

## Legislation Text

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File #: 2024-0636, Version: 1

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### Title:

**Mission Road Rezone** - Consider a Rezone from A-1 (Agriculture) to R-1AAA (Single Family Dwelling) for a single-family residential home on approximately 0.45 acres, located on the west side of Mission Road, approximately ¼ mile north of Chapel Street; (Z2024-03) (Shea Smith, Applicant) District2 - Zembower (**Annie Sillaway, Senior Planner**).

### Agenda Category:

Public Hearing Items

### Department/Division:

Development Services - Planning and Development

### Authorized By:

Dale Hall

### Contact/Phone Number:

Annie Sillaway/407-665-7936

### Background:

The Applicant is requesting a rezone from A-1 (Agriculture) to R-1AAA (Single Family Dwelling) to construct a single-family residential home at 347 Mission Road in compliance with the R-1AAA zoning district, which permits single family dwellings.

The existing A-1 (Agriculture) zoning classification allows for single family dwellings; however, it requires a minimum lot size of one (1) acre and a minimum lot width of 150 feet at building line. The vacant undeveloped site is approximately 0.45 acres with a lot width of 105 feet and therefore, does not meet the minimum lot size requirements for the A-1 (Agriculture) zoning district.

The subject site is a lot of record in the 1971 Tax Roll and has had A-1 (Agriculture) zoning classification since the Seminole County Land Development Code was originally adopted. The requested R-1AAA (Single Family Dwelling) zoning classification requires a minimum lot size of 13,500 square feet and a minimum width

at building line of 100 feet.

The subject property has a Medium Density Residential Future Land Use designation, which allows a maximum net density of ten (10) dwelling units per net buildable acre and allows Low Density Residential Future Land Use compatible zoning districts as stated in the Seminole County Comprehensive Plan. The R-1AAA is an allowable zoning district under the LDR and MDR Future Land Use designations.

The Future Land Use and zoning designations of the surrounding area are as follows:

East: Mission Road  
Future Land Use: City of Oviedo Jurisdictional limits - Medium Density Residential  
Zoning: City of Oviedo Jurisdictional limits - R-2 (Medium density Single Family District)

West: SR 417

North: City of Winter Springs  
Owned by FDOT (Florida Department of Transportation)

South: Future Land Use: Seminole County Jurisdictional Limits Medium Density Residential  
Zoning: Seminole County Jurisdictional Limits - A-1 (Agriculture)

### Site Analysis

#### Floodplain Impacts:

Based on the Flood Insurance Rate Map (FIRM) with an effective date of 2007, the site does not appear to contain any floodplains.

#### Wetland Impacts:

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

#### Utilities:

Based on the capacity letter received from the City of Oviedo, it does not state that the city will require annexation. The site is located in the City of Oviedo utility service area and will be required to connect to public utilities for water; water capacity is available to service the single family home. A gravity sewer main is not available in the area with the City of Oviedo; therefore, the site will utilize septic for onsite sewage. Per House

Bill 1379 and the Florida Department of Environmental Protection (FDEP), the septic system would have to be an enhanced nutrient-reducing (ENR) septic system since it will be new construction, on a lot one acre or less, and located in a Florida Basin Management Action Plan (BMAP) area.

Transportation/Traffic:

The property proposes access onto Mission Road, which is classified as a local road that is maintained by the City of Oviedo. Mission Road does not have improvements programmed in the City of Oviedo five (5) year Work Program.

Sidewalks:

There is not an existing sidewalk along Mission Road; therefore, the Applicant will be required to build a five (5) foot wide sidewalk along the property frontage.

Drainage:

The proposed project is located within the Howell Creek Drainage Basin, which has limited downstream capacity; therefore, the site's design will be required to hold water quality, and not exceed the pre-development rate and volume for the twenty-five (25) year, twenty-four (24) hour storm event.

Public School Capacity Determination:

Seminole County Public Schools provided a Concurrency Letter of Determination of No Impact to student generation of school concurrency requirements for the subject property.

Consistency with the Land Development Code

The proposed R-1AAA (Single Family Dwelling) zoning designation has been evaluated for compatibility with the Land Development Code of Seminole County in accordance with Chapter 30, Part 12.

The request is consistent with the Seminole County Land Development Code and compatible with the surrounding trend of development in the area. The proposed development of a single-family residential home supports the objectives of the R-1AAA zoning designation and is compatibility with the surrounding residential zoning classifications and uses.

At the time of building permit review, the Applicant will be required to meet building setbacks and minimum house size of 1,600 square feet, in accordance with the Seminole County Land Development Code.

## Consistency with the Comprehensive Plan

The purpose and intent of the Medium Density Future Land Use is to provide for a range of residential uses at a maximum density of ten (10) dwelling units per net buildable acre. This land use can serve effectively as a transitional use between more intense urban development and Low Density Residential/Suburban Estates. The R-1AAA zoning classification is permitted under the Low Density Residential Future Land Use as well as the existing Medium Density Residential Future Land Use.

Under Policy FLU 17.5 Evaluation Criteria of Property Rights Assertions, the reasonable use of property is a use that does not adversely affect the public health, safety, morals, or welfare, and is compatible with abutting or proximate properties and is otherwise a use that is consistent with generally accepted land use planning principles.

The request is consistent with the Seminole County Comprehensive Plan and compatible with the surrounding area, which consists of single-family detached and two-family residential development.

In compliance with Seminole County Land Development Code Sec. 30.49 - Community Meeting Procedures, the Applicant conducted a community meeting on April 4, 2024; details of the community meeting are attached.

### **Requested Action:**

Staff requests that the Board of County Commissioners adopt the Ordinance enacting a Rezone from A-1 (Agriculture) to R-1AAA (Single Family Dwelling) for a single-family residential home on approximately 0.45 acres, located on the west side of Mission Road, approximately ¼ mile north of Chapel Street.