

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

**APPLICATION FOR REZONING ORDINANCE 2015-447 TO**

**PLANNED UNIT DEVELOPMENT**

**AUGUST 6, 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 **2015-447** to Planned Unit Development.

<b><i>Location:</i></b>	10695 Hampton Road between Las Vegas Road and Ballestero Drive
<b><i>Real Estate Number(s):</i></b>	155728-0000
<b><i>Current Zoning District:</i></b>	Residential Rural-Acre (RR-Acre)
<b><i>Proposed Zoning District:</i></b>	Planned Unit Development (PUD)
<b><i>Current Land Use Category:</i></b>	Low Density Residential (LDR)
<b><i>Planning District:</i></b>	Southeast, District 3
<b><i>Planning Commissioner:</i></b>	Daniel Blanchard
<b><i>City Council District:</i></b>	The Honorable Matt Schellenberg, District 6
<b><i>Applicant/Agent:</i></b>	Felicia Witherup 10695 Hampton Road Jacksonville, Florida 32257
<b><i>Owner:</i></b>	Felicia Witherup 10695 Hampton Road Jacksonville, Florida 32257
<b><i>Staff Recommendation:</i></b>	<b>DENY</b>

**GENERAL INFORMATION**

Application for Planned Unit Development **2015-447** seeks to rezone approximately 1.25 acres of land from RR-Acre to PUD. The rezoning to PUD is being sought so that the property can be developed as a community residential home with a maximum of 14 beds. The existing 2,100

square feet residential dwelling will be enlarged to accommodate the number of residents. The property is currently a community residential home with 6 or fewer beds.

*Community residential home* means a dwelling unit licensed to serve clients of CFS, which provides a living environment for up to 14 residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents. The residents of the community residential home are not to be related to the owner/operator by law, blood, marriage or adoption and shall be limited to those persons defined as "residents" in F.S. § 419.001(1)(d).

Below are the Part 4 Supplemental Criteria for community residential homes

(1) Community residential homes which are a **permitted** use must meet the following criteria:

- (i) The home shall be limited to six or fewer residents/beds.
- (ii) The home shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents/beds.

(2) Community residential homes which are a **permissible** use by exception must meet the following criteria:

- (i) The home shall be limited to 14 or fewer residents/beds.
- (ii) The home shall not be located within a radius of 1,200 feet of another existing such home with 14 or fewer residents/beds or 500 feet from an area zoned AGR, RR, RLD or RMD-A.

### **CRITERIA FOR REVIEW**

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

*(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?*

No. When applying the criteria of consistency with the 2030 Comprehensive Plan, the combined factors of the goals, objectives and policies of the plan along with the appropriate Functional Land Use Categories are used. Thus, the fact that the community residential home use is permitted in the zoning district; the increased intensity of the proposed use from 6 beds to 14 beds does not ensure overall consistency with the 2030 Comprehensive Plan. The transition, compatibility, and intensity of uses are accomplished through appropriate zoning and are an important consideration to the welfare and sustainability of an area. This is especially important to a predominately single-family residential area where a community residential home for 14 residents is being introduced, as proposed in this Planned Unit Development. Therefore, while the proposed uses are consistent with the category description of the functional land use category, the intensity and scale of the project is not consistent with

the intent of the 2030 Comprehensive Plan. A description of the category is noted below.

Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category

***Principal Uses:*** Single family and Multi-family dwellings; Commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and Other uses associated with and developed as an integral component of TND.

***Secondary Uses:*** Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition the following secondary uses may also be permitted: Borrow pits; Animals other than household pets; Foster care homes; Drive through facilities in conjunction with a permitted use; Assisted living facilities and housing for the elderly, so long as said facilities are located within three miles of a hospital and on an arterial roadway; and Commercial retail sales and service establishments when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map, however logical extensions and expansions of preexisting commercial retail sales and service establishments are exempt from the roadway classification and intersection requirements.

