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## Staff Report and Recommendations for ZON-23-0027

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

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### Owner / Applicant Information:

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

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### Property Information

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

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### Introduction:

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

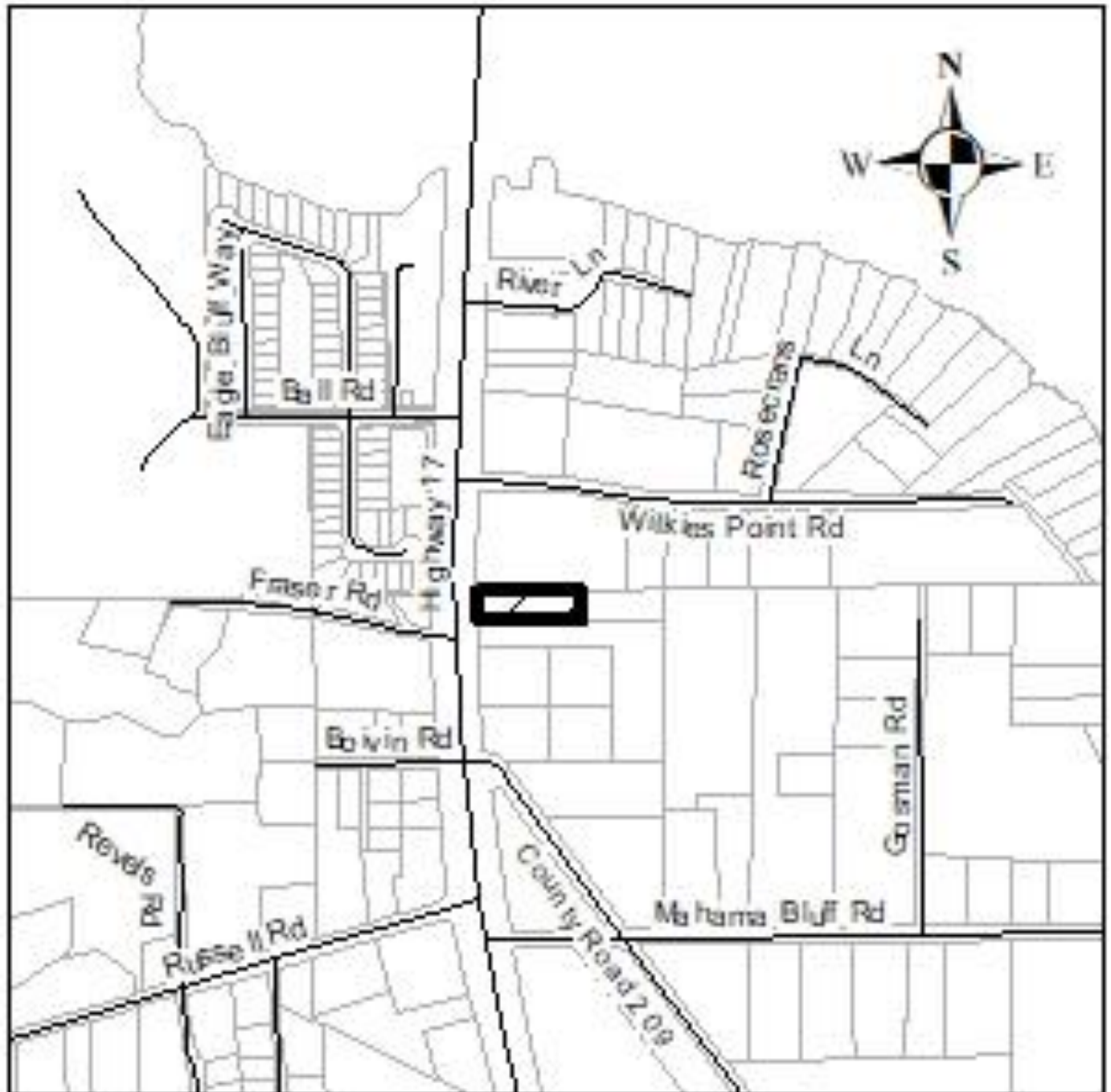
This application originally requested rezoning the same portion of the parcel to Specialty Business District (BB-3). However, staff felt that zoning was too intense for the area and the applicant agreed to revise their request to Community Business District (BB-2) during the January 2, 2023 Planning Commission meeting.

