

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-572-E**

5 AN ORDINANCE REZONING APPROXIMATELY 1.25± ACRES
6 LOCATED IN COUNCIL DISTRICT 2 AT 0 BETZ ROAD,
7 BETWEEN SPRING HAMMOCK ROAD AND BRADHAM ROAD
8 (R.E. NO. 159760-0060), OWNED BY BRIAN K.
9 MCKENZIE AND ANGELA D. MCKENZIE, AS DESCRIBED
10 HEREIN, FROM AGRICULTURE (AGR) DISTRICT TO
11 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT, AS
12 DEFINED AND CLASSIFIED UNDER THE ZONING CODE,
13 PURSUANT TO FUTURE LAND USE MAP SERIES (FLUMS)
14 SMALL-SCALE AMENDMENT APPLICATION NUMBER L-
15 5466-20C; PROVIDING A DISCLAIMER THAT THE
16 REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
17 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
18 PROVIDING AN EFFECTIVE DATE.
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20 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
21 Amendment to the *2030 Comprehensive Plan* for the purpose of
22 revising portions of the Future Land Use Map series (FLUMs) in
23 order to ensure the accuracy and internal consistency of the plan,
24 pursuant to application L-5466-20C and companion land use Ordinance
25 2020-571; and

26 **WHEREAS**, in order to ensure consistency of zoning district
27 with the *2030 Comprehensive Plan* and the adopted companion Small-
28 Scale Amendment L-5466-20C, an application to rezone and reclassify
29 from Agriculture (AGR) District to Residential Rural-Acre (RR-Acre)
30 District was filed by Matthew Chmura, on behalf of the owners of
31 approximately 1.25± acres of certain real property in Council

1 District 2, as more particularly described in Section 1; and

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

6 **WHEREAS**, the Planning Commission has considered the
7 application and has rendered an advisory opinion; and

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

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

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

19 **Section 1. Subject Property Location and Description.** The
20 approximately 1.25± acres (R.E. No. 159760-0060) are located in
21 Council District 2 at 0 Betz Road, between Spring Hammock Road and
22 Bradham Road, as more particularly described in **Exhibit 1**, dated
23 August 6, 2020, and graphically depicted in **Exhibit 2**, both of
24 which are **attached hereto** and incorporated herein by this reference
25 (Subject Property).

26 **Section 2. Owner and Applicant Description.** The Subject
27 Property is owned by Brian K. McKenzie and Angela D. McKenzie. The
28 applicant is Matthew Chmura, 3202 River Road, Green Cove Springs,
29 Florida 32043; (904) 392-9841.

30 **Section 3. Property Rezoned.** The Subject Property,
31 pursuant to adopted companion Small-Scale Amendment Application L-

1 5466-20C, is hereby rezoned and reclassified from Agriculture (AGR)
2 District to Residential Rural-Acre (RR-Acre) District.

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

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

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

1 Form Approved:

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3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared By: Connie Quinto

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