

Introduced and amended by the Land Use and Zoning Committee:

ORDINANCE 2025-679

AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION APPLICATION AD-25-57, FOR PROPERTY LOCATED IN COUNCIL DISTRICT 7 AT 2917 ALGONQUIN AVENUE, BETWEEN BALTIC STREET AND VERONA AVENUE (R.E. NO(S). 101798-0000), AS DESCRIBED HEREIN, OWNED BY DAVID P. AND KATHERINE C. HAGAR, AS TRUSTEES OF THE HAGAR TRUST, A REVOCABLE LIVING TRUST, REQUESTING TO 1) REDUCE THE REQUIRED MINIMUM LOT AREA FROM 9,900 SQUARE FEET TO 7,500 SQUARE FEET, 2) REDUCE THE SIDE YARD SETBACK FOR AN ACCESSORY DWELLING UNIT FROM 5 FEET TO 4 FEET, 3) REDUCE THE REAR YARD SETBACK FOR AN ACCESSORY DWELLING UNIT FROM 10 FEET TO 7 FEET, 4) REDUCE THE REQUIRED LOT WIDTH FROM 90 FEET TO 50 FEET, IN ZONING DISTRICT RESIDENTIAL LOW DENSITY-90 (RLD-90), AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE; ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for an administrative deviation, **Revised On File** with the City Council Legislative Services Division, was filed by Cyndy Trimmer, Esq., on behalf of the owner of property located in Council District 7 at 2917 Algonquin Avenue, between Baltic Street and Verona Avenue (R.E. No(s). 101798-0000) (the "Subject Property"), requesting to 1) reduce the required minimum lot area

1 from 9,900 square feet to 7,500 square feet, 2) reduce the side yard
2 setback for an accessory dwelling unit from 5 feet to 4 feet, 3)
3 reduce the rear yard setback for an accessory dwelling unit from 10
4 feet to 7 feet, 4) reduce the required lot width from 90 feet to 50
5 feet, in Zoning District Residential Low Density-90 (RLD-90); 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-25-57, which requests to 1) reduce the required minimum
19 lot area from 9,900 square feet to 7,500 square feet, 2) reduce the
20 side yard setback for an accessory dwelling unit from 5 feet to 4
21 feet, 3) reduce the rear yard setback for an accessory dwelling unit
22 from 10 feet to 7 feet 4) reduce the required lot width from 90 feet
23 to 50 feet. Based upon the competent, substantial evidence contained
24 in the record, the Council hereby determines that the requested
25 administrative deviation meets each of the following criteria
26 required to grant the request pursuant to Section 656.109(h),
27 *Ordinance Code*, as specifically identified in the Staff Report of the
28 Planning and Development Department:

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

31 (2) The request is not based exclusively upon a desire to reduce

1 the cost of developing the site, but would accomplish some result
2 that is in the public interest, such as, for example, furthering the
3 preservation of natural resources by saving a tree or trees;

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

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

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

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

17 Therefore, administrative deviation Application AD-25-57 is
18 hereby approved.

19 **Section 2. Owner and Description.** The Subject Property is
20 owned by David P. and Katherine C. Hagar, as Trustees of the Hagar
21 Trust, a revocable living trust, and is legally described in **Exhibit**
22 **1**, dated July 8, 2025, and graphically depicted in **Revised Exhibit**
23 **2**, both of which are attached hereto. The applicant is Cyndy Trimmer,
24 Esq., 1 Independent Drive, Suite 1200, Jacksonville, Florida, 32202;
25 (904) 807-0185.

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

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

Form Approved:

/s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Connor Corrigan

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