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

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

*(3) Does the proposed rezoning conflict with any portion of the City's land use Regulations?*

No. Community residential homes with 7 to 14 beds are required to meet the performance standards in Part 4 of the Zoning Code. Section 656.401 (h)(2)(ii) requires the use shall not be located within a radius of 1,200 feet of another existing such home with 14 or fewer residents/beds or 500 feet from an area zoned AGR, RR, RLD or RMD-A. The proposed use will be adjacent to RR and RLD districts on four sides.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

*(1) Consistency with the 2030 Comprehensive Plan*

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Low Density

Residential (LDR). This proposed rezoning to Planned Unit Development is inconsistent with the 2030 Comprehensive Plan, and does not further the following goals, objectives and policies contained herein, including:

**F.L.U.E. Policy 1.1.9** Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

The proposed application by increasing the number of beds from 6 to 14 is introducing a commercial intensity into a predominately residential area. A community residential home with 6 or fewer beds is a permitted use in the Residential Rural-Acre (RR-Acre), Residential Low Density (RLD), Residential Medium Density (RMD), Residential High Density (RHD) and Commercial Residential Office (CRO) Zoning Districts. However, a community residential home with 14 beds is a permissible use by exception in the RMD, RHD and CRO districts. There are also supplemental criteria for community residential homes which require a home with 14 beds to be at least 500 feet from a RR, RLD or RMD-A district. These districts primarily allow for single family dwellings. The intent of the Zoning Code is clear, the restriction on the number of beds in certain zoning districts and the distance requirements of section 656.401, point to a protection for single family dwellings from larger community residential home use.

**F.L.U.E. Policy 1.1.10** Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

The proposed application will not provide a transition of densities and intensities between land uses. The proposed application is surrounded by single family dwellings.

**F.L.U.E. Policy 2.2.4** Maintain existing stable neighborhoods through coordinated rehabilitation and conservation action by the Building Inspection Division and Planning and Development Department. Protect residential areas from encroachment by incompatible land uses through proper zoning, and from through or heavy traffic by use of buffers and other mitigating measures.

**F.L.U.E. Policy 3.2.4** The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations

The proposed application will permit commercial uses adjacent to residential areas and will encourage traffic onto Hampton Road which is a local road.



*(2) Consistency with the Concurrency Mobility and Management System*

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals.

*(3) Allocation of residential land use*

This proposed Planned Unit Development intends to utilize lands for a commercial development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

*(4) Internal compatibility*

This proposed PUD is inconsistent with the internal compatibility factors with specific reference to the following:

The streetscape: The proposed site plan shows the addition to the house will extend from the house and be visible from the street. A porte cohere or covered entrance is proposed as well as five parking spaces in the u-shaped turn around. Also the application includes a 168 square foot monument sign which is uncharacteristic of single family neighborhoods.

The use and variety of building setback lines, separations, and buffering: The proposed setbacks are consistent with the Residential Rural-Acre Zoning District.

The use and variety of building sizes and architectural styles: The application does not indicate if the architectural style of the existing house will change.

The particular land uses proposed and the conditions and limitations thereon: The application is not proposing any additional buffers to the surrounding properties.

*(5) External Compatibility*

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is **not** achieved by the following:

The type, number and location of surrounding external uses: The proposed development is located in an area of single family dwellings. A community residential home with 14 beds is a commercial use which will not be compatible with the neighborhood.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single family dwellings
South	LDR	RR-Acre	Single family dwellings
East	LDR	RR-Acre	Single family dwellings
West	LDR	RLD-60	Single family dwellings

*(6) Intensity of Development*

The proposed development is **inconsistent** with the LDR functional land use category as a commercial development. The PUD is inappropriate at this location because it will encourage traffic onto a local road and insert a commercial use into a residential area.

The existing residential density and intensity of use of surrounding lands: Single family dwellings are the prevailing land use in the immediate area. The proposed use of a community residential home is a commercial use and is an intensification for the area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: the proposed development will be accessed by Hampton Road which is a local road.

*(7) Usable open spaces plazas, recreation areas.*

The project will be developed with the required amount of open space and recreation area.

*(8) Impact on wetlands*

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site.

*(9) Listed species regulations*

No wildlife survey was required as the project is less than the 50-acre threshold.

*(10) Off-street parking including loading and unloading areas.*

The site will be developed in accordance with Part 6 of the Zoning Code.

*(11) Sidewalks, trails, and bikeways*

The project is required to install a pedestrian system that meets the 2030 Comprehensive Plan.

