

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-554-E**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-20-41, LOCATED IN COUNCIL
7 DISTRICT 14 AT 4596 PRUNTY AVENUE, BETWEEN
8 LAMBOLL AVENUE AND HAMILTON STREET (R.E. NO.
9 065399-0000) AS DESCRIBED HEREIN, OWNED BY
10 FRANK ERWIN, REQUESTING TO REDUCE THE REQUIRED
11 MINIMUM LOT WIDTH FROM 60 FEET TO 54.45 FEET,
12 IN ZONING DISTRICT RESIDENTIAL LOW DENSITY-60
13 (RLD-60), AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE; PROVIDING AN EFFECTIVE DATE.
15

16 **WHEREAS**, an application for an administrative deviation, **On**
17 **File** with the City Council Legislative Services Division, was filed
18 by Frank Erwin, the owner of property located in Council District
19 14 at 4596 Prunty Avenue, between Lamboll Avenue and Hamilton
20 Street (R.E. No. 065399-0000) (Subject Property), requesting to
21 reduce the required minimum lot width from 60 feet to 54.45 feet,
22 in Zoning District Residential Low Density-60 (RLD-60); and

23 **WHEREAS**, the Planning and Development Department has
24 considered the application and all attachments thereto and has
25 rendered an advisory recommendation; and

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

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

31 **Section 1. Adoption of Findings and Conclusions.** The

1 Council has considered the recommendation of the Land Use and
2 Zoning Committee and reviewed the Staff Report of the Planning and
3 Development Department concerning administrative deviation
4 Application AD-20-41, which requests to reduce the required minimum
5 lot width from 60 feet to 54.45 feet. Based upon the competent,
6 substantial evidence contained in the record, the Council hereby
7 determines that the requested administrative deviation meets each
8 of the following criteria required to grant the request pursuant to
9 Section 656.109(h), *Ordinance Code*, as specifically identified in
10 the Staff Report of the Planning and Development Department:

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

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

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

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

1 Therefore, administrative deviation Application AD-20-41 is
2 hereby **approved**.

3 **Section 2. Owner and Description.** The Subject Property is
4 owned by Frank Erwin, and is described in **Exhibit 1**, dated August
5 21, 2020, and graphically depicted in **Exhibit 2**, both **attached**
6 **hereto**.

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

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

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18 Form Approved:

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20 /s/ Shannon K. Eller

21 Office of General Counsel

22 Legislation Prepared By: Bruce Lewis

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