City of Jacksonville, Florida

Lenny Curry, Mayor

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

December 8, 2022

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.: 2022-827

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

Planning Commission Commentary: There were four speakers in opposition and their concerns were increased traffic, noise and crime. The status of the creek and retention ponds were also issues. The Commissioners felt it is a worthwhile project and the deviations requests are for the existing buildings, not the proposed buildings.

Planning Commission Vote:

7-0

Alex Moldovan, Chair

Aye

Ian Brown, Vice Chair

Aye

Jason Porter, Secretary

Aye

Marshall Adkison

Aye

Daniel Blanchard

Aye

Jordan Elsbury

Aye

Joshua Garrison

Aye

David Hacker

Absent

Planning Commission Report Page 2

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

2022-0827 (AD-22-75)

LOCATION: 2325, 2341, 0, 2353 Spring Park Road, Jacksonville, Florida 32207

REAL ESTATE NUMBERS: 125064-0000, 125061-0000, 125063-0100, 125063-0000

DEVIATIONS SOUGHT:

- 1. Reduce the side yard setback from 20 feet to 8 feet along the north property line.
- 2. Reduce the rear yard setback from 20 feet to 4 feet along the east property line.
- 3. Reduce the rear yard setback from 20 feet to 5 feet along the east property line.
- 4. Reduce the minimum number of off-street parking spaces from 61 spaces to 57 spaces.
- 5. Reduce the number of terminal island trees from 2 terminal islands required to 0 terminal islands.
- 6. Decrease the minimum width of the driveway access from Spring Park Road from 24 feet required to 12.4 feet.
- 7. Reduce the uncomplimentary land use buffer width from 10 feet wide required along north property boundary to 0 feet wide and along the south property boundary to 0 feet wide.

PRESENT ZONING: RLD-60 CURRENT LAND USE: LDR

PLANNING DISTRICT: 3 COUNCIL DISTRICT: 5 SIGNS POSTED: 3

OWNER:

Yeti Acquisitions LLC 966 Glynlea Road Jacksonville, Florida 32216 AGENT:

Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow,
PLLC
1 Independent Drive, Suite 1200

Jacksonville, Florida 32202

STANDARDS, CRITERIA AND FINDINGS

1. Is this situation unique or similar to other properties in the neighborhood?

Recommendation: Unique. The subject site includes four separate lots situated on 2.21± acres of property zoned as Residential Low Density-60 (RLD-60). The lots contain an existing single-family residence, a vacant lot, an existing quadruplex and apartment building, and two masonry sheds with a wood shed. In its current configuration, the site is legally non-conforming for multi-family use and for characteristics of yard setbacks, off-street parking spaces, driveway width, and landscaping. The applicant is requesting the above deviations in order to develop the site and bring the existing structures into compliance with the Zoning Code. The proposed development includes constructing two additional three-story multi-family buildings while utilizing the two existing two-story multi-family buildings, one masonry shed, and the wood shed. The surrounding neighborhood also consists of multi-family and single-family dwellings.

The applicant has concurrently applied for a conventional rezoning (2022-0826) to the Residential Medium Density-D (RMD-D) zoning district and for a land use amendment (2022-0825) to the Medium Density Residential (MDR) land use category. If this administrative deviation is approved, the applicant can develop the site to comply with the Zoning Code and to provide infill housing in a multi-family and single-family neighborhood.

Findings:

Findings:

Findings:

2. There are practical or economic difficulties in carrying out the strict letter of the regulation in that...

Recommendation: Yes. Demolishing or relocating the existing two-story multi-family structures and providing the required off-street parking spaces, driveway width, and landscaping would impose practical difficulties on the property owner. The existing multi-family buildings were built in 1926 and 1950. The site was developed prior to current code requirements for parking and landscaping. According to the application, the owner intends to maintain the natural vegetation throughout the property. This includes preserving several mature oaks and other tree species on the existing southern lot. If the owner is required to meet the strict letter of the regulation, it would result in the removal of this natural vegetation. For these reasons. Staff finds the regulation to be impractical considering the history of the property.

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.

Recommendation: Yes. The request is not based upon a desire to reduce the cost of developing the site. Instead, the applicant's request for a reduction in yard setbacks, off-street parking spaces, driveway width, and landscaping stems from the desire to develop the site and bring the existing use and characteristics into compliance.

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 interfere with or

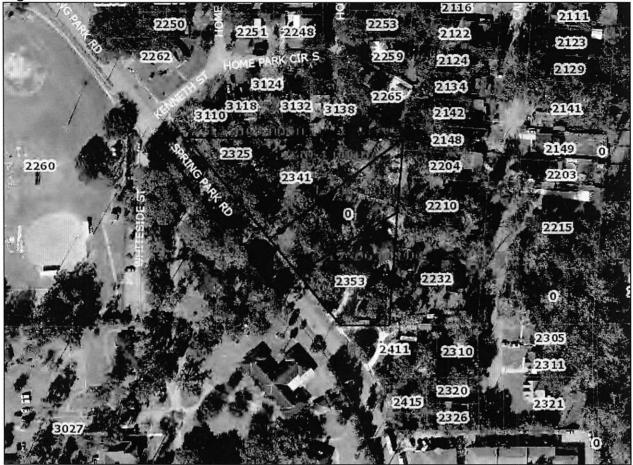
Recommendation: Yes. The proposed deviation is unlikely to diminish property values in the surrounding area, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of

