

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-870**

5 AN ORDINANCE REZONING APPROXIMATELY 29.39± ACRES
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 GATE LANE,
7 BETWEEN GATE LANE AND CLAPBOARD CROSSING WAY
8 (R.E. NO. 159828-0000), AS DESCRIBED HEREIN,
9 OWNED BY C. DONALD MACLEAN, JR., FROM
10 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT TO
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
13 PERMIT SINGLE FAMILY RESIDENTIAL USES, AS
14 DESCRIBED IN THE BRADLEY POND ESTATES PUD;
15 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
18 EFFECTIVE DATE.

19
20 **WHEREAS**, James Paul MacLean, as agent acting under the authority
21 of Durable Power of Attorney for C. Donald MacLean, Jr., owner of
22 approximately 29.39± acres located in Council District 2 at 0 Gate
23 Lane (R.E. No. 159828-0000), as more particularly described in **Exhibit**
24 **1**, dated August 30, 2021, and graphically depicted in **Exhibit 2**, both
25 of which are **attached hereto** (the "Subject Property"), has applied
26 for a rezoning and reclassification of that property from Residential
27 Rural-Acre (RR-Acre) District to Planned Unit Development (PUD)
28 District, as described in Section 1 below; and

29 **WHEREAS**, the Planning Commission has considered the application
30 and has rendered an advisory opinion; and

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice and

1 public hearing, has made its recommendation to the Council; and

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

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

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

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

21 **Exhibit 1** - Legal Description dated August 30, 2021.

22 **Exhibit 2** - Subject Property Map (prepared by P&DD).

23 **Exhibit 3** - Written Description dated November 1, 2021.

24 **Exhibit 4** - Site Plan dated October 29, 2021.

25 **Section 2. Owner and Description.** The Subject Property
26 is owned by C. Donald MacLean, Jr., and is legally described in
27 **Exhibit 1, attached hereto.** The applicant is Curtis L. Hart, 8051
28 Tara Lane, Jacksonville, Florida 32216; (904) 993-5008.

29 **Section 3. Disclaimer.** The rezoning granted herein
30 shall **not** be construed as an exemption from any other applicable
31 local, state, or federal laws, regulations, requirements, permits or

1 approvals. All other applicable local, state or federal permits or
2 approvals shall be obtained before commencement of the development
3 or use, and issuance of this rezoning is based upon acknowledgement,
4 representation and confirmation made by the applicant(s), owner(s),
5 developer(s) and/or any authorized agent(s) or designee(s) that the
6 subject business, development and/or use will be operated in strict
7 compliance with all laws. Issuance of this rezoning does **not** approve,
8 promote or condone any practice or act that is prohibited or
9 restricted by any federal, state or local laws.

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

14
15 Form Approved:

16
17 /s/ Mary E. Staffopoulos

18 Office of General Counsel

19 Legislation Prepared By: Kaysie Cox

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