

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2019-370**

5 AN ORDINANCE APPROVING ADMINISTRATIVE
6 DEVIATION APPLICATION AD-19-32, LOCATED IN
7 COUNCIL DISTRICT 14 AT 6263 ORTEGA FARMS
8 BOULEVARD, BETWEEN ORTEGA FARMS BOULEVARD AND
9 WIEGLA TERRACE (R.E. NO. 103341-0020) AS
10 DESCRIBED HEREIN, OWNED BY MERIDIAN PROPERTY
11 DEVELOPMENT, LLC, REQUESTING TO REDUCE THE
12 REQUIRED MINIMUM LOT AREA FROM 6,000 SQUARE
13 FEET TO 4,620 SQUARE FEET, IN ZONING DISTRICT
14 RLD-60 (RESIDENTIAL LOW DENSITY-60), AS
15 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
16 CERTIFICATION REQUIRED FOR SATISFACTION OF
17 CONDITION(S); 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 Meridian Property Development, LLC, the owner of property
22 located in Council District 14 at 6263 Ortega Farms Boulevard,
23 between Ortega Farms Boulevard and Wiegla Terrace (R.E. No. 103341-
24 0020) (Subject Property), requesting to reduce the required minimum
25 lot area from 6,000 square feet to 4,620 square feet, in Zoning
26 District RLD-60 (Residential Low Density-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

1 testimonial and documentary evidence presented at the public
2 hearing, has made 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
6 Zoning Committee and reviewed the Staff Report of the Planning and
7 Development Department concerning administrative deviation
8 Application AD-19-32, which requests to reduce the required minimum
9 lot area from 6,000 square feet to 4,620 square feet. Based upon
10 the competent, substantial evidence contained in the record, the
11 Council hereby determines that the requested administrative
12 deviation meets each of the following criteria required to grant
13 the request pursuant to Section 656.109(h), *Ordinance Code*:

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

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

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

26 (4) The proposed deviation will not be detrimental to the
27 public health, safety or welfare, result in additional public
28 expense, the creation of nuisances, or conflict with any other
29 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
3 the spirit and intent of the Zoning Code.

4 Therefore, administrative deviation Application AD-19-32 is
5 hereby **approved**.

6 **Section 2. Certification.** Should a condition be placed
7 upon the approval of this administrative deviation, then prior to
8 requesting a final building inspection or occupying the facility in
9 any manner, the lead horizontal and lead vertical design
10 professionals shall submit to the Planning and Development
11 Department separate certification letters confirming that all
12 horizontal and vertical components of the development have been
13 substantially completed, and all conditions to the development
14 order have been satisfied. This condition shall apply to both
15 phased and non-phased developments.

16 **Section 3. Owner and Description.** The Subject Property is
17 owned by Meridian Property Development, LLC, and is described in
18 **Exhibit 1**, dated May 9, 2019, and graphically depicted in **Exhibit**
19 **2**, both **attached hereto**.

20 **Section 4. Distribution by Legislative Services.**
21 Legislative Services is hereby directed to mail a copy of this
22 legislation, as enacted, to the applicant and any other parties to
23 this matter who testified before the Land Use and Zoning Committee
24 or otherwise filed a qualifying written statement as defined in
25 Section 656.140(c), *Ordinance Code*.

26 **Section 5. Effective Date.** The enactment of this
27 Ordinance shall be deemed to constitute a quasi-judicial action of
28 the City Council and shall become effective upon signature by the
29 Council President and Council Secretary. Failure to exercise the
30 administrative deviation, if herein granted, by the commencement of
31 the use or action herein approved within one year of the effective

1 date of this legislation shall render this administrative deviation
2 invalid and all rights arising therefrom shall terminate.

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4 Form Approved:

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6 /s/ Shannon K. Eller

7 Office of General Counsel

8 Legislation Prepared By: Connor Corrigan

9 GC-#1283904-v1-AD-19-32