

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR****APPLICATION FOR REZONING ORDINANCE 2016-0363****OCTOBER 4, 2018**

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 **2018-0363**.

***Location:*** On the eastern side of Heckscher Drive (S.R. 105), at the southeastern intersection of Shad Creek Drive and Heckscher Drive.

***Real Estate Number:*** 168230 0000

***Current Zoning District:*** Commercial Community General-2 (CCG-2)

***Proposed Zoning District:*** Residential Low Density-100A (RLD-100A)  
Commercial Residential Office (CRO)

***Current Land Use Category:*** Community General Commercial (CGC)

***Proposed Land Use Category:*** Low Density Residential (LDR)  
Community General Commercial (CGC)

***Planning District:*** North – 6

***Applicant/Agent:*** Lara Diettrich  
1332 Avondale Avenue  
Jacksonville, Florida 32205

***Owner:*** David and Jennie Lyn Steeg  
13 Tallwood Road  
Jacksonville Beach, Florida 33225

***Staff Recommendation:*** **DENY**

**GENERAL INFORMATION**

Application for Rezoning **2018-0363** seeks to rezone approximately 0.57 acres of land from Commercial Community General-2 (CCG-2) to Residential Low Density-100A (RLD-100A) and Commercial Residential Office (CRO) for the purposes of building a single family

residence. The RLD-100A portion is 0.51 acres, the southern 15 foot wide strip of CRO is 0.06 acres. The 15 foot wide strip will provide a buffer between the existing commercial use and the proposed single family dwelling. The site is located on the eastern side of Heckscher Drive (S.R. 105), across the road from the intersection of Shad Creek Drive. The property is located at the confluence of Shad Creek and the St. Johns River, 200 feet north of the St. Johns River Ferry terminal.

There is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series of the 2030 Comprehensive Plan, Ordinance 2018-0362 (Application L-5290-18C) requesting to change the functional land use category of the subject property from Community General Commercial (CGC) to Low Density Residential (LDR). The Planning and Development Department has submitted its report on the companion Small-Scale Land Use Amendment L-5290-18C and recommends that the same be **denied**.

The area surrounding the site is comprised of a mix of residential and commercial uses. Commercial uses are predominantly located to the south and southwest of the site and include restaurants, offices, a convenience store and the ferry terminal. Single-family residential is located to the west across Heckscher Drive and to the north across Shad Creek with the exception of the Sandollar restaurant which the faces the subject property across Shad Creek. North of the Sandollar restaurant, there are three non-conforming single-family homes constructed in the early 1960s and located in the CGC land use. Further to the north on the east side of Heckscher Drive are seven lots on 2.4 acres of land that were the subject of two small land use amendments in 2002 and 2003 that converted the land use from CGC to LDR. The sites subject to the 2002 and 2003 land use amendments have yet to be developed. There have been no additional land use changes or re-zonings along this stretch of Heckscher Drive in the past decade.

### **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?*

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. 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. The subject property sits in the middle of a 2,000 foot long stretch of properties designated as CGC that runs between Heckscher Drive and the St. Johns River. Properties located along the west side of Heckscher Drive are in the Rural Residential (RR), CGC and Neighborhood Commercial (NC) land use categories.

Although the RR land use category is consistent with the designation of nearby residential areas, the applicant has requested a land use amendment to LDR rather than RR for the 0.8 acre site. The reason behind this request is that the RR land use category requires a minimum lot size of one acre when served by on-site well and septic while the LDR requirement is reduced to 1/2 acre. 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. Descriptions of the current Land Use category, as well as that proposed are noted below.

According to the JEA letter dated March 15, 2018, JEA does not provide water service or gravity sewer service within 1/4 mile of the subject property. Development will require a water well and a septic tank. The Conservation/Coastal Management Element (CCME) Policy 4.1.3 (e) states that septic tanks, drainfields and/or greywater systems should not be within 75 feet of the mean high water line of tidal bodies unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, Florida Statutes (F.S.). Additionally, requirements of Chapter 64E-6, Florida Administrative Code (F.A.C.) should be accommodated. As noted above, the LDR land use category requires a minimum lot size of 1/2 an acre when both centralized potable water and wastewater are not available.

According to the Category Descriptions for the Suburban Development Areas of the FLUE, the Community/General Commercial (CGC) land use category is intended to provide development in a nodal development pattern. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which are located in areas with an existing mix of non-residential uses. The CGC designation uses include outlets and establishments that offer a wide range of goods and services including general merchandise, apparel, food and related items. General commercial uses include business and professional offices, financial institutions, highway commercial, mobile home/motor home rental and sales, off-street parking lots and garages, and boat storage and sales, among other similar types of commercial developments.

According to the category description for the Suburban Development Areas of the Future Land Use Element (FLUE), Low Density Residential (LDR) permits housing densities of up to seven dwelling units per acre when full urban services are available. The maximum gross density shall be two units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. Generally, single-family detached housing will be the predominant land use in this category, although mobile homes, patio homes, townhomes and multi-family dwellings may also be permitted in appropriate locations. Additionally, certain secondary and supporting uses are permitted in all residential categories including supporting commercial and service establishments and home occupations.

