

**MINUTES FOR THE REGULAR MEETING  
OF THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION  
WEDNESDAY, MAY 2, 2007**

**Members present:** Matthew Brown, Dudley Bates, Jason Brodeur, Walt Eismann and Rob Wolf.

**Members absent:** Kim Day, Ben Tucker.

**Also present:** Tina Williamson, Acting Planning Manager; Ian Sikonia, Senior Planner; Dori DeBord, Director of Planning and Development; Kelly Brock, Senior Engineer; Cynthia Sweet, Senior Planner; Kathy Furey-Tran, Assistant County Attorney; and Candace Lindlaw-Hudson, Clerk to the Commission.

The Chairman called the meeting to order and introduced the members of the commission present in the chambers.

**APPROVAL OF MINUTES**

**Commissioner Wolf made a motion to approve the minutes as submitted.**

**Commissioner Eismann seconded the motion.**

**The motion passed 5 – 0.**

**ACCEPTANCE OF PROOF OF PUBLICATION**

**Commissioner Eismann made a motion to accept the minutes of the previous meeting.**

**Commissioner Brodeur seconded the motion.**

**The motion passed 5-0.**

**NEW BUSINESS**

**Technical Review Item:**

**A. Devon Green Phase IV PSP; Heathrow Country Club LLC, Joe JoBosh., applicant; approximately 2.003 acres; Preliminary Subdivision Plan approval for 8 Lots Single Family Residential Subdivision zoned Planned Unit Development; located on the east end of Glencrest Drive, within the Heathrow Planned Unit Development, on the north side of Lake Mary Blvd., and east of I-4.**

Commissioner Carey – District 5  
Cynthia Sweet, Senior Planner

Cynthia Sweet presented the Preliminary Subdivision Plan for the 8 residential lots. Seminole County is the utility provider and the road is private. This project is located on the north side of Lake Mary Boulevard in the Heathrow Subdivision. The PUD is subject to all of the conditions of the Final Master Plan and the Heathrow Developer's Commitment Agreement. The PSP meets all of the conditions of the Seminole County Land Development Code.

Ms. Sweet said that Staff is aware of a notice of violation of work already starting on this prior to any plan approval. Construction has stopped.

Staff is recommending approval of the Preliminary Subdivision Plan for Devon Green Phase IV subject to no further construction until the approval of the Final Engineering Plan and issuance of all applicable government agency permits.

**Commissioner Bates made a motion to recommend the plan as per staff recommendations.**

**Commissioner Wolf seconded.**

**The motion passed 5 – 0.**

**Public Hearing Item:**

**B. Sandy Lane (1160/1200)Rezone; Robert Dietz, applicant.** 3.16± acres; Rezone from A-1 (Agriculture District) to R-1AA (Single-Family Dwelling District); located on the southwest corner of Sand Lake Road and Sandy Lane. (Z2007-11)

Commissioner Van Der Weide - District 3  
Ian Sikonia, Senior Planner

Ian Sikonia presented the Sandy Lake Road Rezone from A-1 (Agriculture) to R-1AA (Single-Family Dwelling). The subject property contains approximately 3.16 ± acres, located on the southwest corner of the intersection of Sand Lake Road and Sandy Lane.

The Future Land Use Designation of the subject property is Low Density Residential (LDR), which allows for the requested zoning district. The Low Density Residential Future Land Use only allows for a maximum of 4 dwelling units per acre.

Staff conducted the lot size compatibility analysis, per Section 30.1380.3 of the Land Development Code and Policy FLU 2.10 of the Vision 2020 Comprehensive Plan, and determined that the analysis does support the requested rezone to R-1AA.

Mr. Sikonia said that there are two PUD's within 660 feet which are taken into account for the lot size analysis: the Foxwood and Wekiva Hunt Club PUD's. The Foxwood PUD, Phase One consists of 7,500 sq. ft. lots and to the northwest is the Wekiva Hunt Club PUD which consists of 8,400 sq. ft. lots. To the north and west is the R-1AAA zoning district, to the east is the A-1 zoning district, and to the south is the R-1AAAA zoning district. After factoring all the PUD's and surrounding zoning districts the analysis came out with a weight of 6.55 which is consistent with the R-1AA zoning district.

Staff recommends approval of the request to rezone 3.16 ± acres, located on the southwest corner of the intersection of Sand Lake Road and Sandy Lane, from A-1 (Agriculture) to R-1AA (Single-Family Dwelling), based on staff findings.

Commissioner Brown asked if both parcels were owned by the same person.

Mr. Sikonia said that they were.

Commissioner Brown asked if the legal description was for both parcels.

Mr. Sikonia said that was correct.

Robert Dietz was present to answer questions.

Commissioner Wolf asked how the southern lot would be developed.

Mr. Dietz said that the lot is at least 90 feet wide and that it will be an oversized lot for one single family home.

Commissioner Brown asked if this project were contiguous with a previous filing of Mr. Dietz.

Mr. Dietz said that they are contiguous.

Commissioner Wolf asked about the existing houses on the property. What will be done with them?

Mr. Dietz said that one home will be retained as Dr. Shay's residence. The home to the north will be rehabilitated and sold.

No one spoke from the audience.

