

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

March 17, 2022

The Honorable Samuel Newby, President  
The Honorable Rory Diamond, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2022-112**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

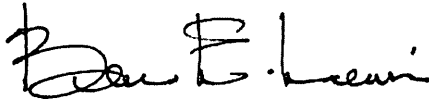
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	7-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Aye
Jason Porter	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7820  
blewis@coj.net

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO**

**APPLICATION FOR REZONING ORDINANCE 2022-0112**

**MARCH 17, 2022**

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance 2022-0112.

***Location:*** 9708 Historic Kings Road South

***Real Estate Number:*** 149120-0020

***Current Zoning District:*** Rural Residential-Acre (RR-Acre)

***Proposed Zoning District:*** Residential Low Density-70 (RLD-70)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Southeast, District 3

***Applicant/Agent:*** Jeannie Butler  
Pinnacle Homes Corp  
265 Edge of Woods Road  
St. Augustine, FL 32092

***Owner:*** Eduardo Santana  
437 Honey Blossom Road  
Fruit Cove, FL 32259

***Staff Recommendation:*** APPROVE

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2022-0112 seeks to rezone approximately 1.30± acres of property from Rural Residential-Acre (RR-Acre) to Residential Low Density-70 (RLD-70). The property is located in the Low Density Residential (LDR) land use category within the Suburban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request to rezone the property is to allow the property owner to subdivide the property in order to build two single-family dwellings.

**STANDARDS, CRITERIA AND FINDINGS**

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent

with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

**1. *Is the proposed rezoning consistent with the 2030 Comprehensive Plan?***

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. LDR land use in the Suburban Development Area is intended to provide for low-density residential development. Principal uses in the LDR land use category in the Urban Development Area include single-family and multi-family dwellings.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

**2. *Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. According to the Future Land Use Element (FLUE), Low Density Residential in the Suburban Area allows for single-family residential development with a maximum density of seven units/acre when both centralized potable water and wastewater are available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be one quarter of an acre if either one of centralized potable water or wastewater services are not available. The maximum gross density shall be two units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. Because centralized wastewater services are not available and there is centralized potable water service, the maximum gross density shall be four units/acre and minimum lot size shall be 1/4 of an acre.

**Future Land Use Element**

**Goal 1**

To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the

threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

*The subject property is surrounded by Single Family Dwelling dwellings and if approved the newly subdivided lot would allow for the construction of two new single-family dwellings. The proposed construction of two new single-family dwellings will protect and preserve the character of the surrounding neighborhood by creating lots in character with other lots within the area.*

#### **Airport Environment Zone**

The site is located within the 500-foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of 500', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d). See Objective 2.5 of the Future Land Use Element below:

#### **Objective 2.5**

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

### **3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?***

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from RR-Acre to RLD-70 in order to permit the development of 2 new single-family homes subdivided into lots minimum of 70 feet in width and 28,311 square feet.

### **SURROUNDING LAND USE AND ZONING**

The subject site is located on the west side of Historic Kings Road South, a local roadway, and south of Sunbeam Road, a collector roadway. Historic Kings Road is primarily zoned for Residential development with properties closer to Sunbeam road being zoned Industrial Light. To the west of the subject property is subdivision Price Park approved through Ord. #2017-0313, which has single-family lots approximately 60 feet in width and 6,000 square feet. Additionally, just north along Historic Kings Road South are properties zoned RLD-60 and parcels ranging from 50 feet in width to 75 feet. This rezoning request would not be creating a lot out of character for the area due to surrounding subdivisions have lots smaller in size than the lots that would be created from this rezoning. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RR-Acre	Open Storage
South	LDR	RR-Acre	Single Family Dwellings
East	LI	IL	Single Family Dwellings
West	LDR	RR-Acre	Single Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-70 will be consistent and compatible with the surrounding uses.

### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **February 7, 2022** by the Planning and Development Department, the required Notice of Public Hearing sign was posted.



### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0112** be **APPROVED**.



