

Introduced and substituted by the Land Use and Zoning Committee:

ORDINANCE 2025-131

AN ORDINANCE REZONING APPROXIMATELY 1.68± ACRES
LOCATED IN COUNCIL DISTRICT 12 AT 4370 OLD
MIDDLEBURG ROAD, BETWEEN 103RD STREET AND
FOURAKER ROAD (R.E. NO(S). 013139-0020), AS
DESCRIBED HEREIN, OWNED BY BARATI ENTERPRISE,
INC. FROM RESIDENTIAL RURAL-ACRE (RR-ACRE)
DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD)
DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
ZONING CODE, TO PERMIT SINGLE FAMILY DWELLINGS
AND TOWNHOMES, AS DESCRIBED IN THE MIDDLEBURG
TOWNHOME PUD; PROVIDING A DISCLAIMER THAT THE
REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED
AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville adopted a Small-Scale
Amendment to the 2045 Comprehensive Plan for the purpose of revising
portions of the Future Land Use Map series (FLUMs) in order to ensure
the accuracy and internal consistency of the plan, pursuant to
companion application L-5882-23C; and

WHEREAS, in order to ensure consistency of zoning district with
the 2045 Comprehensive Plan and the adopted companion Small-Scale
Amendment L-5882-23C, an application to rezone and reclassify from
Residential Rural-Acre (RR-Acre) District to Planned Unit Development
(PUD) District was filed by Patrick Honore, on behalf of the owner,
Barati Enterprise, Inc., the owner of approximately 1.68± acres of
certain real property in Council District 12, as more particularly

described in Section 1; and

WHEREAS, the Planning and Development Department, in order to ensure consistency of this zoning district with the 2045 Comprehensive Plan, has considered the rezoning and has rendered an advisory opinion; and

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

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

WHEREAS, the City Council, after due notice, held a public hearing, and taking into consideration the above recommendations as well as all oral and written comments received during the public hearings, the Council finds that such rezoning is consistent with the 2045 Comprehensive Plan adopted under the comprehensive planning ordinance for future development of the City of Jacksonville; now therefore

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

Section 1. Subject Property Location and Description. The approximately 1.68± acres are located in Council District 12 at 4370 Old Middleburg Road, between 103rd Street and Fouraker Road (R.E. No(s). 013139-0020), as more particularly described in **Exhibit 1**, dated September 28, 2023, and graphically depicted in **Revised Exhibit 2**, both of which are attached hereto and incorporated herein by this reference (the "Subject Property").

Section 2. Owner and Applicant Description. The Subject Property is owned by Barati Enterprise, Inc. The applicant is Patrick Honore, 12353 Harbor Winds Drive N., Jacksonville, Florida, 32225; (904) 254-6200.

Section 3. Property Rezoned. The Subject Property is hereby rezoned and reclassified from Residential Rural-Acre (RR-Acre)

District to Planned Unit Development (PUD) District. This new PUD district shall generally permit single family dwellings and townhomes and is described, shown and subject to the following documents, attached hereto:

Exhibit 1 - Legal Description dated September 28, 2023.

Revised Exhibit 2 - Subject Property per P&DD.

Exhibit 3 - Written Description dated May 31, 2025.

Exhibit 4 - Site Plan dated May 31, 2025.

Section 4. Contingency. This rezoning shall not become effective until thirty-one (31) days after adoption of the companion Small-Scale Amendment; and further provided that if the companion Small-Scale Amendment is challenged by the state land planning agency, this rezoning shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the companion Small-Scale Amendment is in compliance with Chapter 163, Florida Statutes.

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

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

1 President and Council Secretary.

2
3 Form Approved:

4
5 /s/ Dylan Reingold

6 Office of General Counsel

7 Legislation Prepared By: Kaysie Cox

8 GC-#1693026-v1-2025-131_(Substitute).docx