

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2023-414-E**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-23-50, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 12 AT 620 CHAFFEE ROAD SOUTH,
8 BETWEEN INTERSTATE 10 EXPRESSWAY AND CRYSTAL
9 SPRINGS ROAD (R.E. NO. 001848-0000 (PORTION)),
10 AS DESCRIBED HEREIN, OWNED BY FIRST COAST
11 ENERGY, L.L.P., REQUESTING TO: (1) INCREASE THE
12 MAXIMUM NUMBER OF OFF-STREET PARKING SPACES FROM
13 40 TO 74, (2) DECREASE THE MINIMUM NUMBER OF
14 LOADING SPACES REQUIRED FROM ONE TO ZERO, (3)
15 INCREASE THE MAXIMUM WIDTH OF DRIVEWAY ACCESS ON
16 CHAFFEE ROAD SOUTH FROM 36 FEET REQUIRED TO 45
17 FEET, (4) REDUCE THE SETBACK FROM ADJACENT
18 RESIDENTIAL DISTRICT FROM A MINIMUM OF 15 FEET
19 TO 10 FEET, AND (5) REDUCE THE UNCOMPLIMENTARY
20 LAND-USE BUFFER WIDTH FROM 10 FEET TO 0 FEET ON
21 THE WEST PROPERTY BOUNDARY, IN CURRENT ZONING
22 DISTRICTS COMMERCIAL COMMUNITY/GENERAL-1 (CCG-
23 1) AND RESIDENTIAL MEDIUM DENSITY-MH (RMD-MH),
24 AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
25 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF
26 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR
27 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.
28

29 **WHEREAS**, an application for an administrative deviation, **Revised**
30 **On File** with the City Council Legislative Services Division, was
31 filed by Steve Diebenow, Esq. on behalf of the owner of property

1 located in Council District 12 at 620 Chaffee Road South, between
2 Interstate 10 Expressway and Crystal Springs Road (R.E. No. 001848-
3 0000 (portion)) (the "Subject Property"), requesting to: (1) increase
4 the maximum number of off-street parking spaces from 40 to 74, (2)
5 decrease the minimum number of loading spaces required from one to
6 zero, (3) increase the maximum width of driveway access on Chaffee
7 Road South from 36 feet required to 45 feet, (4) reduce the setback
8 from adjacent residential district from a minimum of 15 feet to 10
9 feet, and (5) reduce the uncomplimentary land-use buffer width from
10 10 feet to 0 feet on the west property boundary, in current Zoning
11 Districts Commercial Community/General-1 (CCG-1) and Residential
12 Medium Density-MH (RMD-MH); and

13 **WHEREAS**, the Planning and Development Department has considered
14 the application and all attachments thereto and has rendered an
15 advisory recommendation; and

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

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

21 **Section 1. Adoption of Findings and Conclusions.** The
22 Council has considered the recommendation of the Land Use and Zoning
23 Committee and reviewed the Staff Report of the Planning and
24 Development Department concerning administrative deviation
25 Application AD-23-50, which requests to: (1) increase the maximum
26 number of off-street parking spaces from 40 to 74, (2) decrease the
27 minimum number of loading spaces required from one to zero, (3)
28 increase the maximum width of driveway access on Chaffee Road South
29 from 36 feet required to 45 feet, (4) reduce the setback from adjacent
30 residential district from a minimum of 15 feet to 10 feet, and (5)
31 reduce the uncomplimentary land-use buffer width from 10 feet to 0

1 feet on the west property boundary. Based upon the competent,
2 substantial evidence contained in the record, the Council hereby
3 determines that the requested administrative deviation meets each of
4 the following criteria required to grant the request pursuant to
5 Section 656.109(h), *Ordinance Code*, as specifically identified in the
6 Staff Report of the Planning and Development Department:

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

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

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

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

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

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

26 Therefore, administrative deviation Application AD-23-50 is
27 hereby approved.

28 **Section 2. Owner and Description.** The Subject Property is
29 owned by First Coast Energy, L.L.P., and is described in **Exhibit 1**,
30 dated May 11, 2023, and graphically depicted in **Revised Exhibit 2**,
31 both attached hereto. The applicant is Steve Diebenow, Esq., One

1 Independent Drive, Suite 1200, Jacksonville, Florida 32202; (904)
2 301-1269.

3 **Section 3. Distribution by Legislative Services.**

4 Legislative Services is hereby directed to mail a copy of this
5 legislation, as enacted, to the applicant and any other parties to
6 this matter who testified before the Land Use and Zoning Committee
7 or otherwise filed a qualifying written statement as defined in
8 Section 656.140(c), *Ordinance Code*.

9 **Section 4. Effective Date.** The enactment of this Ordinance

10 shall be deemed to constitute a quasi-judicial action of the City
11 Council and shall become effective upon signature by the Council
12 President and Council Secretary.

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14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Kaysie Cox

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