

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2022-434**

5 AN ORDINANCE REZONING APPROXIMATELY 15.41±
6 ACRES, LOCATED IN COUNCIL DISTRICT 12 AT 7893
7 HOGAN SETTLEMENT ROAD, BETWEEN HOGAN SETTLEMENT
8 ROAD AND HOGAN COVE DRIVE (R.E. NO. 007618-
9 0000), OWNED BY CONNIE L. MICHENER, AS DESCRIBED
10 HEREIN, FROM RESIDENTIAL LOW DENSITY-60 (RLD-
11 60) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
13 ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL
14 USES, AS DESCRIBED IN THE HOGAN SETTLEMENT PUD,
15 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
16 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
17 5708-22C; PROVIDING A DISCLAIMER THAT THE
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to the
26 companion land use ordinance for application L-5708-22C; and

27 **WHEREAS,** in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5708-22C, an application to rezone and reclassify from
30 Residential Low Density-60 (RLD-60) District to Planned Unit
31 Development (PUD) District was filed by T.R. Hainline, Esq., on behalf

1 of the owner of approximately 15.41± acres of certain real property
2 in Council District 12, as more particularly described in Section 1;
3 and

4 **WHEREAS**, the Planning and Development Department, in order to
5 ensure consistency of this zoning district with the *2030 Comprehensive*
6 *Plan*, has considered the rezoning and has rendered an advisory
7 opinion; and

8 **WHEREAS**, the Planning Commission has considered the application
9 and has rendered an advisory opinion; and

10 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
11 notice and public hearing, has made its recommendation to the Council;
12 and

13 **WHEREAS**, the City Council, after due notice, held a public
14 hearing, and taking into consideration the above recommendations as
15 well as all oral and written comments received during the public
16 hearings, the Council finds that such rezoning is consistent with the
17 *2030 Comprehensive Plan* adopted under the comprehensive planning
18 ordinance for future development of the City of Jacksonville; and

19 **WHEREAS**, the Council finds that the proposed PUD does not affect
20 adversely the orderly development of the City as embodied in the
21 *Zoning Code*; will not affect adversely the health and safety of
22 residents in the area; will not be detrimental to the natural
23 environment or to the use or development of the adjacent properties
24 in the general neighborhood; and the proposed PUD will accomplish the
25 objectives and meet the standards of Section 656.340 (Planned Unit
26 Development) of the *Zoning Code* of the City of Jacksonville; now,
27 therefore

28 **BE IT ORDAINED** by the Council of the City of Jacksonville:

29 **Section 1. Subject Property Location and Description.** The
30 approximately 15.41± acres are located in Council District 12 at 7893
31 Hogan Settlement Road, between Hogan Settlement Road and Hogan Cove

1 Drive (R.E. No. 007618-0000), as more particularly described in
2 **Exhibit 1**, dated April 14, 2022, and graphically depicted in **Exhibit**
3 **2**, both of which are attached hereto and incorporated herein by this
4 reference (the "Subject Property").

5 **Section 2. Owner and Applicant Description.** The Subject
6 Property is owned by Connie L. Michener. The applicant is T.R.
7 Hainline, Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville,
8 Florida 32207; (904) 346-5531.

9 **Section 3. Property Rezoned.** The Subject Property,
10 pursuant to adopted companion Small-Scale Amendment L-5708-22C, is
11 hereby rezoned and reclassified from Residential Low Density-60 (RLD-
12 60) District to Planned Unit Development (PUD) District. This new
13 PUD district shall generally permit multi-family residential uses,
14 and is described, shown and subject to the following documents,
15 attached hereto:

16 **Exhibit 1** - Legal Description dated April 14, 2022.

17 **Exhibit 2** - Subject Property per P&DD.

18 **Exhibit 3** - Written Description dated May 12, 2022.

19 **Exhibit 4** - Site Plan dated April 7, 2022.

20 **Section 4. Contingency.** This rezoning shall not become
21 effective until thirty-one (31) days after adoption of the companion
22 Small-Scale Amendment unless challenged by the state land planning
23 agency; and further provided that if the companion Small-Scale
24 Amendment is challenged by the state land planning agency, this
25 rezoning shall not become effective until the state land planning
26 agency or the Administration Commission issues a final order
27 determining the companion Small-Scale Amendment is in compliance with
28 Chapter 163, *Florida Statutes*.

29 **Section 5. Disclaimer.** The rezoning granted herein
30 shall not be construed as an exemption from any other applicable
31 local, state, or federal laws, regulations, requirements, permits or

