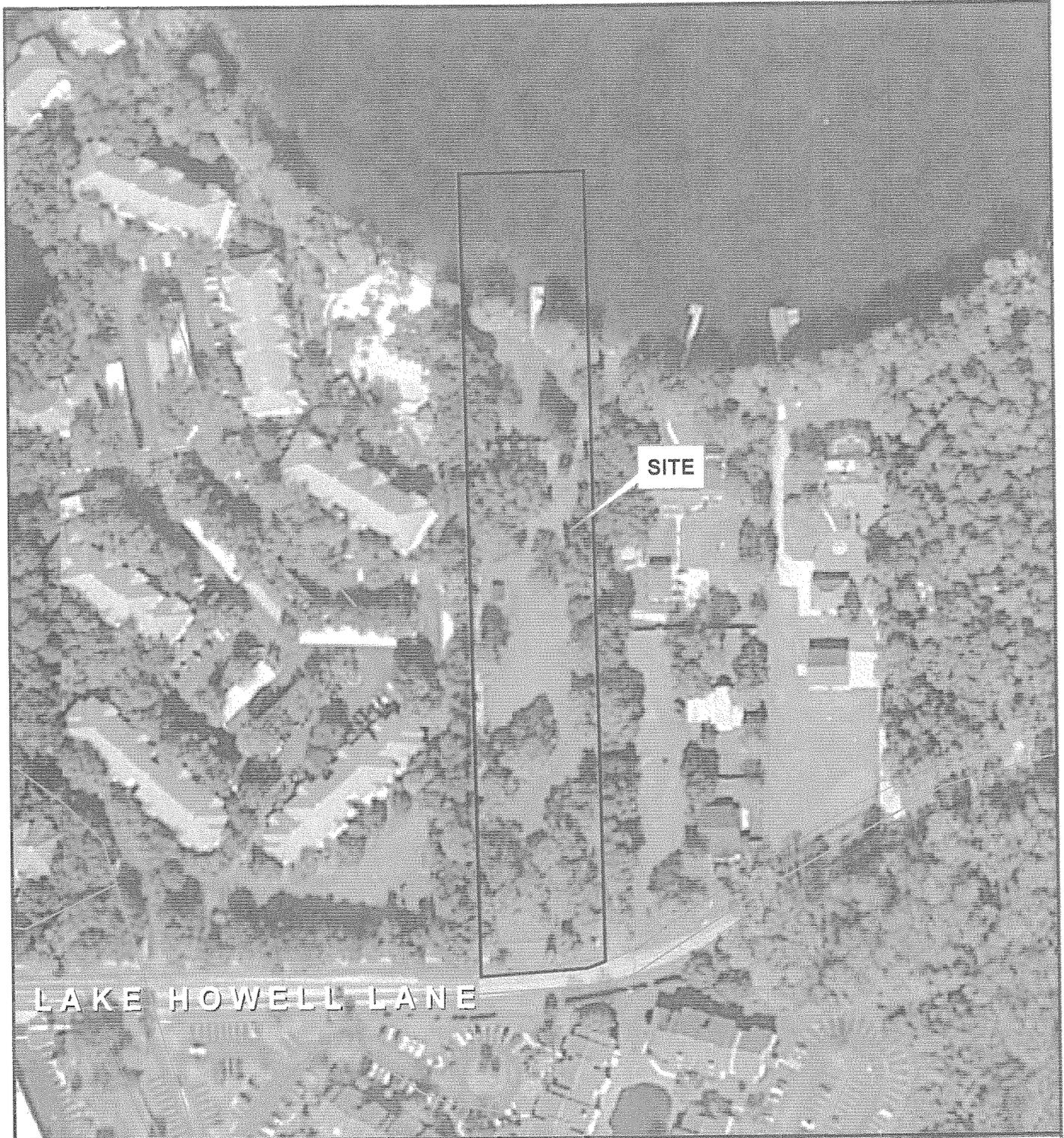
Site
 Municipality
 LDR MDR OFF CONS

Applicant: Richard Meahl
 Physical STR: 28-21-30-300-0070-0000
 Gross Acres: 2.24 acres +/- BCC District: 1
 Existing Use: Single-Family Res.
 Special Notes: None

