

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-353-E**

5 AN ORDINANCE REZONING APPROXIMATELY 4.36± ACRES
6 LOCATED IN COUNCIL DISTRICT 12 AT 8427 CASSIE
7 ROAD AND 8467 CASSIE ROAD, BETWEEN PERKINS PLACE
8 AND COX ROAD (R.E. NOS. 008727-0020 AND
9 008727-0040), AS DESCRIBED HEREIN, OWNED BY
10 THEOGRACE HOLDINGS LLC, FROM RESIDENTIAL LOW
11 DENSITY-90 (RLD-90) DISTRICT TO PLANNED UNIT
12 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND
13 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
14 SINGLE-FAMILY RESIDENTIAL USES, AS DESCRIBED IN
15 THE CASSIE OAKS PLANTATION (CASSIE RD) PUD; PUD
16 SUBJECT TO CONDITION; PROVIDING A DISCLAIMER THAT
17 THE REZONING GRANTED HEREIN SHALL NOT BE
18 CONSTRUED AS AN EXEMPTION FROM ANY OTHER
19 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, Theograce Holdings LLC, the owner of approximately
22 4.36± acres located in Council District 12 at 8427 Cassie Road and
23 8467 Cassie Road, between Perkins Place and Cox Road (R.E. Nos.
24 008727-0020 and 008727-0040), as more particularly described in
25 **Exhibit 1**, dated March 5, 2024, and graphically depicted in **Exhibit**
26 **2**, both of which are attached hereto (the "Subject Property"), have
27 applied for a rezoning and reclassification of the Subject Property
28 from Residential Low Density-90 (RLD-90) District to Planned Unit
29 Development (PUD) District, as described in Section 1 below; 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
3 and public hearing, has made its recommendation to the Council; and

4 **WHEREAS**, the Council finds that such rezoning is: (1)
5 consistent with the *2045 Comprehensive Plan*; (2) furthers the goals,
6 objectives and policies of the *2045 Comprehensive Plan*; and (3) is
7 not in conflict with any portion of the City's land use regulations;
8 and

9 **WHEREAS**, the Council finds the proposed rezoning does not
10 adversely affect the orderly development of the City as embodied in
11 the Zoning Code; will not adversely affect the health and safety of
12 residents in the area; will not be detrimental to the natural
13 environment or to the use or development of the adjacent properties
14 in the general neighborhood; and will accomplish the objectives and
15 meet the standards of Section 656.340 (Planned Unit Development) of
16 the Zoning Code; now therefore

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

18 **Section 1. Property Rezoned.** The Subject Property is
19 hereby rezoned and reclassified from Residential Low Density-90
20 (RLD-90) District to Planned Unit Development (PUD) District. This
21 new PUD district shall generally permit single-family residential
22 uses, and is described, shown and subject to the following documents,
23 attached hereto:

24 **Exhibit 1** - Legal Description dated March 5, 2024.

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

26 **Exhibit 3** - Written Description dated February 28, 2024.

27 **Exhibit 4** - Site Plan dated February 15, 2024.

28 **Section 2. Rezoning Approved Subject to Condition.** This
29 rezoning is approved subject to the following condition. Such
30 condition controls over the Written Description and the Site Plan and
31 may only be amended through a rezoning:

1 (1) The western parcel of the Subject Property (lots 1-12 as
2 reflected on the Site Plan) shall provide a minimum fifteen foot rear
3 yard setback.

4 **Section 3. Owner and Description.** The Subject Property is
5 owned by Theograce Holdings LLC, and is legally described in **Exhibit**
6 **1**, attached hereto. The applicant is Reynold Peterson, 6722 Arlington
7 Expressway, Jacksonville, Florida 32211; (904) 551-4945.

8 **Section 4. Disclaimer.** The rezoning granted herein shall
9 **not** be construed as an exemption from any other applicable local,
10 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), owners(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 5. 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 Council Secretary.

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25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Bruce Lewis