

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

4 **ORDINANCE 2021-836**

5 AN ORDINANCE REZONING APPROXIMATELY 3.86± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 9944 103RD
7 STREET AND 0 103RD STREET, BETWEEN 103RD STREET
8 AND CONNIE JEAN ROAD (R.E. NOS. 015331-0000,
9 015333-0000 AND 015334-0000), AS DESCRIBED
10 HEREIN, OWNED BY ROBERT C. SIMPLER AND BARBARA
11 S. ROOKE, FROM COMMERCIAL OFFICE (CO) DISTRICT
12 TO RESIDENTIAL MEDIUM DENSITY-D (RMD-D)
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**, Robert C. Simpler and Barbara S. Rooke, the owners of
20 approximately 3.86± acres located in Council District 12 at 9944 103rd
21 Street and 0 103rd Street, between 103rd Street and Connie Jean Road
22 (R.E. Nos. 015331-0000, 015333-0000 and 015334-0000), as more
23 particularly described in **Exhibit 1**, dated October 28, 2021, and
24 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
25 (the "Subject Property"), has applied for a rezoning and
26 reclassification of the Subject Property from Commercial Office (CO)
27 District to Residential Medium Density-D (RMD-D) District; and

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

30 **WHEREAS**, the Planning Commission, acting as the local planning
31 agency, has reviewed the application and made an advisory

1 recommendation to the Council; and

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

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

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

13 **Section 1. Property Rezoned.** The Subject Property is
14 hereby rezoned and reclassified from Commercial Office (CO) District
15 to Residential Medium Density-D (RMD-D) District, as defined and
16 classified under the Zoning Code, City of Jacksonville, Florida.

17 **Section 2. Owner and Description.** The Subject Property is
18 owned by Robert C. Simpler and Barbara S. Rooke and is described in
19 **Exhibit 1, attached hereto.** The applicant is William J. Michaels,
20 Esq., 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida
21 32207; (904) 346-5914.

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

1 promote or condone any practice or act that is prohibited or
2 restricted by any federal, state or local laws.

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

7

8 Form Approved:

9

10 /s/ Mary E. Staffopoulos

11 Office of General Counsel

12 Legislation Prepared By: Connor Corrigan

13 GC-#1465787-v2-2021-836_(Z-3800).docx