

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

January 5, 2023

The Honorable Terrance Freeman, President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2022-860**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve with Condition**

Planning Commission Commentary: There were two speakers in opposition. One speaker had concerns about the separation between the commercial use and his single family dwelling. He requested a more substantial buffer such as a wall be constructed along the property line. The Commissioners recommend the uncomplementary buffer opacity be increased from 85% to 100%.

Recommended Planning Commission Conditions to the Ordinance:

**1. The Uncomplementary Buffer Screening shall be 100% opaque.**

Planning Commission Vote:	6-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Absent
Joshua Garrison	Aye

David Hacker

Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7820  
blewis@coj.net

**2022-0860/AD-22-70**

**LOCATION:** 4261 Roosevelt Boulevard, 4461 & 4457 Beverly Avenue

**REAL ESTATE NUMBER:** 069239-0000, 069243-0000, 069244-0000

**DEVIATION SOUGHT:**

1. Increase the number of compact spaces from 30% to 52%
2. Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-1 zoning district from a residential zoning district from a minimum of 15 feet to 4 feet.
3. Decrease minimum number of loading spaces from 2 required to 0 loading spaces.
4. Reduce the dumpster setback from 5 feet to 0 feet.
5. Reduce the minimum width of drive from 24 feet required to 20 feet.
6. Reduce vehicle use area interior landscape from 1330 square feet required to 220 square feet.
7. Reduce the landscape buffer between vehicle use area along Roosevelt, Melrose & Beverly from 10 feet per linear feet of frontage and 5 feet minimum width required to 3 feet per linear feet of frontage and 1 foot minimum width.
8. Reduce the perimeter landscape buffer area between vehicle use area and abutting property along property north boundary from 5 feet minimum width required to 0 feet.
9. Decrease the minimum width of the driveway access from 24 feet required to 20 feet.
10. Decrease the minimum width of driveway access adjoining property along north property boundary from 24 feet required to 20 feet.
11. Reduce the uncomplimentary land-use buffer width along the east property boundary from 10 feet wide required to 4 feet wide.
12. Reduce the uncomplimentary land-use buffer trees along the east property boundary from 12 required to 0 trees.

**PRESENT ZONING:** CCG-1

**CURRENT LAND USE:** CGC

**PLANNING DISTRICT:** 4

**COUNCIL DISTRICT:** 14

**SIGNS POSTED:** 1

**AGENT/APPLICANT:**

Steve Diebenow, Esq.  
Driver, McAfee, Hawthorne & Diebenow, PLLC  
One Independent Drive, Suite 1200  
Jacksonville, FL 32202

