

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-821**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-24-71, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 9 AT 1077 ODESSA DRIVE N.,
8 BETWEEN 1ST STREET W. AND COMMONWEALTH AVENUE
9 (R.E. NO. 048982-0000), AS DESCRIBED HEREIN,
10 OWNED BY PC REALTY-JAX, LLC, REQUESTING TO
11 REDUCE THE AREA OF SITUATIONAL COMPATIBILITY
12 OVERLAY ZONE BUFFER BETWEEN A PROPOSED
13 INDUSTRIAL LIGHT (IL) ZONING DISTRICT FROM A
14 RESIDENTIAL LOW DENSITY (RLD) ZONING DISTRICT
15 FROM 150 FEET TO 15 FEET, AS DEFINED AND
16 CLASSIFIED UNDER THE ZONING CODE; ADOPTING
17 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND
18 USE AND ZONING COMMITTEE; PROVIDING FOR
19 DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.
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21 **WHEREAS**, an application for an administrative deviation, **On**
22 **File** with the City Council Legislative Services Division, was filed
23 by Babette Ashley, Esq., on behalf of the owner of property located
24 in Council District 9 at 1077 Odessa Drive N., between 1st Street W.
25 and Commonwealth Avenue (R.E. No. 048982-0000) (the "Subject
26 Property"), requesting to reduce the area of situational
27 compatibility overlay zone buffer between a proposed Industrial Light
28 (IL) Zoning District from a Residential Low Density (RLD) Zoning
29 District from 150 feet to 15 feet; and

30 **WHEREAS**, the Planning and Development Department has
31 considered the application and all attachments thereto and has

1 rendered an advisory recommendation; and

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

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

7 **Section 1. Adoption of Findings and Conclusions.** The
8 Council has considered the recommendation of the Land Use and Zoning
9 Committee and reviewed the Staff Report of the Planning and
10 Development Department concerning administrative deviation
11 Application AD-24-71, which requests to reduce the area of situational
12 compatibility overlay zone buffer between a proposed Industrial Light
13 (IL) Zoning District from a Residential Low Density (RLD) Zoning
14 District from 150 feet to 15 feet. Based upon the competent,
15 substantial evidence contained in the record, the Council hereby
16 determines that the requested administrative deviation meets each of
17 the following criteria required to grant the request pursuant to
18 Section 656.109(h), *Ordinance Code*, as specifically identified in the
19 Staff Report of the Planning and Development Department:

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

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

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

31 (4) The proposed deviation will not be detrimental to the public

1 health, safety or welfare, result in additional public expense, the
2 creation of nuisances, or conflict with any other applicable law;

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

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

8 Therefore, administrative deviation Application AD-24-71 is
9 hereby approved.

10 **Section 2. Owner and Description.** The Subject Property is
11 owned by PC Realty-Jax, LLC, and is described in **Exhibit 1**, dated
12 July 17, 2024, and graphically depicted in **Exhibit 2**, both attached
13 hereto. The applicant is Babette Ashley, Esq., 5210 Belfort Road,
14 Suite 400, Jacksonville, Florida 32256; (904) 366-1500.

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

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

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26 Form Approved:

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28 /s/ Dylan Reingold

29 Office of General Counsel

30 Legislation Prepared By: Madeline Read

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