

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-671**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-22-65, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 2 AT 15221 NORTH MAIN STREET,
8 15225 NORTH MAIN STREET, 15239 NORTH MAIN
9 STREET, 15249 NORTH MAIN STREET AND 15311 NORTH
10 MAIN STREET, BETWEEN KIRK ROAD AND BIRD ROAD
11 (R.E. NOS. 108284-0000, 108284-0500, 108287-
12 0000, 108288-0000 AND 108290-0100), AS DESCRIBED
13 HEREIN, OWNED BY MARK MOORE, AS TRUSTEE OF THE
14 MAIN LAND TRUST DATED NOVEMBER 21, 2014,
15 JACQUELINE UPTON, KAYLA ANN BREEDING, DONNETTE
16 CHRISTINE WILLIAMS, KAREN LYNN BECK, MAIN
17 OBJECTIVE B LLC, AND MAIN OBJECTIVE A LLC,
18 REQUESTING TO DECREASE THE MINIMUM NUMBER OF
19 LOADING SPACES FROM FIVE TO ZERO FOR FIVE LOTS
20 IN CURRENT ZONING DISTRICTS COMMERCIAL
21 COMMUNITY/GENERAL-2 (CCG-2) DISTRICT,
22 RESIDENTIAL LOW DENSITY-100A (RLD-100A)
23 DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD)
24 DISTRICT (2009-141-E)/PROPOSED ZONING DISTRICT
25 RESIDENTIAL MEDIUM DENSITY-D (RMD-D), AS DEFINED
26 AND CLASSIFIED UNDER THE ZONING CODE; ADOPTING
27 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND
28 USE AND ZONING COMMITTEE; PROVIDING FOR
29 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

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31 **WHEREAS**, an application for an administrative deviation, **On File**

1 with the City Council Legislative Services Division, was filed by
2 Cyndy Trimmer, Esq., on behalf of the owners of property located in
3 Council District 2 at 15221 North Main Street, 15225 North Main
4 Street, 15239 North Main Street, 15249 North Main Street and 15311
5 North Main Street, between Kirk Road and Bird Road (R.E. Nos. 108284-
6 0000, 108284-0500, 108287-0000, 108288-0000 and 108290-0100) (the
7 "Subject Property"), requesting to decrease the minimum number of
8 loading spaces from five to zero for five lots in current Zoning
9 Districts Commercial Community/General-2 (CCG-2) District,
10 Residential Low Density-100A (RLD-100A) District and Planned Unit
11 Development (PUD) District (2009-141-E)/proposed Zoning District
12 Residential Medium Density-D (RMD-D); and

13 **WHEREAS**, the Planning and Development Department has considered
14 the application and all attachments thereto and has rendered an
15 advisory recommendation; and

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

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

21 **Section 1. Adoption of Findings and Conclusions.** The
22 Council has considered the recommendation of the Land Use and Zoning
23 Committee and reviewed the Staff Report of the Planning and
24 Development Department concerning administrative deviation
25 Application AD-22-65, which requests to decrease the minimum number
26 of loading spaces from five to zero for five lots. Based upon the
27 competent, substantial evidence contained in the record, the Council
28 hereby determines that the requested administrative deviation meets
29 each of the following criteria required to grant the request pursuant
30 to Section 656.109(h), *Ordinance Code*, as specifically identified in
31 the Staff Report of the Planning and Development Department:

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

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

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

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

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

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

20 Therefore, administrative deviation Application AD-22-65 is
21 hereby approved.

22 **Section 2. Owner and Description.** The Subject Property is
23 owned by Mark Moore, as Trustee of the Main Land Trust dated November
24 21, 2014, Jacqueline Upton, Kayla Ann Breeding, Donnette Christine
25 Williams, Karen Lynn Beck, Main Objective B LLC, and Main Objective
26 A LLC, and is described in **Exhibit 1**, dated July 21, 2022, and
27 graphically depicted in **Exhibit 2**, both attached hereto. The
28 applicant is Cyndy Trimmer, Esq., 1 Independent Drive, Suite 1200,
29 Jacksonville, Florida 32202; (904) 807-0185.

30 **Section 3. Distribution by Legislative Services.**
31 Legislative Services is hereby directed to mail a copy of this

1 legislation, as enacted, to the applicant and any other parties to
2 this matter who testified before the Land Use and Zoning Committee
3 or otherwise filed a qualifying written statement as defined in
4 Section 656.140(c), *Ordinance Code*.

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

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10 Form Approved:

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12 /s/ Mary E. Staffopoulos

13 Office of General Counsel

14 Legislation Prepared By: Connor Corrigan

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