

City of Jacksonville, Florida

Lenny Curry, Mayor

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

February 4, 2021

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2021-17**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

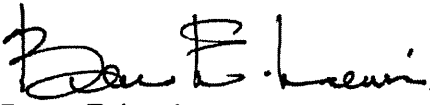
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Absent
Ian Brown	Aye
Alex Moldovan	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 written in a cursive style with a large initial "B".

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 FOR

APPLICATION FOR REZONING ORDINANCE 2021-0017

FEBRUARY 4, 2021

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 2021-0017.

Location: 0 Branan Field Road; Between Dawsons Creek Drive and Cecil Connector Road

Real Estate Number: 002346-0500

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

Proposed Zoning District: Residential Low Density-100A (RLD-100A)

Current Land Use Category: Low Density Residential (LDR)

Planning District: District 4—Southwest

Applicant/Agent: Lien Aleman
2332 Dunn Avenue
Jacksonville, Florida 32218

Owner: Jake R. Fulmer and Wendy L. Fulmer
2332 Dunn Avenue
Jacksonville, Florida 32218

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-0017 seeks to rezone 1.67± acres of a property from Residential Rural-Acre (RR-Acre) to Residential Low Density-100A (RLD-100A). The property is located in the Low Density Residential (LDR) land use category within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to allow for a lot split and eventually construct two (2) single-family dwellings.

The site is located within either the 60-64.99 or 65-69.99 Day-Night Sound Level (DNL) noise contour range. As such, this area is within the Civilian Influence Zone for Cecil Field Airport. In accordance with Section 656.1010, the plat for a subdivision shall indicate which lots are located

within a Civilian Influence Zone. No person shall sell, transfer, or lease land within a Civilian Influence Zone, unless the prospective owner, transferee or lessee has been given a disclosure of airport proximity in writing, at the time of contract of sale, transfer, or lease.

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. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds the subject property to be located in the Low Density Residential (LDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

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. Rural Residential (RR) is a category intended to provide rural estate residential opportunities in the suburban and rural areas of the City. Generally, single-family detached housing will be the predominant land uses in this category. Single-family dwellings are a principal use within the RR category. The maximum gross density shall be 2 units/acre when both centralized water and sewer are available and the maximum gross density shall be 1 unit/acre when the site is served with on-site potable water and wastewater, and there shall be no minimum density.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE):

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.

According to the applicant, no developmental changes are expected from the proposed rezoning. Rather, the subject property will be split into two (2) half-acre lots.

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-100A in order to permit for a lot split.

SURROUNDING LAND USE AND ZONING

The subject property is located at the northwest corner of Branan Field Road and Forest Trail. The predominant use within this area contain single-family dwellings with a sporadic mix of lot sizes. The proposed rezoning to RLD-100A requires the new lots to have 100 foot width and 21,780 square foot area—which, in terms of density, would complement the abutting residential lots. Adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	RR	RR-Acre	Single-Family Dwelling
East	LDR	RR-Acre	Single-Family Dwelling
South	ROS	PUD 1999-0804	Single-Family Dwelling
West	RR	PUD 2003-0833	Single-Family Dwelling

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-100A will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

