

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-262-E**

5 AN ORDINANCE REZONING APPROXIMATELY 0.53± ACRES
6 LOCATED IN COUNCIL DISTRICT 1 AT 812 ALDERMAN
7 ROAD, BETWEEN ARLINGTON EXPRESSWAY AND GLEN ECHO
8 ROAD (R.E. NO. 142501-0020), AS DESCRIBED HEREIN,
9 OWNED BY SWEENEY OF N.E. FLORIDA, INC., FROM
10 COMMERCIAL OFFICE (CO) DISTRICT TO COMMERCIAL
11 NEIGHBORHOOD (CN) DISTRICT, AS DEFINED AND
12 CLASSIFIED UNDER THE ZONING CODE; PROVIDING A
13 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL
14 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
15 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
16

17 **WHEREAS**, Sweeney of N.E. Florida, Inc., the owner of
18 approximately 0.53± acres located in Council District 1 at 812
19 Alderman Road, between Arlington Expressway and Glen Echo Road (R.E.
20 No. 142501-0020), as more particularly described in **Exhibit 1**, dated
21 January 27, 2023, and graphically depicted in **Exhibit 2**, both of
22 which are attached hereto (the "Subject Property"), has applied for
23 a rezoning and reclassification of the Subject Property from
24 Commercial Office (CO) District to Commercial Neighborhood (CN)
25 District; and

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

28 **WHEREAS**, the Planning Commission, acting as the local planning
29 agency, has reviewed the application and made an advisory
30 recommendation to the Council; and

31 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due

1 notice, held a public hearing and made its recommendation to the
2 Council; and

3 **WHEREAS**, taking into consideration the above recommendations and
4 all other evidence entered into the record and testimony taken at the
5 public hearings, the Council finds that such rezoning: (1) is
6 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
7 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
8 not in conflict with any portion of the City's land use regulations;
9 now, therefore

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

11 **Section 1. Property Rezoned.** The Subject Property is
12 hereby rezoned and reclassified from Commercial Office (CO) District
13 to Commercial Neighborhood (CN) District, as defined and classified
14 under the Zoning Code, City of Jacksonville, Florida.

15 **Section 2. Owner and Description.** The Subject Property is
16 owned by Sweeney of N.E. Florida, Inc., and is described in **Exhibit**
17 **1**, attached hereto. The applicant is Evin Herzberg, 12483 Aladdin
18 Road, Jacksonville, Florida 32223; (904) 625-7431.

19 **Section 3. Disclaimer.** The rezoning granted herein shall
20 **not** be construed as an exemption from any other applicable local,
21 state, or federal laws, regulations, requirements, permits or
22 approvals. All other applicable local, state or federal permits or
23 approvals shall be obtained before commencement of the development
24 or use and issuance of this rezoning is based upon acknowledgement,
25 representation and confirmation made by the applicant(s), owners(s),
26 developer(s) and/or any authorized agent(s) or designee(s) that the
27 subject business, development and/or use will be operated in strict
28 compliance with all laws. Issuance of this rezoning does **not** approve,
29 promote or condone any practice or act that is prohibited or
30 restricted by any federal, state or local laws.

31 **Section 4. Effective Date.** The enactment of this Ordinance

1 shall be deemed to constitute a quasi-judicial action of the City
2 Council and shall become effective upon signature by the Council
3 President and Council Secretary.

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5 Form Approved:

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7 /s/ Mary E. Staffopoulos

8 Office of General Counsel

9 Legislation Prepared by: Caroline Fulton

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