

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2020-50**

5 AN ORDINANCE REZONING APPROXIMATELY 7.50± ACRES  
6 LOCATED IN COUNCIL DISTRICT 9 AT 0 SEABOARD  
7 AVENUE AND 5929 SEABOARD AVENUE, BETWEEN 110<sup>TH</sup>  
8 STREET AND BRYNER DRIVE (R.E. NOS. 103180-0000  
9 AND 103183-0000), OWNED BY TROY W. ALBERS AND  
10 ELANA SCHRADER, AS DESCRIBED HEREIN, FROM  
11 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT TO  
12 RESIDENTIAL MEDIUM DENSITY-D (RMD-D) DISTRICT,  
13 AS DEFINED AND CLASSIFIED UNDER THE ZONING  
14 CODE, PURSUANT TO FUTURE LAND USE MAP SERIES  
15 (FLUMS) SMALL-SCALE AMENDMENT APPLICATION  
16 NUMBER L-5412-19C; PROVIDING A DISCLAIMER THAT  
17 THE REZONING GRANTED HEREIN SHALL NOT BE  
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER  
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.  
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21 **WHEREAS,** the City of Jacksonville adopted a Small-Scale  
22 Amendment to the *2030 Comprehensive Plan* for the purpose of  
23 revising portions of the Future Land Use Map series (FLUMs) in  
24 order to ensure the accuracy and internal consistency of the plan,  
25 pursuant to application L-5412-19C and companion land use Ordinance  
26 2020-49; and

27 **WHEREAS,** in order to ensure consistency of zoning district  
28 with the *2030 Comprehensive Plan* and the adopted companion Small-  
29 Scale Amendment L-5412-19C, an application to rezone and reclassify  
30 from Residential Low Density-60 (RLD-60) District to Residential  
31 Medium Density-D (RMD-D) District was filed by Wyman R. Duggan,

1 Esq., on behalf of the owners of approximately 7.50± acres of  
2 certain real property in Council District 9, as more particularly  
3 described in Section 1; and

4 **WHEREAS**, the Planning and Development Department, in order to  
5 ensure consistency of this zoning district with the *2030*  
6 *Comprehensive Plan*, has considered the rezoning and has rendered an  
7 advisory opinion; and

8 **WHEREAS**, the Planning Commission has considered the  
9 application and has rendered an advisory opinion; and

10 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due  
11 notice, held a public hearing and made its recommendation to the  
12 Council; and

13 **WHEREAS**, the City Council, after due notice, held a public  
14 hearing, and taking into consideration the above recommendations as  
15 well as all oral and written comments received during the public  
16 hearings, the Council finds that such rezoning is consistent with  
17 the *2030 Comprehensive Plan* adopted under the comprehensive  
18 planning ordinance for future development of the City of  
19 Jacksonville; now, therefore

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

21 **Section 1. Subject Property Location and Description.** The  
22 approximately 7.50± acres (R.E. Nos. 103180-0000 and 103183-0000)  
23 are located in Council District 9 at 0 Seaboard Avenue and 5929  
24 Seaboard Avenue, between 110<sup>th</sup> Street and Bryner Drive, as more  
25 particularly described in **Exhibit 1**, dated November 25, 2019, and  
26 graphically depicted in **Exhibit 2**, both **attached hereto** and  
27 incorporated herein by this reference (Subject Property).

28 **Section 2. Owner and Applicant Description.** The Subject  
29 Property is owned by Troy W. Albers and Elana Schrader. The  
30 applicant is Wyman R. Duggan, Esq., 1301 Riverplace Boulevard,  
31 Suite 1500, Jacksonville, Florida 32207; (904) 398-3911.

1           **Section 3.       Property Rezoned.**       The Subject Property,  
2 pursuant to adopted companion Small-Scale Amendment Application L-  
3 5412-19C, is hereby rezoned and reclassified from Residential Low  
4 Density-60 (RLD-60) District to Residential Medium Density-D (RMD-  
5 D) District.

6           **Section 4.       Contingency.**       This rezoning shall not become  
7 effective until 31 days after adoption of the companion Small-Scale  
8 Amendment; and further provided that if the companion Small-Scale  
9 Amendment is challenged by the state land planning agency, this  
10 rezoning shall not become effective until the state land planning  
11 agency or the Administration Commission issues a final order  
12 determining the companion Small-Scale Amendment is in compliance  
13 with Chapter 163, *Florida Statutes*.

14           **Section 5.       Disclaimer.**       The rezoning granted herein  
15 shall not be construed as an exemption from any other applicable  
16 local, state, or federal laws, regulations, requirements, permits  
17 or approvals. All other applicable local, state or federal permits  
18 or approvals shall be obtained before commencement of the  
19 development or use and issuance of this rezoning is based upon  
20 acknowledgement, representation and confirmation made by the  
21 applicant(s), owner(s), developer(s) and/or any authorized agent(s)  
22 or designee(s) that the subject business, development and/or use  
23 will be operated in strict compliance with all laws. Issuance of  
24 this rezoning does not approve, promote or condone any practice or  
25 act that is prohibited or restricted by any federal, state or local  
26 laws.

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

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1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Erin Abney

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