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

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

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Figure 1 – Parcel Map



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Figure 2 – Aerial Photo



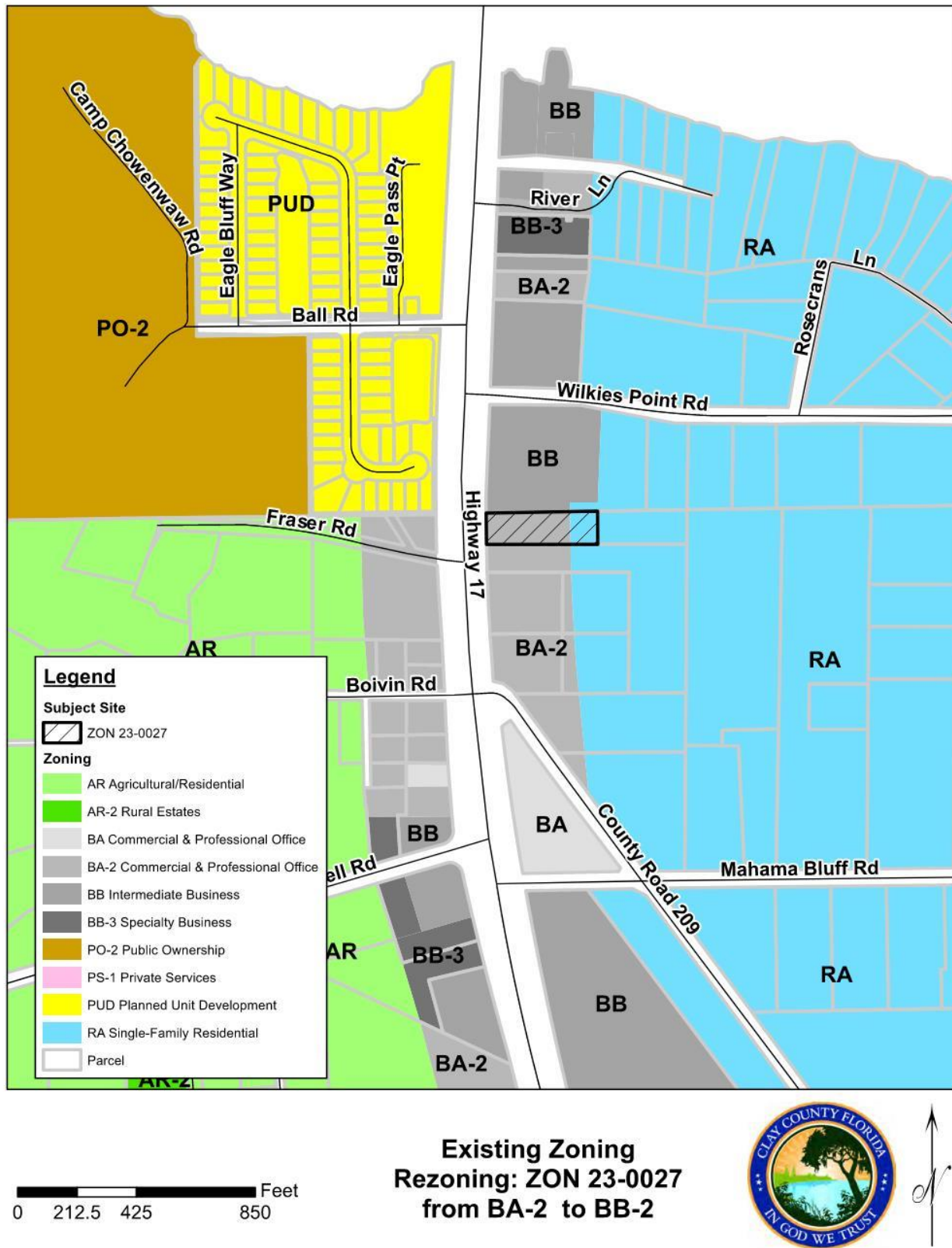
0 212.5 425 850 Feet

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





Figure 3 – Zoning Map



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

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

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

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

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

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49 FLU Policy 1.4.1.9 Commercial (COM)

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

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

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58 **Analysis of Proposed Rezoning Amendment**

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

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

64 Staff Finding: The adjacent vacant parcel to the north has a similarly intense commercial zoning of  
65 Intermediate Business District (BB) and Single-Family Residential District (RA) zoning. The adjacent

66 parcels to the south and west have a less intense zoning of Commercial and Professional Office District (BA-  
67 2). The adjacent parcel to the east is zoned RA (Single-Family Residential District) and will be buffered by  
68 the existing RA zoning of the remainder of the subject parcel. The requested Community Business District  
69 (BB-2) allows a slightly more intense transition from commercial to residential uses than the current BA-2  
70 zoning. Therefore, the proposed change will be compatible with the adjacent and nearby districts.

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

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

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

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

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

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

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

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

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

90 Staff Finding: Maintaining the split zoning can put a hardship on potential businesses, as well as the  
91 limitation of 2500 square feet per building as seen in the current Office and Professional Office District  
92 Zoning (BA-2).

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Surrounding Districts

|       | <b>Future Land Use</b>      | <b>Zoning District</b>   |
|-------|-----------------------------|--|
| 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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98 The applicant desires to use the parcel as a showroom and office for their “Smart Home Technology”  
 99 business with a garage for storage of materials and vehicles. The existing BA-2 zoning district restricts  
 100 buildings to 2,500 square feet and they desire to build a larger structure. Although BB-2 is a slightly more  
 101 intense than the currently existing BA-2 zoning, staff feels that a home showroom would fit with the  
 102 home offices in the immediate area and BB-2 would be appropriate for the surrounding Commercial and  
 103 Professional Office District zonings.

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**Recommendation**

106 Staff recommends approval of ZON-23-0027. The request to rezone to BB-2 will result in a zoning district  
 107 that is compatible with the surrounding residential parcels and serves as a transitory zoning district between  
 108 the BB zoning district to the north and the BA-2 zoning district bordering to the south.

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