injure the rights of others whose property would be affected by the deviation, in that	others whose property would be affected by the deviation. The surrounding properties are developed as multi-family and single-family properties, and developing the subject property for multi-family use would not create a lot out of character for the surrounding area. Findings:
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	Recommendation: Staff finds no evidence that the proposed deviation will have a detrimental effect on the public health, safety, and welfare nor will it result in the creation of additional public expenses or nuisances. Findings:
6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.	Recommendation: Yes. The proposed deviation is in harmony with the spirit and intent of the Zoning Code, which seeks to promote the health, safety and general welfare of the public as outlined in the 2030 Comprehensive Plan. Findings:
7. The City landscape architect has/has not recommended the proposed deviation.	A landscape memorandum prepared by the City Planning Supervisor finds that the applicant's provided site plan provides sufficient driveway width and sufficient uncomplimentary buffers for the site. As such, Staff supports the Landscape Architect's findings and adopts the same recommendation for this report.
8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.	N/A

STAFF RECOMMENDATION: APPROVE

DATE OF REPORT: December 8, 2022

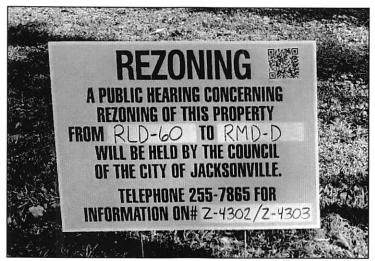
Figure A:



Source: Planning & Development Dept. 11/29/2022

Aerial view of the subject site and parcel facing north.

Figure B:



Source: Planning & Development Dept., 11/30/2022

Upon visual inspection of the property, the Notice of Public Hearing signs were posted.

Figure C:



Source: Planning & Development Dept., 11/30/2022

View of property 2353 Spring Park Road containing legally non-conforming apartment building and parking lot.

Figure D:



Source: Planning & Development Dept., 11/30/2022

View of vacant property 0 Spring Park Road.

Figure E:



Source: Planning & Development Dept., 11/30/2022

View of property 2341 Spring Park Road containing one-story

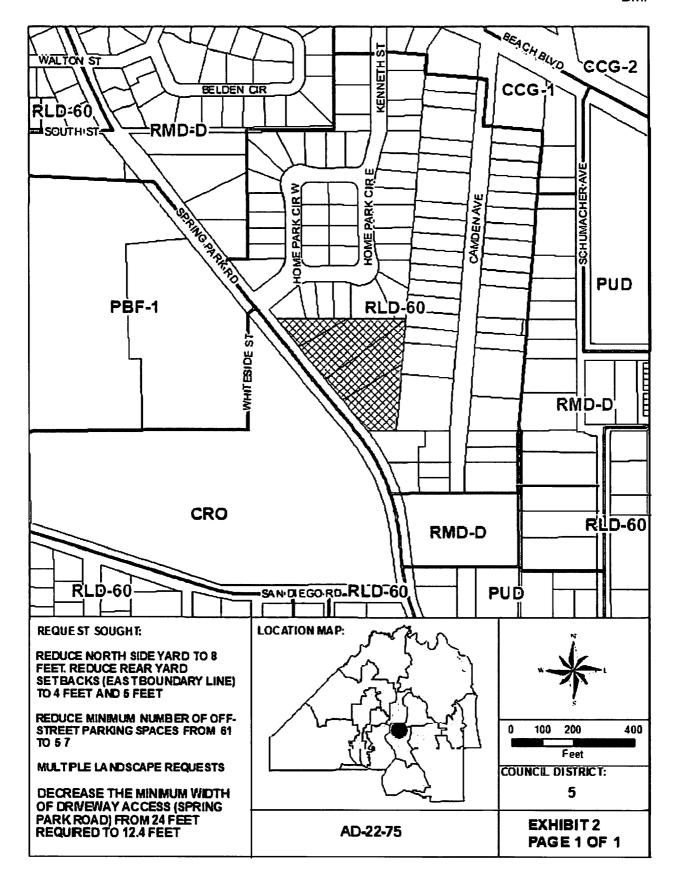
single-family home.





Source: Planning & Development Dept., 11/30/2022

View of property 2325 Spring Park Road containing legally non-conforming two-story quadruplex and parking lot.





Planning and Development Department

Ed Ball Building 214 North Hogan Street, Suite 300 Jacksonville, FL 32202

29 November 2022

MEMORANDUM

TO:

Sean Kelly, Zoning Administrator

FROM:

Bruce Lewis, City Planner Supervisor

SUBJECT:

AD-22-75 / 2325 Spring Park Road / Real Estate Number: # 125064-0000,

125061-0000, 125063-0100, 125063-0000

Scope:

Applicant seeks the following relief:

- Sec. 656.604(a): Decrease minimum number of off-street parking spaces from required 61 spaces to 57 spaces.
- Sec. 656.609, Supplement No. 29: Reduce minimum width of driveway from required twenty-four (24) feet to 12.4 feet.
- Sec. 656.1214(d): Reduce the number of terminal island trees from 2 terminal islands required to 0 terminal islands.
- Sec. 656.1215(a)(4): Reduce the landscape area.
- Section 656.1216(a): Reduce the uncomplementary land use buffer width along the NORTH and SOUTH property boundary from required ten (10) feet wide to 0 feet wide.

Observations:

The 2.21 acre subject property currently has two multi-family dwellings. The applicant seeks to construct two additional multifamily buildings for a total of 33 units on the property and requests relief from the landscape requirements of Part 12 listed above. The parcel is subject to a Land Use Amendment and Rezoning to increase the allowable density.