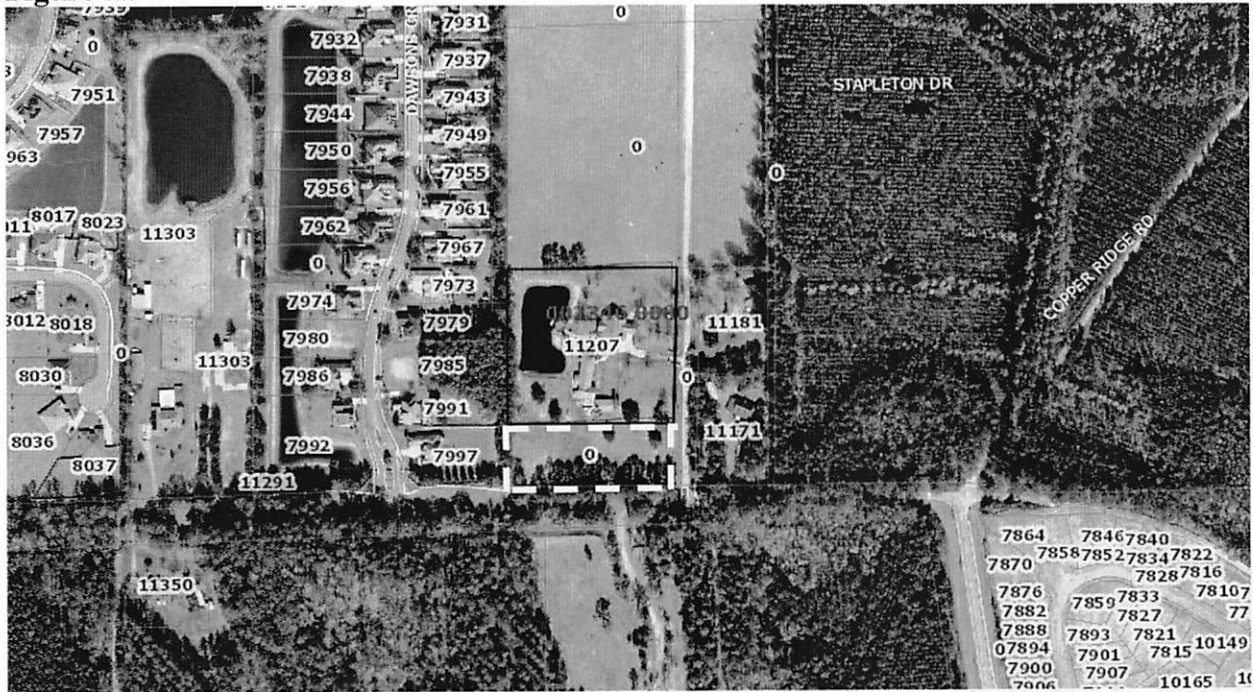
Upon visual inspection of the subject property on **January 21, 2021** by the Planning and Development Department, the required Notice of Public Hearing sign **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-0017** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 12/03/20

Aerial view of the subject site and parcel, facing north.

Figure B:



Source: Planning & Development Dept, 01/21/21

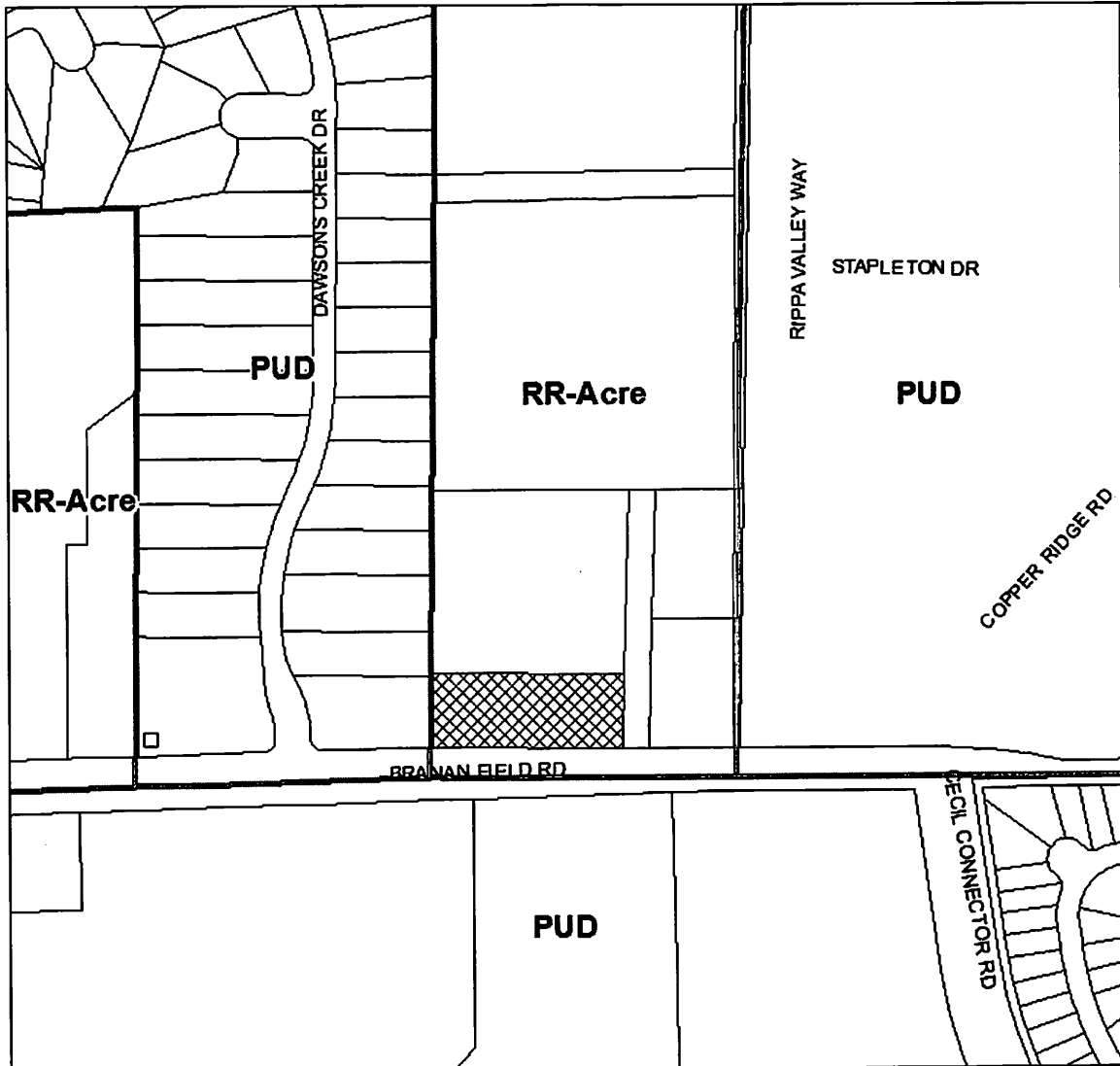
View of the subject property along Branam Field Road, facing north.

