

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-233**

5 AN ORDINANCE REZONING APPROXIMATELY 21.44±  
6 ACRES LOCATED IN COUNCIL DISTRICT 10 AT 0 MORSE  
7 AVENUE, BETWEEN RICKER ROAD AND RAMPART ROAD  
8 (R.E. NOS. 015805-9500, 015806-0100 (PORTION)  
9 AND 015807-0000), AS DESCRIBED HEREIN, OWNED BY  
10 THE MARTHA H. BURKHALTER TRUST, FROM  
11 RESIDENTIAL RURAL-ACRE (RR-ACRE) DISTRICT TO  
12 RESIDENTIAL MEDIUM DENSITY-A (RMD-A) DISTRICT,  
13 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE;  
14 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 Martha H. Burkhalter Trust, the owner of  
20 approximately 21.44± acres located in Council District 10 at 0 Morse  
21 Avenue, between Ricker Road and Rampart Road (R.E. Nos. 015805-9500,  
22 015806-0100 (portion) and 015807-0000), as more particularly  
23 described in **Exhibit 1**, dated April 7, 2021, and graphically depicted  
24 in **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 Rural-Acre (RR-Acre) District to  
27 Residential Medium Density-A (RMD-A) 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 Rural-Acre (RR-Acre)  
14 District to Residential Medium Density-A (RMD-A) District, as defined  
15 and classified under the Zoning Code, City of Jacksonville, Florida.

16 **Section 2. Owner and Description.** The Subject Property is  
17 owned by the Martha H. Burkhalter Trust, and is described in **Exhibit**  
18 **1, attached hereto.** The applicant is T.R. Hainline, Esq., 1301  
19 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207; (904)  
20 346-5531.

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

1 restricted by any federal, state or local laws.

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

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7 Form Approved:

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9       /s/ Shannon K. Eller      

10 Office of General Counsel

11 Legislation Prepared By: Kaysie Cox

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