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

No. 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 categories as identified in the Future Land Use Map series (FLUMs): Community/General Commercial (CGC). Companion land use amendment to the Future Land Use Map series (FLUMs) L-5290-18C seeks to change that portion of land from the Community/General Commercial (CGC) category to Low Density Residential (LDR). This proposed rezoning is **inconsistent** with the 2030 Comprehensive Plan, and has been reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE)

FLUE Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

FLUE Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

FLUE Policy 3.1.21 The City shall provide design standards in the Land Development Regulations to ensure compatibility with adjacent uses and to protect neighborhood scale and character through transition zones, bulk, massing, and height restrictions. The City shall consider the feasibility and effectiveness of developing design standards for each Development Area, not to include the Central Business District which has established design standards.

FLUE Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

FLUE Policy 3.2.2 The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

FLUE Policy 4.1.8B The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

FLUE Policy 8.2.2 In accordance with Conservation and Coastal Management Element (CCME) Policy 11.1.1, the City shall continue to prioritize the siting and development of water-dependent uses within the Coastal Area, as compared with other shoreline uses.

Conservation and Coastal Management Element (CCME)

CCME Goal 11 To ensure that development and redevelopment within the Coastal Area is compatible with the Coastal Area's natural character and that flood risk is managed through principals, strategies and engineering solutions.

CCME Policies 11.1.1 Upon adoption of the 2030 Comprehensive Plan, the City shall prioritize the siting of water-dependent and water-related uses according to the chronology listed hereinafter. Uses listed first shall generally be given the highest priority when being sited along the shoreline and uses listed last would be given the least priority when being sited along the shoreline.

- 1) Conservation or Public Use
- 2) Water-dependent
  - a) Military (where necessary to assure the security of the United States)
  - b) Ports and other water-dependent industry
  - c) Water-dependent transportation facilities
  - d) Water-dependent utilities
  - e) Water-dependent commercial
- 3) Water-related industrial
- 4) Water-related commercial
- 5) Residential
- 6) Proposed amendments to the Future Land Use Map (FLUM), where water-dependent and/or water-related uses are proposed to be prohibited or removed from the permitted use of waterfront properties. This is the least desirable option, as other alternatives to protect working waterfront components should be considered prior to amendments to the FLUM.

**The property is located in the middle of a 2,000-foot long stretch of CGC designated land between the St. Johns River and Heckscher Drive in addition to CGC and NC land uses located to the southwest of the site. Property within the CGC and NC areas is developed with commercial uses, including a restaurant that faces the subject site directly across**

**Shad Creek. Most of the commercial uses are located within the CGC land use and CCG-2 zoning district where intense commercial uses are permitted. Based on these findings, the amendment to LDR would not result in a compact and compatible land use pattern but rather, would introduce incompatible residential use into the middle of intense commercial uses. Therefore, the proposed amendment is inconsistent with FLUE Goal 3, Objective 3.2 and Policies 3.1.21 and 3.1.3 of The FLUE.**

The Comprehensive Plan encourages the sustainability and viability of commercial areas and promotes infill and redevelopment of existing commercial areas. The North Vision Plan identifies the area as a commercial “town center” location. A commercial land use of CGC is more consistent with the North Vision Plan and the preservation of commercial waterfronts. The proposed amendment does not promote the goals and objectives of the Vision Plan and therefore is inconsistent with Policy 4.1.8B as well as Objective 3.2 and Policy 3.2.2 of the FLUE.

The entire parcel is located within a flood zone. Although development is acceptable within the VE flood zone, Goal 11 of the CCME states development and redevelopment will manage flood risk through principals, strategies and engineering solutions.

The proposed land use amendment site is an existing commercial lot located on the water. FLUE policy 8.2.2 states the City shall prioritize the siting and development of water-dependent uses along the shoreline. Policy 11.1.1 of the CCME prioritizes the siting of water-dependent and water-related uses over residential uses. Residential use is one of the least desirable options for development along the shoreline. The proposed amendment is inconsistent with the goal to protect commercial waterfront uses.

#### Heckscher Drive Town Center Vision Plan

The Heckscher Drive Town Center Vision Plan was written and adopted in 2005. The Plan was identified as Phase I and the funding for the Vision Plan would be Phase II. There has been no funding for Phase II. The Plan creates a vision for redeveloping the area located along Heckscher Drive, from the Sister’s Creek Bridge east to Huguenot Park. The goal of this project was to develop a vision for the Heckscher Drive corridor that satisfies the needs and desires of the local community. The Plan called for creating a town center commercial concept around the Ferry. The proposed amendment site was not specifically identified in the Plan, but it did call for creating a public visual access sitting area next to Shad Creek Bridge. Given that the Plan was adopted in 2005 and that the Phase II funding never materialized, it is unlikely that the vision for a public viewing area would come to fruition.

#### North Vision Plan

The North Vision Plan, completed in 2003, recommends the creation of the Heckscher Islands River Center, a “high density” village center development that defines a sense of arrival. The Plan identifies the area around the subject site, which is near the Ferry Landing as the Center location and classifies the area as a “waterfront/commercial district”. The Plan states the Center

should contain a mix of uses including retail (convenience and specialty); restaurant and entertainment venues; and lodging (at a size and scale compatible with a low intensity destination). Residential development above the ground floor uses is encouraged. Although the Heckscher Islands River Center has yet to develop, the subject parcel with its current land use designation, still allows for the potential uses to create mixed-use housing and retail development within the village center. Therefore, the proposed amendment is inconsistent with the Vision Plan.