Figure C:



Source: Planning & Development Dept, 01/21/21

View of the subject property along Forest Trail, facing west.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: RLD-100A</p>	<p>LOCATION MAP:</p>	<p>0 125 250 500 Feet</p>
<p>ORDINANCE NUMBER ORD-2021-0017</p>	<p>TRACKING NUMBER T-2020-3229</p>	<p>COUNCIL DISTRICT: 12</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0017 Staff Sign-Off/Date ATW / 12/03/2021

Filing Date 01/06/2021 Number of Signs to Post 2

Hearing Dates:

1st City Council 02/09/2021 Planning Commission 02/04/2021

Land Use & Zoning 02/17/2021 2nd City Council N/A

Neighborhood Association NONE

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 3229

Application Status FILED COMPLETE

Date Started 11/03/2020

Date Submitted 11/11/2020

General Information On Applicant

Last Name	First Name	Middle Name
FULMER	JAKE	

Company Name
PREFERRED BUILDERS OF NORTH FLORIDA

Mailing Address
2332 DUNN AVENUE

City	State	Zip Code
JACKSONVILLE	FL	32218

Phone	Fax	Email
9047510840	904	LALEMAN@PREFERREDGROUP.BIZ

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
FULMER	JAKE	

Company/Trust Name
PREFERRED BUILDERS OF NORTH FLORIDA

Mailing Address
2332 DUNN AVENUE

City	State	Zip Code
JACKSONVILLE	FL	32218

Phone	Fax	Email
9047510840	904	LALEMAN@PREFERREDGROUP.BIZ

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	002346 0500	12	4	RR-ACRE	RLD-100A

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

Existing Land Use Category

RR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.66

Justification For Rezoning Application

I AM WANTING TO RE-ZONE A PIECE OF PROPERTY THAT I OWN. IT IS CURRENTLY RR (ACRE) WITH A USE OF 2 UNITS OR LESS PER ACRE. I AM WANTING TO SPLIT IT IN 1/2 AND CHANGE THE ZONING TO RDL100A. IT IS CURRENTLY 1.66 ACRES AND WE ARE WANTING TO SPLIT IT TO .83 ACRES.

