

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-878**

5 AN ORDINANCE REZONING APPROXIMATELY 6.90±
6 ACRES LOCATED IN COUNCIL DISTRICT 7, AT 0
7 BISCAYNE BOULEVARD AND 0 DUNN AVENUE, BETWEEN
8 MAR VIC LANE AND RUTGERS ROAD (R.E. NOS.
9 044180-0010 AND 044215-0010), AS DESCRIBED
10 HEREIN, OWNED BY THE CHARLES DAVIS BURNER
11 TRUST, ET AL., AND THE CARL E. STOUDEMIRE, JR.
12 TRUST, ET AL., FROM RESIDENTIAL MEDIUM
13 DENSITY-A (RMD-A), RESIDENTIAL MEDIUM DENSITY-
14 C (RMD-C) AND COMMERCIAL COMMUNITY/GENERAL-1
15 (CCG-1) DISTRICTS TO RESIDENTIAL MEDIUM
16 DENSITY-D (RMD-D) DISTRICT, AS DEFINED AND
17 CLASSIFIED UNDER THE ZONING CODE; PROVIDING A
18 DISCLAIMER THAT THE REZONING GRANTED HEREIN
19 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM
20 ANY OTHER APPLICABLE LAWS; PROVIDING AN
21 EFFECTIVE DATE.
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23 **WHEREAS**, the Charles Davis Burner Trust, et al., and the Carl
24 E. Stoudemire, Jr. Trust, et al., the owners of approximately 6.90±
25 acres located in Council District 7, at 0 Biscayne Boulevard and 0
26 Dunn Avenue, between Mar Vic Lane and Rutgers Road (R.E. Nos.
27 044180-0010 and 044215-0010), as more particularly described in
28 **Exhibit 1**, dated October 12, 2011, and graphically depicted in
29 **Exhibit 2**, both of which are **attached hereto** (Subject Property),
30 have applied for a rezoning and reclassification of the Subject
31 Property from Residential Medium Density-A (RMD-A), Residential

1 Medium Density-C (RMD-C) and Commercial Community/General-1 (CCG-1)
2 Districts to Residential Medium Density-D (RMD-D) District; and

3 **WHEREAS**, the Planning and Development Department has
4 considered the application and has rendered an advisory
5 recommendation; and

6 **WHEREAS**, the Planning Commission, acting as the local planning
7 agency, has reviewed the application and made an advisory
8 recommendation to the Council; and

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

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

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

19 **Section 1. Property Rezoned.** The Subject Property is
20 hereby rezoned and reclassified from Residential Medium Density-A
21 (RMD-A), Residential Medium Density-C (RMD-C) and Commercial
22 Community/General-1 (CCG-1) Districts to Residential Medium
23 Density-D (RMD-D) District, as defined and classified under the
24 Zoning Code, City of Jacksonville, Florida.

25 **Section 2. Owner and Description.** The Subject Property
26 is owned by the Charles Davis Burner Trust, et al., and the Carl E.
27 Stoudemire, Jr. Trust, et al., and is described in **Exhibit 1,**
28 **attached hereto.** The agent is Wyman R. Duggan, Esq., 1301
29 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
30 (904) 398-3911.

31 **Section 3. Disclaimer.** The rezoning granted herein shall

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

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

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18 Form Approved:

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20 /s/ Shannon K. Eller

21 Office of General Counsel

22 Legislation Prepared By: Connie Quinto

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