

City of South Daytona

Community Development Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3020



MEMORANDUM

To: James L. Gillis Jr., City Manager

From: S. Laureen Kornel, Community Development Director

Re: Consideration of Ordinance No. 2023-02: Rezoning of 1921 and 1923 South Palmetto Avenue, Parcels 5344-16-00-0400 and 5344-16-00-0401 from PUD (Planned Unit Development) to R1-A (Single Family Residential)

Date: February 9, 2023

The applicant/owner of 1921 and 1923 S. Palmetto Avenue has requested a Zoning map amendment from PUD (Planned Unit Development) to R1-A (Single Family Residential) for 1921 South Palmetto Avenue (± 0.7 acres) and for 1923 South Palmetto Avenue (± 0.2 acres) for a total of 0.9 acres. No new construction is proposed as part of this rezoning application.

I. SITE INFORMATION

1. Location:



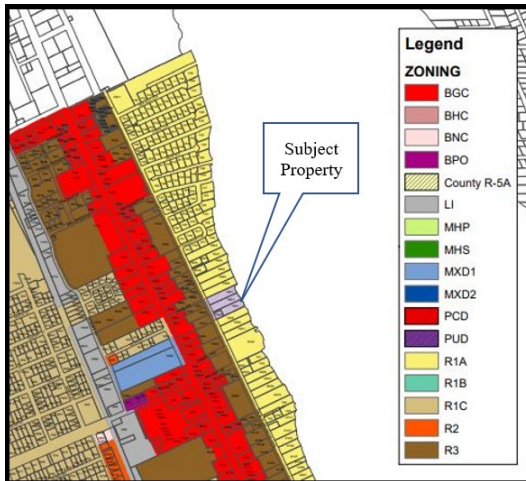
East side of South Palmetto Avenue, approximately 200 feet south of its intersection with Kost Road.

- | | |
|----------------------------|--|
| 2. Short Parcel Number(s): | 5344-16-00-0400 and 5344-16-00-0401 |
| 3. Property Size: | ± 0.7 acres and ± 0.2 acres respectively |
| 4. Zoning: | Current – Planned Unit Development (PUD) |

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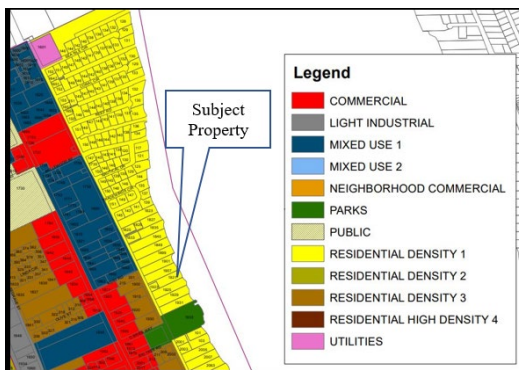
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Proposed - R1-A (Single Family Residential)

5. FLU Designation:

Residential Density 1



6. Overlay District:

Community Redevelopment Area

7. Adjacent Zoning and Land Use:

| Direction | Current Use | Future Land Use | Zoning |
|-----------|---------------|-----------------------|----------------------------------|
| North | Single Family | Residential Density 1 | R1-A (Single Family Residential) |
| East | Halifax River | N/A | N/A |
| South | Single Family | Residential | R1-A (Single Family |

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| | | | |
|------|--------------|-----------------------|----------------------------------|
| | | Density 1 | Residential) |
| West | Multi Family | Residential Density 3 | R3 (Multiple Family Residential) |

II. BACKGROUND

The subject properties are currently zoned Planned Unit Development (PUD) and are part of a larger unsuccessful PUD known as Diamond Reef, a 16-unit subdivision established in 2006. The properties were never developed as part of Diamond Reef. The properties are currently developed with residential homes with 1921 South Palmetto having a building footprint of $\pm 2,400$ square feet, built in 1960 and 1923 South Palmetto having a building footprint of $\pm 1,360$ square feet with an unknown construction date.

The properties recently changed ownership and the current property owner does not wish to participate in the Planned Unit development and requests that the R1-A zoning classification be reinstated on the two parcels. The property owner intends to redevelop 1921 South Palmetto as a single-family home, consistent with the existing use as a single family home and neighboring properties. There are no plans for 1923 South Palmetto Avenue at this time. Rezoning the subject properties to R1-A would be consistent with their underlying Residential classifications as shown on the Future Land Use Map (FLUM) of the Comprehensive Plan. The proposed R1-A zoning would allow the property to be redeveloped in the future with single-family homes in accordance with the Land Development Code dimensional standards facilitating the continued utilization and productivity of the property, which is in the best interest of both the property-owner and the City.

