

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**



Application No.:	Z2006-0181
Control No.:	2005-0572
Applicant:	David and Heidi Setaro
Owners:	David and Heidi Setaro
Agent:	RTG Construction, Inc. - Jeff Wooster
Telephone No.:	(561) 704-7562
Project Manager:	Douglas Robinson, Site Planner I (Drobins1@co.palm-beach.fl.us)

Location: Approximately 130 feet east of Akron Road on the south side of Springdale Road. **(Springdale Road Setaro Rezoning)**

Title: Official Zoning Map Amendment. **Request:** Rezoning from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District.

APPLICATION SUMMARY: Proposed is the rezoning of 0.84 acres of land from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District to allow for the construction of one single family dwelling unit on the eastern 0.42 acres of the subject property. Access to the site will remain from Springdale Road (1) and Akron Road (1).

ISSUES SUMMARY:

- Consistency with Comprehensive Plan

The Planning Division has reviewed the application and determined that the request is consistent with this site's Low Residential 3 (LR-3) Future Land Use (FLU) designation. Additionally, the site is located within the Urban/Suburban Tier. See Planning Division Comments for additional information.

- Compatibility with Surrounding Land Uses

The Florida Gardens is an established community of single-family homes on lots ranging in size from .20 to .70 acres and above. The subject property is one of the few vacant lots in the subdivision. Lot 702 adjoins lots on the east and west, which are of equal size, 0.42 acres and are in use as single-family residential. Lots on the North side of Springdale Road directly across from lot 702 currently support single-family usage and are .20 acres in size. All usage in the Subdivision and on surrounding lots is compatible with the proposed usage.

- Traffic

The existing single-family residence produces an estimated 10 trips per day. The new single-family residence will also produce an estimated 10 trips per day. The total estimated trips will be a total of 20.

- Landscape/Buffering

Pursuant to Article 7.F. of the ULDC, individual single-family residential lots are exempt from perimeter landscaping and buffering requirements. Furthermore, the request does not entail any change that would create potential incompatibilities with surrounding properties. Therefore, landscaping and/or buffering conditions of approval are neither necessary nor appropriate.

TABULAR DATA

	EXISTING	PROPOSED
Property Control Number(s)	00-42-44-28-01-000-0702	Same
Land Use Designation:	Low Residential (LR-3)	Same
Zoning District:	Single-Family Residential (RS)	Residential Transitional (RT)
Tier:	Urban/Suburban	Same
Use:	Vacant	Single-Family
Acreage:	0.42 acres	Same
Dwelling Units:	1	1
Density:	1 unit	2 units
Access:	Springdale Road	Same

