

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

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

**ORDINANCE 2023-481 (WRF-23-11)**

**SEPTEMBER 19, 2023**

***Location:*** 0 Riverplace Court, at the terminus of Riverplace Drive

***Real Estate Number:*** 105948-0110

***Waiver Sought:*** Reduce minimum required road frontage from 96 feet to 75 feet for development of a single-family home.

***Present Zoning District:*** Residential Low Density-120 (RLD-120)

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

***Planning District:*** Southeast, District 3

***Owner:*** Shrish Tomur  
2451 Fawn Lake Circle  
Naperville Illinois 60564-4611

***Agent:*** Curtis Hart  
8051 Tara Lane  
Jacksonville Florida 32216

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

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage **Ordinance-2023-481 (WRF 23-11)** seeks to reduce the minimum required road frontage from 96 feet to 72 feet to permit one single family dwelling. The lot is 1.2 acres in area. Riverplace Court is an approved private 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 authorized to be granted by the City Council pursuant to the criteria set forth in Section 656.133(b) 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 site contains approximately 1.2 acres and is accessible by Riverplace Court which is a private road. The applicant is seeking the waiver to build a single-family home on the existing lot. Development of the property will meet or exceed all other minimum requirements for the RLD-120 Zoning District.

- (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 site contains approximately 1.2 acres and will meet all setback and developable standards of the RLD-120 Zoning District. The request is not an attempt to circumvent the requirements of the subdivision regulations, and instead, is based on the narrowness of the lot which restricts the frontage.

- (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 applicant seeks to place a new home on a parcel that is zoned for single-family used. Therefore, the new residential structure proposed will not diminish property values in, nor alter the essential character of the area. The lots on either side of the subject property are approximately of the same area and width.

- (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?*

No. The subject property has frontage on Riverplace Court, an approved private road.

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

No. The existing parcel, is 1.2 acres in size, will not create a public health, safety, or welfare concern in that fire, rescue, and public services will have sufficient ability to access the property.

### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on September 8, 2023, the required Notice of Public Hearing sign was posted.