In 2012, 1899 South Palmetto in proximity to the subject properties was rezoned in a similar manner from PUD to R1-A (Ordinance 12-02). Aside from this instance, the zoning classifications and Future Land Use designations north and south of the subject properties are generally homogeneous (R1-A). The rezoning in 2012 provides precedent for the applicant's request and provides appropriate dimensional standards to redevelop the properties as single family homes in the future consistent with dimensional standards in the area. Any future redevelopment of the subject properties will require site plan review.

III. ANALYSIS

The South Daytona Future Land Use Map (FLUM) identifies the subject parcels as Residential Density 1. The Residential Density 1 future land use designation is four units per acre and each parcel will not exceed the maximum density. The requested zoning change to R1-A is consistent with the City's future land use designation for the subject properties. The properties are existing lots of record and were previously zoned R1-A prior to the previous rezoning to PUD and are consistent with the other lots along the Halifax River in South Daytona.

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The properties are already developed with single family homes. The requested zoning change will not represent a nuisance as there is no proposed change of use other than the single-family homes that exist there today. Since the R1-A zoning classification is allowed under the Residential Density 1 land use designation, the rezoning back to the R1-A is consistent with the City's adopted future land use map and adopted elements of the Comprehensive Plan. The requested rezoning will have no impact on the environmental and natural resources of the area. The rezoning will have no negative impact to the economy and represents an opportunity for reinvestment through redevelopment of the properties consistent with the goals of the Community Redevelopment Area policies. The purpose of the request is to rezone the properties to assign the R1-A zoning classification consistent with neighboring zoning along the South Palmetto Avenue corridor abutting the Halifax River.

IV. RECOMMENDATION

The Planning and Appeals Board reviewed this item at their meeting on February 8, 2023 and recommended the City Council approve the rezoning request. Staff recommends the City Council approve the first reading of Ordinance No. 2023-02, rezoning 1921 and 1923 South Palmetto Avenue from PUD (Planned Unit Development) to R1-A (Single Family Residential).

Attachments:

Ordinance No. 2023-02

ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY OF SOUTH DAYTONA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING OF 1921 SOUTH PALMETTO AVENUE, PARCEL 5344-16-00-0400, AND 1923 SOUTH PALMETTO AVENUE, PARCEL 5344-16-00-0401 FROM PLANNED UNIT DEVELOPMENT (PUD) TO SINGLE FAMILY RESIDENTIAL (R1-A); AND PROVIDING FOR CONFLICTS, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the properties at 1921 South Palmetto Avenue, specifically parcel 5344-16-00-0400 (+/- 0.7 acres), and at 1923 South Palmetto Avenue, specifically parcel 5344-16-00-0401 (+/- 0.2 acres), are currently zoned Planned Unit Development (PUD); and

WHEREAS, the subject properties are a part of an approved PUD; and

WHEREAS, the subject properties recently changed ownership; and

WHEREAS, the current owner does not wish to participate in the Planned Unit Development and requests that the Single Family Residential (R1-A) zoning be reinstated on the parcels; and

WHEREAS, rezoning the subject properties to a Single Family Residential (R1-A) zoning, would be consistent with its underlying Residential classifications as shown on the Future Land Use Map (FLUM) of the Comprehensive Plan; and

WHEREAS, the properties are located within the City of South Daytona Community Redevelopment Area (CRA), that was established to address blighted properties and to redevelop the U.S.1 corridor; and

WHEREAS, the proposed R1-A zoning would allow the properties to be redeveloped for single-family homes facilitating the continued utilization and productivity of the property, which is in the best interest of both the property-owner and the City; and

WHEREAS, the City of South Daytona Planning and Appeals Board, serving as the local planning agency, held a public hearing on the 8th day of February 2023, and recommended approval of the proposed rezoning; and

WHEREAS, the City of South Daytona City Council finds the rezoning of the property in the best interest and welfare of the citizens of the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, VOLUSIA COUNTY, FLORIDA THAT:

SECTION 1. Identification of Property Rezoned to Single Family Residential (R1-A).

The following properties are hereby rezoned to Single Family Residential (R1-A): 1921 and 1923 South Palmetto Avenue (Volusia-County tax parcel #5344-16-00-0400 and #5344-16-00-0401)

SECTION 2. Legal Descriptions of Properties Rezoned to Single Family Residential:

The legal descriptions of the subject properties are attached hereto as Attachment "A".

SECTION 3. Location Map of Property Rezoned to Single Family Residential (R1-A).

"Attachment B", attached hereto and considered an integral part of this Ordinance, shows the location of the property to be rezoned to Single Family Residential (R1-A).

SECTION 4. Conflicts. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon enactment.

APPROVED upon first reading on the 14th day of February 2023 at a regular meeting of the City Council of the City of South Daytona.

APPROVED AND ADOPTED upon second and final reading on the 14th day of March 2023 at the regular meeting of the City of South Daytona City Council.

