

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-79**

5 AN ORDINANCE REZONING APPROXIMATELY 0.46± ACRES
6 LOCATED IN COUNCIL DISTRICT 2 AT 9035 HECKSCHER
7 DRIVE, BETWEEN MCKENNA DRIVE AND WOODSMAN COVE
8 LANE (R.E. NO. 160834-0000), OWNED BY JAMES V.
9 AGONIS, AS TRUSTEE OF THE JAMES V. AGONIS
10 REVOCABLE TRUST CREATED NOVEMBER 18, 2004, AS
11 DESCRIBED HEREIN, FROM COMMERCIAL
12 COMMUNITY/GENERAL-1 (CCG-1) DISTRICT TO
13 RESIDENTIAL LOW DENSITY-100A (RLD-100A)
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
16 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
17 NUMBER L-5636-21C; 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 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-5636-21C; and

27 **WHEREAS,** in order to ensure consistency of zoning district with
28 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
29 Amendment L-5636-21C, an application to rezone and reclassify from
30 Commercial Community/General-1 (CCG-1) District to Residential Low
31 Density-100A (RLD-100A) District was filed by Taylor Mejia on behalf

1 of the owner of approximately 0.46± acres of certain real property
2 in Council District 2, as more particularly described in Section 1;
3 and

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

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

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

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

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

21 **Section 1. Subject Property Location and Description.** The
22 approximately 0.46± acres are located in Council District 2 at 9035
23 Heckscher Drive, between McKenna Drive and Woodsman Cove Lane (R.E.
24 No. 160834-0000), as more particularly described in **Exhibit 1**, dated
25 November 10, 2021, and graphically depicted in **Exhibit 2**, both of
26 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 James V. Agonis, as Trustee of the James V.
30 Agonis Revocable Trust created November 18, 2004. The applicant
31 is Taylor Mejia, 208 North Laura Street, Suite 710, Jacksonville,

1 Florida 32202; (904) 349-5954.

2 **Section 3. Property Rezoned.** The Subject Property,
3 pursuant to adopted companion Small-Scale Amendment Application L-
4 5636-21C, is hereby rezoned and reclassified from Commercial
5 Community/General-1 (CCG-1) District to Residential Low Density-100A
6 (RLD-100A) District.

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

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

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

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1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Erin Abney

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