

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2026-488**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION  
6 APPLICATION AD-26-29, FOR PROPERTY LOCATED IN  
7 COUNCIL DISTRICT 3 AT 1522 GIRVIN ROAD, BETWEEN  
8 WONDERWOOD DRIVE AND EBBTIDE COURT (R.E. NO.  
9 162188-0000), AS DESCRIBED HEREIN, OWNED BY JOHN  
10 KAPLAN AND DIANE KAPLAN, REQUESTING TO 1) REDUCE  
11 THE REQUIRED SIDE YARD SETBACK FROM FIVE (5)  
12 FEET MINIMUM TO ZERO (0) FEET, AND 2) REDUCE  
13 MINIMUM LOT WIDTH FROM 300 FEET TO 94 FEET FOR  
14 THREE HOMES IN ZONING DISTRICT RESIDENTIAL  
15 RURAL-ACRE (RR-ACRE), AS DEFINED AND CLASSIFIED  
16 UNDER THE ZONING CODE; ADOPTING RECOMMENDED  
17 FINDINGS AND CONCLUSIONS OF THE LAND USE AND  
18 ZONING COMMITTEE; PROVIDING FOR DISTRIBUTION;  
19 PROVIDING AN EFFECTIVE DATE.  
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21 **WHEREAS**, an application for an administrative deviation, **On**  
22 **File** with the City Council Legislative Services Division, was filed  
23 by Bobbi Erzinger, on behalf of John Kaplan and Diane Kaplan, the  
24 owners of property located in Council District 3 at 1522 Girvin Road,  
25 between Wonderwood Drive and Ebbtide Court (R.E. No. 162188-0000)  
26 (the "Subject Property"), requesting to 1) reduce the required side  
27 yard setback from five (5) feet minimum to zero (0) feet, and 2)  
28 reduce the minimum lot width from 300 feet to 94 feet for three homes  
29 in Zoning District Residential Rural-Acre (RR-Acre); and

30 **WHEREAS**, the Planning and Development Department has  
31 considered the application and all attachments thereto and has

1 rendered an advisory recommendation; and

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

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

7       **Section 1. Adoption of Findings and Conclusions.** The  
8 Council has considered the recommendation of the Land Use and Zoning  
9 Committee and reviewed the Staff Report of the Planning and  
10 Development Department concerning administrative deviation  
11 Application AD-26-29, which requests to 1) reduce the required side  
12 yard setback from five (5) feet minimum to zero (0) feet, and 2)  
13 reduce the minimum lot width from 300 feet to 94 feet for three homes  
14 in Zoning District Residential Rural-Acre (RR-Acre). Based upon the  
15 competent, substantial evidence contained in the record, the Council  
16 hereby determines that the requested administrative deviation meets  
17 each of the following criteria required to grant the request pursuant  
18 to Section 656.109(h), *Ordinance Code*, as specifically identified in  
19 the Staff Report of the Planning and Development Department:

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

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

26       (3) The proposed deviation will not substantially diminish  
27 property values in, nor alter the essential character of, the area  
28 surrounding the site and will not substantially interfere with or  
29 injure the rights of others whose property would be affected by the  
30 deviation;

31       (4) The proposed deviation will not be detrimental to the public

1 health, safety or welfare, result in additional public expense, the  
2 creation of nuisances, or conflict with any other applicable law;

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

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

8 Therefore, administrative deviation Application AD-26-29 is  
9 hereby approved.

10 **Section 2. Owner and Description.** The Subject Property is  
11 owned by John Kaplan and Diane Kaplan, and is described in **Exhibit**  
12 **1**, dated March 16, 2026, and graphically depicted in **Exhibit 2**, both  
13 attached hereto. The applicant is Bobbi Erzinger, 1355 Rigdon Road,  
14 Jacksonville, Florida 32220; (904) 361-8440; emc.bobbi@gmail.com.

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

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

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26 Form Approved:

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28           /s/ Terrence Harvey          

29 Office of General Counsel

30 Legislation Prepared By: Connor Corrigan

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