

**SEMINOLE COUNTY
LOCAL PLANNING AGENCY/
PLANNING AND ZONING
COMMISSION COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
BOARD CHAMBERS, ROOM
1028
MINUTES**

**WEDNESDAY, APRIL 5, 2023
6:00 PM**

El Caserio Rezone – Consider a Rezone from A-1 (Agriculture) to R-1A (Single Family Dwelling) for a nine (9) lot single-family residential subdivision on approximately 6.47 acres, located on Old Lockwood Road approximately 558 feet south of Fawn Run; (Z2022-30) (Mikel Aizpurua, Applicant) District1 - Dallari (**Annie Sillaway, Project Manager**).

Annie Sillaway, Senior Planner, presented this item as stated in the Staff Report. She further stated that the Applicant is proposing approximately nine (9) single-family lots, and there are approximately 1.06 acres of wetland on site. Seminole County will be the service provider for water and sewer. There is an existing six (6) inch sanitary sewer pipe running along the east side of Old Lockwood Road. However, Environmental Services has determined there is not sufficient sanitary sewer capacity in the County's downstream systems for the subject property to develop and the County is unable to provide capacity to sanitary sewer at this time. Until the County can increase the downstream capacity, no proposed development can be approved in this service area. However, the Applicant can proceed with the Rezone and develop with the intent to connect to the sanitary sewer, but the Applicant will not be issued Certificates of Occupancy until downstream capacity becomes available. The Applicant has been put on notice of the sewer capacity issues. Environmental Services currently has a project underway to add downstream capacity. The County should have sufficient capacity once the project is complete. The proposed project is located within the Big Econlockhatchee River Drainage Basin and has a limited downstream capacity. Therefore, the site will have to be designed to hold the twenty-five (25) year, twenty-four (24) hour storm event onsite unless a viable legal outfall is determined. Staff finds the request to be consistent with the Seminole County Land Development Code and the surrounding area. There are several developments in close proximity to the subject site with seventy (70) foot width lots; Ellingsworth was developed with seventy (70) foot wide single-family lots and Carillon was developed as a Planned Development with seventy (70) foot wide single-family lots. Staff recommends the Board of County Commissioners adopt the proposed Ordinance enacting a Rezone from A-1

(Agriculture) to R-1A (Single Family Dwelling) for 6.47 acres, located on Old Lockwood Road approximately 558 feet south of Fawn Run.

Jeremy Anderson from Common Oak Engineering spoke on behalf of the owners of the property and agreed with Staff as presented. He stated the owners' intentions were to create a homestead for the family however, anything can happen in the future. Additionally, the owners wanted to create what is in line with the Future Land Use Map, which is a low-density type of a residential subdivision. Mr. Anderson stated that Whitetail Run, an adjacent subdivision, had lots that were approved at a seventy-five (75) feet wide and Hampton Estates, another subdivision, had ninety (90) foot wide minimum lots. Mr. Anderson stated they are proposing nine (9) lots on the property.

The following members from the audience spoke in opposition of the rezone:

Tariq Rashid, Oviedo, spoke that he believed if a Rezone was approved, a precedence would be set for future land development if nine (9) lots are squeezed into 6.5 acres.

Andrew Verstrate, Oviedo, stated he couldn't understand why the Applicant is requesting a Rezone from A-1 to an R-1A. He feels the owners are trying to subvert the system. He further stated that an R-1A property designation had no restrictions according to the Land Development Code and would allow for as little as an 1,100 square foot home. He stated his property value would decrease if the Rezone was approved.

Anthony Mennella, Oviedo, spoke regarding the Econ Wilderness area and how he wasn't sure if it would be impacted. He asked if an impact study would be completed before any development.

Chairman Lawhun stated that an impact study would be required at Final Engineering.

Christina Verstrate, Oviedo, provided a written comment in opposition of the Rezone.

Jeremy Anderson rebutted stating the owner had no intention of developing houses less than 2,300 square feet. All other issues brought up would be addressed during the permitting process.

Commissioner Jerman stated that immediately to the north of the subject property, the zoning is R-1AA and to the south is preservation and asked why the Applicant would apply for an R-1A instead of R-1AA.

Mr. Anderson stated that the intention of the owner is to preserve a large lot for the existing home near the water. Currently, the subject lot being proposed is approximately 230 feet wide and in order to obtain nine (9) lots, they need to be less than ninety (90) feet. He stated the lots in the Hampton Estates are 130 feet deep and the lots being proposed are approximately 166 feet deep.

Chairman Lawhun asked if there was a subdivision plan being proposed and if so, why

wasn't that being presented to the P&Z Commission.

Mr. Anderson stated he believed that was a step following the Rezone. However, he had the plan available for the record. Mr. Anderson presented a Conceptual Plan for the record.

Commissioner Jerman stated he was opposed to the Rezone and he believed an R-1AA Rezone would be more consistent with the surrounding area.

Board discussion ensued.

A motion was made by Commissioner Jerman, seconded by Commissioner S. Smith to deny and refer the El Caserio Rezone to the Board of County Commissioners.

Ayes: (5) Chairman Lawhun, Commissioner Jerman, Vice Chairman Lopez, Commissioner Lorenz and Commissioner S. Smith

Nay (1): Commissioner T. Smith

Absent: (1) Commissioner Grundorf