

ITEM # \_\_\_\_\_

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

**SUBJECT:** Blake Street Administrative Rezone from R-1 to R-1BB

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

**AUTHORIZED BY:** Alison Stettner **CONTACT:** Ian Sikonia EXT. 7398

<b>Agenda Date:</b> <u>12/05/2007</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 the request for a rezone from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling) for 1.49 ± acres, located on the north side of Blake Street between Sanford Avenue and Market Street, based on staff findings (Seminole County, Applicant); or
2. **RECOMMEND DENIAL** of the request for a rezone from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling) for 1.49 ± acres, located on the north side of Blake Street between Sanford Avenue and Market Street (Seminole County, Applicant); or
3. **CONTINUE** the item to a time and date certain.

District #4 Henley

Ian Sikonia, Senior Planner

**BACKGROUND:**

At their meeting on September 25, 2007, the Seminole County Board of Commissioners authorized to staff to proceed with administratively rezoning 1.49 ± acres located on the north side of Blake Street between Sanford Avenue and Market Street from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling). Currently, under the Seminole County Land Development Code, the subject lots are non-conforming. The lots do not meet the minimum lot size

<b>Reviewed by:</b> _____ <b>Co Atty:</b> <u>KFT</u> <b>DFS:</b> _____ <b>OTHER:</b> _____ <b>DCM:</b> _____ <b>CM:</b> _____ <b>File No. Z2007-68</b>
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and width at the building line required by the R-1 zoning district. Administrative rezone of these parcels would reduce or eliminate the need for variances thereby reducing needless expense to the County and the public. The administrative rezone is consistent with the guidelines established in Vision 2020, The Comprehensive Plan of Seminole County, Implementation Element to reduce non-conforming zoning. The proposed R-1BB (Single-Family Dwelling) zoning classification requires a minimum lot size of 5,000 square feet and a width at the building line of 50'. The Future Land Use designation of the subject property is MDR (Medium Density Residential), which allows the requested zoning district.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request for a rezone from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling) for 1.49 ± acres, located on the north side of Blake Street between Sanford Avenue and Market Street.

Attachments:

Staff Report

Location Map

Zoning & Future Land Use Map

Aerial Map

Rezone Ordinance

Denial Development Order (Applicable if the request is denied)

## Blake Street Rezone

### Rezone from R-1 to R-1BB

<b>APPLICANT</b>	Seminole County Board of County Commissioners	
<b>PROPERTY OWNER</b>	Chester L. Simmons, Emma Robinson & Irene White, First Boston Corporation, Keith E. & Karen C. Mandy, Flossie Mae F. Gilbert, David Nourachi, Dennis Walker and Cheryl Richardson	
<b>REQUEST</b>	Rezone from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling)	
<b>PROPERTY SIZE</b>	1.49 + acres	
<b>HEARING DATE (S)</b>	P&Z: December 5, 2007	BCC: January 22, 2008
<b>PARCEL ID</b>	07-21-30-506-0000-0010;0030;0080;0110;0040;0090;0100;0020	
<b>LOCATION</b>	The north side of Blake Street between Sanford Avenue and Market Street	
<b>FUTURE LAND USE</b>	MDR (Medium Density Residential)	
<b>ZONING</b>	R-1 (Single-Family Dwelling)	
<b>FILE NUMBER</b>	Z2007-68	
<b>COMMISSION DISTRICT</b>	#4 –Henley	

#### **Proposed Development:**

The Seminole County Board of County Commissioners is proposing to rezone 1.49 + acres from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling).

#### **ANALYSIS OVERVIEW:**

##### **ZONING REQUEST**

The following table depicts the minimum regulations for the current zoning district of R-1 (Single-Family Dwelling) and the requested zoning district of R-1BB (Single-Family Dwelling).

<b>DISTRICT REGULATIONS</b>	<b>Existing Zoning (R-1)</b>	<b>Proposed Zoning (R-1BB)</b>
Minimum Lot Size	8,400 sq. ft.	5,000 sq. ft.
Minimum House Size	700 sq. ft.	700 sq. ft.
Minimum Width at Building Line	70'	50'
Front Yard Setback	25'	20'
Side Yard Setback	7.5'	5'
(Street) Side Yard Setback	25'	20'
Rear Yard Setback	30'	20'
Maximum Building Height	35'	35'

**PERMITTED & SPECIAL EXCEPTION USES:**

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

Uses	R-1 (existing)	R-1BB (proposed)
Permitted Uses	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. One (1) boat dock and one (1) associated boathouse per lot when accessory and incidental to the principal dwelling.	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. One (1) boat dock and one (1) associated boathouse per lot when accessory and incidental to the principal dwelling.
Special Exception Uses	Any special exception permitted in the R-1A zoning classification. Day nurseries or kindergartens. Guests 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) provided that the location does not create a over concentration of such homes or substantially alter the nature and character of the areas defined. Communication towers.	Any special exception permitted in the R-1A zoning classification. Day nurseries or kindergartens. Guests 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) provided that the location does not create a over concentration of such homes or substantially alter the nature and character of the areas defined. Communication towers.
Minimum Lot Size	8,400 sq. ft.	5,000 sq. ft.

**COMPATIBILITY WITH SURROUNDING PROPERTIES:**

The Future Land Use designation of the surrounding properties is Medium Density Residential. The zoning to the north of the subject properties is R-3 (Multiple Family Dwelling) and the zoning to the south is R-1(Single-Family Dwelling). The proposed R-1BB zoning district provides for appropriate transitional lot sizes between R-3 and R-1. The Future Land Use designation of the property is MDR (Medium Density Residential) which allows the requested R-

1BB zoning district. Staff finds the proposed rezone consistent and compatible with the surrounding development patterns.

**SITE ANALYSIS:**

***Floodplain Impacts:***

Based on FIRM maps, with an effective date of April 17, 1995 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 a preliminary analysis, there are no endangered or threatened wildlife on the subject property.

***Utilities:***

These parcels are in the City of Altamonte Springs water and sewer utility service area. There is a 12-inch water main on Blake St. and an 8-inch gravity sewer with manholes on Blake St. The City of Altamonte Springs also has a 4-inch reclaimed water main on the west side of Sanford Avenue.

***Transportation / Traffic:***

The property is adjacent to Blake Street, which is classified as a local road. Blake Street is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

***Drainage:***

The site does not seem to have a defined drainage outfall. The site will have to hold the entire 25-year storm event onsite if it exceeds the impervious limits defined by SJRWMD, and unless a defined outfall can be determined.

**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 district or overlay.

**COMPREHENSIVE PLAN (VISION 2020):**

The County's Comprehensive Plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.

The proposed project is consistent with the following list of policies (there may be other provisions of the Comprehensive Plan that apply that are not included in this list):

- Policy POT 4.5: Potable Water Connection
- Policy SAN 4.4: Sanitary Sewer Connection
- Policy PUB 2.1: Public Safety Level-of-Service
- Policy FLU 12.4: Relationship of Land Use to Zoning Classifications
- Policy FLU 12.5: Evaluation Criteria of Property Rights Assertions

**INTERGOVERNMENTAL NOTIFICATION:**

No intergovernmental notice is required because the subject property is not adjacent to any municipality and will not have an impact on schools.

