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

October 4, 2022

The Honorable Terrance Freeman, President The Honorable Kevin Carrico, LUZ Chair And Members of the City Council City Hall 117 West Duval Street Jacksonville, Florida 32202

RE: Planning Commission Advisory Report

Ordinance No.: 2022-633 Application for: 2040 White Avenue

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 656.129 Advisory recommendation on amendment to Zoning Code or rezoning of land of the Zoning Code, the Planning Commission voted to recommend approval with no conditions.

Planning Commission Vote: 8-0

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

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 2022-0633

September 22, 2022

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 2022-0633.

Location: 2040 White Avenue

Between Atlantic Boulevard and Ridgewood Road

Real Estate Numbers: 129990-0000

Current Zoning District: Commercial Office (CO)

Proposed Zoning District: Residential Low Denisty-60 (RLD-60)

Current Land Use Category: Residential-Professional-Institutional (RPI)

Proposed Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

Owner: Arthur and Mary Fox

2252 Arland Road

Jacksonville, Florida. 32225

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-0633 seeks to rezone 0.43± acres from Commercial Office (CO) to Residential Low Density-60 (RLD-60). The subject parcel is vacant parcel just south of Atlantic Boulevard between an office building to the north, and residential parcels to the south. The rezoning is being sought in order to allow for a new single family dwelling to be built.

A companion Small Scale Land Use Amendment 2022-0632 is being sought to change the Land Use Category from Residential-Professional-Institutional (RPI) to Low Density Residential (LDR). The Planning and Development Department is also recommending approval on the Land Use Change.

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. To rezone the property to allow for the development of a single-family dwelling on a lot within the CO zoning district to the RLD-60 zoning district within the Urban Priority Area, Planning District 3, and Council District 5. The subject site is located on 2040 White Avenue between Atlantic Boulevard and Ridgewood Road. According to the City's Functional Highways Classification Map, White Avenue is a local roadway.

According to the Category Descriptions of the Future Land Use Element (FLUE), LDR in the Urban Priority Area is intended to provide for low density residential development. Further, it is intended to promote neighborhoods in need of redevelopment and to provide a compact single-family development typology that is supportive of transit, neighborhood commercial uses and services. In these instances, the category provides a higher density than LDR in other Development Areas of the City. The application of this higher density should be supported by a neighborhood plan or study. Single-family residential is permitted at up to 7 dwelling units per acre. The single-family dwelling is permitted within the LDR land use category.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the <u>2030 Comprehensive Plan</u>. The proposed rezoning to RLD-60 promotes a pattern of compatible uses consistent with the surrounding area and future development.

Future Land Use Element

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.

The lot will be required to connect to JEA utilities for central water and sewer to achieve the minimum lot sizes in the zoning district. Otherwise, the lot will have to comply with standard set forth in the 2030 Comprehensive Plan.

Objective 3.1

Continue to maintain adequate land designated for residential uses, which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

By rezoning this property from CO to RLD-60, it would allow for an additional residential property to be developed keeping with the residential character of the neighborhood intact.

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, the subject property will be rezoned from CO to RLD-60 Zoning District as set forth in Section 656.306 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located on the north side of Soutel Drive, North of New Kings Road. The surrounding uses, land use category and zoning are as follows:

Adjacent	Land Use	Zoning District	Current Use(s)			
Property	Category					
North	RPI	CO	Office			
East	LDR	RLD-60	Single Family Dwellings			
South	LDR	RLD-60	Single Family Dwellings			
West	RPI	CO	Single Family Dwelling			

SUPPLEMENTARY INFORMATION

Based on the required Sign Posting Affidavit, the required Notice of Public Hearing sign was posted on the subject property on September 14, 2022.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2022-0633 be APPROVED.



