

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2024-361 (WRF-24-12)

JUNE 18, 2024

Location: East side of Forgotten Way between Crystal Springs Road and Crystal Road

Real Estate Number(s): 008936-0010

Waiver Sought: Reduce Minimum Required Road Frontage from 80 feet to 0 feet.

Present Zoning: Residential Low Density-100A (RLD-100A)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Northwest, District 5

Council District: District 8

Owner: Makenzie Lee
10578 Crystal Springs Road
Jacksonville, Florida 32221

Jack S. Lee, Jr.
10578 Crystal Springs Road
Jacksonville, Florida 32221

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2024-361 (WRF-24-12)** seeks to reduce the required minimum road frontage from 80 feet to 0 feet to allow for the construction of one new single-family dwelling. The 1.06 acre subject parcel on Forgotten Way was subdivided from the 17 acre parcel.

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 subject parcel is located on Forgotten Way, which is a 15 foot wide public unmaintained right way and meets all other requirements for the RLD-100A Zoning District including lot width and lot area. Given the restrictions to access a public street, this creates practical and economic challenges in meeting the regulations of required 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 one single family dwelling on the recently subdivided parcel. Approval of this request would not change the cost burden on the applicant for this 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. The area is characterized with single family dwellings on large lots.

- (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. As previously mentioned the subject property fronts Forgotten Way, which is a 15 foot wide public unmaintained right of way but does not meet the standards of Public Works to be considered an approved ROW to count towards road frontage. Forgotten Way intersects Crystal Springs Road 900 feet to the north. Crystal Springs Road is a public maintained road. 019348113315

- (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. Forgotten Way will provide adequate access to the subject properties. 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

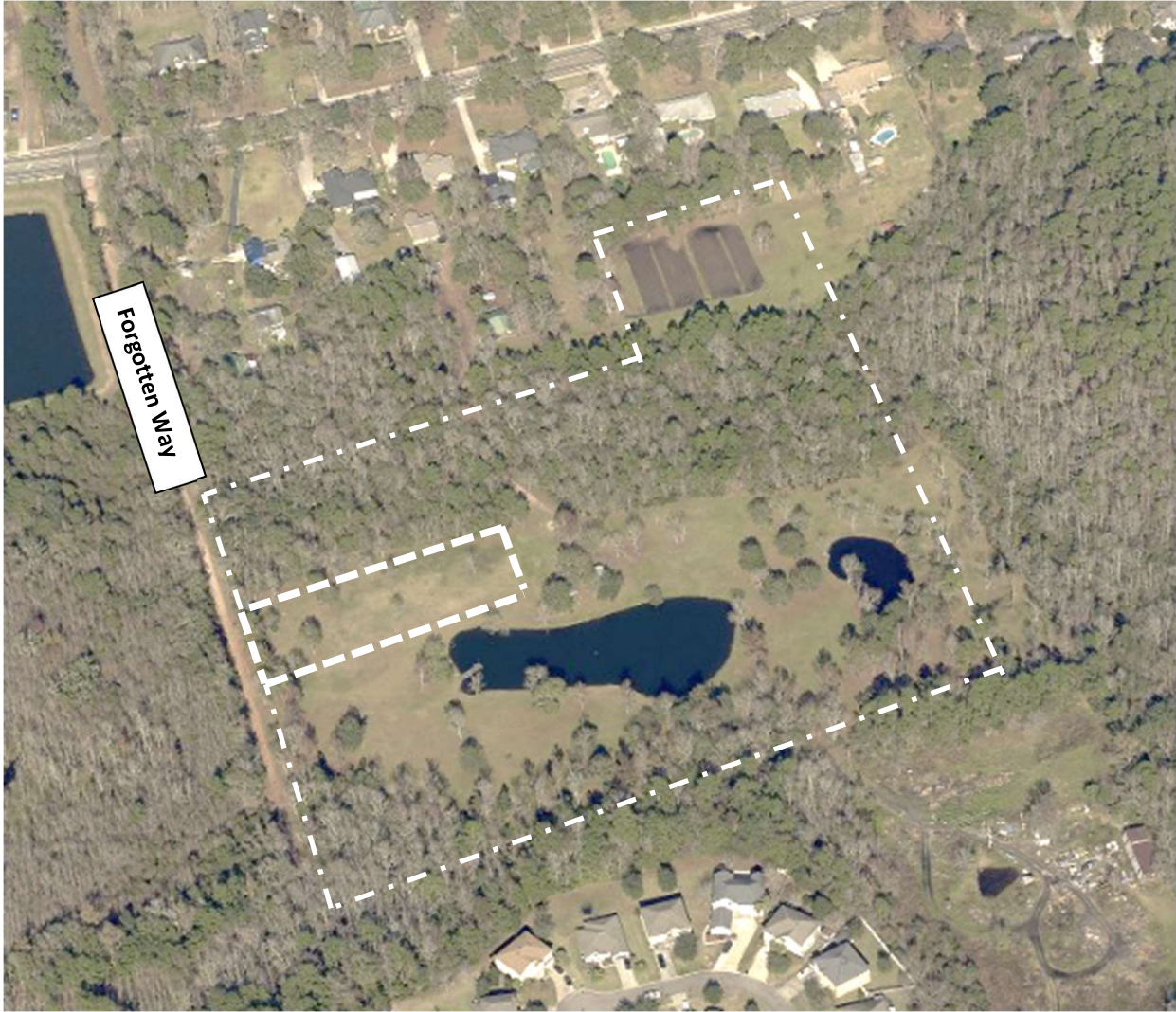
Upon visual inspection of the subject property on June 6, 2024 by the Planning and Development Department the required Notice of Public Hearing signs was not posted.

