

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2022-552-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.14± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 PARIS AVENUE,
7 BETWEEN TUSKEGEE ROAD AND 45TH STREET WEST (R.E.
8 NO. 086290-0000), OWNED BY YOU SELL WE BUY JAX
9 LLC, AS DESCRIBED HEREIN, FROM COMMERCIAL OFFICE
10 (CO) DISTRICT TO COMMERCIAL, RESIDENTIAL AND
11 OFFICE (CRO) DISTRICT, AS DEFINED AND CLASSIFIED
12 UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND
13 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
14 APPLICATION NUMBER L-5722-22C; PROVIDING A
15 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
16 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
20 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
21 portions of the Future Land Use Map series (FLUMs) in order to ensure
22 the accuracy and internal consistency of the plan, pursuant to
23 companion application L-5722-22C; and

24 **WHEREAS**, in order to ensure consistency of zoning district with
25 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
26 Amendment L-5722-22C, an application to rezone and reclassify from
27 Commercial Office (CO) District to Commercial, Residential and Office
28 (CRO) District was filed by Zach Miller, Esq., on behalf of the owner
29 of approximately 0.14± acres of certain real property in Council
30 District 8, as more particularly described in Section 1; and

31 **WHEREAS**, the Planning and Development Department, in order to
32 ensure consistency of this zoning district with the *2030 Comprehensive*

1 Plan, has considered the rezoning and has rendered an advisory
2 opinion; and

3 **WHEREAS**, the Planning Commission has considered the application
4 and has rendered an advisory opinion; and

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

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

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

16 **Section 1. Subject Property Location and Description.** The
17 approximately 0.14± acres are located in Council District 8 at 0 Paris
18 Avenue, between Tuskegee Road and 45th Street West (R.E. No. 086290-
19 0000), as more particularly described in **Exhibit 1**, dated May 10,
20 2022, and graphically depicted in **Exhibit 2**, both of which are
21 attached hereto and incorporated herein by this reference (the
22 "Subject Property").

23 **Section 2. Owner and Applicant Description.** The Subject
24 Property is owned by You Sell We Buy Jax LLC. The applicant is Zach
25 Miller, Esq., 3203 Old Barn Court, Ponte Vedra Beach, Florida 32082;
26 (904) 651-8958.

27 **Section 3. Property Rezoned.** The Subject Property,
28 pursuant to adopted companion Small-Scale Amendment Application L-
29 5722-22C, is hereby rezoned and reclassified from Commercial Office
30 (CO) District to Commercial, Residential and Office (CRO) District.

31 **Section 4. Contingency.** This rezoning shall not become

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

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

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

24
25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Brittany Figueroa

30 GC-#1509268-v1-2022-552_(Z-4291).docx