

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-978-E**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-24-78, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 7 AT 757 KING STREET, BETWEEN
8 DELLWOOD AVENUE AND ERNEST STREET (R.E. NO.
9 064906-0000), AS DESCRIBED HEREIN, OWNED BY
10 MOVGEN KING 1, LLC AND MOVGEN KING 2, LLC,
11 REQUESTING TO (1) REDUCE THE REQUIRED FRONT YARD
12 FROM 20 FEET TO 5 FEET, (2) REDUCE THE REQUIRED
13 MINIMUM LOT AREA FROM 7,500 SQUARE FEET TO 5,000
14 SQUARE FEET, (3) REDUCE THE MINIMUM NUMBER OF
15 OFF-STREET PARKING SPACES FROM 11 TO 0, (4)
16 REDUCE THE MINIMUM NUMBER OF BICYCLE PARKING
17 SPACES FROM 4 TO 0, (5) REDUCE THE
18 UNCOMPLEMENTARY LAND USE BUFFER WIDTH BETWEEN
19 THE NORTHERN BOUNDARY LINE AND THE ADJACENT
20 PROPERTY FROM 10 FEET TO 5 FEET, AND (6) REDUCE
21 THE REQUIRED TREES IN THE UNCOMPLEMENTARY LAND
22 USE BUFFER ALONG THE NORTH PROPERTY BOUNDARY
23 FROM 4 TO 1 AND ALONG THE EAST PROPERTY BOUNDARY
24 FROM 2 TO 0 IN ZONING DISTRICT COMMERCIAL
25 NEIGHBORHOOD (CN), AS DEFINED AND CLASSIFIED
26 UNDER THE ZONING CODE; ADOPTING RECOMMENDED
27 FINDINGS AND CONCLUSIONS OF THE LAND USE AND
28 ZONING COMMITTEE; PROVIDING FOR DISTRIBUTION;
29 PROVIDING AN EFFECTIVE DATE.
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31 **WHEREAS,** an application for an administrative deviation, **On**

1 **File** with the City Council Legislative Services Division, was filed
2 by Cyndy Trimmer, Esq. on behalf of Movgen King 1, LLC and Movgen
3 King 2, LLC, the owners of property located in Council District 7 at
4 757 King Street, between Dellwood Avenue and Ernest Street (R.E. No.
5 064906-0000) (the "Subject Property"), requesting to (1) reduce the
6 required front yard from 20 feet to 5 feet, (2) reduce the required
7 minimum lot area from 7,500 square feet to 5,000 square feet, (3)
8 reduce the minimum number of off-street parking spaces from 11 to 0,
9 (4) reduce the minimum number of bicycle parking spaces from 4 to 0,
10 (5) reduce the uncomplementary land use buffer width between the
11 northern boundary line and the adjacent property from 10 feet to 5
12 feet, and (6) reduce the required trees in the uncomplementary land
13 use buffer along the north property boundary from 4 to 1 and along
14 the east property boundary from 2 to 0 in Zoning District Commercial
15 Neighborhood (CN); and

16 **WHEREAS**, the Planning and Development Department has
17 considered the application and all attachments thereto and has
18 rendered an advisory recommendation; and

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

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

24 **Section 1. Adoption of Findings and Conclusions.** The
25 Council has considered the recommendation of the Land Use and Zoning
26 Committee and reviewed the Staff Report of the Planning and
27 Development Department concerning administrative deviation
28 Application AD-24-78, which requests to (1) reduce the required front
29 yard from 20 feet to 5 feet, (2) reduce the required minimum lot area
30 from 7,500 square feet to 5,000 square feet, (3) reduce the minimum
31 number of off-street parking spaces from 11 to 0, (4) reduce the

1 minimum number of bicycle parking spaces from 4 to 0, (5) reduce the
2 uncomplementary land use buffer width between the northern boundary
3 line and the adjacent property from 10 feet to 5 feet, and (6) reduce
4 the required trees in the uncomplementary land use buffer along the
5 north property boundary from 4 to 1 and along the east property
6 boundary from 2 to 0 in Zoning District Commercial Neighborhood (CN).
7 Based upon the competent, substantial evidence contained in the
8 record, the Council hereby determines that the requested
9 administrative deviation meets each of the following criteria
10 required to grant the request pursuant to Section 656.109(h),
11 *Ordinance Code*, as specifically identified in the Staff Report of the
12 Planning and Development Department:

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

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

19 (3) The proposed deviation will not substantially diminish
20 property values in, nor alter the essential character of, the area
21 surrounding the site and will not substantially interfere with or
22 injure the rights of others whose property would be affected by the
23 deviation;

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

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

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

1 (7) The request has 1) received a certificate of
2 appropriateness, if required by Chapter 307 (Historic Preservation
3 and Protection), 2) is necessary due to a requirement of Chapter 307
4 (Historic Preservation and Protection), if applicable, 3) required
5 by federal or State law, if applicable, or 4) necessary to preserve
6 and protect an exceptional specimen tree, protected tree or wetlands,
7 if applicable.

8 Therefore, administrative deviation Application AD-24-78 is
9 hereby approved, subject to the following two conditions:

10 (a) A bicycle rack with at least four bicycle parking spaces
11 shall be installed and maintained on the Subject Property.

12 (b) Two trees shall be planted and maintained along the eastern
13 property line of the Subject Property with at least one of the trees
14 being a shade tree per the landscape architect's memorandum, dated
15 December 3, 2024.

16 **Section 2. Owner and Description.** The Subject Property is
17 owned by Movgen King 1, LLC and Movgen King 2, LLC, and is described
18 in **Exhibit 1**, dated August 26, 2024, and graphically depicted in
19 **Exhibit 2**, both attached hereto. The applicant is Cyndy Trimmer,
20 Esq., One Independent Drive, Suite 1200, Jacksonville, Florida 32202;
21 (904) 807-0185.

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

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

1 Form Approved:

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3 /s/ Dylan Reingold

4 Office of General Counsel

5 Legislation Prepared By: Madeline Read

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