Strategic Regional Policy Plan

The proposed amendment is inconsistent with the following Policy of the Strategic Regional Policy Plan:

Policy 3: Local governments are encouraged to offer incentives or make development easier in areas appropriate for infill and redevelopment.

The subject site has been identified as being suitable for commercial infill development. The proposed land use amendment seeks to develop one single family dwelling unit and as such is inconsistent with Policy 3 of the Northeast Florida Regional Council's Strategic Regional Policy Plan as it does not encourage appropriate and compatible infill development.

At first glance, a single-family home may seem like a benign use, however, at this time, the proposed rezoning is premature as it does not result in a logical extension of abutting non-residential development. While the proposed request could be compatible with surrounding development, it does not achieve the overall intent of providing for a compact development pattern that results in a logical gradation of uses. As such, the proposed rezoning does not accomplish a legitimate public purpose and will detract from the character and quality of life in the general area. The application will constitute a spot zoning, which is an isolated zoning district unrelated to adjacent and nearby districts.

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

No. The site can be developed in accordance with the minimum lot and minimum yard requirements set forth in section 656.334 of the Zoning Code. The site can be developed with the permissible uses and the permissible uses by exception.

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

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
North	CGC	CCG-2	Shad Creek and restaurant
South	CGC	CCG-2	Commercial/office
East			St Johns River
West	RR	RR-Acre	Single family dwellings

The subject property will be served by a well and septic system and is located within the Suburban Development Area. The applicant has provided a service availability letter from JEA indicating no water and sewer connections available and should be considered in connection with this application for compliance with Policies 1.2.5, 1.2.9 and 1.2.11 of the Infrastructure Element Sanitary Sewer Sub-Element of the 2030 Comprehensive Plan.

The Planning and Development Department recommends denial of this application based on its inconsistency with the overall intent of the 2030 Comprehensive Plan and compatibility with surrounding Zoning Districts.

### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on July 9, 2018, the required Notice of Public Hearing signs were posted.



### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2018-0363 be **DENIED**.







**The subject site facing east across Heckscher Dr.**



**The subject site facing northeast at Shad Creek**



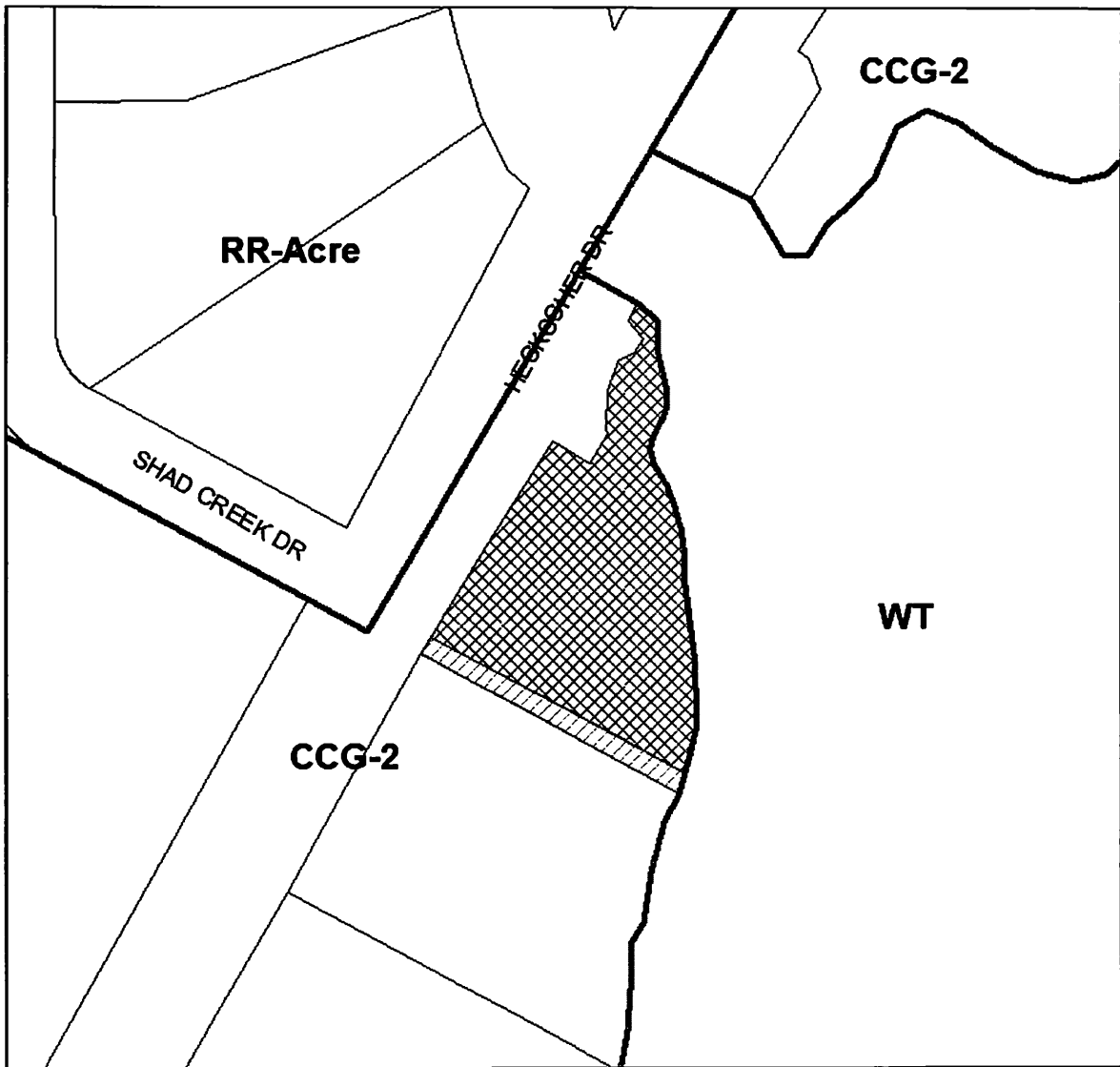
**The subject site facing southwest from across Shad Creek**



