

1 Introduced by the Land Use and Zoning Committee:  
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4 **RESOLUTION 2022-203**

5 A RESOLUTION CONCERNING THE APPEAL FILED BY  
6 FITOZ, LLC, OF THE FINAL ORDER ISSUED BY THE  
7 PLANNING COMMISSION DENYING APPLICATION FOR  
8 ZONING EXCEPTION E-22-01 AND THE COMPANION FINAL  
9 ORDER ISSUED BY THE PLANNING COMMISSION DENYING  
10 APPLICATION FOR ADMINISTRATIVE DEVIATION AD-22-  
11 01, ON 0.10± ACRES OF PROPERTY LOCATED AT 0  
12 HUBBARD STREET (R.E. NO. 071838-0000) IN THE  
13 COMMERCIAL COMMUNITY/GENERAL-SPRINGFIELD (CCG-  
14 S) ZONING DISTRICT, PURSUANT TO SECTION 656.141,  
15 *ORDINANCE CODE*; ADOPTING RECOMMENDED FINDINGS  
16 AND CONCLUSIONS OF THE LAND USE AND ZONING  
17 COMMITTEE; PROVIDING AN EFFECTIVE DATE.  
18

19 **WHEREAS**, Fitoz, LLC, applied to the Planning Commission for a  
20 Zoning Exception to permit development of two multi-family dwelling  
21 units (duplex) (E-22-01) and for a companion Administrative Deviation  
22 seeking to: (1) reduce the minimum number of off-street parking spaces  
23 from four spaces to two spaces; (2) reduce the side yard setback from  
24 15 feet to three feet along the north property line; and (3) reduce  
25 the distance between structures from six feet to 3.75 feet along the  
26 south property line (AD-22-01), on 0.10± acres of property located  
27 at 0 Hubbard Street (R.E. No. 071838-0000), in the Commercial  
28 Community/General-Springfield (CCG-S) Zoning District, and within the  
29 Springfield Historic District and Springfield Zoning Overlay; and

30 **WHEREAS**, the Planning Commission denied Application E-22-01 by  
31 Final Order dated February 3, 2022; and

1           **WHEREAS**, the Planning Commission denied Application AD-22-01 by  
2 Final Order dated February 3, 2022; and

3           **WHEREAS**, on February 22, 2022, pursuant to Section 656.141,  
4 *Ordinance Code*, Fitoz, LLC filed a Notice of Appeal, appealing the  
5 Final Order denying E-22-01 and the Final Order denying AD-22-01; and

6           **WHEREAS**, such appeal was timely filed, and the appellant has  
7 standing to appeal; and

8           **WHEREAS**, notwithstanding the language in Council Rule  
9 2.102(a)(5) which provides that the Rules Committee shall consider  
10 all resolutions, this appeal is a quasi-judicial matter that is heard  
11 only by the Land Use and Zoning Committee as the committee of  
12 reference to the City Council for such matters pursuant to the  
13 procedures outlined in Section 656.142, *Ordinance Code*; now,  
14 therefore

15           **BE IT RESOLVED** by the Council of the City of Jacksonville:

16           **Section 1. Adoption of Recommended Findings and**  
17 **Conclusions.** The Council has reviewed the record of proceedings,  
18 **On File** in the City Council Legislative Services Division and the  
19 Planning and Development Department, and has considered the  
20 recommended findings and conclusions of the Land Use and Zoning  
21 Committee. The recommended findings and conclusions of the Land Use  
22 and Zoning Committee are hereby adopted. This Resolution is the  
23 final action of the Council.

24           **Section 2. Effective Date.** The adoption of this  
25 Resolution shall be deemed to constitute a quasi-judicial action of  
26 the City Council and shall become effective upon signature by the  
27 Council President and Council Secretary.

1 Form Approved:

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3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared by: Mary E. Staffopoulos

6 GC-#1488320-v2-2022-203\_(PC\_Appeal) (E-22-01) (AD-22-01).docx