There is a small, 7 space parking area on the southern end of the property that serves the existing multi-family building. The parking area has a 12 foot wide driveway. The request to reduce the existing driveway width is acceptable given that few cars use the parking area.

The two existing multi-family buildings and walks are within the required uncomplementary buffer bordering single family dwellings. These buildings were constructed in

1950 and 1926. The continued existence of these building should not create any adverse impacts to the adjacent single family dwellings.

Recommendation:

As a City Planning Supervisor of the City of Jacksonville, I understand the request contained in Application AD-22-75 and forward my opinion to the Zoning Administrator via this memo.

For the reasons cited above and others, I recommend that the request be **APPROVED** with the following condition:

Signature:

Application For Administrative Deviation

Planning and Development Department Info

Application # AD-22-75 Staff Sign-Off/Date BMF / 08/11/2022

Filing Date 10/21/2022 Number of Signs to Post 3

Current Land Use Category LDR

Deviation Sought REDUCE NORTH SIDE YARD SETBACK TO 8 FEET. REDUCE EAST REAR YARD SETBACKS TO 4 FEET AND 5 FEET. REDUCE MINIMUM NUMBER OF OFF-STREET PARKING SPACES FROM 61 TO 57. MULTIPLE LANDSCAPE REQUESTS. DECREASE THE MINIMUM WIDTH OF THE DRIVEWAY ACCESS FROM SPRING PARK ROAD FROM 24 FEET REQUIRED TO 12.4 FEET.

Applicable Section of Ordinance Code 656.305; 656.306

Notice of Violation(s) N/A

Hearing Date 12/08/2022

Neighborhood Association SPRINGPARK NEIGHBORHOOD ASSOCIATION

Overlay N/A

Application Info

Tracking # 4303 Application Status PAID

Date Started 05/27/2022 **Date Submitted** 06/15/2022

General Information On Applicant

Last Name First Name Middle Name

TRIMMER CYNDY

Company Name

DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC

Mailing Address

1 INDEPENDENT DRIVE, SUITE 1200

 City
 State
 Zip Code

 JACKSONVILLE
 FL
 32202

Phone Fax Email

9048070185 904 CKT@DRIVERMCAFEE.COM

General Information On Owner(s)-

Last Name First Name Middle Name

N/A N/A

Company/Trust Name

YETI ACQUISTIONS LLC

Mailing Address 966 GLYNLEA ROAD

 City
 State
 Zip Code

 JACKSONVILLE
 FL
 32216

Phone Fax Email

Property Information

Previous Zoning Application Filed? If Yes, State Application No(s)

Map RE# Council District Planning District Current Zoning
District(s)

Map

The State of the S	125064 0000	5	3	RLD-60	
Map	125061 0000	5	3	RLD-60	
Мар	125063 0100	5	3	RLD-60	
Мар	125063 0000	5	3	RLD-60	

Ensure that RE# is a 10 digit number with a space (###### ####)

Total Land Area (Nearest 1/100th of an Acre) 2.21

In Whose Name Will The Deviation Be Granted

YETI ACQUISTIONS LLC

Is transferability requested? Yes

If approved, the administrative deviation is transferred with the property.

Location Of Property-

General Location

EAST OF SPRING PARK ROAD AND SOUTH OF KENNETH STREET

Street Name, Type and Direction House #

Zip Code

2325

SPRING PARK RD

32207

Between Streets

SPRING PARK ROAD

and KENNETH STREET

Utility Services Provider

City Water/City Sewer Well/Septic City Water/Septic City Sewer/Well

Deviation sought-

Click on a check box to provide details pertaining to the deviation sought.

Reduce required minimum lot area from

square feet.

Increase maximum lot coverage from

% to

to

feet.

%.

Increase maximum height of structure from

Reduce required yard(s)

REDUCE NORTH SIDE YARD SETBACK TO 8 FEET. REDUCE EAST REAR YARD SETBACKS TO 4 FEET AND 5 FEET.

Reduce minimum number of off-street parking spaces from 61 to 57

Increase the maximum number of off-street parking spaces from

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

Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-2 zoning district from a residential zoning district from a minimum of 25 feet to feet.

Decrease minimum number of loading spaces from required to

Reduce the dumpster setback from the required 5 feet along:

North to

feet;

East to

feet;

South to

feet;

West to

feet.

Decrease the minimum number of bicycle parking spaces from

required to

spaces.

Reduce the minimum width of drive from

feet required to

feet.

loading

Reduce vehicle use area interior landscape from square feet to square feet.

Increase the distance from the vehicle use area to the nearest tree from **55** feet maximum to feet.

Reduce the number of terminal island trees from 2 terminal islands required to

Reduce the landscape buffer between vehicle use area along

Enter Street Name from **10** feet per linear feet of frontage and **5** feet minimum width required to feet per linear feet of frontage and feet minimum width.

from

Reduce the number of shrubs along Enter Street Name

required to shrubs.

terminal islands.

0

Reduce the number of trees along Enter Street Name from

required to trees.

Reduce the perimeter landscape buffer area between vehicle use area and abutting property from **5** feet minimum width required along:

North boundary to feet;
East boundary to feet;
South boundary to feet.
West boundary to feet.

Reduce the number of trees along:

North property boundary from required to trees;
East property boundary from required to trees;
South property boundary from required to trees;
West property boundary from required to trees.

Increase the maximum width of the driveway access from Enter Street Name

from 24 36 48 feet required to feet.

