



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

September 4, 2025

The Honorable Kevin Carrico
The Honorable Joe Carlucci, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2025-0593 (E-25-33)**

Dear Honorable Council President Carrico, Honorable Council Member and LUZ Chairperson Carlucci 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 Department Recommendation: **Approve**

Planning Commission Recommendation: **Deny**

Planning Commission Commentary: There were two neighboring property owners from 7100 Garden Street who spoke in opposition to the request. Their concerns centered on the adequacy of the property size for keeping horses and the potential for odors associated with horses being located in close proximity to their residence. After further discussion, the commission expressed concerns regarding the reduction in lot size for the number of proposed horses on the property.

Planning Commission Vote: **7-0**

Mark McGowan, Chair	Aye
Mon'e Holder, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Charles Garrison	Aye
Ali Marar	Aye
Dorothy Gillette	Aye

D.R. Repass

Absent

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erin L. Abney', with a stylized, flowing script.

Erin L. Abney, MPA

Chief, Current Planning Division
Planning Department
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(904) 255-7817; EAbney@coj.net

REPORT OF THE PLANNING DEPARTMENT

APPLICATION FOR ZONING EXCEPTION 2025-0593 (E-25-33)

SEPTEMBER 4, 2025

Location: 7126 Garden Street
Between Media Street and Old Kings Road

Real Estate Number: 004004-0000

Zoning Exception Sought: Animals (Horses) meeting the performance standards and development criteria set forth in Part 4.

Current Zoning District: Residential Low Density-60 (RLD-60)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: 5-Northwest

Council District: District-8

Applicant/Owner: Mary Van Cleve Miller
7126 Garden Street
Jacksonville, FL 32219

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Zoning Exception **Ord. 2025-0593 (E-25-33)** seeks to allow animals other than household pets, in accordance with the performance standards and development criteria set forth in Part 4. Specifically, the applicant is requesting approval to keep horses. The subject property, located on the south side of Garden Street, is currently developed with a single-family dwelling and is approximately 1.00 acre in size. The property owner is seeking to allow a maximum of three horses on the property.

The subject property is currently zoned Commercial Residential and Office (CRO) but is proposed for rezoning to Residential Low Density-60 (RLD-60) under companion **Ord. 2025-0592**. The existing CRO zoning district does not permit animals either by right or by exception; therefore, a rezoning is necessary to allow the proposed use. Additionally, animals have Part 4 development criteria which for horses include:

Sec.656.401(a) (1): Horses and ponies are kept for private riding use only and the

minimum lot area shall be not less than one and one-half acres. The same shall be kept inside a fenced enclosure.

The subject property is approximately 1.00 acre in size and would need to seek an Administrative Deviation to reduce the required lot area from 1.5 acres to 1 acre. There is a companion Administrative Deviation (**Ord.2025-0593, AD-25-49**) seeking this deviation.

The existing Land-Use Category is Residential Professional Institutional (RPI) where RLD-60 is a secondary zoning district and must meet the supplementary criteria and standards for secondary zoning district as listed in Sec.656.350 (c) which includes:

(c) RLD-60 District: There are no additional criteria for these districts.

DEFINITION

According to Section 656.1601 of the Zoning Code, *exception* means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permissible in the zoning district as exceptions if specific provision for the exception is made in the Zoning Code and the uses are found by the Commission to be in conformity with the standards and criteria for granting the same contained in Section 656.131(c) thereof.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

(i) Will the proposed use be consistent with the Comprehensive Plan?

Yes. The 1-acre subject site is located on Garden Street, a collector roadway, between Media Street and Iowa Avenue which are both classified as local roadways. The site is in Planning District 5 (Northwest), Council District 8, and is located in the Suburban Development Area. The subject site also borders Planning District 6 (North) across Garden Street. The site is located in the RPI land use category. The applicant seeks a zoning exception (Ordinance 2025-0593) for the keeping of horses. The applicant also seeks a companion rezoning to change the zoning district from CRO to RLD-60 via Ordinance 2025-0593.

