

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

22 October 2020

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.: 2020-572**

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**

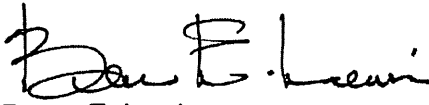
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 5-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Absent
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 that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

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 2020-572

OCTOBER 22, 2020

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 2020-572.

Location: 0 Betz Road, between Anderson Estate Road
and Spring Hammock Road

Real Estate Number(s): 159760-0060

Current Zoning District(s): Agriculture (AGR)

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

Current Land Use Category: Agriculture-IV (AGR-IV)

Proposed Land Use Category: Rural Residential (RR)

Applicant: Matthew Chmura
Alliance Permitting Service, LLC.
3202 River Road
Green Cove, FL 32043

Owner(s): Brian K McKenzie
Angela D McKenzie
15096 Anderson Estate Road
Jacksonville, FL 32226

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2020-572 seeks to rezone 1.25 acres of land from Agriculture to Residential Rural-Acre (RR-Acre). The parcel was subdivided in 1991 just after the adoption of the Comprehensive Plan. Prior to consolidation, the lot was a part of parcel RE#159741-0000. Over the years the parcels on the east side of Spring Hammock Road have been parceled off to family members and new owners. The applicant seeks to rezone the property to bring the property into compliance and allow one single family dwelling on the property. Currently, under the Agriculture zoning district the owner is required to have 2.5 acres of land for every one dwelling

unit. In the requested RR-Acre Zoning District, the owner is required to have one acre for every one dwelling unit.

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. The Planning and Development Department finds that the subject property is currently located in the Agriculture-IV (AGR-IV) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. There is companion Land Use Amendment requesting a change to Rural Residential (RR). If approved, the proposed rezoning would be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. The rezoning application has a companion land use application, L-5466-20C which is changing the land use from AGR-IV to RR. The parcel is located in the Rural Development area and located on a local unpaved roadway. The rezone the parcel to RR-Acre to be able to build a single family home.

The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Policy 3.1.6

The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

The proposed lot size is consistent and compatible with the area. Lots in the Pumpkin Hill area, off Spring Hammock, range in size from half an acre to 3 acres, however all are located in the AGR zoning district. The companion land use amendment is needed to have consistency with the proposed zoning.

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. The subject property meets the requirements of the RR-Acre Zoning District as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	AGR-IV	AGR	Vacant-wooded
South	AGR-IV	AGR	Single Family Dwelling
East	AGR-IV	AGR	Single Family Dwelling
West	AGR-IV	AGR	Single Family Dwelling

The proposed rezoning is located at the corner of Betz Road and Anderson Estate Road surrounded by large single family lots. The area is heavily residential in nature. Lot sizes range from 100 foot wide/0.5 acre lots to 3 acre lots. The closest single-family platted subdivision is almost a mile south west of the subject property.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 5, 2020** the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2020-572** be **APPROVED**.



Aerial



<p>REQUEST SOUGHT:</p> <p>FROM: AGR</p> <p>TO: RR-ACRE</p>	<p>LOCATION MAP:</p>	<p>0 105 210 420 Feet</p> <p>COUNCIL DISTRICT:</p> <p>2</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0572</p>	<p>TRACKING NUMBER</p> <p>T-2020-3038</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0572 Staff Sign-Off/Date CMQ / 08/31/2020
 Filing Date 09/22/2020 Number of Signs to Post 4
 Hearing Dates:
 1st City Council 10/27/2020 Planning Commission 10/22/2020
 Land Use & Zoning 11/04/2020 2nd City Council 11/10/2020
 Neighborhood Association EDEN GROUP; M&M DAIRY; NPS TIMUCUAN ECO & HIST PRES
 Neighborhood Action Plan/Corridor Study

Application Info

Tracking # 3038 Application Status PENDING
 Date Started 08/04/2020 Date Submitted 08/04/2020

General Information On Applicant

Last Name CHMURA First Name MATTHEW Middle Name
 Company Name ALLIANCE PERMITTING SERVICE, LLC
 Mailing Address 3202 RIVER ROAD
 City GREEN COVE State FL Zip Code 32043
 Phone 9043929841 Fax 904 Email MATTC@ALLIANCEPERMITTING.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name MCKENZIE First Name BRIAN Middle Name K
 Company/Trust Name
 Mailing Address 15096 ANDERSON ESTATE RD
 City JACKSONVILLE State FL Zip Code 32226
 Phone 9044241971 Fax Email ANGIEMC1971@GMAIL.COM

Last Name MCKENZIE First Name ANGELA Middle Name D
 Company/Trust Name
 Mailing Address 15096 ANDERSON ESTATE RD
 City JACKSONVILLE State FL Zip Code 32226
 Phone 9044241971 Fax Email ANGIEMC1971@GMAIL.COM

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 159760 0060	2	6	AGR	RR-Acre

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

Existing Land Use Category
AGR-IV

Land Use Category Proposed?
If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.25

Justification For Rezoning Application

OWNERS ARE REQUESTING THE PARCEL TO BE REZONED TO RR-ACRE TO BE ABLE TO BUILD A SINGLE FAMILY HOME.

Location Of Property

General Location

0 BETZ ROAD

House #

Street Name, Type and Direction

Zip Code

BETZ RD

32226

Between Streets

SPRING HAMMOCK ROAD

and BRADHAM ROAD

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
1.25 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee
14 Notifications @ \$7.00 /each: \$98.00
- 4) Total Rezoning Application Cost: \$0.01

NOTE: Advertising Costs To Be Billed to Owner/Agent

Legal Description

Exhibit 1

A PORTION OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 28 EAST, CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 21, SAID CORNER BEING SITUATE ON THE NORTHERLY RIGHT OF WAY LINE OF BETZ ROAD (A PRIVATE ROAD), THENCE NORTH 89°57'17" EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, 197.21 FEET FOR A POINT OF BEGINNING, THENCE NORTH 04°43'36" EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, 259.76 FEET, THENCE NORTH 89°57'17" EAST, 197.98 FEET TO A POINT SITUATE ON THE WESTERLY BOUNDARY OF THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 3428, PAGE 855, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, THENCE SOUTH 01°05'15" EAST ALONG LAST SAID LINE AND THE WESTERLY BOUNDARY OF THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 5989, PAGE 397, AND OFFICIAL RECORDS BOOK 5726, PAGE 1730, ALL OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, 258.40 FEET TO THE NORTHERLY RIGHT OF WAY OF SAID BETZ ROAD, THENCE SOUTH 89°57'17" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE, 224.25 FEET TO THE POINT OF BEGINNING.

8-6-20

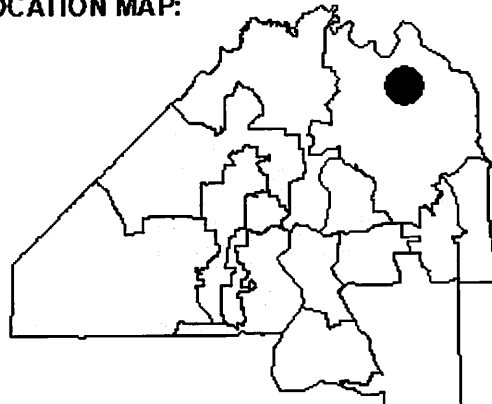


REQUEST SOUGHT:

FROM: AGR

TO: RR-ACRE

LOCATION MAP:



0 105 210 420



Feet

COUNCIL DISTRICT:

2

TRACKING NUMBER

T-2020-3038

EXHIBIT 2

PAGE 1 OF 1