

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

5 AN ORDINANCE REZONING APPROXIMATELY 0.13± OF  
6 AN ACRE LOCATED IN COUNCIL DISTRICT 5 AT 1939  
7 HENDRICKS AVENUE, BETWEEN ATLANTIC BOULEVARD  
8 AND LONDON 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  
12 COMMERCIAL RESIDENTIAL OFFICE (CRO) DISTRICT,  
13 AS DEFINED AND CLASSIFIED UNDER THE ZONING  
14 CODE; PROVIDING A DISCLAIMER THAT THE REZONING  
15 GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN  
16 EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
17 PROVIDING AN EFFECTIVE DATE.  
18

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

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

31 **WHEREAS**, the Planning Commission, acting as the local planning

1 agency, has reviewed the application and made an advisory  
2 recommendation to the Council; and

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

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

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

13 **Section 1. Property Rezoned.** The Subject Property is  
14 hereby rezoned and reclassified from Residential Medium Density-A  
15 (RMD-A) District to Commercial Residential Office (CRO) District,  
16 as defined and classified under the Zoning Code, City of  
17 Jacksonville, Florida.

18 **Section 2. Owner and Description.** The Subject Property  
19 is owned by the Estate of Raymond P. Diemer, and is described in  
20 **Exhibit 1, attached hereto.** The applicant is Paul M. Harden, Esq.,  
21 501 Riverside Avenue, Suite 901, Jacksonville, Florida 32202; (904)  
22 396-5731.

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

1 be operated in strict compliance with all laws. Issuance of this  
2 rezoning does **not** approve, promote or condone any practice or act  
3 that is prohibited or restricted by any federal, state or local  
4 laws.

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

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10 Form Approved:

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12  /s/ Shannon K. Eller

13 Office of General Counsel

14 Legislation Prepared By: Connie Quinto

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