

Introduced by the Land Use and Zoning Committee:

**ORDINANCE 2024-403**

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

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

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

**WHEREAS,** the Land Use and Zoning Committee, after due notice, held a public hearing and having duly considered both the testimonial and documentary evidence presented at the public hearing, has made 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

vicinity;

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

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

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

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

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

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

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

Form Approved:

/s/ Dylan Reingold

Office of General Counsel

Legislation Prepared By: Caroline Fulton

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