

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-494-E**

5 AN ORDINANCE REZONING APPROXIMATELY 6.10±
6 ACRES, LOCATED IN COUNCIL DISTRICT 11 AT 10153
7 MCLAURIN ROAD EAST, BETWEEN WATERMARK LANE
8 SOUTH AND SPANER ROAD (R.E. NO. 155544-0000),
9 AS DESCRIBED HEREIN, OWNED BY DEBORAH A.
10 BELLICH-CHESSER, FROM RESIDENTIAL RURAL-ACRE
11 (RR-ACRE) DISTRICT TO PLANNED UNIT DEVELOPMENT
12 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED
13 UNDER THE ZONING CODE, TO PERMIT SINGLE FAMILY
14 RESIDENTIAL USES, AS DESCRIBED IN THE MCLAURIN
15 PALMS PUD; PUD SUBJECT TO CONDITIONS;
16 PROVIDING A DISCLAIMER THAT THE REZONING
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Deborah A. Bellich-Chesser, the owner of
22 approximately 6.10± acres, located in Council District 11 at 10153
23 McLaurin Road East, between Watermark Lane South and Spaner Road
24 (R.E. No. 155544-0000), as more particularly described in **Exhibit**
25 **1**, dated June 10, 2019, and graphically depicted in **Exhibit 2**, both
26 of which are **attached hereto** and incorporated herein by this
27 reference (Subject Property), has applied for a rezoning and
28 reclassification of that property from Residential Rural-Acre (RR-
29 Acre) District to Planned Unit Development (PUD) District, as
30 described in Section 1 below; and

31 **WHEREAS**, the Planning Commission has considered the

1 application and has rendered an advisory opinion; and

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

4 **WHEREAS**, the Council finds that such rezoning is: (1)
5 consistent with the *2030 Comprehensive Plan*; (2) furthers the
6 goals, objectives and policies of the *2030 Comprehensive Plan*; and
7 (3) is not in conflict with any portion of the City's land use
8 regulations; and

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

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Residential Rural-Acre (RR-
20 Acre) District to Planned Unit Development (PUD) District. This new
21 PUD district shall generally permit single family residential uses,
22 and is described, shown and subject to the following attached
23 documents:

24 **Exhibit 1** - Legal Description dated June 10, 2019.

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

26 **Revised Exhibit 3** - Revised Written Description dated September 23,
27 2019.

28 **Revised Exhibit 4** - Revised Site Plan dated September 24, 2019.

29 **Section 2. Rezoning Approved Subject to Conditions.** This
30 rezoning is approved subject to the following conditions. Such
31 conditions control over the Written Description and the Site Plan

1 and may only be amended through a rezoning.

2 (1) Signage may be externally illuminated only; no internally
3 illuminated signs will be permitted.

4 (2) A ten (10) foot wide natural buffer consisting of
5 existing vegetation shall be provided along the eastern edge of the
6 property. An eight (8) foot tall vinyl fence shall be installed on
7 the western portion of this buffer.

8 (3) A ten (10) foot wide natural buffer consisting of
9 existing vegetation shall be provided along the southern edge of
10 the property. A six (6) foot tall fence (either wood or vinyl)
11 shall be installed on the southern edge of this buffer along the
12 boundary with Lot 1 up to the western edge of the storm water pond.

13 (4) Sidewalks shall be provided along McLaurin Road North
14 along the property boundary and McLaurin Road East along the
15 property boundary.

16 **Section 3. Owner and Description.** The Subject Property
17 is owned by Deborah A. Bellich-Chesser, and is legally described in
18 **Exhibit 1, attached hereto.** The agent is Zach Miller, Esq., 501
19 Riverside Avenue, Suite 901, Jacksonville, Florida 32202; (904)
20 396-5731.

21 **Section 4. Disclaimer.** The rezoning granted herein
22 shall not be construed as an exemption from any other applicable
23 local, state, or federal laws, regulations, requirements, permits
24 or approvals. All other applicable local, state or federal permits
25 or approvals shall be obtained before commencement of the
26 development or use and issuance of this rezoning is based upon
27 acknowledgement, representation and confirmation made by the
28 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
29 or designee(s) that the subject business, development and/or use
30 will be operated in strict compliance with all laws. Issuance of
31 this rezoning does not approve, promote or condone any practice or

1 act that is prohibited or restricted by any federal, state or local
2 laws.

3 **Section 5. Effective Date.** The enactment of this
4 Ordinance shall be deemed to constitute a quasi-judicial action of
5 the City Council and shall become effective upon signature by the
6 Council President and the Council Secretary.

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8 Form Approved:

9
10 /s/ Shannon K. Eller

11 Office of General Counsel

12 Legislation Prepared By: Erin Abney

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