### **SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on July 27, 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 **2015-208** be **DENIED**.



Aerial view of subject property





Aerial view of subject property

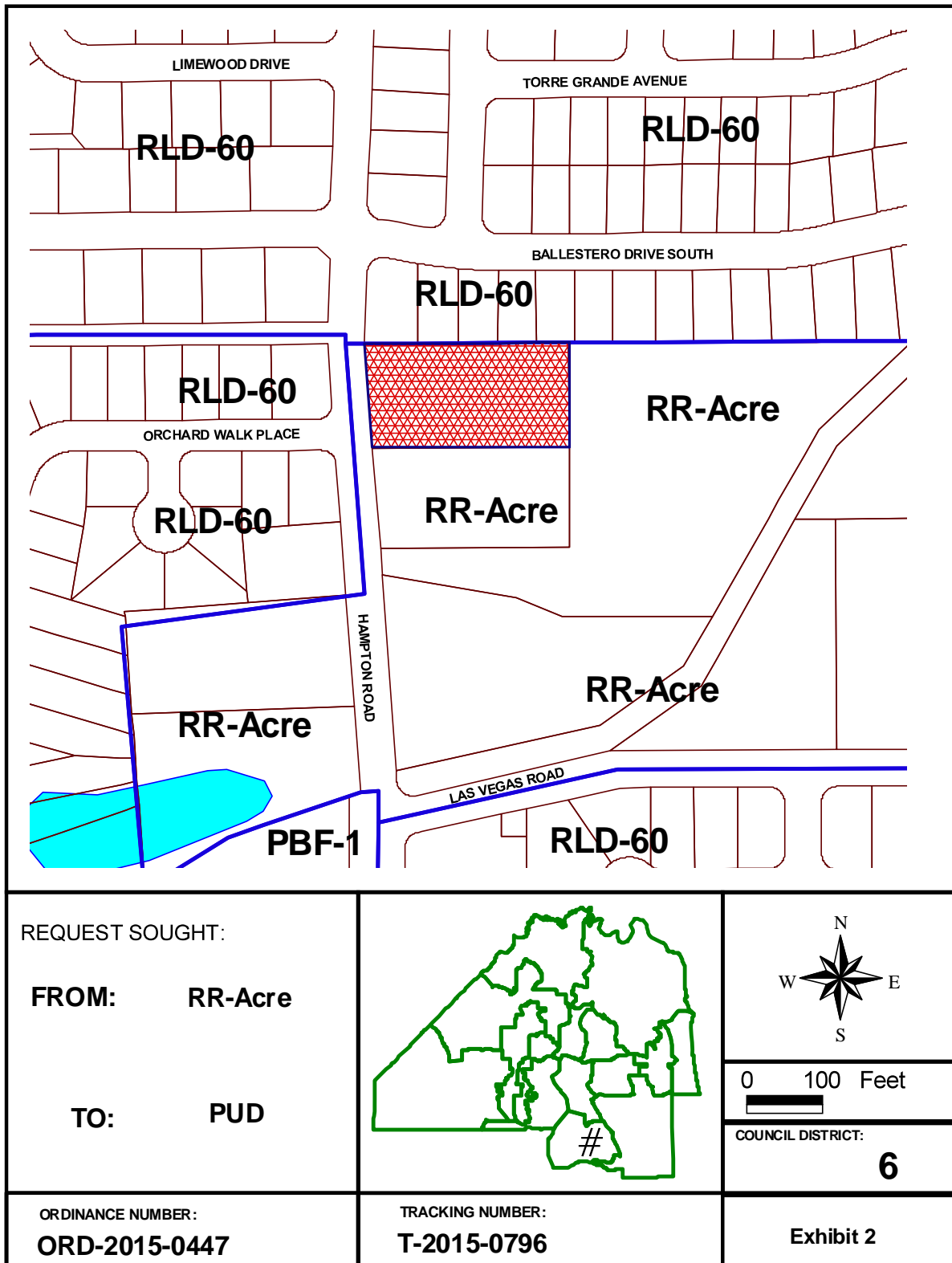




Subject property



Adjacent single family dwelling



## Application For Rezoning To PUD

### Planning and Development Department Info

**Ordinance #** 2015-0447 **Staff Sign-Off/Date** BEL / 05/22/2015

**Filing Date** 06/23/2015 **Number of Signs to Post** 1

**Hearing Dates:**

**1st City Council** 08/11/2015 **Planning Comission** 08/06/2015

**Land Use & Zoning** 08/18/2015 **2nd City Council** N/A

**Neighborhood Association** N/A

**Neighborhood Action Plan/Corridor Study** N/A

### Application Info

**Tracking #** 796

**Application Status** PENDING

**Date Started** 02/25/2015

**Date Submitted** 03/20/2015

### General Information On Applicant

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
WITHERUP	FELICIA	
<b>Company Name</b>		
HAMPTONS LUXURY VILLAS INC		
<b>Mailing Address</b>		
10695 HAMPTON ROAD		
<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32257
<b>Phone</b>	<b>Fax</b>	<b>Email</b>
9045682027	9043283850	FELICIAWITHERUP@GMAIL.COM

### General Information On Owner(s)

☐ **Check to fill first Owner with Applicant Info**

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
WITHERUP	FELICIA	
<b>Company/Trust Name</b>		
<b>Mailing Address</b>		
10695 HAMPTON ROAD		
<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32257
<b>Phone</b>	<b>Fax</b>	<b>Email</b>
9045682027	9043283850	FELICIAWITHERUP@GMAIL.COM

### Property Information

**Previous Zoning Application Filed For Site?** ☒

**If Yes, State Application No(s)** 2013C-024

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	155728 0000	6	3	RR-ACRE	PUD



