

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-242

MAY 7, 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 **Ord. 2015-242**.

Location: 0 Julington Creek Road
between Louis Street and Julington Oaks Drive

Real Estate Number: 159091-0250

Current Zoning District: Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Residential Low Density-100A (RLD-100A)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Matt Schellenberg, District 6

Applicant/Owner: Amanda Tomlinson
209 Clear Creek Court
Saint Augustine, Florida 32095

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning **2015-242** seeks to rezone approximately .50 acres of land from the Residential Rural-Acre (RR-Acre) to the Residential Low Density-100A (RLD-100A) 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 build a single-family home.

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. In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the Planning and Development Department finds that the subject property is located in the LDR functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan and is consistent therewith. The RLD-100A Zoning District is a primary zoning district within the LDR functional land use category.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. The proposed amendment is consistent with the following policies of the Future Land Use Element (FLUE) 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 singlefamily 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.

Policy 3.1.1: The City shall develop through the Planning and Development Department an incentive program to promote infilling of residential development on vacant land designated for residential use on the Future Land Use Map series. These incentives will be reflected in the Zoning Code of the City's Land Development Regulations.

A review of the request indicates that rezoning to RLD-100A would be similar to the surrounding lots. The request is consistent with the underlying functional land use categories.

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

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. The subject site is accessed from Julington Creek Road, which is classified as a local roadway.

SURROUNDING LAND USE AND ZONING

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

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	LDR	RR-Acre & PUD	Single-family
East	LDR	RR-Acre & PUD	Single-family
South	LDR	RLD-90	Single-family
West	LDR	RR-Acre & RLD-60	Single-family

The proposed rezoning will allow for a single-family use that would be in keeping with the existing zoning districts. Therefore, the proposed rezoning to RLD-100A will be consistent and compatible with the adjacent properties established in the vicinity.

SUPPLEMENTARY INFORMATION

Staff acknowledges receipt of posted public notice sign from the applicant on the subject property as it **was** posted on April 13, 2015. Upon visit of the subject site on April 23, 2015, the public notice sign was not available.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2015-242** be **APPROVED**.



