

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-420-E**

5 AN ORDINANCE REZONING APPROXIMATELY 2.26± OF AN
6 ACRE LOCATED IN COUNCIL DISTRICT 12 AT 13074
7 NORMANDY BOULEVARD, BETWEEN POW-MIA MEMORIAL
8 PARKWAY AND ALCOY ROAD (R.E. NO. 002207-0100),
9 OWNED BY JOHN BARBONE, AS DESCRIBED HEREIN, FROM
10 RESIDENTIAL RURAL-ACRE (RR-A) TO LIGHT
11 INDUSTRIAL (IL), AS DEFINED AND CLASSIFIED UNDER
12 THE ZONING CODE, PURSUANT TO FUTURE LAND USE MAP
13 SERIES (FLUMS) SMALL-SCALE AMENDMENT APPLICATION
14 NUMBER L-5566-21C; PROVIDING A DISCLAIMER THAT
15 THE REZONING GRANTED HEREIN SHALL NOT BE
16 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
17 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, the City of Jacksonville adopted a Small-Scale
20 Amendment to the *2030 Comprehensive Plan* for the purpose of revising
21 portions of the Future Land Use Map series (FLUMs) in order to ensure
22 the accuracy and internal consistency of the plan, pursuant to
23 companion application L-5566-21C; and

24 **WHEREAS**, in order to ensure consistency of zoning district with
25 the *2030 Comprehensive Plan* and the adopted companion Small-Scale
26 Amendment L-5566-21C, an application to rezone and reclassify from
27 Residential Rural-Acre (RR-A) to Light Industrial (IL) was filed by
28 Fred Atwill, on behalf of the owner of approximately 2.26± of an acre
29 of certain real property in Council District 12, as more particularly
30 described in Section 1; and

31 **WHEREAS**, the Planning and Development Department, in order to

1 ensure consistency of this zoning district with the *2030 Comprehensive*
2 *Plan*, has considered the rezoning and has rendered an advisory
3 opinion; and

4 **WHEREAS**, the Planning Commission has considered the application
5 and has rendered an advisory opinion; and

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

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

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

17 **Section 1. Subject Property Location and Description.** The
18 approximately 2.26± of an acre (R.E. No. 002207-0100) is located in
19 Council District 12 at 13074 Normandy Boulevard, between POW-MIA
20 Memorial Parkway and Alcoy Road, as more particularly described in
21 **Exhibit 1**, dated May 28, 2021, and graphically depicted in **Exhibit**
22 **2**, both of which are **attached hereto** and incorporated herein by this
23 reference (Subject Property).

24 **Section 2. Owner and Applicant Description.** The Subject
25 Property is owned by John Barbone. The applicant is Fred Atwill,
26 9001 Forest Acres Lane, Jacksonville, Florida 32234; (904) 610-8975.

27 **Section 3. Property Rezoned.** The Subject Property,
28 pursuant to adopted companion Small-Scale Amendment Application L-
29 5566-21C, is hereby rezoned and reclassified from Residential Rural-
30 Acre (RR-A) to Light Industrial (IL).

31 **Section 4. Contingency.** This rezoning shall not become

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

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

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

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25 Form Approved:

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27 _____
28 Office of General Counsel

29 Legislation Prepared By: Erin Abney

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