

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-754-E**

5 AN ORDINANCE REZONING APPROXIMATELY 27.60±
6 ACRES, LOCATED IN COUNCIL DISTRICT 10 AT 5700
7 JACKS ROAD AND 0 KING LOUIS DRIVE, BETWEEN
8 DAVELL ROAD AND OLD KINGS ROAD (R.E. NOS.
9 083323-0000 AND 083356-0000), AS DESCRIBED
10 HEREIN, OWNED BY JOHN A. PITTMAN, MARGARET W.
11 PITTMAN, CECIL PICKETT WILLIAMS, AND MIACLE L.
12 STANLEY, ET AL, FROM RESIDENTIAL LOW DENSITY-
13 60 (RLD-60) DISTRICT TO PLANNED UNIT
14 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
15 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
16 SINGLE FAMILY RESIDENTIAL USES, AS DESCRIBED
17 IN THE JACKS ROAD/TOMAHAWK LAKES PUD; PUD
18 SUBJECT TO CONDITIONS; PROVIDING A DISCLAIMER
19 THAT THE REZONING GRANTED HEREIN SHALL NOT BE
20 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
21 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS**, John A. Pittman, Margaret W. Pittman, Cecil Pickett
24 Williams, and Miacle L. Stanley, et al, the owners of approximately
25 27.60± acres, located in Council District 10 at 5700 Jacks Road and
26 0 King Louis Drive, between Davell Road and Old Kings Road (R.E.
27 Nos. 083323-0000 and 083356-0000), as more particularly described
28 in **Exhibit 1**, dated October 8, 2019, and graphically depicted in
29 **Exhibit 2**, both of which are **attached hereto** (Subject Property),
30 have applied for a rezoning and reclassification of that property

1 from Residential Low Density-60 (RLD-60) District to Planned Unit
2 Development (PUD) District, as described in Section 1 below; and

3 **WHEREAS**, the Planning Commission has considered the
4 application and has rendered an advisory opinion; and

5 **WHEREAS**, the Land Use and Zoning Committee, after due notice
6 and public hearing, has made its recommendation to the Council; and

7 **WHEREAS**, the Council finds that such rezoning is: (1)
8 consistent with the *2030 Comprehensive Plan*; (2) furthers the
9 goals, objectives and policies of the *2030 Comprehensive Plan*; and
10 (3) is not in conflict with any portion of the City's land use
11 regulations; and

12 **WHEREAS**, the Council finds the proposed rezoning does not
13 adversely affect the orderly development of the City as embodied in
14 the Zoning Code; will not adversely affect the health and safety of
15 residents in the area; will not be detrimental to the natural
16 environment or to the use or development of the adjacent properties
17 in the general neighborhood; and will accomplish the objectives and
18 meet the standards of Section 656.340 (Planned Unit Development) of
19 the Zoning Code; now, therefore

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

21 **Section 1. Property Rezoned.** The Subject Property is
22 hereby rezoned and reclassified from Residential Low Density-60
23 (RLD-60) District to Planned Unit Development (PUD) District. This
24 new PUD district shall generally permit single family residential
25 uses, and is described, shown and subject to the following
26 documents, **attached hereto**:

27 **Exhibit 1** - Legal Description dated October 8, 2019.

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

29 **Exhibit 3** - Written Description dated September 13, 2019.

30 **Exhibit 4** - Site Plan dated September 13, 2019.

1 **Section 2. Rezoning Approved Subject to Conditions.** This
2 rezoning is approved subject to the following conditions. Such
3 conditions control over the Written Description and the Site Plan
4 and may only be amended through a rezoning.

5 (1) As part of verification of substantial compliance for the
6 first residential use, and prior to the issuance of a building
7 permit for the vertical construction of single family residential
8 uses within the PUD, covenants and restrictions shall be submitted
9 to the Planning and Development Department for review and approval,
10 and upon approval, recorded for the property which (i) provide for
11 architectural review of plans/elevations of home exteriors by an
12 architectural review board and (ii) provide standards for such
13 review, including requirements that (a) the façade (front) of each
14 single-family detached home must have at least two different
15 finishes, one being primary finish and the secondary finish being
16 an accent feature, (b) no vinyl siding can be used on a single
17 family detached home, and (c) no panel siding can be used as the
18 primary building product on the façade of any single-family
19 detached home.

20 (2) There shall be a minimum of 7 feet of separation between
21 eave overhangs.

22 **Section 3. Owner and Description.** The Subject Property
23 is owned by John A. Pittman, Margaret W. Pittman, Cecil Pickett
24 Williams, and Miacle L. Stanley, et al, and is legally described in
25 the **Exhibit 1, attached hereto.** The agent is Curtis L. Hart, 8051
26 Tara Lane, Jacksonville, Florida 32216; (904) 993-5008.

27 **Section 4. Disclaimer.** The rezoning granted herein
28 shall **not** be construed as an exemption from any other applicable
29 local, state, or federal laws, regulations, requirements, permits
30 or approvals. All other applicable local, state or federal permits
31 or approvals shall be obtained before commencement of the

1 development or use and issuance of this rezoning is based upon
2 acknowledgement, representation and confirmation made by the
3 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
4 or designee(s) that the subject business, development and/or use
5 will be operated in strict compliance with all laws. Issuance of
6 this rezoning does **not** approve, promote or condone any practice or
7 act that is prohibited or restricted by any federal, state or local
8 laws.

9 **Section 5. Effective Date.** The enactment of this
10 Ordinance shall be deemed to constitute a quasi-judicial action of
11 the City Council and shall become effective upon signature by the
12 Council President and the Council Secretary.

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14 Form Approved:

15
16 /s/ Shannon K. Eller

17 Office of General Counsel

18 Legislation Prepared By: Arimus Wells

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