

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2014-0773**

**JANUARY 22, 2015**

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 2014-0773.

***Location:*** 5309 Eulace Road  
Between Timuquana Road and 94<sup>th</sup> Street

***Real Estate Numbers:*** 103132-0030

***Current Zoning District:*** Residential Low Density-60 (RLD-60)

***Proposed Zoning District:*** Residential Medium Density-B (RMD-B)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Southwest, 4

***Planning Commissioner:*** Southwest, 4 - Chris Hagan

***City Council District:*** The Honorable Jim Love, District 14

***Owner:*** Donald Chadwick  
5307 Eulace Road  
Jacksonville, Florida 32210

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2014-0773 seeks to rezone 1.06 acres of land from the RLD-60 to RMD-B Zoning District. The site is within the LDR functional land use category as defined by the Future Land Use Map series (FLUMs) contained in the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. According to the applicant, the request for the rezoning is to allow for a multi-family use. The duplexes were built in 1960 and 1963 as the single-family was built in 1986 on the subject site. The overall site has frontage primarily along Eulace Road a local road as classified by the Functional Highway Classification Map of the 2030 Comprehensive Plan. The applicant wishes to split the parcels and sell the multi-family units and single-family structure. Staff would also like to note that there is a companion Waiver

of Road Frontage Application (WRF-14-17) that is pending that the applicant has applied for as well.

### **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. The Planning and Development Department finds that the subject property is located in a Medium Density Residential (LDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The LDR functional land use is a category intended to provide for low density residential development. Generally, multi-family uses should be the predominant development in this category.

The proposed rezoning to RMD-B is consistent with the LDR future land use category so long as the resulting single- or multi-family development remains less than seven (7) dwelling units per acre when full urban services (city water and sewer) are available to the site.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 *Comprehensive planning for future development* of the Ordinance Code.

***2. Does the proposed rezoning further the goals, objectives and policies of 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.

Objective 3.1.6: The city shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

**3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?***

No. It is the opinion of the Planning and Development Department that the proposed rezoning does not appear to be in conflict with any portion of the City's land use regulations. The proposed rezoning will allow a continuance of the single-family and multi-family development and provide a greater variety of housing product types within the surrounding area. A Waiver of Road Frontage (WRF-14-17) is being sought for access to the single-family structure.

**SURROUNDING LAND USE AND ZONING**

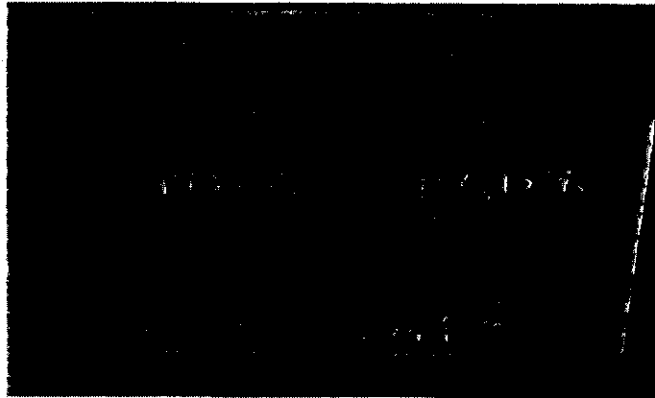
The subject property is located on Eulace Road. The surrounding uses, land use category and zoning are as follows:

<b>Adjacent Properties</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
North	LDR	RLD-60	Single-family
East	LDR	RLD-60	Single-family
South	MDR and LDR	RMD-B and RLD-60	Single-family
West	LDR	RLD-60	Single-family

The proposed rezoning to RMD-B will be consistent and compatible with the surrounding residential with the surrounding parcels.

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on January 22, 2015, the required Notice of Public Hearing sign was posted:



**RECOMMENDATION**

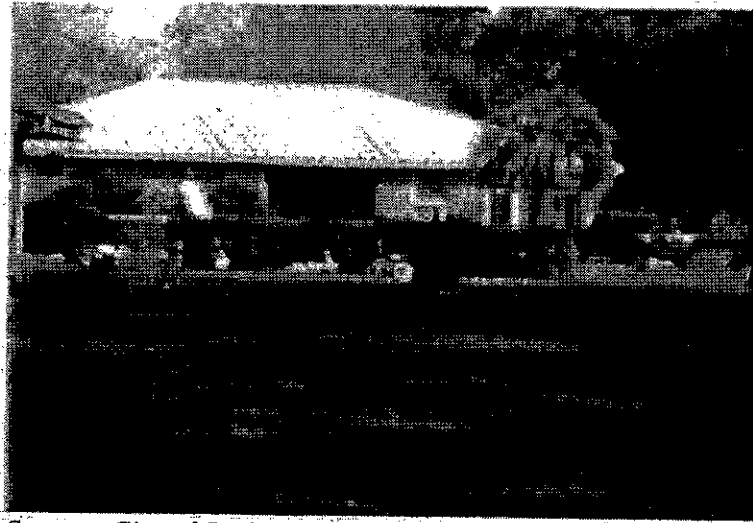
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2014-0773** be **APPROVED**.

