

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-65-E**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-23-109, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 7 AT 0 SPEARING STREET, BETWEEN
8 PIPPIN STREET AND EAST UNION STREET (R.E. NO.
9 122239-0000), AS DESCRIBED HEREIN, OWNED BY
10 AHMED ETTACHFINI, REQUESTING TO REDUCE THE
11 MINIMUM LOT AREA FROM 4,000 SQUARE FEET TO 2,160
12 SQUARE FEET, TO REDUCE THE REQUIRED MINIMUM LOT
13 WIDTH FROM 40 FEET TO 30 FEET, AND TO REDUCE THE
14 REQUIRED FRONT YARD SETBACK FROM 20 FEET TO 15
15 FEET IN ZONING DISTRICT RESIDENTIAL MEDIUM
16 DENSITY-A (RMD-A), AS DEFINED AND CLASSIFIED
17 UNDER THE ZONING CODE; ADOPTING RECOMMENDED
18 FINDINGS AND CONCLUSIONS OF THE LAND USE AND
19 ZONING COMMITTEE; PROVIDING FOR DISTRIBUTION;
20 PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, an application for an administrative deviation, **On**
23 **File** with the City Council Legislative Services Division, was filed
24 by Ahmed Ettachfini, the owner of property located in Council District
25 7 at 0 Spearing Street, between Pipping Street and East Union Street
26 (R.E. No. 122239-0000) (the "Subject Property"), requesting to reduce
27 the minimum lot area from 4,000 square feet to 2,160 square feet, to
28 reduce the required minimum lot width from 40 feet to 30, and to
29 reduce the required front yard setback from 20 feet to 15 feet in
30 Zoning District Residential Medium Density-A (RMD-A); and

31 **WHEREAS**, the Planning and Development Department has

1 considered the application and all attachments thereto and has
2 rendered an advisory recommendation; and

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

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

8 **Section 1. Adoption of Findings and Conclusions.** The
9 Council has considered the recommendation of the Land Use and Zoning
10 Committee and reviewed the Staff Report of the Planning and
11 Development Department concerning administrative deviation
12 Application AD-23-109, which requests to reduce the minimum lot area
13 from 4,000 square feet to 2,160 square feet, to reduce the required
14 minimum lot width from 40 feet to 30 feet, and to reduce the required
15 front yard setback from 20 feet to 15 feet for a single lot in Zoning
16 District Residential Medium Density-A (RMD-A). Based upon the
17 competent, substantial evidence contained in the record, the Council
18 hereby determines that the requested administrative deviation meets
19 each of the following criteria required to grant the request pursuant
20 to Section 656.109(h), *Ordinance Code*, as specifically identified in
21 the Staff Report of the Planning and Development Department:

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

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

28 (3) The proposed deviation will not substantially diminish
29 property values in, nor alter the essential character of, the area
30 surrounding the site and will not substantially interfere with or
31 injure the rights of others whose property would be affected by the

1 deviation;

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

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

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

10 Therefore, administrative deviation Application AD-23-109 is
11 hereby approved.

12 **Section 2. Owner and Description.** The Subject Property is
13 owned by Ahmed Ettachfini and is legally described in **Exhibit 1**,
14 dated January 2, 2024, and graphically depicted in **Exhibit 2**, both
15 of which are attached hereto. The applicant is Ahmed Ettachfini,
16 1923 Holly Oaks Ravine Drive, Jacksonville, Florida 32225; (202)
17 710-1434.

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

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Erin Abney

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