

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2020-43 (WRF-20-01)

MARCH 3, 2020

Location: 13963 New Kings Road (SR 15)

Real Estate Number(s): 002483-0550

Waiver Sought: Reduce minimum road frontage from 35 feet to 0 feet.

Present Zoning: Agriculture (AGR)

Current Land Use Category: Agriculture-iii and iv (AGR-iii, iv)

Planning District: 6-North

Owner/Applicant: Steven and Theresa Hereford
1804 Starratt Road
Jacksonville, Florida 32226

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2020-43 (WRF-20-01)** seeks to reduce the required minimum road frontage from 35 feet to 0 feet in order to allow a single-family dwelling in the Agriculture (AGR) Zoning District. Located on a 24 acre parcel, the property will be accessed via a 20 foot wide easement to Forest Trail No. 2 and ultimately New Kings Road (SR 15).

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 property is 24 acres in size and has more than enough land area to accommodate the proposed single-family dwelling. However, the owner is not able to acquire any of the surrounding properties to gain access to without incurring a significant economic burden. Also the parcel is located 3,700 feet from a public right of way (New Kings Road - SR 15).

If approved, the request will result in development of a property that is consistent with the size, uses and essential character of the surrounding area. The building permit process will ensure that existing single-family dwelling comply with the minimum requirements of the Zoning Code (Part 4) for aesthetic quality, and with all applicable provisions of the Florida Building Code for public health, safety and welfare.

- (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 request does not have the effect of reducing the cost of development, and it does not circumvent the requirements of Chapter 654. It is presumed that the existing single-family dwelling will result in net costs and expenditures to the owner rather than a net savings. The property has more than enough land area for the AGR Zoning District criteria to accommodate a single-family structure. Grant of the request would allow for the utilization of a 24 acre lot to be developed for one home that meets all other development standards of the AGR Zoning District other than road 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 waiver will not substantially diminish property values or alter the essential character of the surrounding area, nor interfere with the rights of others. The area contains approximately eight single family dwellings on large lots which use Forest Trail No 2 as access to New Kings Road. The applicant plans to construct a single-family dwelling on the property, which staff contends will be similar in size and character with the surrounding AGR 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?*

Yes. There is a valid and effective easement for adequate vehicular access connected to a public street. This is evidenced by the attached warranty deed which indicates a 20 foot access easement for ingress and egress to Forest Trail No. 2.

- (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. Staff finds the proposed waiver will not be detrimental to the public health, safety, or welfare. Given the general development pattern in the area, as well as the existing land use categories and zoning district contiguous to the site, the proposed waiver will not result in the creation of a nuisance. Furthermore, the development of the site still must comply with the Land Development Procedures and permitting requirements. The property's frontage and shared easement is sufficient to permit access to the site by fire/rescue, service and utility vehicles.

