

1 Urban Affairs Committee Substitute for File No. 82-301:  
2  
3

4 ORDINANCE 82-301, 203

5 AN ORDINANCE REZONING PROPERTY HEREIN  
6 DESCRIBED, OWNED BY MONTGOMERY HOMES,  
7 INC. AND D. F. SERVICES, INC., FROM "CG" AND  
8 "RMOI" DISTRICTS TO "PUD" DISTRICT AS DEFINED  
9 AND CLASSIFIED UNDER THE ZONING CODE;  
10 PROVIDING AN EFFECTIVE DATE.  
11

12 WHEREAS, Montgomery Homes, Inc. and D. F. Services, Inc., the owners of  
13 the real property described in this ordinance have applied to the Council for a rezoning  
14 and reclassification of that property from CG and RMOI Districts to PUD District; and

15 WHEREAS, the Planning Commission has considered the application and has  
16 rendered an advisory opinion; and

17 WHEREAS, the Urban Affairs Committee, after due notice and public hearing,  
18 has made its recommendation to the Council; and

19 WHEREAS, taking into consideration the above recommendations, the Council  
20 finds that such rezoning is consistent with the comprehensive plan adopted under Chapter  
21 622, Ordinance Code, for future development of the City of Jacksonville; and

22 WHEREAS, the Council finds that the proposed PUD does not affect adversely  
23 the orderly development of the City as embodied in the Zoning Code and will not affect  
24 adversely the health and safety of residents in the area and will not be detrimental to the  
25 natural environment or to the use of development of the adjacent properties in the  
26 general neighborhood; and the proposed PUD will accomplish the objectives of Part 7 -  
27 Planned Unit Development of the Zoning Code of the City of Jacksonville; now, therefore

28 BE IT ORDAINED by the Council of the City of Jacksonville:

29 Section 1. **Property Rezoned.** The real property described in Section 2 is

1 rezoned and reclassified from CG and RMOI Districts to PUD District, as defined and  
2 classified under the Zoning Code, City of Jacksonville, Florida, subject to the following  
3 conditions:

4 1. The development shall proceed substantially in accordance with the  
5 sketch plan and accompanying written description of the intended plan of development  
6 and addendum thereto dated May 27, 1982 on file in the office of the Planning  
7 Department.

8 2. Acceleration/deceleration, bypass and left turn storage lanes at the  
9 intersection of University Boulevard North and Fort Caroline Road and improvements to  
10 the approach from the subject property shall be provided, and shall be subject to the  
11 review and approval of the Department of Public Works and the Traffic Engineer.

12 Section 2. **Owner and Description.** The land rezoned by this ordinance is  
13 owned by Montgomery Homes, Inc. and D. F. Services, Inc. and described as follows:

14 That certain tract or parcel of land described as follows:

15 Being a part of Lot 1, St. Isabel, as recorded in Deed Book  
16 "R", Page 860, of the Former Public Records of Duval County,  
17 Florida, and a part of the F. Richard Grant, Section 38, Township 2  
18 South, Range 27 East of said County, being more particularly  
19 described as follows:


20 Commencing at the intersection of the Westerly right of way  
21 line of University Boulevard (a 100 foot right of way as now  
22 established) and the Southerly right of way line of John Reynolds  
23 Drive, a 60 foot right of way as shown on the plat of Windsor Oaks  
24 Unit One as recorded in Plat Book 32, Page 27 of the Current  
25 Public Records of said County; thence South 16°37' East along said  
26 Westerly right of way line of University Boulevard, 110.98 feet to  
27 the Southeast corner of Lot 16 of said Windsor Oaks Unit One for  
28 the point of beginning; thence South 16°37' East along said  
29

1 Westerly right of way line of University Boulevard, 770.74 feet;  
2 thence South 16°23' East, continuing along said Westerly right of  
3 way line of University Boulevard, 263.26 feet; thence South 73°30'  
4 West, 200.00 feet; thence South 16°23' East, 200.00 feet; thence  
5 South 73°30' West, 350.00 feet; thence North 16°30' West, 460.04  
6 feet; thence South 73°30' West, 450.89 feet to a point of curve;  
7 thence along a curve to the right said curve being concave to the  
8 Northeast and having a radius of 173.92 feet, a distance of 290.89  
9 feet as measured along a chord bearing North 49°44'59" West;  
10 thence North 62°00' West, 65.58 feet; thence North 14°20' East,  
11 125.03 feet; thence North 75°40' West, 197.17 feet; thence South  
12 14°20' West, 79.00 feet; thence South 88°00' West, 340.00 feet;  
13 thence North 2°00' West, 20.00 feet; thence South 14°20' West,  
14 79.00 feet; thence South 88°00' West, 340.00 feet; thence North  
15 2°00' West, 20.00 feet; thence South 88°00' West, 125.00 feet,  
16 more or less, to the waters of the St. Johns River; thence  
17 Northwesterly along said waters of the St. Johns River following  
18 the meanderings thereof, 850 feet, more or less, to an intersection  
19 with the Northerly line of said Lot 1, St. Isabel; thence North  
20 83°47'30" East, 175.00 feet; more or less, to the Westerly right of  
21 way line of Wayland Street, a 60 foot right of way as shown on said  
22 plat of Windsor Oaks Unit One; thence South 5°44'28" East along  
23 said Westerly right of way line of Wayland Street, 78.40 feet to a  
24 point of curve; thence along a curve to the left in said Westerly  
25 right of way line of Wayland Street, said curve being concave to  
26 the Northeast and having a radius of 90.00 feet, a distance of  
27 127.80 feet as measured along a chord bearding South 50°58'29"  
28 East to a point of tangency in said Southerly right of way line of

1 John Reynolds Drive; thence North 83°47'30" East, along said  
2 Southerly right of way line of John Reynolds Drive, 635.61 feet to  
3 the Northwest corner of Lot 24 of said Windsor Oaks Unit One;  
4 thence South 16°37' East, along the Westerly boundary of said Lot  
5 24, 110.98 feet to the Southwest corner of said Lot 24; thence  
6 North 83°47'30" East along the Southerly boundary of said Windsor  
7 Oaks Unit One, a distance of 940.00 feet to the point of beginning.

8 Section 3. **Effective Date.** This ordinance shall become effective upon being  
9 signed by the Mayor or upon becoming effective without the Mayor's signature.

10  
11 FORM APPROVED:

12  
13   
14 \_\_\_\_\_  
Assistant Counsel

15  
16 \_\_\_\_\_  
17 General Counsel  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28


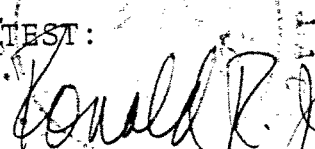
ORDINANCE 82-301-203

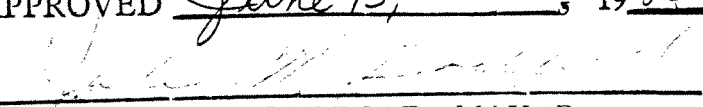
C E R T I F I C A T E O F A U T H E N T I C A T I O N

ENACTED BY THE COUNCIL

June 8, 1982

  
\_\_\_\_\_  
JOE FORSHEE,  
COUNCIL PRESIDENT

  
ATTEST:  
  
RONALD R. JOHNSON  
SECRETARY TO THE COUNCIL

APPROVED June 15, 1982  
  
\_\_\_\_\_  
JAKE M. GODBOLD, MAYOR

*approved  
Plan as  
per Cond. 20 + 21  
item no. may 27, 1982*

"MARSH CREEK"

A Planned Unit Development

April 13, 1982

BACKGROUND

Currently the acreage for the proposed Planned Unit Development is in its natural state, being heavily wooded and encompassing approximately 38.60 acres. Of the 38.60 acres, a total of 11.48 acres is currently zoned CG (fronting University Blvd. for 770 lineal feet), with the remainder currently being zoned RMOI.

The property is bordered on the North by the existing development known as University Park, on the South by River Bend Apartment complex, on the East by University Blvd., and on the West by the St. Johns River. Topography of the land ranges from a low of 2.2 elevation and rises to a high elevation of 49.9.

PROPOSED DEVELOPMENT PLAN

Since existing commercial zoning would allow for an extreme high intensity use of the land, we feel it is our duty and responsibility to reduce this zoning in order to protect the interest of all home owners currently residing in the single family development of University Park and the immediate surrounding areas. To do this, we propose a Planned Unit Development of Single Family Residential (RS7 criteria), Patio Homes, limited Commercial, Recreational, and open natural area. The following is a detailed description of these areas being lettered A,B,C,D, and E, being located as per the attached sketch plan.

Area A - Single Family Residential.