**OWNER:**

Triple Net Equities, Inc.  
10739 Deerwood Park Blvd  
Jacksonville, FL 32256

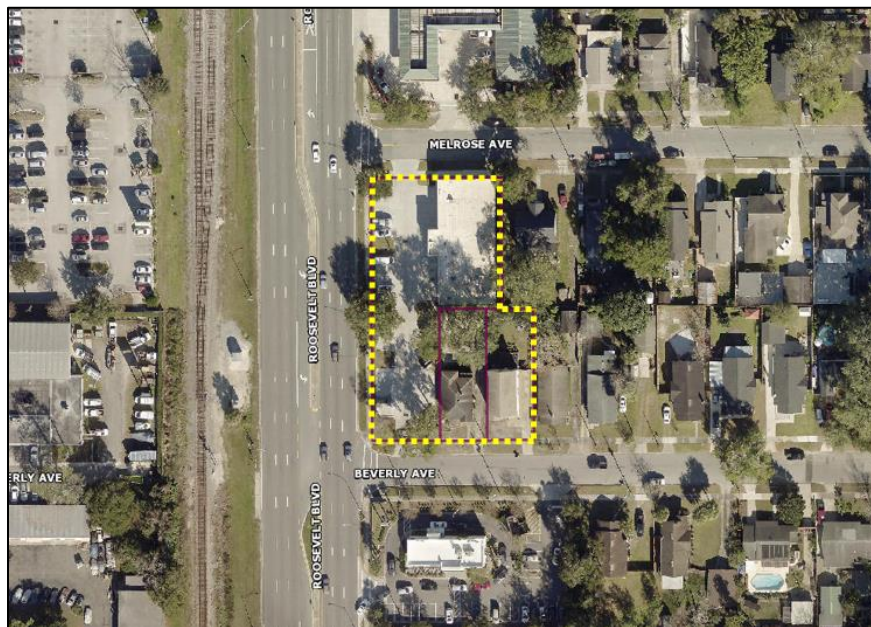
**STANDARDS, CRITERIA AND FINDINGS**

<b>1. Is this situation unique or similar to other properties in the neighborhood?</b>	<b><u>Recommendation:</u></b> Similar. The subject property is located on the east side of Roosevelt Boulevard between Melrose Avenue and Beverly Avenue. The subject properties are currently developed with a commercial shopping center constructed in 1991 and two single family dwellings, one constructed in
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	<p>1928 and the other 2006. The property owner intends to redevelop the three parcels to add an additional one-story commercial shopping center approximately 8,000 square feet. The situation is similar to other commercial properties along Roosevelt Blvd. The area was developed in the early 1900s when parking requirements were non-existent compared to today's modern zoning code. The subject property was formerly a retail shop that is seeking to be redeveloped with a second commercial building. Previous similar parking reductions have been approved.</p> <p>Parcel located at 4457 Beverly Avenue is zoned Planned Unit Development which allows for the development of one single family dwelling. There is a companion rezoning application (<b>Ord. #2022-0858</b>) for this property that is seeking to rezone the property from the current PUD Ord. #2005-0564 in CCG-1. The Planning &amp; Development Department is recommending approval of the rezoning application.</p> <p>Additionally, the companion Zoning Variance Ordinance <b>2022-0859 (V-22-14)</b> seeks to reduce the required sidewalk width from 6 feet to 5.5 feet. The department is also recommending Approval on the Zoning Variance.</p>
<p><b>2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...</b></p>	<p><b><u>Recommendation:</u></b> Yes. There are practical difficulties associated with carrying out the strict letter of the regulation due to the size of the property and the existing developed commercial structure. The dimensions of the parcel make it impractical to construct an 8000 sq. ft. building with the required landscaping and parking.</p>
<p><b>3. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish a result that is in the public interest.</b></p>	<p><b><u>Recommendation:</u></b> Yes. The request is not based exclusively on the desire to reduce the cost of developing the site, and would accomplish a result that is in the public's interest. To meet the parking standard the applicant would be forced to reduce the size of the building creating a hardship for the owner with a building that may remain vacant due to its size.</p>
<p><b>4. The proposed deviation will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially</b></p>	<p><b><u>Recommendation:</u></b> Yes. The proposed deviation will not substantially diminish property values in the surrounding area as the surrounding area. There are similar commercial parcels on Roosevelt Blvd and the lack</p>

<b>interfere with or injure the rights of others whose property would be affected by the deviation, in that...</b>	of off-street parking is a standard feature to the area, and will not impose any unfair situations to the surrounding properties.
<b>5. The proposed deviation will not be detrimental to the public health, safety, or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law, in that...</b>	<b>Recommendation:</b> Yes. The proposed deviation is unlikely to have a detrimental effect on the public health, safety or welfare, nor create a public expense or potential nuisance.
<b>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</b>	<b>Recommendation:</b> Yes. The intent of the Zoning Code is to promote the health and safety of the public, while allowing for deviations that are within the public's best interest. The proposed deviation does not negatively affect the public's health or safety, but will allow for the redevelopment of the site for commercial uses.
<b>7. The City landscape architect (has/has not) recommended the proposed deviation.</b>	N/A
<b>8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.</b>	There are no existing Zoning Code violations associated with the subject property.

