

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2023-602**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-23-23, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 14 AT 0 BUNION DRIVE, BETWEEN
8 BUNION DRIVE AND CAMFIELD STREET (R.E. NO.
9 016183-0010), AS DESCRIBED HEREIN, OWNED BY
10 AMERICAN CLASSIC HOMES, LLC, REQUESTING TO
11 REDUCE THE MINIMUM LOT AREA FROM 14,000 SQUARE
12 FEET TO 9,720 SQUARE FEET AND TO REDUCE THE
13 MINIMUM LOT WIDTH FROM 100 FEET TO 72 FEET FOR
14 TWO PROPOSED LOTS IN ZONING DISTRICT RESIDENTIAL
15 LOW DENSITY-100B (RLD-100B), AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE; ADOPTING
17 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND
18 USE AND ZONING COMMITTEE; PROVIDING FOR
19 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.
20

21 **WHEREAS**, an application for an administrative deviation, **On File**
22 with the City Council Legislative Services Division, was filed by
23 Hunter Faulkner, Esq. on behalf of the owner of property located in
24 Council District 14 at 0 Bunion Drive, between Bunion Drive and
25 Camfield Street (R.E. No. 016183-0010) (the "Subject Property"),
26 requesting to reduce the minimum lot area from 14,000 square feet to
27 9,720 square feet and reduce the minimum lot width from 100 feet to
28 72 feet for two proposed lots in Zoning District Residential Low
29 Density-100B (RLD-100B); and

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

1 advisory recommendation; and

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

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

7 **Section 1. Adoption of Findings and Conclusions.** The
8 Council has considered the recommendation of the Land Use and Zoning
9 Committee and reviewed the Staff Report of the Planning and
10 Development Department concerning administrative deviation
11 Application AD-23-23, which requests to reduce the minimum lot area
12 from 14,000 square feet to 9,720 square feet and reduce the minimum
13 lot width from 100 feet to 72 feet for a single lot proposed to be
14 divided into two lots. Based upon the competent, substantial evidence
15 contained in the record, the Council hereby determines that the
16 requested administrative deviation meets each of the following
17 criteria required to grant the request pursuant to Section 656.109(h),
18 *Ordinance Code*, as specifically identified in the Staff Report of the
19 Planning and Development Department:

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

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

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

31 (4) The proposed deviation will not be detrimental to the public

1 health, safety or welfare, result in additional public expense, the
2 creation of nuisances, or conflict with any other applicable law;

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

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

8 Therefore, administrative deviation Application AD-23-23 is
9 hereby approved.

10 **Section 2. Owner and Description.** The Subject Property is
11 owned by American Classic Homes, LLC and is legally described in
12 **Exhibit 1**, dated June 30, 2021, and graphically depicted in **Exhibit**
13 **2**, both of which are attached hereto. The applicant is Hunter
14 Faulkner, Esq., One Independent Drive, Suite 1400, Jacksonville,
15 Florida 32202; (904) 389-0050.

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

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

26 Form Approved:

27
28 /s/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Connor Corrigan

31 GC-#1586497-v2-2023-602_(AD-23-23).docx