

**REPORT OF THE PLANNING DEPARTMENT**

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

**ORDINANCE 2025-0595 (WRF-25-09)**

**September 16, 2025**

<b><i>Location:</i></b>	0 Philips Hwy Between I-95 and Mussells Acres Rd
<b><i>Real Estate Number(s):</i></b>	155549 0505
<b><i>Waiver Sought:</i></b>	Reduce Minimum Required Road Frontage from 35 feet to 0 feet
<b><i>Present Zoning:</i></b>	Community Commercial General – 1 (CCG-1)
<b><i>Current Land Use Category:</i></b>	Community General Commercial (CGC)
<b><i>Planning District:</i></b>	Southeast, District 3
<b><i>Council District:</i></b>	District 11
<b><i>Owner:</i></b>	Lee Mariluz 10501 San Jose Blvd Jacksonville, Florida 32257
<b><i>Applicant:</i></b>	Kyle Davis 219 N Newman Street Jacksonville, Florida 32202
<b><i>Staff Recommendation:</i></b>	<b>APPROVE</b>

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage **Ordinance 2025-0595 (WRF-25-09)** seeks to reduce the required minimum road frontage from 35 feet to 0 feet in order to allow for the development of a commercial parcel. Historically, the site appears to be an undeveloped outparcel created in 1991. The site has never been utilized and cannot be developed without this waiver of road frontage. This parcel is located along Philips Highway but fronts an unapproved private right of way, Keskin Avenue, which intersects with Philips Highway. Per Par 4 (Section 656.407), no permit shall be issued for the use of a lot or parcel of land where the lot does not abut, for a distance of not less than 35 feet, upon one of the following:

- A public Street which is maintained by the City
- An approved private street which is connected to a public street
- An accessway as defined in Chapter 744
- A recorded easement for access at least 30 feet in width connected to a public street which is maintained by the City or an approved private street
- Notwithstanding the foregoing, all properties shall make provisions for the accessibility for public safety and municipal services vehicles to enter and exit the properties.

This waiver is a companion to 2025-596 (AD-25-45) which seeks to:

- Reduce the rear setback from 10 to 0
- Reduce minimum number of off-street parking spaces from 17 to 4
- Reduce the number of terminal island trees from 1 terminal island required to 0 terminal islands
- Reduce the perimeter landscape buffer between vehicle use area and abutting property from 5 feet minimum width required along the north, east and south boundaries to 0 feet
- Increase the maximum width of driveway access from Keskin Ave from 25 feet required to 44 feet.

The Planning Department will also be recommending approval for the Companion Administrative Deviation.

### **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 property owner wishes to construct a commercial use on the .12-acre property. There are practical difficulties due to the parcel being surrounded and direct access is blocked by 10140 Philips Hwy. Keskin Ave is a fully functional accessway, however, due

to it being an unapproved private road, means that it cannot be counted towards road frontage.

- (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 commercial space on the site and approval of this request would not change the cost burden on the applicant for the construction of the commercial. The redevelopment of the site will require Civil Plan review, and the property will need to meet Ch. 654 regulations.

- (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 property is located within a commercial district, completely surrounded by commercial uses. It would not alter the essential character of the area, and will not interfere or injure the rights of others. This is a unique situation due to the frontage being along Keskin Ave which acts as more of an internal driveway.

- (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. The subject site will be accessed from Keskin Ave which is a paved, unapproved private road. The accessway meets the minimum requirements for access for emergency services.

- (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. Keskin Ave will provide adequate access to the subject property. 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**

Upon visual inspection of the subject property on August 7<sup>th</sup>, 2025 by the Planning Department, the required Notice of Public Hearing sign **was** posted correctly.



#### **RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning Department that Application for Waiver of Minimum Required Road Frontage **Ordinance 2025-0595 (WRF-25-09)** be **APPROVED**.



Aerial view of the subject property.

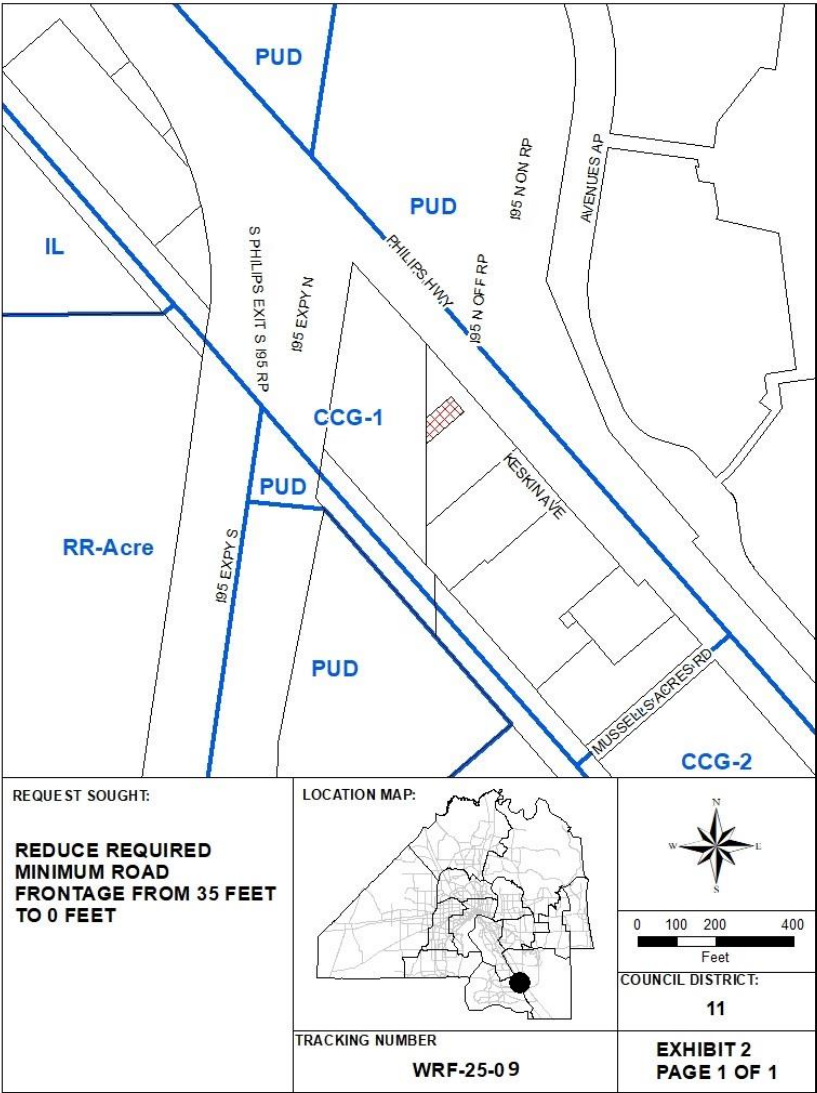
Source: JaxGIS maps





**View of property from Keskin Ave**

Source: Google maps



Legal Map