Aerial View

Source: JaxGIS Map



View of the Subject Property

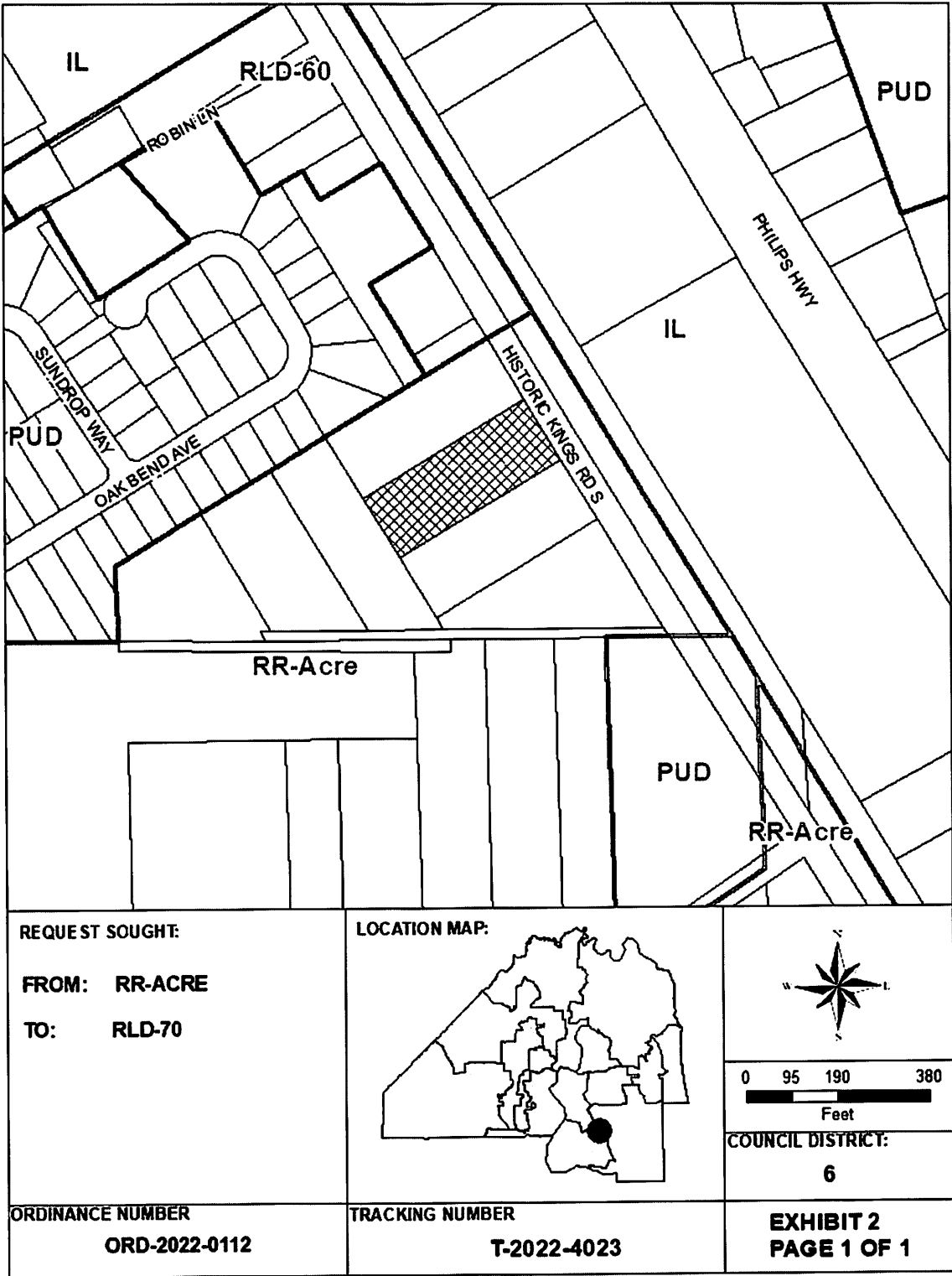
Source: Planning & Development Department 03/09/2022



**View of the Property to the North**

**Source: Planning & Development Department 03/09/2022**





**Legal Map**  
 Source: JaxGIS Map

### Application For Rezoning To Conventional Zoning District

**Planning and Development Department Info**

**Ordinance #** 2022-0112 **Staff Sign-Off/Date** ELA / 01/31/2022  
**Filing Date** 02/22/2022 **Number of Signs to Post** 1

**Hearing Dates:**  
**1st City Council** 03/22/2022 **Planning Commission** 03/17/2022  
**Land Use & Zoning** 04/05/2022 **2nd City Council** N/A

**Neighborhood Association** GREATER HOOD ROAD COMMUNITY ASSOCIATION  
**Neighborhood Action Plan/Corridor Study** N/A

**Application Info**

<b>Tracking #</b> 4023	<b>Application Status</b> FILED COMPLETE
<b>Date Started</b> 01/18/2022	<b>Date Submitted</b> 01/18/2022