CODE ENFORCEMENT: N/A

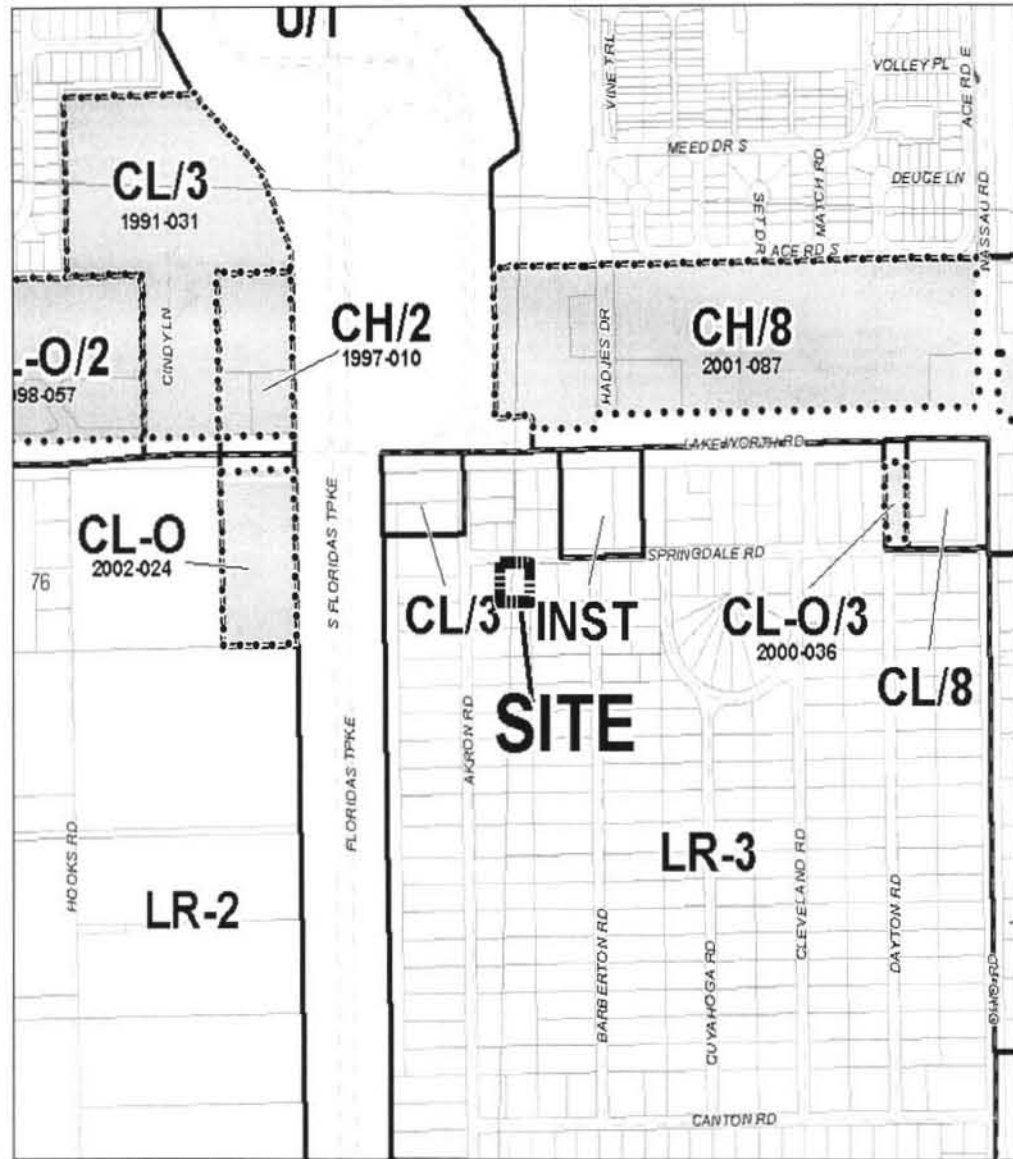
PUBLIC COMMENT SUMMARY: At the time of publication, staff had received two letters in approval and one letter in objection from the public.

RECOMMENDATION: Staff recommends approval of request.

ACTION BY THE ZONING COMMISSION: May 4, 2006: Motion to recommend approval, as amended, carried 6-0.

MOTION: To adopt a resolution approving the rezoning from the Single Family Residential Zoning District to the Residential Transitional Zoning District.