Decrease the minimum width of the driveway access from SPRING PARK ROAD

from 24 36 48 feet required to 12.4 feet.

Increase the maximum width of the driveway access to adjoining property from 24 feet required along:

North to feet;
East to feet;
South to feet;
West to feet.

Decrease the minimum width of the driveway access to adjoining property from **24** feet required along:

North to feet;
East to feet;
South to feet;
West to feet.

Reduce the uncomplimentary land use buffer width from 10 feet wide required along:

North property boundary to 0 feet wide;
East property boundary to feet wide;
South property boundary to 0 feet wide;
West property boundary to feet wide.

Reduce the uncomplimentary land use buffer trees along:

North property boundary from

required to

trees:

East property boundary from

required to

trees;

South property boundary from

required to

trees;

West property boundary from

required to

trees.

Reduce the uncomplimentary land use buffer visual screen from **6** feet tall and **85** % opaque required along:

North property boundary to

feet tall and

%:

East property boundary to

feet tall and

%;

South property boundary to

feet tall and

%;

West property boundary to

feet tall and

%.

Required Attachments

The following items must be attached to the application.

Survey

Site Plan

Property Ownership Affidavit (Exhibit A)

Agent Authorization if application is made by any person other than the property owner (Exhibit B)

Legal Description - may be written as either lot and block, or metes and bounds (Exhibit 1)

Proof Of Property Ownership - may be print-out of property appraiser record card if individual owner, https://paopropertysearch.coj.net/Basic/Search.aspx, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, https://search.sunbiz.org/Inquiry/CorporationSearch/ByName

Supplemental Information

Letter From DCFS, Department of Children and Family Services - day care uses only

Letter from the applicable Home Owner's Association, stating that the request meets their architectural and aesthetic requirements; or letter stating that the subject parcel is not within the jurisdiction of a Home Owner's Association - residential only

Elevations, must be drawn to scale - height increase requests only

Criteria-

Section 656.101(a), Ordinance Code, defines an administrative deviation as "a relaxation of the terms of the Zoning Code requirements for minimum lot area, yards, number of off-street parking spaces, landscaping, maximum lot coverage and maximum height of structures, including fences, which the Zoning Administrator is authorized to grant pursuant to the procedures set forth in Section 656.109(e) through (j)."

Section 656.109(e) through (j), Ordinance Code, provides that, with respect to action upon Applications for Administrative Deviations, the Zoning Administrator shall grant a deviation only if substantial competent evidence exists to support a positive finding based on each of the following criteria:

I. The need for the proposed deviation arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the subject property alone; or this issue is common to numerous sites.

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

1. There are practical or economic difficulties in carrying out the strict letter of the regulation;

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

2. The request is not based exclusively upon a desire to reduce the cost of developing the

site, but would accomplish some result that is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees.

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

3. 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 interfere with or injure the rights of others whose property would be affected by the deviation;

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

4. 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;

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

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

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

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

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

If the deviation is proposed to correct an existing violation, the Zoning Administrator shall also consider the following:

(i) Whether the violation was created by the applicant with the intent to violate the provisions of this Zoning Code;

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

(ii) The length of time the violation has existed without receiving a citation; and

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

(iii) Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner.

PLEASE SEE ATTACHED STANDARDS AND CRITERIA

Public Hearings-

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

Application Certification

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Agreed to and submitted

Filing Fee Information-

1) Residential District Base Fee

\$966.00

2) Plus Notification Costs Per Addressee

51 Notifications @ \$7.00/each: \$357.00

3) Total Application Cost:

\$1,323.00

- * Applications filed to correct existing zoning violations are subject to a double fee.
- ** The fee for the advertisement is in addition to the above fees. The newspaper will send the invoice directly to the applicant.

STANDARDS AND CRITERIA

ADMINISTRATIVE DEVIATION FOR DEVELOPMENT OF A MULTI-FAMILY PROJECT IN SPRING PARK

I. The need for the proposed deviation arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the subject property alone; or this issue is common to numerous sites.

Yes. The proposed deviation arises out of the physical surroundings, shape, or conditions limited to the subject property alone, herein defined. Applicant proposes to develop a multi-family project on the 2.21-acre property at 2325, 2341, 0 and 2353 Spring Park Road (RE#s 125064 0000; 125061 0000; 125063 0100; 125063 0000) (the "Property"). The specific area subject to this application is more particularly described and depicted on the attached Legal Description and Site Plan.

The Property is located within the LDR land use category, the Urban Development Area, and is zoned RLD-60. There are two (2) existing multi-family buildings on the Property, located generally in the northwest and southeast corners respectively. There is also an existing masonry shed just north of the southeast multi-family building. Applicant intends to develop two (2) additional multi-family buildings between the existing residential structures. To facilitate the development plan, Applicant is filing a land use amendment to MDR, a rezoning to RMD-D, and this administrative deviation.

The existing multi-family buildings are within the required twenty (20) foot setbacks of the RMD-D zoning district. The north building is setback eight (8) feet from the northern boundary and the southeast building is setback five (5) feet. Further, the woodshed is setback four (4) feet. Specifically, about one-third (1/3) of the north building is within the required twenty (20) foot setback along the northern boundary. About one-quarter (1/4) of the southeastern multi-family building is within the required setback as well as over half of the masonry shed.

Reduction in landscape buffers is also required for the existing structures and concrete pathways. The northern concrete pathway is approximately three (3) feet from the northern boundary. The southeastern concrete pathway is approximately 2.5 feet away from the southeastern boundary, while the masonry shed is four (4) feet away.

