

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-423**

5 AN ORDINANCE REZONING APPROXIMATELY 0.25± ACRES  
6 LOCATED IN COUNCIL DISTRICT 1 AT 0 ROGERO ROAD  
7 AND 1461 ROGERO ROAD, BETWEEN BRANDEMERE ROAD  
8 NORTH AND BRANDEMERE ROAD SOUTH (R.E. NOS.  
9 141632-0000 AND 141633-0010), AS DESCRIBED  
10 HEREIN, OWNED BY HARPER & ASSOCIATES REAL ESTATE,  
11 LLC, FROM COMMERCIAL OFFICE (CO) DISTRICT AND  
12 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT (2007-  
13 994-E) TO PLANNED UNIT DEVELOPMENT (PUD)  
14 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
15 ZONING CODE, TO PERMIT COMMERCIAL USES, AS  
16 DESCRIBED IN THE JC'S PUD; PROVIDING A DISCLAIMER  
17 THAT THE REZONING GRANTED HEREIN SHALL NOT BE  
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
20

21 **WHEREAS**, Harper & Associates Real Estate, LLC, the owner of  
22 approximately 0.25± acres located in Council District 1 at 0 Rogero  
23 Road and 1461 Rogero Road, between Brandemere Road North and  
24 Brandemere Road South (R.E. Nos. 141632-0000 and 141633-0010), as  
25 more particularly described in **Exhibit 1**, dated December 5, 2022, and  
26 graphically depicted in **Exhibit 2**, both of which are attached hereto  
27 (the "Subject Property"), has applied for a rezoning and  
28 reclassification of the Subject Property from Commercial Office (CO)  
29 District and Planned Unit Development (PUD) District (2007-994-E) to  
30 Planned Unit Development (PUD) District, as described in Section 1  
31 below; and

1           **WHEREAS**, the Planning Commission, acting as the local planning  
2 agency, has reviewed the application and made an advisory  
3 recommendation to the Council; and

4           **WHEREAS**, the Land Use and Zoning Committee, after due notice and  
5 public hearing, has made its recommendation to the Council; and

6           **WHEREAS**, the Council finds that such rezoning is: (1) consistent  
7 with the *2045 Comprehensive Plan*; (2) furthers the goals, objectives  
8 and policies of the *2045 Comprehensive Plan*; and (3) is not in  
9 conflict with any portion of the City's land use regulations; and

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

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

19           **Section 1.           Property Rezoned.**     The Subject Property is  
20 hereby rezoned and reclassified from Commercial Office (CO) District  
21 and Planned Unit Development (PUD) District (2007-994-E) to Planned  
22 Unit Development (PUD) District.     This new PUD district shall  
23 generally permit commercial uses, and is described, shown and subject  
24 to the following documents, attached hereto:

25           **Exhibit 1** - Legal Description dated December 5, 2022.

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

27           **Exhibit 3** - Written Description dated April 10, 2023.

28           **Exhibit 4** - Site Plan dated April 13, 2023.

29           **Section 2.           Owner and Description.**     The Subject Property is  
30 owned by Harper & Associates Real Estate, LLC and is legally described  
31 in **Exhibit 1**, attached hereto.     The applicant is Delmas Harper, 1461

1 Rogero Road, Jacksonville, Florida 32211; (904) 619-9488.

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

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

18  
19 Form Approved:

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22 /s/ Shannon K. Eller

23 Office of General Counsel

24 Legislation Prepared By: Connor Corrigan

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