According to the Category Descriptions of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan, Residential-Professional-Institutional (RPI) in the Suburban Development Area is a category intended to provide low to medium density residential development. Development which includes medium density residential and professional office uses is preferred. Limited neighborhood commercial retail and service

establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicle Miles Traveled. The density of RPI in the Suburban Area shall be 20 units per acre and there shall be no minimum density. However, in the absence of the availability of centralized potable water and/or wastewater, the maximum gross density of development permitted in this category shall be the same as allowed in Medium Density Residential (MDR) without such services. According to the JEA Availability Letter provided, the subject site has access to potable water and a potential connection to sewer services at the intersection of Garden Street and Lancaster Drive.

Animals other than household pets are allowed in RLD-60 by exception. RLD-60 is a secondary zoning district in the RPI land use category and is consistent with the proposed use of RPI pursuant to Ordinance 2025-0592. As such, the proposed zoning exception for the keeping of animals other than household pets is consistent with the RPI land use category description provided in the 2045 Comprehensive Plan.

The request is also consistent with the following provisions of the Future Land Use Element (FLUE):

Future Land Use Element (FLUE):

Development Area: Suburban Area (SA):

The SA is the third tier Development Area and generally corresponds with the urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. Development at these locations should promote a compact and interconnected land development form and is therefore encouraged to employ urban development characteristics as defined in this Plan.

Goal 1

To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness 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 proposed rezoning to RLD-60 to allow the property owner to keep horses supports the Comp Plan goal by reinforcing rural character, promoting wellness and economic activity, preserving open space, and ensuring compatibility through appropriate safeguards so that health, safety, and welfare are not compromised.

Objective 1.1

Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.22

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

- (ii) ***Will the proposed use be compatible with the existing contiguous uses or zoning and compatible with the general character of the area, considering population density, design, scale, and orientation of structures to the area, property values, and existing similar uses or zoning?***

Yes. The proposed use will be compatible with the existing contiguous uses and the general character of the area. The surrounding area is predominantly rural and low-density in nature, with single-family dwellings situated on larger lots and open space common throughout. Allowing horses is consistent with this development pattern, as equestrian uses are typical in rural and semi-rural settings. The use is unlikely to negatively impact property values and may enhance the rural character of the area by preserving open space and reinforcing existing land use patterns. Additionally, similar equestrian uses are present in neighboring properties zoned RR-Acre which allows horses by right, further demonstrating compatibility.

Adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RR-Acre	Single Family Dwellings
South	LDR	PUD 1999-0146	Single Family Dwellings
East	RPI	CRO	Single Family Dwellings
West	RPI	CRO	Single Family Dwellings

- (iii) ***Will the proposed use have an environmental impact inconsistent with the health, safety, and welfare of the community?***

No. Allowing the property owner to keep horses of the property will not create environmental impact inconsistent with the health, safety, and welfare of the community which is rural in nature. The property size provides adequate area to accommodate the proposed number of horses without creating adverse effects on neighboring properties. As such, the use is consistent with the protection of community health, safety, and welfare.

- (iv) ***Will the proposed use have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the creation or generation of traffic inconsistent with the health, safety, and welfare of the community?***

No. The grant of the exception request would not have a detrimental effect on traffic in the area, the horses are for private use of the current property owner and the site has adequate access from Garden Street.

- (v) ***Will the proposed use have a detrimental effect on the future development of contiguous***

properties or the general area?

No. The surrounding area is developed primarily with single-family residential uses. Approval for allowing horses on the subject property will not hinder development in surrounding area as there are several parcels zoned RR-Acre which allow for horses by right.

- (vi) ***Will the proposed use result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses or zoning in the vicinity?***

No. The proposed use is not expected to result in objectionable or excessive noise, lights, vibrations, fumes, odors, dust, or physical activities inconsistent with the area. Horses are a customary and compatible use in this rural area, where similar equestrian activities already exist on neighboring properties. With proper management of stables, pastures, and waste, potential odors or dust can be minimized, and no additional noise, light, or vibration impacts beyond typical rural residential activity are anticipated. Therefore, the proposed use is consistent with the character of the surrounding area and is unlikely to create adverse impacts on adjacent properties.

- (vii) ***Will the proposed use overburden existing public services and facilities?***

No. The proposed exception will not require additional services nor adversely affect those public services and facilities that are currently available to the subject property.