**Facing southwest along Heckscher Dr. from the subject site**



**Facing northeast along Heckscher Dr. from the subject site**



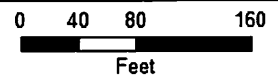
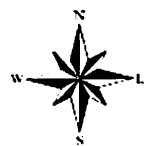
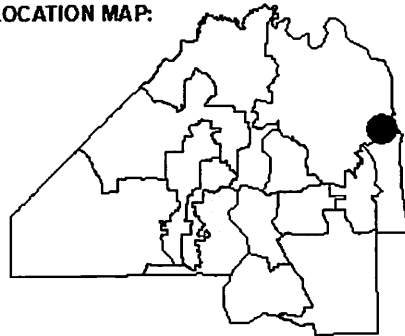
**REQUEST SOUGHT:**

**FROM: CCG-2**

**TO:**  RLD-100A  
 CRO

**ORDINANCE 2018-0363**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**2**

**TRACKING NUMBER**

**2018-363**

**PAGE 1 OF 1**

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

Ordinance # 2018-0363 Staff Sign-Off/Date AH / 05/01/2018

Filing Date 06/12/2018 Number of Signs to Post 1

**Hearing Dates:**

1st City Council 10/09/2018 Planning Commission 10/04/2018

Land Use &amp; Zoning 10/16/2018 2nd City Council 10/23/2018

Neighborhood Association THE EDEN GROUP INC.; HECKSCHER DR COMMUNITY CLUB; M &amp; M DAIRY INC

Neighborhood Action Plan/Corridor Study N/A

**Application Info**

Tracking # 1744

Application Status PENDING

Date Started 03/22/2018

Date Submitted 03/22/2018

**General Information On Applicant**

Last Name

First Name

Middle Name

DIETRICH

LARA

KATHRYN

**Company Name**

DIETRICH PLANNING, LLC

**Mailing Address**

1332 AVONDALE AVENUE

City

State

Zip Code

JACKSONVILLE

FL

32205

Phone

Fax

Email

9045516969

904

LARADIETRICH@GMAIL.COM

**General Information On Owner(s)**

Check to fill first Owner with Applicant Info

Last Name

First Name

Middle Name

STEEG

DAVID AND JENNIE LYN

**Company/Trust Name****Mailing Address**

13 TALLWOOD ROAD

City

State

Zip Code

JACKSONVILLE BEACH

FL

33225

Phone

Fax

Email

9042284004

JENNIELYN.STEEG@REGIONS.COM

**Property Information**

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#

Council District

Planning From Zoning District District(s)

To Zoning District

Map

	168230 0000	2	6	CCG-2	RLD-100A
Map	168230 0000	2	6	CCG-2	CRO

Ensure that RE# is a 10 digit number with a space (##### #)

**Existing Land Use Category**

CGC

**Land Use Category Proposed?**

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

5290

**Total Land Area (Nearest 1/100th of an Acre)** 0.80

**Justification For Rezoning Application**

REASON/JUSTIFICATION FOR CONVENTIONAL REZONING - THE CURRENT ZONING DISTRICT DESIGNATION OF THE SUBJECT PARCEL IS COMMERCIAL/GENERAL-COMMUNITY 2 (CCG-2). REQUESTED ZONING DISTRICT DESIGNATION - THE APPLICANT REQUESTS THE ZONING DISTRICT OF RLD-100A AND IS ACCOMPANIED BY A COMPANION SMALL SCALE LAND USE AMENDMENT FROM CGC TO LDR.