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) 1.30

Development Number

Proposed PUD Name HAMPTONS LUXURY VILLAS

### Justification For Rezoning Application

AREA HAS OUTGROWN CURRENT ZONING. PROPOSED ZONING WOULD ALLOW CURRENT MAXIMUM CAPACITY OF COMMUNITY RESIDENTIAL HOMES TO INCREASE FROM 6 TO 14. CURRENT REGULATION/ZONING DISTRICT LIMIT AND MAKES IT DIFFICULT TO CARRY OUT BASED ON FLORIDA AGENCY FOR HEALTHCARE ADMIN. SS.429.01(5). PROPOSED ZONING IS IN THE BEST INTEREST OF MANDARINS COMMUNITY. GRANTING WOULD ALLOW 65 AND OLDER FROM THE MANDARIN AREA NEEDING ASSISTANCE TO HAVE MORE THAN ONE SMALLER HOMELIKE ENVIRONMENT FACILITY TO CHOOSE FROM.

### Location Of Property

#### General Location

HAMPTON ROAD BETWEEN LAS VEGAS ROAD AND BALLESTERO DRIVE S

House #

Street Name, Type and Direction

Zip Code

10695

HAMPTON RD

32257

#### Between Streets

LAS VEGAS ROAD

and

BALLESTERO DRIVE

### Required Attachments For Formal, Complete application

The following items must be labeled as exhibits and attached to 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 and the PUD Check List for inclusion of information required.

- Exhibit 1** ☒ A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** ☒ Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** ☒ Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** ☒ Binding Letter.
- Exhibit D** ☒ Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** ☒ Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** ☒ Land Use Table

**Exhibit G** ☒ Copy of the deed to indicate proof of property ownership.

### Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

**Exhibit H** ☐ Aerial Photograph.

**Exhibit I** ☒ Listed Species Survey (If the proposed site is greater than fifty acres).

**Exhibit J** ☐ Other Information as required by the Department (i.e.-\*building elevations, \*signage details, traffic analysis, etc.).

