

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-690**

5 AN ORDINANCE REZONING APPROXIMATELY 0.13± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 5 AT 1939
7 HENDRICKS AVENUE, BETWEEN ATLANTIC BOULEVARD
8 AND LANDON AVENUE (R.E. NO. 082022-0000
9 (PORTION)), AS DESCRIBED HEREIN, OWNED BY THE
10 ESTATE OF RAYMOND P. DIEMER, FROM RESIDENTIAL
11 MEDIUM DENSITY-A (RMD-A) DISTRICT TO COMMERCIAL
12 RESIDENTIAL OFFICE (CRO) DISTRICT, AS DEFINED
13 AND CLASSIFIED UNDER THE ZONING CODE; PROVIDING
14 A DISCLAIMER THAT THE REZONING GRANTED HEREIN
15 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
16 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
17 DATE.

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19 **WHEREAS**, the Estate of Raymond P. Diemer, the owner of
20 approximately 0.13± of an acre located in Council District 5 at 1939
21 Hendricks Avenue, between Atlantic Boulevard and Landon Avenue (R.E.
22 No. 082022-0000 (portion)), as more particularly described in **Exhibit**
23 **1**, dated October 2, 2020, and graphically depicted in **Exhibit 2**, both
24 of which are **attached hereto** (Subject Property), has applied for a
25 rezoning and reclassification of the Subject Property from
26 Residential Medium Density-A (RMD-A) District to Commercial
27 Residential Office (CRO) District; and

28 **WHEREAS**, the Planning and Development Department has considered
29 the application and has rendered an advisory 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 and
3 public hearing has made its recommendation to the Council; and

4 **WHEREAS**, taking into consideration the above recommendations and
5 all other evidence entered into the record and testimony taken at the
6 public hearings, the Council finds that such rezoning: (1) is
7 consistent with the *2030 Comprehensive Plan*; (2) furthers the goals,
8 objectives and policies of the *2030 Comprehensive Plan*; and (3) is
9 not in conflict with any portion of the City's land use regulations;
10 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 Residential Medium Density-A
14 (RMD-A) District to Commercial Residential Office (CRO) District, as
15 defined and classified under the Zoning Code, City of Jacksonville,
16 Florida.

17 **Section 2. Owner and Description.** The Subject Property is
18 owned by the Estate of Raymond P. Diemer, and is described in **Exhibit**
19 **1, attached hereto.** The applicant is Paul M. Harden, Esq., 501
20 Riverside Avenue, Suite 901, Jacksonville, Florida 32202; (904) 396-
21 5731.

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

