

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-570**

5 AN ORDINANCE REZONING APPROXIMATELY 4.12± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 13283 PERDUE
7 ROAD AND 13285 PERDUE ROAD, BETWEEN STARRATT ROAD
8 AND MAIN STREET (R.E. NOS. 106618-0030 AND
9 106618-0050), OWNED BY LINDA L. KELLY, AS
10 DESCRIBED HEREIN, FROM PLANNED UNIT DEVELOPMENT
11 (PUD) DISTRICT (2010-487-E) TO RESIDENTIAL LOW
12 DENSITY-100A (RLD-100A) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
14 FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
15 AMENDMENT APPLICATION NUMBER L-5468-20C;
16 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
17 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
18 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
19 EFFECTIVE DATE.
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21 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
22 Amendment to the *2030 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 application L-5468-20C and companion land use Ordinance 2020-569; and

26 **WHEREAS**, in order to ensure consistency of zoning district with
27 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
28 Amendment L-5468-20C, an application to rezone and reclassify from
29 Planned Unit Development (PUD) District (2010-487-E) to Residential
30 Low Density-100A (RLD-100A) District was filed by Peter J. King, on
31 behalf of the owner of approximately 4.12± acres of certain real

1 property in Council District 7, as more particularly described in
2 Section 1; and

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

7 **WHEREAS**, the Planning Commission has considered the application
8 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 *2030 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 4.12± acres (R.E. Nos. 106618-0030 and 106618-0050) are
22 located in Council District 7 at 13283 Perdue Road and 13285 Perdue
23 Road, between Starratt Road and Main Street, as more particularly
24 described in **Exhibit 1**, dated August 31, 2020, and graphically
25 depicted in **Exhibit 2**, both of which are **attached hereto** and
26 incorporated herein by this reference (Subject Property).

27 **Section 2. Owner and Applicant Description.** The Subject
28 Property is owned by Linda L. Kelly. The applicant is Peter J. King,
29 404 West 70th Street, Jacksonville, Florida 32208; (904) 710-9375.

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

1 5468-20C, is hereby rezoned and reclassified from Planned Unit
2 Development (PUD) District (2010-487-E) to Residential Low Density-
3 100A (RLD-100A) District.

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

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

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Erin Abney

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