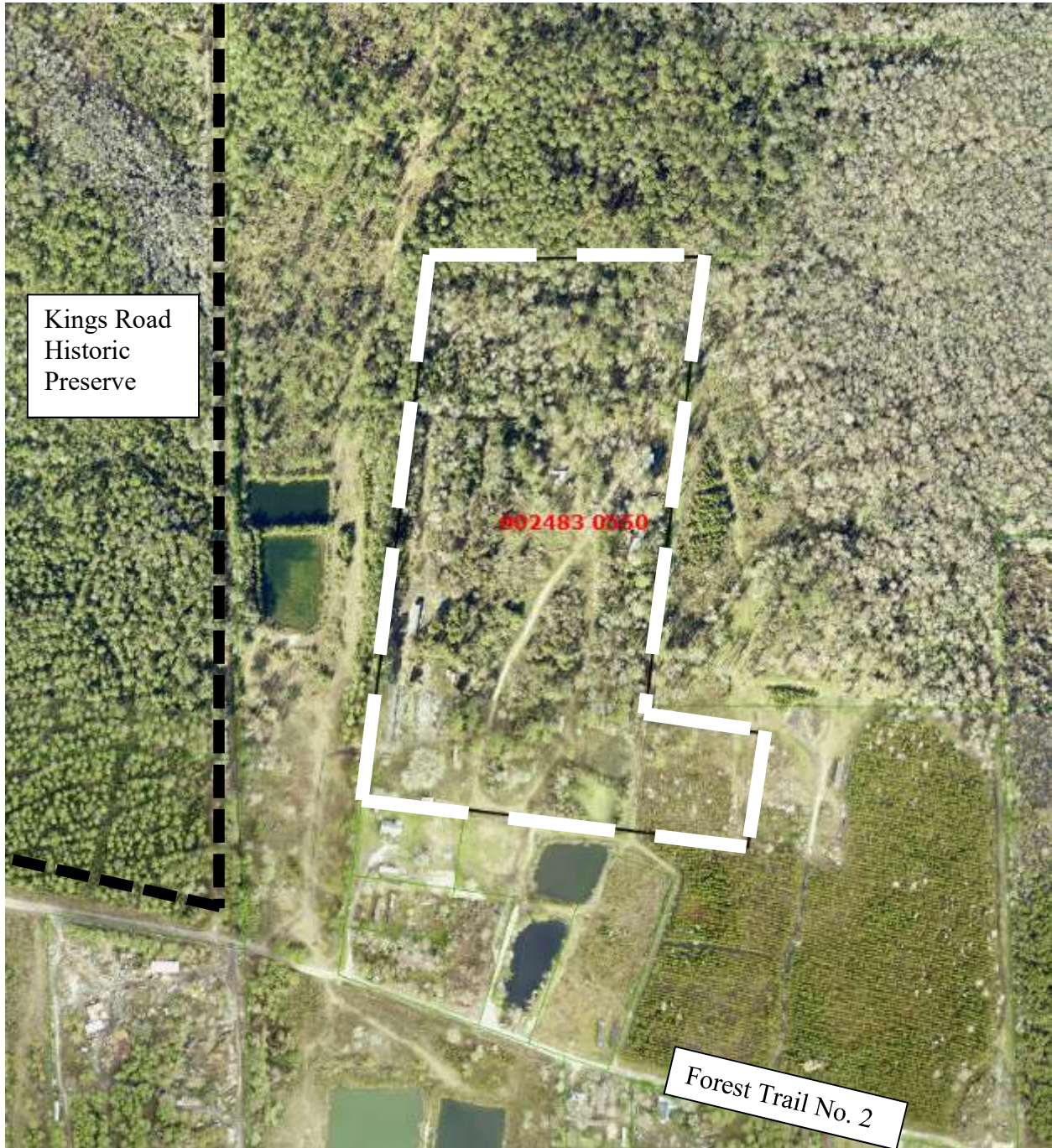
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **February 7, 2020** 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 2020-43 (WRF-20-01)** be **APPROVED WITH CONDITION**.

1. The applicant shall be required to provide a street name of the shared access from New Kings Road and be required to pay for the erection of the street name sign prior to issuance of a building permit.



Aerial view of subject property



Intersection of Forest Trail No2 and New Kings Road



View along Forest Trail No. 2 access



Intersection of Forest Trail No. 2 and access easement to subject parcel.



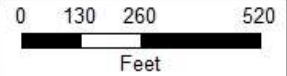
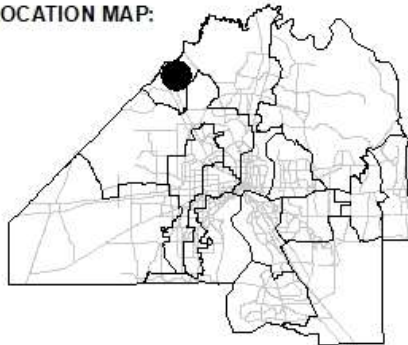
View of access easement to subject parcel.



