

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2018-830-W**

5 AN ORDINANCE REZONING APPROXIMATELY 3.42± ACRES
6 LOCATED IN COUNCIL DISTRICT 12, AT 9101
7 MCCLELLAND ROAD, BETWEEN NORMANDY BOULEVARD
8 AND LONG BRANCH ROAD (R.E. NO. 001271-3300) AS
9 DESCRIBED HEREIN, OWNED BY DUANE J. HODGES,
10 FROM PLANNED UNIT DEVELOPMENT-SC (PUD-SC)
11 DISTRICT TO AGRICULTURE (AGR) DISTRICT, AS
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
13 PROVIDING A DISCLAIMER THAT THE REZONING
14 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN
15 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
16 PROVIDING AN EFFECTIVE DATE.
17

18 **WHEREAS**, Duane J. Hodges, the owner of approximately 3.42±
19 acres located in Council District 12, at 9101 McClelland Road,
20 between Normandy Boulevard and Long Branch Road (R.E. No. 001271-
21 3300) as more particularly described in **Exhibit 1**, dated November
22 14, 2018, and graphically depicted in **Exhibit 2**, both of which are
23 **attached hereto** and incorporated herein by this reference (Subject
24 Property), has applied for a rezoning and reclassification of the
25 Subject Property from Planned Unit Development-SC (PUD-SC) District
26 to Agriculture (AGR) District; and

27 **WHEREAS**, the Planning and Development Department has
28 considered the application and has rendered an advisory
29 recommendation; and

30 **WHEREAS**, the Planning Commission, acting as the local planning
31 agency, has reviewed the application and made an advisory

1 recommendation to the Council; and

2 **WHEREAS**, the Land Use and Zoning Committee, after due notice
3 and public hearing has made its recommendation to the Council; and

4 **WHEREAS**, taking into consideration the above recommendations
5 and all other evidence entered into the record and testimony taken
6 at the public hearings, the Council finds that such rezoning: (1)
7 is consistent with the *2030 Comprehensive Plan*; (2) furthers the
8 goals, objectives and policies of the *2030 Comprehensive Plan*; and
9 (3) is not in conflict with any portion of the City's land use
10 regulations; now, therefore

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

12 **Section 1. Property Rezoned.** The Subject Property is
13 hereby rezoned and reclassified from Planned Unit Development-SC
14 (PUD-SC) District to Agriculture (AGR) District, as defined and
15 classified under the Zoning Code, City of Jacksonville, Florida.

16 **Section 2. Owners and Description.** The Subject Property
17 is owned by Duane J. Hodges, and is described in **Exhibit 1,**
18 **attached hereto.** The agent is Duane J. Hodges, 9101 McClelland
19 Road, Jacksonville, Florida 32234; DHODGES0608@yahoo.com.

20 **Section 3. Disclaimer.** The rezoning granted herein shall
21 **not** be construed as an exemption from any other applicable local,
22 state, or federal laws, regulations, requirements, permits or
23 approvals. All other applicable local, state or federal permits or
24 approvals shall be obtained before commencement of the development
25 or use and issuance of this rezoning is based upon acknowledgement,
26 representation and confirmation made by the applicant(s),
27 owners(s), developer(s) and/or any authorized agent(s) or
28 designee(s) that the subject business, development and/or use will
29 be operated in strict compliance with all laws. Issuance of this
30 rezoning does **not** approve, promote or condone any practice or act
31 that is prohibited or restricted by any federal, state or local

1 laws.

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

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7 Form Approved:

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9 /s/ Shannon K. Eller

10 Office of General Counsel

11 Legislation Prepared By: Erin Abney

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