

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-395**

5 AN ORDINANCE REZONING APPROXIMATELY 3.18± ACRES,
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 BERTHA
7 STREET, BETWEEN BISCAYNE BOULEVARD AND HARTLAND
8 ROAD (R.E. NO. 044153-0000), AS DESCRIBED
9 HEREIN, OWNED BY BNH DEVELOPMENT LLC, FROM
10 RESIDENTIAL LOW DENSITY-90 (RLD-90) 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 BERTHA STREET SUBDIVISION 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**, BNH Development LLC, the owner of approximately 3.18±
21 acres located in Council District 7 at 0 Bertha Street, between
22 Biscayne Boulevard and Hartland Road (R.E. No. 044153-0000), as more
23 particularly described in **Exhibit 1**, dated March 7, 2022, and
24 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
25 (the "Subject Property"), has applied for a rezoning and
26 reclassification of that property from Residential Low Density-90
27 (RLD-90) District to Planned Unit Development (PUD) District, as
28 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 Low Density-90 (RLD-
17 90) District to Planned Unit Development (PUD) District. This new
18 PUD district shall generally permit single-family residential uses,
19 and is described, shown and subject to the following documents,
20 **attached hereto:**

21 **Exhibit 1** - Legal Description dated March 7, 2022.

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

23 **Exhibit 3** - Written Description dated May 3, 2022.

24 **Exhibit 4** - Site Plan dated March 5, 2022.

25 **Section 2. Owner and Description.** The Subject Property
26 is owned by BNH Development LLC and is legally described in **Exhibit**
27 **1, attached hereto.** The applicant is Reynold Peterson, 2670 Roselle
28 Street, Suite 8, Jacksonville, Florida 32205; (904) 551-4945.

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

