

1 Introduced by the Land Use and Zoning

2
3 **ORDINANCE 2019-756**

4 AN ORDINANCE REZONING APPROXIMATELY 14.82±
5 ACRES LOCATED IN COUNCIL DISTRICT 7, AT 0
6 DUVAL ROAD, BETWEEN VICTORIA POINT ROAD AND
7 DUVAL ROAD (R.E. NO. 044248-0000), AS
8 DESCRIBED HEREIN, OWNED BY RICHARD BROWARD,
9 MONTGOMERY BROWARD, MARVIN B. BENNETT, JR.,
10 WILLIAM A. BENNETT AND BROWARD B. MILAM, FROM
11 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT TO
12 RESIDENTIAL LOW DENSITY-40 (RLD-40) DISTRICT,
13 AS DEFINED AND CLASSIFIED UNDER THE ZONING
14 CODE; PROVIDING A DISCLAIMER THAT THE REZONING
15 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
16 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
17 PROVIDING AN EFFECTIVE DATE.

18
19 **WHEREAS,** Richard Broward, Montgomery Broward, Marvin B.
20 Bennett, Jr., William A. Bennett and Broward B. Milam, the owners
21 of approximately 14.82± acres located in Council District 7, at 0
22 Duval Road, between Victoria Point Road and Duval Road (R.E. No.
23 044248-0000), as more particularly described in **Exhibit 1**, dated
24 September 25, 2019, and graphically depicted in **Exhibit 2**, both of
25 which are **attached hereto** and incorporated herein by this reference
26 (Subject Property), have applied for a rezoning and
27 reclassification of the Subject Property from Residential Rural-
28 Acre (RR-Acre) District to Residential Low Density-40 (RLD-40)
29 District; and

30 **WHEREAS,** the Planning and Development Department has
31 considered the application and has rendered an advisory

1 recommendation; and

2 **WHEREAS**, the Planning Commission, acting as the local planning
3 agency, has reviewed the application and made an advisory
4 recommendation to the Council; and

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

7 **WHEREAS**, taking into consideration the above recommendations
8 and all other evidence entered into the record and testimony taken
9 at the public hearings, the Council finds that such rezoning: (1)
10 is consistent with the *2030 Comprehensive Plan*; (2) furthers the
11 goals, objectives and policies of the *2030 Comprehensive Plan*; and
12 (3) is not in conflict with any portion of the City's land use
13 regulations; now, therefore

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

15 **Section 1. Property Rezoned.** The Subject Property is
16 hereby rezoned and reclassified from Residential Rural-Acre (RR-
17 Acre) District to Residential Low Density-40 (RLD-40) District, as
18 defined and classified under the Zoning Code, City of Jacksonville,
19 Florida.

20 **Section 2. Owner and Description.** The Subject Property
21 is owned by Richard Broward, Montgomery Broward, Marvin B. Bennett,
22 Jr., William A. Bennett and Broward B. Milam, and is described in
23 the **Exhibit 1, attached hereto.** The agent is Kelly Smith, 5851
24 Timuquana Road, #301, Jacksonville, Florida 32210; (904) 384-6964.

25 **Section 3. Disclaimer.** The rezoning granted herein shall
26 **not** be construed as an exemption from any other applicable local,
27 state, or federal laws, regulations, requirements, permits or
28 approvals. All other applicable local, state or federal permits or
29 approvals shall be obtained before commencement of the development
30 or use and issuance of this rezoning is based upon acknowledgement,
31 representation and confirmation made by the applicant(s),

1 owners(s), developer(s) and/or any authorized agent(s) or
2 designee(s) that the subject business, development and/or use will
3 be operated in strict compliance with all laws. Issuance of this
4 rezoning does **not** approve, promote or condone any practice or act
5 that is prohibited or restricted by any federal, state or local
6 laws.

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

11
12 Form Approved:

13
14 /s/ Shannon K. Eller

15 Office of General Counsel

16 Legislation Prepared By: Kaysie Cox

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