

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2022-711**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION  
6 APPLICATION AD-22-60 FOR PROPERTY LOCATED IN  
7 COUNCIL DISTRICT 10 AT 7946 DEKLE AVENUE,  
8 BETWEEN NEW KINGS ROAD AND MATTOX AVENUE (R.E.  
9 NO. 021814-0000), AS DESCRIBED HEREIN, OWNED BY  
10 BCEL 10C LLC, REQUESTING TO REDUCE THE REQUIRED  
11 MINIMUM LOT AREA FROM 6,000 FEET TO 4,197 FEET  
12 AND TO REDUCE THE REQUIRED LOT WIDTH FROM 60  
13 FEET TO 40 FEET IN ZONING DISTRICT RESIDENTIAL  
14 LOW DENSITY-60 (RLD-60), AS DEFINED AND  
15 CLASSIFIED UNDER THE ZONING CODE; ADOPTING  
16 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND  
17 USE AND ZONING COMMITTEE; PROVIDING FOR  
18 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

19  
20 **WHEREAS**, an application for an administrative deviation, **On File**  
21 with the City Council Legislative Services Division, was filed by  
22 Zach Miller, Esq., on behalf of the owner of property located in  
23 Council District 10 at 7946 Dekle Avenue, between New Kings Road and  
24 Mattox Avenue (R.E. No. 021814-0000) (the "Subject Property"),  
25 requesting to reduce the required minimum lot area from 6,000 feet  
26 to 4,197 feet and reduce the required lot width from 60 feet to 40  
27 feet in Zoning District Residential Low Density-60 (RLD-60); and

28 **WHEREAS**, the Planning and Development Department has considered  
29 the application and all attachments thereto and has rendered an  
30 advisory recommendation; and

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice

1 held a public hearing and having duly considered both the testimonial  
2 and documentary evidence presented at the public hearing, has made  
3 its recommendation to the Council; now, therefore

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

5 **Section 1. Adoption of Findings and Conclusions.** The  
6 Council has considered the recommendation of the Land Use and Zoning  
7 Committee and reviewed the Staff Report of the Planning and  
8 Development Department concerning administrative deviation  
9 Application AD-22-60, which requests to reduce the required minimum  
10 lot area from 6,000 feet to 4,197 feet and reduce the required lot  
11 width from 60 feet to 40 feet. Based upon the competent, substantial  
12 evidence contained in the record, the Council hereby determines that  
13 the requested administrative deviation meets each of the following  
14 criteria required to grant the request pursuant to Section 656.109(h),  
15 *Ordinance Code*, as specifically identified in the Staff Report of the  
16 Planning and Development Department:

17 (1) There are practical or economic difficulties in carrying out  
18 the strict letter of the regulation;

19 (2) The request is not based exclusively upon a desire to reduce  
20 the cost of developing the site, but would accomplish some result  
21 that is in the public interest, such as, for example, furthering the  
22 preservation of natural resources by saving a tree or trees;

23 (3) The proposed deviation will not substantially diminish  
24 property values in, nor alter the essential character of, the area  
25 surrounding the site and will not substantially interfere with or  
26 injure the rights of others whose property would be affected by the  
27 deviation;

28 (4) The proposed deviation will not be detrimental to the public  
29 health, safety or welfare, result in additional public expense, the  
30 creation of nuisances, or conflict with any other applicable law;

31 (5) The proposed deviation has been recommended by a City

1 landscape architect, if the deviation is to reduce required  
2 landscaping; and

3 (6) The effect of the proposed deviation is in harmony with the  
4 spirit and intent of the Zoning Code.

5 Therefore, administrative deviation Application AD-22-60 is  
6 hereby approved.

7 **Section 2. Owner and Description.** The Subject Property is  
8 owned by BCEL 10C LLC and is legally described in **Exhibit 1**, dated  
9 August 1, 2022, and graphically depicted in **Exhibit 2**, both attached  
10 hereto. The applicant is Zach Miller, Esq., 3203 Old Barn Court,  
11 Ponte Vedra Beach, Florida 32082; (904) 651-8958.

12 **Section 3. Distribution by Legislative Services.**  
13 Legislative Services is hereby directed to mail a copy of this  
14 legislation, as enacted, to the applicant and any other parties to  
15 this matter who testified before the Land Use and Zoning Committee  
16 or otherwise filed a qualifying written statement as defined in  
17 Section 656.140(c), *Ordinance Code*.

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

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23 Form Approved:

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25           /s/ Mary E. Staffopoulos          

26 Office of General Counsel

27 Legislation Prepared By: Connor Corrigan

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