

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-396-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.13± ACRES,
6 LOCATED IN COUNCIL DISTRICT 10 AT 0 LENOX AVENUE
7 AND 6572 LENOX AVENUE, BETWEEN LANE AVENUE SOUTH
8 AND OLD MIDDLEBURG ROAD NORTH (R.E. NOS. 011767-
9 0000 (PORTION), 011776-00000 (PORTION) AND
10 011776-0010 (PORTION)), AS DESCRIBED HEREIN,
11 OWNED BY DESI BIXHAKU AND BRISILDA BIXHAKU, FROM
12 RESIDENTIAL MEDIUM DENSITY-D (RMD-D) DISTRICT,
13 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) DISTRICT
14 AND COMMERCIAL OFFICE (CO) DISTRICT TO PLANNED
15 UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
17 COMMERCIAL USES, AS DESCRIBED IN THE DESI
18 TRANSPORT PUD; PROVIDING A DISCLAIMER THAT THE
19 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
20 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
21 PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS**, Desi Bixhaku and Brisilda Bixhaku, the owners of
24 approximately 1.13± acres located in Council District 10 at 0 Lenox
25 Avenue and 6572 Lenox Avenue, between Lane Avenue South and Old
26 Middleburg Road North (R.E. Nos. 011767-0000 (portion), 011776-00000
27 (portion) and 011776-0010 (portion)), as more particularly described
28 in **Exhibit 1**, dated March 31, 2022, and graphically depicted in
29 **Exhibit 2**, both of which are **attached hereto** (the "Subject Property"),
30 has applied for a rezoning and reclassification of that property from
31 Residential Medium Density-D (RMD-D) District, Commercial

1 Community/General-1 (CCG-1) District and Commercial Office (CO)
2 District to Planned Unit Development (PUD) District, as described in
3 Section 1 below; 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 Committee, after due notice and
7 public hearing, has made its recommendation to the Council; and

8 **WHEREAS**, the Council finds that such rezoning is: (1) consistent
9 with the *2030 Comprehensive Plan*; (2) furthers the goals, objectives
10 and policies of the *2030 Comprehensive Plan*; and (3) is not in
11 conflict with any portion of the City's land use regulations; and

12 **WHEREAS**, the Council finds the proposed rezoning does not
13 adversely affect the orderly development of the City as embodied in
14 the Zoning Code; will not adversely affect the health and safety of
15 residents in the area; will not be detrimental to the natural
16 environment or to the use or development of the adjacent properties
17 in the general neighborhood; and will accomplish the objectives and
18 meet the standards of Section 656.340 (Planned Unit Development) of
19 the Zoning Code; now, therefore

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

21 **Section 1. Property Rezoned.** The Subject Property is
22 hereby rezoned and reclassified from Residential Medium Density-D
23 (RMD-D) District, Commercial Community/General-1 (CCG-1) District and
24 Commercial Office (CO) District to Planned Unit Development (PUD)
25 District. This new PUD district shall generally permit commercial
26 uses, and is described, shown and subject to the following documents,
27 **attached hereto:**

28 **Exhibit 1** - Legal Description dated March 31, 2022.

29 **Exhibit 2** - Subject Property per P&DD.

30 **Exhibit 3** - Written Description dated March 25, 2022.

31 **Exhibit 4** - Site Plan dated April 28, 2022.

1 **Section 2. Owner and Description.** The Subject Property
2 is owned by Desi Bixhaku and Brisilda Bixhaku and is legally described
3 in **Exhibit 1, attached hereto.** The applicant is Josh Cockrell, P.O.
4 Box 28327, Jacksonville, Florida 32226; (904) 720-4260.

5 **Section 3. Disclaimer.** The rezoning granted herein
6 shall **not** be construed as an exemption from any other applicable
7 local, state, or federal laws, regulations, requirements, permits or
8 approvals. All other applicable local, state or federal permits or
9 approvals shall be obtained before commencement of the development
10 or use and issuance of this rezoning is based upon acknowledgement,
11 representation and confirmation made by the applicant(s), owner(s),
12 developer(s) and/or any authorized agent(s) or designee(s) that the
13 subject business, development and/or use will be operated in strict
14 compliance with all laws. Issuance of this rezoning does **not** approve,
15 promote or condone any practice or act that is prohibited or
16 restricted by any federal, state or local laws.

17 **Section 4. Effective Date.** The enactment of this Ordinance
18 shall be deemed to constitute a quasi-judicial action of the City
19 Council and shall become effective upon signature by the Council
20 President and the Council Secretary.

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22 Form Approved:

23
24 /s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Erin Abney

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