Location Of Property**General Location**

NW QUADRANT OF BRANAN FIELD RD AND FOREST TRAIL

House #	Street Name, Type and Direction	Zip Code
0	BRANAN FIELD RD	32222

Between Streets

DAWSONS CREEK and FOREST TRAIL

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
1.66 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee
20 Notifications @ \$7.00 /each: \$140.00
- 4) Total Rezoning Application Cost: \$2,160.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE _____

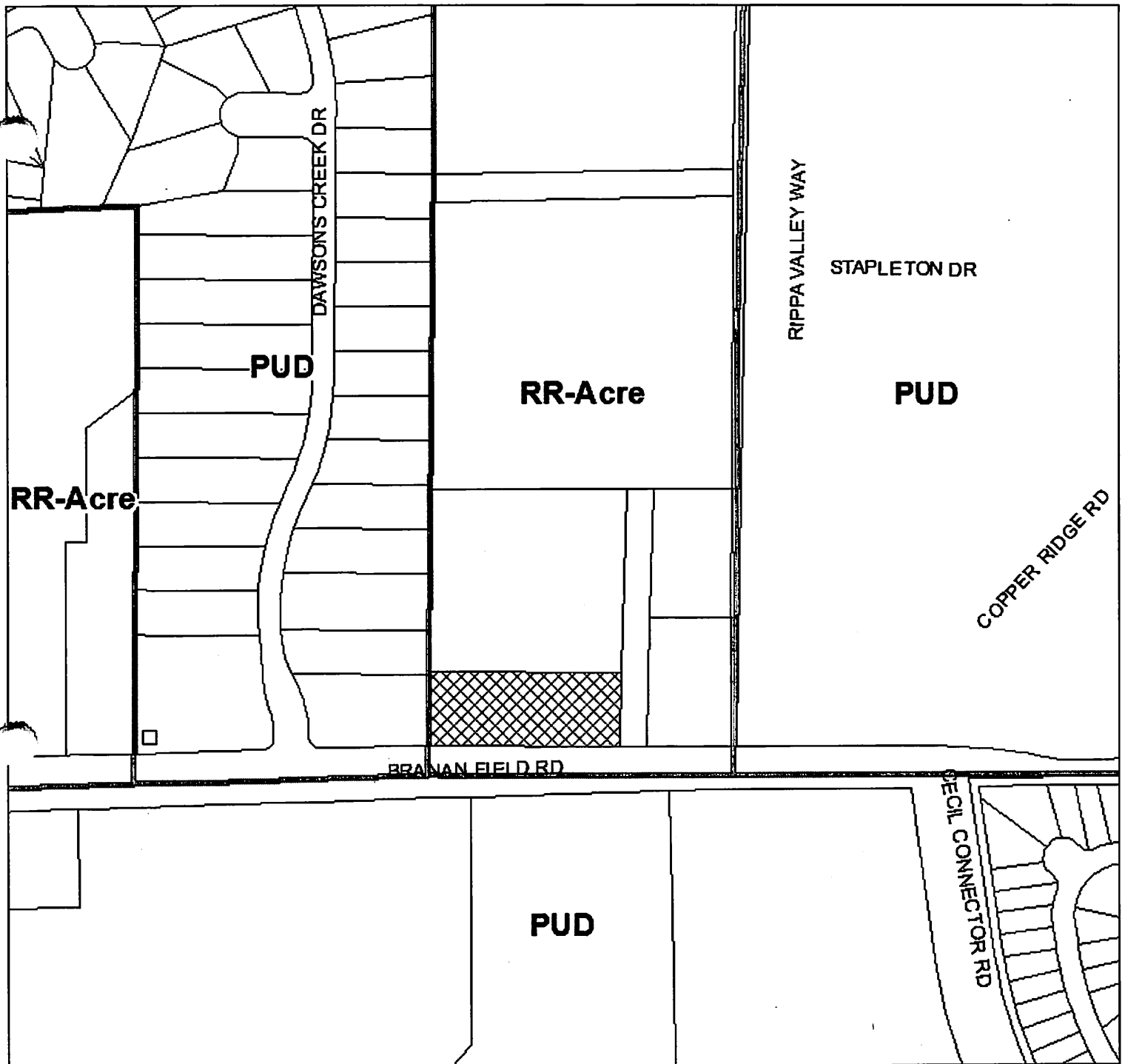
Legal Description

The part of Tract 16, Block 4, Section 25, Township 3 South, Range 24 East, JACKSONVILLE HEIGHTS, as recorded in Plat Book 5, page 93, current public records of Duval County, Florida, more particularly described as follows: Commence at a concrete monument at the Southeast corner of said Section 25; thence North 0°35'20" East, along the Easterly boundary of Section 25, 85.05 feet to an intersection with the Northerly right-of-way line of Brannan Field Road, South 88°35'40" West, along the Northerly right-of-way 234.69 feet to the point of beginning; thence continue North 89°28'46" West, along the Northerly right-of-way line of Brannan Field Road, 436.46 feet; thence North 0°37'10" East 167.12 feet; thence South 89°28'46" East 436.46 feet; thence South 0°45'10" West 167.12 feet to the point of beginning.

Together with a Non-exclusive Easement for ingress and egress over that part of the aforesaid Tract 16, more particularly described on Exhibit "A" attached hereto.

EXHIBIT "A"

Commence at a Concrete monument at the Southeast corner of said Section 25; thence North $0^{\circ}35'20''$ East, along the Easterly boundary of said Section 25, 85.05 feet to the intersection with the Northerly right of way line of Brannan Field Road; thence South $88^{\circ}35'40''$ West, along said Northerly right of way 174.65 feet to a point for the point of beginning; thence continue South $88^{\circ}35'40''$ West along said Northerly right of way line of Brannan Field Road, 60.04 feet; thence North $0^{\circ}45'10''$ East 579.97 feet to an intersection with the North line of said Tract 16, Block 4; thence North $88^{\circ}16'40''$ East along said North line of Tract 16, 60.06 feet; thence South $0^{\circ}45'10''$ West, 580.30 feet to the point of beginning.

