

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT****APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE****FEBRUARY 1, 2022**

***Location:*** 1724 Marion Road between Beach Boulevard and  
Marion Court South

***Real Estate Number(s):*** 134625-0000

***Waiver Sought:*** Reduce Minimum Required Road Frontage from 48  
Feet to 21 Feet for three (3) lots

***Present Zoning:*** Residential Low Density-60 (RLD-60)

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

***Planning District:*** Greater Arlington Beaches, District 2

***Owner / Applicant:*** Martin Rapant  
231 Hickory Hollow Drive South  
Jacksonville, Florida 32225

***Staff Recommendation:*** DENY

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage Ordinance-2021-878 (WRF-21-25) seeks to reduce the minimum required road frontage from 48 feet to 21 feet for three (3) lots. The parcel is 1.14 acres in size with an existing residential structure on the property. According to the one, the existing structure will be demolished. Each proposed lot will meet the minimum lot area and width for the RLD-60 Zoning District. Each lot will be will be served by JEA water, but have its own septic system.

**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... and for minimum street frontage, pursuant to Section 656.407. Waivers are authorized to be granted by the Commission 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 any practical or economic difficulties in carrying out the strict letter of the regulation?*

No. The applicant has not presented any practical and economic difficulties in carrying out the strict letter of the Zoning Code. The lot has sufficient area to accommodate three lots, and the applicant could construct a City approved private road to provide the required frontage for each lot.

- (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)?*

Yes. The waiver if approved, will reduce the development cost by disregarding the need for constructing an approved private road or a public right of way.

- (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?*

Yes. To the north are residential dwellings on lots that are slightly larger than the proposed lots. It is doubtful the additional three lots will negatively impact the surrounding property values. The property will lack the development standards required by the Code of Subdivision Regulations, such as approved roads, and will likely diminish property values or alter the character of the area surrounding the subject parcel.

- (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?*

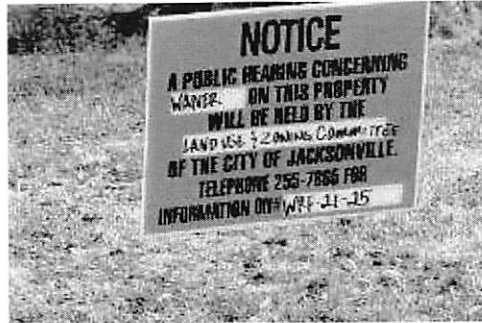
Yes. If the waiver is approved, two lots will have a 21 foot wide strip of land with access to Marion Road. One lot will have the required frontage on Marion Road, a City maintained road.

- (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?*

Yes. The lots will be served by JEA water but nor sanitary sewer. There is a concern that approval of the waiver will make it difficult for JFRD and the Sheriff to locate the additional lots and access may be difficult for larger vehicles such as fire trucks.

### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on January 5, 2022, by the Planning and Development Department 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 2021-878 / WRF-21-25** be **DENIED**.



Existing dwelling to be removed.



