

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2025-679

AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION APPLICATION AD-25-57, FOR PROPERTY LOCATED IN COUNCIL DISTRICT 7 AT 2917 ALGONQUIN AVENUE, BETWEEN BALTIC STREET AND VERONA AVENUE (R.E. NO(S). 101798-0000), AS DESCRIBED HEREIN, OWNED BY DAVID P. AND KATHERINE C. HAGAR, AS TRUSTEES OF THE HAGAR TRUST, A REVOCABLE LIVING TRUST, REQUESTING TO 1) REDUCE THE REQUIRED MINIMUM LOT AREA FROM 9,900 SQUARE FEET TO 7,500 SQUARE FEET, 2) REDUCE THE SIDE YARD SETBACK FOR AN ACCESSORY DWELLING UNIT FROM 5 FEET TO 4 FEET, AND 3) REDUCE THE REAR YARD SETBACK FOR AN ACCESSORY DWELLING UNIT FROM 10 FEET TO 7 FEET, IN ZONING DISTRICT RESIDENTIAL LOW DENSITY-90 (RLD-90), 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 Cyndy Trimmer, Esq., on behalf of the owner of property located in Council District 7 at 2917 Algonquin Avenue, between Baltic Street and Verona Avenue (R.E. No(s). 101798-0000) (the "Subject Property"), requesting to 1) reduce the required minimum lot area from 9,900 square feet to 7,500 square feet, 2) reduce the side yard setback for

1 an accessory dwelling unit from 5 feet to 4 feet, and 3) reduce the
2 rear yard setback for an accessory dwelling unit from 10 feet to 7
3 feet, in Zoning District Residential Low Density-90 (RLD-90); and

4 **WHEREAS**, the Planning and Development Department has considered
5 the application and all attachments thereto and has rendered an
6 advisory recommendation; and

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

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

12 **Section 1. Adoption of Findings and Conclusions.** The
13 Council has considered the recommendation of the Land Use and Zoning
14 Committee and reviewed the Staff Report of the Planning and
15 Development Department concerning administrative deviation
16 Application AD-25-57, which requests to 1) reduce the required minimum
17 lot area from 9,900 square feet to 7,500 square feet, 2) reduce the
18 side yard setback for an accessory dwelling unit from 5 feet to 4
19 feet, and 3) reduce the rear yard setback for an accessory dwelling
20 unit from 10 feet to 7 feet. Based upon the competent, substantial
21 evidence contained in the record, the Council hereby determines that
22 the requested administrative deviation meets each of the following
23 criteria required to grant the request pursuant to Section 656.109(h),
24 *Ordinance Code*, as specifically identified in the Staff Report of the
25 Planning and Development Department:

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

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

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

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

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

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

14 Therefore, administrative deviation Application AD-25-57 is
15 hereby approved.

16 **Section 2. Owner and Description.** The Subject Property is
17 owned by David P. and Katherine C. Hagar, as Trustees of the Hagar
18 Trust, a revocable living trust, and is legally described in **Exhibit**
19 **1**, dated July 8, 2025, and graphically depicted in **Exhibit 2**, both
20 of which are attached hereto. The applicant is Cyndy Trimmer, Esq.,
21 1 Independent Drive, Suite 1200, Jacksonville, Florida, 32202; (904)
22 807-0185.

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

29 **Section 4. Effective Date.** The enactment of this Ordinance
30 shall be deemed to constitute a quasi-judicial action of the City
31 Council and shall become effective upon signature by the Council

1 President and Council Secretary.

2
3 Form Approved:

4
5 /s/ Dylan Reingold

6 Office of General Counsel

7 Legislation Prepared By: Connor Corrigan

8 GC-#1707130-v1-2025-679_ (AD-25-57) .docx