**Exhibit K** ☐ Site Location Map.

### 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 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**

**1.30 Acres @ \$10.00 /acre:** \$20.00

**3) Plus Notification Costs Per Addressee**

**50 Notifications @ \$7.00 /each:** \$350.00

**4) Total Rezoning Application Cost (Not to Exceed \$15,000.00):** \$2,350.00

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

# Legal Description

## EXHIBIT 1

A PORTION OF THE NORTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA: FOR A POINT OF BEGINNING. COMMENCE AT THE INTERSECTION OF THE NORTHERLY LINE OF THE SAID NORTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$ , SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 39 AS SHOWN ON MAP OF SOUTHWOOD UNIT III AS RECORDED IN PLAT BOOK 35, PAGES 40 THRU 40B, INCLUSIVE, OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, FLORIDA, AND THE EASTERLY RIGHT-OF-WAY LINE OF HAMPTON ROAD, A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED: FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 04 DEGREES 26 MINUTES 24 SECONDS EAST, ALONG THE SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 168.96 FEET THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN NORTH 89 DEGREES 40 MINUTES 21 SECONDS EAST, A DISTANCE OF 317.78 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES 36 MINUTES 35 SECONDS EAST, A DISTANCE OF 168.55 FEET TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF SAID SOUTHWOOD UNIT III, ALSO BEING THE SAID NORTHERLY LINE OF THE NORTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$ ; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 21 SECONDS WEST, ALONG SAID LINE, A DISTANCE OF 330.10 FEET TO THE POINT OF BEGINNING.

March 31, 2015

# EXHIBIT A

## Property Ownership Affidavit

Date: 2/25/15

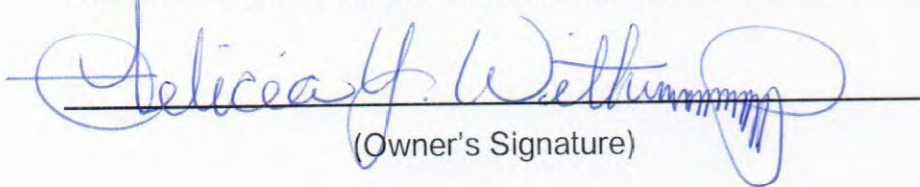
### City of Jacksonville

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

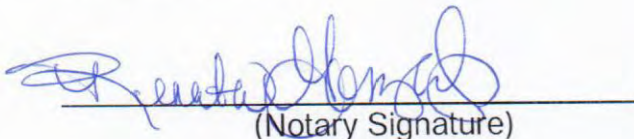
Gentleman:

I, Felicia Yolanda Witherup 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 PUD,  
submitted to the Jacksonville Planning and Development Department.

  
(Owner's Signature)

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 25<sup>th</sup> day of  
February (month), 2015 (year) by Personal appearance  
who is personally known to me or has produced \_\_\_\_\_  
as identification.

  
(Notary Signature)





## EXHIBIT C

### Binding Letter

City of Jacksonville  
Planning and Development Department  
Jacksonville, Florida 32202

RE:

Ladies and Gentleman;

You are hereby advised that the undersigned, owner of the above referenced property, being more particularly described in the PUD document attached hereto and by reference made a part thereof, hereby agrees to bind its successor(s) in title to development in accordance with (a) the site plan and the written description of the proposed rezoning plan submitted with the rezoning application and (b) any conditions set forth by the City Council of the City of Jacksonville in the rezoning ordinance. Owner also agrees to proceed with the development of the subject property in accordance with items (a) and (b) above and will complete such development in accordance with the site plan approved by that ordinance. Provisions shall be made by written agreement for continuing operation and maintenance of all common areas and facilities, which are not to be provided, operated or maintained by the City of Jacksonville.

Sincerely,

By: 

Its: Owner

# Exhibit D

## WRITTEN DESCRIPTION

### Hampton Luxury Villas PUD

14 Bed Community Residential Home

May 25, 2015

#### I. PROJECT DESCRIPTION

A. The 1.3 acre site has an existing residential dwelling. The site is flat without elevation change or significant features. There are mature scattered trees on the property.

[See attached site development plan](#)

B. Project Architect/Planner: [Zona & associates, P.A.](#)

C. Project Engineer: [N/A](#)

D. Project Developer: [Owners](#)

E. Current Land Use Category: [LDR](#)

F. Current Zoning District: [RR-Acre](#)

G. Requested Land Use Category: [LDR](#)

H. Requested Zoning District: [PUD](#)

I. Real Estate Number(s): [155728 0000](#)

#### II. QUANTITATIVE DATA

Total Gross Acreage	<input type="text" value="1.3"/>	acres	100	%
Amount of each different land use by acreage				
Single family	<input type="text" value="0"/>	acres	<input type="text"/>	%
Total number of units	<input type="text"/>	d.u.		
Multiple Family	<input type="text" value="0"/>	acres	<input type="text"/>	%
Total number of units	<input type="text"/>	d.u.		
Commercial	<input type="text" value="0"/>	acres	<input type="text"/>	%