This area fronts the existing road known as John Reynolds Drive, and also fronts the St. Johns River. Being situated directly across the street from property currently zoned RS7 we have designed this area of our development to conform with RS7 zoning. This will protect the property value of those people immediately fronting this area and assure them of "like value" real estate being built in their immediate vicinity. This section will comprise 14 lots numbered 1, and 158-170. The entire area of A consists of 4.77 acres with a 2.93 units per acre density.

Area B - Patio Homes.

Area B encompasses the vast majority of land within our Planned Unit Development consisting of 154 home sites. Total acreage for Area B contains 26.56 acres having a density of 5.80 units per acre. Minimum lot and yard requirements shall be as follows:

- Minimum square footage - 4500 square feet.
- Minimum lot width at building line - 50 feet.
- Minimum yard setbacks - Front - 20 feet provided that the setback may be reduced to 10 feet where a garage entry is parallel to the street.
- Sides - 9 feet and 1 foot
- Rear - 10 feet
- Maximum lot coverage - ~~30%~~ 48%
- Maximum height of structure - 35 feet.
- Minimum street frontage - 30 feet.

Handing of all units shall be consistent per individual blocks except on lots 61,62,65,73,74,75. These will have a minimum of 5' side line setback on each side to allow for maintenance access on the sides contiguous with fenced areas. Siting of these units will be as designated on the attached sketch plan.

"Marsh Creek"  
A Planned Development  
(cont.)

Area C - Commercial.

The parcels numbered 63 and 64 within Area C will be the only permitted commercial locations within our Planned Unit Development. As noted on our sketch plan, both parcels are located at our main entrance fronting University Boulevard and Ft. Caroline Road. Use of these areas shall conform to standard CG zoning.

Total area of both commercial parcels comprise less than 5.9% of our total Planned Unit Development for a total of 2.27 acres.

Area D - Recreational.

Recreational amenities shall consist of two regulation composition tennis courts to be built in conjunction with swimming and bath facilities. Ownership shall be by the Marsh Creek Homeowners Association, Inc. and will be governed by the By-Laws of said association.

Future amenities shall be at the discretion of the Marsh Creek Homeowners Association.

Area E - Open Natural Area.

This area shall be for the benefit and enjoyment of all residents and shall be left in its natural state, except for areas designated for storm drainage purposes. Ownership of this area will be retained by the developer to be deeded at some future date to the State or National Preservation Society for wildlife sanctuary purposes or will be deeded at completion of the development to the Marsh Creek Homeowners Association.

PEDESTRIAN CIRCULATION PLAN

Due to dense coverage of extremely large live oak, water oak, and other hardwoods, it is in the interest of all to preserve as many of these trees as possible. While the preservation of trees is important, it is also important to be able to serve the recreational, commercial, open natural area, and all main artery streets with a pedestrian circulation plan. Location of sidewalks shall be designated as per our attached sketch plan allowing everyone to have access to these areas by walking within our development.

FENCING

Having approximately 1025 feet of frontage contiguous with University Boulevard, we feel that it is imperative to screen and buffer our Planned Unit Development from traffic and noise pollution. Location has been determined as per our sketch plan detail with the intent of said fencing to separate and buffer the residential sections from University Boulevard and the commercial areas from the residential areas.

The fencing shall be decorative masonry and wood and shall be a maximum of six feet in height. A detail has been incorporated with our sketch plan.

SKETCH PLAN

The proposed sketch plan as herein specified has been designed meeting the proper development criteria in accordance with Chapter 712 of the Duval County subdivision regulations.

Sewer collection and water distribution systems are available from Jacksonville Suburban Utilities, Inc., and all utilities will be underground.

Development as per our sketch plan and Planned Unit Development Description shall occur as one phase.

Page 3


"Marsh Creek"  
A Planned Development  
(cont.)

EVIDENCE OF UNIFIED CONTROL

This is to certify that Montgomery Homes, Inc. and D. F. Services, Inc. is current record holder of title and does hereby agree with the above conditions, and the accompanying land plan.

Montgomery Homes, Inc. and D. F. Services, Inc. further agree to bind all successors in title to the property to the conditions stated herein, and other stipulations imposed by the City Council in the approval of the Planned Unit Development.