REQUEST SOUGHT:

**REDUCE MINIMUM ROAD
FRONTAGE FROM 140 FEET
TO 0 FEET**

LOCATION MAP:



COUNCIL DISTRICT:

7

APPLICATION NUMBER

WRF-20-01

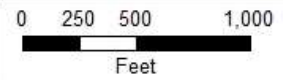
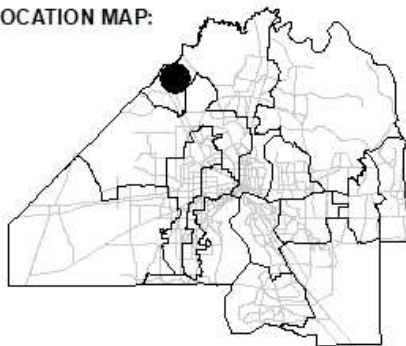
**EXHIBIT 3
PAGE 1 OF 2**



REQUEST SOUGHT:

**REDUCE MINIMUM ROAD
FRONTAGE FROM 140 FEET
TO 0 FEET**

LOCATION MAP:



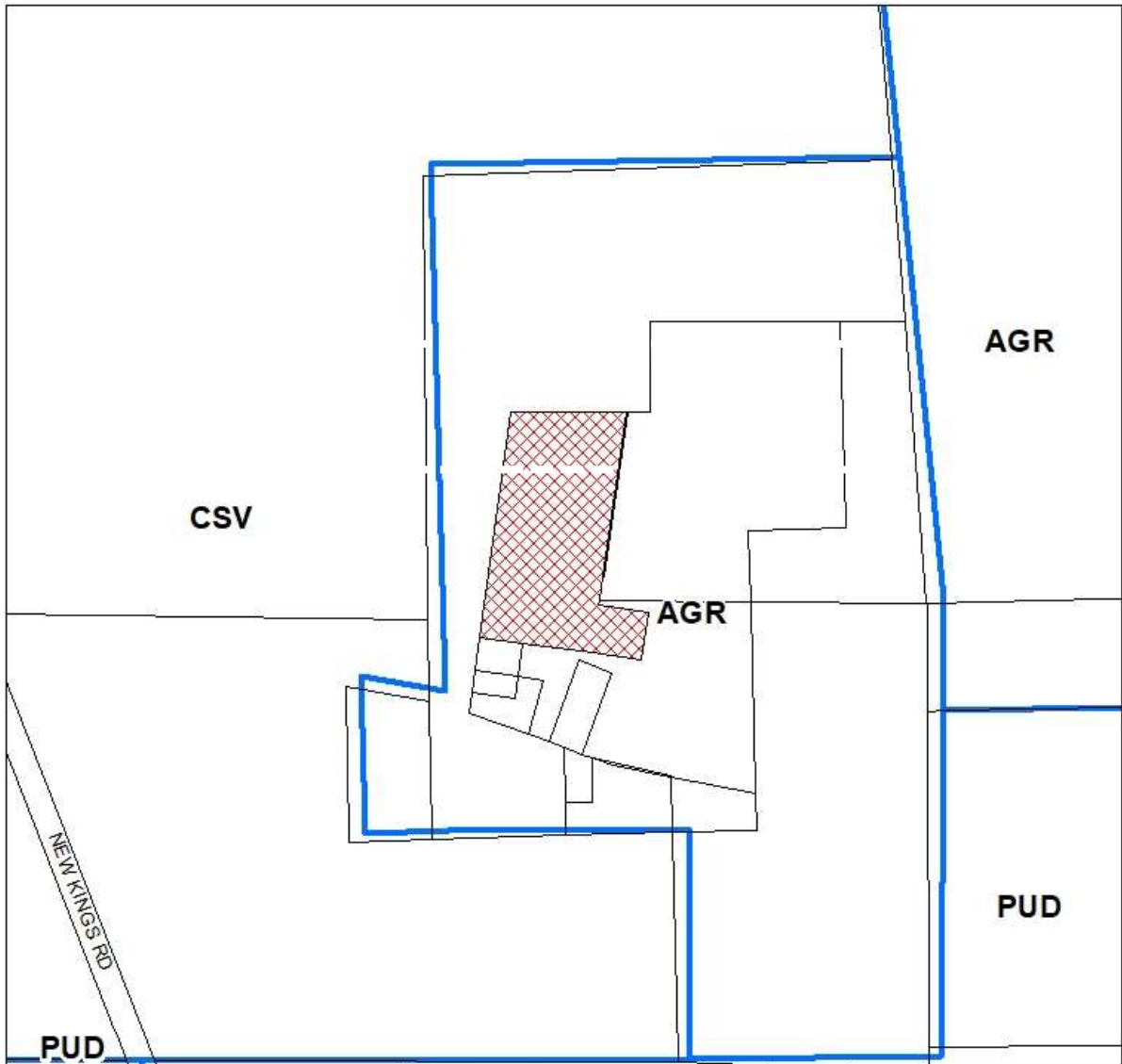
COUNCIL DISTRICT:

