

IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO: 16-2024-AP-000011  
DIVISION: AP-A

PATRICK J. FLYNN, ET AL.,  
Petitioners,

v.

CITY OF JACKSONVILLE, and  
CORTEZ POINTE, INC.,  
Respondents.

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September 9, 2024

PER CURIAM

Petitioners challenge a decision of the Jacksonville City Council rezoning a portion of land from Rural-Acre (RR-Acre) to Planned Unit Development (PUD).

Provided it has a limited scope, a rezoning action is quasi-judicial in nature and reviewable by certiorari. On certiorari review, this Court must apply the following three-part standard of review: (1) whether procedural due process is accorded; (2) whether the essential requirements of law have been observed; and (3) whether the administrative findings and judgment are supported by competent substantial evidence. Haines City Cmty. Dev. v. Heggs, 658 So. 2d 523, 530 (Fla. 1995) (citing City of Deerfield Beach v. Vaillant, 419 So. 2d 624, 625-26 (Fla. 1982)).

Because of this standard of review, this Court does not consider the propriety of the City's decision beyond a limited review of the record. The question is not if competent, substantial evidence was offered in opposition, but if there is competent, substantial evidence within the record to support the underlying decision. Having reviewed the record, this Court finds the City's

decision is supported by competent, substantial evidence. Petitioners were afforded procedural due process, and the underlying decision was not a fundamental departure from controlling law. Accordingly, the Petition is **DENIED**.

BEVERLY, FELTEL, AND HEALEY, JJ., CONCUR.

Ralf Brookes, counsel for Petitioners.

Craig D. Feiser, Assistant General Counsel for the City of Jacksonville.