

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

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:

23
24 /s/ Mary E. Staffopoulos

25 Office of General Counsel

26 Legislation Prepared By: Kaysie Cox

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