

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2026-563**

5 AN ORDINANCE APPROVING APPLICATION FOR ZONING
6 EXCEPTION E-26-33 FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 9 AT 5340 NORMANDY BOULEVARD,
8 BETWEEN LENOX AVENUE AND VINCENT STREET (R.E.
9 NO(S). 059701-0000), AS DESCRIBED HEREIN, OWNED
10 BY TOBACCO GALORE, INC., REQUESTING AN
11 ESTABLISHMENT OR FACILITY WHICH INCLUDES THE
12 RETAIL SALE AND SERVICE OF ALL ALCOHOLIC
13 BEVERAGES INCLUDING LIQUOR, BEER OR WINE FOR ON-
14 PREMISES CONSUMPTION, IN COMMERCIAL
15 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT, AS
16 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
17 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF
18 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR
19 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.
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21 **WHEREAS,** an application for a zoning exception, **On File** with
22 the City Council Legislative Services Division, was filed by Amanda
23 Hessein, on behalf of the owner of property located in Council
24 District 9 at 5340 Normandy Boulevard, between Lenox Avenue and
25 Vincent Street (R.E. No(s). 059701-0000) (the "Subject
26 Property"), requesting an establishment or facility which includes the
27 retail sale and service of all alcoholic beverages including liquor,
28 beer and wine for on-premises consumption, in the Commercial
29 Community/General-2 (CCG-2) District; and

30 **WHEREAS,** the Planning and Development Department has
31 considered the application and all attachments thereto and has

1 rendered an advisory recommendation; and

2 **WHEREAS,** the Land Use and Zoning Committee, after due notice,
3 held a public hearing and having duly considered both the testimonial
4 and documentary evidence presented at the public hearing, has made
5 its recommendation to the Council; now therefore

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

7 **Section 1. Adoption of Findings and Conclusions.** The
8 Council has considered the recommendation of the Land Use and Zoning
9 Committee and reviewed the Staff Report of the Planning and
10 Development Department concerning application for zoning exception
11 E-26-33. Based upon the competent, substantial evidence contained in
12 the record, the Council hereby determines that the requested zoning
13 exception meets each of the following criteria required to grant the
14 request pursuant to Section 656.131(c), *Ordinance Code*, as
15 specifically identified in the Staff Report of the Planning and
16 Development Department:

17 (1) Will be consistent with the Comprehensive Plan, including
18 any subsequent plan adopted by the Council pursuant thereto;

19 (2) Will be compatible with the existing contiguous uses or
20 zoning and compatible with the general character of the area,
21 considering population density, design, scale and orientation of
22 structures to the area, property values, and existing similar uses
23 or zoning;

24 (3) Will not have an environmental impact inconsistent with the
25 health, safety and welfare of the community;

26 (4) Will not have a detrimental effect on vehicular or pedestrian
27 traffic, or parking conditions, and will not result in the generation
28 or creation of traffic inconsistent with the health, safety and
29 welfare of the community;

30 (5) Will not have a detrimental effect on the future development
31 of contiguous properties or the general area, according to the

1 Comprehensive Plan, including any subsequent amendment to the plan
2 adopted by the Council;

3 (6) Will not result in the creation of objectionable or
4 excessive noise, lights, vibrations, fumes, odors, dust or physical
5 activities, taking into account existing uses or zoning in the
6 vicinity;

7 (7) Will not overburden existing public services and facilities;

8 (8) Will be sufficiently accessible to permit entry onto the
9 property by fire, police, rescue and other services; and

10 (9) Will be consistent with the definition of a zoning
11 exception, and will meet the standards and criteria of the zoning
12 classification in which such use is proposed to be located, and all
13 other requirements for such particular use set forth elsewhere in the
14 Zoning Code, or otherwise adopted by the Planning Commission or
15 Council.

16 Therefore, zoning exception application E-26-33 is hereby
17 approved.

18 **Section 2. Owner and Description.** The Subject Property is
19 owned by Tobacco Galore, Inc., and is described in **Exhibit 1**, dated
20 July 10, 2026, and graphically depicted in **Exhibit 2**, both attached
21 hereto. The applicant is Andrew Messiana, 5340 Normandy Boulevard,
22 Jacksonville, Florida, 32205; (904) 448-5029; amessiana@gmail.com.

23 **Section 3. Distribution by Legislative Services.**
24 Legislative Services is hereby directed to mail a copy of this
25 legislation, as enacted, to the applicant and any other parties to
26 this matter who testified before the Land Use and Zoning Committee
27 or otherwise filed a qualifying written statement as defined in
28 Section 656.140(c), *Ordinance Code*.

29 **Section 4. Effective Date.** The enactment of this Ordinance
30 shall be deemed to constitute a quasi-judicial action of the City
31 Council and shall become effective upon signature by the Council

1 President and Council Secretary. Failure to exercise the zoning
2 exception, if herein granted, by the commencement of the use or action
3 herein approved within one (1) year of the effective date of this
4 legislation shall render this zoning exception invalid and all rights
5 arising therefrom shall terminate.

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7 Form Approved:

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9 /s/ Terrence Harvey

10 Office of General Counsel

11 Legislation Prepared By: Stephen Nagbe

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