

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-791**

5 AN ORDINANCE REZONING APPROXIMATELY 0.23± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 HAINES STREET
7 AND 3211 HAINES STREET, BETWEEN CLAUDIA SPENCER
8 STREET AND 22ND STREET EAST (R.E. NOS. 132335-
9 0000 AND 132337-0000), AS DESCRIBED HEREIN, OWNED
10 BY JOHN W. WHITTEN AND MICHELLE L. WHITTEN,
11 INDIVIDUALLY AND AS TRUSTEES OF THE VERDANT TRUST
12 DATED DECEMBER 10, 2013 FROM RESIDENTIAL LOW
13 DENSITY-60 (RLD-60) DISTRICT TO RESIDENTIAL LOW
14 DENSITY-40 (RLD-40) DISTRICT, AS DEFINED AND
15 CLASSIFIED UNDER THE ZONING CODE; PROVIDING A
16 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
17 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, John W. Whitten and Michelle L. Whitten, individually
21 and as Trustees of the Verdant Trust dated December 10, 2013, the
22 owners of approximately 0.23± acres located in Council District 7 at
23 0 Haines Street and 3211 Haines Street, between Claudia Spencer Street
24 and 22nd Street East (R.E. Nos. 132335-0000 and 132337-0000), as more
25 particularly described in **Exhibit 1**, dated September 8, 2022, and
26 graphically depicted in **Exhibit 2**, both of which are attached hereto
27 (the "Subject Property"), has applied for a rezoning and
28 reclassification of the Subject Property from Residential Low
29 Density-60 (RLD-60) District to Residential Low Density-40 (RLD-40)
30 District; and

31 **WHEREAS**, the Planning and Development Department has considered

1 the application and has rendered an advisory recommendation; and

2 **WHEREAS**, the Planning Commission, acting as the local planning
3 agency, has reviewed the application and made an advisory
4 recommendation to the Council; 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**, taking into consideration the above recommendations and
9 all other evidence entered into the record and testimony taken at the
10 public hearings, the Council finds that such rezoning: (1) is
11 consistent with the *2030 Comprehensive Plan*; (2) furthers the goals,
12 objectives and policies of the *2030 Comprehensive Plan*; and (3) is
13 not in conflict with any portion of the City's land use regulations;
14 now, therefore

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

16 **Section 1. Property Rezoned.** The Subject Property is
17 hereby rezoned and reclassified from Residential Low Density-60 (RLD-
18 60) District to Residential Low Density-40 (RLD-40) District, as
19 defined and classified under the Zoning Code, City of Jacksonville,
20 Florida.

21 **Section 2. Owner and Description.** The Subject Property is
22 owned by John W. Whitten and Michelle L. Whitten, individually and
23 as Trustees of the Verdant Trust dated December 10, 2013 and is
24 described in **Exhibit 1**, attached hereto. The applicant is John
25 Whitten, 1843 West 10th Street, Jacksonville, Florida 32209; (904)
26 517-3232.

27 **Section 3. Disclaimer.** The rezoning granted herein shall
28 **not** be construed as an exemption from any other applicable local,
29 state, or federal laws, regulations, requirements, permits or
30 approvals. All other applicable local, state or federal permits or
31 approvals shall be obtained before commencement of the development

1 or use and issuance of this rezoning is based upon acknowledgement,
2 representation and confirmation made by the applicant(s), owners(s),
3 developer(s) and/or any authorized agent(s) or designee(s) that the
4 subject business, development and/or use will be operated in strict
5 compliance with all laws. Issuance of this rezoning does **not** approve,
6 promote or condone any practice or act that is prohibited or
7 restricted by any federal, state or local laws.

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

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13 Form Approved:

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15 _____
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Brittany Figueroa

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