

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-295-E**

5 AN ORDINANCE REZONING APPROXIMATELY 13.74± ACRES
6 LOCATED IN COUNCIL DISTRICT 10 AT 7878 MORSE
7 AVENUE, BETWEEN RICKER ROAD AND QUAIL COVE LANE
8 (R.E. NO. 015786-0000), AS DESCRIBED HEREIN,
9 OWNED BY JOHN ELBERT ERWIN, FROM RESIDENTIAL
10 RURAL-ACRE (RR-ACRE) DISTRICT AND PUBLIC
11 BUILDINGS AND FACILITIES-1 (PBF-1) DISTRICT TO
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO
14 PERMIT SINGLE FAMILY RESIDENTIAL USES OR UP TO
15 50 TOWNHOME UNITS WITH ASSOCIATED RECREATIONAL
16 USES, AS DESCRIBED IN THE MORSE AVENUE
17 RESIDENTIAL PUD; PROVIDING A DISCLAIMER THAT THE
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
21

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

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

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

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

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

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

19 **Section 1. Property Rezoned.** The Subject Property is
20 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
21 District and Public Buildings and Facilities-1 (PBF-1) District to
22 Planned Unit Development (PUD) District. This new PUD district shall
23 generally permit single-family residential uses or up to a maximum
24 of 50 townhome units with associated recreational uses, and is
25 described, shown and subject to the following documents, attached
26 hereto:

27 **Exhibit 1** - Legal Description dated March 16, 2023.

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

29 **Revised Exhibit 3** - Revised Written Description dated May 4, 2023.

30 **Revised Exhibit 4** - Revised Site Plan dated June 12, 2023.

31 **Section 2. Owner and Description.** The Subject Property is

1 owned by John Elbert Erwin and is legally described in **Exhibit 1**,
2 attached hereto. The applicant is Heather Allen, 14785 Old St.
3 Augustine Road, Suite 300, Jacksonville, Florida 32258; (904) 436-
4 4003.

5 **Section 3. Disclaimer.** The rezoning granted herein shall
6 **not** be construed as an exemption from any other applicable local,
7 state, or federal laws, regulations, requirements, permits or
8 approvals. All other applicable local, state or federal permits or
9 approvals shall be obtained before commencement of the development
10 or use and issuance of this rezoning is based upon acknowledgement,
11 representation and confirmation made by the applicant(s), owners(s),
12 developer(s) and/or any authorized agent(s) or designee(s) that the
13 subject business, development and/or use will be operated in strict
14 compliance with all laws. Issuance of this rezoning does **not** approve,
15 promote or condone any practice or act that is prohibited or
16 restricted by any federal, state or local laws.

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

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22 Form Approved:

23
24 /s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Caroline Fulton

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