

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-724-E**

5 AN ORDINANCE REZONING APPROXIMATELY 25.20±
6 ACRES, LOCATED IN COUNCIL DISTRICT 3 AT 1146
7 GIRVIN ROAD, 1160 GIRVIN ROAD, 0 SANDY DRIVE,
8 AND 13120 SANDY DRIVE (R.E. NOS. 162134-0000,
9 162135-0000, 162150-0000, AND 162151-0000), AS
10 DESCRIBED HEREIN, OWNED BY FREDERIC O.
11 SANDBERG, JANET J. SANDBERG, WILLIAM C.
12 SANDBERG, SUSAN A. SANDBERG, AND THE 1160
13 GIRVIN TRUST, FROM RESIDENTIAL RURAL-ACRE (RR-
14 ACRE) DISTRICT TO PLANNED UNIT DEVELOPMENT
15 (PUD) DISTRICT, AS DEFINED AND CLASSIFIED
16 UNDER THE ZONING CODE, TO PERMIT SINGLE FAMILY
17 RESIDENTIAL USES, AS DESCRIBED IN THE 1160
18 GIRVIN PUD; PUD SUBJECT TO CONDITIONS;
19 PROVIDING A DISCLAIMER THAT THE REZONING
20 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
21 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
22 PROVIDING AN EFFECTIVE DATE.
23

24 **WHEREAS**, Frederic O. Sandberg, Janet J. Sandberg, William C.
25 Sandberg, Susan A. Sandberg, and the 1160 Girvin Trust, the owners
26 of approximately 25.20± acres, located in Council District 3 at
27 1146 Girvin Road, 1160 Girvin Road, 0 Sandy Drive, and 13120 Sandy
28 Drive (R.E. Nos. 162134-0000, 162135-0000, 162150-0000, and 162151-
29 0000), as more particularly described in the **Exhibit 1**, dated
30 August 13, 2019, and graphically depicted in the **Exhibit 2**, both of
31 which are **attached hereto** (Subject Property), have applied for a

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

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

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

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

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

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

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

28 **Exhibit 1** - Legal Description dated August 13, 2019.

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

30 **Exhibit 3** - Written Description dated September 16, 2019.

31 **Revised Exhibit 4** - Revised Site Plan dated January 15, 2020.

Section 2. Rezoning Approved Subject to Conditions. This

rezoning is approved subject to the following conditions. Such conditions control over the Written Description and the Site Plan and may only be amended through a rezoning.

(1) Per Policy 2.2.4 of the Recreation and Open Space Element of the *2030 Comprehensive Plan*, a residential subdivision development of 25 lots to 99 lots shall pay a recreation and open space fee of two-hundred-fifty (\$250) dollars per lot, or provide at least four hundred thirty-five square feet of usable uplands for each lot (and any fraction thereof), to be dedicated as common area and set aside for active recreation. The City shall use recreation and open space fees collected pursuant to Policy 2.2.4 to improve, enhance, expand, or acquire recreation areas within the same Planning District in which the fees are paid.

(2) All perimeter fencing shall be maintained by the established HOA and shall be of the same material, height, and color.

(3) The minimum centerline radii for local residential subdivision roadways shall be 80 feet.

(4) Impervious surface ratios shall comply with the City of Jacksonville Ordinance Code.

(5) The development is subject to the following additional landscaping conditions:

(a) For all landscaping required by the City of Jacksonville Ordinance Code, the developer shall plant trees at 6 inches DBH instead of any required 4 inches DBH.

(b) The developer shall plant native landscaping in gaps along the Girvin Road buffer, subject to JEA requirements.

(c) The developer shall plant at least one tree on each lot, and such trees shall be planted on each lot prior to issuance of a Certificate of Occupancy for the lot.

1 (6) Prior to the first final inspection within any phase of
2 development, the owner or their agent shall submit to the Planning
3 and Development Department for its review and approval either: (a)
4 an affidavit documenting that all conditions to the development
5 order have been satisfied, or (b) a detailed agreement for the
6 completion of all conditions to the development order.

7 **Section 3. Owner and Description.** The Subject Property
8 is owned by Frederic O. Sandberg, Janet J. Sandberg, William C.
9 Sandberg, Susan A. Sandberg, and the 1160 Girvin Trust, and is
10 legally described in the **Exhibit 1, attached hereto**. The agent is
11 Thomas O. Ingram, 233 East Bay Street, Suite 1113, Jacksonville,
12 Florida 32202; (904) 612-9179.

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

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connie Patterson

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