

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-640-E**

5 AN ORDINANCE REZONING APPROXIMATELY 3.71± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 0 LEM TURNER
7 ROAD, BETWEEN LANNIE ROAD AND BRADDOCK ROAD
8 (R.E. NO. 002449-0090 (PORTION)), OWNED BY 7.71
9 LEM TURNER LLC, AS DESCRIBED HEREIN, FROM
10 COMMERCIAL NEIGHBORHOOD (CN) DISTRICT TO
11 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT, AS
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
13 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
14 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-5575-
15 21C; PROVIDING A DISCLAIMER THAT THE REZONING
16 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
17 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
18 PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
21 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
22 portions of the Future Land Use Map series (FLUMS) in order to ensure
23 the accuracy and internal consistency of the plan, pursuant to
24 companion application L-5575-21C; and

25 **WHEREAS**, in order to ensure consistency of zoning district with
26 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
27 Amendment L-5575-21C, an application to rezone and reclassify from
28 Commercial Neighborhood (CN) District to Residential Rural-Acre (RR-
29 Acre) District was filed by Peter J. King, on behalf of the owner of
30 approximately 3.71± acres of certain real property in Council District
31 7, as more particularly described in Section 1; and

32 **WHEREAS**, the Planning and Development Department, in order to

1 ensure consistency of this zoning district with the *2030 Comprehensive*
2 *Plan*, has considered the rezoning and has rendered an advisory
3 opinion; and

4 **WHEREAS**, the Planning Commission has considered the application
5 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 *2030 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 3.71± acres (R.E. No. 002449-0090 (portion)) is located
19 in Council District 7 at 0 Lem Turner Road, between Lannie Road and
20 Braddock Road, as more particularly described in **Exhibit 1**, dated
21 July 2, 2021, and graphically depicted in **Exhibit 2**, both of which
22 are **attached hereto** and incorporated herein by this reference (the
23 "Subject Property").

24 **Section 2. Owner and Applicant Description.** The Subject
25 Property is owned by 7.71 Lem Turner LLC. The applicant is Peter J.
26 King, 404 West 70th Street, Jacksonville, Florida 32208; (904) 710-
27 9375.

28 **Section 3. Property Rezoned.** The Subject Property, pursuant
29 to adopted companion Small-Scale Amendment Application L-5575-21C,
30 is hereby rezoned and reclassified from Commercial Neighborhood (CN)
31 District to Residential Rural-Acre (RR-Acre) District.

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

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

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

25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Connor Corrigan

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