Two driveways will be adjacent to north property line



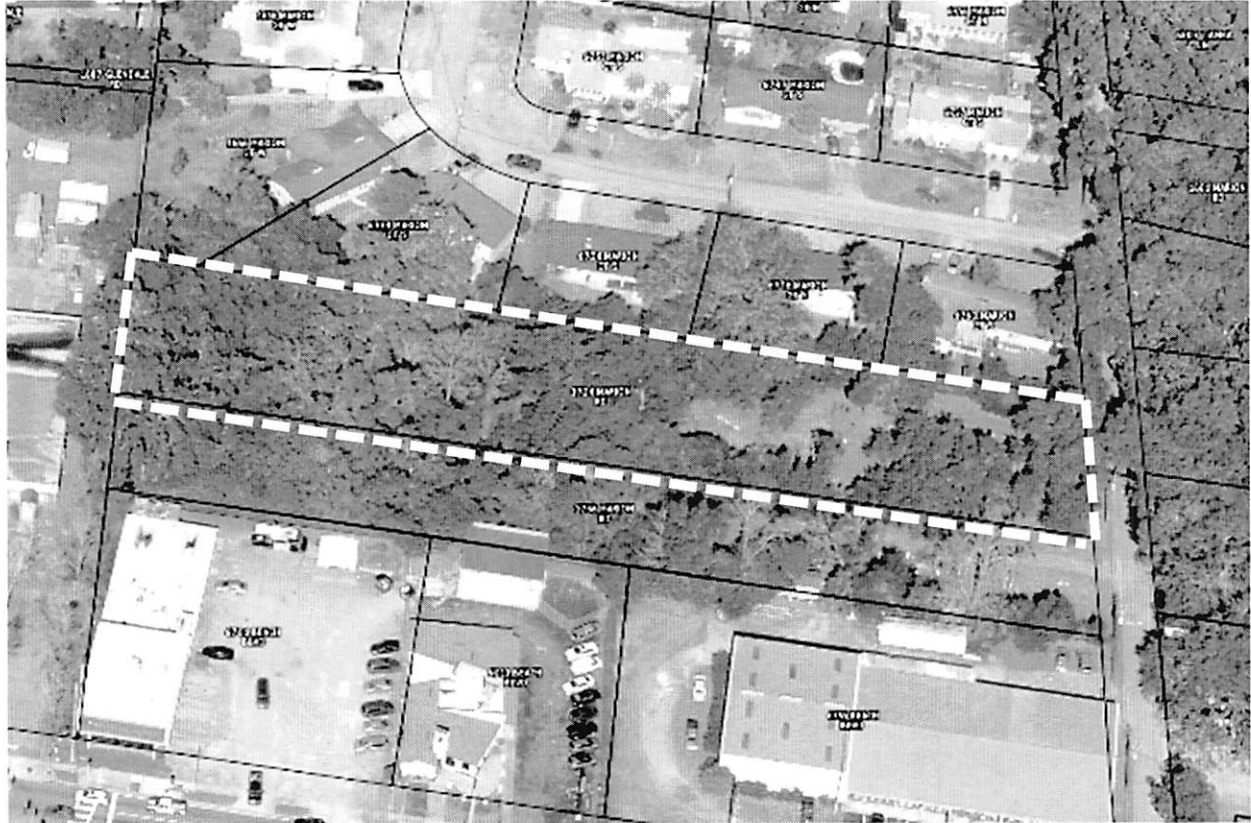
Residential dwelling across street



Residential dwelling across street



Residential dwelling on Marion Road



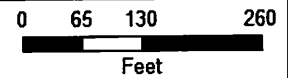
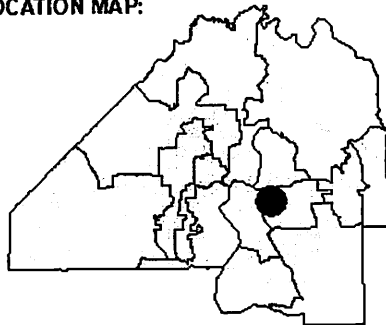
Aerial view of subject property



**REQUEST SOUGHT:**

**REDUCE REQUIRED MINIMUM  
ROAD FRONTAGE FROM 48  
FEET TO 21 FEET**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**4**

**ORDINANCE NUMBER**

**ORD-2021-0878**

**TRACKING NUMBER**

**WRF-21-25**

**EXHIBIT 2  
PAGE 1 OF 1**

|                         |
|-------------------------|
| Date Submitted: 9/16/21 |
| Date Filed:             |

|                               |
|-------------------------------|
| Application Number: WRF-21-25 |
| Public Hearing:               |

