

# 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

February 23, 2023

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

**RE: Planning Commission Advisory Report  
Ordinance No.: 2022-40**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico 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**

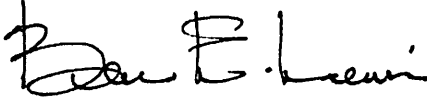
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	6-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Aye
David Hacker	Absent

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

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

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 TO**  
**APPLICATION FOR REZONING ORDINANCE 2023-0040**

**FEBRUARY 10, 2023**

***Location:*** 0 Royal Avenue

***Real Estate Number:*** 079316 0000

***Current Zoning District:*** Commercial Community/General-2 (CCG-2)

***Proposed Zoning District:*** Residential Low Density-60 (RLD-60)

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

***Planning District:*** Northwest, District 5

***Applicant/Agent:*** Zach Miller, Esq.  
Law Office of Zach Miller  
3203 Old Barn Court  
Point Vedra Beach, FL 32082

***Owner:*** Daniel Powell  
Canobie Lake Land Trust  
PO Box 351835  
Jacksonville, FL 32235

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2023-0040 seeks to rezone approximately 0.2 acres of a vacant property from Commercial Community/General-2 (CCG-2) to Residential Low Density-60 (RLD-60). The property is in the Commercial Community General (CCG) land use category within the Urban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request to rezone the property is to allow for the development of a single-family dwelling.

The site is located at 0 Royal Avenue, between Ramona Boulevard and Lenox Avenue. The subject property has frontage on the south side of Royal Avenue, a local roadway. The applicant also has a companion Future Land Use Map (FLUM) application proposing an amendment from Community /General Commercial (CGC) to Low Density Residential (LDR).

**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 consistent with the 2030 Comprehensive Plan.

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

This proposed rezoning is consistent with the 2030 Comprehensive Plan, and furthers the goals, objectives and policies contained herein, including:

**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 dwellings and if approved the property would be developed with a single-family dwelling. The subject property will protect and preserve the character of the surrounding neighborhood by creating a lot in character with other lots within the area.*

**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 CCG-2 to RLD-60 to permit the development of a single-family home.

**SURROUNDING LAND USE AND ZONING**

The subject site is located on the east side of Hammond Boulevard and south of Lenox Avenue, both classified as a collector roadway. The subject property is surrounded by single-family dwelling developments ranging in lot sizes from 60 feet to 100 feet in width. Majority of the developments are zoned RLD-60 and increasing to RR-Acre. Subdivision to the east Leverock Place zoned PUD 2006-0333 is developed with single family dwelling with lot sizes 80 feet in width. 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:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	CCG	CCG-2, RLD-60	Single Family Dwellings, Service Garage, Gas Station, Warehouse, Vacant, Office, Shopping Center
<b>South</b>	CCG, NC, RPI	PUD, CN, RLD-60, CO, CCG-1	Single Family Dwellings, Light Manufacturing, Vacant, Restaurant, Used Car Sales
<b>East</b>	LDR	RLD-60	Single Family Dwellings
<b>West</b>	CGC	PUD, CCG-2	Service Station, Retail Store

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-60 will be consistent and compatible with the surrounding uses.

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **February 8, 2022** by the Planning and Development Department, the required Notice of Public Hearing sign was posted.



**RECOMMENDATION**

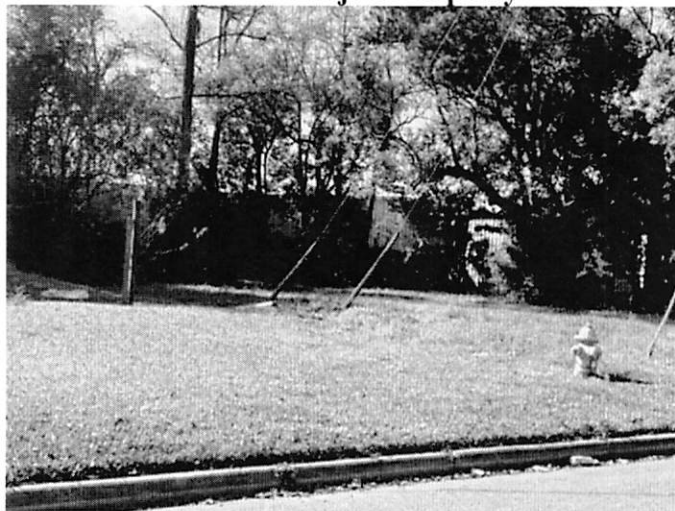
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2023-0040 be **APPROVED**.