**Location Of Property**

**General Location**

HECKSCHER DRIVE, ADJACENT TO SHAD CREEK INLET

House #	Street Name, Type and Direction	Zip Code
0	HECKSCHER DR	32226

**Between Streets**

SHAD CREEK DRIVE and FT. GEORGE ROAD

**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  
0.80 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee  
10 Notifications @ \$7.00 /each: \$70.00
- 4) Total Rezoning Application Cost: \$2,080.00

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



## EXHIBIT 1

### Legal Description

#### PARCEL 1

A PORTION OF THAT PART OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA LYING ON THE NORTHWESTERLY SIDE OF THE ST. JOHNS RIVER AND AS PARCEL "B" IN DEED OF LIQUIDATION AND DISTRIBUTION RECORDED IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN DEED BOOK 1070, PAGE 293, AND IN OFFICIAL RECORDS BOOK 18112, PAGE 552, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT AN IRON PIPE SET AT A POINT ON THE SOUTHEASTERLY SIDE OF HECKSCHER DRIVE (FLORIDA STATE ROAD NO. 596) LOCATED AT A POINT WHERE THE LINE DIVIDING PARCELS "A" AND "B" AS DESCRIBED IN SAID DEED OF LIQUIDATION AND DISTRIBUTION INTERSECTS THE SOUTHEASTERLY BOUNDARY OF SAID RIGHT OF WAY NORTH 26°21'40" EAST A DISTANCE OF 49 FEET TO AN IRON PIPE SET AT A POINT OF CURVE IN SAID RIGHT OF WAY BOUNDARY; RUN THENCE ALONG THE ARC OF CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 11,409.32 FEET, A CHORD DISTANCE OF 551.16 FEET TO AN IRON PIPE FOR POINT OF BEGINNING; THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 29°44'40" EAST, FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID RIGHT OF WAY AND ALONG SAID CURVE WITH A RADIUS OF 11,409.32 FEET, A CHORD DISTANCE OF 251.77 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 31°45'30" EAST; CONTINUE THENCE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID ROAD RIGHT OF WAY AND ALONG A LINE TANGENT TO THE LAST MENTIONED CURVE NORTH 32°23'20" EAST, A DISTANCE OF 65

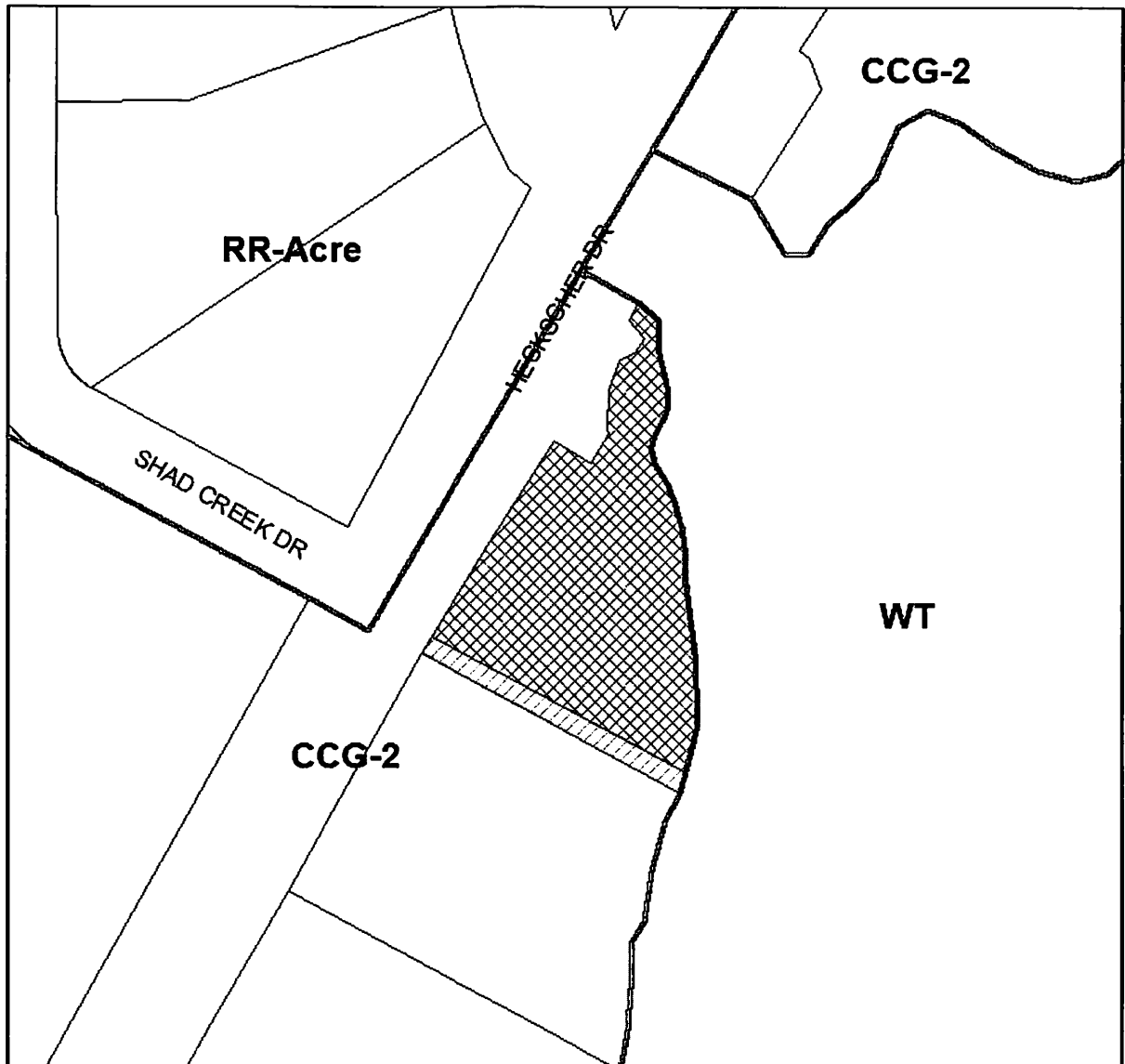
FEET, MORE OR LESS, TO WATERS OF SHAD CREEK, RUN THENCE  
DOWN SHAD CREEK AND UP ST. JOHNS RIVER IN A GENERAL  
SOUTHERLY DIRECTION, A DISTANCE OF 365 FEET MORE OR LESS TO  
A POINT IN SAID RIVER WHICH BEARS SOUTH 61°38'20" EAST FROM  
THE POINT OF BEGINNING; RUN THENCE NORTH 61°38'20" WEST A  
DISTANCE OF 225 FEET MORE OR LESS TO  
THE IRON PIPE AT THE POINT OF BEGINNING.

