

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

May 20, 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.: 2021-234

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**

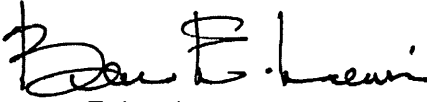
Planning Commission Recommendation: **Approve**

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	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Absent
Jason Porter	Absent

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 fluid and cursive, with the first name "Bruce" being the most prominent.

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 2021-0234****MAY 20, 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 **2021-0234**.

Location: 12329 Moose Road; Between Bluff Oak Lane and Ayrshire Street East

Real Estate Number: 106542-0000

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 6—North

Applicant/Agent: Christopher David Hagan
The Southern Group, Inc.
208 Laura Street North, Suite 710
Jacksonville, Florida 32202

Owner: Kyle Passkiewicz
Fin Homes, LLC
13245 Atlantic Boulevard, Suite 4-146
Jacksonville, Florida 32225

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2021-0234** seeks to rezone 1.37± 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.

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. Low Density Residential (LDR) in the Suburban Area is intended to provide for low-density residential development. The subject property is located along the east side of Moose Road. Low Density Residential in the Suburban Area allows for single-family residential development with a maximum density of 7 units/acre when both centralized potable water and wastewater are available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be one quarter of an acre if either one of centralized potable water or wastewater services are not available. The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available.

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):

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater

collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

In reference to the attached JEA Availability Letter, 2021-1668, no water mains or sewer mains abut the property.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The proposed rezoning to RLD-100A would allow for higher density infill development on an underutilized parcel.

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 between Hamlet Road and Forgotten Way. The predominant use along the Moose Road corridor are single-family dwellings with a sporadic mix of lot sizes. The proposed rezoning to RLD-100A would render the new lots to have a 100 foot width and 21,780 square foot area—which, in terms of density, would complement the abutting residential lots. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	PUD 2002-0618-E	Single-Family Dwellings
East	LDR	PUD 2002-0618-E	Single-Family Dwellings
South	LDR	PUD 2002-0618-E	Single-Family Dwellings
West	LDR	RLD-100A	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 **April 29, 2021** by the Planning and Development Department, 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 2021-0234 be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 03/31/21

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

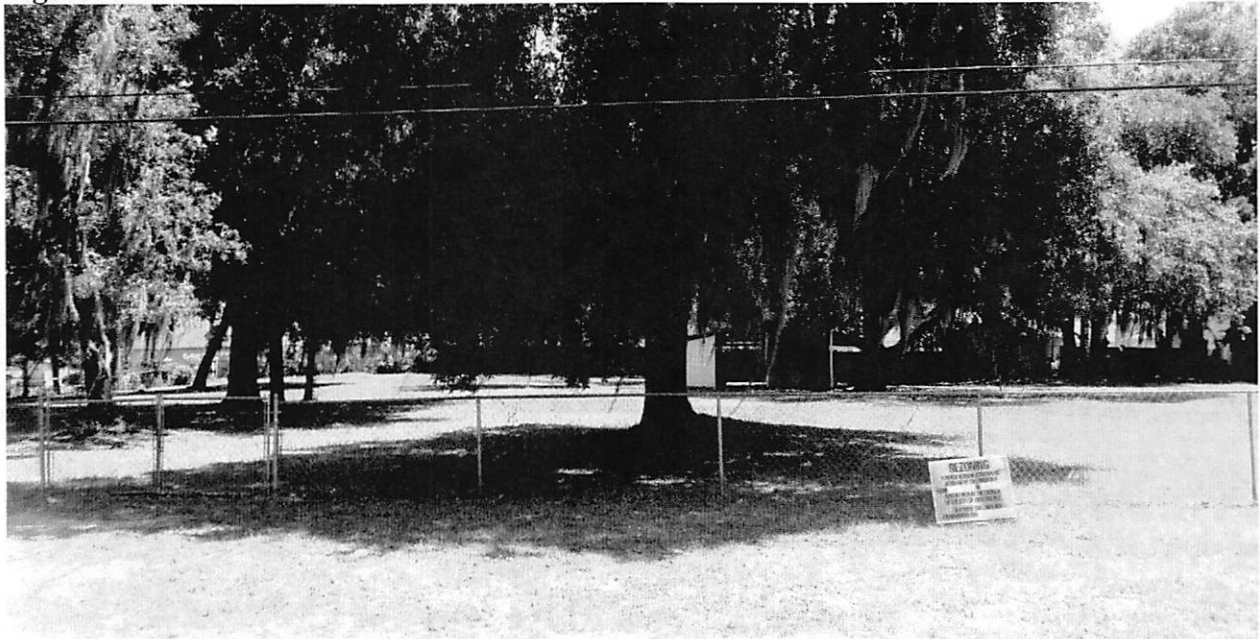
Figure B:



