

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2018-668**

5 AN ORDINANCE REZONING APPROXIMATELY 44.44±
6 ACRES, LOCATED IN COUNCIL DISTRICT 2 AT 2059
7 NEW BERLIN ROAD AND 2107 NEW BERLIN ROAD,
8 BETWEEN DUNN CREEK ROAD AND WAGES WAY (R.E
9 NOS. 106888-0000 AND PORTION OF 106889-0120),
10 AS DESCRIBED HEREIN, OWNED BY NEW BERLIN 832,
11 INC., GARY T. GILDER AND DOROTHY GILDER, FROM
12 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT AND
13 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
14 (ORDINANCE 2001-952-E), TO PLANNED UNIT
15 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
17 SINGLE FAMILY RESIDENTIAL USES, AS DESCRIBED
18 IN THE LOGAN POINT PLANTATION PUD; PROVIDING A
19 DISCLAIMER THAT THE REZONING GRANTED HEREIN
20 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM
21 ANY OTHER APPLICABLE LAWS; PROVIDING AN
22 EFFECTIVE DATE.
23

24 **WHEREAS**, New Berlin 832, Inc., Gary T. Gilder and Dorothy
25 Gilder, the owners of approximately 44.44± acres, located in
26 Council District 2 at 2059 New Berlin Road and 2107 New Berlin
27 Road, between Dunn Creek Road and Wages Way (R.E Nos. 106888-0000
28 and portion of 106889-0120), as more particularly described in
29 **Exhibit 1**, dated July 20, 2018, and generally depicted in **Exhibit**
30 **2**, both of which are **attached hereto** and incorporated herein by
31 this reference (Subject Property), have applied for a rezoning and

1 reclassification of that property from Residential Rural-Acre (RR-
2 Acre) District and Planned Unit Development (PUD) District
3 (Ordinance 2001-952-E), to Planned Unit Development (PUD) District,
4 as described in Section 1 below; and

5 **WHEREAS,** the Planning Commission has considered the
6 application and has rendered an advisory opinion; and

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

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

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

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

23 **Section 1. Property Rezoned.** The Subject Property is
24 hereby rezoned and reclassified from Residential Rural-Acre (RR-
25 Acre) District and Planned Unit Development (PUD) District
26 (Ordinance 2001-952-E), to Planned Unit Development (PUD) District.
27 This new PUD district shall generally permit single family
28 residential uses, and is described, shown and subject to the
29 following attached documents:

30 **Exhibit 1** - Legal Description dated July 20, 2018.

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

2 **Exhibit 3** - Written Description dated September 12, 2018.

3 **Exhibit 4** - Site Plan dated September 4, 2018.

4 **Section 2. Owner and Description.** The Subject Property
5 is owned by New Berlin 832, Inc., Gary T. Gilder and Dorothy
6 Gilder, and is legally described in **Exhibit 1, attached hereto.**
7 The agent is Dan C. Boswell, 4014 Ranie Road, Jacksonville, Florida
8 32218; (904) 476-7993.

9 **Section 3. Disclaimer.** The rezoning granted herein
10 shall not be construed as an exemption from any other applicable
11 local, state, or federal laws, regulations, requirements, permits
12 or approvals. All other applicable local, state or federal permits
13 or approvals shall be obtained before commencement of the
14 development or use and issuance of this rezoning is based upon
15 acknowledgement, representation and confirmation made by the
16 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
17 or designee(s) that the subject business, development and/or use
18 will be operated in strict compliance with all laws. Issuance of
19 this rezoning does not approve, promote or condone any practice or
20 act that is prohibited or restricted by any federal, state or local
21 laws.

22 **Section 4. Effective Date.** The adoption of this
23 ordinance shall be deemed to constitute a quasi-judicial action of
24 the City Council and shall become effective upon signature by the
25 Council President and the Council Secretary.

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27 Form Approved:

28
29 /s/ Shannon K. Eller
30 Office of General Counsel
31 Legislation Prepared By: Arimus Wells
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