



**TO:** Nicholas Mimms, PE, City Manager

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Vennis Gilmore, Planning Analyst

**RE:** **Application for Conditional Use with New Construction  
 Braun Residence  
 1661 Binney Drive**

**DATE:** July 24, 2018

**STAFF REPORT**

**Property Owner:** Melvin Braun  
 1646 Castleton Road  
 Darlington, MD. 21034

**Applicant:** Mike Menard – Architectonic Inc.  
 806 Delaware Avenue  
 Fort Pierce, FL. 34950

**Applicant’s Request:** Approval of a Conditional Use with New Construction to construct a new three (3) story – 4,236 sq. ft. single-family home at 1661 Binney Drive. The applicant is seeking a height extension to build up to 34.4 feet.

**Location(s):** 1661 Binney Drive

**Parcel ID:** 2401-501-0208-000-3

**Current Zoning:** Single-Family Low Density Zone (R-1)

**Future Land Use:** Low Density Residential (RL)

**Surrounding Zoning:**

North	East	South	West
R-3	R-1	A-2/Indian River	R-1

**Utilities:** FPUA

## **Staff Analysis:**

### ***Request***

In accordance with Sections 22-16, 22-24, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use with New Construction to construct a new three (3) story – 4,236 sq. ft. single-family home at 1661 Binney Drive. The applicant is seeking a height extension to build up to 34.4 feet. The proposed three (3) story single-family home will consist of 4, 236 sq. ft. in gross floor area. The new residence will include the first two (2) levels for sleeping and entertaining, and a third level primarily for two (2) bedrooms and two (2) bathrooms. The brand new residence will have a total of three (3) bedrooms, four and a half (4 ½) bathrooms, one (1) Living Room, one (1) two-car garage, and one (1) game room. Due to the floor plan layout, the applicant is seeking a height extension to build up to 34.4 feet. The subject property is zoned Single Family Low Density Residential Zone (R-1) with a future land use of Low Density Residential (RL).

The property is located west of the intersection of Binney Drive and Fernandina Street. The subject property is surrounded by single family residences to the north, east, west and the Indian River to the south. The property features a driveway entrance from Binney Drive.

### ***Zoning & Land Use***

The subject site is located within the Single Family Low Density Residential Zone (R-1) district which is primarily intended to provide for areas of single-family dwellings with an average net density of less than four (4) units per acre for conventional developments. Regulations for the district are designed to promote sound neighborhoods and accommodate compatible nonresidential uses. Water and sewer service should be available. The site has a land use designation of Low Density Residential (RL).

The Low Density Residential (RL) designation is intended for parcels that are best suited for lower density residential uses. The predominant development typology will consist of single family detached housing but can also contain duplexes and multifamily residences. Limited commercial uses intended to serve the neighborhood shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools and daycare facilities shall also be allowed. This land use category ranges in density from 1 to 6.5 dwelling units per acre. This category combines the previously allowed Residential Suburban (RS), Residential Urban (RU) and Low Density Residential (RI) categories.

The subject site is located in the South Beach Overlay District. The purpose of the South Beach Overlay District is to promote good planning and site design that produces quality development that is functional, an asset to the community and in keeping with the general character of South Hutchinson Island. By way of this overlay district, the city seeks to preserve, protect and enhance the unique barrier island environment through regulation of development and redevelopment of lots within the district. The standards allow for and promote design integration of the man-made improvements to the land with the natural elements of the land. All new development and changes to existing development in the district that require site plan or building permit approval are subject to the overlay district requirements in addition to other applicable regulations in this Code.

### **Conditional Use**

Per City Code Section 22-76; the purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare. The use as presented features commercial aspects that are not generally appropriate for single-family, low-density environments.

The authorization of a Conditional Use with New Construction to construct a new three (3) story – 4,236 sq. ft. single-family home at 1661 Binney Drive with a height extension to build up to 34.4 feet will provide an opportunity for consistency with zoning district and land use designation as the use nor the height adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare of the surrounding residential neighborhood. The Planning Board is encouraged to consider City Code Sections 22-16. – Designation of overlay districts and City Code Section 22-24. - Single-Family Low Density zone (R-1). City Code Sections 22-16 *Height(b)(1)* and 22-24 *Building Heights(b)(4)* states that no building shall exceed a height of twenty-eight (28) feet above grade, except that conditional uses with buildings that have a maximum height of thirty-five (35) feet above grade may be approved.

### **Technical Review Committee**

All affected departments have reviewed the proposed Conditional Use with regards requirements of the City Code. Findings from the review by corresponding departments and the associated responses by the applicant are provided for viewing by the City Commission.

### **Property Owner Response Summary:**

A total of 47 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. An update will be provided to the City Commission at the public hearing.

### **Planning Board Recommendation:**

The Planning Board, at their July 10<sup>th</sup>, 2018 meeting, voted unanimously to recommend approval of the request.

### **Staff Recommendation:**

The requested Conditional Use with New Construction is consistent with City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare; Staff recommends that the City Commission **approve** the requested Conditional Use with New Construction for the proposed single family residence with a height of up to 34.4 feet.