

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2024-234**

5 AN ORDINANCE REZONING APPROXIMATELY 7.37± ACRES  
6 LOCATED IN COUNCIL DISTRICT 8 AT 0 GILLESPIE  
7 AVENUE AND 12433 GILLESPIE AVENUE, BETWEEN  
8 GILLESPIE AVENUE AND CAMDEN ROAD (R.E. NOS.  
9 106975-0030, 106975-0040 AND 106977-0300), AS  
10 DESCRIBED HEREIN, OWNED BY BCEL 8C LLC AND ESSA  
11 HASHEM, FROM RESIDENTIAL LOW DENSITY-60 (RLD-60)  
12 DISTRICT TO RESIDENTIAL LOW DENSITY-40 (RLD-40)  
13 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE  
14 ZONING CODE; PROVIDING A DISCLAIMER THAT THE  
15 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED  
16 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
17 PROVIDING AN EFFECTIVE DATE.  
18

19 **WHEREAS**, BCEL 8C LLC and Essa Hashem, the owners of  
20 approximately 7.37± acres located in Council District 8 at 0 Gillespie  
21 Avenue and 12433 Gillespie Avenue, between Gillespie Avenue and Camden  
22 Road (R.E. Nos. 106975-0030, 106975-0040 and 106977-0300), as more  
23 particularly described in **Exhibit 1**, dated February 13, 2024, and  
24 graphically depicted in **Exhibit 2**, both of which are attached hereto  
25 (the "Subject Property"), have applied for a rezoning and  
26 reclassification of the Subject Property from Residential Low  
27 Density-60 (RLD-60) District to Residential Low Density-40 (RLD-40)  
28 District; and

29 **WHEREAS**, the Planning and Development Department has  
30 considered the application and has rendered an advisory  
31 recommendation; 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 (LUZ) Committee, after due  
5 notice, held a public hearing and made its recommendation to the  
6 Council; and

7           **WHEREAS**, taking into consideration the above recommendations  
8 and all other evidence entered into the record and testimony taken  
9 at the public hearings, the Council finds that such rezoning: (1) is  
10 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,  
11 objectives and policies of the *2045 Comprehensive Plan*; and (3) is  
12 not in conflict with any portion of the City's land use regulations;  
13 now therefore

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

15           **Section 1. Property Rezoned.** The Subject Property is  
16 hereby rezoned and reclassified from Residential Low Density-60  
17 (RLD-60) District to Residential Low Density-40 (RLD-40) District,  
18 as defined and classified under the Zoning Code, City of Jacksonville,  
19 Florida.

20           **Section 2. Owner and Description.** The Subject Property is  
21 owned by BCEL 8C LLC and Essa Hashem, and is legally described in  
22 **Exhibit 1**, attached hereto. The applicant is Brian Small, 3948 South  
23 3<sup>rd</sup> Street, #116, Jacksonville, Florida 32250; (843) 384-9333.

24           **Section 3. Disclaimer.** The rezoning granted herein shall  
25 **not** be construed as an exemption from any other applicable local,  
26 state, or federal laws, regulations, requirements, permits or  
27 approvals. All other applicable local, state or federal permits or  
28 approvals shall be obtained before commencement of the development  
29 or use and issuance of this rezoning is based upon acknowledgement,  
30 representation and confirmation made by the applicant(s), owners(s),  
31 developer(s) and/or any authorized agent(s) or designee(s) that the

1 subject business, development and/or use will be operated in strict  
2 compliance with all laws. Issuance of this rezoning does **not** approve,  
3 promote or condone any practice or act that is prohibited or  
4 restricted by any federal, state or local laws.

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

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10 Form Approved:

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12           /s/ Mary E. Staffopoulos          

13 Office of General Counsel

14 Legislation Prepared By: Jacquelyn Williams

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