

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-38**

5 AN ORDINANCE REZONING APPROXIMATELY 7.06± ACRES
6 LOCATED IN COUNCIL DISTRICT 12, AT 1209
7 HAMMOND BOULEVARD AND 1291 HAMMOND BOULEVARD,
8 BETWEEN LENOX AVENUE AND HAMMOND FOREST DRIVE
9 (R.E. NOS. 008754-0000 AND 008757-0000) AS
10 DESCRIBED HEREIN, OWNED BY WILLO B. GAY AND
11 CHARLES C. GAY, FROM RESIDENTIAL RURAL-ACRE
12 (RR-ACRE) DISTRICT TO COMMERCIAL RESIDENTIAL
13 OFFICE (CRO) DISTRICT, AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE; PROVIDING A
15 DISCLAIMER THAT THE REZONING GRANTED HEREIN
16 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM
17 ANY OTHER APPLICABLE LAWS; PROVIDING AN
18 EFFECTIVE DATE.
19

20 **WHEREAS**, Willo B. Gay and Charles C. Gay, the owners of
21 approximately 7.06± acres located in Council District 12, at 1209
22 Hammond Boulevard and 1291 Hammond Boulevard, between Lenox Avenue
23 and Hammond Forest Drive (R.E. Nos. 008754-0000 and 008757-0000) as
24 more particularly described in **Exhibit 1**, dated November 28, 2018,
25 and graphically depicted in **Exhibit 2**, both of which are **attached**
26 **hereto** and incorporated herein by this reference (Subject
27 Property), have applied for a rezoning and reclassification of the
28 Subject Property from Residential Rural-Acre (RR-Acre) District to
29 Commercial Residential Office (CRO) District; and

30 **WHEREAS**, the Planning and Development Department has
31 considered the application and has rendered an advisory

1 recommendation; and

2 **WHEREAS**, the Planning Commission, acting as the local planning
3 agency, has reviewed the application and made an advisory
4 recommendation to the Council; and

5 **WHEREAS**, the Land Use and Zoning Committee, after due notice
6 and public hearing has made its recommendation to the 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)
10 is consistent with the *2030 Comprehensive Plan*; (2) furthers the
11 goals, objectives and policies of the *2030 Comprehensive Plan*; and
12 (3) is not in conflict with any portion of the City's land use
13 regulations; 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 Rural-Acre (RR-
17 Acre) District to Commercial Residential Office (CRO) District, as
18 defined and classified under the Zoning Code, City of Jacksonville,
19 Florida.

20 **Section 2. Owners and Description.** The Subject Property
21 is owned by Willo B. Gay and Charles C. Gay, and is described in
22 **Exhibit 1, attached hereto.** The agent is Lara D. Hipps, Hipps
23 Group Inc., 1650 Margaret Street, #323, Jacksonville, Florida
24 32204; (904) 781-2654.

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

1 owners(s), developer(s) and/or any authorized agent(s) or
2 designee(s) that the subject business, development and/or use will
3 be operated in strict compliance with all laws. Issuance of this
4 rezoning does **not** approve, promote or condone any practice or act
5 that is prohibited or restricted by any federal, state or local
6 laws.

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

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12 Form Approved:

13
14 /s/ Shannon K. Eller

15 Office of General Counsel

16 Legislation Prepared By: Erin Abney

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