

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2022-827**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-22-75, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 5 AT 0 SPRING PARK ROAD, 2325
8 SPRING PARK ROAD, 2341 SPRING PARK ROAD AND 2353
9 SPRING PARK ROAD, BETWEEN SPRING PARK ROAD AND
10 KENNETH STREET (R.E. NOS. 125061-0000, 125063-
11 0000, 125063-0100 AND 125064-0000), AS DESCRIBED
12 HEREIN, OWNED BY YETI ACQUISITIONS LLC,
13 REQUESTING TO: (1) REDUCE THE SIDE AND REAR YARD
14 SETBACKS AS SET FORTH HEREIN; (2) REDUCE THE
15 MINIMUM NUMBER OF OFF-STREET PARKING SPACES FROM
16 61 TO 57; (3) REDUCE THE REQUIRED NUMBER OF
17 TERMINAL ISLANDS TREES FROM TWO TERMINAL ISLANDS
18 TO ZERO; AND (4) DECREASE THE MINIMUM WIDTH OF
19 THE DRIVEWAY ACCESS FROM SPRING PARK ROAD FROM
20 24 FEET TO 12.4 FEET, IN CURRENT ZONING DISTRICT
21 RESIDENTIAL LOW DENSITY-60 (RLD-60) DISTRICT, AS
22 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
23 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF
24 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR
25 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

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27 **WHEREAS**, an application for an administrative deviation, **On File**
28 with the City Council Legislative Services Division, was filed by
29 Cyndy Trimmer, Esq., on behalf of the owner of property located in
30 Council District 5 at 0 Spring Park Road, 2325 Spring Park Road, 2341
31 Spring Park Road and 2353 Spring Park Road, between Spring Park Road

1 and Kenneth Street (R.E. Nos. 125061-0000, 125063-0000, 125063-0100
2 and 125064-0000) (the "Subject Property"), requesting to: (1) reduce
3 the side and rear yard setbacks as more specifically set forth herein;
4 (2) reduce the minimum number of off-street parking spaces from 61
5 to 57; (3) reduce the required number of terminal island trees from
6 two terminal islands to zero; and (4) decrease the minimum width of
7 the driveway access from Spring Park Road from 24 feet to 12.4 feet,
8 in current Zoning District Residential Low Density-60 (RLD-60)
9 District; and

10 **WHEREAS**, the Planning and Development Department has considered
11 the application and all attachments thereto and has rendered an
12 advisory recommendation; and

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

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

18 **Section 1. Adoption of Findings and Conclusions.** The
19 Council has considered the recommendation of the Land Use and Zoning
20 Committee and reviewed the Staff Report of the Planning and
21 Development Department concerning administrative deviation
22 Application AD-22-75, which requests to: (1) reduce the side yard
23 setback on the northern boundary from 20 feet to eight feet, reduce
24 the rear yard setback on the southeast boundary from 20 feet to four
25 feet generally where the existing masonry shed is located, and reduce
26 the rear yard setback on the southeast boundary from 20 feet to five
27 feet generally where the existing two story multi-family building is
28 located; (2) reduce the minimum number of off-street parking spaces
29 from 61 to 57; (3) reduce the required number of terminal island
30 trees from two terminal islands to zero; and (4) decrease the minimum
31 width of the driveway access from Spring Park Road from 24 feet to

1 12.4 feet, as more particularly described in such application.

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

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

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

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

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

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

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

27 Therefore, administrative deviation Application AD-22-75 is
28 hereby approved.

29 **Section 2. Owner and Description.** The Subject Property is
30 owned by Yeti Acquisitions LLC, and is described in **Exhibit 1**, dated
31 June 15, 2022, and graphically depicted in **Exhibit 2**, both attached

1 hereto. The applicant is Cyndy Trimmer, Esq., 1 Independent Drive,
2 Suite 1200, Jacksonville, Florida 32202; (904) 807-0185.

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

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

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

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

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14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Brittany Figueroa

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