

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

4 **ORDINANCE 2021-869-E**

5 AN ORDINANCE APPROVING ADMINISTRATIVE DEVIATION
6 APPLICATION Z-3782, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 12 AT 0 SOUTH CHAFFEE ROAD, 0
8 BRANAN FIELD CHAFFEE ROAD AND 0 103RD STREET,
9 BETWEEN 103RD STREET AND SAMARITAN WAY (R.E.
10 NOS. 012899-0010, 012900-0410, 012900-0600,
11 012906-0050, 012906-0060 AND 012912-0010) AS
12 DESCRIBED HEREIN, OWNED BY RCBF PROPERTIES, LLC,
13 REQUESTING TO REDUCE THE MINIMUM NUMBER OF OFF-
14 STREET PARKING SPACES FROM 679 TO 642 AND TO
15 DECREASE THE MINIMUM NUMBER OF LOADING SPACES
16 FROM 10 TO 0, IN CURRENT ZONING DISTRICT
17 COMMERCIAL COMMUNITY/GENERAL-1 (CCG-1)/PROPOSED
18 ZONING DISTRICT COMMERCIAL, RESIDENTIAL AND
19 OFFICE (CRO), AS DEFINED AND CLASSIFIED UNDER
20 THE ZONING CODE; ADOPTING RECOMMENDED FINDINGS
21 AND CONCLUSIONS OF THE LAND USE AND ZONING
22 COMMITTEE; PROVIDING FOR DISTRIBUTION;
23 PROVIDING AN EFFECTIVE DATE.
24

25 **WHEREAS**, an application for an administrative deviation, **On File**
26 with the City Council Legislative Services Division, was filed by
27 Cyndy Trimmer, Esq., on behalf of RCBF Properties, LLC, the owner of
28 certain real property located in Council District 12 at 0 South
29 Chaffee Road, 0 Branan Field Chaffee Road and 0 103rd Street, between
30 103rd Street and Samaritan Way (R.E. Nos. 012899-0010, 012900-0410,

1 012900-0600, 012906-0050, 012906-0060 and 012912-0010) (the "Subject
2 Property"), requesting to reduce the minimum number of off-street
3 parking spaces from 679 to 642 and to decrease the minimum number of
4 loading spaces from 10 to 0, in current Zoning District Commercial
5 Community/General-1 (CCG-1)/proposed Zoning District Commercial,
6 Residential and Office (CRO); and

7 **WHEREAS**, the Planning and Development Department has considered
8 the application and all attachments thereto and has rendered an
9 advisory recommendation; and

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

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

15 **Section 1. Adoption of Findings and Conclusions.** The
16 Council has considered the recommendation of the Land Use and Zoning
17 Committee and reviewed the Staff Report of the Planning and
18 Development Department concerning administrative deviation
19 Application Z-3782, which requests to reduce the minimum number of
20 off-street parking spaces from 679 to 642 and to decrease the minimum
21 number of loading spaces from 10 to 0. Based upon the competent,
22 substantial evidence contained in the record, the Council hereby
23 determines that the requested administrative deviation meets each of
24 the following criteria required to grant the request pursuant to
25 Section 656.109(h), *Ordinance Code*, as specifically identified in the
26 Staff Report of the Planning and Development Department:

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

29 (2) The request is not based exclusively upon a desire to reduce
30 the cost of developing the site, but would accomplish some result
31 that is in the public interest, such as, for example, furthering the

1 preservation of natural resources by saving a tree or trees;

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

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

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

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

15 Therefore, administrative deviation Application Z-3782 is hereby
16 **approved.**

17 **Section 2. Owner and Description.** The Subject Property is
18 owned by RCBF Properties, LLC, and is described in **Exhibit 1**, dated
19 November 9, 2021, and graphically depicted in **Exhibit 2**, both **attached**
20 **hereto** and incorporated herein by this reference. The agent is Cyndy
21 Trimmer, Esq., 1 Independent Drive, Suite 1200, Jacksonville, Florida
22 32202; (904) 807-0185.

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

29 **Section 4. Effective Date.** The enactment of this Ordinance
30 shall be deemed to constitute a quasi-judicial action of the City
31 Council and shall become effective upon signature by the Council

1 President and Council Secretary.

2 Form Approved:

3

4 /s/ Mary E. Staffopoulos

5 Office of General Counsel

6 Legislation Prepared By: Bruce Lewis

7 GC-#1480505-v1-2021-869-E