

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
OCTOBER 7, 2009**

Members present: Walt Eismann, Melanie Chase, Kimberly Day, Rob Wolf and Dudley Bates.

Members absent: Ben Tucker and Matt Brown

Staff present: Dori DeBord, Planning and Development Director; Tina Williamson, Assistant Planning Manager; Kathleen Furey-Tran, Assistant County Attorney; Anthony Nelson, Senior Engineer, Development Review Division; Cynthia Sweet, Senior Planner, Development Review Division; and Connie R. DeVasto, Clerk to the Planning and Zoning Commission.

OPENING BUSINESS:

The meeting convened at 7:00 P.M. with Chairman Eismann leading the Pledge of Allegiance. The Chairman then introduced the Commission members and reviewed the procedure used for conducting the meeting and the voting.

Acceptance of Proof of Publication

Commissioner Bates made a motion to accept the Proof of Publication.

Commissioner Day seconded the motion.

The motion passed unanimously 5 – 0.

Approval of Minutes

Commissioner Chase made a motion to approve the minutes as submitted.

Commissioner Bates seconded the motion.

The motion passed unanimously 5 – 0.

Technical Review Items –

A. Lake Mary Westin Revised PSP; YRG Hotel Group II, LLC, applicant; approximately 8.15 acres; Revised Preliminary Subdivision Plan approval for a 3 Lot Commercial Subdivision zoned PUD (Planned Unit Development); located on the northwest corner of International Parkway and CR 46A.

Commissioner Carey – District 5
Cynthia Sweet, Senior Planner

Cynthia Sweet, Senior Planner, Development Review Division – presented this item and stated that in December of 2007, a Preliminary Subdivision Plan was approved for two commercial lots and the Applicant is now revising their request to include three commercial lots.

Seminole County is the utility provider for water and sewer and the revised PSP meets all applicable conditions of the Seminole County Land Development Code, Chapter 35 and all conditions of the Lake Mary Westin PUD Final Master Plan and Developer's Commitment Agreement.

Staff recommends approval of this request.

Commissioner Wolf made a motion to approve this request.

Commissioner Chase seconded the motion.

The motion passed unanimously 5 – 0.

Public Hearing Items:

B. Wilshire Boulevard SSLUA and Rezone; Seminole County, applicant; 1.3 acres; Small Scale Land Use Amendment from HDR (High Density Residential) to PUB (Public, Quasi-Public) and rezone from R-3 (Multiple-Family Dwelling) to PLI (Public Lands and Institutions); located 500 feet west of the intersection of Coach Light Drive and Wilshire Boulevard. (Z2009-17)

Commissioner Henley - District 4
Ian Sikonia, Senior Planner

Tina Williamson, Assistant Planning Manager – presented this item on behalf of Ian Sikonia and stated that this is a small scale land use amendment and rezone request located west of the intersection of Coach Light Drive and Wilshire Boulevard with Seminole County being the Applicant.

These properties are currently being used by Seminole County as the Indian Hills Water Treatment Plant, which serves the surrounding community. This plant has been in existence since 1966 and the R-3 zoning on the property was established prior to 1974.

This plant was originally used as a private package plant for the surrounding subdivisions until the County took it over in the mid 1970's. The existing zoning on the property is R-3, which doesn't allow for public utility structures as a permitted use. The

proposed PLI zoning district allows for public and quasi-public institutional uses on lands only owned by the public.

The majority of the treatment facility has Public Future Land Use which only allows for the A-1 (Agriculture) and PLI (Public Lands and Institutions) zoning districts. As it currently exists, the R-3 (Multiple-Family Dwelling) zoning district is not in conformance with the existing PUBU Future Land Use designation. The well site property has a HDR (High Density Residential) future land use designation and the R-3 (Multiple-Family Dwelling) zoning district, which doesn't allow for public utility structures as a permitted use. This application will bring the zoning and future land use into conformance with the existing use of the property as a water treatment plant and well site.

Staff recommends approval of this request.

Commissioner Wolf – asked if this is just a conformance issue – there isn't any change of use or property modifications?

Mrs. Williamson – stated there will be some improvements done on it in the future, but it will remain as a water treatment facility.

No one spoke in favor or opposition to this request from the audience.

Commissioner Wolf made a motion to approve this request.

Commissioner Bates seconded the motion.

The motion passed unanimously 5 – 0.

C. Howell Branch Road (1940) Rezone; Pushpa Seth, applicant; .24 acres; Rezone from RP (Residential Professional) to RP (Residential Professional); located 600 feet east of the intersection of Lakemont Avenue and Howell Branch Road. (Z2009-16)

Commissioner Henley - District 4
Ian Sikonia, Senior Planner

Tina Williamson, Assistant Planning Manager – presented this item on behalf of Ian Sikonia and stated that this is a request for a rezone located at 1940 Howell Branch Road.

This property was originally rezoned to the RP (Residential Professional) zoning district on March 13, 1984. The rezoning allowed for general businesses as permitted uses and required any medical or dental uses to be brought back to the Board of County Commissioners for approval. The applicant would like to utilize the existing structure as

a medical office for her internal medicine practice. The property consists of a 1,560 square foot single-family home that was converted to an office.

Staff finds that the proposed rezone is not detrimental to the character of the area and is not incompatible with the concept of low intensity land use and does not have an unduly adverse affect on existing traffic patterns, movements and intensity and recommends approval of this request.

Monisha Seth, applicant – stated that she is looking forward to moving her medical practice from east Orlando to Seminole County and believes that her practice will blend in and complement the existing businesses in this area

No one spoke in favor or opposition to this request from the audience.

Commissioner Chase made a motion to approve this request.

Commissioner Bates seconded the motion.

The motion passed unanimously 5 – 0.

CLOSING BUSINESS

Commissioner Eismann – asked Dori DeBord if she had anything to address in the Manager’s Report and she asked if the Board would like her to brief them on Senate Bill 360 tonight or would they rather wait until Alison Stettner could brief them at the November meeting.

It was the consensus of the Board to wait until Alison returns in November so that they could be briefed at the workshop prior to the meeting.

There being no further business, the meeting was adjourned at 7:10 P.M.

Those in attendance may be heard and written comments may be filed with the Planning Division. Hearings may be continued from time to time as found necessary. Further details are available by calling 407- 665-7775.

***Note:** Persons with disabilities needing assistance to participate in any of these proceedings should contact the Human Resources Department ADA Coordinator 48 hours in advance of the meeting at 407-665-7941.*

Persons are advised that if they wish to appeal any decision made at this hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes.