

1 Introduced by the Land Use and Zoning Committee:

2
3 **ORDINANCE 2024-676-E**

4 AN ORDINANCE REZONING APPROXIMATELY 14.17± ACRES
5 LOCATED IN COUNCIL DISTRICT 12 AT 0 GARDEN
6 STREET, AT THE NORTHEAST CORNER OF GARDEN STREET
7 AND IMESON ROAD (R.E. NO(S). 003999 0500 AND
8 003999-0600), OWNED BY DAWN D. MOTES AND KELLY
9 MIKE JAMES AS CO-PERSONAL REPRESENTATIVES OF THE
10 ESTATE OF REGINA JOAN DARLING JAMES, AS DESCRIBED
11 HEREIN, FROM PLANNED UNIT DEVELOPMENT (PUD)
12 DISTRICT (ORDINANCE 2010-256-E) TO RESIDENTIAL
13 LOW DENSITY-50 (RLD-50), AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
15 FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT
16 APPLICATION NUMBER L-5965-24C; PROVIDING A
17 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
18 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

20
21 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
22 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
23 portions of the Future Land Use Map series (FLUMs) in order to ensure
24 the accuracy and internal consistency of the plan, pursuant to
25 companion application L-5965-24C; and

26 **WHEREAS**, in order to ensure consistency of zoning district
27 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
28 Amendment L-5965-24C, an application to rezone and reclassify from
29 Planned Unit Development (PUD) district (Ordinance 2010-256-E) to
30 Residential Low Density-50 (RLD-50) District was filed by (Ordinance
31 2010-256) Curtis Hart on behalf of the owners of approximately 14.17±

1 acres of certain real property in Council District 12, as more
2 particularly described in Section 1; and

3 **WHEREAS,** the Planning and Development Department, in order to
4 ensure consistency of this zoning district with the *2045 Comprehensive*
5 *Plan*, has considered the rezoning and has rendered an advisory
6 opinion; and

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

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

12 **WHEREAS,** the City Council, after due notice, held a public
13 hearing, and taking into consideration the above recommendations as
14 well as all oral and written comments received during the public
15 hearings, the Council finds that such rezoning is consistent with the
16 *2045 Comprehensive Plan* adopted under the comprehensive planning
17 ordinance for future development of the City of Jacksonville; now
18 therefore

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

20 **Section 1. Subject Property Location and Description.** The
21 approximately 14.17± acres are located in Council District 12 at 0
22 Garden Street, at the northeast corner of Garden Street and Imeson
23 Road (R.E. No(s). 003999-0500 and 003999-0600), as more particularly
24 described in **Exhibit 1**, dated July 1, 2024, and graphically depicted
25 in **Exhibit 2**, both of which are attached hereto and incorporated
26 herein by this reference (the "Subject Property").

27 **Section 2. Owner and Applicant Description.** The Subject
28 Property is owned by Dawn D. Motes and Kelly Mike James as co-personal
29 representatives of the Estate of Regina Joan Darling James. The
30 applicant is Curtis Hart, 8051 Tara Lane, Jacksonville, Florida,
31 32216; (904) 993-5008.

1 **Section 3. Property Rezoned.** The Subject Property,
2 pursuant to adopted companion Small-Scale Amendment Application
3 L-5965-24C, is hereby rezoned and reclassified from Planned Unit
4 Development (PUD) District (Ordinance 2010-256-E) to Residential Low
5 Density-50 (RLD-50).

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

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

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

1 Form Approved:

2

3 /s/ Dylan Reingold

4 Office of General Counsel

5 Legislation Prepared By: Jackie Williams

6 GC-#1642170-v1-2024-676.docx