

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2022-633-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.43± ACRES  
6 LOCATED IN COUNCIL DISTRICT 5 AT 2040 WHITE  
7 AVENUE, BETWEEN ATLANTIC BOULEVARD AND RIDGEWOOD  
8 ROAD (R.E. NO. 129990-0000), OWNED BY ARTHUR H.  
9 FOX, II AND MARY C. FOX, AS DESCRIBED HEREIN,  
10 FROM COMMERCIAL OFFICE (CO) DISTRICT TO  
11 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT, AS  
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,  
13 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)  
14 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5728-  
15 22C; PROVIDING A DISCLAIMER THAT THE REZONING  
16 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
17 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
18 PROVIDING AN EFFECTIVE DATE.  
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20 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
21 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
22 portions of the Future Land Use Map series (FLUMS) in order to ensure  
23 the accuracy and internal consistency of the plan, pursuant to  
24 companion application L-5728-22C; and

25 **WHEREAS**, in order to ensure consistency of zoning district with  
26 the *2030 Comprehensive Plan* and the adopted companion Small-Scale  
27 Amendment L-5728-22C, an application to rezone and reclassify from  
28 Commercial Office (CO) District to Residential Low Density-60 (RLD-  
29 60) District was filed by Arthur H. Fox, II, on behalf of himself and  
30 Mary C. Fox, his wife, the owners of approximately 0.43± acres of  
31 certain real property in Council District 5, as more particularly

1 described in Section 1; and

2       **WHEREAS**, the Planning and Development Department, in order to  
3 ensure consistency of this zoning district with the *2030 Comprehensive*  
4 *Plan*, has considered the rezoning and has rendered an advisory  
5 opinion; and

6       **WHEREAS**, the Planning Commission has considered the application  
7 and has rendered an advisory opinion; and

8       **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
9 notice, held a public hearing and made its recommendation to the  
10 Council; and

11       **WHEREAS**, the City Council, after due notice, held a public  
12 hearing, and taking into consideration the above recommendations as  
13 well as all oral and written comments received during the public  
14 hearings, the Council finds that such rezoning is consistent with the  
15 *2030 Comprehensive Plan* adopted under the comprehensive planning  
16 ordinance for future development of the City of Jacksonville; now,  
17 therefore

18       **BE IT ORDAINED** by the Council of the City of Jacksonville:

19       **Section 1. Subject Property Location and Description.** The  
20 approximately 0.43± acres are located in Council District 5 at 2040  
21 White Avenue, between Atlantic Boulevard and Ridgewood Road (R.E. No.  
22 129990-0000), as more particularly described in **Exhibit 1**, dated June  
23 21, 2022, and graphically depicted in **Exhibit 2**, both of which are  
24 attached hereto and incorporated herein by this reference (the  
25 "Subject Property").

26       **Section 2. Owner and Applicant Description.** The Subject  
27 Property is owned by Arthur H. Fox, II and Mary C. Fox. The applicant  
28 is Arthur H. Fox, II, 2252 Arland Road, Jacksonville, Florida 32225;  
29 (904) 221-6355.

30       **Section 3. Property Rezoned.** The Subject Property,  
31 pursuant to adopted companion Small-Scale Amendment Application L-

1 5728-22C, is hereby rezoned and reclassified from Commercial Office  
2 (CO) District to Residential Low Density-60 (RLD-60) District.

3 **Section 4. Contingency.** This rezoning shall not become  
4 effective until thirty-one (31) days after adoption of the companion  
5 Small-Scale Amendment; and further provided that if the companion  
6 Small-Scale Amendment is challenged by the state land planning agency,  
7 this rezoning shall not become effective until the state land planning  
8 agency or the Administration Commission issues a final order  
9 determining the companion Small-Scale Amendment is in compliance with  
10 Chapter 163, *Florida Statutes*.

11 **Section 5. Disclaimer.** The rezoning granted herein  
12 shall not be construed as an exemption from any other applicable  
13 local, state, or federal laws, regulations, requirements, permits or  
14 approvals. All other applicable local, state or federal permits or  
15 approvals shall be obtained before commencement of the development  
16 or use and issuance of this rezoning is based upon acknowledgement,  
17 representation and confirmation made by the applicant(s), owner(s),  
18 developer(s) and/or any authorized agent(s) or designee(s) that the  
19 subject business, development and/or use will be operated in strict  
20 compliance with all laws. Issuance of this rezoning does not approve,  
21 promote or condone any practice or act that is prohibited or  
22 restricted by any federal, state or local laws.

23 **Section 6. Effective Date.** The enactment of this Ordinance  
24 shall be deemed to constitute a quasi-judicial action of the City  
25 Council and shall become effective upon signature by the Council  
26 President and the Council Secretary.

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31 Form Approved:

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/s/ Mary E. Staffopoulos

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Office of General Counsel

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Legislation Prepared By: Connor Corrigan

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