The existing southern parking lot requires landscape island reductions since both the north and south end of the parking row do not have landscape islands. As further explained below, this request is predicated on preserving the existing tree canopy that has grown around the southern parking lot.

Regarding parking, there will be thirty-three (33) total residential units on the Property, corresponding to a parking requirement of sixty-one (61) spaces (see site plan for unit bedroom counts). However, to preserve the existing tree canopy on the Property, Applicant proposes fifty-seven (57) parking spaces. Finally, the existing driveway access to the southern parking lot is only 12.4 feet wide and expansion would require removal of mature trees.

Accordingly, Applicant requests the following administrative deviations:

(1) Reduce side setback on northern boundary from twenty (20) feet to eight (8) feet;

- (2) Reduce rear setback on southeast boundary from twenty (20) feet to four (4) feet generally where the masonry shed is depicted on the site plan;
- (3) Reduce rear setback on southeast boundary from twenty (20) feet to five (5) feet generally where the existing two (2) story multi-family building is depicted on the site plan;
- (4) Reduce uncomplimentary buffer on north boundary from ten (10) feet to zero (0) feet where existing structures or pavement exist;
- (5) Reduce uncomplimentary buffer on southeast boundary from ten (10) feet to zero (0) feet where existing buildings or paving exist;
- (6) Reduce required landscape islands for the southern parking lot from two (2) to zero (0);
- (7) Reduce required off-street parking spaces from sixty-one (61) to fifty-seven (57) to preserve existing tree canopy; and
- (8) Reduce the southern driveway access from twenty-four (24) feet to 12.4 feet.

1. There are practical or economic difficulties in carrying out the strict letter of the regulation;

Yes. There are practical and economic difficulties with the strict letter of the Zoning Code as applied to this project. Regarding the encroachment of the existing buildings and paving into the setback and buffer areas, they have been on the Property for over seventy (70) years. The northwest building was built in 1926, and the southeast building was built in 1950. To demolish or relocate them would not be practical and would be economically unfeasible. Instead, this administrative deviation, in conjunction with the companion land use amendment and rezoning, will bring those uses into conformance with the Zoning Code.

There are practical difficulties in providing the requisite amount of on-site parking spaces as well as minimum landscape islands and driveway width on the existing southern lot. As detailed on the site plan, throughout the Property there are numerous mature oaks and other trees. Applicant is requesting to preserve the native tree canopy and character of the Property rather than to provide the four (4) additional spaces, two (2) landscape islands, and a twenty-four (24) foot driveway width needed to meet code. Preserving those trees would maintain the natural environment and would further the consistency and compatibility with the surrounding community. Additionally, preserving the tree canopy around where the landscape islands would be required satisfies the intent and purpose of providing landscape islands. The proposed fifty-seven (57) spaces will still correspond to a ratio of 1.72 parking spaces per residential dwelling unit, which is consistent with other multi-family development within the Urban Development Area.

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

Yes. This administrative deviation request is not based exclusively upon a desire to reduce the cost of developing the site and accomplishes results in the public interest. The existing buildings, the southern parking lot (without the landscape islands) and driveway are already on the Property, and Applicant does not propose any locational changes to them. Thus, these requests are intended to bring the built conditions into conformance with the anticipated entitlements and has nothing to do with the development of the new multi-family buildings.

Regarding the reduction in parking, landscape islands and driveway width, this criterion explicitly recognizes that preserving natural resources such as trees accomplishes a result in the public interest. This administrative deviation request will preserve the native tree canopy that is characteristic of the Property.

3. 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 interfere with or injure the rights of others whose property would be affected by the deviation;

The proposed deviation will not diminish property values, nor will it alter the essential character of the surrounding area. The requested setback and buffer reductions will maintain the status quo of the Property. As stated, the buildings and paving have been on the Property for over seventy (70) years. Reducing the setbacks and buffers to match the existing Property conditions will neither impact neighboring properties, diminish property values nor alter the character of the area. Additionally, the proposed multi-family use is consistent and compatible with the existing use of the Property and with other multi-family uses in the area. Candlelight Square Apartments are approximately one-tenth (1/10) of a mile south of the Property, and St. Charles Apartments and a quadraplex "village" are approximately two-tenths (2/10) of a mile north. The Property fronts Spring Park Road, a collector roadway, and clusters the new multi-family buildings along that avenue. As a result of the building placement, none of the surrounding residences will have structures closer to their property than the existing buildings that are already developed.

4. 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;

The proposed use will not affect public health, safety or welfare or result in additional public expense, creation of nuisance or conflict any other applicable law. Instead, the requested deviations further the goals, objectives, and policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan including Objective 1.1, Policy 1.1.8, Policy 1.1.9, Objective 1.2, Policy 1.2.9, Objective 3.1, Policy 3.1.3, Policy 4.1.2, and Objective 6.3. They also further the goals, objectives and policies of the Housing Element of the 2030 Comprehensive Plan including Objective 1.1, Policy 1.1.1, and Policy 1.1.4.

5. If the proposed deviation relates to minimum required landscaping, please submit the comments or opinions of the City's Landscape Architect.

Applicant will confer with the landscape architect as needed.