**Application for Waiver of Minimum Required Road Frontage**  
 City of Jacksonville, Florida  
 Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

| For Official Use Only  |                                   |                           |
|--|-----------------------------------|---------------------------|
| Current Zoning District: RLD-60  | Current Land Use Category: LDR    |                           |
| Council District: 4  | Planning District: 2              |                           |
| Previous Zoning Applications Filed (provide application numbers): E-85-237                         |                                   |                           |
| Applicable Section of Ordinance Code: 056.407  |                                   |                           |
| Notice of Violation(s):  |                                   |                           |
| Neighborhood Associations: GREATER SAN SOU CI NEIGHBORHOOD, SOUTHEAST, GREATER ARLINGTON / BEACHES |                                   |                           |
| Overlay: NONE  |                                   |                           |
| LUZ Public Hearing Date:   | City Council Public Hearing Date: |                           |
| Number of Signs to Post: 1   | Amount of Fee: \$1434             | Zoning Asst. Initials: JN |

| PROPERTY INFORMATION  |   |
|---|---|
| 1. Complete Property Address:<br>1724 Marion Rd.<br>Jacksonville, Florida, 32216    | 2. Real Estate Number:<br>134625-0000   |
| 3. Land Area (Acres):<br>1.16 acre  | 4. Date Lot was Recorded:<br>2/26/2021  |
| 5. Property Located Between Streets:<br>Beach Blvd.<br>Marion Ct. South             | 6. Utility Services Provider:<br>City Water / City Sewer <input checked="" type="checkbox"/> J.E.A.<br>Well/ Septic <input checked="" type="checkbox"/> Private |
| 7. Waiver Sought:<br>Reduce Required Minimum Road Frontage from 48 feet to 21 feet. |   |
| 8. In whose name will the Waiver be granted?<br>Martin Rapant                       |   |



| OWNER'S INFORMATION (please attach separate sheet if more than one owner)                        |  |
|--|--|
| 9. Name:<br>Martin Rapant  | 10. E-mail:<br>martinrapant@gmail.com    |
| 11. Address (including city, state, zip):<br>231 Hickory Hollow Dr. S<br>Jacksonville, FL, 32225 | 12. Preferred Telephone:<br>904-333-9181 |

| APPLICANT'S INFORMATION (if different from owner) |                          |
|---|--------------------------|
| 13. Name:   | 14. E-mail:              |
| 15. Address (including city, state, zip):         | 16. Preferred Telephone: |

| CRITERIA   |
|--|
| <p>Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage, pursuant to Section 656.407, Ordinance Code."</p> <p>Section 656.133(d)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the City Council shall grant a waiver for reduction of the minimum requirements for road frontage, if the Council makes a positive finding based upon substantial, competent evidence that the application meets all of the following five (5) criteria:</p> <ul style="list-style-type: none"> <li>i. <i>There are practical or economic difficulties in carrying out the strict letter of the regulation;</i></li> <li>ii. <i>The request is not 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);</i></li> <li>iii. <i>The proposed waiver will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the waiver;</i></li> <li>iv. <i>There is a valid and effective easement for adequate vehicular access connected to a public street which is maintained by the City or approved private street;</i></li> <li>v. <i>The proposed waiver will not be detrimental to the public health, safety or welfare, result in additional expense, the creation of nuisances or conflict with any other applicable law.</i></li> </ul> |

17. Given the above definition of a "waiver" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

This application seeks to reduce the minimum required road frontage for two planned properties SUB-LOT B and SUB-LOT C on a private property RE#134625-0000 at 1724 Marion Rd. from 48 feet to 21 feet for each of two proposed lots at 1726 Marion Rd. SUB-LOT B and 1728 Marion Rd. SUB-LOT C with shared driveway of 42 feet total road frontage. The site is 1.16 acres at 1724 Marion Rd. and is served by JEA water and private septic system. The waiver if granted would demolish the existing home and build a new one in its place. Further two new single family homes will be build on the lot.

The owner wants to meet Jacksonville's demand for new housing and alongside help to increase tax revenue for The City of Jacksonville in otherwise unusable and grossly under taxed use of land.

### ATTACHMENTS

The following attachments must accompany each copy of the application.

- Survey
- Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof of property ownership – may be print-out of property appraiser record card if individual owner, [http://apps.coi.net/pao\\_propertySearch/Basic/Search.aspx](http://apps.coi.net/pao_propertySearch/Basic/Search.aspx), or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.
- Proof of valid and effective easement for access to the property.

