

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-549-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.50± OF AN
6 ACRE, LOCATED IN COUNCIL DISTRICT 6 AT 12664
7 FLYNN ROAD, BETWEEN MANDARIN ROAD AND MANDARIN
8 MEADOWS DRIVE (R.E. NO. 159654-0070), AS
9 DESCRIBED HEREIN, OWNED BY MICHAEL S. AUTH AND
10 MICHELLE A. YOUNG-AUTH, FROM RESIDENTIAL LOW
11 DENSITY-100A (RLD-100A) DISTRICT TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
14 SINGLE FAMILY RESIDENTIAL AND INSTITUTIONAL
15 USES, AS DESCRIBED IN THE 12664 FLYNN ROAD PUD;
16 PUD SUBJECT TO CONDITIONS; PROVIDING A
17 DISCLAIMER THAT THE REZONING GRANTED HEREIN
18 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
19 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
20 DATE.

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22 **WHEREAS**, Michael S. Auth and Michelle A. Young-Auth, the owners
23 of approximately 0.50± of an acre, located in Council District 6 at
24 12664 Flynn Road, between Mandarin Road and Mandarin Meadows Drive
25 (R.E. No. 159654-0070), as more particularly described in **Exhibit 1**,
26 dated October 23, 2019, and graphically depicted in **Exhibit 2**, both
27 of which are **attached hereto** (Subject Property), have applied for a
28 rezoning and reclassification of that property from Residential Low
29 Density-100A (RLD-100A) District to Planned Unit Development (PUD)
30 District, as described in Section 1 below; and

31 **WHEREAS**, the Planning Commission has considered the application

1 and has rendered an advisory opinion; and

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

4 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
5 with the *2030 Comprehensive Plan*; (2) furthers the goals, objectives
6 and policies of the *2030 Comprehensive Plan*; and (3) is not in
7 conflict with any portion of the City's land use regulations; and

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

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

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Residential Low Density-100A
19 (RLD-100A) District to Planned Unit Development (PUD) District. This
20 new PUD district shall generally permit single family residential and
21 institutional uses, and is described, shown and subject to the
22 following documents, **attached hereto**:

23 **Exhibit 1** - Legal Description dated October 23, 2019.

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

25 **Revised Exhibit 3** - Revised Written Description dated July 20, 2020.

26 **Exhibit 4** - Site Plan dated September 2, 2019.

27 **Section 2. Rezoning Approved Subject to Conditions.** This
28 rezoning is approved subject to the following conditions. Such
29 conditions control over the Written Description and the Site Plan and
30 may only be amended through a rezoning.

31 (1) The hours of operation shall be from 8:00 AM to 7:00 PM.

1 (2) There shall be no signage identifying swim lessons on the
2 property.

3 (3) Vehicles shall not park in the right-of-way.

4 (4) The swimming lesson use shall be personal to Michael S. Auth
5 and Michelle A. Young-Auth.

6 **Section 3. Owner and Description.** The Subject Property
7 is owned by Michael S. Auth and Michelle A. Young-Auth, and is legally
8 described in **Exhibit 1, attached hereto.** The agent is Steve Diebenow,
9 Esq., One Independent Drive, Suite 1200, Jacksonville, Florida 32202;
10 (904) 301-1269.

11 **Section 4. Disclaimer.** The rezoning granted herein
12 shall **not** be construed as an exemption from any other applicable
13 local, state, or federal laws, regulations, requirements, permits or
14 approvals. All other applicable local, state or federal permits or
15 approvals shall be obtained before commencement of the development
16 or use and issuance of this rezoning is based upon acknowledgement,
17 representation and confirmation made by the applicant(s), owner(s),
18 developer(s) and/or any authorized agent(s) or designee(s) that the
19 subject business, development and/or use will be operated in strict
20 compliance with all laws. Issuance of this rezoning does **not** approve,
21 promote or condone any practice or act that is prohibited or
22 restricted by any federal, state or local laws.

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Kaysie Cox

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