LESS AND EXCEPT THE LANDS DESCRIBED IN THE ORDER OF TAKING  
RECORDED ON APRIL 1, 2008, IN OFFICIAL RECORDS BOOK 14441,  
PAGE 1335.

ALSO LESS AND EXCEPT THE SOUTHERLY 15 FEET THEREOF.  
CONTAINING 22,379 SQUARE FEET AND/OR 0.51 ACRES MORE OR LESS.

## PARCEL 2



THE SOUTHERLY 15 FEET OF THOSE LANDS DESCRIBED IN OFFICIAL  
RECORDS BOOK 18112, PAGE 552 OF THE CURRENT PUBLIC RECORDS  
OF DUVAL COUNTY, FLORIDA. CONTAINING 2504 SQUARE FEET  
AND/OR 0.06 ACRES MORE OR LESS.

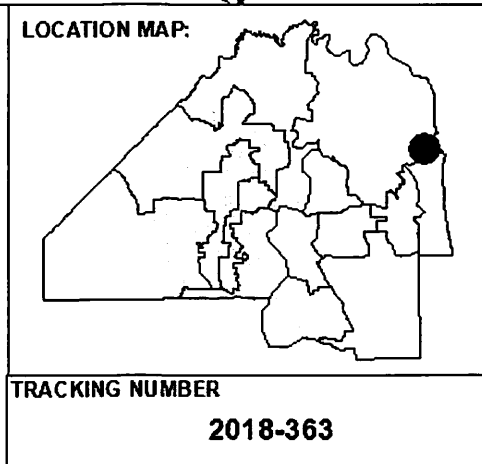


**REQUEST SOUGHT:**

**FROM:** CCG-2

**TO:**

-  RLD-100A
-  CRO



A north arrow is located in the upper right of this section. Below it is a scale bar marked with 0, 40, 80, and 160 feet.

**COUNCIL DISTRICT:**  
2

**PAGE 1 OF 1**

**EXHIBIT A**

**Property Ownership Affidavit - Individual**

Date: February 21, 2018


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

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: 0 Heckscher Drive, Jacksonville, FL 32226 RE#(s): 168230-0000

To Whom it May Concern:

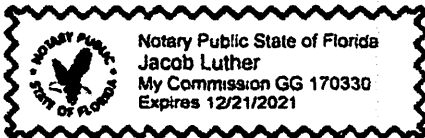
I David P. Steeg hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Land Use Amendment and Rezoning submitted to the Jacksonville Planning and Development Department.

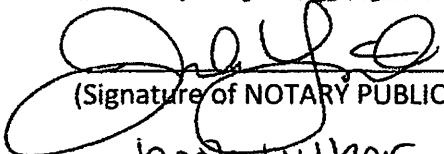
By 

Print Name: David P. Steeg

**STATE OF FLORIDA  
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 23<sup>rd</sup> day of February 2018 by David P Steeg, who is personally known to me or who has produced Drivers Licence as identification and who took an oath.



  
(Signature of NOTARY PUBLIC)  
Jacob Luther  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 12/21/21

**EXHIBIT A**

**Property Ownership Affidavit - Individual**

Date: February 21, 2018

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

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: 0 Heckscher Drive, Jacksonville, FL 32226 RE#(s): 168230-0000

To Whom it May Concern:

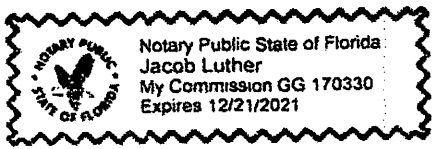
I Jennie Lyn H. Steeg hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Land Use Amendment and Rezoning submitted to the Jacksonville Planning and Development Department.

By *Jennie Lyn H. Steeg*  
Print Name: Jennie Lyn H. Steeg

**STATE OF FLORIDA  
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 23rd day of February 2018, by Jennie Lyn H. Steeg, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

*Jacob Luther*  
(Signature of NOTARY PUBLIC)  
Jacob Luther  
(Printed name of NOTARY PUBLIC)



State of Florida at Large.  
My commission expires: 12/21/21

**EXHIBIT B**

**Agent Authorization - Individual**

Date: February 21, 2018

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

Re: Agent Authorization for the following site location in Jacksonville, Florida:  
Address: 0 Heckscher Drive, Jacksonville, FL 32226 RE#(s): 168230-0000

To Whom it May Concern:

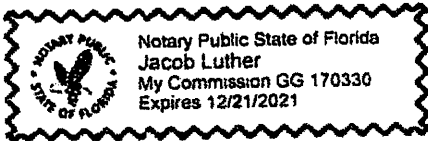
You are hereby advised that David Steeg, as Owner of RE# 168230-0000, hereby certify that said undersigned is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Dietrich Planning, LLC to act as agent to file application(s) for Land Use Amendment and Rezoning for 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 as submitted to the Jacksonville Planning and Development Department.