### FILING FEES

\*Applications filed to correct existing zoning violations are subject to a double fee.

| <u>Base Fee</u>                       | <u>Public Notices</u> | <u>Advertisement</u>           |
|---------------------------------------|-----------------------|--------------------------------|
| Residential Districts: \$1,161.00     | \$7.00 per Addressee  | Billed directly to owner/agent |
| Non-residential Districts: \$1,173.00 |                       |                                |

**AUTHORIZATION**

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the City Council. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

|  |  |
|--|--|
| <p>Owner(s)<br/>Print name: <u>Martin Rapant</u><br/>Signature: <u>Martin Rapant</u></p> | <p>Applicant or Agent (if different than owner)<br/>Print name: _____<br/>Signature: _____</p>                                   |
| <p>Owner(s)<br/>Print name: _____<br/>Signature: _____</p>                               | <p><i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i></p> |

**SUBMITTAL**

This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.

Submit applications to:  
Planning and Development Department, Zoning Section  
214 North Hogan Street, 2<sup>nd</sup> Floor  
Jacksonville, Florida 32202  
(904) 255-8300

09/20/2021

Exhibit 1

Legal Description

51 - 2S - 27E

N W MARIONS S/D PT

THE NORTH 103 FEET OF LOT 10, MARIONS SUBDIVISION,  
ACCORDING TO THE PLAT THEREOF RECORDED IN

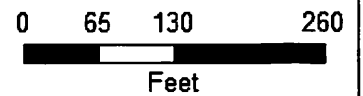
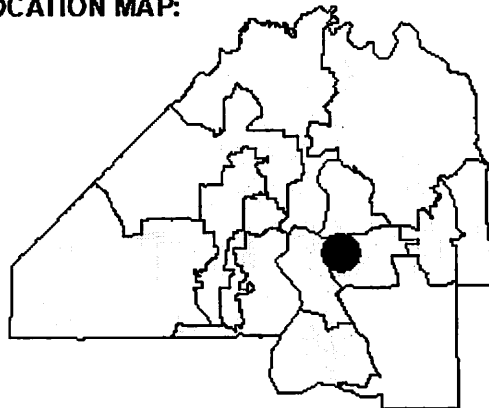
PLAT BOOK 7, PAGES 30 OF THE CURRENT PUBLIC RECORDS OF  
DUVAL COUNTY, FLORIDA



**REQUEST SOUGHT:**

**REDUCE REQUIRED MINIMUM ROAD FRONTAGE FROM 48 FEET TO 21 FEET**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**4**

**TRACKING NUMBER**

**WRF-21-25**

**EXHIBIT 2  
PAGE 1 OF 1**

**EXHIBIT A**

**Property Ownership Affidavit - Individual**

Date: 9/13/2021

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300,  
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:  
Address: 1724 Marion Rd., Jax., FL RE#(s): 134625-0000

To Whom It May Concern:

I, Martin Rapant hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Waiver of Minimum Road Frontage submitted to the Jacksonville Planning and Development Department.

By \_\_\_\_\_  
Print Name: Martin Rapant

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 13 day of 9 2021 by Martin Rapant, who is personally known to me or who has produced Dh as identification and who took an oath.

Anita F Belson  
(Signature of NOTARY PUBLIC)

(Printed name of ANITA F BELSON)  
Notary Public - State of Florida  
Commission # GG 263746  
My Comm. Expires Oct 21, 2022  
Burded through National Notary Assn.  
State of Florida at \_\_\_\_\_  
My commission expires: \_\_\_\_\_

