Introduced by the Land Use and Zoning Committee:

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ORDINANCE 2023-295

AN ORDINANCE REZONING APPROXIMATELY 13.74± ACRES LOCATED IN COUNCIL DISTRICT 10 AT 7878 MORSE AVENUE, BETWEEN RICKER ROAD AND QUAIL COVE LANE (R.E. NO. 015786-0000), AS DESCRIBED HEREIN, OWNED BY JOHN ELBERT ERWIN, FROM RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT AND PUBLIC BUILDINGS AND FACILITIES-1 (PBF-1) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PERMIT SINGLE FAMILY RESIDENTIAL USES OR UP TO 55 TOWNHOME UNITS WITH ASSOCIATED RECREATIONAL AS DESCRIBED IN USES, THE MORSE **AVENUE** RESIDENTIAL PUD; PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, John Elbert Erwin, the owner of approximately 13.74± acres located in Council District 10 at 7878 Morse Avenue, between Ricker Road and Quail Cove Lane (R.E. No. 015786-0000), as more particularly described in Exhibit 1, dated March 16, 2023, and graphically depicted in Exhibit 2, both of which are attached hereto (the "Subject Property"), has applied for a rezoning and reclassification of the Subject Property from Residential Rural-Acre (RR-Acre) District and Public Buildings and Facilities-1 (PBF-1) District to Planned Unit Development (PUD) District, as described in Section 1 below; and

WHEREAS, the Planning Commission, acting as the local planning agency, has reviewed the application and made an advisory recommendation to the Council; and

WHEREAS, the Land Use and Zoning Committee, after due notice and public hearing, has made its recommendation to the Council; and

WHEREAS, the Council finds that such rezoning is: (1) consistent with the 2045 Comprehensive Plan; (2) furthers the goals, objectives and policies of the 2045 Comprehensive Plan; and (3) is not in conflict with any portion of the City's land use regulations; and

WHEREAS, the Council finds the proposed rezoning does not adversely affect the orderly development of the City as embodied in the Zoning Code; will not adversely affect the health and safety of residents in the area; will not be detrimental to the natural environment or to the use or development of the adjacent properties in the general neighborhood; and will accomplish the objectives and meet the standards of Section 656.340 (Planned Unit Development) of the Zoning Code; now, therefore

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Property Rezoned. The Subject Property is hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre) District and Public Buildings and Facilities-1 (PBF-1) District to Planned Unit Development (PUD) District. This new PUD district shall generally permit single-family residential uses or up to a maximum of 55 townhome units with associated recreational uses, and is described, shown and subject to the following documents, attached hereto:

- **Exhibit 1** Legal Description dated March 16, 2023.
- 28 | Exhibit 2 Subject Property per P&DD.

- **Exhibit 3** Written Description dated April 25, 2023.
- **Exhibit 4** Site Plan dated March 7, 2023.
 - Section 2. Owner and Description. The Subject Property is

owned by John Elbert Erwin and is legally described in **Exhibit 1**, attached hereto. The applicant is Heather Allen, 14785 Old St. Augustine Road, Suite 300, Jacksonville, Florida 32258; (904) 436-4003.

Not be construed as an exemption from any other applicable local, state, or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this rezoning is based upon acknowledgement, representation and confirmation made by the applicant(s), owners(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this rezoning does **not** approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.

Section 4. Effective Date. The enactment of this Ordinance shall be deemed to constitute a quasi-judicial action of the City Council and shall become effective upon signature by the Council President and Council Secretary.

Form Approved:

/s/ Mary E. Staffopoulos

25 Office of General Counsel

Legislation Prepared By: Caroline Fulton

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