

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-414**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION  
6 APPLICATION AD-23-50, FOR PROPERTY LOCATED IN  
7 COUNCIL DISTRICT 12 AT 620 CHAFFEE ROAD SOUTH,  
8 BETWEEN INTERSTATE 10 EXPRESSWAY AND CRYSTAL  
9 SPRINGS ROAD (R.E. NO. 001848-0000 (PORTION)),  
10 AS DESCRIBED HEREIN, OWNED BY FIRST COAST  
11 ENERGY, L.L.P., REQUESTING TO: (1) INCREASE THE  
12 MAXIMUM NUMBER OF OFF-STREET PARKING SPACES FROM  
13 40 TO 75, (2) DECREASE THE MINIMUM NUMBER OF  
14 LOADING SPACES REQUIRED FROM ONE TO ZERO, AND  
15 (3) INCREASE THE MAXIMUM WIDTH OF DRIVEWAY  
16 ACCESS ON CHAFFEE ROAD SOUTH FROM 36 FEET  
17 REQUIRED TO 45 FEET IN CURRENT ZONING DISTRICTS  
18 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1) AND  
19 RESIDENTIAL MEDIUM DENSITY-MH (RMD-MH), AS  
20 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;  
21 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF  
22 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR  
23 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

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25 **WHEREAS**, an application for an administrative deviation, **On File**  
26 with the City Council Legislative Services Division, was filed by  
27 Steve Diebenow, Esq. on behalf of the owner of property located in  
28 Council District 12 at 620 Chaffee Road South, between Interstate 10  
29 Expressway and Crystal Springs Road (R.E. No. 001848-0000 (portion))  
30 (the "Subject Property"), requesting to: (1) increase the maximum  
31 number of off-street parking spaces from 40 to 75, (2) decrease the

1 minimum number of loading spaces required from one to zero, and (3)  
2 increase the maximum width of driveway access on Chaffee Road South  
3 from 36 feet required to 45 feet in current Zoning Districts  
4 Commercial Community/General-1 (CCG-1) and Residential Medium  
5 Density-MH (RMD-MH); and

6 **WHEREAS**, the Planning and Development Department has considered  
7 the application and all attachments thereto and has rendered an  
8 advisory recommendation; and

9 **WHEREAS**, the Land Use and Zoning Committee, after due notice  
10 held a public hearing and having duly considered both the testimonial  
11 and documentary evidence presented at the public hearing, has made  
12 its recommendation to the Council; now, therefore

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

14 **Section 1. Adoption of Findings and Conclusions.** The  
15 Council has considered the recommendation of the Land Use and Zoning  
16 Committee and reviewed the Staff Report of the Planning and  
17 Development Department concerning administrative deviation  
18 Application AD-23-50, which requests to: (1) increase the maximum  
19 number of off-street parking spaces from 40 to 75, (2) decrease the  
20 minimum number of loading spaces required from one to zero, and (3)  
21 increase the maximum width of driveway access on Chaffee Road South  
22 from 36 feet required to 45 feet. Based upon the competent,  
23 substantial evidence contained in the record, the Council hereby  
24 determines that the requested administrative deviation meets each of  
25 the following criteria required to grant the request pursuant to  
26 Section 656.109(h), *Ordinance Code*, as specifically identified in the  
27 Staff Report of the Planning and Development Department:

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

30 (2) The request is not based exclusively upon a desire to reduce  
31 the cost of developing the site, but would accomplish some result

1 that is in the public interest, such as, for example, furthering the  
2 preservation of natural resources by saving a tree or trees;

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

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

11 (5) The proposed deviation has been recommended by a City  
12 landscape architect, if the deviation is to reduce required  
13 landscaping; and

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

16 Therefore, administrative deviation Application AD-23-50 is  
17 hereby approved.

18 **Section 2. Owner and Description.** The Subject Property is  
19 owned by First Coast Energy, L.L.P., and is described in **Exhibit 1**,  
20 dated May 11, 2023, and graphically depicted in **Exhibit 2**, both  
21 attached hereto. The applicant is Steve Diebenow, Esq., One  
22 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)  
23 301-1269.

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

30 **Section 4. Effective Date.** The enactment of this Ordinance  
31 shall be deemed to constitute a quasi-judicial action of the City

