

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

4 **ORDINANCE 2021-366-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.79± ACRES  
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 LEM TURNER  
7 ROAD, BETWEEN BOLYARD DRIVE AND LEM TURNER ROAD  
8 (R.E. NO. 020399-0300), OWNED BY JACKSONVILLE  
9 SELF STORAGE II, LLC, AS DESCRIBED HEREIN, FROM  
10 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (1996-  
11 394-345) TO RESIDENTIAL MEDIUM DENSITY-A (RMD-A)  
12 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
13 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP  
14 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
15 NUMBER L-5567-21C; PROVIDING A DISCLAIMER THAT  
16 THE REZONING GRANTED HEREIN SHALL NOT BE  
17 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
18 APPLICABLE LAWS; 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-5567-21C; 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-5567-21C, an application to rezone and reclassify from  
28 Planned Unit Development (PUD) District (1996-394-345) to Residential  
29 Medium Density-A (RMD-A) District was filed by Fred Atwill, on behalf  
30 of the owner of approximately 1.79± acres of certain real property

1 in Council District 8, as more particularly described in Section 1;  
2 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 1.79± acres (R.E. No. 020399-0300) are located in  
22 Council District 8 at 0 Lem Turner Road, between Bolyard Drive and  
23 Lem Turner Road, as more particularly described in **Exhibit 1**, dated  
24 May 18, 2021, and graphically depicted in **Exhibit 2**, both of which  
25 are **attached hereto** and incorporated herein by this reference (Subject  
26 Property).

27 **Section 2. Owner and Applicant Description.** The Subject  
28 Property is owned by Jacksonville Self Storage II, LLC. The applicant  
29 is Fred Atwill, 9601 Forest Acres Lane, Jacksonville, Florida 32234;  
30 (904) 610-8975.

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

1 pursuant to adopted companion Small-Scale Amendment Application L-  
2 5567-21C, is hereby rezoned and reclassified from Planned Unit  
3 Development (PUD) District (1996-394-345) to Residential Medium  
4 Density-A (RMD-A) District.

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

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

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

1  
2  
3  
4  
5  
6  
7

Form Approved:

          /s/ Shannon K. Eller          

Office of General Counsel

Legislation Prepared By: Erin Abney

GC-#1438579-v1-2021-366\_Original\_Bill