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

Yes. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code. Currently the existing multi-family buildings are legal nonconforming uses since the Property is zoned RLD-60. Applicant is ameliorating that nonconformance by rezoning the Property to RMD-D. This deviation relaxing the applicable setbacks, buffers, landscape islands, parking and driveway aisle provisions play a critical part in Applicant's effort to bring the Property into conformance with the Zoning Code. The tree canopy Applicant is saving by providing four (4) fewer parking spaces furthers the purpose of the Zoning Code, which is "to promote the health, safety, morals and general welfare of the public". The trees in the immediate vicinity of the would-be landscape islands in the southern parking lot fully satisfy the intent of providing landscape islands. Maintaining additional trees on the Property in lieu of parking spaces or a wider driveway access furthers the health and general welfare of the residents who will live on the Property, neighbors who have enjoyed the existing canopy, as well as the community traveling along Spring Park Road.

II. Would the proposed deviation be in harmony with the spirit and intent of the Zoning Code, considering the following as applicable:

1. Did the applicant create the violation with intent to violate the provisions of the Zoning Code?

Applicant has not created any violation which may exist.

- 2. Has the violation existed for a considerable length of time without receiving a citation?

 Applicant is not aware of any prior citations for the Property.
- 3. Is the violation that exists a result of construction, which occurred prior to the applicants acquiring the property?

Applicant is not aware of any existing violation.

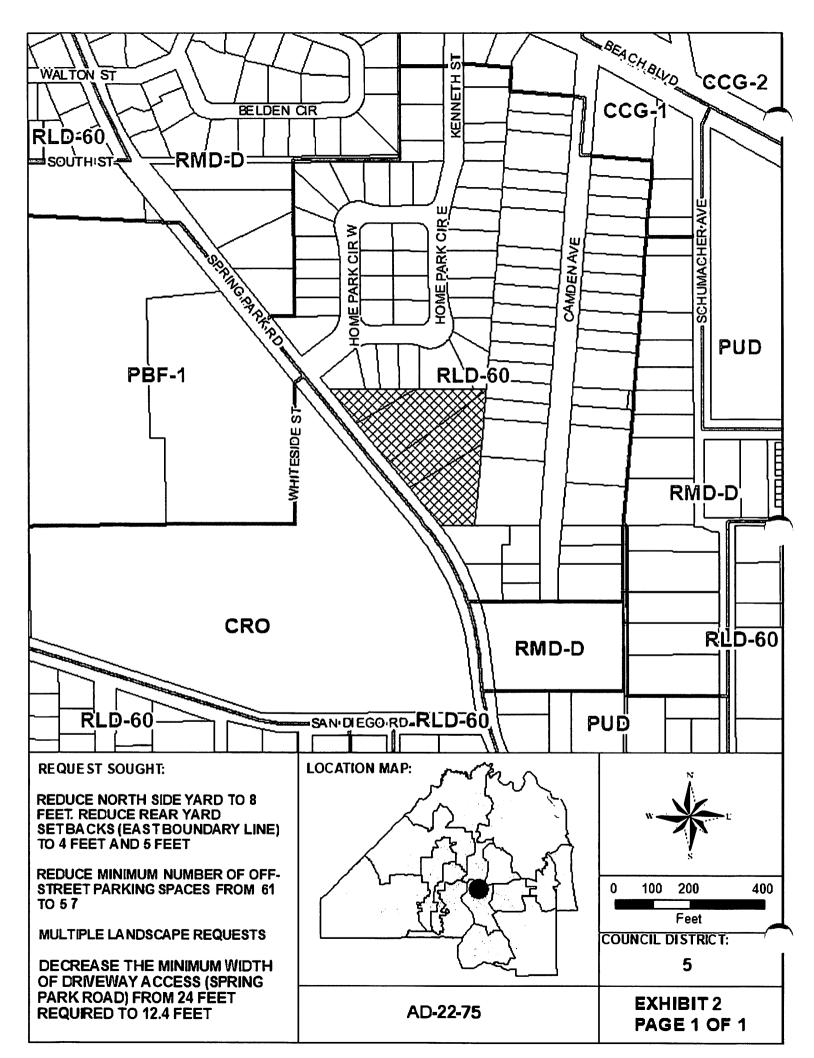


EXHIBIT 1

LEGAL DESCRIPTION

June 15, 2022

PARCEL A:

A PART OF LOT 8, SUBDIVISION OF HOLGERSON ESTATE, PLAT BOOK 4, PAGE 23, OF THE CURRENT PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE NORTHERLY ALONG AN OLD FENCE WHICH IS THE WEST LINE OF BROWARD PARK, PLAT BOOK 9, PAGE 46, 120 FEET TO A POINT; THENCE SOUTH 67 DEGREES 26' WEST, 190 FEET TO THE EASTERLY LINE OF SPRING PARK ROAD; THENCE SOUTH 38 DEGREES 35' EAST ALONG THE EASTERLY LINE OF SPRING PARK ROAD 65 FEET TO THE SOUTH LINE OF LOT 8; THENCE EAST ALONG THE SOUTH LINE OF LOT 8, 132 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM ANY PART THEREOF WHICH MAY BE WITHIN THE RIGHT OF WAY OF SPRING PARK ROAD.

PARCEL B:

A PART OF LOTS 7 & 8, SUBDIVISION OF HOLGERSON ESTATE, PLAT BOOK 4, PAGE 23, OF THE CURRENT PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8; THENCE NORTHERLY ALONG AN OLD FENCE WHICH IS THE WEST LINE OF BROWARD PARK, PLAT BOOK 9, PAGE 46, 120 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 67 DEGREES 25' WEST, 190 FEET TO THE EASTERLY LINE OF SPRING PARK ROAD; THENCE NORTH 38 DEGREES 35' WEST ALONG THE EASTERLY LINE OF SPRING PARK ROAD 60 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE TO A POINT IN THE EAST LINE OF SAID LOT 8 WHICH IS DISTANT 100 FEET NORTH OF THE POINT OF BEGINNING; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 8; 100 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ANY PART THEREOF WHICH MAY BE WITHIN THE RIGHT OF WAY OF SPRING PARK ROAD.

