

1 Introduced and amended by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2024-980-E**

5 AN ORDINANCE DENYING A REQUEST FOR REZONING  
6 APPROXIMATELY 4.86± ACRES LOCATED IN COUNCIL  
7 DISTRICT 14 AT 6210 AND 6211 PERNECIA STREET,  
8 BETWEEN 118<sup>TH</sup> STREET AND JOY DRIVE S. (R.E. NO(S).  
9 097885-0010 AND 097885-0020), AS DESCRIBED  
10 HEREIN, OWNED BY JACOB PARKER, FROM RESIDENTIAL  
11 RURAL-ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT  
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
14 SINGLE FAMILY DWELLINGS, AS DESCRIBED IN THE  
15 FISHING CREEK PROPERTIES PUD; PROVIDING AN  
16 EFFECTIVE DATE.  
17

18 **WHEREAS**, Jacob Parker, the owner of approximately 4.86± acres  
19 located in Council District 14 at 6210 and 6211 Pernecia Street,  
20 between 118<sup>th</sup> Street and Joy Drive S. (R.E. No(s). 097885-0010 and  
21 097885-0020), as more particularly described in **Exhibit 1**, dated  
22 November 1, 2024, and graphically depicted in **Exhibit 2**, both of  
23 which are attached hereto (the "Subject Property"), has applied for  
24 a rezoning and reclassification of the Subject Property from  
25 Residential Rural-Acre (RR-Acre) District to Planned Unit Development  
26 (PUD) District, as described in Section 1 below; and

27 **WHEREAS**, the Planning Commission, acting as the local planning  
28 agency, has reviewed the application and made an advisory  
29 recommendation to the Council; and

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

1 therefore

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

3 **Section 1. Property Rezoning Denied.** The City Council  
4 denies the rezoning of the Subject Property from Residential Rural-  
5 Acre (RR-Acre) District to Planned Unit Development (PUD) District,  
6 which would have generally permitted single family dwellings, as set  
7 forth in the following documents submitted by the applicant, attached  
8 hereto:

9 **Exhibit 1** - Legal Description dated November 1, 2024.

10 **Exhibit 2** - Subject Property per P&DD.

11 **Exhibit 3** - Written Description dated November 1, 2024.

12 **Exhibit 4** - Site Plan dated March 7, 2022.

13 Pursuant to section 656.341(d), *Ordinance Code*, there are  
14 several criteria to be considered specifically when evaluating an  
15 application for rezoning to the Planned Unit Development district.  
16 One of those criteria is external compatibility. Pursuant to section  
17 656.341(d) (5), *Ordinance Code*, all land uses within a proposed Planned  
18 Unit Development should be compatible with existing and planned uses  
19 of properties surrounding the proposed Planned Unit Development and  
20 not have any avoidable or undue adverse impact on existing or planned  
21 surrounding uses. The evaluation of external compatibility of a  
22 proposed Planned Unit Development is based on several enumerated  
23 factors, including "[t]he type, number and location of surrounding  
24 external uses" and "existing zoning on surrounding lands."  
25 Additionally, pursuant to section 656.125(c), *Ordinance Code*, uses  
26 permitted under a proposed rezoning must be consistent or compatible  
27 with the existing and proposed land uses and zoning of adjacent and  
28 nearby properties or the general area or will deviate from an  
29 established or developing logical and orderly development pattern.

30 The Planning Department report indicates that the Subject  
31 Property is located at the end of Pernecia Street. The surrounding

1 zoning districts are RLD-60, RR-Acre and PUD 09-662, with a current  
2 use noted as KIA Dealership and undeveloped. The RLD-60 zoning  
3 district allows for 60 foot wide and 6,000 square foot lots. RR-Acre  
4 zoning district allows for 100 wide and 43,560 square foot lots. The  
5 development proposed in the PUD is to squeeze 50 foot wide and 5,000  
6 square foot lots, essentially an RLD-50 zoning district, onto the  
7 Subject Property that is accessed through the RLD-60 zoning district.  
8 Thus, the proposed zoning is not consistent or compatible with the  
9 existing and proposed land uses and zoning of adjacent and nearby  
10 properties or the general area and will deviate from an established  
11 or developing logical and orderly development pattern.

12 Additionally, per section 656.125(c), Ordinance Code, the  
13 proposed rezoning cannot constitute spot zoning, an isolated zoning  
14 district unrelated to adjacent and nearby districts. The facts as  
15 set forth above, indicate that the property is essentially an RLD-50  
16 spot zoning surrounded by RLD-60 zoning.

17 The facts set forth above are further bolstered by the extensive  
18 public comment provided during the public hearing.

19 **Section 2. Owner and Description.** The Subject Property is  
20 owned by Jacob Parker, and is legally described in **Exhibit 1**, attached  
21 hereto. The applicant is Jacob Parker, 6211 Pernecia Street,  
22 Jacksonville, Florida, 32244; (904) 366-9702.

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

1 Form Approved:

2

3           /s/ Dylan Reingold          

4 Office of General Counsel

5 Legislation Prepared By: Andrew Hetzel

6 GC-#1677243-v1-2024-980-E.docx