



1 **Staff Report and Recommendations for ZON-23-0027**

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3 Copies of the application are available at the Clay County
4 Administration Office, 3rd floor, located at 477 Houston Street Green Cove Springs, FL 32043

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6 **Owner / Applicant Information:**

Owner: Integrated Access Solutions LLC	Address: 2227 Crystal Cove Drive
Agent: Janis Fleet (Fleet & Associates Architects/Planners Inc)	Green Cove Springs, FL 32043
Phone: 904-666-7038	
Email: jfleet@fleetarchitectsplanners.net	

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8 **Property Information**

Parcel ID: 28-05-26-014417-000-00	Address: 3029 U.S. Highway 17 Green Cove Springs, FL 32043
Current Land Use: COM (Commercial) and RF (Rural Fringe)	Current Zoning: Commercial and Professional Office District (BA-2) and Single-Family Residential District (RA)
Proposed Zoning: BB-3 (Specialty Business District)	Acres: 1.6 acres
Commission District: 5, Comm. Burke	Acres affected by Zoning change: 1.05 acres
	Planning District: Green Cove Springs

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10 **Introduction:**

11 This application is a Rezoning of a portion of a single parcel of land from Commercial and Professional
12 Office District (BA-2) and Single-Family Residential District (RA) to Specialty Business District
13 (BB-3). This change will result in an extended commercial zoning category while maintaining a buffer to the
14 adjacent residential parcels to the east.

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16 The subject parcel is located on U.S. Highway 17, between Wilkies Point Road and County Road 209. The
17 applicant desires to develop the portion of the property fronting US 17 for retail and commercial office use.

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19 A companion Future Land Use change for 0.26 acres of the subject parcel from RF (Rural Fringe) to COM
20 (Commercial) precedes this rezoning.

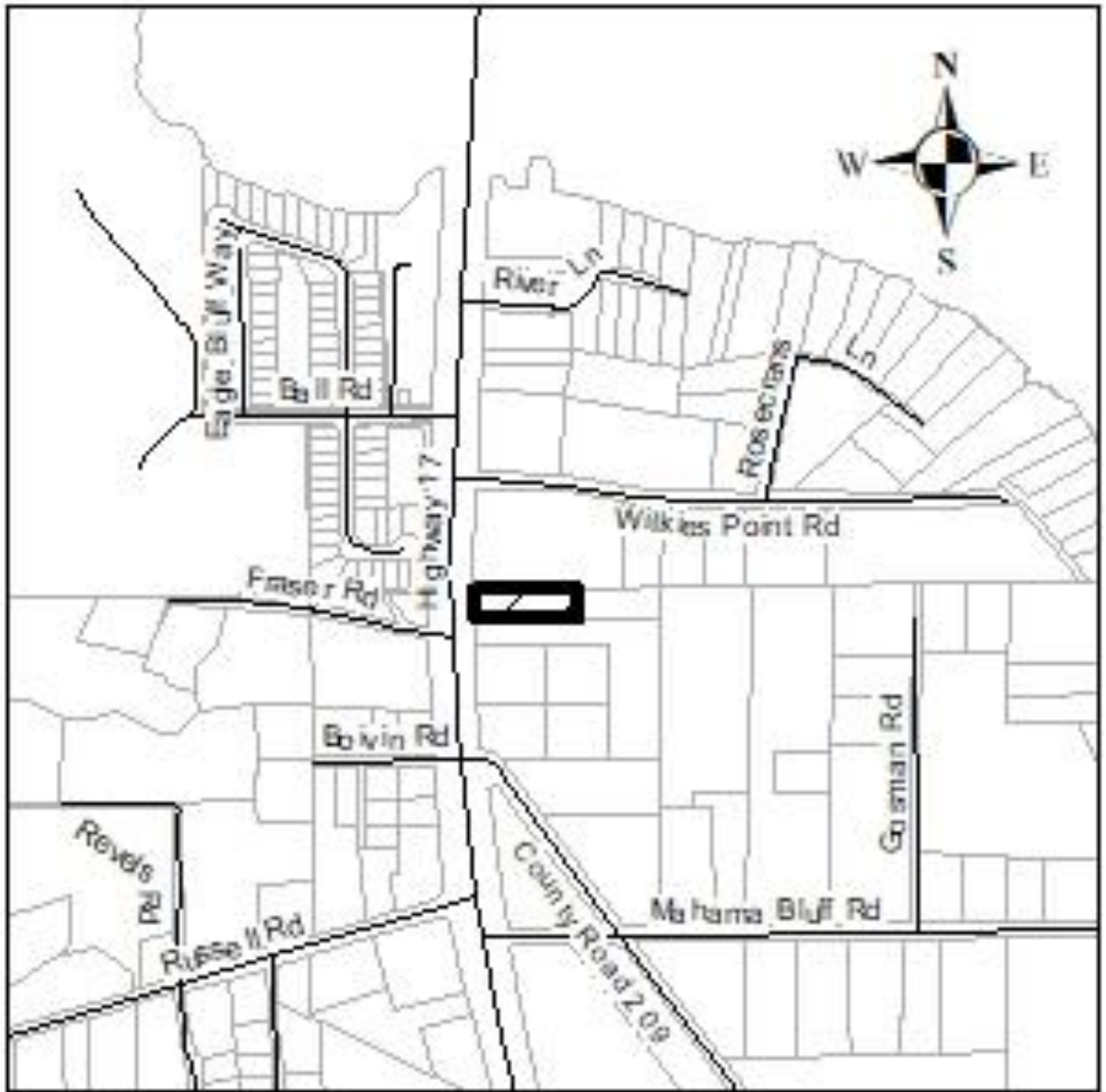
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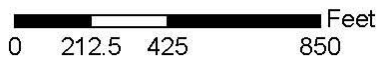
Figure 1 – Parcel Map

