

1 Introduced by the Council President at the request of the Jacksonville
2 Historic Preservation Commission:
3
4

5 **ORDINANCE 2023-700-E**

6 AN ORDINANCE REGARDING CHAPTER 307 (HISTORIC
7 PRESERVATION AND PROTECTION), *ORDINANCE CODE*;
8 DESIGNATING THE RESIDENTIAL BUILDING LOCATED IN
9 COUNCIL DISTRICT 7 AT 3239 DELLWOOD AVENUE,
10 BETWEEN OWEN AVENUE AND DAY AVENUE (R.E. NO.
11 061026-0000), OWNED BY ARTUR NISTRA AND JESSICA
12 RAMPTON AS TRUSTEES OF THE RAMPTON AND NISTRA
13 LIVING TRUST, AS A LOCAL LANDMARK; DIRECTING THE
14 CHIEF OF LEGISLATIVE SERVICES TO NOTIFY THE
15 APPLICANT, THE PROPERTY OWNER, AND THE PROPERTY
16 APPRAISER OF THE LOCAL LANDMARK DESIGNATION, AND
17 TO RECORD THE LOCAL LANDMARK DESIGNATION IN THE
18 OFFICIAL RECORDS OF DUVAL COUNTY; DIRECTING THE
19 ZONING ADMINISTRATOR TO ENTER THE LOCAL LANDMARK
20 DESIGNATION ON THE ZONING ATLAS; PROVIDING AN
21 EFFECTIVE DATE.
22

23 **WHEREAS**, the Jacksonville City Council (the "Council") enacted
24 Chapter 307 (Historic Preservation and Protection), *Ordinance Code*,
25 to facilitate the designation of landmarks and landmark sites, where
26 appropriate; and

27 **WHEREAS**, the structure to be designated by this Ordinance is
28 the residential building located in Council District 7 at 3239
29 Dellwood Avenue, between Owen Avenue and Day Avenue (R.E. No. 061026-
30 0000), owned by Artur Nistra and Jessica Rampton as Trustees of the
31 Rampton and Nistra Living Trust (the "Subject Property"); and

1 **WHEREAS**, the first national rock and roll hit song performed
2 by Elvis Presley, *Heartbreak Hotel*, was written in the living room
3 of the Subject Property in 1955 by Mae Boren Axton, a promoter,
4 songwriter and mother figure to Elvis; and

5 **WHEREAS**, Mae Boren Axton was born in 1914 in Ada, Oklahoma,
6 she moved to Jacksonville with her husband in 1949, taught English
7 at Landon High School and Paxton High School and wrote articles for
8 Charlton Publications, *Hit Parade* and *Country Song Round-Up*; and

9 **WHEREAS**, Mae Boren Axton began her career in the music business
10 promoting music events in northeast Florida in the early 1950, where
11 she first encountered Elvis Presley, telling him, "I will write your
12 first million-dollar seller"; and

13 **WHEREAS**, Mae Boren Axton made good on her promise when she
14 experienced a bolt of inspiration that lead to the writing of
15 *Heartbreak Hotel* in just over twenty minutes in the living room of
16 the Subject Property, which was her residence at the time; and

17 **WHEREAS**, Mae Boren Axton co-authored over 90 songs recorded by
18 such artists as Patsy Cline, Hank Snow, Jerry Lee Lewis, Perry Como,
19 Willie Nelson, Conway Twitty, Glen Campbell and Tanya Tucker, and she
20 did public relations work for Willie Nelson, Dolly Paton, Johnny
21 Tillotson and Tanya Tucker; and

22 **WHEREAS**, Hoyt Axton, the son of Mae Boren Axton and John Axton,
23 lived in the Subject Property as a child and went on to become an
24 actor, successful songwriter and performer; and

25 **WHEREAS**, the Subject Property has been continuously occupied
26 and shows no evidence of deterioration, making it suitable for
27 preservation; and

28 **WHEREAS**, pursuant to the requirements of Chapter 307 (Historic
29 Preservation and Protection), *Ordinance Code*, the Council has
30 considered the issue of designating the Subject Property as a
31 landmark, taking into consideration its importance and historical

1 value, as more fully set forth in the Designation Application, LM-
2 23-07, and Staff Report of the Historic Preservation Section of the
3 Planning and Development Department, a copy of which is **On File** with
4 the Legislative Services Division and incorporated by reference
5 herein (the "Application and Staff Report"); and

6 **WHEREAS**, all public notice and public hearing requirements
7 have been met for designating the Subject Property as a local
8 landmark; and

9 **WHEREAS**, on September 27, 2023, the Jacksonville Historic
10 Preservation Commission reviewed and recommended approval of the
11 landmark designation; and

12 **WHEREAS**, the property owner is in support of the landmark
13 designation; and

14 **WHEREAS**, having met the requisite criteria, the Council finds
15 that it is in the best interest of the citizens of the City of
16 Jacksonville to designate the Subject Property as a local landmark,
17 in furtherance of historic preservation and protection; now therefore

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

19 **Section 1. Designation of Local Landmark.** Pursuant to
20 Chapter 307 (Historic Preservation and Protection), *Ordinance Code*,
21 the Council hereby designates the Subject Property, located in Council
22 District 7 at 3239 Dellwood Avenue, between Owen Avenue and Day Avenue
23 (R.E. No. 061026-0000), as a local landmark.

24 **Section 2. Satisfaction of Requisite Criteria.** The Council
25 hereby finds that the Subject Property meets three of the requisite
26 criteria set forth in Section 307.104(j), *Ordinance Code*, as more
27 fully set forth in the Application and Staff Report. The three
28 criteria are as follows:

29 1. Its location is the site of a significant local, state, or
30 national event.

31 2. It is identified with a person or persons who significantly

1 contributed to the development of the city, state or nation.

2 3. Its suitability for preservation or restoration.

3 **Section 3. Notice of Landmark Designation.** Pursuant to
4 Section 307.104(m), *Ordinance Code*, the Council hereby directs the
5 Chief of Legislative Services, as designee of the Council Secretary,
6 to notify the applicant, the property owner, and the Property
7 Appraiser of the designation of the landmark.

8 **Section 4. Recording of Landmark Designation.** The Council
9 hereby directs the Chief of Legislative Services to record this
10 Ordinance in the official records for Duval County, Florida.

11 **Section 5. Landmark Designation on Zoning Atlas.** Pursuant
12 to Section 307.104(n), *Ordinance Code*, the Council hereby directs the
13 Zoning Administrator, as designee of the Director of the Planning and
14 Development Department, to enter the local landmark designation on
15 the Zoning Atlas, in accordance with Section 656.203, *Ordinance Code*.

16 **Section 6. Effective Date.** The enactment of this Ordinance
17 shall be deemed to constitute a quasi-judicial action of the Council
18 and therefore shall become effective upon signature by the Council
19 President and Council Secretary.

20
21 Form Approved:

22
23 /s/ Carla A Lopera

24 Office of General Counsel

25 Legislation Prepared By: Carla A. Lopera

26 GC-#1592349-v1-3239_Dellwood_Ave_(LM-23-07).docx