### RECOMMENDATION

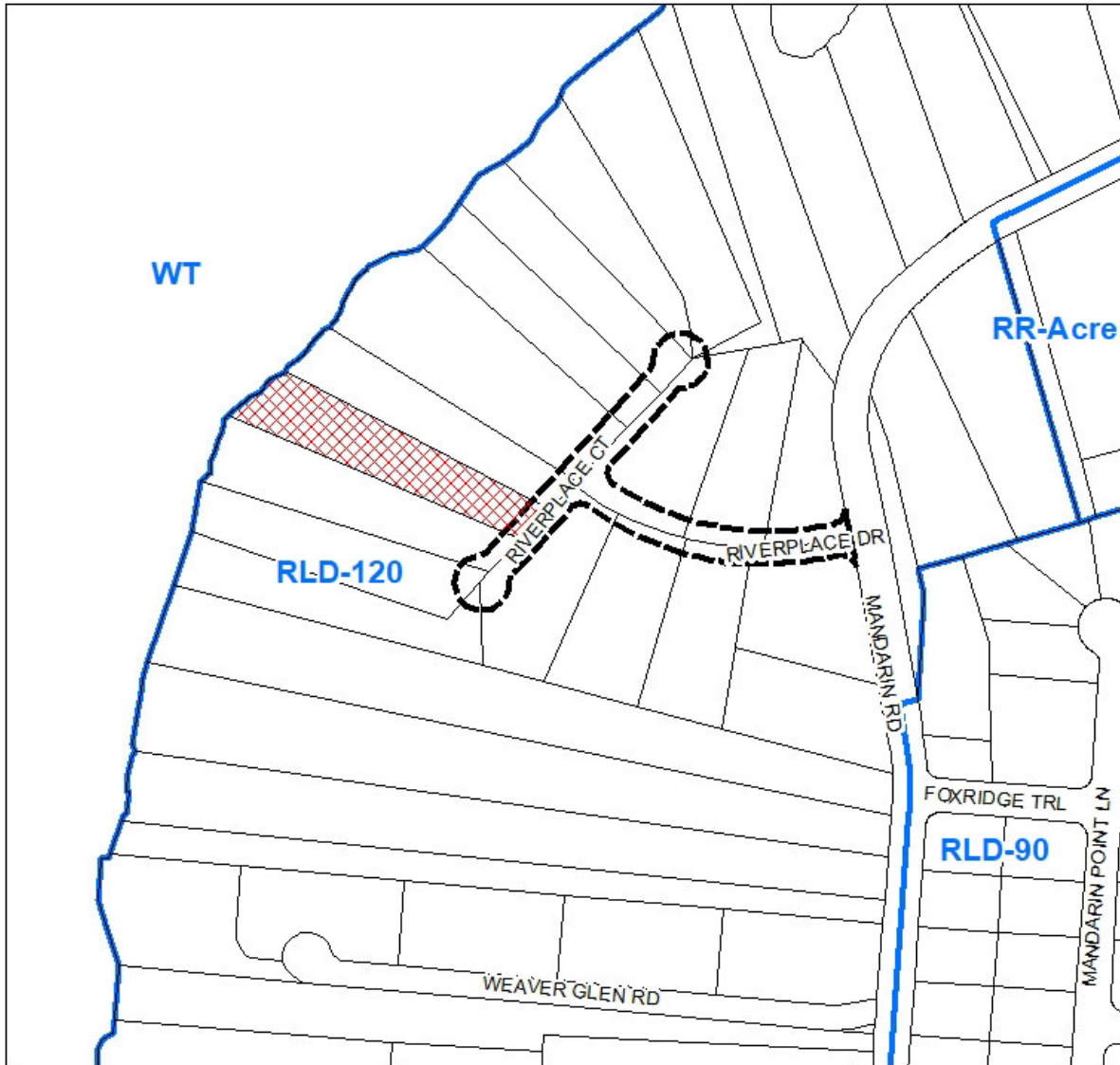
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Required Road Frontage **Ordinance 2023-481 (WRF 23-11)** be **APPROVED**.



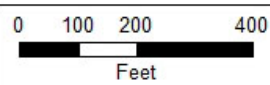
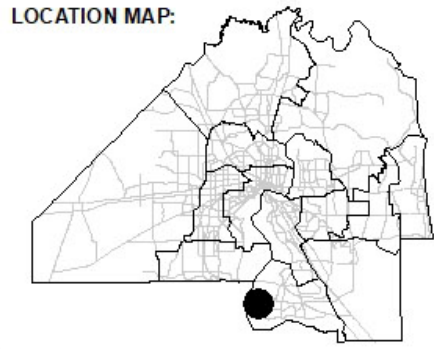
View of subject property