Source: Planning & Development Dept, 04/29/21

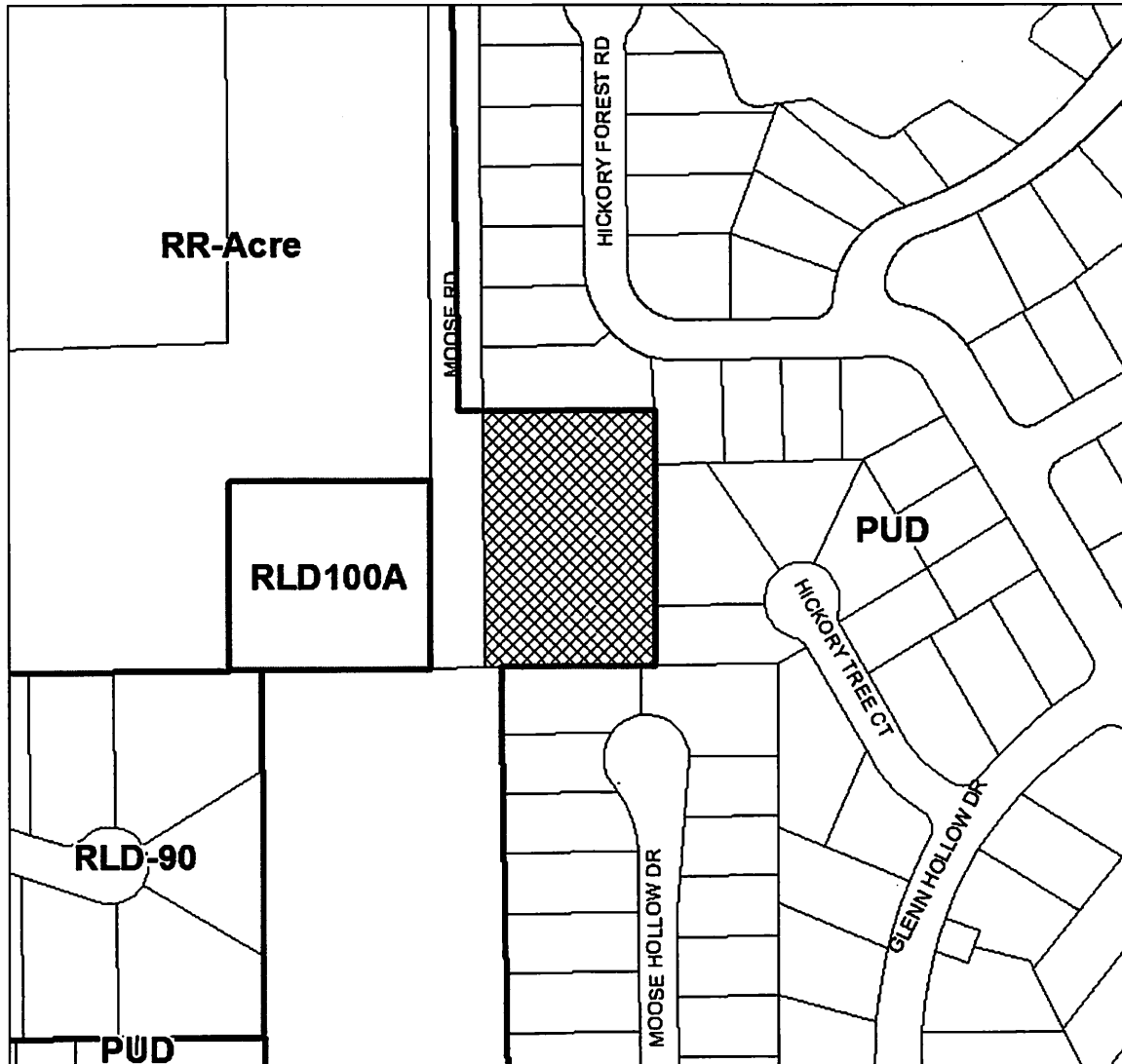
View of the subject parcel and its single-family dwelling, facing east.

