

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-548**

5 AN ORDINANCE REZONING APPROXIMATELY 9.36± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 13587 BEAVER
7 STREET WEST, BETWEEN OTIS ROAD AND ZEPHYR DAIRY
8 DRIVE (R.E. NO. 001676-0000), OWNED BY PHOENIX
9 OFFICE CENTER, INC., AS DESCRIBED HEREIN, FROM
10 AGRICULTURE (AGR) DISTRICT TO RECREATION AND OPEN
11 SPACE (ROS) DISTRICT, AS DEFINED AND CLASSIFIED
12 UNDER THE ZONING CODE, PURSUANT TO FUTURE LAND
13 USE MAP SERIES (FLUMS) SMALL-SCALE AMENDMENT
14 APPLICATION NUMBER L-5707-22C; PROVIDING A
15 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
16 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS,** the City of Jacksonville adopted a Small-Scale
20 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
21 portions of the Future Land Use Map series (FLUMs) in order to ensure
22 the accuracy and internal consistency of the plan, pursuant to
23 companion application L-5707-22C; and

24 **WHEREAS,** in order to ensure consistency of zoning district with
25 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
26 Amendment L-5707-22C, an application to rezone and reclassify from
27 Agriculture (AGR) District to Recreation and Open Space (ROS) District
28 was filed by Curtis Hart on behalf of the owner of approximately
29 9.36± acres of certain real property in Council District 12, as more
30 particularly described in Section 1; and

31 **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 9.36± acres are located in Council District 12 at 13587
19 Beaver Street West, between Otis Road and Zephyr Dairy Drive (R.E.
20 No. 001676-0000), as more particularly described in **Exhibit 1**, dated
21 April 14, 2022, 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 Phoenix Office Center, Inc.. The applicant is
26 Curtis Hart, 8051 Tara Lane, Jacksonville, Florida 32216; (904) 993-
27 5008.

28 **Section 3. Property Rezoned.** The Subject Property,
29 pursuant to adopted companion Small-Scale Amendment Application L-
30 5707-22C, is hereby rezoned and reclassified from Agriculture (AGR)
31 District to Recreation and Open Space (ROS) District.

1 **Section 4. Contingency.** This rezoning shall not become
2 effective until thirty-one (31) days after adoption of the companion
3 Small-Scale Amendment; and further provided that if the companion
4 Small-Scale Amendment is challenged by the state land planning agency,
5 this 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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