Source: JaxGIS Map

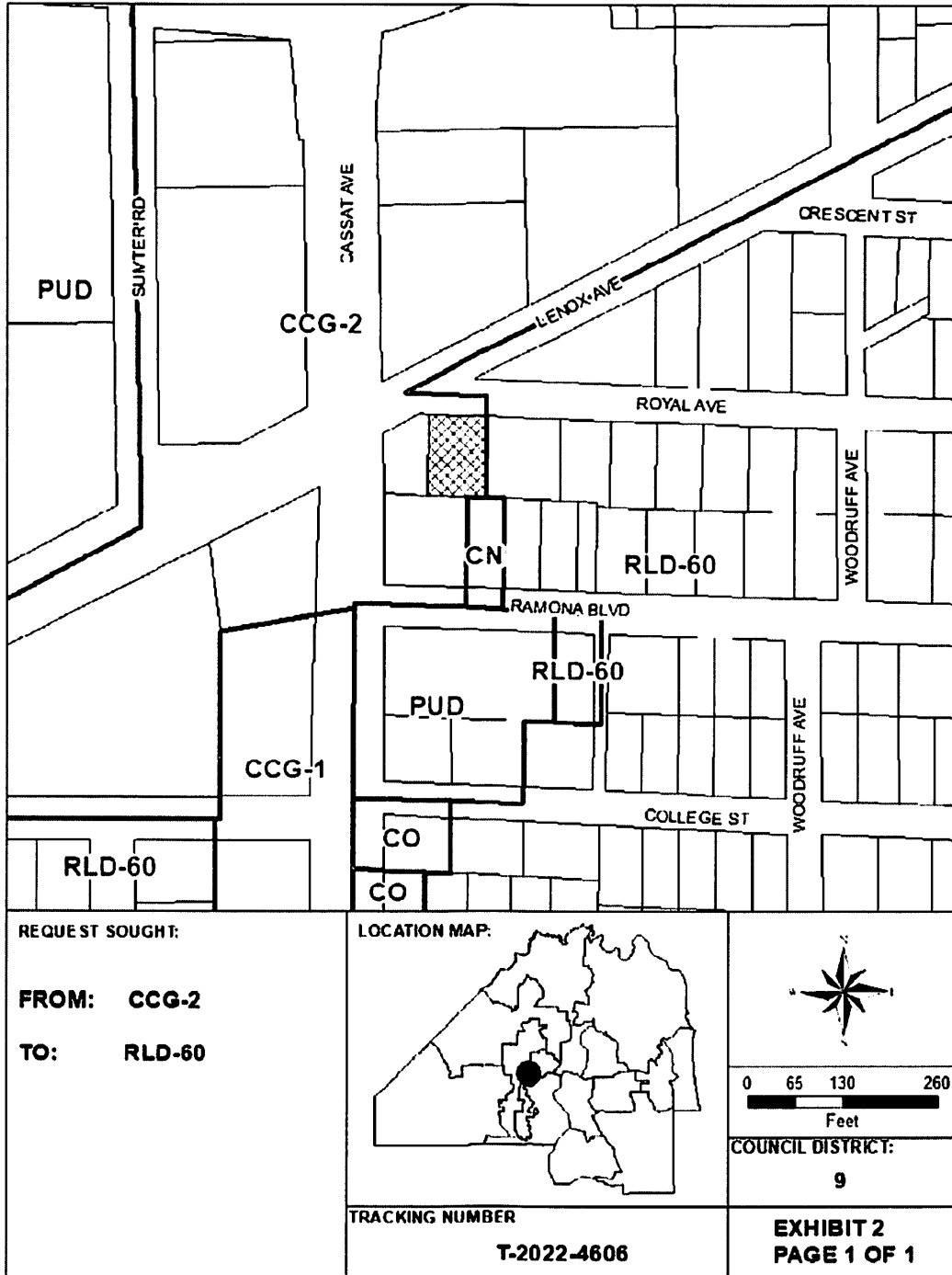
Aerial View

View of Subject Property



Source: Planning & Development Department  
Date: 02/8/2023

**Legal Map**



*Source: Planning & Development Department  
 Date: 02/8/2023*

# Application For Rezoning To Conventional Zoning District

## Planning and Development Department Info

**Ordinance #** 2023-0040 **Staff Sign-Off/Date** KPC / 12/12/2022  
**Filing Date** N/A **Number of Signs to Post** 1  
**Hearing Dates:**  
**1st City Council** 02/28/2023 **Planning Commission** 02/23/2023  
**Land Use & Zoning** 03/07/2023 **2nd City Council** 03/14/2023  
**Neighborhood Association** MURRAY HILL PRESERVATION ASSN  
**Neighborhood Action Plan/Corridor Study** N/A

