

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2026-19-E**

5 AN ORDINANCE APPROVING APPLICATION FOR ZONING
6 VARIANCE V-25-32, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 5 AT 1435 NALDO AVENUE, UNIT 1,
8 BETWEEN NALDO AVENUE AND HENDRICKS AVENUE SOUTH
9 OF RAILWAY (R.E. NO(S). 080676-0000), AS
10 DESCRIBED HEREIN, OWNED BY SAN MARCO UNION HALL,
11 LLC, REQUESTING TO INCREASE THE SEATING CAPACITY
12 FOR A RESTAURANT FROM SIXTY (60) SEATS TO
13 NINETY-SIX (96) SEATS, IN THE ZONING DISTRICT
14 COMMERCIAL, RESIDENTIAL AND OFFICE (CRO)
15 DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE
16 ZONING CODE; ADOPTING RECOMMENDED FINDINGS AND
17 CONCLUSIONS OF THE LAND USE AND ZONING
18 COMMITTEE; PROVIDING FOR DISTRIBUTION;
19 PROVIDING AN EFFECTIVE DATE.
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21 **WHEREAS**, an application for a zoning variance, **On File** with
22 the City Council Legislative Services Division, was filed by Lawrence
23 Yancy, on behalf of San Marco Union Hall, LLC, the owner of property
24 located in Council District 5 at 1435 Naldo Avenue, Unit 1, between
25 Naldo Avenue and Hendricks Avenue (R.E. No(s). 080676-0000) (the
26 "Subject Property"), requesting to increase the seating capacity for
27 a restaurant from 60 to 96 seats, in the Commercial, Residential and
28 Office (CRO) District; and

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

1 **WHEREAS**, the Land Use and Zoning (LUZ) Committee, after due
2 notice, held a public hearing, and having duly considered both the
3 testimonial and documentary evidence presented at the public hearing,
4 has made its recommendation to the Council; now therefore

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

6 **Section 1. Adoption of Findings and Conclusions.** The
7 Council has considered the recommendation of the Land Use and Zoning
8 Committee and reviewed the Staff Report of the Planning and
9 Development Department concerning application for zoning variance V-
10 25-32. Based upon the competent, substantial evidence contained in
11 the record, the Council hereby determines that the requested zoning
12 variance meets each of the following criteria required to grant the
13 request pursuant to Section 656.132(c), *Ordinance Code*, as
14 specifically identified in the Staff Report of the Planning and
15 Development Department:

16 (1) The proposed request is consistent with the definition of a
17 variance;

18 (2) There are practical or economic difficulties in carrying out
19 the strict letter of the regulation;

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

24 (4) The proposed variance will not substantially diminish
25 property values in, nor alter the essential character of, the area
26 surrounding the sites and will not substantially interfere with or
27 injure the rights of others whose property would be affected by
28 approval of the variance;

29 (5) The proposed variance will not be detrimental to the public
30 health, safety or welfare, result in additional public expense, the
31 creation of nuisances, or conflict with any other applicable law; and

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

3 Therefore, zoning variance application V-25-32 is hereby
4 **approved.**

5 **Section 2. Owner and Description.** The Subject Property is
6 owned by San Marco Union Hall, LLC, and is described in **Exhibit 1**,
7 dated October 23, 2025, and graphically depicted in **Exhibit 2**, both
8 attached hereto. The applicant is Lawrence Yancy, 1309 Saint Johns
9 Bluff Road North, Building A, Suite 2, Jacksonville, Florida, 32225;
10 (904) 568-4317.

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

17 **Section 4. Effective Date.** The enactment of this Ordinance
18 shall be deemed to constitute a quasi-judicial action of the City
19 Council and shall become effective upon signature by the Council
20 President and Council Secretary. Failure to exercise the zoning
21 variance, if herein granted, by the commencement of the use or action
22 herein approved within one (1) year of the effective date of this
23 legislation shall render this zoning variance invalid and all rights
24 arising therefrom shall terminate.

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26 Form Approved:

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28 /s/ Terrence Harvey

29 Office of General Counsel
30 Legislation Prepared By: Stephen Nagbe