

1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **ORDINANCE 2024-403**

5 AN ORDINANCE APPROVING APPLICATION FOR ZONING  
6 EXCEPTION E-24-30 FOR PROPERTY LOCATED IN  
7 COUNCIL DISTRICT 10 AT 8905 1<sup>ST</sup> AVENUE (R.E.  
8 NO(S). 036203-0000), AS DESCRIBED HEREIN, OWNED  
9 BY HOOSE HOMES AND INVESTMENTS, LLC, REQUESTING  
10 A SINGLE FAMILY DWELLING ON A SINGLE LOT OF  
11 RECORD IN ZONING DISTRICT RESIDENTIAL OFFICE  
12 (RO), AS DEFINED AND CLASSIFIED UNDER THE ZONING  
13 CODE; ADOPTING RECOMMENDED FINDINGS AND  
14 CONCLUSIONS OF THE LAND USE AND ZONING  
15 COMMITTEE; PROVIDING FOR DISTRIBUTION;  
16 PROVIDING AN EFFECTIVE DATE.  
17

18 **WHEREAS**, an application for a zoning exception, **On File** with  
19 the City Council Legislative Services Division, was filed by Zach  
20 Miller, Esq. on behalf of the owner of property located in Council  
21 District 10 at 8905 1<sup>st</sup> Avenue (R.E. No. 036203-0000) (the "Subject  
22 Property"), requesting a single family dwelling on a single lot of  
23 record in the Residential Office (RO) District, per section 656.704(a)  
24 of the Zoning Code; and

25 **WHEREAS**, the Planning and Development Department has  
26 considered the application and all attachments thereto and has  
27 rendered an 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 application for zoning exception  
6 E-24-30. Based upon the competent, substantial evidence contained in  
7 the record, the Council hereby determines that the requested zoning  
8 exception meets each of the following criteria required to grant the  
9 request pursuant to Section 656.131(c), *Ordinance Code*, as  
10 specifically identified in the Staff Report of the Planning and  
11 Development Department:

12           (1) Will be consistent with the Comprehensive Plan, including  
13 any subsequent plan adopted by the Council pursuant thereto;

14           (2) Will be compatible with the existing contiguous uses or  
15 zoning and compatible with the general character of the area,  
16 considering population density, design, scale and orientation of  
17 structures to the area, property values, and existing similar uses  
18 or zoning;

19           (3) Will not have an environmental impact inconsistent with the  
20 health, safety and welfare of the community;

21           (4) Will not have a detrimental effect on vehicular or pedestrian  
22 traffic, or parking conditions, and will not result in the generation  
23 or creation of traffic inconsistent with the health, safety and  
24 welfare of the community;

25           (5) Will not have a detrimental effect on the future development  
26 of contiguous properties or the general area, according to the  
27 Comprehensive Plan, including any subsequent amendment to the plan  
28 adopted by the Council;

29           (6) Will not result in the creation of objectionable or  
30 excessive noise, lights, vibrations, fumes, odors, dust or physical  
31 activities, taking into account existing uses or zoning in the

1 vicinity;

2 (7) Will not overburden existing public services and facilities;

3 (8) Will be sufficiently accessible to permit entry onto the  
4 property by fire, police, rescue and other services; and

5 (9) Will be consistent with the definition of a zoning  
6 exception, and will meet the standards and criteria of the zoning  
7 classification in which such use is proposed to be located, and all  
8 other requirements for such particular use set forth elsewhere in the  
9 Zoning Code, or otherwise adopted by the Planning Commission or  
10 Council.

11 Therefore, zoning exception application E-24-30 is hereby  
12 approved.

13 **Section 2. Owner and Description.** The Subject Property is  
14 owned by Hoose Homes and Investments, LLC, and is described in **Exhibit**  
15 **1**, dated March 12, 2024, and graphically depicted in **Exhibit 2**, both  
16 attached hereto. The applicant is Zach Miller, Esq., 3203 Old Barn  
17 Court, Ponte Vedra Beach, Florida, 32082; (904) 651-8958.

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

24 **Section 4. Effective Date.** The enactment of this Ordinance  
25 shall be deemed to constitute a quasi-judicial action of the City  
26 Council and shall become effective upon signature by the Council  
27 President and Council Secretary. Failure to exercise the zoning  
28 exception, if herein granted, by the commencement of the use or action  
29 herein approved within one (1) year of the effective date of this  
30 legislation shall render this zoning exception invalid and all rights  
31 arising therefrom shall terminate.

1 Form Approved:

2

3           /s/ Dylan Reingold          

4 Office of General Counsel

5 Legislation Prepared By: Caroline Fulton

6 GC-#1627862-v1-2024-403\_(E-24-30).docx