

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

4 **ORDINANCE 2020-337**

5 AN ORDINANCE REZONING APPROXIMATELY 5.25± ACRES
6 LOCATED IN COUNCIL DISTRICT 7 AT 14140 DUVAL
7 ROAD AND 14180 DUVAL ROAD, BETWEEN DUVAL ROAD
8 AND INTERSTATE 95 (R.E. NOS. 019651-0000 and
9 019661-0000), OWNED BY ANITA T. BEECHER AND
10 JAMES T. BEECHER, AS DESCRIBED HEREIN, FROM
11 RESIDENTIAL LOW DENSITY-60 (RLD-60) AND
12 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICTS TO
13 COMMERCIAL RESIDENTIAL OFFICE (CRO) DISTRICT,
14 AS DEFINED AND CLASSIFIED UNDER THE ZONING
15 CODE, PURSUANT TO FUTURE LAND USE MAP SERIES
16 (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
17 NUMBER L-5442-20C; PROVIDING A DISCLAIMER THAT
18 THE REZONING GRANTED HEREIN SHALL NOT BE
19 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
23 Amendment to the *2030 Comprehensive Plan* for the purpose of
24 revising portions of the Future Land Use Map series (FLUMs) in
25 order to ensure the accuracy and internal consistency of the plan,
26 pursuant to application L-5442-20C and companion land use Ordinance
27 2020-336; and

28 **WHEREAS,** in order to ensure consistency of zoning district
29 with the *2030 Comprehensive Plan* and the adopted companion Small-
30 Scale Amendment L-5442-20C, an application to rezone and reclassify
31 from Residential Low Density-60 (RLD-60) and Residential Rural-Acre

1 (RR-Acre) Districts to Commercial Residential Office (CRO) District
2 was filed by Paul M. Harden, Esq., on behalf of the owners of
3 approximately 5.25± acres of certain real property in Council
4 District 7, as more particularly described in Section 1; and

5 **WHEREAS**, the Planning and Development Department, in order to
6 ensure consistency of this zoning district with the 2030
7 *Comprehensive Plan*, has considered the rezoning and has rendered an
8 advisory opinion; and

9 **WHEREAS**, the Planning Commission has considered the
10 application and has rendered an advisory opinion; and

11 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
12 notice, held a public hearing and made its recommendation to the
13 Council; and

14 **WHEREAS**, the City Council, after due notice, held a public
15 hearing, and taking into consideration the above recommendations as
16 well as all oral and written comments received during the public
17 hearings, the Council finds that such rezoning is consistent with
18 the 2030 *Comprehensive Plan* adopted under the comprehensive
19 planning ordinance for future development of the City of
20 Jacksonville; now, therefore

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

22 **Section 1. Subject Property Location and Description.** The
23 approximately 5.25± acres (R.E. Nos. 019651-0000 and 019661-0000)
24 are located in Council District 7, at 14140 Duval Road and 14180
25 Duval Road, between Duval Road and Interstate 95, as more
26 particularly described in **Exhibit 1**, dated March 13, 2020, and
27 graphically depicted in **Exhibit 2**, both of which are **attached**
28 **hereto** and incorporated herein by this reference (Subject
29 Property).

30 **Section 2. Owner and Applicant Description.** The Subject
31 Property is owned by Anita T. Beecher and James T. Beecher. The

1 applicant is Paul M. Harden, Esq., 501 Riverside Avenue, Suite 901,
2 Jacksonville, Florida 32202; (904) 396-5731.

3 **Section 3. Property Rezoned.** The Subject Property,
4 pursuant to adopted companion Small-Scale Amendment Application L-
5 5442-20C, is hereby rezoned and reclassified from Residential Low
6 Density-60 (RLD-60) and Residential Rural-Acre (RR-Acre) Districts
7 to Commercial Residential Office (CRO) District.

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

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

29 **Section 6. Effective Date.** The enactment of this
30 Ordinance shall be deemed to constitute a quasi-judicial action of
31 the City Council and shall become effective upon signature by the

1 Council President and the Council Secretary.

2

3 Form Approved:

4

5 /s/ Shannon K. Eller

6 Office of General Counsel

7 Legislation Prepared By: Connor Corrigan

8 GC-#1368988-v1-Z-2798_SS_COMP_REZ.docx