

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

4 **ORDINANCE 2023-661**

5 AN ORDINANCE REZONING APPROXIMATELY 1.56± ACRES
6 LOCATED IN COUNCIL DISTRICT 13 AT 2152 MAYPORT
7 ROAD AND 2156 MAYPORT ROAD, BETWEEN DUTTON ISLAND
8 ROAD WEST AND FAIRWAY VILLAS DRIVE (R.E. NOS.
9 169410-0000 AND 169410-0010), AS DESCRIBED
10 HEREIN, OWNED BY BOSCO ENTERPRISES, LLC, FROM
11 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2018-
12 617-E) TO PLANNED UNIT DEVELOPMENT (PUD)
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE, TO PERMIT MULTI-FAMILY RESIDENTIAL
15 AND COMMERCIAL USES, AS DESCRIBED IN THE BOSCO
16 ENTERPRISES, LLC PUD; 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**, Bosco Enterprises, LLC, the owner of approximately
22 1.56± acres located in Council District 13 at 2152 Mayport Road and
23 2156 Mayport Road, between Dutton Island Road West and Fairway Villas
24 Drive (R.E. Nos. 169410-0000 and 169410-0010), as more particularly
25 described in **Exhibit 1**, dated July 14, 2023, and graphically depicted
26 in **Exhibit 2**, both of which are attached hereto (the "Subject
27 Property"), have applied for a rezoning and reclassification of the
28 Subject Property from Planned Unit Development (PUD) District (2018-
29 617-E) to Planned Unit Development (PUD) District, as described in
30 Section 1 below; and

31 **WHEREAS**, the Planning Commission, acting as the local planning

1 agency, has reviewed the application and made an advisory
2 recommendation to the Council; and

3 **WHEREAS**, the Land Use and Zoning Committee, after due notice and
4 public hearing, has made its recommendation to the Council; and

5 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
6 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives
7 and policies of the *2045 Comprehensive Plan*; and (3) is not in
8 conflict with any portion of the City's land use regulations; and

9 **WHEREAS**, the Council finds the proposed rezoning does not
10 adversely affect the orderly development of the City as embodied in
11 the Zoning Code; will not adversely affect the health and safety of
12 residents in the area; will not be detrimental to the natural
13 environment or to the use or development of the adjacent properties
14 in the general neighborhood; and will accomplish the objectives and
15 meet the standards of Section 656.340 (Planned Unit Development) of
16 the Zoning Code; now, therefore

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Planned Unit Development (PUD)
20 District (2018-617-E) to Planned Unit Development (PUD) District.
21 This new PUD district shall generally permit multi-family residential
22 and commercial uses, and is described, shown and subject to the
23 following documents, attached hereto:

24 **Exhibit 1** - Legal Description dated July 14, 2023.

25 **Exhibit 2** - Subject Property per P&DD.

26 **Exhibit 3** - Written Description dated July 14, 2023.

27 **Exhibit 4** - Site Plan dated July 14, 2023.

28 **Section 2. Owner and Description.** The Subject Property is
29 owned by Bosco Enterprises, LLC and is legally described in **Exhibit**
30 **1**, attached hereto. The applicant is William Pope, 2158 Mayport
31 Road, Jacksonville, Florida 32223; (904) 241-0320.

1 **Section 3. Disclaimer.** The rezoning granted herein shall
2 **not** be construed as an exemption from any other applicable local,
3 state, or federal laws, regulations, requirements, permits or
4 approvals. All other applicable local, state or federal permits or
5 approvals shall be obtained before commencement of the development
6 or use and issuance of this rezoning is based upon acknowledgement,
7 representation and confirmation made by the applicant(s), owners(s),
8 developer(s) and/or any authorized agent(s) or designee(s) that the
9 subject business, development and/or use will be operated in strict
10 compliance with all laws. Issuance of this rezoning does **not** approve,
11 promote or condone any practice or act that is prohibited or
12 restricted by any federal, state or local laws.

13 **Section 4. Effective Date.** The enactment of this Ordinance
14 shall be deemed to constitute a quasi-judicial action of the City
15 Council and shall become effective upon signature by the Council
16 President and Council Secretary.

17
18 Form Approved:

19
20 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation Prepared By: Connor Corrigan

23 GC-#1589145-v2-2023-661_(Z-5091_PUD).docx