

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-554**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-20-41, LOCATED IN COUNCIL
7 DISTRICT 14 AT 4596 PRUNTY AVENUE, BETWEEN
8 LAMBOLL AVENUE AND HAMILTON STREET (R.E. NO.
9 065399-0000) AS DESCRIBED HEREIN, OWNED BY FRANK
10 ERWIN, REQUESTING TO REDUCE THE REQUIRED MINIMUM
11 LOT WIDTH FROM 60 FEET TO 54.45 FEET, IN ZONING
12 DISTRICT RESIDENTIAL LOW DENSITY-60 (RLD-60),
13 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
14 PROVIDING AN EFFECTIVE DATE.
15

16 **WHEREAS**, an application for an administrative deviation, **On File**
17 with the City Council Legislative Services Division, was filed by
18 Frank Erwin, the owner of property located in Council District 14 at
19 4596 Prunty Avenue, between Lamboll Avenue and Hamilton Street (R.E.
20 No. 065399-0000) (Subject Property), requesting to reduce the
21 required minimum lot width from 60 feet to 54.45 feet, in Zoning
22 District Residential Low Density-60 (RLD-60); and

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

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

30 **BE IT ORDAINED** by the Council of the City of Jacksonville:
31 **Section 1. Adoption of Findings and Conclusions.** The

1 Council has considered the recommendation of the Land Use and Zoning
2 Committee and reviewed the Staff Report of the Planning and
3 Development Department concerning administrative deviation
4 Application AD-20-41, which requests to reduce the required minimum
5 lot width from 60 feet to 54.45 feet. Based upon the competent,
6 substantial evidence contained in the record, the Council hereby
7 determines that the requested administrative deviation meets each of
8 the following criteria required to grant the request pursuant to
9 Section 656.109(h), *Ordinance Code*, as specifically identified in the
10 Staff Report of the Planning and Development Department:

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

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

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

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

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

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

30 Therefore, administrative deviation Application AD-20-41 is
31 hereby **approved**.

1 **Section 2. Owner and Description.** The Subject Property is
2 owned by Frank Erwin, and is described in **Exhibit 1**, dated August 21,
3 2020, and graphically depicted in **Exhibit 2**, both **attached hereto**.

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

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

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15 Form Approved:

16
17 /s/ Shannon K. Eller

18 Office of General Counsel

19 Legislation Prepared By: Bruce Lewis

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