RECOMMENDATION

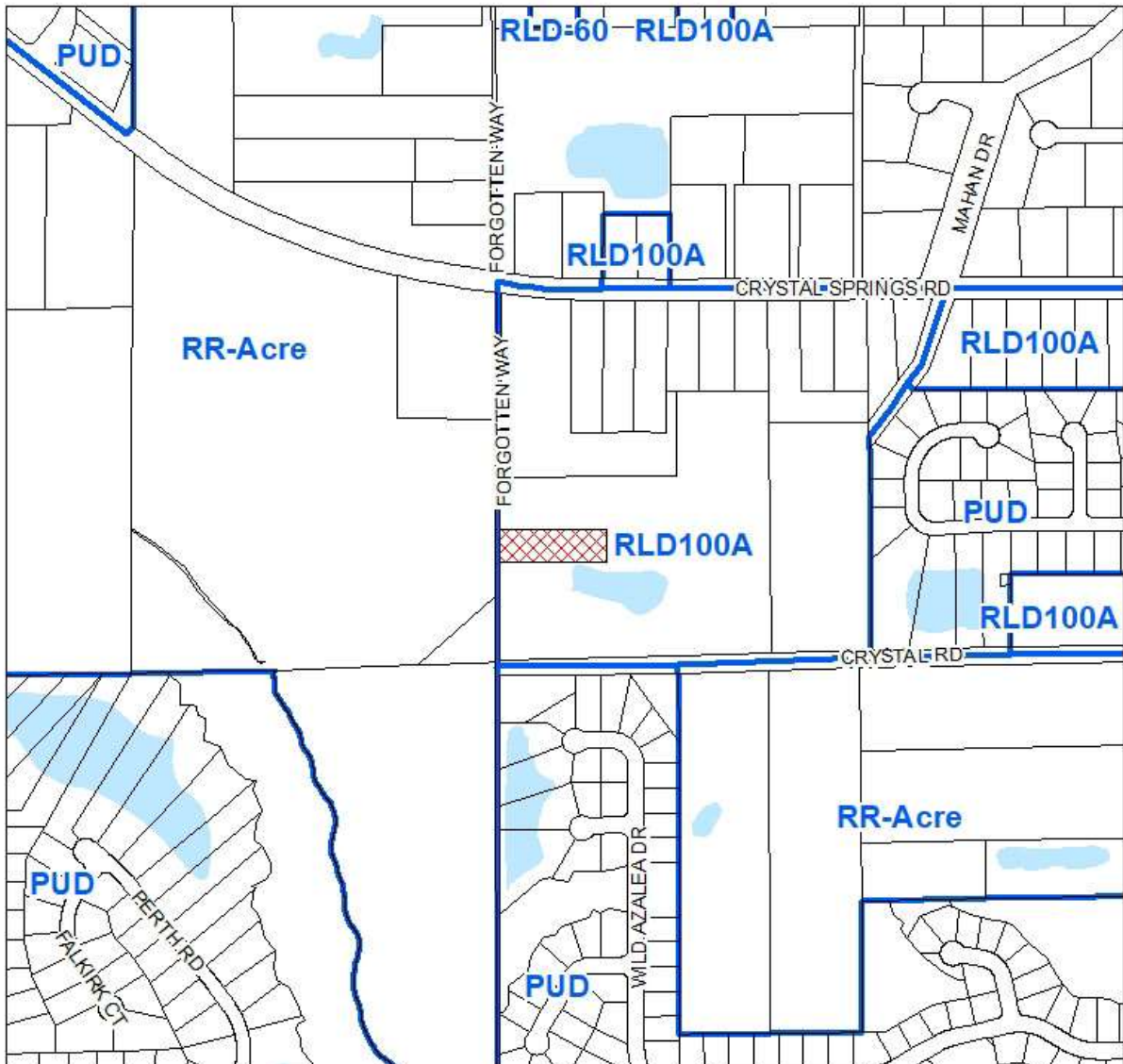
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Required Road Frontage **Ordinance 2024-361 (WRF-24-12)** be **APPROVED**.



View of Forgotten Way



Aerial view and approximate position of subject property



REQUEST SOUGHT:

**REDUCE REQUIRED
MINIMUM ROAD
FRONTAGE FROM 80 FEET
TO 0 FEET**

LOCATION MAP:



COUNCIL DISTRICT:

12

ORDINANCE NUMBER

ORD-2024-0361

TRACKING NUMBER

WRF-24-12

EXHIBIT 2

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