

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2026-175**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-26-06, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 8 AT 0 WAGES WAY, SOUTH OF NEW
8 BERLIN ROAD (R.E. NO. 106886-0010), AS DESCRIBED
9 HEREIN, OWNED BY AUSTIN RUBASHKA REQUESTING TO
10 REDUCE THE REQUIRED MINIMUM LOT AREA FROM 43,560
11 SQUARE FEET TO 27,007 SQUARE FEET, IN ZONING
12 DISTRICT RESIDENTIAL RURAL-ACRE (RR-ACRE), AS
13 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
14 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF
15 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR
16 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.
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18 **WHEREAS**, an application for an administrative deviation, **On File**
19 with the City Council Legislative Services Division, was filed by
20 Austin Rubashka, on behalf of the owner of property located in Council
21 District 8 at 0 Wages Way, south of New Berlin Road (R.E. No. 106886-
22 0010) (the "Subject Property"), requesting to reduce the required
23 minimum lot area from 43,560 square feet to 27,007 square feet, in
24 Zoning District Residential Rural-Acre (RR-Acre); and

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

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

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

2 **Section 1. Adoption of Findings and Conclusions.** The

3 Council has considered the recommendation of the Land Use and Zoning
4 Committee and reviewed the Staff Report of the Planning and
5 Development Department concerning administrative deviation
6 Application AD-26-06, which requests to reduce the required minimum
7 lot area from 43,560 square feet to 27,007 square feet. Based upon
8 the competent, substantial evidence contained in the record, the
9 Council hereby determines that the requested administrative deviation
10 meets each of the following criteria required to grant the request
11 pursuant to Section 656.109(h), *Ordinance Code*, as specifically
12 identified in the Staff Report of the Planning and Development
13 Department:

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

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

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

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

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

31 (6) The effect of the proposed deviation is in harmony with the

1 spirit and intent of the Zoning Code.

2 Therefore, administrative deviation Application AD-26-06 is
3 hereby approved.

4 **Section 2. Owner and Description.** The Subject Property is
5 owned by Austin Rubashka, and is legally described in **Exhibit 1**,
6 dated February 20, 2026, and graphically depicted in **Exhibit 2**, both
7 of which are attached hereto. The applicant is Austin Rubashka, 2695
8 Kaylor Lane, Jacksonville, Florida 32218; (971) 232-8667.

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

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

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20 Form Approved:

21
22 /s/ Dylan Reingold

23 Office of General Counsel

24 Legislation Prepared By: Stephen Nagbe

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