

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

4 **ORDINANCE 2022-675-E**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-21-74, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 6 AT 0 FLYNN ROAD, BETWEEN
8 FLYNN ROAD AND CODY DRIVE (R.E. NO. 105920-
9 0050), AS DESCRIBED HEREIN, OWNED BY W. W.
10 ANDERSON, ALSO KNOWN AS WILLIAM W. ANDERSON,
11 REQUESTING TO REDUCE THE REQUIRED LOT WIDTH FROM
12 100 FEET TO 99 FEET FOR TWO PROPOSED LOTS IN
13 ZONING DISTRICT RESIDENTIAL LOW DENSITY-100B
14 (RLD-100B), AS DEFINED AND CLASSIFIED UNDER THE
15 ZONING CODE; ADOPTING RECOMMENDED FINDINGS AND
16 CONCLUSIONS OF THE LAND USE AND ZONING
17 COMMITTEE; PROVIDING FOR DISTRIBUTION;
18 PROVIDING AN EFFECTIVE DATE.
19

20 **WHEREAS**, an application for an administrative deviation, **On File**
21 with the City Council Legislative Services Division, was filed by
22 Alex Fink of Brink Realty LLC on behalf of the owner of property
23 located in Council District 6 at 0 Flynn Road, between Flynn Road and
24 Cody Drive (R.E. No. 105920-0050) (the "Subject Property"),
25 requesting to reduce the required lot width from 100 feet to 99 feet
26 for two proposed lots in Zoning District Residential Low Density-100B
27 (RLD-100B); and

28 **WHEREAS**, the Planning and Development Department has considered
29 the application and all attachments thereto and has rendered an
30 advisory recommendation; and

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice

1 held a public hearing and having duly considered both the testimonial
2 and documentary evidence presented at the public hearing, has made
3 its recommendation to the Council; now, therefore

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

5 **Section 1. Adoption of Findings and Conclusions.** The
6 Council has considered the recommendation of the Land Use and Zoning
7 Committee and reviewed the Staff Report of the Planning and
8 Development Department concerning administrative deviation
9 Application AD-21-74, which requests to reduce the required lot width
10 from 100 feet to 99 feet for two proposed lots. Based upon the
11 competent, substantial evidence contained in the record, the Council
12 hereby determines that the requested administrative deviation meets
13 each of the following criteria required to grant the request pursuant
14 to Section 656.109(h), *Ordinance Code*, as specifically identified in
15 the Staff Report of the Planning and Development Department:

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

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

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

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

30 (5) The proposed deviation has been recommended by a City
31 landscape architect, if the deviation is to reduce required

1 landscaping; and

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

4 Therefore, administrative deviation Application AD-22-65 is
5 hereby approved.

6 **Section 2. Owner and Description.** The Subject Property is
7 owned by W. W. Anderson, also known as William W. Anderson, and is
8 legally described in **Exhibit 1**, dated June 30, 2021, and graphically
9 depicted in **Exhibit 2**, both attached hereto. The applicant is Alex
10 Fink of Brink Realty LLC, 797 Blanding Boulevard, Orange Park, Florida
11 32065; (407) 373-3883.

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

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

22
23 Form Approved:

24
25 /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation Prepared By: Bruce Lewis

28 GC-#1523617-v2-2022-675_(AD-21-74).docx