

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-359**

5 AN ORDINANCE REZONING APPROXIMATELY 14.23±
6 ACRES LOCATED IN COUNCIL DISTRICT 2 AT 0 NEW
7 BERLIN ROAD AND 1904 NEW BERLIN ROAD, BETWEEN
8 WAGES WAY AND DUNNS VIEW DRIVE (R.E. NOS.
9 106887-0000 AND 106894-0000), AS DESCRIBED
10 HEREIN, OWNED BY SALLY J. TESREAU AND CARRIE
11 THOMAS, FROM RESIDENTIAL RURAL-ACRE (RR-ACRE)
12 DISTRICT TO RESIDENTIAL LOW DENSITY-40 (RLD-40)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE; PROVIDING A DISCLAIMER THAT THE
15 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
16 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
17 PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, Sally J. Tesreau and Carrie Thomas, the owners of
20 approximately 14.23± acres located in Council District 2 at 0 New
21 Berlin Road and 1904 New Berlin Road, between Wages Way and Dunns
22 View Drive (R.E. Nos. 106887-0000 and 106894-0000), as more
23 particularly described in **Exhibit 1**, dated April 19, 2022, and
24 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
25 (the "Subject Property"), have applied for a rezoning and
26 reclassification of the Subject Property from Residential Rural-Acre
27 (RR-Acre) District to Residential Low Density-40 (RLD-40) District;
28 and

29 **WHEREAS**, the Planning and Development Department has considered
30 the application and has rendered an advisory recommendation; and

31 **WHEREAS**, the Planning Commission, acting as the local planning

1 agency, has reviewed the application and made an advisory
2 recommendation to the Council; and

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

6 **WHEREAS**, taking into consideration the above recommendations and
7 all other evidence entered into the record and testimony taken at the
8 public hearings, the Council finds that such rezoning: (1) is
9 consistent with the *2030 Comprehensive Plan*; (2) furthers the goals,
10 objectives and policies of the *2030 Comprehensive Plan*; and (3) is
11 not in conflict with any portion of the City's land use regulations;
12 now, therefore

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

14 **Section 1. Property Rezoned.** The Subject Property is
15 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
16 District to Residential Low Density-40 (RLD-40) District, as defined
17 and classified under the Zoning Code, City of Jacksonville, Florida.

18 **Section 2. Owner and Description.** The Subject Property is
19 owned by Sally J. Tesreau and Carrie Thomas, and is described in
20 **Exhibit 1, attached hereto.** The applicant is Brian Small, 3948 3rd
21 Street South, Suite 116, Jacksonville Beach, Florida 32250; (843)
22 384-9333.

23 **Section 3. Disclaimer.** The rezoning granted herein shall
24 **not** be construed as an exemption from any other applicable local,
25 state, or federal laws, regulations, requirements, permits or
26 approvals. All other applicable local, state or federal permits or
27 approvals shall be obtained before commencement of the development
28 or use and issuance of this rezoning is based upon acknowledgement,
29 representation and confirmation made by the applicant(s), owners(s),
30 developer(s) and/or any authorized agent(s) or designee(s) that the
31 subject business, development and/or use will be operated in strict

1 compliance with all laws. Issuance of this rezoning does **not** approve,
2 promote or condone any practice or act that is prohibited or
3 restricted by any federal, state or local laws.

4 **Section 4. Effective Date.** The enactment of this Ordinance
5 shall be deemed to constitute a quasi-judicial action of the City
6 Council and shall become effective upon signature by the Council
7 President and Council Secretary.

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9 Form Approved:

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11 /s/ Mary E. Staffopoulos

12 Office of General Counsel

13 Legislation Prepared By: Connor Corrigan

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