

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2020-754-E**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-20-74, LOCATED IN COUNCIL
7 DISTRICT 9 AT 1310 PRIOLEOU STREET, BETWEEN 3RD
8 STREET WEST AND 4TH STREET WEST (R.E. NO.
9 050919-0000) AS DESCRIBED HEREIN, OWNED BY
10 HABITAT FOR HUMANITY OF JACKSONVILLE, INC.,
11 REQUESTING TO REDUCE THE REQUIRED MINIMUM LOT
12 WIDTH FROM 40 FEET TO 30 FEET, AND REQUESTING
13 TO REDUCE THE MINIMUM LOT AREA FROM 4000
14 SQUARE FEET TO 3010 SQUARE FEET, IN ZONING
15 DISTRICT RESIDENTIAL MEDIUM DENSITY-A (RMD-
16 A), AS DEFINED AND CLASSIFIED UNDER THE ZONING
17 CODE; PROVIDING AN EFFECTIVE DATE.
18

19 **WHEREAS**, an application for an administrative deviation, **On**
20 **File** with the City Council Legislative Services Division, was filed
21 by Habitat for Humanity of Jacksonville, Inc., the owner of
22 property located in Council District 9 at 1310 Prioleou Street,
23 between 3rd Street West and 4th Street West (R.E. No. 050919-0000)
24 (Subject Property), requesting to reduce the required minimum lot
25 width from 40 feet to 30 feet, and requesting to reduce the minimum
26 lot area from 4000 square feet to 3010 square feet, in Zoning
27 District Residential Medium Density-A (RMD-A); and

28 **WHEREAS**, the Planning and Development Department has
29 considered the application and all attachments thereto and has
30 rendered an 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
2 testimonial and documentary evidence presented at the public
3 hearing, has made 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
7 Zoning Committee and reviewed the Staff Report of the Planning and
8 Development Department concerning administrative deviation
9 Application AD-20-74. Based upon the competent, substantial
10 evidence contained in the record, the Council hereby determines
11 that the requested administrative deviation meets each of the
12 following criteria required to grant the request pursuant to
13 Section 656.109(h), *Ordinance Code*, as specifically identified in
14 the Staff Report of the Planning and Development Department:

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

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

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

27 (4) The proposed deviation will not be detrimental to the
28 public health, safety or welfare, result in additional public
29 expense, the creation of nuisances, or conflict with any other
30 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
4 the spirit and intent of the Zoning Code.

5 Therefore, administrative deviation Application AD-20-74 is
6 hereby **approved**.

7 **Section 2. Owner and Description.** The Subject Property is
8 owned by Habitat for Humanity of Jacksonville, Inc., and is
9 described in **Exhibit 1**, dated October 29, 2020, and graphically
10 depicted in **Exhibit 2**, both **attached hereto**. The applicant is
11 Scott Dittmer, 2404 Hubbard Street, Jacksonville, Florida 32206;
12 (904) 208-6664.

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

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

23
24 Form Approved:

25
26 /s/ Shannon K. Eller

27 Office of General Counsel

28 Legislation Prepared By: Connor Corrigan

29 GC-#1403388-v1-AD-20-74.docx