Aerial View

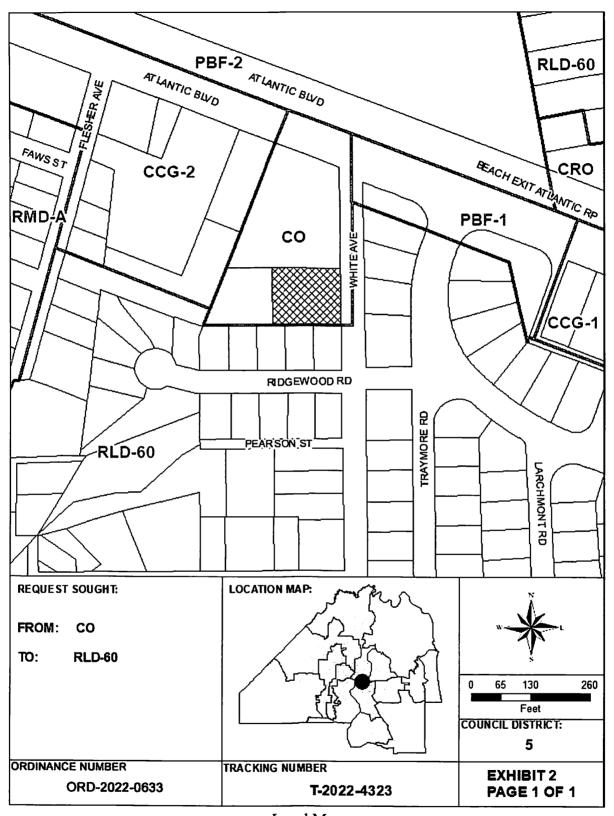


View of the Subject Site



View of the residence across the street





Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info-

Ordinance # 2022-0633 Staff Sign-Off/Date CMC / 08/01/2022

Eiling Date 08/19/2022 Number of Signs to Post 1

aring Dates:

1st City Council 09/27/2022 **Planning Comission** 09/22/2022 **Land Use & Zoning** 10/04/2022 **2nd City Council** 10/11/2022

Neighborhood Association SPRINGPARK NEIGHBORHOOD ASSOCIATION

Neighborhood Action Plan/Corridor Study N/A

Application Info-

Tracking #4323Application StatusFILED COMPLETEDate Started06/06/2022Date Submitted06/21/2022

General Information On Applicant-

Last Name First Name Middle Name

FOX ARTHUR H

Company Name

Mailing Address2252 ARLAND ROAD

CityStateZip CodeJACKSONVILLEFL32225

Phone Fax Email

9042216355 904 ARTFOXII@GMAIL.COM

General Information On Owner(s)-

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name

FOX ARTHUR H

Company/Trust Name

Mailing Address

2252 ARLAND ROAD

CityStateZip CodeJACKSONVILLEFL32225

Phone Fax Email

9042216355 904 ARTFOXII@GMAIL.COM

Property Information-

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE# Council Planning From Zoning To Zoning
District District(s) District

Map

Map 129990 0000 5 3 CO RLD-60

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

Existing Land Use Category

RPI

Land Use Category Proposed?

If Yes, State Land Use Application #

5728

Total Land Area (Nearest 1/100th of an Acre) 0.43

Justification For Rezoning Application -

WHITE AVE

TO BUILD A SINGLE FAMILY HOME

Location Of Property-

General Location

WEST SIDE OF WHITE AVENUE

House #

Street Name, Type and Direction

Zip Code

2040

32207

Between Streets

ATLANTIC BLVD.

and RIDGEWOOD RD

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 $8\frac{1}{2}$ " 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

0.43 Acres @ **\$10.00** /acre: \$10.00

3) Plus Notification Costs Per Addressee

41 Notifications @ \$7.00 /each: \$287.00

Total Rezoning Application Cost: \$2,297.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

Exhibit 1 Legal Description

June 21, 2022

Lots 3, 4, and 12, BLock 2, as shown on plat of MILLER'S ADDITION, as recorded in Plat Book 5, page 84, of the current Public records of Duval County, Florida, also a strip of land 5 feet in width and 100 feet in length on the Southerly side of Lot 3, being the North 1/2 of an alley closed by Ordinance DD-194, also a strip of land 25 feet in width and 150 feet in length along the North side of Lots 4 and 12, the South 1/2 of Oakdale Street, closed by Ordinance CC-291.