Industrial	<input type="text" value="0"/>	acres	<input type="text"/>	%
Other land use	<input type="text" value="1.25"/>	acres	<input type="text" value="96"/>	%
Total amount of non-residential floor area	<input type="text" value="0"/>	sq. ft.	<input type="text"/>	%
Active recreation and/or open space	<input type="text" value=".05"/>	acres	<input type="text" value="4"/>	%
Passive open space, wetlands, ponds	<input type="text" value="0"/>	acres	<input type="text"/>	%
Public and private right-of-way	<input type="text" value="0"/>	acres	<input type="text"/>	%
Maximum coverage of buildings and structures	<input type="text" value="7400"/>	sq. ft.	<input type="text" value="14"/>	%

### III. STATEMENTS

- A. How does the proposed PUD differ from the usual application of the Zoning Code?  
We are not changing the Land Use; just expanding it.
- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City. The operation will remain the same as will the services currently provided by the city.
- C. Justification for the rezoning. To satisfy the demand for additional small, residential assisted living beds in established residential communities.
- D. Phase schedule of construction (include initiation dates and completion dates): One single Phase – commencing on July 1, 2015 and ending on December 31, 2015.

### IV. USES AND RESTRICTIONS

- A. Permitted Uses: Community Residential Homes
- B. Permissible Uses by Exception: N.A.
- C. Limitations on Permitted or Permissible Uses by Exception: Total of 14 Beds, Max.
- D. Permitted Accessory Uses and Structures: Tool houses and Garden Sheds less than 50% main structure footprint and height limit of 15' – no less than 5' from the property line. 35' max height if within the setback requirements for the main structure.

## V. DESIGN GUIDELINES

### A. Lot Requirements:

- (1) *Minimum lot area:* 43560 sf
- (2) *Minimum lot width:* 100'
- (3) *Maximum lot coverage:* 25%
- (4) *Minimum front yard:* 25'
- (5) *Minimum side yard:* 10'
- (6) *Minimum rear yard:* 10'
- (7) *Maximum height of structures:* 35'

### B. Ingress, Egress and Circulation:

- (1) *Parking Requirements.* The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code.  $1/\text{employee (8)} + 1 \text{ per 4 beds } (14/4 = 3.5 \text{ or } 4) = 12 \text{ parking spaces required.}$
- (2) *Vehicular Access.*
  - a. Vehicular access to the Property shall be by way of Private Drive, substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the Development Services Division.
  - b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity. N/A
- (3) *Pedestrian Access.*
  - a. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan. See Site Plan for configuration.

### C. Signs:

- (1) One (1) double faced or two (2) single faced signs not to exceed 168 square feet in area and 5 feet in height.



- (1) One (1) street frontage sign per lot, not to exceed one (1) square foot for each linear foot of street frontage, to a maximum size of two hundred (200) square feet in area for every two hundred (200) linear feet of street frontage or portion thereof, is permitted provided such signs are located no closer than two hundred (200) feet apart, as provided in the Zoning Code. Such freestanding signs shall be of a Low Profile w/ 168 sf monument style or as otherwise approved by the Planning and Development Department, not to exceed 5' feet in height.
- (2) Wall signs not to exceed ten percent (10%) of the square footage of the occupancy frontage of the building abutting a public right-of-way are permitted.
- (3) One (1) under-the-canopy sign per occupancy, not exceeding a maximum of 10 square feet in area per sign, is permitted, provided that any square footage used for an under-the-canopy sign shall be subtracted from the maximum allowable square footage for wall signs on the building in question.
- (4) Directional signs shall not exceed 4 square feet in area and 4 feet in height. Will comply.

D. Landscaping:

The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code. Will Comply.

E. Recreation and Open Space:

A minimum of 150 square feet of active recreation area shall be provided per each multi-family dwelling unit. See below and Site Development Plan. We are planning for +/- 7400 SF.