51-28-27E  
N W MARIONS S/D PT  
N 103BT OF LOT 10

RABART MARTIN  
231 HICKORY HOLLOW DR S  
JACKSONVILLE, FL 32225

2021

R-134625-0000



0100 Single Family

DUVAL COUNTY PROPERTY APPRAISERS OFFICE

Map ID: 7434 215801.29 1.10 1.00 RIDGELAND MARION RYAR

| BUILDING CHARACTERISTICS | TYPE | % | PTS |
|--------------------------|------|---|-----|
|--------------------------|------|---|-----|

| CATEGORY       | TYPE             | UNITS | ADJ   |
|----------------|------------------|-------|-------|
| Exterior Wall  | 7 CM FB BRICK    | 100   | 29.00 |
| Roof Structure | 3 SHIP/COND BRNK | 100   | 6.00  |
| Roofing Cover  | 3 SHIP/COND BRNK | 100   | 4.00  |
| Interior Wall  | 3 PLASTERED      | 100   | 31.00 |
| Int Flooring   | 5 PINE/SOFT WOOD | 100   | 8.00  |
| Heating Fuel   | 4 ELECTRIC       | 100   | 1.00  |
| Heating Type   | 4 FORCED-DUCTED  | 100   | 4.00  |
| Air Cond       | 3 CENTRAL        | 100   | 7.00  |

| Rooms / Units | ADJ  |
|---------------|------|
| Bedrooms      | 2.00 |
| Baths         | 2.00 |
| Rooms / Units | 1.00 |

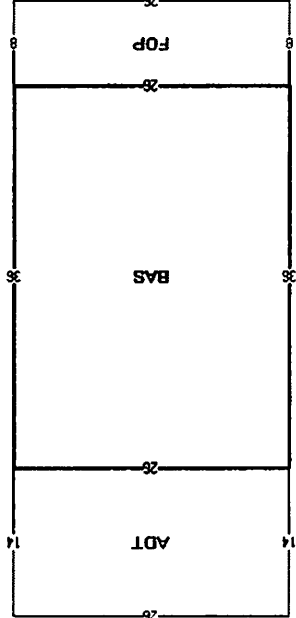
| QUALITY ADJUSTMENT        | ADJ    |
|---------------------------|--------|
| Quality Adjustment Factor | 1.0000 |
| Moist/Design Factor       | 1.0000 |
| Size Adj.                 | 1.0100 |
| TOTAL ADJUSTED POINTS     | 108    |

| BASE RATE ADJ    | ADJ |
|------------------|-----|
| DEPRECIATION ADJ | ADJ |
| 107.857          | ADJ |
| 107.857          | ADJ |

| ADT | ADJ |
|-----|-----|
| ADT | ADJ |
| ADT | ADJ |

| L | VOLUME/ | PAGE/ | DATE OF    | N  | U | I | R | S | E | ADT | ADJ |
|---|---------|-------|------------|----|---|---|---|---|---|-----|-----|
| 1 | 13612   | 00531 | 02/26/2021 | WD | G | X | I | O | I | 0   | 0   |
| 2 | 01931   | 00169 |            | WD | G | X | I | O | I | 0   | 0   |

| L | GRANTOR | GRANTEE | SALES NOTE | ADT | ADJ |
|---|---------|---------|------------|-----|-----|
| 1 | GRANTOR | GRANTEE |            | ADT | ADJ |



| ADT | ADJ |
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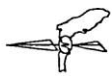
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BUILDING LOCATION

