

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-74**

5 AN ORDINANCE REZONING APPROXIMATELY 14.55±  
6 ACRES, LOCATED IN COUNCIL DISTRICT 12 AT 0  
7 ROSETTA ROAD AND 11940 ROSETTA ROAD, BETWEEN TAN  
8 TARA TRAIL AND CHAROLAIS ROAD (R.E. NOS. 001879-  
9 0000 (PORTION) AND 001879-0500 (PORTION)), AS  
10 DESCRIBED HEREIN, OWNED BY JOHN C. HARRIS, JR.,  
11 JACQUELINE B. HARRIS, ANATOLIY M. SUNSHINSKIY  
12 AND NADIA P. SUNSHINSKIY, FROM RESIDENTIAL  
13 RURAL-ACRE (RR-ACRE) DISTRICT TO PLANNED UNIT  
14 DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND  
15 CLASSIFIED UNDER THE ZONING CODE, TO PERMIT  
16 SINGLE-FAMILY RESIDENTIAL USES, AS DESCRIBED IN  
17 THE PRESERVE AT PANTHER CREEK PHASE 4 PUD;  
18 PROVIDING A DISCLAIMER THAT THE REZONING GRANTED  
19 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
20 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
21 EFFECTIVE DATE.

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23 **WHEREAS**, John C. Harris, Jr., Jacqueline B. Harris, Anatoliy M.  
24 Sunshinskiy and Nadia P. Sunshinskiy, the owners of approximately  
25 14.55± acres located in Council District 12 at 0 Rosetta Road and  
26 11940 Rosetta Road, between Tan Tara Trail and Charolais Road (R.E.  
27 Nos. 001879-0000 (portion) and 001879-0500 (portion)), as more  
28 particularly described in **Exhibit 1**, dated August 14, 2022, and  
29 graphically depicted in **Exhibit 2**, both of which are attached hereto  
30 (the "Subject Property"), have applied for a rezoning and  
31 reclassification of that property from Residential Rural-Acre (RR-

1 Acre) District to Planned Unit Development (PUD) District, as  
2 described in Section 1 below; and

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

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

7 **WHEREAS**, the Council finds that such rezoning is: (1) consistent  
8 with the *2030 Comprehensive Plan*; (2) furthers the goals, objectives  
9 and policies of the *2030 Comprehensive Plan*; and (3) is not in  
10 conflict with any portion of the City's land use regulations; and

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

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

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

26 **Exhibit 1** - Legal Description dated August 14, 2022.

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

28 **Exhibit 3** - Written Description dated August 14, 2022.

29 **Exhibit 4** - Site Plan dated August 11, 2022.

30 **Section 2. Owner and Description.** The Subject Property  
31 is owned by John C. Harris, Jr., Jacqueline B. Harris, Anatoliy M.

1 Sunshinskiy and Nadia P. Sunshinskiy, and is legally described in  
2 **Exhibit 1**, attached hereto. The applicant is Wyman Duggan, Esq.,  
3 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;  
4 (904) 398-3911.

5 **Section 3. Disclaimer.** The rezoning granted herein  
6 shall not be construed as an exemption from any other applicable  
7 local, state, or federal laws, regulations, requirements, permits or  
8 approvals. All other applicable local, state or federal permits or  
9 approvals shall be obtained before commencement of the development  
10 or use and issuance of this rezoning is based upon acknowledgement,  
11 representation and confirmation made by the applicant(s), owner(s),  
12 developer(s) and/or any authorized agent(s) or designee(s) that the  
13 subject business, development and/or use will be operated in strict  
14 compliance with all laws. Issuance of this rezoning does not approve,  
15 promote or condone any practice or act that is prohibited or  
16 restricted by any federal, state or local laws.

17 **Section 4. Effective Date.** The enactment of this Ordinance  
18 shall be deemed to constitute a quasi-judicial action of the City  
19 Council and shall become effective upon signature by the Council  
20 President and the Council Secretary.

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22 Form Approved:

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24           /s/ Mary E. Staffopoulos          

25 Office of General Counsel

26 Legislation Prepared By: Kaysie Cox

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