7

APPLICATION NUMBER

WRF-20-01

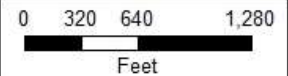
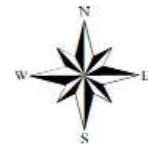
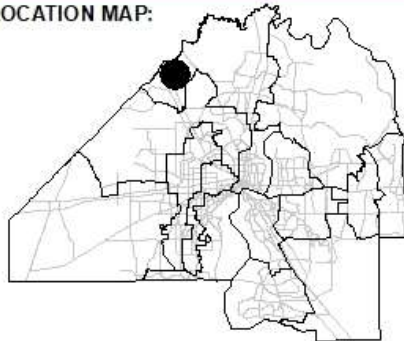
**EXHIBIT 3
PAGE 2 OF 2**



REQUEST SOUGHT:

REDUCE MINIMUM ROAD
FRONTAGE FROM 140 FEET
TO 0 FEET

LOCATION MAP:



COUNCIL DISTRICT:

7

APPLICATION NUMBER

WRF-20-01

EXHIBIT 2
PAGE 1 OF 1

Date Submitted:	11/15/2019
Date Filed:	1/8/2020

Application Number:	WRF-20-01
Public Hearing:	2020-043

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:	ACR	Current Land Use Category: ACR III/IV
Council District:	7	Planning District: 6
Previous Zoning Applications Filed (provide application numbers): none found		
Applicable Section of Ordinance Code: 656.331		
Notice of Violation(s): none found		
Neighborhood Associations: The Eden Group Inc.		
Overlay: none		
LUZ Public Hearing Date:	3-3-20	City Council Public Hearing Date: 2-25-20
Number of Signs to Post:	1	Amount of Fee: \$1236
		Zoning Asst. Initials: CIR

PROPERTY INFORMATION	
1. Complete Property Address: 13963 NEW KINGS ROAD	2. Real Estate Number: 002483-0550
3. Land Area (Acres): 24 ACRES	4. Date Lot was Recorded: 6/22/2018
5. Property Located Between Streets: BETWEEN ROY BOOTH ROAD AND WOODLEY ROAD. ACCESS FROM NEW KINGS RD TO FOREST TRAIL NO 2	6. Utility Services Provider: City Water / City Sewer <input type="checkbox"/> Well / Septic <input checked="" type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Road Frontage from 140 feet to 0 feet.	
8. In whose name will the Waiver be granted? STEVEN & THERESA HEREFORD	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Steven & Theresa Hereford	10. E-mail: srhereford@startmail.com
11. Address (including city, state, zip): 1804 Starratt Road Jacksonville, FL 32226	12. Preferred Telephone: 904-651-3351

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"> <i>i. There are practical or economic difficulties in carrying out the strict letter of the regulation;</i> <i>ii. 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> <i>iii. 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> <i>iv. 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> <i>v. 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>

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.

We purchased 24 acres off New Kings Road less than 2 years ago for the purpose of building a home. The property has an existing manufactured home on the property. The access to the property is on an easement named Forest Trail No 2 which is located off New Kings Road between Roy Booth Road and Woodley Road down Forest Trail No 2. The purpose of the waiver is to show that fire and rescue are able to get to our home from Forest Trail No 2 and by the two easements leading to our property. Forest Trail No 2 connects to New Kings Road and is owned and maintained by the city of Jacksonville.