CITY OF SOUTH DAYTONA:

ATTEST:

William C. Hall, Mayor

James L. Gillis, Jr., City Manager

CERTIFIED AS TO FORM:

Wade C. Vose, City Attorney

Attachment "A"
Legal Descriptions

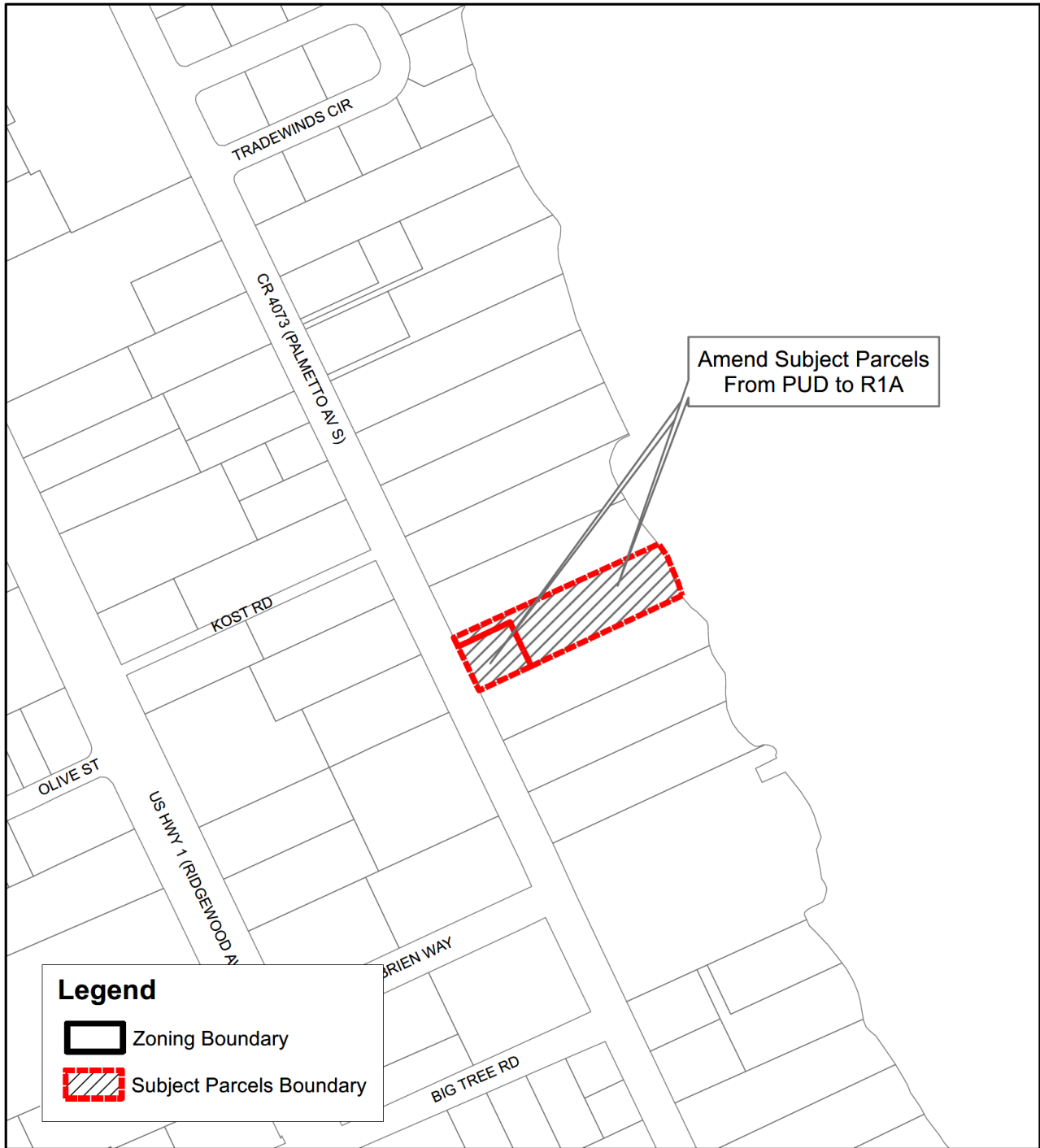
1921 South Palmetto Avenue – 5344-16-00-0400

LOT 40 EXC S 85 FT OF W 100 FT BLAKE MB 1 PG 38 PER OR 2400 PG 1260 PER UNREC
AG FOR DEED PER OR 3858 PGS 3646-3647 PER OR 6730 PG 2208 PER OR 8287 PG 3797

1923 South Palmetto Avenue – 5344-16-00-0401

S 85 FT OF W 100 FT OF LOT 40 BLAKE DB E PG 150 MB 1 PG 38 PER OR 4348 PG 0775
PER OR 6421 PGS 0122-0123 PER OR 6421 PGS 0124-0125 PER OR 6735 PG 1983 PER OR
8336 PG 1175

Attachment "B"



Zoning Map
1921 & 1923 S. Palmetto
(5344-16-00-0400), (5344-16-00-0401)



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