

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-689-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.20± OF AN
6 ACRE, LOCATED IN COUNCIL DISTRICT 10 AT 5719
7 MONCRIEF ROAD WEST, BETWEEN MONCRIEF-DINSMORE
8 ROAD AND NEW KINGS ROAD (R.E. NO. 021561-
9 0000), AS DESCRIBED HEREIN, OWNED BY CARLOS
10 JEROME MCGHEE, SR., AND FADIA LESTER MCGHEE,
11 FROM RESIDENTIAL LOW DENSITY-60 (RLD-60)
12 DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT A COMMUNITY RESIDENTIAL
15 HOME, AS DESCRIBED IN THE MCGHEE HEARTFELT
16 WHOLENESS CENTER PUD; PUD SUBJECT TO
17 CONDITIONS; PROVIDING A DISCLAIMER THAT THE
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE
20 LAWS; PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, Carlos Jerome McGhee, Sr., and Fadia Lester McGhee,
23 the owners of approximately 0.20± of an acre, located in Council
24 District 10 at 5719 Moncrief Road West, between Moncrief-Dinsmore
25 Road and New Kings Road (R.E. No. 021561-0000), as more
26 particularly described in the **Exhibit 1**, dated June 27, 2019, and
27 graphically depicted in the **Exhibit 2**, both of which are **attached**
28 **hereto** (Subject Property), have applied for a rezoning and
29 reclassification of that property from Residential Low Density-60
30 (RLD-60) District to Planned Unit Development (PUD) District, as
31 described in Section 1 below; and

1 **WHEREAS,** the Planning Commission has considered the
2 application and has rendered an advisory opinion; and

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

5 **WHEREAS,** the Council finds that such rezoning is: (1)
6 consistent with the *2030 Comprehensive Plan*; (2) furthers the
7 goals, objectives and policies of the *2030 Comprehensive Plan*; and
8 (3) is not in conflict with any portion of the City's land use
9 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 Low Density-60
21 (RLD-60) District to Planned Unit Development (PUD) District. This
22 new PUD district shall generally permit a community residential
23 home, and is described, shown and subject to the following
24 documents, **attached hereto:**

25 **Exhibit 1** - Legal Description dated June 27, 2019.

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

27 **Exhibit 3** - Written Description dated August 28, 2019.

28 **Exhibit 4** - Site Plan dated August 27, 2018.

29 **Section 2. Rezoning Approved Subject to Conditions.** This
30 rezoning is approved subject to the following conditions. Such
31 conditions control over the Written Description and the Site Plan

1 and may only be amended through a rezoning.

2 (1) The existing shed located on the Subject Property shall
3 either be removed or relocated within the required setbacks for
4 accessory structures as outlined in the Written Description dated
5 August 28, 2019.

6 (2) In accordance with Section 656.153, *Ordinance Code*, the
7 applicant shall reapply for, and obtain, a valid Certificate of Use
8 from the Planning and Development Department.

9 (3) Pursuant to F.S. § 419.001(1)(a), the number of residents
10 shall be limited to 14 residents.

11 (4) The Planning and Development Department shall transmit a
12 certified copy of this Ordinance, as enacted, to the Florida
13 Department of Health, Duval County, Environmental Health Division,
14 900 University Boulevard North, Suite 300, Jacksonville, Florida
15 32211.

16 **Section 3. Owner and Description.** The Subject Property
17 is owned by Carlos Jerome McGhee, Sr., and Fadia Lester McGhee, and
18 is legally described in the **Exhibit 1, attached hereto**. The agent
19 is Carlos Jerome McGhee, P.O. Box 12378, Jacksonville, Florida
20 32209; (904) 591-1620.

21 **Section 4. Disclaimer.** The rezoning granted herein
22 shall **not** be construed as an exemption from any other applicable
23 local, state, or federal laws, regulations, requirements, permits
24 or approvals. All other applicable local, state or federal permits
25 or approvals shall be obtained before commencement of the
26 development or use and issuance of this rezoning is based upon
27 acknowledgement, representation and confirmation made by the
28 applicant(s), owner(s), developer(s) and/or any authorized agent(s)
29 or designee(s) that the subject business, development and/or use
30 will be operated in strict compliance with all laws. Issuance of
31 this rezoning does **not** approve, promote or condone any practice or

1 act that is prohibited or restricted by any federal, state or local
2 laws.

3 **Section 5. Effective Date.** The enactment of this
4 Ordinance shall be deemed to constitute a quasi-judicial action of
5 the City Council and shall become effective upon signature by the
6 Council President and the Council Secretary.

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8 Form Approved:

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10 /s/ Shannon K. Eller

11 Office of General Counsel

12 Legislation Prepared By: Arimus Wells

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