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.

Owner(s)

Print name: Steven R Hereford

Signature: 

Applicant or Agent (if different than owner)

Print name: _____

Signature: _____

**An agent authorization letter is required if the application is made by any person other than the property owner.*

Owner(s)

Print name: Theresa M Hereford

Signature: 

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, 2nd Floor
Jacksonville, Florida 32202
(904) 255-8300

LEGAL DESCRIPTION 11/19/19

EXHIBIT 1

DESCRIPTION FROM SURVEY OF 22 ACRES:

A PARCEL OF LAND LYING IN AND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 26 AND THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 26, RUN THENCE S. 88° 29' 30" W, . ALONG THE SOUTHERLY BOUNDARY THEREOF A DISTANCE OF 637.30 FT., THENCE N. 1° 30' 30" W. A DISTANCE OF 522.67 FT, TO A POINT ON THE SOUTHERLY LINE OF A 20 FOOT EASEMENT FOR INGRESS AND EGRESS, THENCE N. 70° 02' 41" W. ALONG SAID SOUTHERLY LINE A DISTANCE OF 338.05 FT., TO AN INTERSECTION WITH THE PROLONGATION OF THE EASTERLY LINE OF A SECOND 20 FOOT EASEMENT FOR INGRESS AND EGRESS, THENCE RUN N. 8° 02' 10" E. ALONG SAID EASTERLY EASEMENT .LINE A DISTANCE OF 503.09 FT. TO AN ANGLE POINT IN SAID EASEMENT LINE AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED, RUN THENCE S. 81° . 57' 50" E. ALONG THE SOUTHERLY LINE OF SAID 20 FOOT EASEMENT FOR A DISTANCE OF 417.0 FT., THENCE N. 8° 02' 10" E, A DISTANCE OF 1457.78 FT., THENCE N. 89° 59 ' 50" W. A DISTANCE OF 684.72 FEET TO A POINT ON THE WESTERLY LINE OF A 20 FOOT EASEMENT FOR INGRESS AND EGRESS, THENCE S. 8° 02' 10" W. ALONG SAID WESTERLY LINE A DISTANCE OF 1362.09 FT., THENCE S. 81° 57' 50" E. A DISTANCE OF 261.0 FT. TO THE POINT OF BEGINNING. CONTAINING 21.94 ACRES, MORE OR LESS, AND BEING SUBJECT TO A 20 FOOT EASEMENT ALONG THE WESTERLY BOUNDARY AND THE EASTERLY 437.0 FT. OF THE SOUTHERLY BOUNDARY THEREOF AS

INDICATED ON THE SURVEY FOR THE BLYLER ESTATE DATED 06/20/81
AND REVISED 03/25/86.

DESCRIPTION FROM SURVEY OF 2 ACRES:

A PART OF NORTHEAST QUARTER OF SECTION 26 AND THE SOUTHEAST
QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 25 EAST, DUVAL
COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN
OFFICIAL RECORDS BOOK 18453, PAGE 2401 OF THE CURRENT PUBLIC
RECORDS OF DUVAL COUNTY, FLORIDA; THENCE NORTH 08°02'10" EAST,
ALONG THE EAST LINE OF LAST SAID LANDS, A DISTANCE OF 290.40
FEET: THENCE SOUTH 81°57'50" EAST, DEPARTING SAID EAST LINE, A
DISTANCE OF 300.00 FEET: THENCE SOUTH 08°02'10" WEST, A DISTANCE
OF 290.40 FEET, THENCE NORTH 81°57'50" WEST, A DISTANCE OF 300.00
FEET TO THE POINT OF BEGINNING.