**LETTERS OF SUPPORT OR OPPOSITION:**

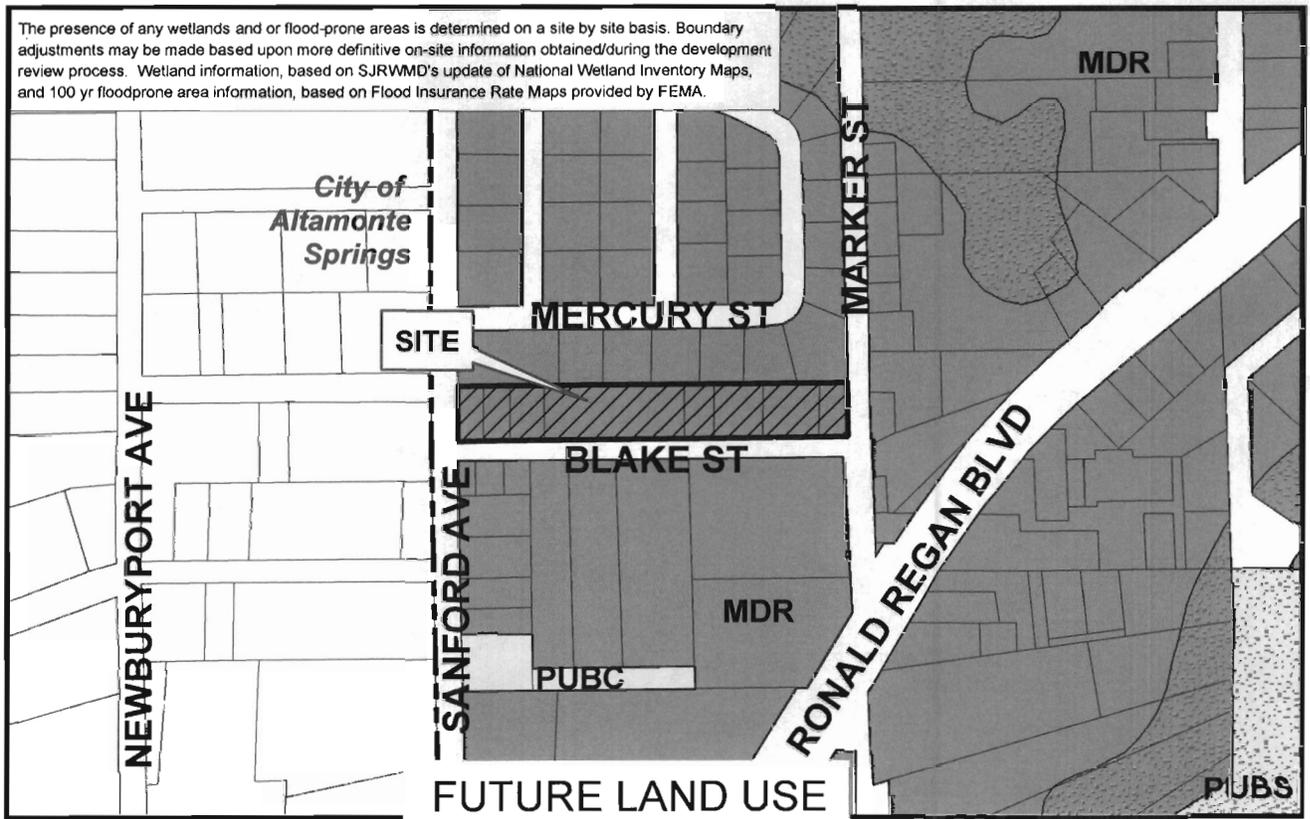
Staff has received no letters of support or opposition at this time.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the request for a rezone from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling) for 1.49 ± acres, located on the north side of Blake Street between Sanford Avenue and Market Street.



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 SJRWMD's update of National Wetland Inventory Maps, and 100 yr floodprone area information, based on Flood Insurance Rate Maps provided by FEMA.