## Application Info

**Tracking #** 4606 **Application Status** SUFFICIENT  
**Date Started** 10/24/2022 **Date Submitted** 10/24/2022

## General Information On Applicant

**Last Name** MILLER **First Name** ZACH **Middle Name** WATON  
**Company Name**  
LAW OFFICE OF ZACH MILLER  
**Mailing Address**  
3203 OLD BARN COURT  
**City** PONTEVEDRABEACH **State** FL **Zip Code** 32082  
**Phone** 9046518958 **Fax** 904 **Email** ZWMILLERLAW@GMAIL.COM

## General Information On Owner(s)

Check to fill first Owner with Applicant Info  
**Last Name** POWELL **First Name** DANIEL **Middle Name**  
**Company/Trust Name**  
CANOBIE LAKE LAND TRUST  
**Mailing Address**  
PO BOX 351835  
**City** JACKSONVILLE **State** FL **Zip Code** 32235  
**Phone** 9046518958 **Fax** **Email** ZWMILLERLAW@GMAIL.COM

## Property Information

**Previous Zoning Application Filed For Site?**  
**If Yes, State Application No(s)**

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 079316 0000	9	5	CCG-2	RLD-60

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

**Existing Land Use Category**  
CGC

**Land Use Category Proposed?**

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



**Total Land Area (Nearest 1/100th of an Acre)** 0.20

**Justification For Rezoning Application**

PROPERTY IS VACANT AND BORDERED BY SINGLE FAMILY HOUSES. REZONING TO RLD 60 IS NECESSARY TO ALLOW FOR THE CONSTRUCTION OF ONE SINGLE FAMILY HOUSE.

**Location Of Property**

**General Location**

NEAR INTERSECTION OF LENOX AVENUE AND CASSAT AVENUE

House #	Street Name, Type and Direction	Zip Code
0	ROYAL AVE	32205

**Between Streets**

RAMONA BOULEVARD and LENOX AVENUE

**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**

**0.20 Acres @ \$10.00 /acre: \$10.00**

**3) Plus Notification Costs Per Addressee**

**27 Notifications @ \$7.00 /each: \$189.00**

**4) Total Rezoning Application Cost: \$2,199.00**

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

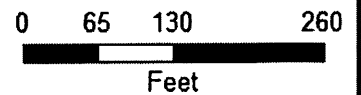
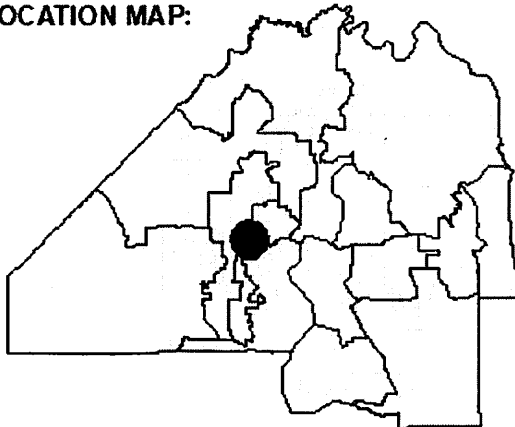


REQUEST SOUGHT:

**FROM: CCG-2**

**TO: RLD-60**

LOCATION MAP:



COUNCIL DISTRICT:

**9**

TRACKING NUMBER

**T-2022-4606**

**EXHIBIT 2  
PAGE 1 OF 1**



## Infill Availability Letter

Mitch Askelson

11/16/2022

JWB Real Estate Capital

7563 Philips highway suite 208

Jacksonville, Florida 32256

Project Name: 0 Royal Ave

Availability #: 2022-4182

Attn: Mitch Askelson

Thank you for your inquiry regarding the availability of Electric, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire two years from the date above.