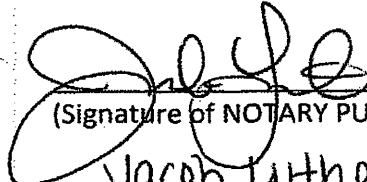
By 

Print Name: David Steeg

**STATE OF FLORIDA  
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 23rd day of February 2018, by David Steeg, who is personally known to me or who has produced Drivers License as identification and who took an oath.



  
(Signature of NOTARY PUBLIC)  
Jacob Luther  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 12/21/21

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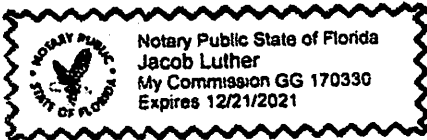
To Whom it May Concern:

You are hereby advised that Jennie Lyn Steeg, as Owner of RE #168230-0000, hereby certify that said undersigned is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Diettrich Planning, LLC to act as agent to file application(s) for Land Use Amendment and 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 as submitted to the Jacksonville Planning and Development Department.

By Jennie Lyn Steeg  
Print Name: Jennie Lyn Steeg

**STATE OF FLORIDA  
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 23<sup>rd</sup> day of February 2018 by Jennie Lyn Steeg, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.



Jacob Luther  
(Signature of NOTARY PUBLIC)  
Jacob Luther  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 12/21/21

**Conventional Rezoning Application  
Heckscher Drive Single Family Residence  
Justification for Conventional Rezoning**

**REVISED April 27, 2018**

**Current Zoning District Designation**

The current zoning district designation of the subject parcel is Commercial/General-Community 2 (CCG-2).

**Requested Zoning District Designation**

The applicant requests the zoning district of Residential Low Density – 100A (RLD-100A).

**Reason/Justification for Conventional Rezoning**

The Applicant requests a Conventional Rezoning from CCG-2 to Residential Low Density – 100A and is accompanied by a companion Small Scale Land Use Amendment (SS LUA) for the subject parcel to amend the future land use designation from CGC to Low Density Residential (LDR) for the purposes of building a single family residence for the Applicant's permanent residence. As stated in the 2030 Comprehensive Plan's Future Land Use Element, the general intent of Low Density Residential (LDR) is that it is a category intended for suburban and rural single family detached housing. The predominant land use designation that surrounds the subject parcel is RR. The surrounding uses are predominantly single family detached homes with some large scale industrial uses and commercial services that are sporadically located throughout the entire length of Heckscher Drive.

The subject parcel has a land use designation and zoning district that are not in keeping with the surrounding area. While the historical land use designation and zoning district of the subject parcel might have been a relevant intention decades ago, it was never realized, as many of the other waterfront parcels have undergone land use and zoning changes over the years. The Applicant is aware of the 2005 Heckscher Drive Town Center Vision Plan. In that Plan, one of the main focuses was creating a more attractive Ferry entrance with parking and facilities, which has been realized to some extent. The plan depicts the subject parcel with no proposals of commercial development for it.

The general intent of the subject parcel's land use designation and zoning district are not in keeping with the surrounding character or uses of the area. However, the general intent of the Applicant's requested rezoning and companion land use are entirely in keeping with the character and uses of the immediate and surrounding area. The Low Density Residential land use designation in the Suburban and Rural Areas has a maximum gross density that shall be 2 units/acre when not being served by on-site potable water and wastewater services. The subject parcel is 0.80 acre, or 34,848 square feet, which exceeds the lot area for RLD-100A, as the minimum square footage is 21,780. The request is consistent with the Goals, Objectives and Policies of the 2030 Comprehensive Plan as stated above with references from the Future Land Use Element, Conservation/Coastal Management Element, and Infrastructure Element: Sanitary Sewer Sub-Element A.



**Prepared By and Return To:**

David J Heekin, Esq.  
 Landmark Title  
 4540 Southside Boulevard, Suite 202  
 Jacksonville, Florida 32216  
 File No.: LMT 17-2093

## General Warranty Deed

Made this August 18, 2017, By **Shad Creek Partners, LLC**, a Florida limited liability company, whose address is: 4540 Southside Blvd #202, Jacksonville, Florida 32216, hereinafter called the Grantor, to **David P. Steeg and Jennie Lyn Herwig Steeg, husband and wife**, whose address is: 13 Tallwood Road, Jacksonville Beach, Florida 32250, hereinafter called the Grantee:

(Whenever used herein the term "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 Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable consideration, 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, Florida, more particularly described as follows:

