

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2025-596-E

AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION APPLICATION AD-25-45, FOR PROPERTY LOCATED IN COUNCIL DISTRICT 11 AT 0 PHILIPS HIGHWAY, BETWEEN INTERSTATE-95 AND MUSSELLS ACRES ROAD (R.E. NO. 155549-0505), AS DESCRIBED HEREIN, OWNED BY MARILUZ LEE, REQUESTING TO 1) REDUCE THE REAR REQUIRED YARD FROM 10 FEET TO 0 FEET; 2) REDUCE THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES FROM 17 TO 4; 3) REDUCE THE NUMBER OF TERMINAL ISLAND TREES FROM 1 TERMINAL ISLAND TREE REQUIRED TO 0 TERMINAL ISLAND TREES; 4) REDUCE THE PERIMETER LANDSCAPE BUFFER AREA BETWEEN VEHICLE USE AREA AND ABUTTING PROPERTY FROM 5 FEET MINIMUM WIDTH REQUIRED ALONG THE NORTH, EAST AND SOUTH BOUNDARIES TO 0 FEET; AND 5) INCREASE THE MAXIMUM WIDTH OF THE DRIVEWAY ACCESS FROM KESKIN AVE FROM 24 FEET REQUIRED TO 44 FEET, IN ZONING DISTRICT COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1), 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 an administrative deviation, **On File** with the City Council Legislative Services Division, was filed by Kyle Davis, on behalf of the owner of property located in Council

District 11 at 0 Philips Highway, between Interstate-95 and Mussells Acres Road (R.E. No. 155549-0505) (the "Subject Property"), requesting to: 1) Reduce the rear required yard from 10 feet to 0 feet; 2) Reduce the minimum number of off-street parking spaces from 17 to 4; 3) Reduce the number of terminal island trees from 1 terminal island tree required to 0 terminal island trees; 4) Reduce the perimeter landscape buffer area between vehicle use area and abutting property from 5 feet minimum width required along the north, east and south boundaries to 0 feet; and 5) Increase the maximum width of the driveway access from Keskin Ave from 24 feet required to 44 feet, in Zoning District Commercial Community/General-1 (CCG-1); 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

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

Section 1. Adoption of Findings and Conclusions. The Council has considered the recommendation of the Land Use and Zoning Committee and reviewed the Staff Report of the Planning and Development Department concerning administrative deviation Application AD-25-45, which requests to: 1) Reduce the rear required yard from 10 feet to 0 feet; 2) Reduce the minimum number of off-street parking spaces from 17 to 4; 3) Reduce the number of terminal island trees from 1 terminal island tree required to 0 terminal island trees; 4) Reduce the perimeter landscape buffer area between vehicle use area and abutting property from 5 feet minimum width required along the north, east and south boundaries to 0 feet; and 5) Increase the maximum width of the driveway access from Keskin Ave from 24 feet

1 required to 44 feet. Based upon the competent, substantial evidence
2 contained in the record, the Council hereby determines that the
3 requested administrative deviation meets each of the following
4 criteria required to grant the request pursuant to Section 656.109(h),
5 *Ordinance Code*, as specifically identified in the Staff Report of the
6 Planning and Development Department:

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

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

13 (3) The proposed deviation will not substantially diminish
14 property values in, nor alter the essential character of, the area
15 surrounding the site and will not substantially interfere with or
16 injure the rights of others whose property would be affected by the
17 deviation;

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

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

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

26 Therefore, administrative deviation Application AD-25-45 is
27 hereby approved.

28 **Section 2. Owner and Description.** The Subject Property is
29 owned by Morris C. Shedd, Jr., and is legally described in **Exhibit**
30 **1**, February 28, 2025, and graphically depicted in **Exhibit 2**, both of
31 which are attached hereto. The applicant is Kyle Davis, 219 N. Newman

1 Street, 2nd Floor, Jacksonville, Florida, 32202, (904) 559-2648.

2 **Section 3. Distribution by Legislative Services.**

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

8 **Section 4. Effective Date.** The enactment of this Ordinance

9 shall be deemed to constitute a quasi-judicial action of the City
10 Council and shall become effective upon signature by the Council
11 President and Council Secretary.

12
13 Form Approved:

14
15 /s/ Dylan Reingold

16 Office of General Counsel

17 Legislation Prepared By: Stephen Nagbe

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