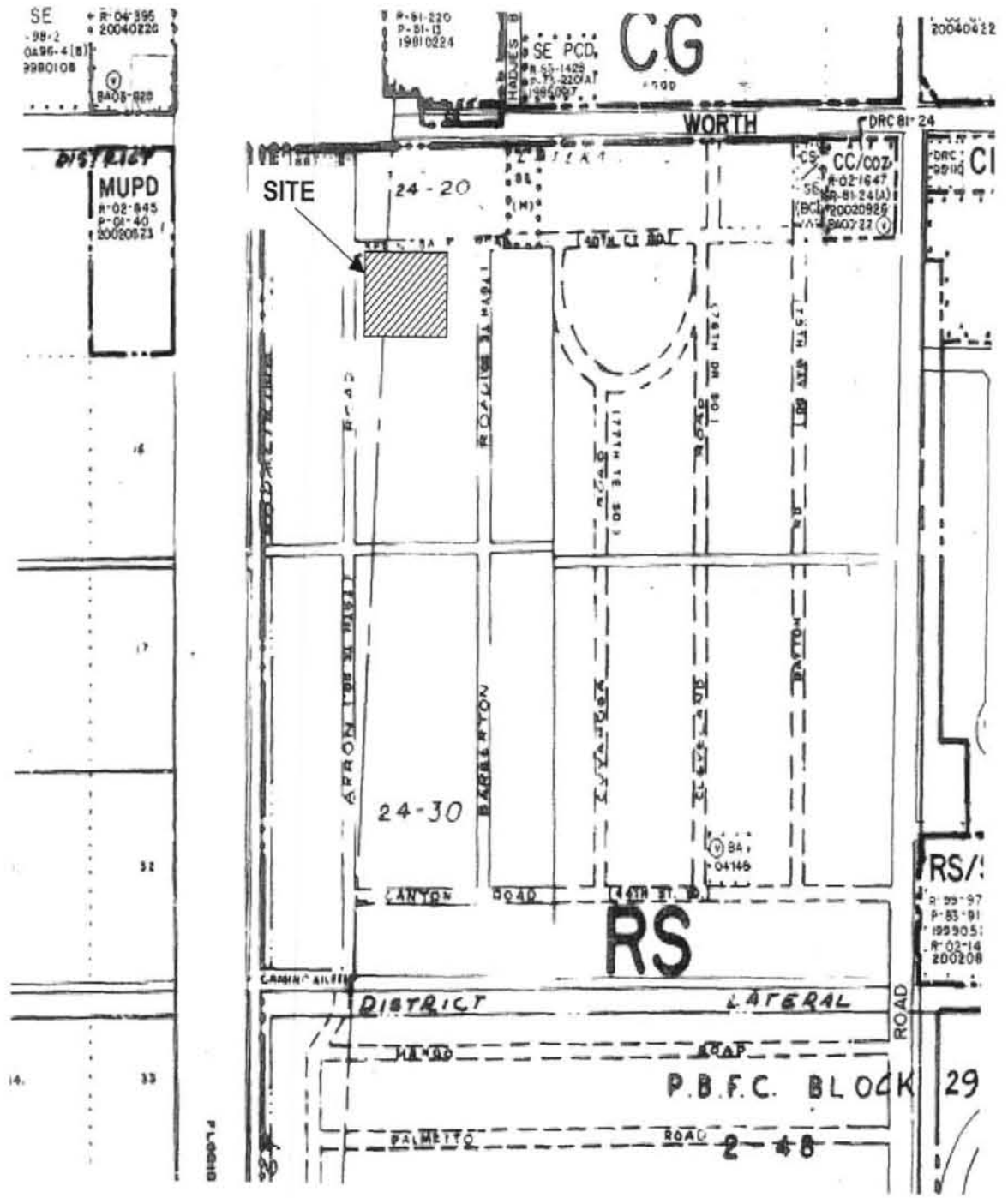
PALM BEACH COUNTY PLANNING DIVISION SITE LOCATION AND LAND USE



Application Number:	<u>Z2006-181</u>
Control Number:	<u>2005-572</u>
Land Use Atlas Page:	<u>16</u>
Date:	<u>04/14/06</u>