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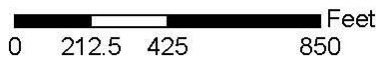
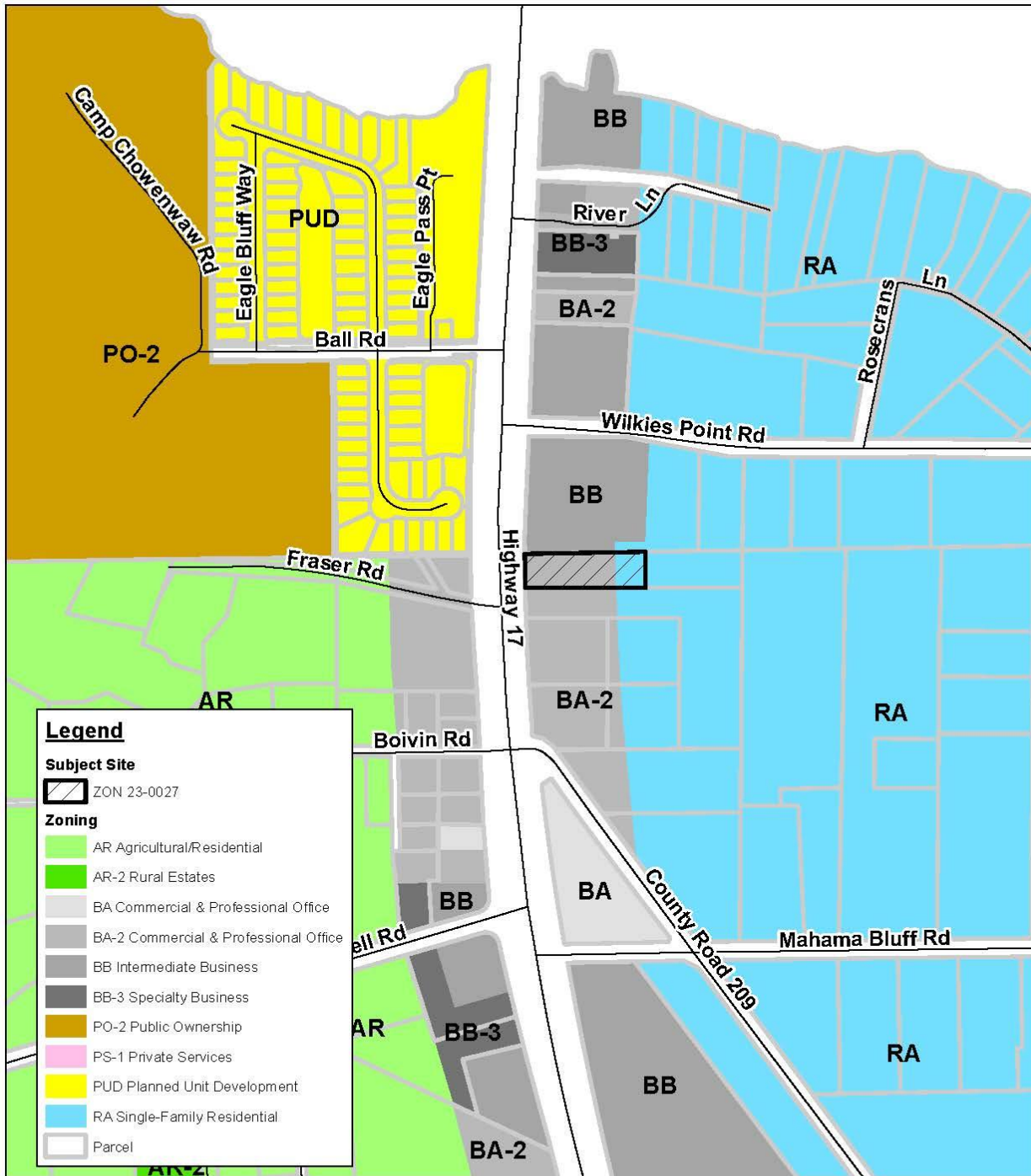
Figure 2 – Aerial Photo



