

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-366**

5 AN ORDINANCE REZONING APPROXIMATELY 12.61± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 5726 MONROE
7 SMITH ROAD, 5735 MONROE SMITH ROAD AND 5749
8 MONROE SMITH ROAD, BETWEEN 103RD STREET AND
9 PARMAN ROAD (R.E. NOS. 015254-0100, 015255-0000
10 AND 015341-0000 (PORTION)), AS DESCRIBED HEREIN,
11 OWNED BY FREEDOM DEVELOPMENT GROUP, LLC, FROM
12 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT AND
13 RESIDENTIAL MEDIUM DENSITY-MH (RMD-MH) DISTRICT
14 TO RESIDENTIAL MEDIUM DENSITY-A (RMD-A)
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
16 ZONING CODE; PROVIDING A DISCLAIMER THAT THE
17 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
18 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
19 PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Freedom Development Group, LLC, the owner of
22 approximately 12.61± acres located in Council District 12 at 5726
23 Monroe Smith Road, 5735 Monroe Smith Road and 5749 Monroe Smith Road,
24 between 103rd Street and Parman Road (R.E. Nos. 015254-0100, 015255-
25 0000 and 015341-0000 (portion)), as more particularly described in
26 **Exhibit 1**, dated May 31, 2023, and graphically depicted in **Exhibit**
27 **2**, both of which are attached hereto (the "Subject Property"), has
28 applied for a rezoning and reclassification of the Subject Property
29 from Residential Rural-Acre (RR-Acre) District and Residential Medium
30 Density-MH (RMD-MH) District to Residential Medium Density-A (RMD-A)
31 District; and

1 **WHEREAS**, the Planning and Development Department has considered
2 the application and has rendered an advisory recommendation; and

3 **WHEREAS**, the Planning Commission, acting as the local planning
4 agency, has reviewed the application and made an advisory
5 recommendation to the Council; 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**, taking into consideration the above recommendations and
10 all other evidence entered into the record and testimony taken at the
11 public hearings, the Council finds that such rezoning: (1) is
12 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
13 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
14 not in conflict with any portion of the City's land use regulations;
15 now, therefore

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

17 **Section 1. Property Rezoned.** The Subject Property is
18 hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)
19 District and Residential Medium Density-MH (RMD-MH) District to
20 Residential Medium Density-A (RMD-A) District, as defined and
21 classified under the Zoning Code, City of Jacksonville, Florida.

22 **Section 2. Owner and Description.** The Subject Property is
23 owned by Freedom Development Group, LLC, and is legally described in
24 **Exhibit 1**, attached hereto. The applicant is Billy Gause of BGRP
25 Engineering Group LLC, 654 SE Fort Island Trail, Crystal River,
26 Florida 34429; (904) 368-6969.

27 **Section 3. Disclaimer.** The rezoning granted herein shall
28 **not** be construed as an exemption from any other applicable local,
29 state, or federal laws, regulations, requirements, permits or
30 approvals. All other applicable local, state or federal permits or
31 approvals shall be obtained before commencement of the development

1 or use and issuance of this rezoning is based upon acknowledgement,
2 representation and confirmation made by the applicant(s), owners(s),
3 developer(s) and/or any authorized agent(s) or designee(s) that the
4 subject business, development and/or use will be operated in strict
5 compliance with all laws. Issuance of this rezoning does **not** approve,
6 promote or condone any practice or act that is prohibited or
7 restricted by any federal, state or local laws.

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

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13 Form Approved:

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15 _____
16 /s/ Shannon K. Eller

17 Office of General Counsel

18 Legislation Prepared By: Caroline Fulton

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