

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

4 **ORDINANCE 2021-15-E**

5 AN ORDINANCE REZONING APPROXIMATELY 8.98± ACRES  
6 LOCATED IN COUNCIL DISTRICT 10 IN THE NORTHWEST  
7 QUADRANT OF THE INTERSECTION OF BETHEL ROAD AND  
8 THURSTON ROAD, EAST OF INTERSTATE 295, AS  
9 DESCRIBED HEREIN, OWNED BY WILBETH, INC., FROM  
10 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2008-  
11 41-E) TO RESIDENTIAL MEDIUM DENSITY-A (RMD-A)  
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
13 ZONING CODE; PROVIDING A DISCLAIMER THAT THE  
14 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
15 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
16 PROVIDING AN EFFECTIVE DATE.  
17

18 **WHEREAS**, Wilbeth, Inc., the owner of approximately 8.98± acres  
19 located in Council District 10 in the northwest quadrant of the  
20 intersection of Bethel Road and Thurston Road, east of Interstate  
21 295, as more particularly described in **Exhibit 1**, dated November 3,  
22 2020, and graphically depicted in **Exhibit 2**, both of which are  
23 **attached hereto** (Subject Property), has applied for a rezoning and  
24 reclassification of the Subject Property from Planned Unit  
25 Development (PUD) District (2008-41-E) to Residential Medium Density-  
26 A (RMD-A) District; and

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

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

1           **WHEREAS**, the Land Use and Zoning Committee, after due notice and  
2 public hearing has made its recommendation to the Council; and

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

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

11           **Section 1.           Property Rezoned.**     The Subject Property is  
12 hereby rezoned and reclassified from Planned Unit Development (PUD)  
13 District (2008-41-E) to Residential Medium Density-A (RMD-A)  
14 District, as defined and classified under the Zoning Code, City of  
15 Jacksonville, Florida.

16           **Section 2.           Owner and Description.**   The Subject Property is  
17 owned by Wilbeth, Inc., and is described in **Exhibit 1, attached**  
18 **hereto**.   The applicant is T.R. Hainline, Esq., 1301 Riverplace  
19 Boulevard, Suite 1500, Jacksonville, Florida 32207; (904) 346-5531.

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

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

5  
6 Form Approved:

7  
8             /s/ Shannon K. Eller      

9 Office of General Counsel

10 Legislation Prepared By: Kaysie Cox

11 GC-#1417889-v1-2021-15-E.docx