

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2024-456-E**

5 AN ORDINANCE APPROVING THE WAIVER OF MINIMUM  
6 REQUIRED ROAD FRONTAGE APPLICATION WRF-24-14,  
7 FOR PROPERTY LOCATED IN COUNCIL DISTRICT 5 AT 0  
8 HOOD ROAD (R.E. NO. 149189-0040), AS DESCRIBED  
9 HEREIN, OWNED BY NAZMI GJONI, REQUESTING TO  
10 REDUCE THE MINIMUM ROAD FRONTAGE REQUIREMENTS  
11 FROM 80 FEET TO 0 FEET IN ZONING DISTRICT  
12 RESIDENTIAL RURAL-ACRE (RR-ACRE), AS DEFINED AND  
13 CLASSIFIED UNDER THE ZONING CODE; WAIVER SUBJECT  
14 TO CONDITION; PROVIDING FOR DISTRIBUTION;  
15 PROVIDING A DISCLAIMER THAT THE WAIVER GRANTED  
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION  
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN  
18 EFFECTIVE DATE.

19  
20 **WHEREAS**, an application for a waiver of minimum road frontage,  
21 **On File** with the City Council Legislative Services Division, was  
22 filed by Nazmi Gjoni, the owner of property located in Council  
23 District 5 at 0 Hood Road (R.E. No. 149189-0040) (the "Subject  
24 Property"), requesting to reduce the minimum road frontage from 80  
25 feet to 0 feet in Zoning District Residential Rural-Acre (RR-Acre);  
26 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 testimonial

1 and documentary evidence presented at the public hearing, has made  
2 its recommendation to the Council; and

3       **WHEREAS**, taking into consideration the above recommendations  
4 and all other evidence entered into the record and testimony taken  
5 at the public hearings, the Council finds that: (1) there are  
6 practical or economic difficulties in carrying out the strict letter  
7 of the regulation; (2) the request is not based exclusively upon the  
8 desire to reduce the cost of developing the site or to circumvent the  
9 requirements of Chapter 654 (Code of Subdivision Regulations); (3)  
10 the proposed waiver will not substantially diminish property values  
11 in, nor alter the essential character of, the area surrounding the  
12 site and will not substantially interfere with or injure the rights  
13 of others whose property would be affected by the waiver; (4) there  
14 is a valid and effective easement for adequate vehicular access  
15 connected to a public street which is maintained by the City or an  
16 approved private street; and (5) the proposed waiver will not be  
17 detrimental to the public health, safety or welfare, result in  
18 additional expense, the creation of nuisances or conflict with any  
19 other applicable law; now therefore

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

21       **Section 1. Adoption of Findings and Conclusions.** The  
22 Council has reviewed the record of proceedings and the Staff Report  
23 of the Planning and Development Department and held a public hearing  
24 concerning Application for Waiver of Minimum Required Road Frontage  
25 WRF-24-13. Based upon the competent, substantial evidence contained  
26 in the record, the Council hereby determines that the requested waiver  
27 of road frontage meets the criteria for granting a waiver contained  
28 in Chapter 656, *Ordinance Code*. Therefore, Application WRF-24-14 is  
29 hereby approved.

30       **Section 2. Waiver Approved Subject to Condition.** This waiver is  
31 approved subject to the following condition:

1 (1) The Subject Property and structure shall contain a clearly  
2 and prominently displayed address.

3 **Section 3. Owner and Description.** The Subject Property is  
4 owned by Nazmi Gjoni, and is legally described in **Exhibit 1**, dated  
5 May 22, 2024, and graphically depicted in **Exhibit 2**, both of which  
6 are attached hereto. A graphic depiction of the easement providing  
7 access to the Subject Property is attached hereto as **Exhibit 3**.

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

14 **Section 5. Disclaimer.** The waiver of road frontage granted  
15 herein shall **not** be construed as an exemption from any other  
16 applicable local, state, or federal laws, regulations, requirements,  
17 permits or approvals. All other applicable local, state or federal  
18 permits or approvals shall be obtained before commencement of the  
19 development or use and issuance of this waiver of road frontage is  
20 based upon acknowledgement, representation and confirmation made by  
21 the applicant(s), owner(s), developer(s) and/or any authorized  
22 agent(s) or designee(s) that the subject business, development and/or  
23 use will be operated in strict compliance with all laws. Issuance of  
24 this waiver of road frontage does **not** approve, promote or condone any  
25 practice or act that is prohibited or restricted by any federal,  
26 state or local laws.

27 **Section 6. Effective Date.** The enactment of this Ordinance  
28 shall be deemed to constitute a quasi-judicial action of the City  
29 Council and shall become effective upon signature by the Council  
30 President and Council Secretary. Failure to exercise the waiver, if  
31 herein granted, by the commencement of the use or action herein

1 approved within one (1) year of the effective date of this legislation  
2 shall render this waiver invalid and all rights arising therefrom  
3 shall terminate.

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5 Form Approved:

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7           /s/ Dylan Reingold          

8 Office of General Counsel

9 Legislation Prepared By: Jackie Williams

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