

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2023-414-E**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION  
6 APPLICATION AD-23-50, FOR PROPERTY LOCATED IN  
7 COUNCIL DISTRICT 12 AT 620 CHAFFEE ROAD SOUTH,  
8 BETWEEN INTERSTATE 10 EXPRESSWAY AND CRYSTAL  
9 SPRINGS ROAD (R.E. NO. 001848-0000 (PORTION)),  
10 AS DESCRIBED HEREIN, OWNED BY FIRST COAST  
11 ENERGY, L.L.P., REQUESTING TO: (1) INCREASE THE  
12 MAXIMUM NUMBER OF OFF-STREET PARKING SPACES FROM  
13 40 TO 74, (2) DECREASE THE MINIMUM NUMBER OF  
14 LOADING SPACES REQUIRED FROM ONE TO ZERO, (3)  
15 INCREASE THE MAXIMUM WIDTH OF DRIVEWAY ACCESS ON  
16 CHAFFEE ROAD SOUTH FROM 36 FEET REQUIRED TO 45  
17 FEET, (4) REDUCE THE SETBACK FROM ADJACENT  
18 RESIDENTIAL DISTRICT FROM A MINIMUM OF 15 FEET  
19 TO 10 FEET, AND (5) REDUCE THE UNCOMPLIMENTARY  
20 LAND-USE BUFFER WIDTH FROM 10 FEET TO 0 FEET ON  
21 THE WEST PROPERTY BOUNDARY, IN CURRENT ZONING  
22 DISTRICTS COMMERCIAL COMMUNITY/GENERAL-1 (CCG-  
23 1) AND RESIDENTIAL MEDIUM DENSITY-MH (RMD-MH),  
24 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE;  
25 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF  
26 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR  
27 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.  
28

29 **WHEREAS**, an application for an administrative deviation, **Revised**  
30 **On File** with the City Council Legislative Services Division, was  
31 filed by Steve Diebenow, Esq. on behalf of the owner of property

1 located in Council District 12 at 620 Chaffee Road South, between  
2 Interstate 10 Expressway and Crystal Springs Road (R.E. No. 001848-  
3 0000 (portion)) (the "Subject Property"), requesting to: (1) increase  
4 the maximum number of off-street parking spaces from 40 to 74, (2)  
5 decrease the minimum number of loading spaces required from one to  
6 zero, (3) increase the maximum width of driveway access on Chaffee  
7 Road South from 36 feet required to 45 feet, (4) reduce the setback  
8 from adjacent residential district from a minimum of 15 feet to 10  
9 feet, and (5) reduce the uncomplimentary land-use buffer width from  
10 10 feet to 0 feet on the west property boundary, in current Zoning  
11 Districts Commercial Community/General-1 (CCG-1) and Residential  
12 Medium Density-MH (RMD-MH); and

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

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

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

21 **Section 1. Adoption of Findings and Conclusions.** The  
22 Council has considered the recommendation of the Land Use and Zoning  
23 Committee and reviewed the Staff Report of the Planning and  
24 Development Department concerning administrative deviation  
25 Application AD-23-50, which requests to: (1) increase the maximum  
26 number of off-street parking spaces from 40 to 74, (2) decrease the  
27 minimum number of loading spaces required from one to zero, (3)  
28 increase the maximum width of driveway access on Chaffee Road South  
29 from 36 feet required to 45 feet, (4) reduce the setback from adjacent  
30 residential district from a minimum of 15 feet to 10 feet, and (5)  
31 reduce the uncomplimentary land-use buffer width from 10 feet to 0

1 feet on the west property boundary. Based upon the competent,  
2 substantial evidence contained in the record, the Council hereby  
3 determines that the requested administrative deviation meets each of  
4 the following criteria required to grant the request pursuant to  
5 Section 656.109(h), *Ordinance Code*, as specifically identified in the  
6 Staff Report of the Planning and Development Department:

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

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

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

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

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

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

26 Therefore, administrative deviation Application AD-23-50 is  
27 hereby approved.

28 **Section 2. Owner and Description.** The Subject Property is  
29 owned by First Coast Energy, L.L.P., and is described in **Exhibit 1**,  
30 dated May 11, 2023, and graphically depicted in **Revised Exhibit 2**,  
31 both attached hereto. The applicant is Steve Diebenow, Esq., One

1 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)  
2 301-1269.

3 **Section 3. Distribution by Legislative Services.**

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

9 **Section 4. Effective Date.** The enactment of this Ordinance

10 shall be deemed to constitute a quasi-judicial action of the City  
11 Council and shall become effective upon signature by the Council  
12 President and Council Secretary.

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14 Form Approved:

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16           /s/ Mary E. Staffopoulos          

17 Office of General Counsel

18 Legislation Prepared By: Kaysie Cox

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