PALM BEACH COUNTY ZONING QUAD/VICINITY SKETCH

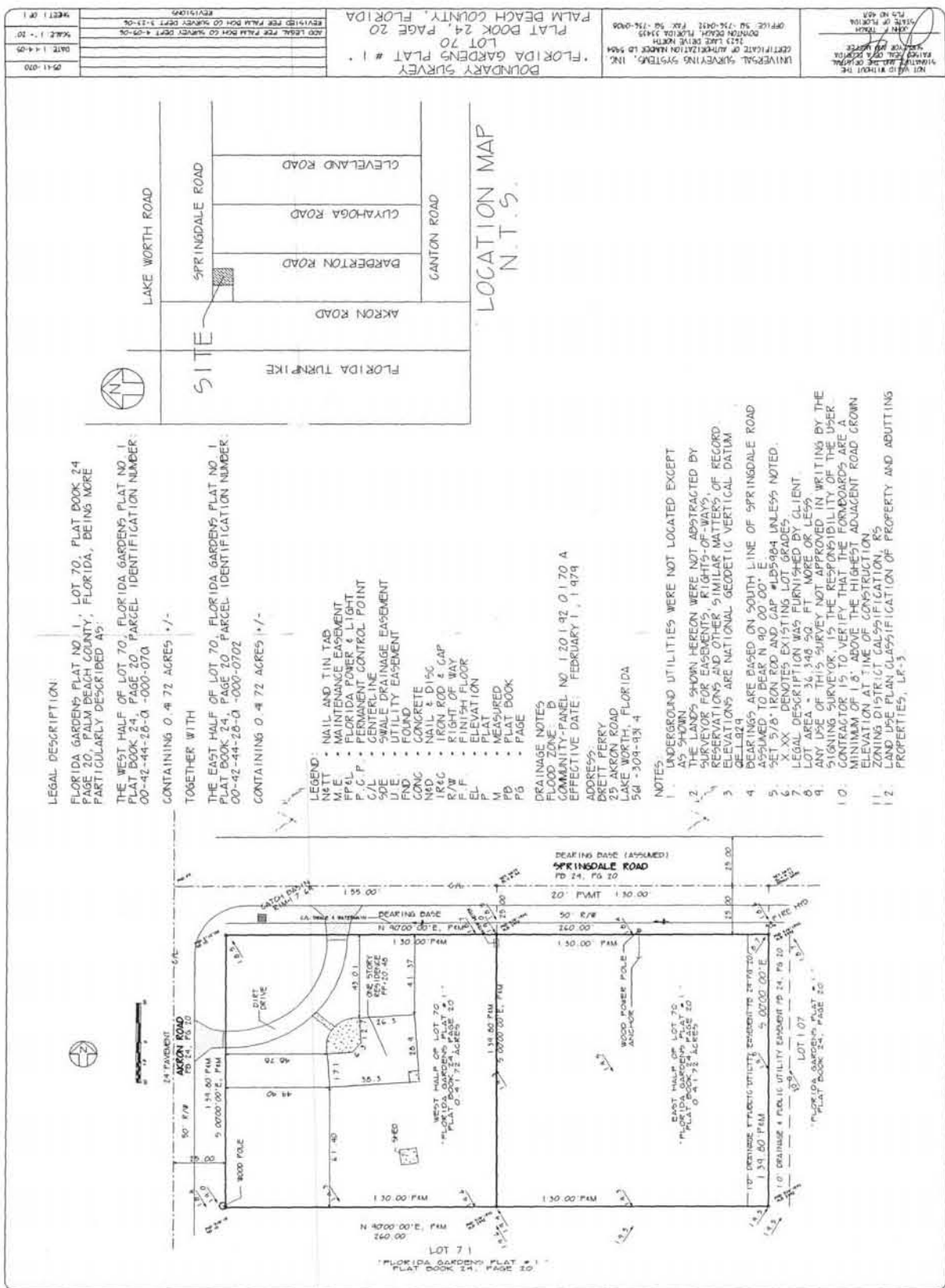


Application No. 2006-181
 Zoning Quad 48
 Date May 4, 2006



**AERIAL PHOTOGRAPH NOT INCLUDED
IN ELECTRONIC STAFF REPORT**

**SURVEY
DATED JANUARY 14, 2005**



STAFF REVIEW AND ANALYSIS

PLANNING DIVISION COMMENTS:

FUTURE LAND USE (FLU) PLAN DESIGNATION: LR-3

Underlying Land Use: None

CONSISTENCY WITH FUTURE LAND USE (FLU) PLAN DESIGNATION: The Planning Division has reviewed the request to rezone the affected portion of the subject site from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District and has found the request to be consistent with the site's LR-3 FLU designation. The LR-3 land use designation allows the following maximum number of units:

.84 acres x 2 du/ac = 1.68 or 1 unit (standard)

.84 acres x 3 du/ac = 2.52 or 2 units (maximum)

Typically a site of this size (.84 ac.) with the LR-3 FLU designation would be permitted to development at the standard density of 2 du/ac. However, FLUE Policy 1.2.2-a allows property with less than the minimum acreage required by the land use designation to calculate at the maximum units per acre if the resulting unit total would be consistent with the existing/potential development in the area. Pursuant to this policy, this .84-acre site could develop with a maximum of two (2) dwelling units. Per the Planning Division memorandum dated November 18, 2005, which states "The Planning Division can support the proposed plat waiver as consistent with the Comprehensive Plan", the proposed request for a total of 2 units is consistent with the density thresholds permitted by the Comprehensive Plan for a property with a LR-3 FLU designation.

TIER: The subject property is in the Urban/Suburban Tier.

FUTURE ANNEXATION AREAS: The subject site is located within the future annexation area of the City of Greenacres. As part of the public hearing notice process, Zoning Staff has notified this municipality of the request.

INTERGOVERNMENTAL COORDINATION: The subject property is not located within one mile of a municipality.

SPECIAL OVERLAY DISTRICT/NEIGHBORHOOD PLAN/PLANNING STUDY AREA: None

FINDINGS: The request is consistent with the parcel's LR-3 land use designation of the Palm Beach County Comprehensive Plan.

ENGINEERING COMMENTS:

MAJOR THOROUGHFARES

- a. Total traffic expected from construction of one new single family home is 10 trips/day.

TRAFFIC: Lake Worth Road
SEGMENT: Florida Turnpike to Jog Road
PRESENT: 37841
HISTORICAL
GROWTH TRAFFIC -
OTHER DEVELOPMENT
TRAFFIC: -
FROM PETITION: 10 trips per day

TOTAL: 37851
PRESENT CAPACITY AT
LEVEL OF SERVICE "D": 49200
PRESENT LANEAGE: 6 lane

PALM BEACH COUNTY HEALTH DEPARTMENT:

Water is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing onsite potable water supply systems shall be abandoned in accordance with Palm Beach County ECR-II.

