

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-570-W**

5 AN ORDINANCE REZONING APPROXIMATELY 4.12± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 13283 PERDUE
7 ROAD AND 13285 PERDUE ROAD, BETWEEN STARRATT
8 ROAD AND MAIN STREET (R.E. NOS. 106618-0030 AND
9 106618-0050), OWNED BY LINDA L. KELLY, AS
10 DESCRIBED HEREIN, FROM PLANNED UNIT DEVELOPMENT
11 (PUD) DISTRICT (2010-487-E) TO RESIDENTIAL LOW
12 DENSITY-100A (RLD-100A) DISTRICT, AS DEFINED
13 AND CLASSIFIED UNDER THE ZONING CODE, PURSUANT
14 TO FUTURE LAND USE MAP SERIES (FLUMS) SMALL-
15 SCALE AMENDMENT APPLICATION NUMBER L-5468-20C;
16 PROVIDING A DISCLAIMER THAT THE REZONING
17 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
18 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 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
23 revising portions of the Future Land Use Map series (FLUMs) in
24 order to ensure the accuracy and internal consistency of the plan,
25 pursuant to application L-5468-20C and companion land use Ordinance
26 2020-569; and

27 **WHEREAS**, in order to ensure consistency of zoning district
28 with the *2030 Comprehensive Plan* and the adopted companion Small-
29 Scale Amendment L-5468-20C, an application to rezone and reclassify
30 from Planned Unit Development (PUD) District (2010-487-E) to
31 Residential Low Density-100A (RLD-100A) District was filed by Peter

1 J. King, on behalf of the owner of approximately 4.12± acres of
2 certain real property in Council District 7, as more particularly
3 described in Section 1; and

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

8 **WHEREAS**, the Planning Commission has considered the
9 application and has rendered an advisory opinion; and

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

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

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

21 **Section 1. Subject Property Location and Description.** The
22 approximately 4.12± acres (R.E. Nos. 106618-0030 and 106618-0050)
23 are located in Council District 7 at 13283 Perdue Road and 13285
24 Perdue Road, between Starratt Road and Main Street, as more
25 particularly described in **Exhibit 1**, dated August 31, 2020, and
26 graphically depicted in **Exhibit 2**, both of which are **attached**
27 **hereto** and incorporated herein by this reference (Subject
28 Property).

29 **Section 2. Owner and Applicant Description.** The Subject
30 Property is owned by Linda L. Kelly. The applicant is Peter J.
31 King, 404 West 70th Street, Jacksonville, Florida 32208; (904) 710-

1 9375.

2 **Section 3. Property Rezoned.** The Subject Property,
3 pursuant to adopted companion Small-Scale Amendment Application L-
4 5468-20C, is hereby rezoned and reclassified from Planned Unit
5 Development (PUD) District (2010-487-E) to Residential Low Density-
6 100A (RLD-100A) District.

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

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

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

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Form Approved:

 /s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Erin Abney

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