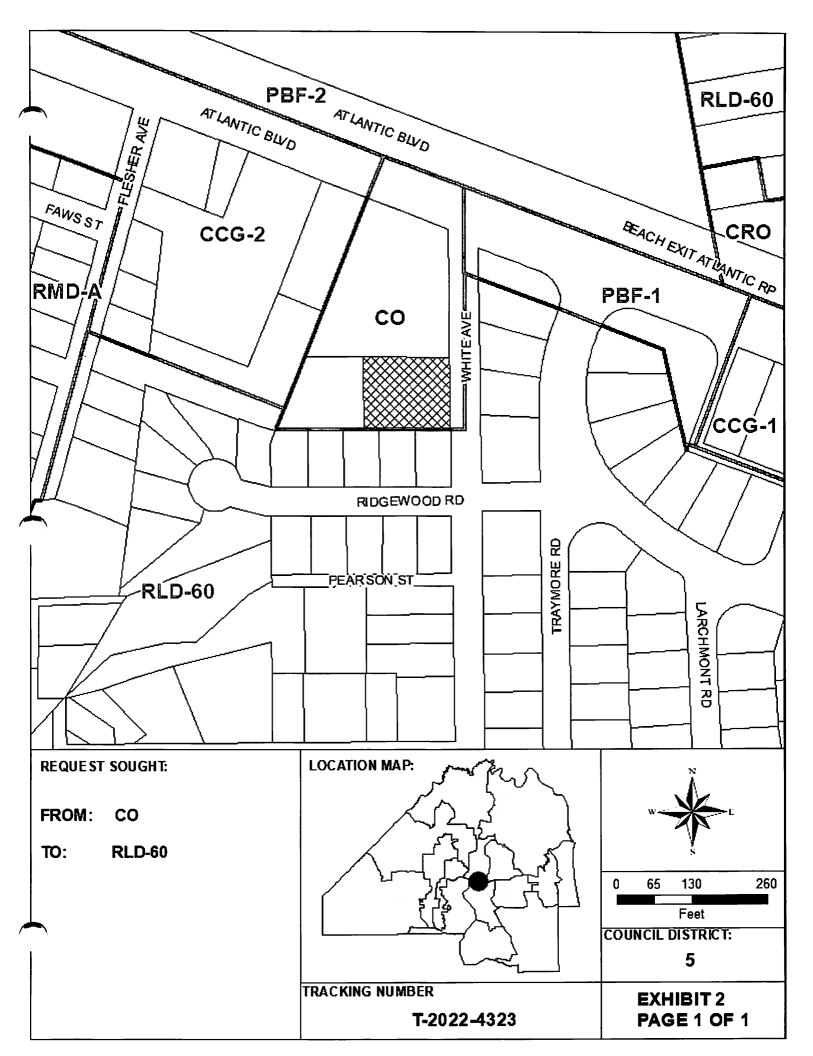


EXHIBIT A

Property Ownership Affidavit - Individual

Date: 6/7/22	
City of Jacksonville	·
Planning and Development Department	nt
214 North Hogan Street, Suite 300,	
Jacksonville, Florida 32202	
Re: Property Owner Affidavit for the f Address: 2040 White Avenue	following site location in Jacksonville, Florida: RE#(s): 129990-0000
To Whom it May Concern:	
Arthur H Fox II and Mary C Fox Exhibit 1 in connection with fill submitted to the Jacksonville Planning	hereby certify that I am the Owner of the property described in ing application(s) for zoning and rezoning and Development Department.
By Cult. W. Ty T Print Name: Arthur H Fox II and Mary C Fox	- 11 t.
<u> </u>	I, and acknowledged, before me this day of hur If Fox II / Mary C Fox, who is personally
known to me or who has produce took an oath.	as identification and who signature of NOTARY PUBLIC)
CYNTHIA D MERCER Notary Public, State of Florida Commission# GG 263273 My comm. expires Sept. 30, 2022	(Printed name of NOTARY PUBLIC) State of Florida at Large. My commission expires: 09130/2022

Exhibit B

Arthur H. Fox II who is the owner of property at 2040 White Avenue (RE #129990-0000) along with his wife Mary C. Fox will be the applicant of the requested land use amendment and rezoning application.

PORM 135

OFFICIAL RECORDS

Mortgage Deed

SI. PAUL FIGLE MISURANCE CORP.
3100 University Sind. S., Suite 325
Jacksonvine, Florida 32216
In conjunction with the issuance of title insurance

THIS INDENTURE, Made this 23rd day of December , A.D. 1980 BETWEEN ARTHUR H. FOX, II AND MARY C. FOX, HIS WIFE

of the County of Duval
VIRGINIA VICKERS TANKERSLY, State of Florida

, called the Mortgagor ⁸, and

of the County of Duval

CC-291.

