

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-314**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-24-24, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 10 AT 0 BENEDICT ROAD, BETWEEN
8 PARIS AVENUE AND SPELMAN ROAD (R.E. NO.
9 086181-0005), AS DESCRIBED HEREIN, OWNED BY
10 HABITAT FOR HUMANITY OF JACKSONVILLE, INC.,
11 REQUESTING TO REDUCE THE REQUIRED MINIMUM LOT
12 WIDTH FROM 60 FEET TO 40 FEET IN ZONING DISTRICT
13 RESIDENTIAL LOW DENSITY-60 (RLD-60), AS DEFINED
14 AND CLASSIFIED UNDER THE ZONING CODE; ADOPTING
15 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND
16 USE AND ZONING COMMITTEE; PROVIDING FOR
17 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.
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19 **WHEREAS,** an application for an administrative deviation, **On**
20 **File** with the City Council Legislative Services Division, was filed
21 by Scott Dittmer on behalf of Habitat for Humanity of Jacksonville,
22 Inc., the owner of property located in Council District 10 at 0
23 Benedict Road, between Paris Avenue and Spelman Road (R.E. No. 086181-
24 0005) (the "Subject Property"), requesting to reduce the required
25 minimum lot width from 60 feet to 40 in Zoning District Residential
26 Low Density-60 (RLD-60); and

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

30 **WHEREAS,** the Land Use and Zoning Committee, after due notice
31 held a public hearing and having duly considered both the testimonial

1 and documentary evidence presented at the public hearing, has made
2 its recommendation to the Council; now therefore

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

4 **Section 1. Adoption of Findings and Conclusions.** The
5 Council has considered the recommendation of the Land Use and Zoning
6 Committee and reviewed the Staff Report of the Planning and
7 Development Department concerning administrative deviation
8 Application AD-24-24, which requests to reduce the required minimum
9 lot width from 60 feet to 40 feet for a single lot in Zoning District
10 Residential Low Density-60 (RLD-60). Based upon the competent,
11 substantial evidence contained in the record, the Council hereby
12 determines that the requested administrative deviation meets each of
13 the following criteria required to grant the request pursuant to
14 Section 656.109(h), *Ordinance Code*, as specifically identified in the
15 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-24-24 is
5 hereby approved.

6 **Section 2. Owner and Description.** The Subject Property is
7 owned by Habitat for Humanity of Jacksonville, Inc., and is legally
8 described in **Exhibit 1**, dated July 3, 2023, and graphically depicted
9 in **Exhibit 2**, both of which are attached hereto. The applicant is
10 Scott Dittmer, 2404 Hubbard Street, Jacksonville, Florida 32206;
11 (904) 208-6631.

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.

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23 Form Approved:

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25 /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation Prepared By: Jacquelyn Williams

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