- (viii) ***Will the site be sufficiently accessible to permit entry onto the property for fire, police, rescue and other services?***

Yes. The site currently has direct access from Garden Street that will permit entry onto the property for fire, police, rescue, and other service vehicles.

- (ix) ***Will the proposed use be consistent with the definition of a zoning exception, and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such use set forth elsewhere in the Zoning Code, or otherwise adopted by the Planning Commission?***

Yes. According to Section 656.1601 of the Zoning Code, exception means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. The proposed use will be consistent with the definition of a Zoning Exception. There is a companion Administrative Deviation application (Ord.2025-0593, AD-25-49) which seeks to reduce the required lot area by 1.5 acres to 1.00 acres. Request is due to Part 4 limitations on horses which include:

Sec.656.401(a) (1): Horses and ponies are kept for private riding use only and the minimum lot area shall be not less than one and one-half acres. The same shall be kept

inside a fenced enclosure.

SUPPLEMENTARY INFORMATION

The applicant provided proof of posting on **July 17, 2025** to the Planning Department, that the Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning Department that Application for Zoning Exception **2025-0593 (E-25-33)** be **APPROVED**.



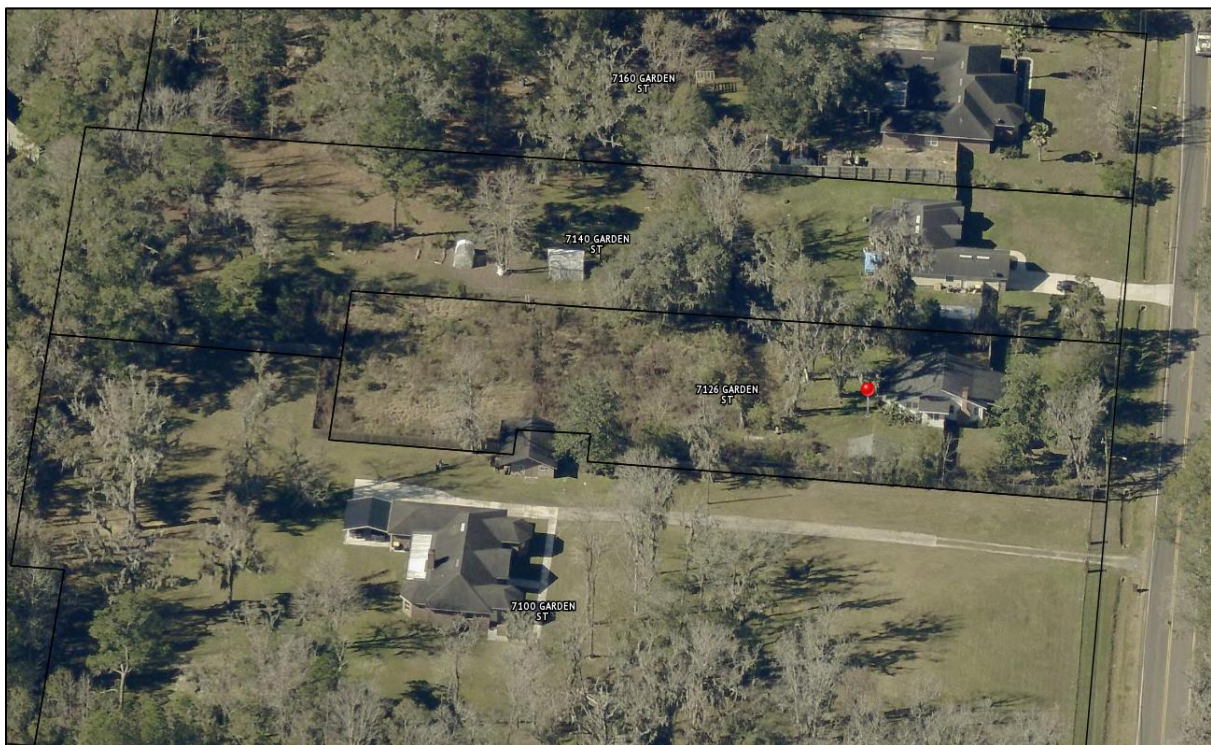
Aerial View

Source: JaxGIS Maps



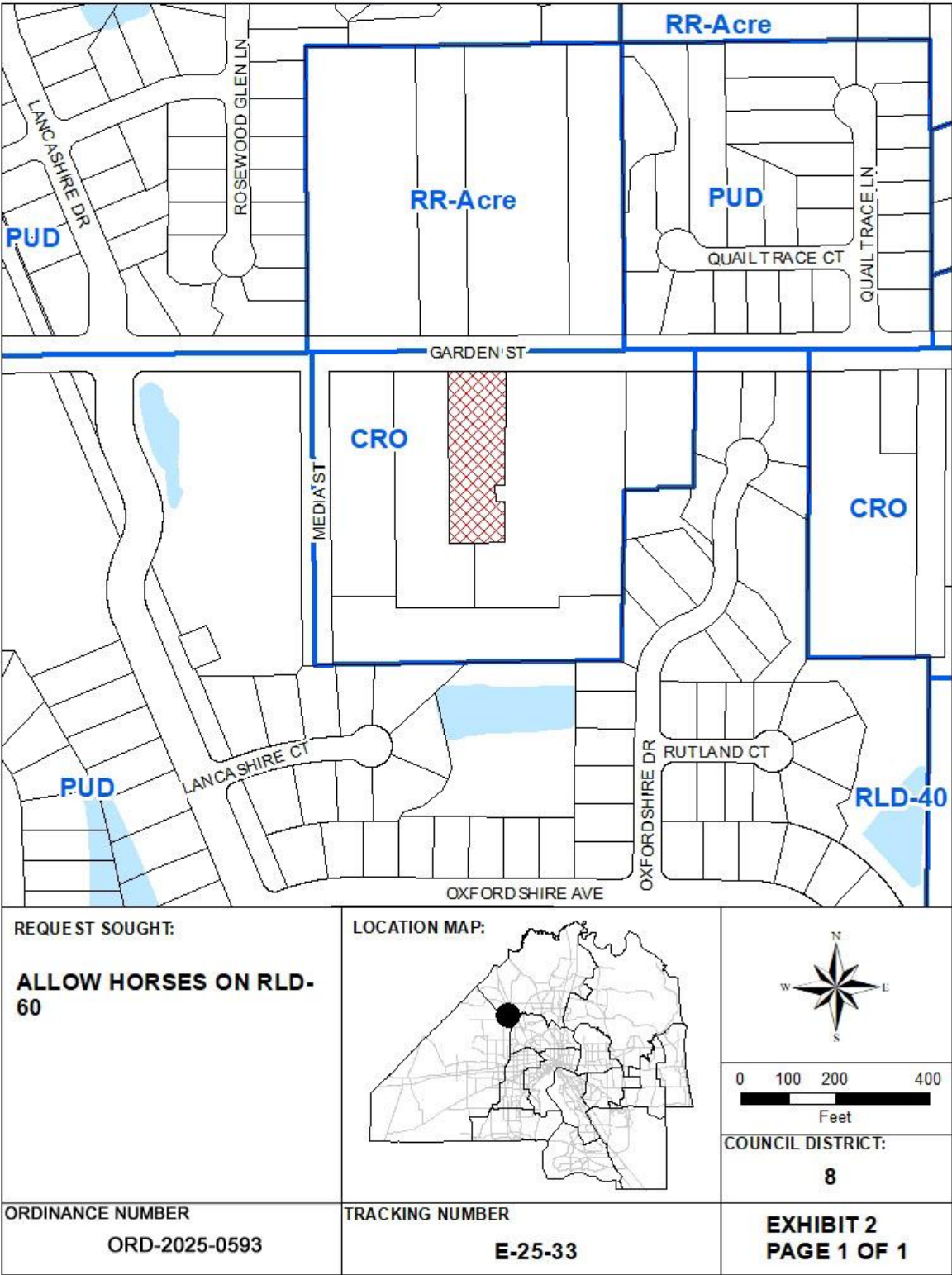
View of Subject Property

Source: Google Street View (March 2025)



View of Subject Property and Adjacent Neighbors

Source: JaxGIS Maps (January 2025)



Legal Map