

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-19-E**

5 AN ORDINANCE APPROVING ZONING VARIANCE V-20-24
6 FOR APPROXIMATELY 7.50± ACRES LOCATED IN
7 COUNCIL DISTRICT 9 AT 0 SEABOARD AVENUE AND
8 5929 SEABOARD AVENUE, BETWEEN 110TH STREET AND
9 BRYNER DRIVE (R.E. NOS. 103180-0000 AND
10 103183-0000), AS DESCRIBED HEREIN, OWNED BY
11 TROY W. ALBERS, REQUESTING TO REDUCE
12 STRUCTURAL SEPARATION REQUIREMENTS FOR MULTI-
13 FAMILY UNITS AND REDUCE VARIOUS SETBACK
14 REQUIREMENTS, AS DEFINED AND CLASSIFIED UNDER
15 THE ZONING CODE; PROVIDING AN EFFECTIVE DATE.
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17 **WHEREAS**, an application for a zoning variance, **On File** with
18 the City Council Legislative Services Division, was filed by Troy
19 W. Albers, the owner of property located in Council District 9 at 0
20 Seaboard Avenue and 5929 Seaboard Avenue, between 110th Street and
21 Bryner Drive (R.E. Nos. 103180-0000 and 103183-0000) ("Subject
22 Property"), requesting to reduce structural separation requirements
23 for multi-family units and reduce various setback requirements in
24 the Residential Medium Density-D (RMD-D) Zoning District; and

25 **WHEREAS**, the Planning and Development Department has
26 considered the application and has rendered a report; and

27 **WHEREAS**, the Land Use and Zoning Committee, after due notice
28 and public hearing and having duly considered both the testimonial
29 and documentary evidence presented at the public hearing has made
30 its recommendation to the Council; and

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

1 **Section 1. Adoption of Findings and Conclusions.** The
2 Council has reviewed the record of proceedings and the Staff Report
3 of the Planning and Development Department and held a public
4 hearing concerning application for variance V-20-24. Based upon
5 the competent, substantial evidence contained in the record, the
6 Council hereby determines that the requested variance meets the
7 criteria for granting a variance contained in Chapter 656,
8 *Ordinance Code*. Therefore, Application V-20-24 is hereby **approved**.

9 **Section 2.** The Subject Property is owned by Troy W.
10 Albers, and is legally described in **Exhibit 1**, dated November 25,
11 2019. The applicant is Southern Impression Homes, Inc., 5711
12 Richard Street, Suite 1, Jacksonville, Florida 32216; (904) 476-
13 6989.

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

19 **Section 4. Disclaimer.** The variance granted herein shall
20 **not** be construed as an exemption from any other applicable local,
21 state, or federal laws, regulations, requirements, permits or
22 approvals. All other applicable local, state or federal permits or
23 approvals shall be obtained before commencement of the development
24 or use and issuance of this variance is based upon acknowledgement,
25 representation and confirmation made by the applicant(s), owner(s),
26 developer(s) and/or any authorized agent(s) or designee(s) that the
27 subject business, development and/or use will be operated in strict
28 compliance with all laws. Issuance of this variance does **not**
29 approve, promote or condone any practice or act that is prohibited
30 or restricted by any federal, state or local laws.

31 **Section 5. Effective Date.** The adoption of this

1 ordinance shall be deemed to constitute a quasi-judicial action of
2 the City Council and shall become effective upon signature by the
3 Council President and Council Secretary. Failure to exercise the
4 variance, if herein granted, by the commencement of the use or
5 action herein approved within one year of the effective date of
6 this legislation shall render this variance invalid and all rights
7 arising therefrom shall terminate.

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9 Form Approved:

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11 /s/ Shannon K. Eller

12 Office of General Counsel

13 Legislation Prepared By: Arimus Wells

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