Subject site

Date: April 22, 2015

Source: City of Jacksonville, Planning & Development Department



View off right-of-way looking east from subject site

Date: April 22, 2015

Source: City of Jacksonville, Planning & Development Department



View off right-of-way looking west from subject site

Date: April 22, 2015

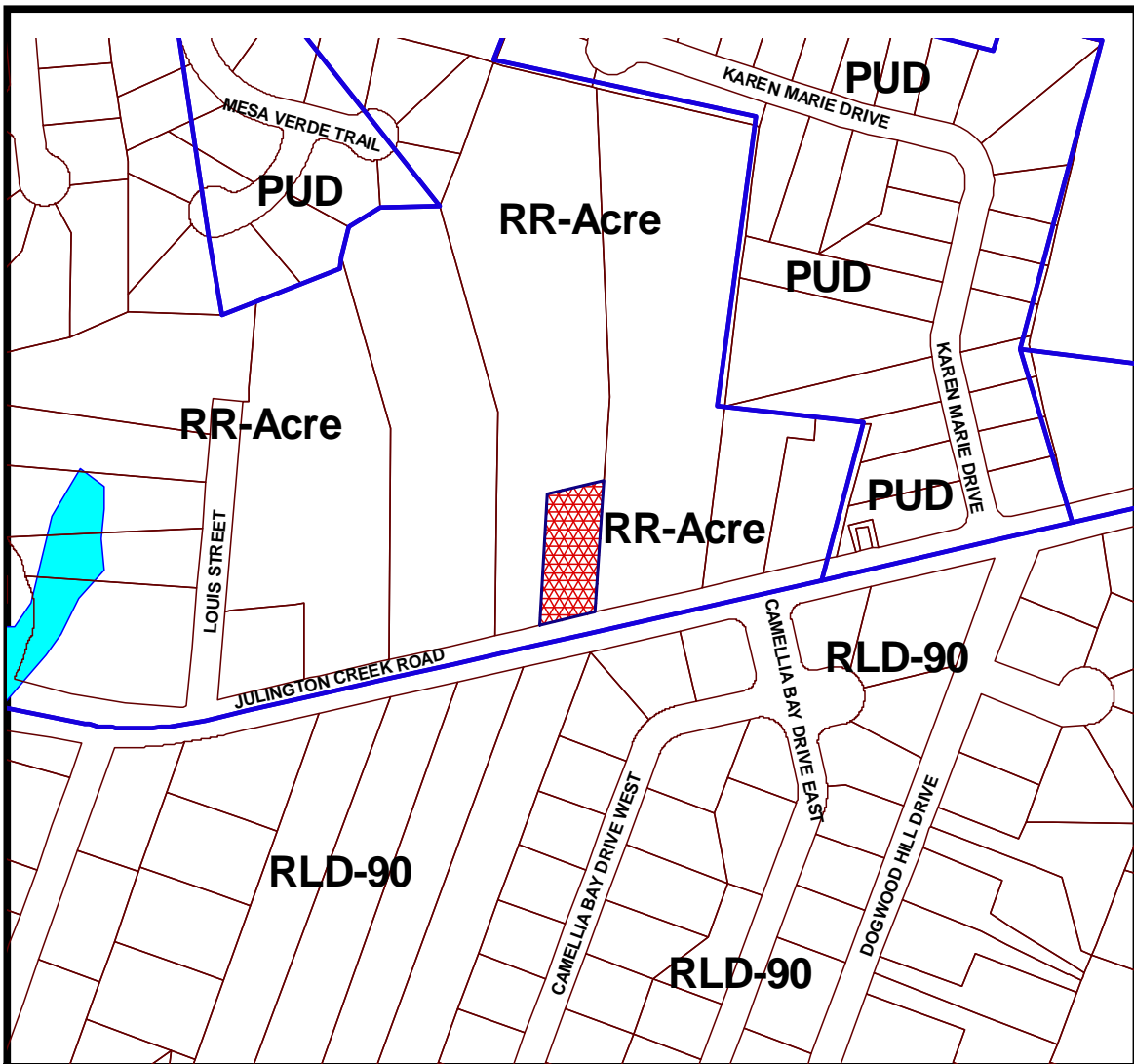
Source: City of Jacksonville, Planning & Development Department



Single-family located southwest of subject site

Date: April 22, 2015

Source: City of Jacksonville, Planning & Development Department



<p>REQUEST SOUGHT:</p> <p>FROM: RR-Acre</p> <p>TO: RLD100A</p>		<p>COUNCIL DISTRICT: 6</p> <p>FILE COPY</p>
<p>ORDINANCE -2015-0242</p>		

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2015-0242 **Staff Sign-Off/Date** ME / 04/07/2015

Filing Date 03/11/2015 **Number of Signs to Post** 1

Hearing Dates:

1st City Council 05/12/2015 **Planning Commission** 05/07/2015

Land Use & Zoning 05/20/2015 **2nd City Council** 05/26/2015

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 757	Application Status SUFFICIENT
Date Started 12/16/2014	Date Submitted 12/31/2014

General Information On Applicant

Last Name	First Name	Middle Name
TOMLINSON	AMANDA	DANESE

Company Name

Mailing Address

209 CLEAR CREEK COURT

City	State	Zip Code
SAINT AUGUSTINE	FL	32095

Phone	Fax	Email
9048388088	904	DANESE87@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
TOMLINSON	AMANDA	DANESE

Company/Trust Name

Mailing Address

209 CLEAR CREEK COURT

City	State	Zip Code
SAINT AUGUSTINE	FL	32095

Phone	Fax	Email
9048388088	904	DANESE87@GMAIL.COM

Last Name	First Name	Middle Name
TOMLINSON	TREY	ALLEN

Company/Trust Name

Mailing Address

209 CLEAR CREEK COURT

City	State	Zip Code
ST. AUGUSTINE	FL	32095
Phone	Fax	Email
9048388088		FATCHEV99@GMAIL.COM

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	159091 0250	6	3	RR-ACRE	RLD-100A

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) 0.50

Justification For Rezoning Application

REZONING SOUGHT TO BUILD SINGLE FAMILY HOME ON .5 ACRES WHICH WAS TAKEN OUT OF MY PARENTS LARGER PARCEL THAT WAS ORIGINALLY ZONED RR.

