

1 Introduced by the Land Use and Zoning Committee:

2  
3 **ORDINANCE 2024-676**

4 AN ORDINANCE REZONING APPROXIMATELY 14.17± ACRES  
5 LOCATED IN COUNCIL DISTRICT 12 AT 0 GARDEN  
6 STREET, AT THE NORTHEAST CORNER OF GARDEN STREET  
7 AND IMESON ROAD (R.E. NO(S). 003999 0500 AND  
8 003999-0600), OWNED BY DAWN D. MOTES AND KELLY  
9 MIKE JAMES AS CO-PERSONAL REPRESENTATIVES OF THE  
10 ESTATE OF REGINA JOAN DARLING JAMES, AS DESCRIBED  
11 HEREIN, FROM PLANNED UNIT DEVELOPMENT (PUD)  
12 DISTRICT (ORDINANCE 2010-256-E) TO RESIDENTIAL  
13 LOW DENSITY-50 (RLD-50), AS DEFINED AND  
14 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO  
15 FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT  
16 APPLICATION NUMBER L-5965-24C; PROVIDING A  
17 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL  
18 NOT BE 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 *2045 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-5965-24C; and

26 **WHEREAS**, in order to ensure consistency of zoning district  
27 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale  
28 Amendment L-5965-24C, an application to rezone and reclassify from  
29 Planned Unit Development (PUD) district (Ordinance 2010-256-E) to  
30 Residential Low Density-50 (RLD-50) District was filed by (Ordinance  
31 2010-256) Curtis Hart on behalf of the owners of approximately 14.17±

1 acres of certain real property in Council District 12, as more  
2 particularly described in Section 1; and

3 **WHEREAS**, the Planning and Development Department, in order to  
4 ensure consistency of this zoning district with the *2045 Comprehensive*  
5 *Plan*, has considered the rezoning and has rendered an advisory  
6 opinion; and

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

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

12 **WHEREAS**, the City Council, after due notice, held a public  
13 hearing, and taking into consideration the above recommendations as  
14 well as all oral and written comments received during the public  
15 hearings, the Council finds that such rezoning is consistent with the  
16 *2045 Comprehensive Plan* adopted under the comprehensive planning  
17 ordinance for future development of the City of Jacksonville; now  
18 therefore

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

20 **Section 1. Subject Property Location and Description.** The  
21 approximately 14.17± acres are located in Council District 12 at 0  
22 Garden Street, at the northeast corner of Garden Street and Imeson  
23 Road (R.E. No(s). 003999-0500 and 003999-0600), as more particularly  
24 described in **Exhibit 1**, dated July 1, 2024, and graphically depicted  
25 in **Exhibit 2**, both of which are attached hereto and incorporated  
26 herein by this reference (the "Subject Property").

27 **Section 2. Owner and Applicant Description.** The Subject  
28 Property is owned by Dawn D. Motes and Kelly Mike James as co-personal  
29 representatives of the Estate of Regina Joan Darling James. The  
30 applicant is Curtis Hart, 8051 Tara Lane, Jacksonville, Florida,  
31 32216; (904) 993-5008.

1           **Section 3.           Property Rezoned.**       The Subject Property,  
2 pursuant to adopted companion Small-Scale Amendment Application  
3 L-5965-24C, is hereby rezoned and reclassified from Planned Unit  
4 Development (PUD) District (Ordinance 2010-256-E) to Residential Low  
5 Density-50 (RLD-50).

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

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

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

1 Form Approved:

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3           /s/ Dylan Reingold          

4 Office of General Counsel

5 Legislation Prepared By: Jackie Williams

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