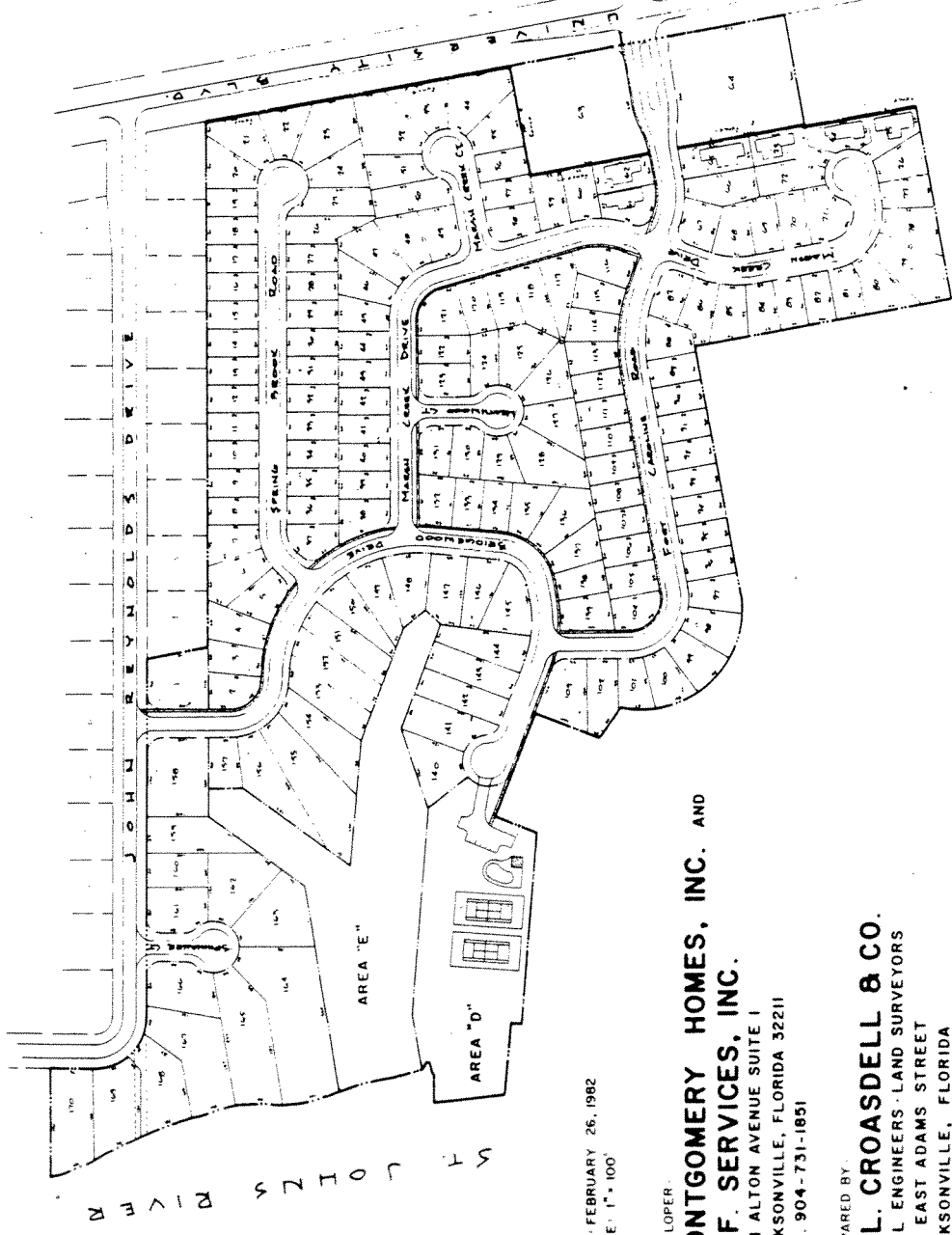
\_\_\_\_\_  
MONTGOMERY HOMES, INC.

  
\_\_\_\_\_  
D. F. SERVICES, INC.



# PRELIMINARY PLAT OF: MARSH CREEK A PLANNED UNIT DEVELOPMENT OF:

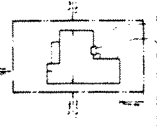
A PART OF LOT 1, ST. ISABEL, RECORDED IN D.B. "R", PG. 860 AND  
A PART OF THE F. RICHARD GRANT, SECTION 35, TOWNSHIP 2 SOUTH, RANGE 27 EAST  
JACKSONVILLE, DUVAL COUNTY, FLORIDA



### SUBDIVISION DATA

**AREA A SINGLE FAMILY RESIDENTIAL**

NUMBER OF LOTS: 14  
ACREAGE: 4.77  
DENSITY: 2.93 UNITS/ACRE  
MIN. LOT WIDTH AT B.R.L.: 60 FT  
MIN. LOT FRONTAGE AT STREET LINE: 48 FT  
MIN. LOT AREA: 6000 SQ FT  
MAX. LOT COVERAGE: 35%  
MAX. HEIGHT OF STRUCTURE: 35 FT



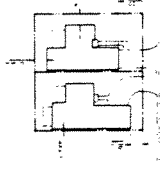
TYPICAL LOT

LOTS 1 & 158 - 170

MINIMUM YARD SETBACKS: FRONT 20', SIDE 5' (TOTAL 15' BOTH SIDE YARDS), REAR 10'

**AREA B PATIO HOMES**

NUMBER OF LOTS: 154  
ACREAGE: 26.95  
DENSITY: 5.80 UNITS/ACRE  
MIN. LOT WIDTH AT B.R.L.: 50 FT  
MIN. LOT FRONTAGE AT STREET LINE: 30 FT  
MIN. LOT AREA: 1500 SQ FT  
MAX. LOT COVERAGE: 100%  
MAX. HEIGHT OF STRUCTURE: 35 FT



TYPICAL LOTS

LOTS 2 - 62 & LOTS 65 - 157

MINIMUM YARD SETBACKS: FRONT 20' (10' WITH GARAGE ENTRY PARALLEL TO STREET), SIDE 9' AND 10', REAR 10'

**AREA C COMMERCIAL** LOTS 84 & 65

TOTAL ACREAGE: 2.27 ACRES, NUMBER OF LOTS: 2. ALL SETBACK REQUIREMENT SHALL COMPLY WITH CG ZONING

**AREA D RECREATIONAL**

TOTAL ACREAGE: 2.20 ACRES, AMENITIES: 2 TENNIS COURTS, SWIMMING AND BATH FACILITIES

**AREA E OPEN NATURAL AREA**

TOTAL ACREAGE: 2.80 ACRES, UTILIZATION DRAINAGE EASEMENT AND WILDLIFE SANCTUARY.



FENCE DETAIL

NOTE: LOT DISTANCES AND ACREAGES ARE APPROXIMATE

DATE: FEBRUARY 26, 1982  
SCALE: 1" = 100'

DEVELOPER:  
**MONTGOMERY HOMES, INC. AND  
D. F. SERVICES, INC.**  
7601 ALTON AVENUE SUITE 1  
JACKSONVILLE, FLORIDA 32211  
TEL. 904-731-1851

PREPARED BY:  
**R. L. CROASDELL & CO.**  
CIVIL ENGINEERS - LAND SURVEYORS  
429 EAST ADAMS STREET  
JACKSONVILLE, FLORIDA  
TEL. 904-356-5649

*ZERO SIDE ROAD 6' F.F. CAN HAVE GRASS*

PLANNING DEPARTMENT

---



August 11, 1987

Mr. Roy Fuller  
National Financial  
2215 Southpoint Boulevard, Suite 220  
Jacksonville, Florida 32216

Dear Mr. Fuller:

**RE: Marsh Creek PUD (Ord-82-301-203)**

In subsequent discussions here concerning patio homes, I learned that my letter to you on July 21, 1987, may be partially inaccurate. This letter should have stated that no windows are permitted on either the first or second floor of a patio home on the zero side, unless such windows are screened by a wall at least six feet above the finished floor elevation of the first floor or are located at least six feet above the finished floor elevation of the second floor.

I hope this will not be a great inconvenience to you. Please let me know if I may be of any further assistance.

Sincerely,

John G. Cannon, AICP  
Principal Planner



PLANNING DEPARTMENT

---



*file*

July 31, 1987

Mr. Roy Fuller  
National Financial  
2215 Southpoint Boulevard, Suite 220  
Jacksonville, Florida 32216

Dear Mr. Fuller:

**Re: Marsh Creek PUD (Ord. 82-301-203)**

In answer to your inquiry, please be advised that no windows may be allowed on the zero side of patio homes on the first floor in the PUD unless a six foot high privacy fence/wall screens such windows from the adjoining lot. However, windows are allowed on the second floor of a patio home on the zero side.

If I may be of further assistance, please contact me at your convenience.

Sincerely,

*John G. Cannon*

John G. Cannon, AICP  
Principal Planner

JGC/ic