, State of Florida

, called the Mortgagee^S

WITNESSETH, That the said Mortgagos, being indebted to the Mortgagee in the sum of \$55,000.00 ----Fifty five thousand and no/100----- Dollars, granted, bargained and sold to the said Mortgagee, her heirs and assigns forever, the

following described land situate in the County of Duval

State of Florida , to-wit:

Lots 3, 4, and 12, Block 2, as shown on plat of MILLER'S ADDITION, as recorded in Plat Book 5, page 84, of the current public records of Duval County, Florida, also a strip of land 5 feet in width and 100 feet in length on the Southerly side of Lot 3, being the North 1/2 of an alley closed by Ordinance DD-194, also a strip of land 25 feet in width and 150 feet in length along the North side of Lots 4 and 12, being the South 12/ of Oakdale Street, closed by Ordinance

Mortgagors herein covenant and agree to carry a Pest Control Bond on premises mortgaged herein for Wood Destroying organisims throughout the life of this mortgage.

Mortgagors herein further covenant and agree that mortgaged premises herein will not be changed from its present use, during the life of this loan, without the prior written consent of the Mortgagee.

This Mortgage may be assumed without escalation of interest rate.

This Mortgage may be assumed by the control of the property of

against the lawful claims of all persons whomsoever.

PROVIDED ALWAYS. That if said Mortgagors, their heirs, legal representatives or assigns, shall pay to the said Mortgagee, her legal representatives or assigns, a certain promissory note, a copy of which is on the reverse side hereof, and shall perform and comply with each and every stipulation, agreement and covenant of said note and of this Mortgage, then this Mortgage and the estate hereby created shall be void, otherwise the same shall remain in full force and virtue. And the said Mortgagor s covenant to pay the interest and principal promptly when due; to pay all taxes and assessments on said property; to carry insurance on the building on said land in the sum of \$ FULL INSURABLE YALUE approved by the Mortgagee, with standard mortgage loss clause payable to Mortgagee, the policy to be held by the Mortgagee, and to keep the building on said land in proper repair and tenantable condition.

Should any of the above covenants be broken, then said note and all moneys secured hereby shall, without demand, if the Mortgagee , her legal representatives or assigns, so elect, at once become due and payable and the mortgage be foreclosed, and all costs and expenses of collection of said moneys with or without suit, including a reasonable fee for the Mortgagee attorney, shall be paid by the Mortgagor S, and the same are broken secured.

received \$ 10,00 in payment of toxos due on class "C" intengil resonal Property pursuant to Chapter 71.134. Acts of 1971. Impurat Included in Receipt No.08/368.4 Clark Circuit



Infill Availability Letter

Mary Fox 6/18/2022

2252 Arland Road

Jacksonville, Florida 32225

Project Name: 2040 White Avenue

Availability #: 2022-2278

Attn: Mary Fox

Thank you for your inquiry regarding the availability of Electric, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents.

Point of Connection:

summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. The TCE will need to be provided by JEA prior to setting up a preconstruction meeting.

Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the customer's responsibility to engage the services of a professional engineer, licensed in the State of Florida, to plan and permit the proposed main extension(s) as well as to engage the services of a contractor to construct the main extension(s). All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

https://www.jea.com/engineering and construction/water and wastewater development/reference materials/

Lot Splits:

If a lot is split and two or more homes will be built, a layout of the proposed lot split will be required to be submitted prior to processing of estimate requests or service applications. Submit layout via Step 2 in the Sages program. Review JEA Design idelines 2.4.1.1 for the required information needed to process the layout submittal.

