

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

4 **ORDINANCE 2023-858**

5 AN ORDINANCE APPROVING, SUBJECT TO CONDITION,  
6 APPLICATION FOR ZONING EXCEPTION E-23-68 FOR  
7 PROPERTY LOCATED IN COUNCIL DISTRICT 7 AT 1705  
8 MAIN STREET, BETWEEN 7<sup>TH</sup> STREET EAST AND 8<sup>TH</sup>  
9 STREET EAST (R.E. NO. 071644-0000), AS DESCRIBED  
10 HEREIN, OWNED BY 1703-1705 N MAIN STREET LLC,  
11 REQUESTING AN ESTABLISHMENT OR FACILITY WHICH  
12 INCLUDES THE RETAIL SALE AND SERVICE OF ALL  
13 ALCOHOLIC BEVERAGES, INCLUDING LIQUOR, BEER OR  
14 WINE FOR ON-PREMISES CONSUMPTION, MEETING THE  
15 PERFORMANCE STANDARDS AND DEVELOPMENT CRITERIA  
16 SET FORTH IN PART 4 OF THE ZONING CODE, FOR  
17 THE4HORSEMEN LLC, IN ZONING DISTRICT COMMERCIAL  
18 COMMUNITY/GENERAL-SPRINGFIELD (CCG-S), AS  
19 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;  
20 ADOPTING RECOMMENDED FINDINGS AND CONCLUSIONS OF  
21 THE LAND USE AND ZONING COMMITTEE; PROVIDING FOR  
22 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

23  
24 **WHEREAS,** an application for a zoning exception, **On File** with  
25 the City Council Legislative Services Division, was filed by Brandon  
26 A. Stanko on behalf of the owner of property located in Council  
27 District 7 at 1705 Main Street, between 7<sup>th</sup> Street East and 8<sup>th</sup> Street  
28 East (R.E. No. 071644-0000) (the "Subject Property"), requesting an  
29 establishment or facility which includes the retail sale and service  
30 of all alcoholic beverages, including liquor, beer or wine for on-  
31 premises consumption, meeting the performance standards and

1 development criteria set forth in Part 4 of the Zoning Code, for  
2 The4Horsemen LLC, in Zoning District Commercial Community/General-  
3 Springfield (CCG-S); and

4 **WHEREAS,** the Planning and Development Department has  
5 considered the application and all attachments thereto and has  
6 rendered an advisory recommendation; and

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

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

12 **Section 1. Adoption of Findings and Conclusions.** The  
13 Council has considered the recommendation of the Land Use and Zoning  
14 Committee and reviewed the Staff Report of the Planning and  
15 Development Department concerning application for zoning exception  
16 E-23-68. Based upon the competent, substantial evidence contained in  
17 the record, the Council hereby determines that the requested zoning  
18 exception meets each of the following criteria required to grant the  
19 request pursuant to Section 656.131(c), *Ordinance Code*, as  
20 specifically identified in the Staff Report of the Planning and  
21 Development Department:

22 (1) Will be consistent with the Comprehensive Plan, including  
23 any subsequent plan adopted by the Council pursuant thereto;

24 (2) Will be compatible with the existing contiguous uses or  
25 zoning and compatible with the general character of the area,  
26 considering population density, design, scale and orientation of  
27 structures to the area, property values, and existing similar uses  
28 or zoning;

29 (3) Will not have an environmental impact inconsistent with the  
30 health, safety and welfare of the community;

31 (4) Will not have a detrimental effect on vehicular or pedestrian

1 traffic, or parking conditions, and will not result in the generation  
2 or creation of traffic inconsistent with the health, safety and  
3 welfare of the community;

4 (5) Will not have a detrimental effect on the future development  
5 of contiguous properties or the general area, according to the  
6 Comprehensive Plan, including any subsequent amendment to the plan  
7 adopted by the Council;

8 (6) Will not result in the creation of objectionable or  
9 excessive noise, lights, vibrations, fumes, odors, dust or physical  
10 activities, taking into account existing uses or zoning in the  
11 vicinity;

12 (7) Will not overburden existing public services and facilities;

13 (8) Will be sufficiently accessible to permit entry onto the  
14 property by fire, police, rescue and other services; and

15 (9) Will be consistent with the definition of a zoning  
16 exception, and will meet the standards and criteria of the zoning  
17 classification in which such use is proposed to be located, and all  
18 other requirements for such particular use set forth elsewhere in the  
19 Zoning Code, or otherwise adopted by the Planning Commission or  
20 Council.

21 Therefore, zoning exception application E-23-68 is hereby  
22 approved subject to the following condition:

23 (1) The zoning exception granted herein shall not be effective  
24 unless or until the required Waiver of Minimum Distance Requirements  
25 for Liquor License Location pursuant to Section 656.133, *Ordinance*  
26 *Code*, is obtained for the Subject Property.

27 **Section 2. Owner and Description.** The Subject Property is  
28 owned by 1703-1705 N Main Street LLC, and is described in **Exhibit 1**,  
29 dated October 2, 2023, and graphically depicted in **Exhibit 2**, both  
30 attached hereto. The applicant is Brandon A. Stanko, The4Horsemen  
31 LLC, 798 3<sup>rd</sup> Street South, Jacksonville Beach, Florida 32250; (904)

1 357-0493.

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

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

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

9 shall be deemed to constitute a quasi-judicial action of the City  
10 Council and shall become effective upon signature by the Council  
11 President and Council Secretary. Failure to exercise the zoning  
12 exception, if herein granted, by the commencement of the use or action  
13 herein approved within one (1) year of the effective date of this  
14 legislation shall render this zoning exception invalid and all rights  
15 arising therefrom shall terminate.

16  
17 Form Approved:

18  
19           /s/ Mary E. Staffopoulos          

20 Office of General Counsel

21 Legislation Prepared By: Connor Corrigan

22 GC-#1601315-v1-2023-858\_(E-23-68).docx