

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

5 AN ORDINANCE APPROVING ZONING VARIANCE V-20-24
6 FOR APPROXIMATELY 7.50± ACRES LOCATED IN COUNCIL
7 DISTRICT 9 AT 0 SEABOARD AVENUE AND 5929
8 SEABOARD AVENUE, BETWEEN 110TH STREET AND BRYNER
9 DRIVE (R.E. NOS. 103180-0000 AND 103183-0000),
10 AS DESCRIBED HEREIN, OWNED BY TROY W. ALBERS,
11 REQUESTING TO REDUCE STRUCTURAL SEPARATION
12 REQUIREMENTS FOR MULTI-FAMILY UNITS AND REDUCE
13 VARIOUS SETBACK REQUIREMENTS, AS DEFINED AND
14 CLASSIFIED UNDER THE ZONING CODE; PROVIDING AN
15 EFFECTIVE DATE.
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17 **WHEREAS**, an application for a zoning variance, **On File** with the
18 City Council Legislative Services Division, was filed by Troy W.
19 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 the
24 Residential Medium Density-D (RMD-D) Zoning District; and

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

27 **WHEREAS**, the Land Use and Zoning Committee, after due notice and
28 public hearing and having duly considered both the testimonial and
29 documentary evidence presented at the public hearing has made its
30 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 hearing
4 concerning application for variance V-20-24. Based upon the
5 competent, substantial evidence contained in the record, the Council
6 hereby determines that the requested variance meets the criteria for
7 granting a variance contained in Chapter 656, *Ordinance Code*.
8 Therefore, Application V-20-24 is hereby **approved**.

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

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

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

30 **Section 5. Effective Date.** The adoption of this ordinance
31 shall be deemed to constitute a quasi-judicial action of the City