Aerial of subject property



*Source: City of Jacksonville, Geographic Information System*  
*Date: January 9, 2015*

Single-family located behind subject site



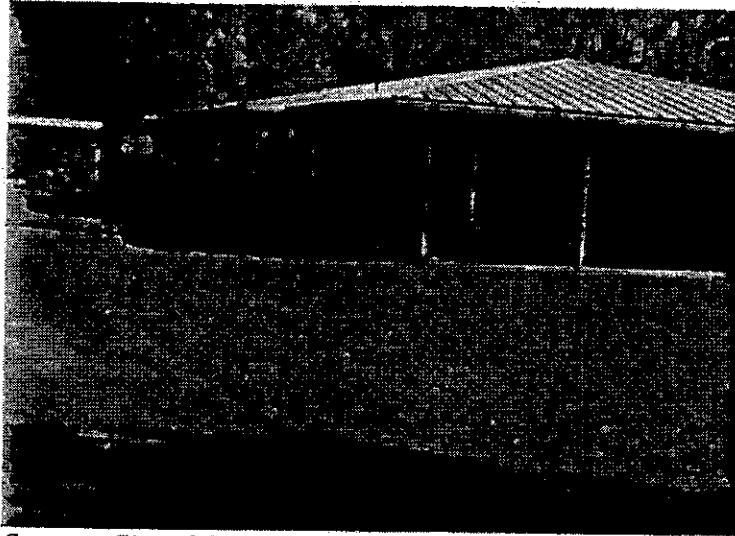
*Source: City of Jacksonville, Planning & Development Department*  
*Date: January 9, 2015*

Multi-family unit 1 on subject property



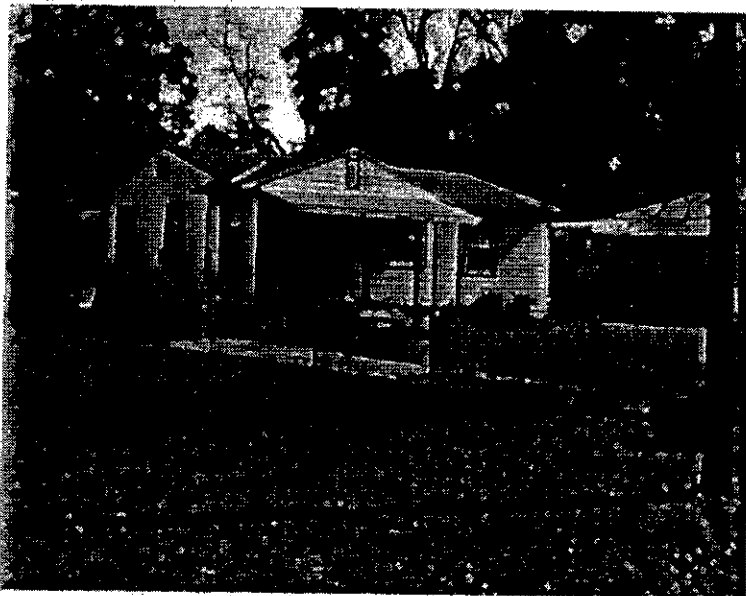
*Source: City of Jacksonville, Planning & Development Department*  
*Date: January 9, 2015*

Multi-family unit 2 on subject property



*Source: City of Jacksonville, Planning & Development Department*  
*Date: January 9, 2015*

Single-family east of subject site



*Source: City of Jacksonville, Planning & Development Department*  
*Date: January 9, 2015*





**Application For Rezoning To Conventional Zoning District****Planning and Development Department Info**

Ordinance # 2014-0773 Staff Sign-Off/Date BEL / 11/17/2014

Filing Date 10/21/2014 Number of Signs to Post 1

**Hearing Dates:**

1st City Council N/A Planning Commission 01/22/2015

Land Use &amp; Zoning 02/03/2015 2nd City Council 01/27/2015

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study N/A

**Application Info**

Tracking # 717

Application Status PENDING

Date Started 10/21/2014

Date Submitted 10/21/2014

**General Information On Applicant**

Last Name

First Name

Middle Name

CHADWICK

DONALD

DEXTER

Company Name

**Mailing Address**

5307 EULACE RD.

City

State

Zip Code

JACKSONVILLE

FL

32210

Phone

Fax

Email

9047715024

904

CHADWICK@BELLSOUTH.NET

**General Information On Owner(s)**☐ Check to fill first Owner with Applicant Info

Last Name

First Name

Middle Name

CHADWICK

DONALD

DEXTER

Company/Trust Name

**Mailing Address**

5307 EULACE RD.

City

State

Zip Code

JACKSONVILLE

FL

32210

Phone

Fax

Email

9047715024

904

CHADWICK@BELLSOUTH.NET

**Property Information**Previous Zoning Application Filed For Site? ☐

If Yes, State Application No(s)