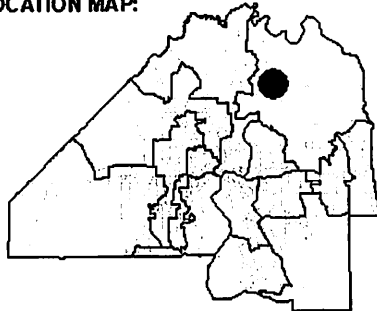

Figure C:



Source: Planning & Development Dept, 04/29/21

Location of the proposed lot split, facing east along Moose Road.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: RLD-100A</p>	<p>LOCATION MAP:</p> 	 <p>0 65 130 260 Feet</p>
<p>ORDINANCE NUMBER ORD-2021-0234</p>	<p>TRACKING NUMBER T-2021-3439</p>	<p>COUNCIL DISTRICT: 2</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District**Planning and Development Department Info****Ordinance #** 2021-0234 **Staff Sign-Off/Date** ATW / 03/31/2021**Filing Date** 04/21/2021 **Number of Signs to Post** 2**Hearing Dates:****1st City Council** 05/25/2021 **Planning Commission** 05/20/2021**Land Use & Zoning** 06/01/2021 **2nd City Council** N/A**Neighborhood Association** M & M DAIRY INC / THE EDEN GROUP INC.**Neighborhood Action Plan/Corridor Study** N/A**Application Info****Tracking #** 3439**Application Status** SUFFICIENT**Date Started** 03/22/2021**Date Submitted** 03/30/2021**General Information On Applicant****Last Name**

HAGAN

First Name

DAVID

Middle Name

CHRISTOPHER

Company Name

THE SOUTHERN GROUP

Mailing Address

208 N LAURA STREET, SUITE 710

City

JACKSONVILLE

State

FL

Zip Code

32202

Phone

9044258765

Fax

904

Email

HAGAN@THESOUTHERNGROUP.COM

General Information On Owner(s) **Check to fill first Owner with Applicant Info****Last Name**

PASSKIEWICZ

First Name

KYLE

Middle Name**Company/Trust Name**

FIN HOMES LLC

Mailing Address

13245 ATLANTIC BLVD, SUITE 4-146

City

JACKSONVILLE

State

FL

Zip Code

32225

Phone**Fax****Email**

KYLE@YELLOWBIRDIE.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 106542 0000	2	6	RR-ACRE	RLD-100A

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.37

Justification For Rezoning Application

TO FIT WITHIN THE CHARACTER OF THE AREA

Location Of Property**General Location**

THE END OF MOOSE RD.

House #	Street Name, Type and Direction	Zip Code
12329	MOOSE RD	32226

Between Streets

and

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**
 1.37 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee**
 47 Notifications @ \$7.00 /each: \$329.00
- 4) Total Rezoning Application Cost: \$2,349.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Legal Description