PARCEL C:

A PART OF LOT 8, SUBDIVISION OF HOLGERSON ESTATE, PLAT BOOK 4, PAGE 23, OF THE CURRENT PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 8, HOLGERSON ESTATE, RUN THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 8, 130 FEET TO A FENCE ALONG THE EAST SIDE OF SPRING PARK ROAD; THENCE NORTHWESTERLY ALONG SAID FENCE LINE ON SAID SPRING PART ROAD, 125 FEET TO THE PLACE OF BEGINNING; RUN THENCE NORTHEASTERLY 255 FEET MORE OR LESS TO A STAKE IN THE EASTERN BOUNDARY LINE OF SAID LOT 8 WHICH SAID STAKE IS DISTANT 220 FEET NORTHERLY FROM SAID SOUTHEAST CORNER OF SAID LOT 8; RUN THENCE NORTHERLY ALONG THE SAID EAST LINE OF SAID LOT 8 AND LOT 7, 138 FEET MORE OR LESS TO A STAKE WHICH IS THE SOUTHEAST CORNER OF THE LANDS OF T.H. EVANS AND DISTANT 358 FEET NORTHERLY FROM THE SAID SOUTHEAST CORNER OF SAID LOT 8; RUN THENCE SOUTHWESTERLY 350 FEET MORE OR LESS TO A STAKE IN THE FENCE LINE ALONG THE EAST SIDE OF SAID SPRING PARK ROAD, WHICH SAID STAKE IS DISTANCE 202 FEET FROM THE

INTERSECTION OF SAID SPRING PARK ROAD AND THE SOUTH LINE OF THE SAID LOT 8; THENCE SOUTHEASTERLY ALONG SAID FENCE LINE, 77 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM ANY PART WHICH MAY BE WITHIN THE RIGHT OF WAY OF SPRING PARK ROAD.

PARCEL D:

BEING PART OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 27 EAST, AND BEGINNING AT A CORNER OF LAND OWNED BY AUGUSTA ISABELLE HUDNALL ON THE NORTH LINE OF THE COUNTY ROAD, RUNNING SOUTHEASTERLY ALONG COUNTY ROAD 80 FEET; THENCE NORTHEASTERLY, 253 FEET TO EVANS LINE; THENCE ALONG EVANS LINE, 82 FEET; THENCE 191 FEET, ALONG HUDNALL LINE TO PLACE OF BEGINNING, SAME BEING PART OF LAND CONVEYED BY MARY E. RODREOUIEZ TO EMMA L. PORTER, AS RECORDED IN PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, PAGE 98, BOOK 198, EXCEPT PORTION DESCRIBED IN OR BOOK 113, PAGE 262, DUVAL COUNTY, FLORIDA.

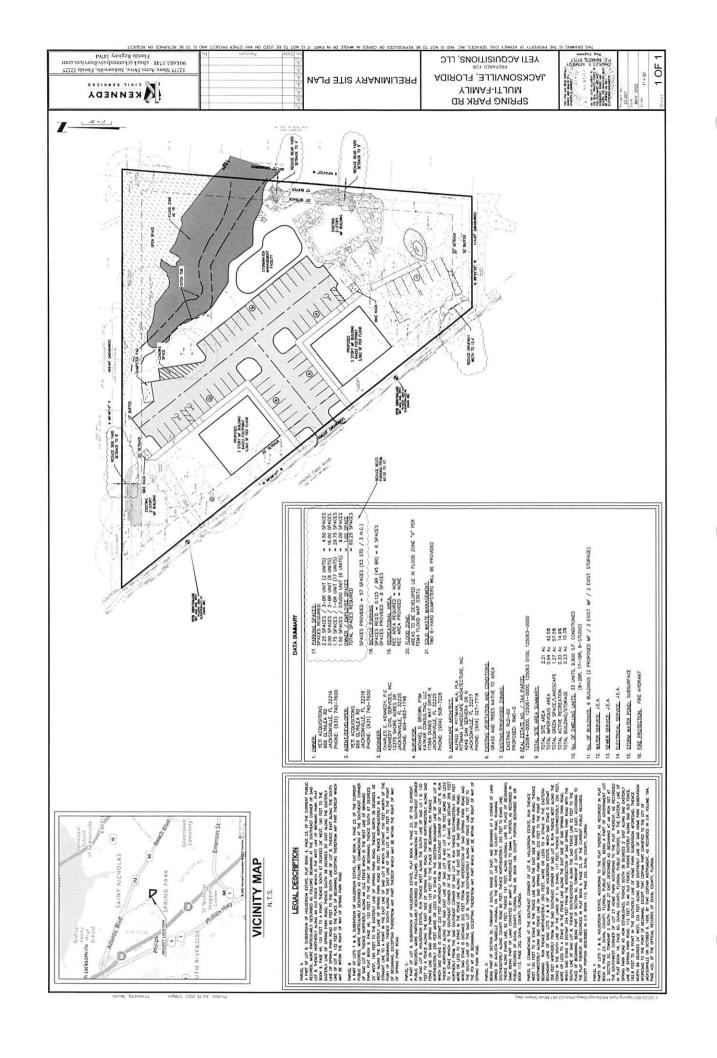
PARCEL E:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 8, HOLGERSON ESTATE; RUN THENCE WEST 130 FEET TO A STAKE IN THE FENCE LINE ALONG THE EAST SIDE OF SPRING PARK ROAD; THENCE NORTHWESTERLY ALONG SAID FENCE LINE ON SAID SPRING PARK ROAD, 202 FEET TO THE POINT OF BEGINNING. RUN THENCE NORTHEASTERLY 350 FEET, MORE OR LESS TO A STAKE IN THE EASTERN BOUNDARY LINE OF SAID LOTS 7 & 8 OF SAID HOLGERSON ESTATE, WHICH SAID STAKE IS DISTANT 358 FEET NORTHERLY FROM THE SAID SOUTHEAST CORNER OF SAID LOT 8; RUN THENCE WEST ALONG THE FENCE IN THE SOUTH LINE OF THE LANDS OF T. H. EVANS, 117 FEET; THENCE SOUTHWESTERLY, 250 FEET, MORE OR LESS TO A STAKE IN THE FENCE LINE ALONG THE EAST SIDE OF SAID SPRING PARK ROAD, WHICH SAID STAKE IS DISTANT 254 FEET FROM THE INTERSECTION OF SAID SPRING PARK ROAD WITH THE SOUTH LINE OF SAID LOT 8; THENCE SOUTHEASTERLY ALONG THE SAID FENCE LINE 52 FEET TO THE PLACE OF BEGINNING, BEIGN PART OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 27 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 23, OF THE CURRENT PUBLIC RECORDS. EXCEPT PORTION DESCRIBED IN O.R. BOOK 113, PAGE 262, DUVAL COUNTY, FLORIDA.

