

1 Introduced and substituted by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2021-418-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.59± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 1239 EAST 32ND
7 STREET AND 1240 EAST 32ND STREET, BETWEEN
8 FRANKLIN STREET AND POPLAR STREET (R.E. NOS.
9 132367-0000 AND 132377-0000), OWNED BY INGRINE
10 LATONIA LYLE, ALSO KNOWN AS INGRINE L. LYLE, AS
11 DESCRIBED HEREIN, FROM RESIDENTIAL LOW DENSITY-
12 60 (RLD-60) DISTRICT TO INDUSTRIAL LIGHT (IL)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
15 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
16 NUMBER L-5561-21C; 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.
20

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-5561-21C; and

26 **WHEREAS**, in order to ensure consistency of zoning district with
27 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
28 Amendment L-5561-21C, an application to rezone and reclassify from
29 Residential Low Density-60 (RLD-60) District to Industrial Light (IL)
30 District was filed by Ethelbert E. Worrell, on behalf of the owner

1 of approximately 0.59± acres of certain real property in Council
2 District 7, as more 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 *2030 Comprehensive*
5 *Plan*, has considered the rezoning and has rendered an advisory
6 opinion; and

7 **WHEREAS**, the Planning Commission has considered the application
8 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 *2030 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 0.59± acres (R.E. Nos. 132367-0000 and 132377-0000) is
22 located in Council District 7 at 1239 East 32nd Street and 1240 East
23 32nd Street, between Franklin Street and Poplar Street, as more
24 particularly described in **Exhibit 1**, dated September 16, 2021, and
25 graphically depicted in **Exhibit 2**, both of which are **attached hereto**
26 and incorporated herein by this reference (the "Subject Property").

27 **Section 2. Owner and Applicant Description.** The Subject
28 Property is owned by Ingrine Latonia Lyle, a/k/a Ingrine L. Lyle.
29 The applicant is Ethelbert E. Worrell, 1239 East 32nd Street,
30 Jacksonville, Florida 32206; (904) 232-8177.

31 **Section 3. Property Rezoned.** The Subject Property,

1 pursuant to adopted companion Small-Scale Amendment Application L-
2 5561-21C, is hereby rezoned and reclassified from Residential Low
3 Density-60 (RLD-60) District to Industrial Light (IL) District.

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

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

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

1
2
3
4
5
6
7

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Bruce Lewis

GC-#1468708-v1-2021-418_-_Sub_&_Rerefer_-_Enrolled.docx