

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-544**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-23-43, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 2 AT 2790 GARRIS LANE, BETWEEN
8 YELLOW BLUFF ROAD AND GARRIS LANE (R.E. NO.
9 106169-0030), AS DESCRIBED HEREIN, OWNED BY MARY
10 LEE ANDERSON, REQUESTING TO REDUCE THE MINIMUM
11 LOT AREA FROM 2.0 ACRES TO 1.13 ACRES IN ZONING
12 DISTRICT RESIDENTIAL RURAL-ACRE (RR-ACRE), AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
14 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF
15 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR
16 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.
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18 **WHEREAS**, an application for an administrative deviation, **On File**
19 with the City Council Legislative Services Division, was filed by
20 Anthony Nesmith on behalf of the owner of property located in Council
21 District 2 at 2790 Garris Lane, between Yellow Bluff Road and Garris
22 Lane (R.E. No. 106169-0030) (the "Subject Property"), requesting to
23 reduce the minimum lot area from 2.0 acres to 1.13 acres in Zoning
24 District Residential Rural-Acre (RR-Acre); and

25 **WHEREAS**, the Planning and Development Department has considered
26 the application and all attachments thereto and has rendered an
27 advisory recommendation; and

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

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

2 **Section 1. Adoption of Findings and Conclusions.** The

3 Council has considered the recommendation of the Land Use and Zoning
4 Committee and reviewed the Staff Report of the Planning and
5 Development Department concerning administrative deviation
6 Application AD-23-43, which requests to reduce the minimum lot area
7 from 2.0 acres to 1.13 acres. Based upon the competent, substantial
8 evidence contained in the record, the Council hereby determines that
9 the requested administrative deviation meets each of the following
10 criteria required to grant the request pursuant to Section 656.109(h),
11 *Ordinance Code*, as specifically identified in the Staff Report of the
12 Planning and Development Department:

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

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

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

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

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

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