SUBJECT TO A 20 FOOT EASEMENT FOR INGRESS AND EGRESS ALONG
THE SOUTHERLY BOUNDARY THEREOF AS SHOWN ON THE SURVEY FOR
THE BLYLER ESTATE DATED 06-20-1981 AND REVISED 03-25-1986.
DESCRIBED PARCEL CONTAINING 2.00 ACRES, MORE OR LESS.

BOTH PARCELS HAVE BEEN JOINED UNDER REAL ESTATE NUMBER:
002483-0550

EXHIBIT A

Property Ownership Affidavit - Individual

Date: 11/8/2019

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: 13963 New Kings Road 32219 RE#(s): 002483-0550

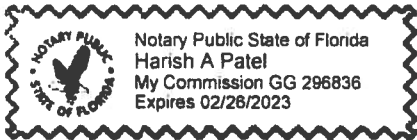
To Whom it May Concern:

I Steven R Hereford hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for 13963 New Kings Road submitted to the Jacksonville Planning and Development Department.

By 
Print Name: Steven R Hereford

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 15 day of NOVEMBER 2019, by STEVEN RAY HEREFORD, who is personally known to me or who has produced FLORIDA DRIVER LICENSE as identification and who took an oath.




(Signature of NOTARY PUBLIC)

HARISH A PATEL
(Printed name of NOTARY PUBLIC)

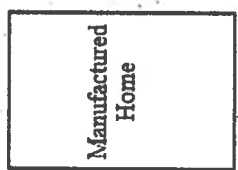
State of Florida at Large.
My commission expires: 26 FEB 2023

SITE Plan

100.00

684.72'(M)
684.72'(D)
N00.5950°W
S89°36'17"W

200 FT



455.3
454.6



**2019 REAL ESTATE TAX NOTICE
NOTICE OF AD VALOREM TAXES & NON-AD VALOREM ASSESSMENTS
Jim Overton, Duval County Tax Collector**

231 E. Forsyth Street, Suite 130, Jacksonville, FL 32202-3370 • (904) 630-1916, option 4 • duvaltaxcollect.net

Account Number: 002483-0550

Proof of ownership

Escrow Code/Name:

Location Address: 13963 NEW KINGS RD
32219-1227

Legal Description:

23-1N-25E 23.94
PT NW1/4 OF NE1/4, PT SE1/4 SEC 23,
PT NE 1/4 SEC 26 RECD
O/RS 18854-2417, 18904-2327



427
6 - 114990

HEREFORD STEVEN R
HEREFORD THERESA M
1804 STARRATT RD
JACKSONVILLE FL 32226-1760



AD VALOREM TAXES

TAXING AUTHORITY	ASSESSED VALUE \$	EXEMPT VALUE \$	TAXABLE VALUE \$	TAXING DISTRICT	MILLAGE RATE	TAX AMOUNT \$	EXEMPTIONS APPLIED
CITY OF JACKSONVILLE	212538	0	212538	GS	11.4419	2431.84	
ST JOHNS RIVER WTR MGMT DIST	212538	0	212538	GS	0.2414	51.31	
FL INLAND NAVIGATION	212538	0	212538	GS	0.0320	6.80	
USD	212538	0	212538	GS	0.0000	0.00	
SCHOOLS	212538	0	212538	GS	6.1500	1307.11	
AD VALOREM TOTALS					17.8653	3797.06	

*pd 11-7-19
ck 113*

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	AMOUNT \$	REMARKS:
	0.00	
NON-AD VALOREM TOTALS	0.00	

IF PAID BY:	NOV 30 2019 4% DISCOUNT AMOUNT	DEC 31 2019 3% DISCOUNT AMOUNT	JAN 31 2020 2% DISCOUNT AMOUNT	FEB 29 2020 1% DISCOUNT AMOUNT	MAR 31 2020 0% DISCOUNT AMOUNT	APR 30 2020 DELINQUENT AMOUNT
PAY ONLY						
ONE AMOUNT:	\$ 3645.18 \$	\$ 3683.15	\$ 3721.12	\$ 3759.09	\$ 3797.06	\$ 3926.97

Retain this portion for your records.

Retain This Portion For Your Records. Receipts Always Available Online.