

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-862**

5 AN ORDINANCE REZONING APPROXIMATELY 9.8± ACRES
6 LOCATED IN COUNCIL DISTRICT 8 AT 3701 HEMLOCK
7 STREET, 3697 HEMLOCK STREET, AND 3731 HEMLOCK
8 STREET, WEST OF LEM TURNER ROAD (R.E. NO(S).
9 019466-0170, 019466-0020, 019466-0180, AND
10 019466-0030), OWNED BY DREW DONOVAN HOOD, TERRI
11 L. HOOD AND DAVID D. HOOD, AS DESCRIBED HEREIN,
12 FROM RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT
13 TO RESIDENTIAL MEDIUM DENSITY-A (RMD-A)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
16 SERIES SMALL-SCALE AMENDMENT APPLICATION NUMBER
17 L-5960-24C; PROVIDING A DISCLAIMER THAT THE
18 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
19 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
20 PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2045 Comprehensive Plan* for the purpose of revising
24 portions of the Future Land Use Map series (FLUMs) in order to ensure
25 the accuracy and internal consistency of the plan, pursuant to
26 companion application L-5960-24C; and

27 **WHEREAS**, in order to ensure consistency of zoning district
28 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5960-24C, an application to rezone and reclassify from
30 Residential Rural-Acre (RR-Acre) District to Residential Medium
31 Density-A (RMD-A) District was filed by Brian Small, on behalf of the

1 owners of approximately 9.8± acres of certain real property in Council
2 District 8, 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 *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 9.8± acres are located in Council District 8 at 3701
22 Hemlock Street, 3697 Hemlock Street, and 3731 Hemlock Street, West
23 of Lem Turner Road (R.E. No(s). 019466-0170, 019466-0020, 019466-
24 0180, and 019466-0030), as more particularly described in **Exhibit 1**,
25 dated August 21, 2024, and graphically depicted in **Exhibit 2**, both
26 of which are attached hereto and incorporated herein by this reference
27 (the "Subject Property").

28 **Section 2. Owner and Applicant Description.** The Subject
29 Property is owned by Drew Donovan Hood, Terri L. Hood and David D.
30 Hood. The applicant is Brian Small, 3948 3rd Street South, 116,
31 Jacksonville, Florida, 32250; (843) 384-9333.

1 **Section 3. Property Rezoned.** The Subject Property,
2 pursuant to adopted companion Small-Scale Amendment Application
3 L-5960-24C, is hereby rezoned and reclassified from Residential
4 Rural-Acre (RR-Acre) District to Residential Medium Density-A (RMD-
5 A) District.

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: Connor Corrigan

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