

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE**

**ORDINANCE 2023-0829 (WRF-23-23)**

**JANUARY 17, 2024**

***Location:*** 0 Moncrief-Dinsmore Road,  
Between Gilchrist Road and Moncrief-Dinsmore  
Road

***Real Estate Number(s):*** 002983 0045

***Waiver Sought:*** Reduce the minimum required road frontage from 80  
feet to zero (0) feet

***Present Zoning:*** Residential Rural-Acre (RR-Acre)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Northwest, District 5

***Applicant:*** Barbara Erzinger  
1355 Rigdon Road  
Jacksonville, FL 32220

***Owner:*** Lee McCall  
8565 Moncrief-Dinsmore Road  
Jacksonville, FL 32219

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage **Ordinance 2023-0829 (WRF-23-23)** seeks to reduce the required minimum road frontage from 80 feet to 0 feet in order to allow for the development of a single-family dwelling in the Residential Rural-Acre (RR-Acre) Zoning District.

Per Part 4 of the Zoning Code (Sec.656.407), no dwelling or dwellings may be constructed on a lot in a residential zoning district unless the lot has frontage on a public or approved private street equal to not less than 80 percent of the minimum lot width.

The subject property is a 1.45 acre lot located approximately 580 feet north of Moncrief-Dinsmore Road. The property is currently vacant and the applicant seeks to develop it with one single-family dwelling. While the property lacks frontage along Moncrief-Dinsmore Road, the property owner has access to an established easement that connects to Moncrief-Dinsmore Road. There are at least two other properties in the surrounding area that utilize this same easement, including 8561 Moncrief Dinsmore Road, and 8567 Moncrief-Dinsmore Road.

### **DEFINITION**

According to Section 656.1601 of the Zoning Code, the term *waiver* means a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the Zoning Code. Waivers of Road Frontage are granted by the City Council pursuant to the criteria set forth in Section 656.133 of the Zoning Code.

### **STANDARDS, CRITERIA AND FINDINGS**

Pursuant to the provisions of Section 656.133 of the Zoning Code, a waiver for minimum required street frontage may be granted if the City Council makes a positive finding based on substantial, competent evidence that the application meets all of the following criteria:

- (i) ***Are there practical or economic difficulties in carrying out the strict letter of the regulation?***

Yes. The 1.45 acre property meets the RR-Acre Zoning District requirements in order to build one single family dwelling, except for the minimum road frontage. While the subject property does not front a public right of way, it does have access to an established easement that connects to Moncrief-Dinsmore Road.

- (ii) ***Is the request based exclusively upon the desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 654 (Code of Subdivision Regulations)?***

No. The applicant is proposing to construct a single-family dwelling on the site and approval of this request would not change the cost burden on the applicant for the construction of the single-family dwelling. It is not anticipated that the applicant will need relief from any of the requirements of Chapter 654 of the Municipal Code.

- (iii) ***Will the proposed waiver substantially diminish property values in, or alter the essential character of, the area surrounding the site and will the waiver substantially interfere with or injure the rights of others?***

No. The waiver would permit a new single family dwelling to be constructed. It is not anticipated that the construction of the new dwelling will reduce the property values of

the neighboring lots, nor would it interfere with the rights of other homeowners. There are a diverse number of lots of varying sizes and shapes in the surrounding area.

- (iv) *Is there a valid and effective easement for adequate vehicular access connected to a public street maintained by the City or an approved private street?*

Yes. There is a 30 foot wide access easement on the property which connects to Moncrief-Dinsmore Road, a public right of way.

- (v) *Will the proposed waiver be detrimental to the public health, safety or welfare, result in additional expense, the creation of nuisances or conflict with any other applicable law?*

No. There is an existing gravel driveway that neighboring properties currently use as an easement. Per the deed of the subject property, the property owner has been granted use of this easement. There is no detriment to the public health, safety, or welfare, and the development will comply with all other requirements of the Zoning Code.

### SUPPLEMENTARY INFORMATION

The applicant provided photo evidence on **January 10, 2024** that the required Notice of Public Hearing sign **was** posted.