Site
  MDR
  PUB
  CONS
  Municipality

Applicant: Seminole County BCC

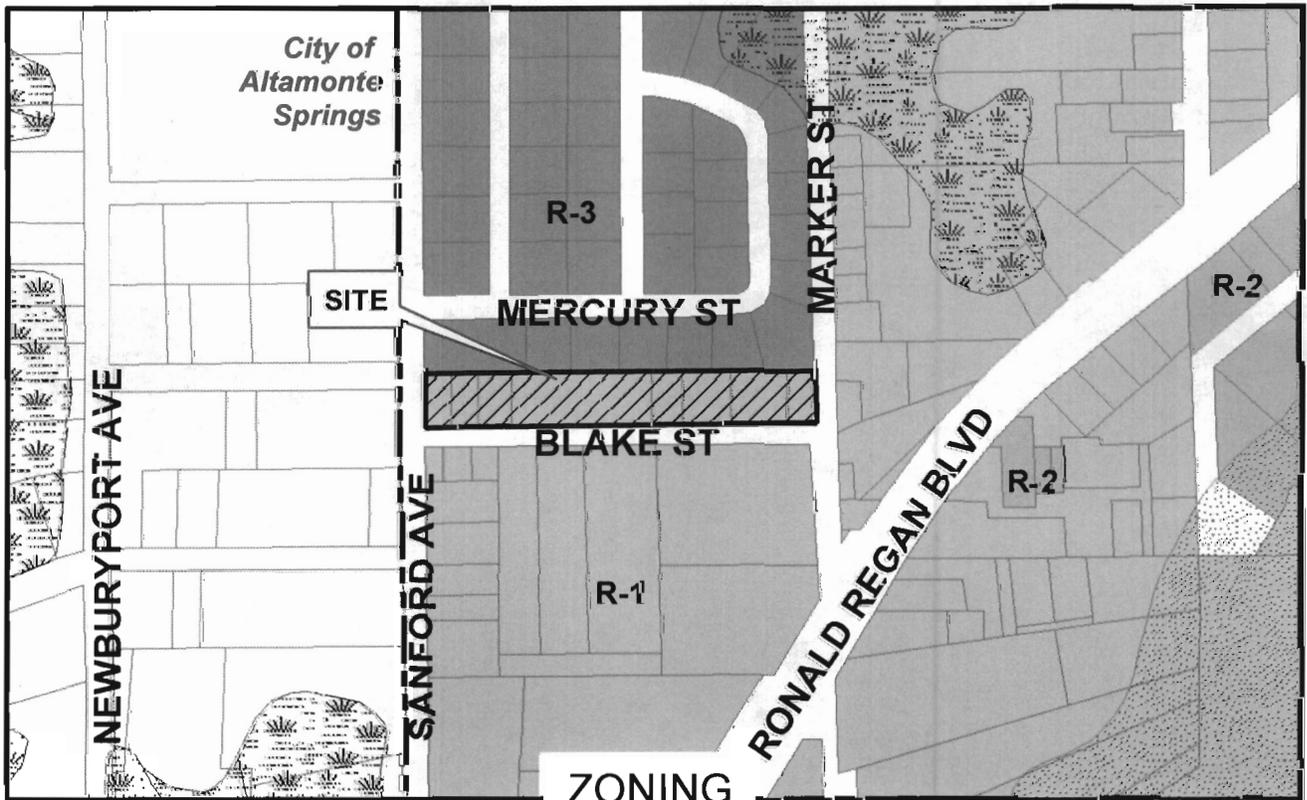
Physical STR: 07-21-30

Gross Acres: 1.50 +/- BCC District: 4

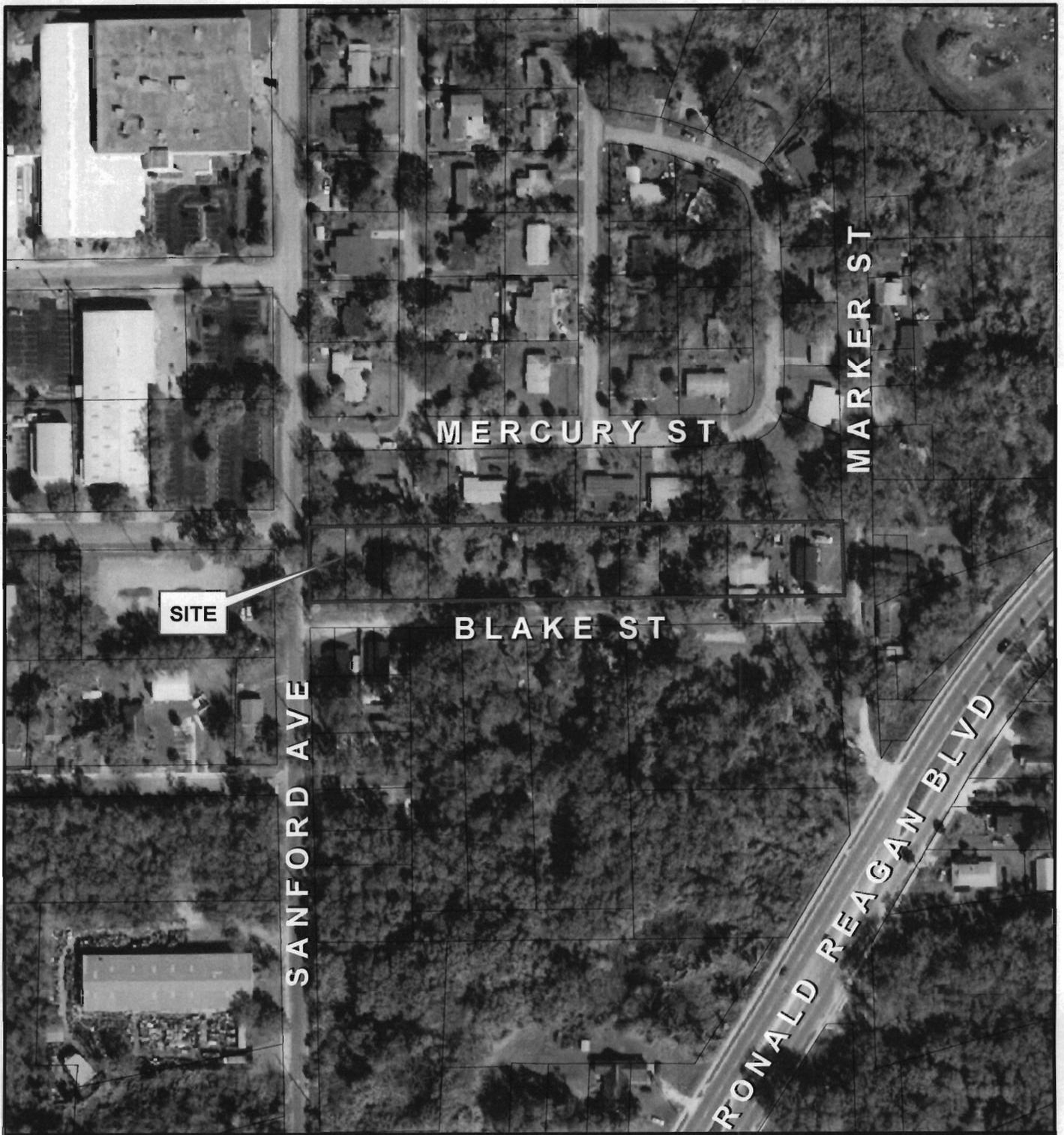
Existing Use: Residential and Vacant

Special Notes:

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2007-068	R-1	R-1BB



R-1
  R-2
  R-3
  FP-1
  W-1



Rezone No: Z2007-068  
From: R-1 To: R-1BB

-  Parcel
-  Subject Property



Winter 2006 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; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE R-1 (SINGLE-FAMILY DWELLING) ZONING CLASSIFICATION THE R-1BB (SINGLE-FAMILY DWELLING) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR 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 "Blake Street 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 R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling):

**SEE ATTACHED EXHIBIT A**

**Section 3. EXCLUSION FROM 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 a copy of this Ordinance with the Florida Department of State by the Clerk of the Board of County Commissioners.

ENACTED this 22th day of January, 2008.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Brenda Carey  
Chairman

## **Exhibit A**

### **Legal Description**

Lot 1 (LESS W 25.34 FT FOR RD) LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 2 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 3 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOTS 4 5 6 + 7 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 8 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 9 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 10 + W 25 FT OF LOT 11 LULA BLAKES REVISION PB 8 PG 101]

AND;

LEG E 49.34 FT OF LOT 11 LULA BLAKES REVISION PB 8 PG 101

**SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On January 22, 2008, Seminole County issued this Denial Development Order relating to and touching and concerning the following property described in the attached legal description as Exhibit "A".

**Property Owner(s):** Chester L. Simmons, Emma Robinson & Irene White, First Boston Corporation, Keith E. & Karen C. Mandy, Flossie Mae F. Gilbert, David Nourachi, Dennis Walker and Cheryl Richardson

**Project Name:** Blake Street Rezone

**Requested Development Approval:** Rezone eight (8) lots totaling 1.49 ± acres located on the north side of Blake Street between Sanford Avenue and Market Street, from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling).

The Board of County Commissioners has determined that the rezone request from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling) is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Blake Street Rezone" and all evidence submitted at the public hearing on January 22, 2008, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested rezone from R-1 (Single-Family Dwelling) to R-1BB (Single-Family Dwelling) should be denied.

**ORDER**

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

The aforementioned application for development approval is **DENIED**.

**Done and Ordered on the date first written above.**

**SEMINOLE COUNTY BOARD  
OF COUNTY COMMISSIONERS**

**By:** \_\_\_\_\_  
Brenda Carey, Chairman

## Exhibit A

### Legal Description

Lot 1 (LESS W 25.34 FT FOR RD) LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 2 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 3 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOTS 4 5 6 + 7 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 8 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 9 LULA BLAKES REVISION PB 8 PG 101

AND;

LEG LOT 10 + W 25 FT OF LOT 11 LULA BLAKES REVISION PB 8 PG 101]

AND;

LEG E 49.34 FT OF LOT 11 LULA BLAKES REVISION PB 8 PG 101