

STATUS REPORT SR 89-27
(For Zoning Petition 89-27)

Staff Recommendation

Staff recommends the revocation of the Special Exception which permitted a day care center (max 115 children) This recommendation is based on the following

- 1 The property owner has requested the revocation
- 2 The request is consistent with the Comprehensive Plan

Development Approval Being Reviewed. Zoning Petition 89-27 was approved by the adoption of Resolutions R-89-1637 and R-89-1638 on September 12 1989. The resolutions rezoned the property to RS Single Family Residential Zoning District and granted a Special Exception to permit a day care center (max 115 children). The zoning action is now being reviewed pursuant to Unified Land Development Code Section 5.8 "Compliance with Time Limitations" as development has not commenced.

Property Description. The subject property is approximately 0.9 of an acre in size and is on the east side of First Street (6thnd Drive North) approximately 150 feet North of Southern Boulevard (S R #809).

Property Owner(s) Harold M. Sutton

Required Action. Unified Land Development Code Section 5.8 requires that the Board of County Commissioners take one or more of the following actions: grant a time extension of up to twelve months; rezone the property and/or revoke the Special Exception; impose entitlement density/intensity; add or modify conditions of approval; permit the property owner to file a petition to add or modify conditions of approval.

REVIEW FACTORS

Consistency with Land Use Plan

The Land Use Plan category for the subject property is Medium Residential. The current approval RS-Single Family Residential Zoning District and Special Exception for a day care center is consistent with the Comprehensive Plan.

Performance Standards

The current approval which would generate 441 trips per day does not meet the Countywide Traffic Performance Standard. The intersection of Southern Boulevard and Haverhill Road is overcapacity. It fails Alternate Test #1 and there is no five percent traffic available for this link.

Supplemental Information

Condition number 10 of Resolution R-89-1638 required the conveyance of right-of-way for First Road. This has been done.

The property owner in a letter dated November 3 1992 stated that he does not wish to retain the special exception. The original petitioner/contract purchaser did not purchase the property.