

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2024-234

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

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

WHEREAS, the Planning and Development Department has
considered the application and has rendered an advisory
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 3rd 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:

11
12 /s/ Mary E. Staffopoulos

13 Office of General Counsel

14 Legislation Prepared By: Jacquelyn Williams

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