

**RESOLUTION Z-12-04**

*A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA TO REZONE FROM 'A' (AGRICULTURE) DISTRICT TO 'R-1C' (SINGLE FAMILY RESIDENTIAL) DISTRICT ON APPROXIMATELY 2 ACRES LOCATED AT 9721 SW 72<sup>ND</sup> AVENUE ON TAX PARCEL NUMBER 07070-001-004*

WHEREAS, Zoning Application ZOM-05-12 has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of June 20, 2012; and,

WHEREAS, the Alachua County Board of County Commissioners considered this zoning item at its regular meeting of July 10, 2012;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application ZOM-05-12, a request by Karen Vallario, agent and owner, to rezone from 'A' (Agriculture) district to 'R-1C' (Single Family Residential) district on approximately 2 acres located at 9721 SW 72<sup>nd</sup> Avenue on Tax Parcel Number 07070-001-004, as summarized in Exhibit A in this resolution, is hereby approved with the following bases:

## Bases

1. **Policy 1.3.7** of the Future Land Use Element (FLUE) states that *Low Density Residential land use category shall provide for a gross density of one to four dwelling units per acre except as provided for in Transit Oriented Development (TOD) and Traditional Neighborhood Development (TND) meeting the requirements of this Element.* The density of the proposed zoning district (R-1c) is one to 4 dwelling units per acre. The request is thus consistent with this policy of the Future Land Use Element.

2. **Policy 1.3.7.1** of the FLUE Land Use Element states that *Low Density residential land use category shall provide for single residential detached and attached dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) and planned developments may include mixed housing types and mixed uses.* The proposed zoning district (R-1c) permits single family detached dwelling units including manufactured housing. The request for an R-1c zoning district is thus consistent with Policy 1.3.7.1 of the FLUE.

3. **Policy 1.3.7.2** of the FLUE states that *The Low Density residential land use category shall provide for various housing types, such as **conventional site-built single family homes, accessory living units, attached structures including townhouses, multi-family developments in planned developments, dwellings with zero lot line orientation, factory-built modular units, manufactured homes, or mobile homes.*** The R-1c zoning district permits site built homes; modular homes as well as manufactured housing and is thus consistent with this policy of the FLUE.

**4. Policy 1.3.7.3** of the FLUE states that *The County's Land Development Regulations shall allow Low or Medium density residential land use to include flexible and mixed minimum lot sizes, relying on design standards and gross density. Such provisions shall address the need for affordable housing, compatibility with transit alternatives, and open space preservation including greenway corridors.* As shown in the standards for the R-1c zoning district found later in this report, the R-1c district does not have minimum/maximum lot sizes but rather prescribe a density range of 1-4 dwelling units per acre. This density range is consistent with the underlying low-density residential land use designation. Further, the R-1c district permits manufactured housing, which is considered an affordable housing alternative to custom-built homes.

**5. Policy 7.1.2** of the FLUE that proposed changes to the zoning map shall consider consistency with the Comprehensive Plan, the availability and capacity of public facilities required to serve development, as well as the relationship of the proposed development to existing development in the vicinity. Currently, the subject property has a zoning district of 'A' (Agricultural) district which does not implement the underlying Low Density land use designation. The R-1c zoning district, if approved, does implement the low-density residential land use designation. The surrounding agriculturally zoned parcels will continue to be inconsistent with the underlying low-density residential land use. The rezoning to R-1c will not introduce an incompatible uses into the area as the surrounding parcels (all of which are zoned 'A') permit both single family residences as well as manufactured homes as does the R-1c district. As

shown in the level of service section of this report, there are adequate facilities to serve the proposed site, which has contained a residence for many years. Therefore, this application is consistent with Policy 7.1.2 of the Alachua County Comprehensive Plan.

6. There are four zoning districts that can implement the low-density residential zoning district as shown in the table below: RE-1, R-1aa, R-1a and R-1c. However, the RE-1 and R-1aa districts do not implement the full density range allowed by the land use designation (1-4du/acre). The R-1a district does implement this range but permits only single family residential dwellings as a building type. As shown in this table found in Chapter 403.07 of the Unified Land Development Code (ULDC) the R-1c zoning district allows up to four dwelling units per acre.

Zoning Districts					
Density Range	RE	RE-1	R-1aa	R-1a or R-1c	R-1b
Dwelling units per acre	0-.5	1-2	1-3	1-4	4-8

Further, a manufactured home is allowed in the R-1c zoning district and the surrounding agriculturally zoned properties per Chapter 404.21 of the ULDC, which states that *A manufactured home is allowed as a limited use on an individual lot within the A, R-1c, and RM districts.* Therefore, the proposed rezoning to R-1c would not introduce an incompatible building type into the neighborhood. The rezoning to R-1c is thus consistent with the Alachua County ULDC.

DULY ADOPTED in regular session this 10<sup>th</sup> day in July, A.D., 2012.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_

Paula M. DeLaney, Chair

ATTEST:

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J. K. Irby, Clerk

APPROVED AS TO FORM

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(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS

  
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Department of Growth Management

Authorized Designee

## EXHIBIT A

\* \* \* \* \* Legal Description \* \* \* \* \*  
KINGSBURY PARK PB A-137 LOTS 1 THRU 5  
& LOTS 16 THRU 20 BK D ALSO ROSEMARY AVE  
ADJ TO LOTS 16 THRU 20 & W 13.29 FT OF  
LOTS 8 & 9 BK E A/K/A COMMUNITY PARK PB  
B-56 OR 1699/1235 & OR 1719/2479 & OR  
2072/0733