	Amend/Rezone#	From	To
FLU	-	-	-
Zoning	Z2006-021	A-1	R-1



A-1
 RC-1
 OP
 FP-1
 W-1



LAKE HOWELL LANE

Rezone No: Z2006-021
From: A-1 To: R-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 (LEGAL DESCRIPTION ATTACHED AS EXHIBIT A); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) ZONING CLASSIFICATION THE R-1 (SINGLE-FAMILY DWELLING) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM 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 Lake Howell Lane / Meahl 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-1 (Single-Family Dwelling):

SEE ATTACHED EXHIBIT A

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

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 25th day of July 2006.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

**EXHIBIT A
LEGAL DESCRIPTION**

LEGAL: THE SOUTH 976 FEET OF THE WEST 135 OF THE EAST 166.9 FEET OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA LESS THE ROAD RIGHT- OF- WAY ON THE SOUTH (PER DEED BOOK 141, PAGE 253, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.) CONTAINS 2.24 ACRES OR 97.470 SQUARE FEET, MORE OR LESS.

Rumer, Michael

From: CDD - Chief Planner (S Smith) [SSMITH@casselberry.org]
nt: Tuesday, May 16, 2006 12:23 PM
to: Rumer, Michael
Subject: RE: Lake Howell Lane / Meahl Rezone from A-1 (Agriculture) To R-1 (Single-Family Dwelling)

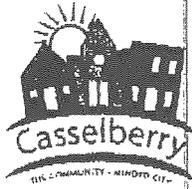
Thanks for the notice.
The City of Casselberry supports the single family residential zoning designation.
Sandra J. Smith, AICP
Chief Planner
407.262.7700 x:1108
95 Triplet Lake Drive
Casselberry, FL 32707

-----Original Message-----

From: Rumer, Michael [mailto:MRumer@seminolecountyfl.gov]
Sent: Tuesday, May 16, 2006 11:29 AM
To: CDD - Chief Planner (S Smith)
Subject: Re: Lake Howell Lane / Meahl Rezone from A-1 (Agriculture) To R-1 (Single-Family Dwelling)

PLEASE NOTE : Florida has a very broad public records law. Most written communications to or from City officials regarding City business are public records available to the public and media upon request. Your E-mail communications may be subject to public disclosure.

PLEASE NOTE : Florida has a very broad public records law. Most written communications to or from City officials regarding City business are public records available to the public and media upon request. Your E-mail communications may be subject to public disclosure.



City of Casselberry

Special Projects Coordinator

95 Triplet Lake Drive, Casselberry, Florida 32707 • Telephone (407) 262-7725, Ext. 1237
Fax (407) 262-7767 • Email pwallace@casselberry.org

May 19, 2006

Ms. Robin Vail Platt
2321 Tuscarora Trail
Maitland, Florida 32751

Subject: 2580 Lake Howell Lane

Dear Ms. Vail-Platt:

With regards to the property located at 2580 Lake Howell Lane, the City of Casselberry is the service provider for water and sewer. The City currently has adequate capacity to support this proposed development. Please be advised that there is currently no sewer along Lake Howell Lane. The applicant can pursue connection to City's sewer system through the private apartment complex to the west of the site. Reclaimed water is not available to this area. The applicant will be required to pay the City all current water benefit & connection fees prior to installation of service to the site.

Also, the property owner will be required to execute and return an Annexation Agreement to the City before service activation will be authorized. The project will be required to submit plans for review by the City of Casselberry's Development Review Committee as well as the Public Works Department.

Should you have any questions or concerns regarding this issue, please feel free to contact me at 407/262-7725, extension 1237.

Sincerely,

Phyllis A. Wallace
Special Projects Coordinator

/paw

c: Gerald Chancellor, P.E., Acting Public Works Director
Community Development
File - D&C/Service Availability 2006

-- Do Not File