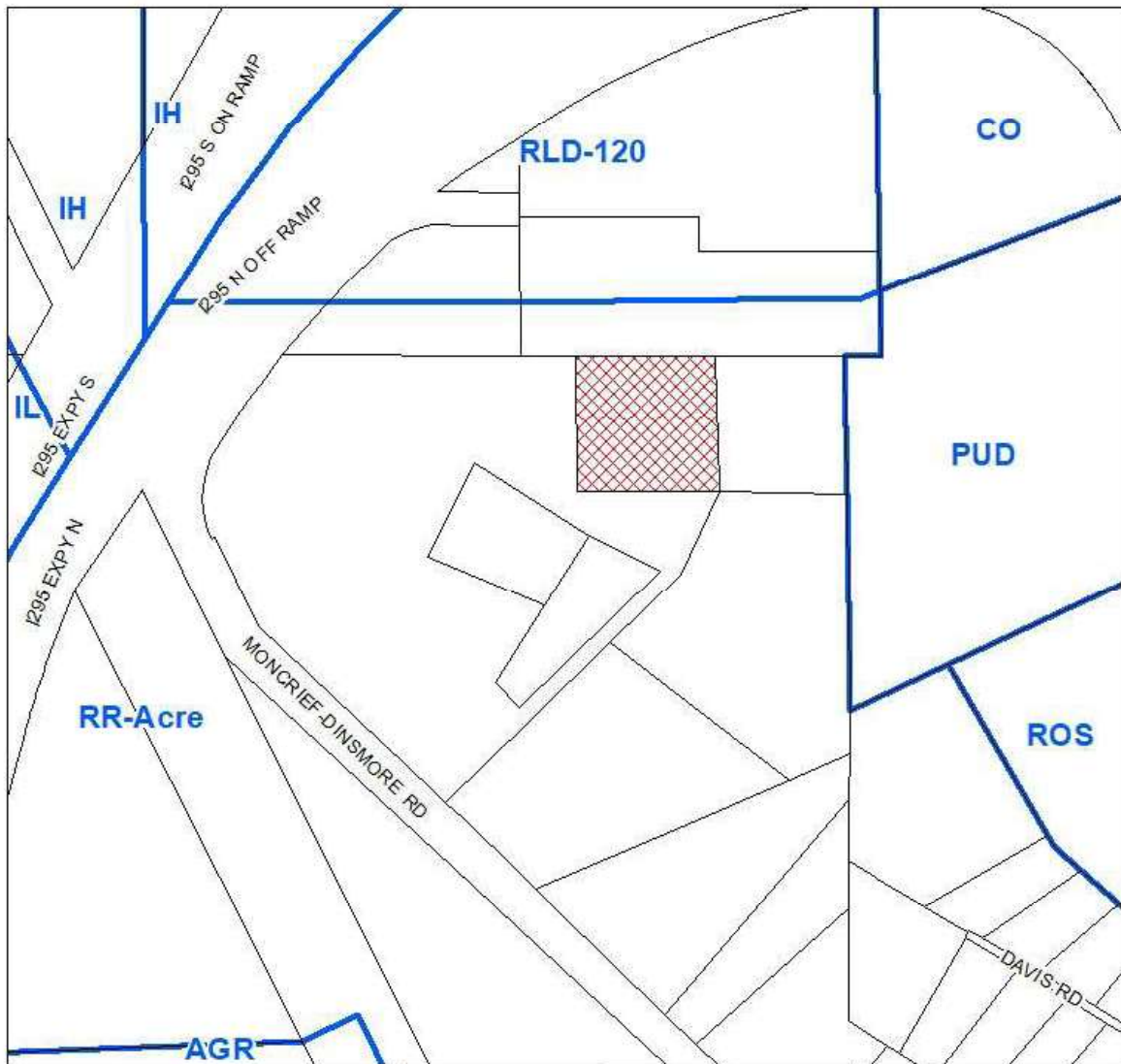




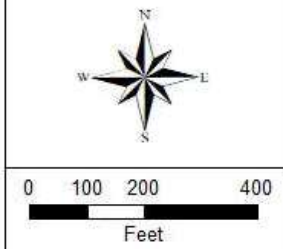
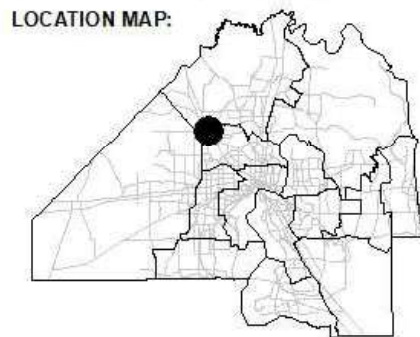


