

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

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 0 103<sup>rd</sup> 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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