A minimum of 1 acre of recreation area shall be provided per every 100 single family lots.

F. Utilities

Water will be provided by JEA.  
Sanitary sewer will be provided by JEA.  
Electric will be provided by JEA.

G. Wetlands

Wetlands will be permitted according to local, state and federal requirements.

## VI. DEVELOPMENT PLAN APPROVAL

With each request for verification of substantial compliance with this PUD, a preliminary

development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all then existing and proposed uses within the Property, and showing the general layout of the overall Property.

**See attached Conceptual Site Development Plan.**

**See Attached Zoning Map with 1200' Radius Circle for reference.**



Doc# 2004034319  
Book: 11611  
Pages: 2032 - 2034  
Filed & Recorded  
02/02/2004 09:43:23 AM  
JIM FULLER  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
RECORDING \$ 13.00  
TRUST FUND \$ 2.00  
DEED DOC STAMP \$ 0.70

**WARRANTY DEED**

**THIS WARRANTY DEED** made this 29th day of January, 2004, between DON RAY MCAFEE, JR., a single man and former husband of Felicia Yolanda McAfee, as Grantor, and FELICIA YOLANDA MCAFEE, former wife of Don Ray McAfee, Jr., whose post office address is 10695 Hampton Road, Jacksonville, Florida, 32257, as Grantee,

**WITNESSETH:** That said Grantor, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs, successors and assigns forever, the following described land, situate, lying and being in Duval County, Florida, to wit:

Parcel "A", as described in attached Map Showing Boundary Survey of Parcel "A".

This deed is given pursuant to the Final Judgment of Dissolution of Marriage entered on January 28, 2004, in Case No.: 2003-DR-11243, by the Circuit Court of Duval County, Florida.

and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

WALTER R STEDEFORD  
2130 RIVERSIDE AVE.  
JACKSONVILLE FL 32204



IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered

in our presence:

[Signature]  
[ WALTER R. STEDEFORD ]

[Signature]  
DON RAY MCAFEE, JR.

[Signature]  
[ VILMA S. REED ]

STATE OF FLORIDA  
COUNTY OF DUVAL

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgements, personally appeared Don Ray McAfee, Jr., to me known to be the person described in and who executed the foregoing instrument and acknowledged before me the execution of same.

Sworn to and subscribed before me

this 29<sup>th</sup> day of January, 2004.

[Signature]

NOTARY PUBLIC, state of Florida at large

Personally known \_\_\_\_\_, or Produced Identification ✓

Type of Identification produced FL DL [REDACTED]

My commission expires:



Vilma S. Reed  
Commission # CC 995713  
Expires Jan. 22, 2005  
Bonded Thru  
Atlantic Bonding Co., Inc.

# MAP SHOWING BOUNDARY SURVEY OF

PARCEL "A"

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA: FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTHERLY LINE OF THE SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 39 AS SHOWN ON MAP OF SOUTHWOOD UNIT III, AS RECORDED IN PLAT BOOK 35, PAGES 40 THRU 40B, INCLUSIVE, OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, FLORIDA, AND THE EASTERLY RIGHT-OF-WAY LINE OF HAMPTON ROAD, A 60 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED: FROM THE POINT OF BEGINNING THUS DESCRIBED RUN SOUTH 04°26'24" EAST, ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 168.96 FEET, THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE RUN NORTH 89°40'21" EAST, A DISTANCE OF 317.78 FEET TO A POINT; THENCE RUN NORTH 00°36'35" EAST, A DISTANCE OF 168.55 FEET TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF SAID SOUTHWOOD UNIT III, ALSO BEING THE SAID NORTHERLY LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE RUN SOUTH 89°40'21" WEST, ALONG SAID LINE, A DISTANCE OF 330.10 FEET TO THE POINT OF BEGINNING.

LANDS THUS DESCRIBED CONTAIN 1.3 ACRES, MORE OR LESS.



