

Introduced and amended by the Land Use and Zoning Committee:

RESOLUTION 2026-345-A

A RESOLUTION DENYING THE APPEAL FILED BY JOANN PURDIE, OF THE FINAL ORDERS ISSUED BY THE PLANNING COMMISSION APPROVING 1) ZONING EXCEPTION E-26-07, SEEKING TO ALLOW A RESTAURANT WITH OUTSIDE SALES AND SERVICE, AND 2) ADMINISTRATIVE DEVIATION AD-26-12, SEEKING TO A) REDUCE THE NUMBER OF REQUIRED PARKING SPACES FROM THIRTEEN SPACES TO FIVE SPACES, B) REDUCE THE ONE-WAY DRIVE AISLE WIDTH FROM THIRTEEN FEET TO TEN FEET, AND C) REDUCE THE LANDSCAPE BUFFER ON THE EAST FRONTAGE ALONG MARGARET STREET FROM FIVE FEET TO ZERO FEET, IN THE CCG-1 ZONING DISTRICT FOR THE PROPERTY LOCATED AT 1604 MARGARET STREET, BETWEEN HERSCHEL STREET AND OAK STREET (R.E. NO(S). 090698-0000), PURSUANT TO SECTION 656.141, *ORDINANCE CODE*; ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR NOTICE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Steve Diebenow, on behalf of the property owner, Homerick, LLC, applied to the Planning Commission for 1) Zoning Exception E-26-07, seeking to allow a restaurant with outside sales and service, and 2) Administrative Deviation 26-12, seeking to A) reduce the number of required parking spaces from thirteen spaces to five spaces, B) reduce the one-way drive aisle width from thirteen feet to ten feet, and C) reduce the landscape buffer on the east

frontage along Margaret Street from five feet to zero feet, in the CCG-1 Zoning District on property located at 1604 Margaret Street, between Herschel Street and Oak Street (R.E. No(s). 090698-0000); and

WHEREAS, the Planning Commission approved Zoning Exception E-26-07 and Administrative Deviation 26-12, by Final Orders dated March 19, 2026; and

WHEREAS, pursuant to Section 656.141, *Ordinance Code*, Joann Purdie, part owner of Five Points Partners, LLC ("Appellant"), filed a notice of appeal; and

WHEREAS, such appeal was timely filed, and the Appellant has standing to appeal; now therefore

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

Section 1. Adoption of Recommended Findings and Conclusions. The Council has reviewed the record of proceedings, **On File** in the City Council Legislative Services Division and the Planning and Development Department, and has considered the recommended findings and conclusions of the Land Use and Zoning Committee. The recommended findings and conclusions of the Land Use and Zoning Committee are hereby adopted. Based on the competent, substantial evidence in the record of proceedings, including the Planning and Development Department Staff Report, the testimony of speakers and the record of proceedings before the Planning Commission, the appeal is denied, the Planning Commission Final Order approving Application E-26-07 and AD-26-12 is upheld, and Application E-26-07 and AD-26-12 is approved. This Resolution is the final action of the Council.

Section 2. Notice. Legislative Services is hereby directed to mail a copy of this Resolution, as adopted, to the appellant, applicant for Zoning Exception E-26-07 and Administrative Deviation AD-26-12, and any other parties who testified before the Land Use and Zoning Committee, or who otherwise filed a qualifying written

statement as defined in Section 656.1402(c), *Ordinance Code*.

Section 3. Effective Date. The adoption of this Resolution 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.

Form Approved:

/s/ Terrence Harvey

Office of General Counsel

Legislation Prepared By: Dylan Reingold

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