**Commissioner Brodeur made a motion to recommend approval of the request for a rezoning from A-1 (Agriculture) and R-1AAA (Single Family Dwelling) to R-1AA based on staff findings.**

**Commissioner Wolf seconded.**

**The motion passed unanimously.**

**C. SR 46/ Gren SSLUA; Paul Gren, applicant; 6.74± acres; Small Scale Land Use Amendment from PLI (Public) to SE (Suburban Estates); located on the north side of SR 46, approximately ½ mile west of the intersection of Lake Markham Road and SR 46. (Z2007-13)**

Commissioner Carey – District 5  
Ian Sikonia, Senior Planner

Ian Sikonia, Senior Planner with the Planning Division and Item C is the SR 46/ Gren Small Scale Land Use Amendment from PUBC (Public) to SE (Suburban Estates). The subject property contains approximately 6.74± acres located on the north side of SR 46, approximately ½ mile west of the intersection of Lake Markham Road and SR 46.

On January 24, 1989 the Board of County Commissioners approved a land exchange, which involved exchanging ownership of the subject property that was owned by the County, for a privately owned piece of property on the north side of Yankee Lake. The Land Exchange was executed because the County wanted to have all the land on the north side of Yankee Lake as County-owned property. The Future Land Use designation should have been amended from PUBC at that time, to reflect that the subject property was no longer under public ownership. However, historic land records indicate that it was not amended.

At this time the applicant is requesting to amend the Future Land Use from PUBC (Public) to SE (Suburban Estates) to construct single-family homes on the property. The Public Future Land Use designation as defined in the Vision 2020 Comprehensive Plan does not allow for privately owned uses and the proposed amendment would bring the subject property into compliance with the Comprehensive Plan. The Wekiva River Protection Area regulations and A-1 zoning standards limit the density on the subject property to one dwelling unit per net buildable acre.

Staff has reviewed the proposed Land Use Change and has determined that it is compatible with surrounding properties because of the rural nature of the area and the sensitivity of the Wekiva River Protection Area.

The Future Land Use to the north and west is Public, to the east is Suburban Estates Land Use, and to the south across SR 46 is also Suburban Estates Land Use. The property to the north and west is part of the Seminole County owned Yankee Lake complex, to the east is vacant land, and to the south is the Bella Foresta subdivision. The surrounding lot sizes adjacent to the subject site range from one acre lots to five acre and larger lots.

Staff recommends approval of a Small Scale Land Use Amendment from PUBC (Public) to SE (Suburban Estates), for 6.74± acres located on the north side of SR 46, approximately ½ mile west of the intersection of Lake Markham Road and SR 46, based on staff findings.

Commissioner Wolf asked about water on the property.

Mr. Sikonia said the majority of the property was in Yankee Lake.

Commissioner Wolf asked if there was sufficient land to build.

Mr. Sikonia said that the land use amendment was under consideration tonight. Whether the lot was buildable would be determined elsewhere.

Paul Gren was present to answer questions from the commissioners.

Commissioner Brown asked if fees were charged.

Mr. Gren said there had been no fees.

**Commissioner Eismann made a motion to recommend approval of the small scale land use amendment from PUBC to SE on the 6.72 acres located on the north side of SR 46, approximately .5 mile west of the intersection of Lake Markham Road and SR 46 based on staff findings.**

**Commissioner Bates seconded the motion.**

**The motion passed 5 – 0.**

**D. Chuluota 5<sup>th</sup> Street Rezone; Frank Joyce, applicant;** 1.06± acres; Rezone from R-3 (Multiple Family Dwelling District) to R-1B (Single-Family Dwelling District); located on the north side of 5<sup>th</sup> Street approximately 300 feet west of the intersection of CR 419 and 5<sup>th</sup> Street. (Z2007-15)

Commissioner Dallari – District 1  
Austin Watkins, Planner

Ian Sikonia presented the request for rezoning from R3 (Multi-family Dwelling District) to R1-B (Single Family Dwelling District) for 5 single family lots. The future land use on the property is High Density Residential which allows the requested zoning. Staff did not conduct a lot size compatibility analysis. There was one letter of support received from the Chuluota Community Association. Staff recommendation is for approval of the request for rezone from R-3 (Multiple Family Dwelling District) to R-1B (Single-Family Dwelling District).

Commissioner Wolf asked if there had been a similar project in the same neighborhood last year.

Commissioner Brown said that there had been.

Commissioner Brodeur said that this is of the few areas of the county that is being developed at a lower density than could be put there.

Tina Williamson concurred.

The applicant was not present and no one spoke from the audience.

**Commissioner Wolf made a motion to recommend approval of the requested rezone of 1.09 acres located on the north side of Fifth Street, approximately 300 feet west of the intersection of CR 419 and 5<sup>th</sup> Street from R3 to R1B based on staff findings.**

**Commissioner Eismann seconded the motion.**

**The motion passed unanimously.**

## **CLOSING BUSINESS**

Tina Williamson said that she had no report tonight.

Commissioner Brown asked if the board wanted to talk about working on the Land Development Code. Did the commissioners want to work on it this month or next month?

Commissioner Wolf said that he would prefer doing it sooner rather than later.

Dori DeBord said that she would like to give an overview of where things are at this time and receive input from the commissioners. Chapters are not available at this time.

Commissioner Brown said that the board was working on a proposed code that needed examination.

After a brief discussion it was agreed that staff and the commissioners would try to set up another workshop on May 23. Ms. Williamson said that she would coordinate this with the commissioner members next week.

**Commissioner Brodeur announced that he would be resigning from the commission as of this month due to increased travel in his job.**

Everyone wished him well.

The meeting adjourned at 7:50 P.M.

Respectfully submitted,

Candace Lindlaw-Hudson  
Clerk to the Commission