MAP SHOWING BOUNDARY  
SURVEY OF

A PORTION OF THE NORTHEAST 1/4 OF SAID SECTION 17A, TOWNSHIP 4 SOUTH,  
RANGE 27 EAST, DUVAL COUNTY, FLORIDA, FOR A POINT OF BEGINNING  
AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE SAID NORTHEAST 1/4 SAID  
SECTION WITH THE SOUTHWEST CORNER OF LOT 38 SHOWN ON MAP OF THE SOUTHWEST 1/4 SAID  
SECTION AS RECORDED IN PLAT BOOK NO. 60, PAGE 19, OF THE PUBLIC RECORDS  
OF SAID DUVAL COUNTY, FLORIDA, AND THE EASTERLY RIGHT-OF-WAY LINE CURRENTLY PUBLIC RECORDS  
NO. 200 RIGHT-OF-WAY AS NOW ESTABLISHED, FROM THE POINT OF BEGINNING THUS DESCRIBED RUN  
NORTH 15 DEGREES 30 MINUTES WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 168.96 FEET;  
THENCE PARALLEL TO SAID EASTERLY RIGHT-OF-WAY LINE NORTH 84 DEGREES 45 MINUTES  
WEST 151.22 FEET TO A POINT; THENCE RUN NORTH 02 DEGREES 54 MINUTES EAST, A DISTANCE OF  
151.22 FEET TO THE INTERSECTION WITH THE SOUTHERLY LINE OF SAID SOUTHWEST 1/4 TO ITS  
INTERSECTION WITH THE SOUTHERLY 1/4 OF THE SOUTHWEST 1/4 SAID SECTION 17A, THENCE RUN SOUTH 85°40'31"  
WEST, ALONG SAID LINE, A DISTANCE OF 330.0 FEET TO A POINT OF BEGINNING.

ACRES THUS DESCRIBED CONTAIN 1.3 ACRES, MORE OR LESS.

PERTINENT TO: DON & FELICIA McFEE/ BANK OF AMERICA/ ENTERPRISE TITLE

## REFERENCE BENCHMARK

40d NAIL IN 14" WOOD  
POWER POLE ELEV (25.85)  
265.5 SOUTH OF THE C.  
OF LAS VEGAS ROAD &  
HAMPTON ROAD & 25' EAST  
OF C OF HAMPTON ROAD,  
ELEVATION (82.56)  
EXISTING ELEVATIONS ARE  
SHOWN THUS; AND REFER  
TO N.G.V DATUM OF 1929.

NOTE:  
SEE PREVIOUS SURVEY DONE BY  
ALL AMERICAN SURVEYORS OF FLA.  
INC., W.O. 2000-737 DATE 6-7-00  
FOR REMAINDER OF PROPERTY.

TRAIL; W.O. 2000-737-4; 9-11-01(FIELD)  
FOUNTAION & FTE: W.O. 2000-737-3; 2-13-01(FIELD)  
THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS  
ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS

THESE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS ON THIS COUNTY.

ON FLOOD INSURANCE RATE MAP 0208 E FOR THE CITY OF JACKSONVILLE, FLORIDA, F.I.R.M. INDEX DATE 6-16-99, THE PARCEL SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE "X" AS SHOWN

ALL AMERICAN SURVEYORS OF FLORIDA, INC.

U SURVEILLERS - 8789 SAN JOSE BLVD., SUITE 301 - JACKSONVILLE, FLORIDA 32217 - 904/7539-2217

**Legend**

CONC	CONCRETE	P.B.M.	PERMANENT SURVEYING
CON	CONCRETE	MAINT	MAINTENANCE
NON	NON-SMART	P.T.	POINT OF TANGENCY
SPN	SPON. PWT	P.C.	POINT OF CURVE
SPN	SPON. RND	P.B.C.	POINT OF BIVERTICE CURVE
CHD	CHORD	P.C.C.	POINT OF CROSSING
ASC	ASC. LENGTH		

**A.B.L.** = BUILDING RESTRICTION  
LINE  
**U.D.E.** = UNDESTRUCTED DEMOLITION  
EASEMENT  
**L.S.J.** = LAND SURVEYOR JOURNAL  
**P.I.** = POINT OF INTERSECTION  
OF ROADS OR WATER

scale  $1^{\circ} = 40'$ .

8-7-00

951, PG. 6(DC) DE. NY JAB

100 2337

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Биринчи каттабасма

BY APPOINTMENT

PA. 6(DC)

936