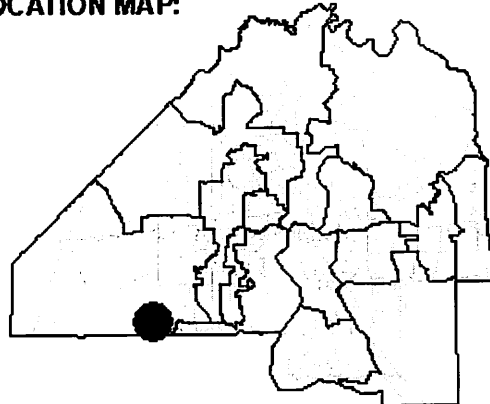


REQUEST SOUGHT:

FROM: RR-ACRE

TO: RLD-100A

LOCATION MAP:



0 125 250 500



Feet

COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2020-3229

**EXHIBIT 2
PAGE 1 OF 1**



Availability Letter

Jake Fulmer

11/9/2020

11207 Branan Field Rd
Jacksonville, Florida 32222

Project Name: B18-027 Jake Fulmer

Availability #: 2020-3740

Attn: Jake Fulmer

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 applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida.** 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/

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

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2020-3740

Request Received On: 11/2/2020

Availability Response: 11/9/2020

Prepared by: Sigrid Duncan

Expiration Date: 11/09/2022

Project Information

Name: B18-027 Jake Fulmer

Address: 0 BRANAN FIELD RD, JACKSONVILLE, FL 32222

County: Duval County

Type: Electric,Sewer,Water

Requested Flow: 1400

Parcel Number: 002346 0500

Location: Corner of Branan Field Rd and Forest Trail

Description: Requesting service for a new home

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 8-inch water main within Branan Field Rd ROW.

Connection Point #2:

An Infill Layout for all lots included in the availability letter is required prior to applying for new Water Special Conditions: service. Submit infill layouts through the JEA Sages program by entering your availability number and accessing Step 2 within the project portal.

Sewer Connection

Sewer Grid: Southwest

Connection Point #1:

Connection Point #2:

Sewer Special Conditions: JEA does not have a sewer main available within ¼ mile of this property at this time.

Reclaimed Water Connection

Reclaim Grid: North Grid

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

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: