

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-648-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.25± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 12 AT 8152 LA
7 MARNE DRIVE, BETWEEN LINDSEY ROAD AND NORMANDY
8 BOULEVARD (R.E. NO. 009345-0000), OWNED BY BRIAN
9 LEONARD, AS DESCRIBED HEREIN, FROM RESIDENTIAL
10 LOW DENSITY-60 (RLD-60) DISTRICT TO COMMERCIAL,
11 RESIDENTIAL AND OFFICE (CRO) DISTRICT, AS DEFINED
12 AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT
13 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-SCALE
14 AMENDMENT APPLICATION NUMBER L-5598-21C;
15 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
18 EFFECTIVE DATE.
19

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-5598-21C; 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-5598-21C, an application to rezone and reclassify from
28 Residential Low Density-60 (RLD-60) District to Commercial,
29 Residential and Office (CRO) District was filed by Brian Leonard, the
30 owner of approximately 0.25± of an acre of certain real property in
31 Council District 12, as more particularly described in Section 1; and

32 **WHEREAS**, the Planning and Development Department, in order to

1 ensure consistency of this zoning district with the *2030 Comprehensive*
2 *Plan*, has considered the rezoning and has rendered an advisory
3 opinion; and

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

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

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

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

17 **Section 1. Subject Property Location and Description.** The
18 approximately 0.25± of an acre (R.E. No. 009345-0000) is located in
19 Council District 12 at 8152 La Marne Drive, between Lindsey Road and
20 Normandy Boulevard, as more particularly described in **Exhibit 1**,
21 dated June 28, 2021, and graphically depicted in **Exhibit 2**, both of
22 which are **attached hereto** and incorporated herein by this reference
23 (the "Subject Property").

24 **Section 2. Owner and Applicant Description.** The Subject
25 Property is owned by the applicant, Brian Leonard, 1702 Lindsey Road,
26 Jacksonville, Florida 32221; (904) 781-7060.

27 **Section 3. Property Rezoned.** The Subject Property,
28 pursuant to adopted companion Small-Scale Amendment Application L-
29 5598-21C, is hereby rezoned and reclassified from Residential Low
30 Density-60 (RLD-60) District to Commercial, Residential and Office
31 (CRO) District.

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

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

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

25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Bruce Lewis

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