A PORTION OF THAT PART OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA LYING ON THE NORTHWESTERLY SIDE OF THE ST. JOHNS RIVER AND AS PARCEL "B" IN DEED OF LIQUIDATION AND DISTRIBUTION RECORDED IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN DEED BOOK 1070, PAGE 293, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT AN IRON PIPE SET AT A POINT ON THE SOUTHEASTERLY SIDE OF HECKSCHER DRIVE (FLORIDA STATE ROAD NO. 596) LOCATED AT A POINT WHERE THE LINE DIVIDING PARCELS "A" AND "B" AS DESCRIBED IN SAID DEED OF LIQUIDATION AND DISTRIBUTION INTERSECTS THE SOUTHEASTERLY BOUNDARY OF SAID RIGHT OF WAY NORTH 26°21'40" EAST A DISTANCE OF 49 FEET TO AN IRON PIPE SET AT A POINT OF CURVE IN SAID RIGHT OF WAY BOUNDARY; RUN THENCE ALONG THE ARC OF CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 11,409.32 FEET, A CHORD DISTANCE OF 551.16 FEET TO AN IRON PIPE FOR POINT OF BEGINNING; THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 29°44'40" EAST, FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID RIGHT OF WAY AND ALONG SAID CURVE WITH A RADIUS OF 11,409.32 FEET, A CHORD DISTANCE OF 251.77 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THE BEARING OF THE AFOREMENTIONED CHORD BEING NORTH 31°45'30" EAST; CONTINUE THENCE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID ROAD RIGHT OF WAY AND ALONG A LINE TANGENT TO THE LAST MENTIONED CURVE NORTH 32°23'20" EAST, A DISTANCE OF 65 FEET, MORE OR LESS, TO WATERS OF SHAD CREEK, RUN THENCE DOWN SHAD CREEK AND UP ST. JOHNS RIVER IN A GENERAL SOUTHERLY DIRECTION, A DISTANCE OF 365 FEET MORE OR LESS TO A POINT IN SAID RIVER WHICH BEARS SOUTH 61°38'20" EAST FROM THE POINT OF BEGINNING; RUN THENCE NORTH 61°38'20" WEST A DISTANCE OF 225 FEET MORE OR LESS TO THE IRON PIPE AT THE POINT OF BEGINNING.

LESS AND EXCEPT THE LANDS DESCRIBED IN THE ORDER OF TAKING RECORDED ON APRIL 1, 2008, IN OFFICIAL RECORDS BOOK 14441, PAGE 1335.

Parcel ID Number: **168230-0000**

**Subject to taxes accruing subsequent to December 31, 2016.**

Subject to covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

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 Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

In Witness Whereof, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Darby Benseel  
1st witness signature  
Witness Printed Name Darby Benseel

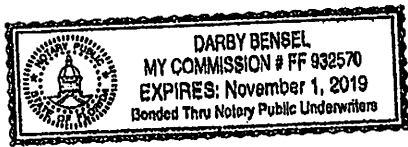
Shad Creek Partners, LLC  
[Signature] (Seal)  
By: David J. Heekin  
Its: Manager

Amanda R. Kafay  
2nd witness signature  
Witness Printed Name Amanda Kafay

\_\_\_\_\_ (Seal)

State of Florida  
County of Duval

The foregoing instrument was acknowledged before me this 18th day of August, 2017, by David J. Heekin, the Manager of Shad Creek Partners, LLC, a Florida limited liability company, on behalf of the company, and who is/are personally known to me or who has produced \_\_\_\_\_ as identification.



Darby Benseel  
Notary Public



21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Lara K. Diettrich  
Diettrich Planning, LLC  
1332 Avondale Avenue  
Jacksonville, Florida, 32205

March 15, 2018

Project Name: Heckscher Drive SS LUA/REZ  
Availability#: 2018-0581

Dear Mr/Mrs Lara K. Diettrich,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire one year from the date above.

**Point of Connection:**

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

**Offsite Improvements:**

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found on [jea.com](http://jea.com).

**Reservation of Capacity:**

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at [JEA.com](http://JEA.com). This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit [www.jea.com](http://www.jea.com)
- ⇒ Select Working with JEA
- ⇒ Select Stages of a Project

Sincerely,

Mollie Price  
Water/Wastewater System Planning



21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2018-0581

Request Received On: 3/2/2018

Availability Response: 3/15/2018

Prepared by: Mollie Price

**Project Information**

Name: Heckscher Drive SS LUA/REZ

Type: Single Family

Requested Flow: 350 gpd

Location: 0 Heckscher Drive, between Shad Creek Drive and Fort George Road

Parcel ID No.: 168230-0000

Description: A Small Scale Land Use Amendment and Rezoning is proposed for the 0.80 +/- acre parcel.

**Potable Water Connection**

Water Treatment Grid: NORTH GRID

Connection Point #1: JEA does not have a water service within 1/4 mile of this property at this time

Connection Point #2: NA

Special Conditions:

**Sewer Connection**

Sewer Treatment Plant: DISTRICT 2

Connection Point #1: JEA does not have a gravity sewer service within 1/4 mile of this property at this time

Connection Point #2: NA

Special Conditions:

**Reclaimed Water Connection**

Sewer Region/Plant: North Grid

Connection Point #1: No reclaim in the foreseeable future.

Connection Point #2: NA

Special Conditions:

**General Comments:**

Electric Availability: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

Location map

