

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2025-366

AN ORDINANCE REZONING APPROXIMATELY 1.27± ACRES
LOCATED IN COUNCIL DISTRICT 12 AT 0 OLD PLANK
ROAD, AT THE NORTHWEST CORNER OF OLD PLANK ROAD
AND BULLS BAY HIGHWAY (A PORTION OF R.E. NO(S).
006217-1000), OWNED BY STF CAPITAL GROUP, LLC,
AS DESCRIBED HEREIN, FROM COMMERCIAL
NEIGHBORHOOD (CN) DISTRICT TO RESIDENTIAL LOW
DENSITY-60 (RLD-60) DISTRICT, AS DEFINED AND
CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO
FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT
APPLICATION NUMBER L-6039-25C; PROVIDING A
DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a Small-Scale
Amendment to the *2045 Comprehensive Plan* for the purpose of revising
portions of the Future Land Use Map series (FLUMs) in order to ensure
the accuracy and internal consistency of the plan, pursuant to
companion application L-6039-25C; and

WHEREAS, in order to ensure consistency of zoning district
with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
Amendment L-6039-25C, an application to rezone and reclassify from
Commercial Neighborhood (CN) District to Residential Low Density-60
(RLD-60) District was filed by Ben Hartung, on behalf of the owner
of approximately 1.27± acres of certain real property in Council
District 12, as more particularly described in Section 1; and

WHEREAS, the Planning and Development Department, in order to

1 ensure consistency of this zoning district with the *2045 Comprehensive*
2 *Plan*, has considered the rezoning and has rendered an advisory
3 opinion; and

4 **WHEREAS**, the Planning Commission has considered the
5 application and has rendered an advisory opinion; and

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

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

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

17 **Section 1. Subject Property Location and Description.** The
18 approximately 1.27± acres are located in Council District 12 at 0 Old
19 Plank Road, at the northwest corner of Old Plank Road and Bulls Bay
20 Highway (a portion of R.E. No(s). 006217-1000, as more particularly
21 described in **Exhibit 1**, dated May 1, 2025, and graphically depicted
22 in **Exhibit 2**, both of which are attached hereto and incorporated
23 herein by this reference (the "Subject Property").

24 **Section 2. Owner and Applicant Description.** The Subject
25 Property is owned by STF Capital Group, LLC. The applicant is Ben
26 Hartung, 2144 Rosselle Street, Jacksonville, Florida, 32210; (757)
27 408-4361.

28 **Section 3. Property Rezoned.** The Subject Property,
29 pursuant to adopted companion Small-Scale Amendment Application
30 L-6039-25C, is hereby rezoned and reclassified from Commercial
31 Neighborhood (CN) District to Residential Low Density-60 (RLD-60)

District.

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

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

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

Form Approved:

 /s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Stephen Nagbe

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