Wastewater service is not available to the property . The property owner obtained a variance and construction permit for an onsite sewage treatment and disposal system (OSTDS) to allow development of the 0.42-acre lot with a single family residence.

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The site is currently unimproved and contains native vegetation. The native vegetation consists of Slash pine and will be required to be incorporated or mitigated at the time a site plan is proposed.

WELLFIELD PROTECTION ZONE: The property is not located within a Wellfield Protection Zone.

IRRIGATION CONSERVATION CONCERNS AND SURFACE WATER: All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Water and Irrigation Conservation Ordinance No. 93 3. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93 15.

ENVIRONMENTAL IMPACTS: There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

OTHER:

FIRE PROTECTION: The Palm Beach County Department of Fire Rescue will provide fire protection.

SCHOOL IMPACTS: In accordance with adopted school concurrency, a Concurrency Determination for 2 single-family units was approved on December 19, 2005 (Concurrency Case #05112801C). The subject property is located within Concurrency Service Area 15 (SAC 207).

This project is estimated to generate approximately 1 (1) public school student. The schools currently serving this project area are Discovery Key Elementary, Woodlands Middle, and Santaluces High.

PARKS AND RECREATION: The rezoning is to allow two single family houses, therefore, Parks and Recreation U.L.D.C standards do not apply.

CONCURRENCY: Concurrency has been approved for a single family unit.

WATER/SEWER PROVIDER: Palm Beach County Water Utilities Department.

FINDING: The proposed Zoning Map Amendment complies with Article 2.F of the ULDC, Concurrency (Adequate Public Facility Standards).

EXHIBITS

- Exhibit A: Legal Description (NA - attached to resolution)
- Exhibit B: Vicinity Sketch
- Exhibit C: N/A

DEVELOPMENT REVIEW EVALUATION:

SITE FACTORS: A 0.42 acre site, approximately 130 feet in width with an average depth of approximately 139 feet, and accessed by Springdale Road (1) and Akron Road (1). The site is currently vacant.

ADJACENT LAND USE AND ZONING:

NORTH:

FLU Designation: Low Residential (LR-3)
Zoning District: Single-Family Residential District (RS)
Supporting: Single family residence

SOUTH:

FLU Designation: Low Residential (LR-3)
Zoning District: Single-Family Residential District (RS)
Supporting: Single family residence

EAST:

FLU Designation: Low Residential (LR-3)
Zoning District: Single-Family Residential District (RS)
Supporting: Single family residence

WEST:

FLU Designation Low Residential (LR-3)
Zoning District: Single-Family Residential District (RS)
Supporting: Single family residence

FINDINGS:

1. **Consistent with Comprehensive Plan.** The Planning Division has reviewed the application and determined that the request is consistent with this site's Low Residential 3 (LR-3) Future Land Use (FLU) designation. Additionally, the site is located within the Urban/Suburban Tier. See Planning Division Comments for additional information.
2. **Consistent with Code.** The proposed request is in compliance with the Unified Land Development Code.
3. **Compatible with surrounding uses.** The Florida Gardens is an established community of single-family homes on lots ranging in size from .20 to .70 acres and above. Lot 702 is one of the few vacant lots in the subdivision. Lot 702 adjoins lots on the east and west, which are of equal size and are in use as single-family residential. Lots on the North side of Springdale Road directly across from lot 702 currently in single-family usage are .20 acres (Lot 0682) in size. All usage in the Subdivision and on surrounding lots is compatible with the proposed usage.
4. **Changed conditions.** The rezoning will allow the subdivision of lots and enable the applicant to build a single-family residence meeting ULDC's property development regulations
5. **Effect on Natural Environment.** There is no negative environmental impact. Storm water runs towards Springdale Road where there is a swale and a catch basin. There are no wetlands on the property. The existing Slash Pine tree will remain and be incorporated into the new landscape.
6. **Development Patterns.** Proposed usage is compatible with existing usage and does not change development patterns in the subdivision or area.

7. **Consistency with Neighborhood Plan.** Proposed usage is compatible with current usage in neighborhood.

8. **Adequate Public Facilities.** Concurrency application was submitted on November 29, 2005. A septic variance has been approved by Palm Beach County Health Department. The lot has Public water supplied by PBCWU. School concurrency has been approved.