

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2026-295-E

AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION APPLICATION AD-26-20, FOR PROPERTY LOCATED IN COUNCIL DISTRICT 2 AT 9801 HECKSCHER DRIVE, BETWEEN SHAD CREEK DRIVE AND FORT GEORGE ROAD (R.E. NO(S). 169134-0000 AND 169134-0500), AS DESCRIBED HEREIN, OWNED BY PAUL ZEBOUNI, REQUESTING TO 1) INCREASE THE MAXIMUM HEIGHT OF A STRUCTURE FROM 35 FEET TO 45 FEET, AND 2) INCREASE THE MAXIMUM HEIGHT OF A FENCE IN THE FRONT YARD FROM SETBACK FROM 4 FEET TO 8 FEET, IN ZONING DISTRICT RESIDENTIAL LOW DENSITY-100A (RLD-100A), 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 Ian A. Brown, Esq., on behalf of the owner of property located in Council District 2 at 9801 Heckscher Drive, between Shad Creek Drive and Fort George Road (R.E. No(s). 169134-0000 and 169134-0500) (the "Subject Property"), requesting to 1) increase the maximum height of a structure from 35 feet to 45 feet, and 2) increase the maximum height of a fence in the front yard from setback from 4 feet to 8 feet, in zoning district Residential Low Density-100A (RLD-100A); and

WHEREAS, the Planning and Development Department has considered

1 the application and all attachments thereto and has rendered an
2 advisory recommendation; and

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

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

8 **Section 1. Adoption of Findings and Conclusions.** The
9 Council has considered the recommendation of the Land Use and Zoning
10 Committee and reviewed the Staff Report of the Planning and
11 Development Department concerning administrative deviation
12 Application AD-26-20, which requests to 1) increase the maximum height
13 of a structure from 35 feet to 45 feet, and 2) increase the maximum
14 height of a fence in the front yard from setback from 4 feet to 8
15 feet. Based upon the competent, substantial evidence contained in
16 the record, the Council hereby determines that the requested
17 administrative deviation meets each of the following criteria
18 required to grant the request pursuant to Section 656.109(h),
19 *Ordinance Code*, as specifically identified in the Staff Report of the
20 Planning and Development Department:

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

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

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

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

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

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

9 Therefore, administrative deviation Application AD-26-20 is
10 hereby approved.

11 **Section 2. Owner and Description.** The Subject Property is
12 owned by Paul Zebouni, and is legally described in **Exhibit 1**, dated
13 February 10, 2026, and graphically depicted in **Exhibit 2**, both of
14 which are attached hereto. The applicant is Ian A. Brown, Esq., 245
15 Riverside Avenue, Jacksonville, Florida 32202; (904) 203-4133;
16 ian@yield-coach.com.

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

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

Form Approved:

/s/ Terrence Harvey

Office of General Counsel

Legislation Prepared By: Connor Corrigan

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