View of subject property



REQUEST SOUGHT:  
**REDUCE REQUIRED FRONTAGE FROM 96 TO 75 FEET**



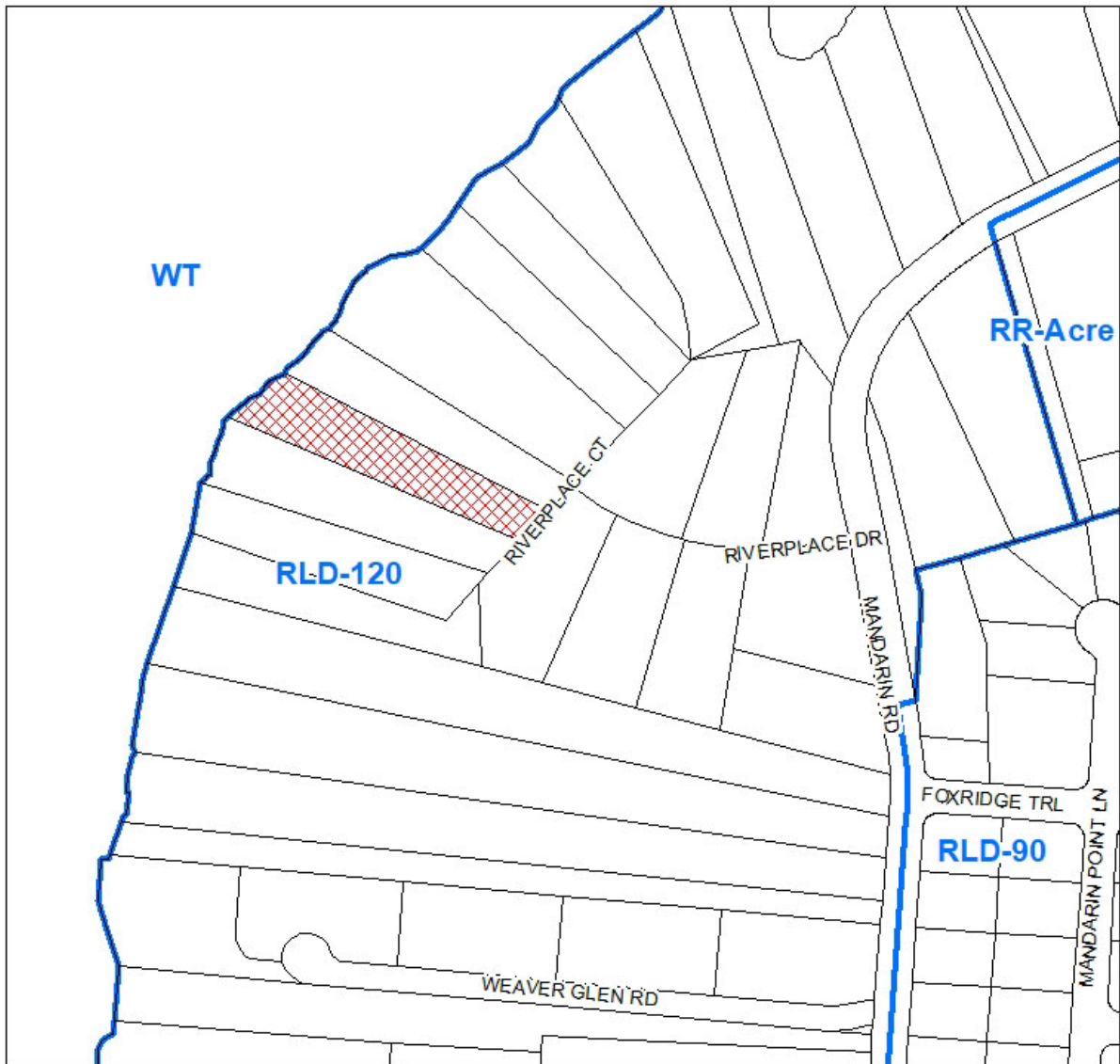
COUNCIL DISTRICT:  
**6**

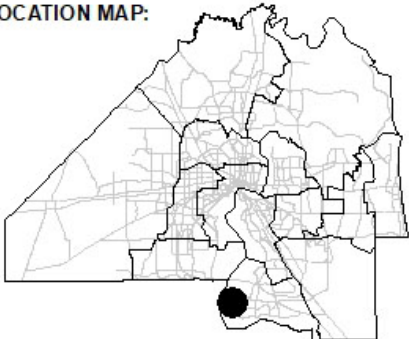

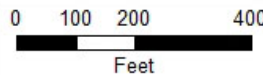
ORDINANCE NUMBER  
**ORD-2023-0481**

TRACKING NUMBER  
**WRF-23-11**

**EXHIBIT 3  
PAGE 1 OF 1**





<p>REQUEST SOUGHT:</p> <p><b>REDUCE REQUIRED FRONTAGE FROM 96 TO 75 FEET</b></p>	<p>LOCATION MAP:</p> 	  <p>0 100 200 400 Feet</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0481</p>	<p>TRACKING NUMBER</p> <p>WRF-23-11</p>	<p>COUNCIL DISTRICT:</p> <p>6</p> <p><b>EXHIBIT 2</b> <b>PAGE 1 OF 1</b></p>