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

103132 0030	14	4	RLD-60	RMD-B
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Ensure that RE# is a 10 digit number with a space (##### #)

**Existing Land Use Category**  
LDR

**Land Use Category Proposed?** ☐

**If Yes, State Land Use Application #**  
\_\_\_\_\_

**Total Land Area (Nearest 1/100th of an Acre)** 1.06

**Justification For Rezoning Application**  
TO BRING EXISTING PROPERTY INTO PROPER ZONING CODE

**Location Of Property**

**General Location**  
ORTEGA FARMS

<b>House #</b>	<b>Street Name, Type and Direction</b>	<b>Zip Code</b>
5307	EULACE RD	32210

**Between Streets**  
TIMUQUANA ROAD and 94TH STREET

**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 8½" 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  
1.06 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee  
34 Notifications @ \$7.00 /each: \$238.00
- 4) Total Rezoning Application Cost: \$2,258.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

## EXHIBIT A

### Property Ownership Affidavit

Date: 10-20-14

#### City of Jacksonville

City Council / Planning and Development Department

117 West Duval Street, 4<sup>th</sup> Floor / 214 North Hogan Street, Edward Ball Building, Suite 300  
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

I, DONALD DEXTER CHADWICK hereby certify that I am the  
Owner of the property described in the attached legal description, **Exhibit 1** in connection with  
filing application(s) for REZONING TO CONVENTIONAL ZONING DISTRICTS  
submitted to the Jacksonville Planning and Development Department.

Donald D. Chadwick

(Owner's Signature)

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 20<sup>th</sup> day of  
October (month), 2014 (year) by Donald Dexter Chadwick  
who is personally known to me or has produced \_\_\_\_\_  
as identification.

Christopher J. Barry  
(Notary Signature)  
Christopher J. Barry



IN THE CIRCUIT COURT FOR DUVAL COUNTY,  
FLORIDA PROBATE DIVISION

IN RE: ESTATE OF

File No: 16-2007-CP -1269

RECEIVED & F  
07 JUN 20 AM 9

MARY ANN CHADWICK,

Division: PROBATE DIVISION  
Deceased.

CLERK  
DEPT

ORDER OF SUMMARY ADMINISTRATION  
(testate)

On the petition of D. DEXTER CHADWICK for summary administration of the estate of Mary Ann Chadwick, deceased, the court finding that the decedent died on February 26, 2007; that all interested persons have been served proper notice of the petition and hearing or have waived notice thereof; that the material allegations of the petition are true; that the will dated February 26, 2007, has been admitted to probate by order of this court as and for the last will of the decedent; and that the decedent's estate qualifies for summary administration and an Order of Summary Administration should be entered, it is

ADJUDGED that:

1. There be immediate distribution of the assets of the decedent as follows:

<u>Name</u>	<u>Address</u>	<u>Asset, Share or Amount</u>
D. Dexter Chadwick	5307 Eulace Road Jacksonville, FL 32210	A part of Lot Three (3), Block Twenty Seven (27), S/D ORTEGA FARMS according to plat thereof, recorded in Plat Book 3, Page 79, of the current public records of Duval County, Florida, and being more particularly described as follows:  Commencing at the Southeasterly corner of said Lot Three (3); thence Westerly South 89°47'20" West, 719.65 feet to a point in the Easterly R/W line of Eulace Road, said point being the POINT OF BEGINNING; thence Northerly N 6°09'20" East, 201.04 feet to a point; thence

FILED  
IN COMPUTER  
M. C.

# ORDINANCE \_\_\_\_\_

## Legal Description

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A parcel of land situated lot 3, block 27, Ortega Farms. According to plat thereof as recorded in Plat book 3, page 79, of the public records of Duval County, Florida, said parcel being a portion Of lands described in official records book 16654 on page 335 of said public records and more Particularly described as follows: commencing at the Southeasterly corner of said lot 3; thence Run, South 89° 47' 20" West, along the South line thereof, 719.65 feet to a point on the Easterly Right of way line of Eulace Road, said point being the Southwest corner of said official records Book 16654 on page 335 and point of beginning; thence North 06° 05' 31" East, along said right of Way line and the West line of lands, 200.78 feet to the Northwest corner thereof; thence run North 89 deg 42 min 53 sec East along th North line of said lands, 199.00 feet to an iron rod; thence Run South 00 deg 17 min 29 sec West, 124.02 feet to an iron rod; thence run South 89 deg 42 min 31 sec East, 56.39 feet to an iron rod; thence run South 00 deg 17 min 29 sec West, 75.32 feet to An iron rod on the South line of said lands; thence run South 89 deg 47 min 20 sec West along Said South line, 254.71 feet to the point of beginning.

**2014-774**

**(WRF-14-17)**