

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-422-W**

5 AN ORDINANCE IN RESPONSE TO A REQUEST FOR  
6 REASONABLE ACCOMMODATION FOR DISABLED PERSONS  
7 REZONING APPROXIMATELY 0.23± OF AN ACRE LOCATED  
8 IN COUNCIL DISTRICT 2 AT 946 JORICK COURT WEST,  
9 BETWEEN JORICK COURT EAST AND MILLARD COURT EAST  
10 (R.E. NO. 161951-0000), OWNED BY DONALD E. SWETT,  
11 AS DESCRIBED HEREIN, FROM RESIDENTIAL LOW  
12 DENSITY-60 (RLD-60) DISTRICT TO INDUSTRIAL LIGHT  
13 (IL) DISTRICT, AS DEFINED AND CLASSIFIED UNDER  
14 THE ZONING CODE, PURSUANT TO FUTURE LAND USE MAP  
15 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
16 NUMBER L-5571-21C; PROVIDING A DISCLAIMER THAT  
17 THE REZONING GRANTED HEREIN SHALL NOT BE  
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
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21 **WHEREAS**, the City of Jacksonville adopted a Small-Scale  
22 Amendment to the *2030 Comprehensive Plan* for the purpose of revising  
23 portions of the Future Land Use Map series (FLUMs) in order to ensure  
24 the accuracy and internal consistency of the plan, pursuant to  
25 companion application L-5571-21C; and

26 **WHEREAS**, pursuant to Section 656.112, *Ordinance Code*, in order  
27 to ensure consistency of zoning district with the *2030 Comprehensive*  
28 *Plan* and the adopted companion Small-Scale Amendment L-5571-21C, an  
29 application to rezone and reclassify from Residential Low Density-60  
30 (RLD-60) District to Industrial Light (IL) District was filed by  
31 Donald E. Swett, on behalf of the owner of approximately 0.23± of an  
32 acre of certain real property in Council District 2, as more

1 particularly described in Section 1; and

2       **WHEREAS**, the Planning and Development Department, in order to  
3 ensure consistency of this zoning district with the *2030 Comprehensive*  
4 *Plan*, has considered the rezoning and has rendered an advisory  
5 opinion; and

6       **WHEREAS**, the Planning Commission has considered the application  
7 and has rendered an advisory opinion; and

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

11       **WHEREAS**, based on a review of the evidence submitted at the  
12 public hearings and consideration of the criteria in Section  
13 656.112(e), *Ordinance Code*, the City Council has determined that  
14 the existing zoning designation on the property inhibits the  
15 applicant's legal use and enjoyment of the dwelling; and

16       **WHEREAS**, the City Council, after due notice, held a public  
17 hearing, and taking into consideration the above recommendations as  
18 well as all oral and written comments received during the public  
19 hearings, the Council finds that such rezoning is consistent with the  
20 *2030 Comprehensive Plan* adopted under the comprehensive planning  
21 ordinance for future development of the City of Jacksonville; now,  
22 therefore

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

24       **Section 1. Subject Property Location and Description.** The  
25 approximately 0.23± of an acre (R.E. No. 161951-0000) is located in  
26 Council District 2 at 946 Jorick Court West, between Jorick Court  
27 East and Millard Court East, as more particularly described in **Exhibit**  
28 **1**, dated June 3, 2021, and graphically depicted in **Exhibit 2**, both  
29 of which are **attached hereto** and incorporated herein by this reference  
30 (Subject Property).

31       **Section 2. Owner and Applicant Description.** The Subject

1 Property is owned by Donald E. Swett. The applicant is Donald E.  
2 Swett, 946 Jorick Court West, Jacksonville, Florida 32225; (904) 200-  
3 6362.

4 **Section 3. Property Rezoned.** The Subject Property,  
5 pursuant to adopted companion Small-Scale Amendment Application L-  
6 5571-21C, is hereby rezoned and reclassified from Residential Low  
7 Density-60 (RLD-60) District to Industrial Light (IL) District.

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

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

28 **Section 6. Reasonable Accommodation.** This rezoning is  
29 based upon a request for a reasonable accommodation made by the  
30 applicant pursuant to Section 656.112, *Ordinance Code*. Because this  
31 rezoning is made to accommodate a disability that is personal to the

1 applicant, it shall not serve as precedent or any other basis to  
2 enable or justify any rezoning applications made for any property  
3 located in proximity to the Subject Property.

4           **Section 7.           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 the Council Secretary.

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10 Form Approved:

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12           /s/ Jason Teal          

13 Office of General Counsel

14 Legislation Prepared By: Connie Quinto

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