

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-398**

5 AN ORDINANCE REZONING APPROXIMATELY 0.84± ACRES
6 LOCATED IN COUNCIL DISTRICT 10 AT 0 103RD STREET,
7 BETWEEN KINKAID ROAD AND KEN ROAD (R.E. NO.
8 013792-0000), AS DESCRIBED HEREIN, OWNED BY
9 RICHARD NEIGHBORS, FROM COMMERCIAL
10 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT TO
11 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) DISTRICT,
12 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
13 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED
14 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
15 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
16 EFFECTIVE DATE.
17

18 **WHEREAS**, Richard Neighbors, the owner of approximately 0.84±
19 acres located in Council District 10 at 0 103rd Street, between Kinkaid
20 Road and Ken Road (R.E. No. 013792-0000), as more particularly
21 described in **Exhibit 1**, dated June 6, 2023, and graphically depicted
22 in **Exhibit 2**, both of which are attached hereto (the "Subject
23 Property"), has applied for a rezoning and reclassification of the
24 Subject Property from Commercial Community/General-2 (CCG-2) District
25 to Commercial Community/General-1 (CCG-1) 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 Community/General-2
13 (CCG-2) District to Commercial Community/General-1 (CCG-1) District,
14 as defined and classified under the Zoning Code, City of Jacksonville,
15 Florida.

16 **Section 2. Owner and Description.** The Subject Property is
17 owned by Richard Neighbors and is legally described in **Exhibit 1**,
18 attached hereto. The applicant is Lon Ogden, 405 Periwinkle Place,
19 Saint Johns, Florida 32259; (904) 254-8386.

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

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

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6 Form Approved:

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8 /s/ Shannon K. Eller

9 Office of General Counsel

10 Legislation Prepared by: Stephen Nutt

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