PARCEL F:

PARTS OF LOTS 7 & 8, HOLGERSON ESTATE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 23, DUVAL COUNTY, FLORIDA, PUBLIC RECORDS, BEING A PART OF GOVERNMENT LOT 2, SECTION 30, TOWNSHIP 2 SOUTH, RANGE 27 EAST, DESCRIBED AS: BEGINNING AT AN IRON SET AT THE SOUTHWEST CORNER OF LOT 27 HOME PARK ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGE 60, DUVAL COUNTY, FLORIDA, PUBLIC RECORDS, IN THE EASTERLY LINE OF SPRING PARK ROAD AS NOW ESTABLISHED; THENCE SOUTH 38 DEGREES 2' EAST ALONG SAID EASTERLY LINE OF SPRING PARK ROAD, 112 FEET TO AN OLD FENCE; THENCE EASTERLY ALONG SAID OLD FENCE, 182.8 FEET TO A POINT IN THE SOUTHERLY LINE OF HOME PARK SUBDIVISION AFORESAID; THENCE NORTH 89 DEGREES 24' WEST, 232 FEET ALONG SAID SOUTHERLY LINE OF SAID HOME PARK SUBDIVISION AFORESAID TO THE POINT OF BEGINNING. EXCEPT THAT CERTAIN PART CONVEYED TO THE CITY OF JACKSONVILLE ON OCTOBER 9, 1956, BY THAT CERTAIN INSTRUMENT, AS RECORDED

IN O.R. VOLUME 184, PAGE 420, OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA.





Availability Letter

Charles Kennedy 5/5/2022

Kennedy Civil Services, Inc.

12375 Shore Acres Drive

Jacksonville, Florida 32225

Project Name: Spring Park Rd Multifamily

Availability #: 2022-1704

Attn: Charles Kennedy

Thank you for your inquiry regarding the availability of Electric, Reclaim, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents.

int of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a preconstruction meeting.**

Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

https://www.jeu.com/engineering and construction/water and wastewater development/reference maternis,

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your syment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

Sincerely,

Susan West westsr@jea.com (904) 665-7980

Availability Number: 2022-1704

Request Received On: 4/27/2022

Availability Response: 5/5/2022

Prepared by: Susan West

Expiration Date: 05/04/2024

Project Information

Name: Spring Park Rd Multifamily

Address: 2341 SPRING PARK RD, JACKSONVILLE, FL 32207

County: Duval County

Type: Electric, Reclaim, Sewer, Water

Requested Flow: 6000

Parcel Number: 125061 0000

Location:

Construction of two (2) three (3)-story buildings containing 24 units and associated Description: infrastructure

Potable Water Connection

Water Treatment Grid: South Grid

Connection Point #1: Existing 6 inch water main along Spring Park Rd

Connection Point #2: Existing 14 inch water main at the Spring Park Rd and San Diego Rd intersection

Connection point not reviewed for site fire protection requirements. Private fire protection **Water Special Conditions:**

analysis is required.

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Existing 8 inch gravity sewer main along Spring Park Rd

Connection Point #2:

Sewer Special Conditions:

Reclaimed Water

Connection

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Availability:

Electric Special Conditions:

The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

Point of connection location(s) to be field verified by developer during project design. If needed, General Conditions: a development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.

Request As-Built drawings and/or GIS maps by going to Step 1 in Sages. Request a

Hydrant Flow Test by going to Step 1 in Sages. Request a Development Meeting with

Subsequent steps you need the water/wastewater team by going to Step 2 in Sages. If you need representative from

to take to get service: the electric or real estate team please indicate that on your application. Don't forget to

upload your utility layout with your application. Submit your plans for water/waste

water review by Step 2 in Sages.