Location Of Property

General Location

NORTH SIDE OF JULINGTON CREEK ROAD BETWEEN 3623 AND 3643 JULINGTON CK RD

House #	Street Name, Type and Direction	Zip Code
	JULINGTON CREEK RD	32223

Between Streets

LOUIS ST and JULINGTON OAKS DRIVE

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**
0.50 Acres @ \$10.00 /acre: \$10.00
3) **Plus Notification Costs Per Addressee**
21 Notifications @ \$7.00 /each: \$147.00
4) **Total Rezoning Application Cost:** \$2,157.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: Dec 16th 2014

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: #F1591091-0250 (Jullington Crd)

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers herself, AMANDA D. TOMLINSON to act as agent to file application(s) for REZONING for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

By [Signature]
Print Name: AMANDA TOMLINSON

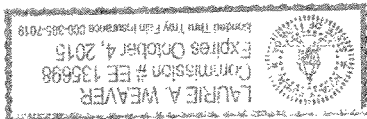
By _____
Print Name: _____
Its: _____

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF ~~DUVAL~~ St Johns

Sworn to and subscribed and acknowledged before me this 31 day of December 2014, by Amanda Tomlinson, who is personally known to me or who has produced FL DL Exp as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)
Laurie A Weaver
(Printed name of NOTARY PUBLIC)



State of Florida at Large. 10-4-15
My commission expires:

PREPARED BY AND RETURN TO:

GRANTEE

Parcel Identification Numbers: **159091-0200**
SALE PRICE \$10.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

Quit Claim Deed

THIS DEED, made the 16th day of **October, 2014** by **Roland K. Danese and Brenda Sue Danese, Husband and Wife**, whose post office address is **3623 Julington Creek Road, Jacksonville, FL 32223** herein called the Grantors, to **Trey Tomlinson and Amanda Tomlinson, Husband and Wife** whose post office address is **209 Clear Creek Court, Saint Augustine, FL 32095**, hereinafter called the Grantees: *(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)*

WITNESSETH: That the Grantors, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00)** Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in **Duval County, State of Florida**, viz.:

See Exhibit "A" attached hereto and by reference made a part hereof.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantors hereby covenant with said Grantees that the Grantors are lawfully seized of said land in fee simple; that the Grantors have good right and lawful authority to sell and convey said land, and hereby quit claims the title to said land.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness #1 Signature

John Gullett II

Witness #1 Printed Name

Witness #2 Signature

ANN CADY

Witness #2 Printed Name

Roland K. Danese
Roland K. Danese

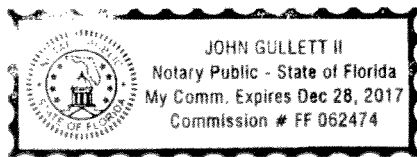
Brenda Sue Danese
Brenda Sue Danese

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 16th day of October, 2014 by Roland K. Danese and Brenda Sue Danese, Husband and Wife who are personally known to me or have produced A Drivers License as identification.

SEAL

My Commission Expires:



Notary Public

John Gullett II

Printed Notary Name

Legal Description
12/31/2014

EXHIBIT "A"

MAP SHOWING SURVEY OF

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND, SITUATE, LYING AND BEING A PART OF LOT 21, AS SHOWN ON THE PLAT OF JULIAN PLACE, AS RECORDED IN PLAT BOOK 18, PAGE 81, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND A PART OF LOT 16 OF A SUBDIVISION OF THE JOSEPH HAGAN GRANT, SECTION 45, TOWNSHIP 4 SOUTH, RANGE 27 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF LOUIS STREET (A 50 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE NORTHERLY RIGHT OF WAY LINE OF JULINGTON CREEK ROAD (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 77°00' EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF JULINGTON CREEK ROAD, A DISTANCE OF 563.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE NORTH 77°00' EAST, A DISTANCE OF 100.00 FEET TO THE SOUTHWESTERLY CORNER OF OFFICIAL RECORDS 3935, PAGE 153; THENCE NORTH 4°01'50" EAST, ALONG WESTERLY LINE OF OFFICIAL RECORDS 3935, PAGE 153 A DISTANCE OF 227.70 FEET; THENCE SOUTH 77°00' WEST, A DISTANCE OF 100.00 FEET; THENCE SOUTH 4°01'50" WEST, A DISTANCE OF 227.80 FEET TO THE POINT OF BEGINNING. CONTAINING 0.50 ACRES