**General Information On Applicant**

<b>Last Name</b> BUTLER	<b>First Name</b> JEANNIE	<b>Middle Name</b>
<b>Company Name</b> PINNACLE HOMES CORP		
<b>Mailing Address</b> 265 EDGE OF WOODS ROAD		
<b>City</b> STAUGUSTINE	<b>State</b> FL	<b>Zip Code</b> 32092
<b>Phone</b> 9042514487	<b>Fax</b>	<b>Email</b> PERMITS2016@AOL.COM

**General Information On Owner(s)**

**Check to fill first Owner with Applicant Info**

<b>Last Name</b> SANTANA	<b>First Name</b> EDUARDO	<b>Middle Name</b> C.
<b>Company/Trust Name</b>		
<b>Mailing Address</b> 437 HONEY BLOSSOM ROAD		
<b>City</b> FRUIT COVE	<b>State</b> FL	<b>Zip Code</b> 32259
<b>Phone</b> 9043431550	<b>Fax</b>	<b>Email</b> ECS1974@OUTLOOK.COM

**Property Information**

**Previous Zoning Application Filed For Site?**

**If Yes, State Application No(s)**

<b>Map RE#</b>	<b>Council District</b>	<b>Planning District</b>	<b>From Zoning District(s)</b>	<b>To Zoning District</b>
Map 149120 0020	6	3	RR-ACRE	RLD-70

Ensure that RE# is a 10 digit number with a space (##### #)

**Existing Land Use Category**

LDR

**Land Use Category Proposed?**

**If Yes, State Land Use Application #**

**Total Land Area (Nearest 1/100th of an Acre) 1.30**

**Justification For Rezoning Application**

REDUCE REQUIRED MINIMUM LOT AREA FROM 56622 TO 28311 TO BUILD TWO SINGLE FAMILY HOMES

**Location Of Property**

**General Location**

<b>House #</b>	<b>Street Name, Type and Direction</b>	<b>Zip Code</b>
9708	HISTORIC KINGS RD S	32257

**Between Streets**

SUNBEAM ROAD **and** LOURCEY ROAD

**Required Attachments For Formal, Complete application**

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

**Exhibit 1** A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.

**Exhibit A** Property Ownership Affidavit – Notarized Letter(s).

**Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.

**Supplemental Information**

Supplemental Information items are submitted separately and not part of the formal application

- One copy of the Deeds to indicate proof of property ownership.

**Public Hearings And Posting Of Signs**

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required SIGN(S) must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING.** (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

**Application Certification**

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

**Filing Fee Information**

- 1) Rezoning Application's General Base Fee:       \$2,000.00**
- 2) Plus Cost Per Acre or Portion Thereof**  
    **1.30 Acres @ \$10.00 /acre: \$20.00**
- 3) Plus Notification Costs Per Addressee**  
    **28 Notifications @ \$7.00 /each: \$196.00**
- 4) Total Rezoning Application Cost: \$2,216.00**

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

**EXHIBIT 1**

**Legal Description**

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PARCEL 2 of the following described property:

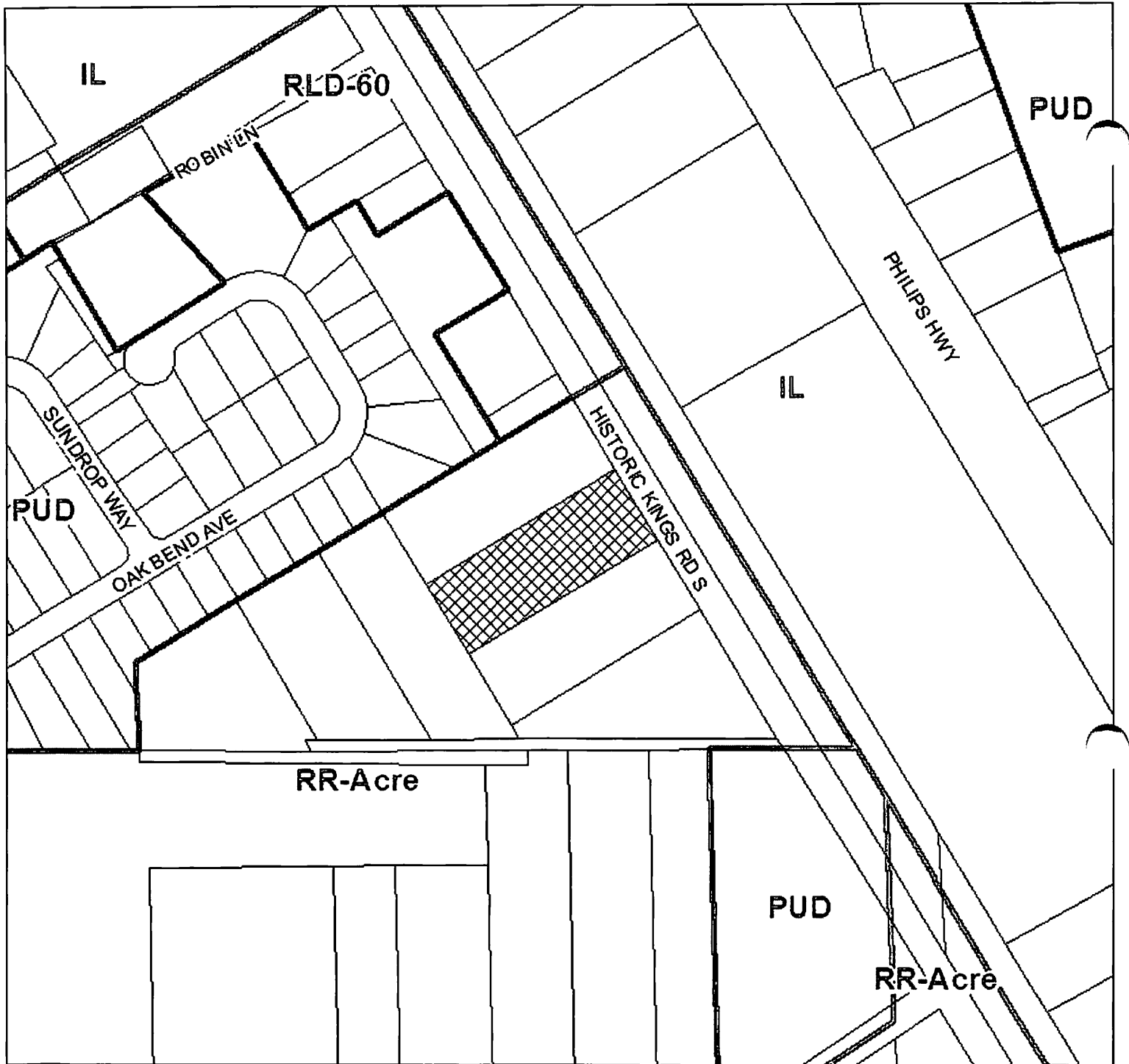
Part of Government Lot 1, Section 34, Township 3 South, Range 27 East, Duval County, Florida, being more particularly described as follows:

Commence at the intersection of the Southerly line of Sunbeam Road ( a 60 foot right of way) with the Westerly line of Old Kings Road South (a 50 foot right of way); thence South 31 degrees 13 minutes East, along said Westerly line of Old Kings Road South, 1703.35 feet to the Point of Beginning; thence continue along said Westerly line of Old Kings Road South, South 31 degrees 13 minutes East, 145 feet; thence South 58 degrees 47 minutes West, 390.5 feet; thence North 31 degrees 13 minutes West 145 feet; thence North 58 degrees 47 minutes East, 390.5 feet to the Point of Beginning.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 149120-0020

Subject to taxes accruing subsequent to December 31, 2020.

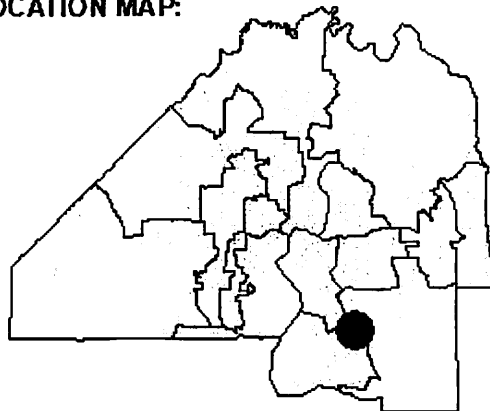


REQUEST SOUGHT:

FROM: RR-ACRE

TO: RLD-70

LOCATION MAP:



0 95 190 380



Feet

COUNCIL DISTRICT:

6

TRACKING NUMBER

T-2022-4023

**EXHIBIT 2**  
**PAGE 1 OF 1**