### Point of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

### Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. **It shall be the customer's responsibility to engage the services of a professional engineer, licensed in the State of Florida, to plan and permit the proposed main extension(s) as well as to engage the services of a contractor to construct the main extension(s).** All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

[https://www.jea.com/engineering\\_and\\_construction/water\\_and\\_wastewater\\_development/reference\\_materials/](https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/)

### Lot Splits:

If a lot is split and two or more homes will be built, a layout of the proposed lot split will be required to be submitted prior to processing of estimate requests or service applications. Submit layout via Step 2 in the Sages program. Review JEA Design Guidelines 2.4.1.1 for the required information needed to process the layout submittal.

**Service Tap Cost (Special Estimate):**

To receive the associated cost for water or sewer service tap(s), please submit a Special Estimate Request, via Step 2 in the Sages program. Field factors that would designate the need for a special estimate are as follows:

- |  |  |
|--|--|
| Main Depth 8+ feet deep                | Required work within FDOT, St Johns County and Nassau County ROW |
| Pavement less than 5 years old         | Multiple services being installed                                |
| Taps on water mains 20-inch and larger | Water taps larger than 2-inches                                  |
| Sewer taps greater than 6-inches       | Low Pressure Sewer Service Connections                           |
| Installation of Sewer Vac Pods         | Approved Commercial Development plans                            |

**Reservation of Capacity:**

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

[https://www.jea.com/water\\_and\\_wastewater\\_development](https://www.jea.com/water_and_wastewater_development)

Sincerely,

JEA Water, Sewer Reclaim  
Availability Request Team

Availability Number: 2022-4182  
Request Received On: 11/16/2022  
Availability Response: 11/16/2022  
Prepared by: Michelle Otts  
Expiration Date: 11/15/2024

### Project Information

Name: 0 Royal Ave  
Address:  
County: Duval County  
Type: Electric,Sewer,Water  
Requested Flow: 250  
Parcel Number: 079316 0000  
Location:  
Description: Build 1 SFR

### Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 8-inch water main abutting this property along Royal Ave.

Connection Point #2:

**Water Special Conditions:** An Infill Layout for all lots included in the availability letter is required prior to applying for new service. Submit Infill Layouts through the JEA Sages program, Step 2, and select Infill Layout Submission.

If a line extension OR a new tap is needed you will need to request a special estimate for the work you need JEA to install. For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program, Step 2, and select Special Estimate Determination. Special Estimates are valid for 60 days.

If a line extension OR a new tap is needed you will need to request a special estimate for the work you need JEA to install.

For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program, Step 2, and select Special Estimate Determination. Special Estimates are valid for 60 days.

## **Sewer Connection**

Sewer Grid: Buckman

Connection Point #1: Existing 8-inch gravity sewer main within Royal Ave ROW.

Connection Point #2:

### **Sewer Special Conditions:**

If gravity flow cannot be achieved, then Sewer POC cannot be utilized unless written approval from the JEA Alternative Connection team is granted to allow a connection which utilizes a privately owned and operated pump system. Request an Alternative Connection approval through the JEA Sages program, Step 2, and select Alternative Connection Request.

If a line extension OR a new tap is needed you will need to request a special estimate for the work you need JEA to install. For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program, Step 2, and select Special Estimate Determination. Special Estimates are valid for 60 days.

An Infill Layout for all lots included in the availability letter is required prior to applying for new service. Submit infill layouts through the JEA Sages program, Step 2, and selecting Infill Layout Submission.

## **Reclaimed Water Connection**

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

### **Reclaim Special Conditions:**

JEA does not anticipate having reclaim water in this area in the foreseeable future.

## **Electric Connection**

Electric Availability:

### **Electric Special Conditions:**

The subject property lies within the geographic area legally served by JEA. JEA will provide

electric service as per JEA's most current Rules and Regulations.

General Conditions:

**Subsequent steps you need to take to get service:** **Request As-Built drawings and/or GIS maps by going to Step 1 in Sages.**

**If indicated on your availability letter, request your water flow test (Sages Step 2) and/or sewer locate (Sages Step 1).**

**After you receive the results of these, if applicable, submit your Infill Layout(s) (Sages Step 2).**

**After your Infill Layout(s) are approved, request a Special Estimate Determination (Sages Step 2) for the cost of your taps.**

**After you have received the Special Estimate Determination, apply for your new services by accessing Step 2 in Sages and selecting Residential New Service Application. You will need to submit a separate application for each address, do not select the multiple addresses when asked what type of service application are you submitting for.**