

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2024-149**

5 AN ORDINANCE REZONING APPROXIMATELY 21.14± ACRES  
6 LOCATED IN COUNCIL DISTRICT 3 AT 0 J. TURNER  
7 BUTLER BOULEVARD AND 3702 SANS PAREIL STREET,  
8 BETWEEN SAN PABLO ROAD SOUTH AND KERNAN BOULEVARD  
9 SOUTH (R.E. NOS. 167771-0000 (PORTION) AND  
10 167771-4000 (PORTION)), OWNED BY KERNAN R. HODGES  
11 REVOCABLE TRUST DATED JANUARY 23, 1981 (C/O JOHN  
12 R. CATHEY, TRUSTEE), AS DESCRIBED HEREIN, FROM  
13 AGRICULTURE (AGR) DISTRICT TO RESIDENTIAL LOW  
14 DENSITY-60 (RLD-60) DISTRICT, AS DEFINED AND  
15 CLASSIFIED UNDER THE ZONING CODE, PURSUANT TO  
16 FUTURE LAND USE MAP SERIES SMALL-SCALE AMENDMENT  
17 APPLICATION NUMBER L-5900-23C; PROVIDING A  
18 DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL  
19 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
20 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
21

22 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
23 Amendment to the *2045 Comprehensive Plan* for the purpose of revising  
24 portions of the Future Land Use Map series (FLUMs) in order to ensure  
25 the accuracy and internal consistency of the plan, pursuant to  
26 companion application L-5900-23C; and

27 **WHEREAS,** in order to ensure consistency of zoning district  
28 with the *2045 Comprehensive Plan* and the adopted companion Small-Scale  
29 Amendment L-5900-23C, an application to rezone and reclassify from  
30 Agriculture (AGR) District to Residential Low Density-60 (RLD-60)  
31 District was filed by Paul Harden, Esq. on behalf of the owner of

1 approximately 21.14± acres of certain real property in Council  
2 District 3, as more particularly described in Section 1; and

3 **WHEREAS,** the Planning and Development Department, in order to  
4 ensure consistency of this zoning district with the *2045 Comprehensive*  
5 *Plan*, has considered the rezoning and has rendered an advisory  
6 opinion; and

7 **WHEREAS,** the Planning Commission has considered the  
8 application and has rendered an advisory opinion; and

9 **WHEREAS,** the Land Use and Zoning (LUZ) Committee, after due  
10 notice, held a public hearing and made its recommendation to the  
11 Council; and

12 **WHEREAS,** the City Council, after due notice, held a public  
13 hearing, and taking into consideration the above recommendations as  
14 well as all oral and written comments received during the public  
15 hearings, the Council finds that such rezoning is consistent with the  
16 *2045 Comprehensive Plan* adopted under the comprehensive planning  
17 ordinance for future development of the City of Jacksonville; now  
18 therefore

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

20 **Section 1. Subject Property Location and Description.** The  
21 approximately 21.14± acres are located in Council District 3 at 0 J.  
22 Turner Butler Boulevard and 3702 Sans Pareil Street, between San  
23 Pable Road South and Kernan Boulevard South (R.E. Nos. 167771-0000  
24 (portion) and 167771-4000 (portion)), as more particularly described  
25 in **Exhibit 1**, dated December 5, 2023, and graphically depicted in  
26 **Exhibit 2**, both of which are attached hereto and incorporated herein  
27 by this reference (the "Subject Property").

28 **Section 2. Owner and Applicant Description.** The Subject  
29 Property is owned by Kernan R. Hodges Revocable Trust dated January  
30 23, 1981 (c/o John R. Cathey, Trustee). The applicant is Paul Harden,  
31 Esq., 1431 Riverplace Boulevard, Suite 901, Jacksonville, Florida

32207; (904) 396-5731.

**Section 3. Property Rezoned.** The Subject Property, pursuant to adopted companion Small-Scale Amendment Application L-5900-23C, is hereby rezoned and reclassified from Agriculture (AGR) District to Residential Low Density-60 (RLD-60) District.

**Section 4. Contingency.** This rezoning shall not become effective until thirty-one (31) days after adoption of the companion Small-Scale Amendment; and further provided that if the companion Small-Scale Amendment is challenged by the state land planning agency, this rezoning shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the companion Small-Scale Amendment is in compliance with Chapter 163, *Florida Statutes*.

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

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

Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Connor Corrigan

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