

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-754**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION  
6 APPLICATION AD-23-76, FOR PROPERTY LOCATED IN  
7 COUNCIL DISTRICT 2 AT 10110 FORT GEORGE ROAD,  
8 BETWEEN HECKSCHER DRIVE AND PALMETTO AVENUE  
9 (R.E. NO. 169193-0020), AS DESCRIBED HEREIN,  
10 OWNED BY CHRISTOPHER RAY MARTIN, JR. AND  
11 STEPHANIE SCHAFFER, REQUESTING TO REDUCE THE  
12 MINIMUM LOT AREA FROM 43,560 SQUARE FEET TO  
13 11,463 SQUARE FEET AND TO REDUCE THE MINIMUM LOT  
14 WIDTH FROM 100 FEET TO 60 FEET IN ZONING DISTRICT  
15 RESIDENTIAL RURAL-ACRE (RR-ACRE), AS DEFINED AND  
16 CLASSIFIED UNDER THE ZONING CODE; ADOPTING  
17 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND  
18 USE AND ZONING COMMITTEE; PROVIDING FOR  
19 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.  
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21 **WHEREAS**, an application for an administrative deviation, **On File**  
22 with the City Council Legislative Services Division, was filed by the  
23 owners of property located in Council District 2 at 10110 Fort George  
24 Road, between Heckscher Drive and Palmetto Avenue (R.E. No. 169193-  
25 0020) (the "Subject Property"), requesting to reduce the minimum lot  
26 area from 43,560 square feet to 11,463 square feet and reduce the  
27 minimum lot width from 100 feet to 60 feet in Zoning District  
28 Residential Rural-Acre (RR-Acre); and

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

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

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

6           **Section 1. Adoption of Findings and Conclusions.** The  
7 Council has considered the recommendation of the Land Use and Zoning  
8 Committee and reviewed the Staff Report of the Planning and  
9 Development Department concerning administrative deviation  
10 Application AD-23-76, which requests to reduce the minimum lot area  
11 from 43,560 square feet to 11,463 square feet and to reduce the  
12 minimum lot width from 100 feet to 60 feet. Based upon the competent,  
13 substantial evidence contained in the record, the Council hereby  
14 determines that the requested administrative deviation meets each of  
15 the following criteria required to grant the request pursuant to  
16 Section 656.109(h), *Ordinance Code*, as specifically identified in the  
17 Staff Report of the Planning and Development Department:

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

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

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

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

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

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

6 Therefore, administrative deviation Application AD-23-76 is  
7 hereby approved.

8 **Section 2. Owner and Description.** The Subject Property is  
9 owned by Christopher Ray Martin, Jr. and Stephanie Schafer and is  
10 legally described in **Exhibit 1**, dated September 8, 2023, and  
11 graphically depicted in **Exhibit 2**, both of which are attached hereto.  
12 The applicants are Christopher Ray Martin, Jr. and Stephanie Schafer,  
13 5404 Heckscher Drive, Jacksonville, Florida 32226; (407) 222-8045.

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

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

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25 Form Approved:

26  
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Bruce Lewis

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