*Source: Planning and Development Department, 1/10/2024*

**View of the existing easement from Moncrief-Dinsmore Road.**



REQUEST SOUGHT:  
**REDUCE REQUIRED  
MINIMUM ROAD  
FRONTAGE FROM 80 FEET  
TO 0 FEET**

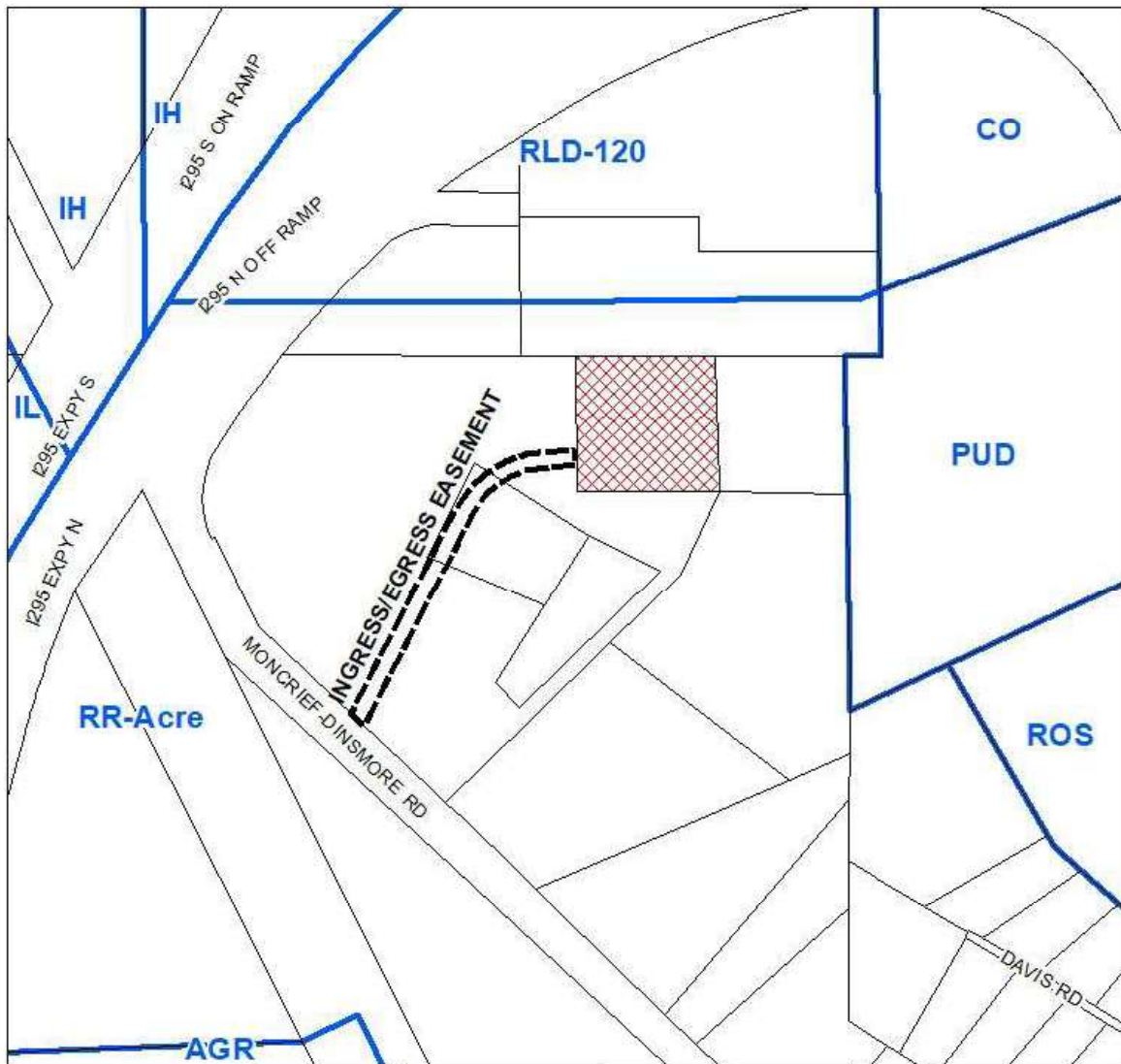


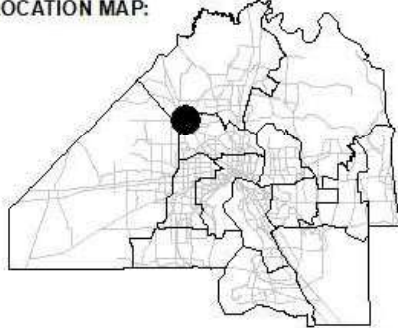

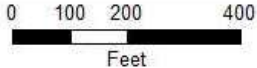
COUNCIL DISTRICT:  
**10**

ORDINANCE NUMBER  
**ORD-2023-0829**

TRACKING NUMBER  
**WRF-23-23**

**EXHIBIT 2  
PAGE 1 OF 1**



<p>REQUEST SOUGHT:</p> <p><b>REDUCE REQUIRED MINIMUM ROAD FRONTAGE FROM 80 FEET TO 0 FEET</b></p>	<p>LOCATION MAP:</p> 	  <p>0 100 200 400 Feet</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0829</p>	<p>TRACKING NUMBER</p> <p>WRF-23-23</p>	<p>COUNCIL DISTRICT:</p> <p>10</p> <p><b>EXHIBIT 3 PAGE 1 OF 1</b></p>