

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-754**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-20-74, LOCATED IN COUNCIL
7 DISTRICT 9 AT 1310 PRIOLEOU STREET, BETWEEN 3RD
8 STREET WEST AND 4TH STREET WEST (R.E. NO. 050919-
9 0000) AS DESCRIBED HEREIN, OWNED BY HABITAT FOR
10 HUMANITY OF JACKSONVILLE, INC., REQUESTING TO
11 REDUCE THE REQUIRED MINIMUM LOT WIDTH FROM 40
12 FEET TO 30 FEET, AND REQUESTING TO REDUCE THE
13 MINIMUM LOT AREA FROM 4000 SQUARE FEET TO 3010
14 SQUARE FEET, IN ZONING DISTRICT RESIDENTIAL
15 MEDIUM DENSITY-A (RMD-A), AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE; PROVIDING AN
17 EFFECTIVE DATE.
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19 **WHEREAS**, an application for an administrative deviation, **On File**
20 with the City Council Legislative Services Division, was filed by
21 Habitat for Humanity of Jacksonville, Inc., the owner of property
22 located in Council District 9 at 1310 Prioleou Street, between 3rd
23 Street West and 4th Street West (R.E. No. 050919-0000) (Subject
24 Property), requesting to reduce the required minimum lot width from
25 40 feet to 30 feet, and requesting to reduce the minimum lot area
26 from 4000 square feet to 3010 square feet, in Zoning District
27 Residential Medium Density-A (RMD-A); and

28 **WHEREAS**, the Planning and Development Department has considered
29 the application and all attachments thereto and has rendered an
30 advisory recommendation; and

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice

1 held a public hearing and having duly considered both the testimonial
2 and documentary evidence presented at the public hearing, has made
3 its recommendation to the Council; now, therefore

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

5 **Section 1. Adoption of Findings and Conclusions.** The
6 Council has considered the recommendation of the Land Use and Zoning
7 Committee and reviewed the Staff Report of the Planning and
8 Development Department concerning administrative deviation
9 Application AD-20-74. Based upon the competent, substantial evidence
10 contained in the record, the Council hereby determines that the
11 requested administrative deviation meets each of the following
12 criteria required to grant the request pursuant to Section 656.109(h),
13 *Ordinance Code*, as specifically identified in the Staff Report of the
14 Planning and Development Department:

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

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

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

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

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

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

3 Therefore, administrative deviation Application AD-20-74 is
4 hereby **approved**.

5 **Section 2. Owner and Description.** The Subject Property is
6 owned by Habitat for Humanity of Jacksonville, Inc., and is described
7 in **Exhibit 1**, dated October 29, 2020, and graphically depicted in
8 **Exhibit 2**, both **attached hereto**. The applicant is Scott Dittmer,
9 2404 Hubbard Street, Jacksonville, Florida 32206; (904) 208-6664.

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

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

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21 Form Approved:

22
23 /s/ Shannon K. Eller

24 Office of General Counsel

25 Legislation Prepared By: Connor Corrigan

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