

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-754-W**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-23-76, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 2 AT 10110 FORT GEORGE ROAD,
8 BETWEEN HECKSCHER DRIVE AND PALMETTO AVENUE
9 (R.E. NO. 169193-0020), AS DESCRIBED HEREIN,
10 OWNED BY CHRISTOPHER RAY MARTIN, JR. AND
11 STEPHANIE SCHAFFER, REQUESTING TO REDUCE THE
12 MINIMUM LOT AREA FROM 43,560 SQUARE FEET TO
13 11,463 SQUARE FEET AND TO REDUCE THE MINIMUM LOT
14 WIDTH FROM 100 FEET TO 60 FEET IN ZONING DISTRICT
15 RESIDENTIAL RURAL-ACRE (RR-ACRE), AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE; ADOPTING
17 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND
18 USE AND ZONING COMMITTEE; PROVIDING FOR
19 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.
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21 **WHEREAS**, an application for an administrative deviation, **On File**
22 with the City Council Legislative Services Division, was filed by the
23 owners of property located in Council District 2 at 10110 Fort George
24 Road, between Heckscher Drive and Palmetto Avenue (R.E. No. 169193-
25 0020) (the "Subject Property"), requesting to reduce the minimum lot
26 area from 43,560 square feet to 11,463 square feet and reduce the
27 minimum lot width from 100 feet to 60 feet in Zoning District
28 Residential Rural-Acre (RR-Acre); and

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

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

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

6 **Section 1. Adoption of Findings and Conclusions.** The
7 Council has considered the recommendation of the Land Use and Zoning
8 Committee and reviewed the Staff Report of the Planning and
9 Development Department concerning administrative deviation
10 Application AD-23-76, which requests to reduce the minimum lot area
11 from 43,560 square feet to 11,463 square feet and to reduce the
12 minimum lot width from 100 feet to 60 feet. Based upon the competent,
13 substantial evidence contained in the record, the Council hereby
14 determines that the requested administrative deviation meets each of
15 the following criteria required to grant the request pursuant to
16 Section 656.109(h), *Ordinance Code*, as specifically identified in the
17 Staff Report of the Planning and Development Department:

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

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

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

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

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

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

6 Therefore, administrative deviation Application AD-23-76 is
7 hereby approved.

8 **Section 2. Owner and Description.** The Subject Property is
9 owned by Christopher Ray Martin, Jr. and Stephanie Schafer and is
10 legally described in **Exhibit 1**, dated September 8, 2023, and
11 graphically depicted in **Exhibit 2**, both of which are attached hereto.
12 The applicants are Christopher Ray Martin, Jr. and Stephanie Schafer,
13 5404 Heckscher Drive, Jacksonville, Florida 32226; (407) 222-8045.

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

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

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25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Bruce Lewis

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