**Rezoning: ZON 23-0027
from BA-2 and RA to BB-3**



Figure 3 – Zoning Map



**Rezoning: ZON 23-0027
from BA-2 and RA to BB-3**



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31 **Relevant Clay County 2040 Comprehensive Plan Policies**

32 The following Goals/Objective/Policies support the proposed Rezoning Amendment to the Code:

33 FLU Policy 1.4.1.5 Rural Fringe (RF) (Suburban)

34 This designation is reserved for land accessible to existing Urban Services and located in the
35 areas where extension of central water and (where applicable) sewer service can be easily
36 provided. Densities in this area shall be a maximum of three units per net acre and a minimum
37 of one unit per net acre. This density category is almost exclusively characterized by
38 single-family detached housing units but may also include two and three family residential
39 developments.

40 A maximum density of 7 units per net acre may be allowed within the Rural Fringe designation
41 on the *Future Land Use Map* for the provision of housing for the elderly or handicapped and
42 housing for very low, low income and moderate income households. Location shall be based
43 on need and criteria assessing proximity to the following: employment, mass transit, health
44 care, parks, commercial services, and central utility services, as detailed in the Housing
45 Element and land development regulations.

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47 FLU Policy 1.4.1.9 Commercial (COM)

48 The commercial designation accommodates the full range of sales, service, and office activities.
49 These uses may occur in self-contained shopping centers, free standing structures,
50 campus-like business parks, central business districts, or along arterial highways. These areas
51 are intended for larger scale, more intensive community-type commercial uses.

52 The location of commercial development shall be concentrated at major intersections and
53 within Activity Centers and Planned Communities. The development shall create a
54 commercial node, not a strip, with a mixture of retail, office, and hotel uses.