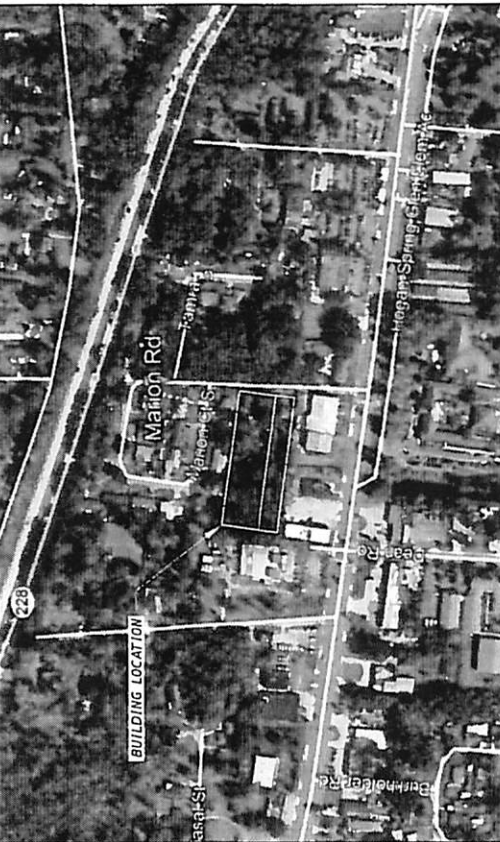
DUVAL COUNTY

**INDEX OF SHEETS**

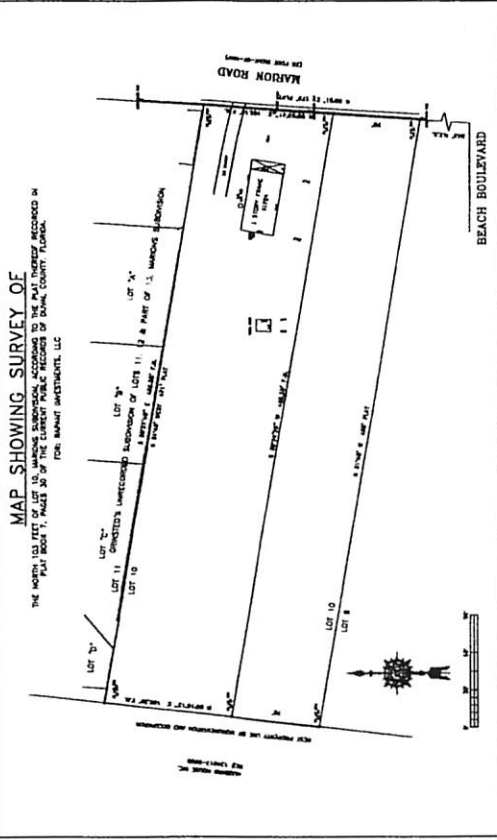
- 1. SITE PLAN
- 2. SITE IMPROVEMENTS

**OWNER/DEVELOPER:**  
 RAMPANT INVESTMENT, INC  
 231 HICKORY HOLLOW DR, SOUTH  
 JACKSONVILLE, FLORIDA 32225

NOTE: EXISTING 1 STORY FRAME # 1724 AND METAL SHED TO BE DEMOLISHED REMOVED OFF SITE



LOCATION MAP



**MAP SHOWING SURVEY OF**

THE NORTH 103 AC, PART OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

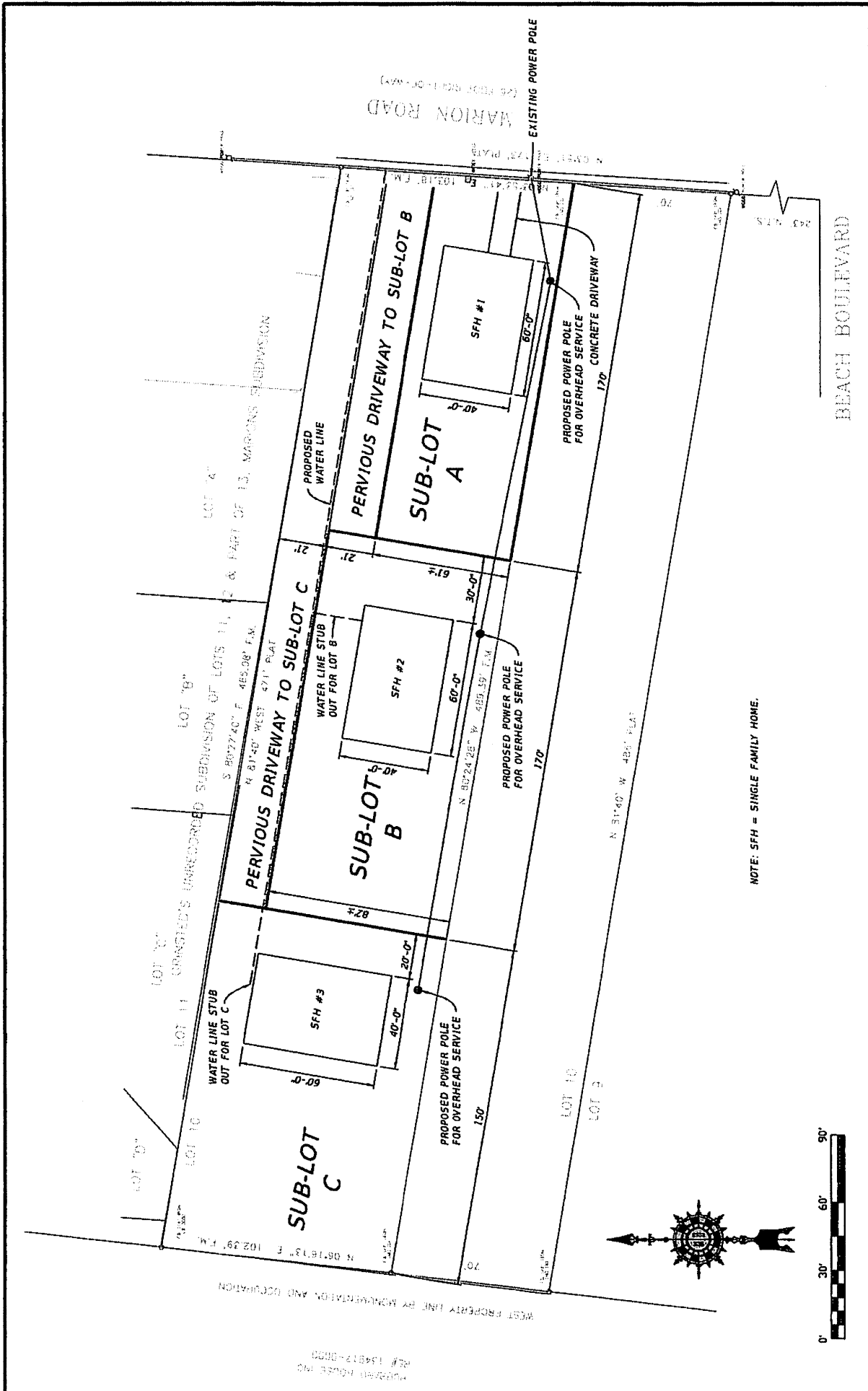
SITE SURVEY

**PLAN FOR LOT DIVISION**

MARION ROAD  
 JACKSONVILLE, FLORIDA 32225

| DATE | BY | DESCRIPTION | REVISIONS | DATE | BY | DESCRIPTION |
|------|----|-------------|-----------|------|----|-------------|
|      |    |             |           |      |    |             |
|      |    |             |           |      |    |             |
|      |    |             |           |      |    |             |

|   |  |           |
|---|--|-----------|
| MARTIN RAMPANT INVESTMENT, LLC<br>RAMPANT INVESTMENT, LLC<br>231 HICKORY HOLLOW DR, SOUTH<br>JACKSONVILLE, FL 32225 | THE NORTH 103 AC OF LOT 10, MARIONS SUBDIVISION<br>PART OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA | SITE PLAN |
|   |  |           |
|   |  |           |



| REVISIONS |    | DESCRIPTION |             |
|-----------|----|-------------|-------------|
| DATE      | BY | DATE        | DESCRIPTION |
|           |    |             |             |
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|  |  |                   |  |
|--|--|-------------------|--|
| MARTIN RAPANT<br>RAPANT INVESTMENT, LLC<br>231 HICKORY HOLLOW DR. SOUTH<br>JACKSONVILLE, FL 32225    |  | SITE IMPROVEMENTS |  |
| PROJECT: THE NORTH 103 OF LOT 10, MARION'S SUBDIVISION<br>RAPANT INVESTMENT<br>JACKSONVILLE, FLORIDA |  | SHEET NO.         |  |
|  |  | 2                 |  |