

Introduced by the Land Use and Zoning Committee:

ORDINANCE 2025-594-W

AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION APPLICATION AD-25-49, FOR PROPERTY LOCATED IN COUNCIL DISTRICT 8 AT 7126 GARDEN STREET, BETWEEN MEDIA STREET AND OLD KINGS ROAD (R.E. NO. 004004-0000), AS DESCRIBED HEREIN, OWNED BY MARY AGNES VAN CLEVE MILLER, AS TRUSTEE OF THE MARY AGNES VAN CLEVE MILLER LIVING, REQUESTING TO REDUCE THE REQUIRED MINIMUM LOT AREA FROM 1.5 ACRES TO 0.99 ACRES, IN ZONING DISTRICT RESIDENTIAL LOW DENSITY-60 (RLD-60), 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 Mary Agnes Van Cleve Miller, as trustee of the Mary Agnes Van Cleve Miller Living Trust. the owner of property located in Council District 8 at 7126 Garden Street, between Media Street and Old Kings Road (R.E. No. 004004-0000) (the "Subject Property"), requesting to reduce the required minimum lot area from 1.5 acres to 0.99 acres, in Zoning District Residential Low Density-60 (RLD-60); and

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

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-25-49, which requests to the required minimum lot area
10 from 1.5 acres to 0.99 acres. Based upon the competent, substantial
11 evidence contained in the record, the Council hereby determines that
12 the requested administrative deviation meets each of the following
13 criteria required to grant the request pursuant to Section 656.109(h),
14 *Ordinance Code*, as specifically identified in the Staff Report of the
15 Planning and Development Department:

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

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

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

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

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

1 landscaping; and

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

4 Therefore, administrative deviation Application AD-25-49 is
5 hereby approved.

6 **Section 2. Owner and Description.** The Subject Property is
7 owned by Mary Agnes Van Cleve Miller, as trustee of the Mary Agnes
8 Van Cleve Miller Living Trust, and is legally described in **Exhibit**
9 **1**, July 11, 2025, and graphically depicted in **Exhibit 2**, both of
10 which are attached hereto. The applicant is Mary Agnes Van Cleve
11 Miller, 7125 Garden Street, Jacksonville, Florida 32219; (904) 866-
12 5171.

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

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

23
24 Form Approved:

25
26 /s/ Dylan Reingold

27 Office of General Counsel

28 Legislation Prepared By: Erin Abney

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