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56 **Analysis of Proposed Rezoning Amendment**

57 In reviewing the proposed application for Rezoning, the following criteria may be considered along with
58 such other matters as may be appropriate to the particular application:

59

- 60 (a) Whether the proposed change will create an isolated district unrelated to or incompatible with
61 adjacent and nearby districts;

62 Staff Finding: The adjacent vacant parcel to the north has a similarly intense commercial zoning of
63 Intermediate Business District (BB) and Commercial and Professional Office District (BA-2). The adjacent

64 parcels to the south and west have a less intense zoning of Commercial and Professional Office District (BA-
65 2). The adjacent parcel to the east is zoned RA (Single-Family Residential District) and although it will be
66 buffered by the existing RA zoning of the remainder of the subject parcel, the requested Specialty Business
67 District (BB-3) allows more intensive uses than any lot in the area with the exception of the single BB parcel.
68 Therefore, the proposed change will be incompatible with the adjacent and nearby districts.

69 (b) Whether the district boundaries are illogically drawn in relation to the existing conditions on the
70 real property proposed for change;

71 Staff Finding: The existing district boundaries are not illogically drawn. They represent an effort to
72 provide for commercial uses within a corridor flanking US Highway 17.

73 (c) Whether the conditions which existed at the time the real property was originally zoned have
74 changed or are changing, and, to maintain consistency with the Plan, favor the adoption of the proposed
75 Rezoning;

76 Staff Finding: The date of the prior zoning is unknown; however, the general area consists of businesses in
77 small dwellings.

78 (d) Whether the affected real property cannot be used in accordance with existing zoning;

79 Staff Finding: The current zoning of Commercial and Professional Office District (BA-2) limits size of
80 structures to 2,500 square feet per building, which restricts the applicant's plans for the property and their
81 business but is consistent with other developed parcels in this corridor.

82 (e) Whether the proposed Rezoning application is compatible with and furthers the County's stated
83 objectives and policies of the Plan;

84 Staff Finding: The proposed rezoning is compatible with the Comprehensive Plan as it reduces urban
85 sprawl by providing infill development along a major transportation corridor.

86 (f) Whether maintenance of the existing zoning classification for the proposed Rezoning serves a
87 legitimate public purpose;

88 Staff Finding: While maintaining the split zoning can put a hardship on potential businesses, the current
89 Office and Professional Office District Zoning (BA-2) maintains a buffer between commercial and
90 residential use in the area.

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Surrounding Districts

	Future Land Use	Zoning District
North	Commercial and Rural Fringe	Intermediate Business District (BB) and Single-Family Residential District (RA)
South	Commercial and Rural Fringe	Commercial and Professional Office District (BA-2) and Single-Family Residential District (RA)
East	Rural Fringe	Single-Family Residential District (RA)
West	Commercial	Commercial and Professional Office District (BA-2)

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96 The applicant desires to use the parcel as a showroom and office for their “Smart Home Technology”
 97 business with a garage for storage of materials and vehicles. The existing BA-2 zoning district restricts
 98 buildings to 2,500 square feet and they desire to build a larger structure. Staff does not object to this
 99 specific use but to the Specialty Business District (BB-3) zoning. BB-3 allows more intensive uses such
 100 as gas stations, sales of automobiles, pawn shop, automobile repair and tire sales that would not be
 101 compatible with the surrounding Single-Family Residential District (RA). The commercial portion of the
 102 parcel is currently zoned Commercial and Professional Office District (BA-2), which is intended to serve
 103 as a buffer between residential and commercial. This is why staff recommends approval of extending the
 104 Commercial future land use by 100 feet but does not support rezoning to BB-3.

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106 **Recommendation**

107 Staff recommends denial of ZON-23-0027. The request to rezone to BB-3 will result in a zoning district that
 108 is not compatible with the surrounding residential parcels and is not a good transitory zoning district
 109 between the BB zoning district to the north and the BA-2 zoning district bordering to the south.

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