**PLANNER RECOMMENDATION:** Approve.  
**DATE OF REPORT:** January 5, 2023



**Aerial View**  
Source: JaxGIS



**The Required Notice of Public Hearing Signs Were Posted**

Source: Planning and Development Department, COJ (Date: December 7, 2022)



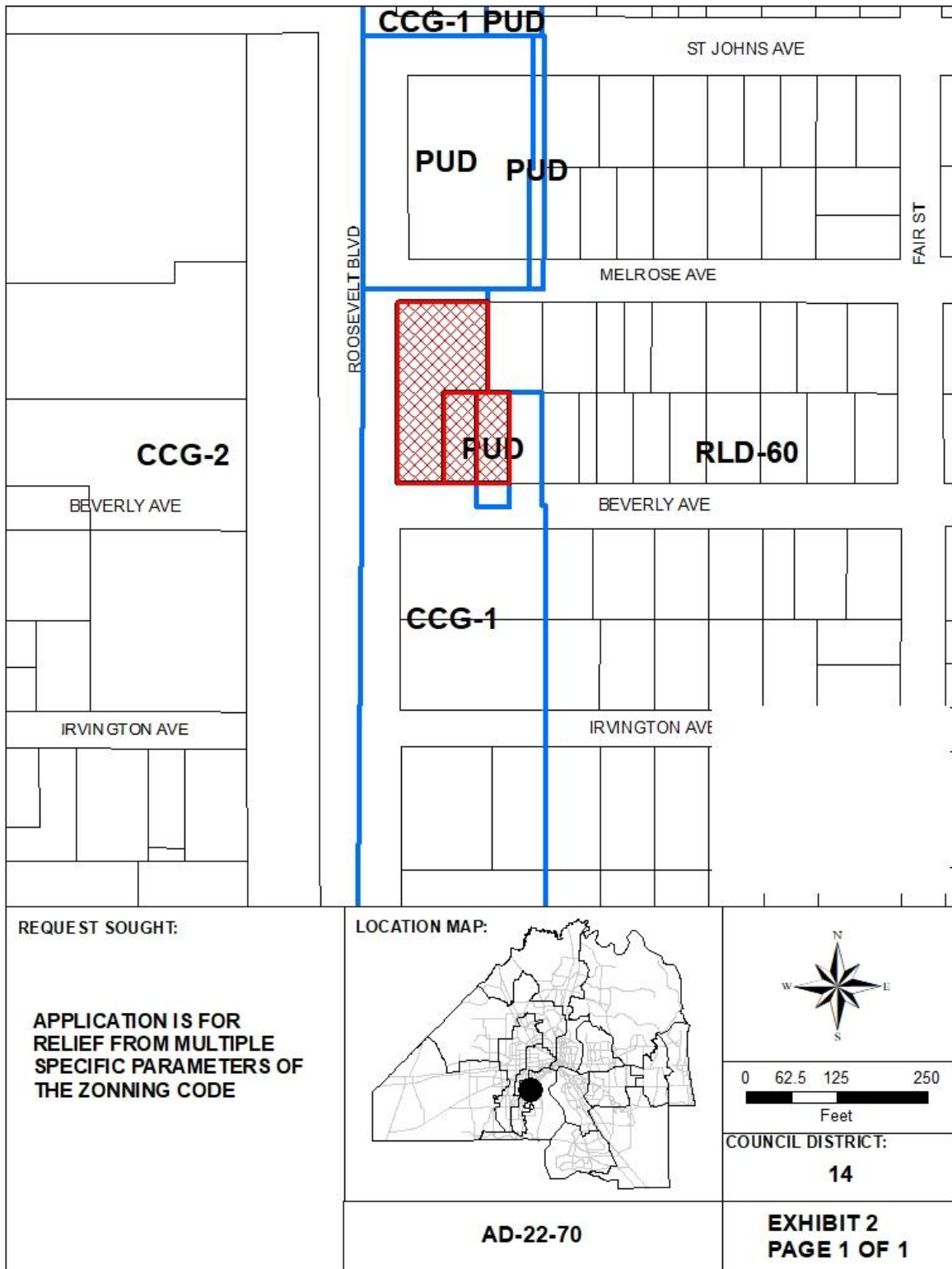
**View of the Subject Property**

Source: Planning and Development Department, COJ (Date: December 7, 2022)



**View of the Subject Property**

Source: Planning and Development Department, COJ (Date: December 7, 2022)



**Legal Map**  
 Source: JaxGIS