LEGAL DESCRIPTION

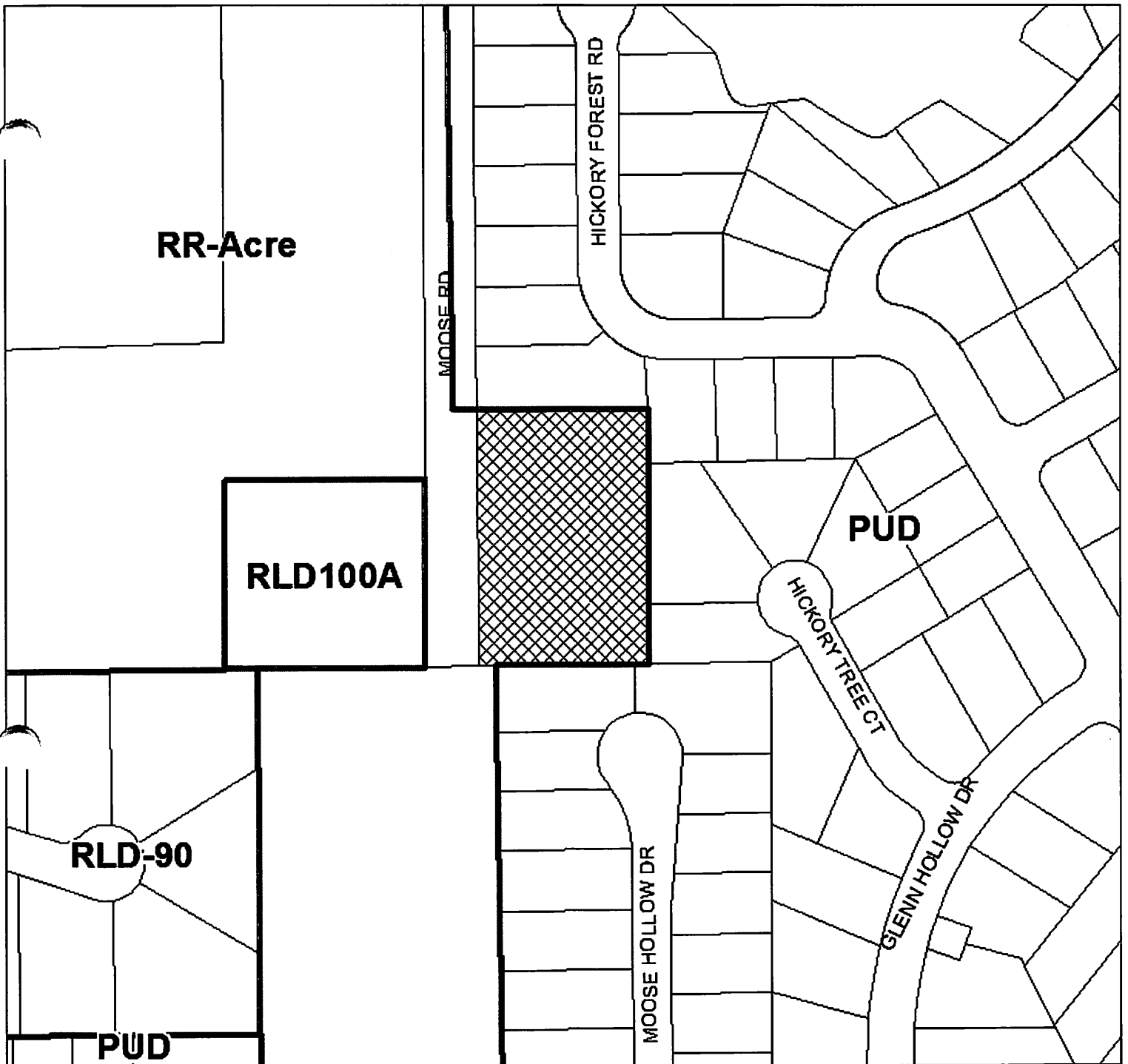
PART OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 27 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 47, HICKORY HILL UNIT THREE, AS RECORDED IN PLAT BOOK 55, PAGES 28-28H OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID POINT LYING ON THE EAST RIGHT OF WAY LIFE OF MOOSE ROAD (A 60 FOOT RIGHT-OF-WAY AS PRESENTLY ESTABLISHED); THENCE NORTH 89°31'10" EAST, ALONG THE SOUTH LINE OF SAID LOT 47, A DISTANCE OF 200.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 47; THENCE SOUTH 00°-28'50" EAST, ALONG THE WEST LINE OF LOTS 48, 103 AND 104 OF SAID HICKORY HILLS UNIT THREE, A DISTANCED OF 298.04 FEET TO THE SOUTHWEST CORNER OF SAID LOT 104, SAID POINT ALSO LYING ON THE NORTH LINE OF HICKORY HILL UNIT FOUR, AS RECORDED IN PLAT BOOK 56, PAGES 44-44E OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 89°24'50" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 200.00 FEET TO THE INTERSECTION OF SAID NORTH LINE AND THE EAST RIGHT OF WAY LINE OF SAID MOOSE ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 10 OF SAID HICKORY HILL UNIT FOUR; THENCE NORTH 00°28'50" WEST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 298.41 FEET OT THE POINT OF BEGINNING.

Parcel Identification Number: 106542-0000

April 1, 2021

**Exhibit 1
Page 1 of 1**

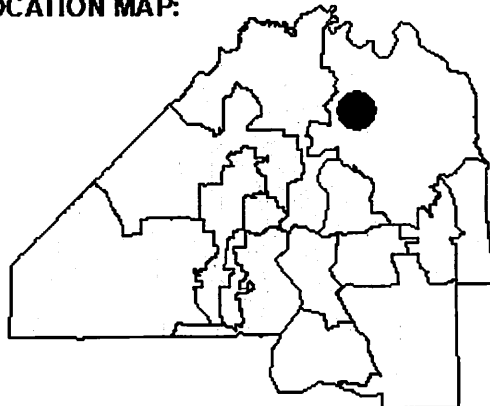


REQUEST SOUGHT:

FROM: RR-ACRE

TO: RLD-100A

LOCATION MAP:



0 65 130 260



Feet

COUNCIL DISTRICT:

2

TRACKING NUMBER

T-2021-3439

**EXHIBIT 2
PAGE 1 OF 1**