Service Tap Cost (Special Estimate):

To receive the associated cost for water or sewer service tap(s), please submit a Special Estimate Request, via Step 2 in the Sages program. Field factors that would designate the need for a special estimate are as follows:

Required work within FDOT, St Johns County and Main Depth 8+ feet deep

Nassau County ROW

Pavement less than 5 years old Multiple services being installed

Taps on water mains 20-inch

Water taps larger than 2-inches and larger

Sewer taps greater than 6-

Low Pressure Sewer Service Connections inches

Installation of Sewer Vac Pods Approved Commercial Development plans

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

https://www.jea.com/water_and_wastewater_development

Sincerely,

Ji Soo Kim kimjs@jea.com (904) 625-8257 Availability Number: 2022-2278

Request Received On: 6/6/2022

Availability Response: 6/18/2022

Prepared by: Ji Soo Kim

Expiration Date: 06/18/2024

Project Information

Name: 2040 White Avenue

Address:

County: Duval County

Type: Electric, Sewer, Water

Requested Flow: 250

Parcel Number: 129990 0000

Location:

Description: 2040 White Avenue

Potable Water Connection

Water Treatment Grid: South Grid

Connection Point #1: Recommend ordering a water locate in Step 2.

Connection Point #2: Existing 8-inch water main within White Ave. ROW.

Water Special Conditions: An Infill Layout for all lots included in the availability letter is required prior to applying for new service. Submit Infill Layouts through the JEA Sages program, Step 2, and select Infill Layout Submission. If a line extension OR a new tap is needed you will need to request a special estimate for the work you need JEA to install. For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program, Step 2, and select Special Estimate Determination. Special Estimates are valid for 60 days. If a line extension OR a new tap is needed you will need to request a special estimate for the work you need JEA to install. For the estimated cost of connecting to the JEA system request a special estimate through the JEA Sages program, Step 2, and select Special Estimate Determination. Special Estimates are valid for 60 days. Meter Location: 174' NN RIDGEWOOD RD 8' EW WHITE AVE

Sewer Connection

Sewer Grid: Buckman

No gravity sewer main abuts this property. Gravity sewer main extension will be required from Connection Point #1: the existing manhole within White Ave. ROW, approx. 135 LF south of this property.

Connection Point #2:

Sewer Special Conditions: Each lot will require sewer main construction in right-of-way and individual laterals. Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If gravity flow cannot be achieved, then Sewer POC cannot be utilized unless written approval from the JEA Alternative Connection team is granted to allow a connection which utilizes a privately

owned and operated pump system. Request an Alternative Connection approval through the JEA Sages program, Step 2, and select Alternative Connection Request. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program, Step 2, and select Development Meeting.

Reclaimed Water Connection

Reclaim Grid:

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

General Conditions:

water review by Step 2 in Sages. If you are going to have JEA make the tap(s) for your new services you need to have a Special Estimate Determination for the cost of the taps prior to submitting your new service application. To request a Special Estimate Determination access Step 2 in Sages. If indicated on your availability letter, request your water flow test (Sages Step 2) and/or sewer locate (Sages Step 1). After you receive the results of these, if applicable, submit your Infill Layout(s) (Sages Step 2). After your Infill Layout(s) are approved, request a Special Estimate Determination (Sages Step 2) for the cost of your taps. After you have received the Special Estimate Determination, apply for your new services by accessing Step 2 in Sages and selecting Residential New Service Application. You will need to submit a separate application for each address, do not select the multiple addresses when asked what type of service application are you submitting for.

Request a Sewer Locate by going to Step 1 in Sages. Submit your plans for water/waste

Subsequent steps you need to take to get service:



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PaidBy PUBLIX EMPLOYESS LEDERAL CL MICHER AND MARY FOX

ounty, City Of Jacksonville Overton, Tax Collector

231 E. Forsyth Street Jucksonville, FL 32202

neral Collection Receipt

Date: 7/28/2022 Email: CCorrigan@coj.net

nd Mary Fox Arland Road

pplication for Conventional Rezoning (Z-4323) located at 2040 White Avenue

tirity		Interfend	Patare	į	Debit Amount	Credit Amount	1
1000	į	00000	0000000		2297.00	0.00	i
1000	į	00000	0000000		0.00	2297.00	i

Total Due: \$2,297.00

Jim Overton, Tax Collector General Collections Receipt City of Jacksonville, Duval County

Account No: CR645220
REZONING/VARIANCE/EXCEPTION

Name: Arthur and Mary Fox Address: 2252 Arland Road

Description: Application for Conventional Recoming (Z-4323) located at 2040 White Avenue

Total Due: \$2,297.00

Date: 7/28/2022