

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **RESOLUTION 2026-107-A**

5 A RESOLUTION GRANTING THE APPEAL FILED BY
6 MICHAEL HERZBERG OF THE FINAL ORDER ISSUED BY
7 THE PLANNING COMMISSION DENYING APPLICATION FOR
8 MINOR MODIFICATION TO APPROVED PUD, MM-25-16,
9 REQUESTING TO REVISE THE SITE PLAN TO ALLOW
10 PERSONAL PROPERTY STORAGE FOR THE PROPERTY
11 LOCATED AT 2675 STARRATT ROAD AND 14734 YELLOW
12 BLUFF ROAD, AT THE NORTHWEST CORNER OF STARRATT
13 AND YELLOW BLUFF ROADS (R.E. NO(S). 106201-0010
14 AND 106205-0010), PURSUANT TO SECTION 656.141,
15 *ORDINANCE CODE*; ADOPTING RECOMMENDED FINDINGS
16 AND CONCLUSIONS OF THE LAND USE AND ZONING
17 COMMITTEE; PROVIDING FOR NOTICE; PROVIDING AN
18 EFFECTIVE DATE.

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20 **WHEREAS**, Michael Herberg, on behalf of the property owners,
21 James Duke and 14734 Yellow Bluff Rd Land Trust, applied to the
22 Planning Commission for a Minor Modification to Approved PUD, MM-25-
23 16 on property located at 2675 Starratt Road and 14734 Yellow Bluff
24 Road, at the northwest corner of Starratt and Yellow Bluff Roads
25 (R.E. No(s). 106201-0010 and 106205-0010); and

26 **WHEREAS**, the Planning Commission denied Application MM-25-16
27 by Final Order dated January 8, 2026; and

28 **WHEREAS**, pursuant to Section 656.141, *Ordinance Code*, Michael
29 Herzberg filed a notice of appeal; and

30 **WHEREAS**, such appeal was timely filed, and the Appellant has
31 standing to appeal; now therefore

1 **BE IT RESOLVED** by the Council of the City of Jacksonville:

2 **Section 1. Adoption of Recommended Findings and**
3 **Conclusions.** The Council has reviewed the record of proceedings,
4 **On File** in the City Council Legislative Services Division and the
5 Planning and Development Department, and has considered the
6 recommended findings and conclusions of the Land Use and Zoning
7 Committee. The recommended findings and conclusions of the Land Use
8 and Zoning Committee are hereby adopted. Based on the competent
9 substantial evidence in the record of proceedings, including the
10 Planning and Development Department Staff Report, the evidence
11 presented during the Land Use and Zoning Committee meeting and the
12 record of the Planning Commission, the appeal is granted. The Planning
13 Commission Final Order denying Application MM-25-16 is overturned,
14 and Application MM-25-16 is approved. This Resolution is the final
15 action of the Council. This Resolution is the final action of the
16 Council.

17 **Section 2. Notice.** Legislative Services is hereby
18 directed to mail a copy of this Resolution, as adopted, to the
19 appellant/applicant for Application for Minor Modification MM-25-16,
20 and any other parties to this matter who testified before the Land
21 Use and Zoning Committee, or who otherwise filed a qualifying written
22 statement as defined in Section 656.140(c), *Ordinance Code*.

23 **Section 2. Effective Date.** The adoption of this
24 Resolution shall be deemed to constitute a quasi-judicial action of
25 the City Council and shall become effective upon signature by the
26 Council President and Council Secretary.

1 Form Approved:

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4 Office of General Counsel

5 Legislation Prepared By: Dylan Reingold

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