

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-540**

5 AN ORDINANCE APPROVING THE WAIVER OF MINIMUM
6 ROAD FRONTAGE APPLICATION WRF-21-05, LOCATED IN
7 COUNCIL DISTRICT 12 AT 0 CAMFIELD STREET AND
8 6973 CAMFIELD STREET, BETWEEN CAMFIELD STREET
9 AND PAUL HOWARD DRIVE (R.E. NOS. 015668-0100 AND
10 015691-0050) AS DESCRIBED HEREIN, OWNED BY
11 AMERICAN CLASSIC HOMES, LLC, REQUESTING TO
12 REDUCE THE MINIMUM ROAD FRONTAGE REQUIREMENTS
13 FROM 48 FEET TO 35 FEET IN ZONING DISTRICT
14 RESIDENTIAL LOW DENSITY-60 (RLD-60), AS DEFINED
15 AND CLASSIFIED UNDER THE ZONING CODE; PROVIDING
16 A DISCLAIMER THAT THE WAIVER GRANTED HEREIN
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY
18 OTHER APPLICABLE LAWS; PROVIDING AN EFFECTIVE
19 DATE.
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21 **WHEREAS**, an application for a waiver of minimum road frontage,
22 **On File** with the City Council Legislative Services Division, was
23 filed by American Classic Homes, LLC, the owner of property located
24 in Council District 12 at 0 Camfield Street and 6973 Camfield Street,
25 between Camfield Street and Paul Howard Drive (R.E. Nos. 015668-0100
26 and 015691-0050) (the "Subject Property"), requesting to reduce the
27 minimum road frontage from 48 feet to 35 feet in Zoning District
28 Residential Low Density-60 (RLD-60); and

29 **WHEREAS**, the Planning and Development Department has considered
30 the application and all attachments thereto and has rendered an
31 advisory recommendation; and

1 **WHEREAS**, the Land Use and Zoning Committee, after due notice
2 held a public hearing and having duly considered both the testimonial
3 and documentary evidence presented at the public hearing, has made
4 its recommendation to the Council; and

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

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

23 **Section 1. Adoption of Findings and Conclusions.** The
24 Council has reviewed the record of proceedings and the Staff Report
25 of the Planning and Development Department and held a public hearing
26 concerning application for waiver of road frontage WRF-21-05. Based
27 upon the competent, substantial evidence contained in the record, the
28 Council hereby determines that the requested waiver of road frontage
29 meets the criteria for granting a waiver contained in Chapter 656,
30 *Ordinance Code*. Therefore, Application WRF-21-05 is hereby **approved**.

31 **Section 2. Owner and Description.** The Subject Property is

1 owned by American Classic Homes, LLC, and is legally described in
2 **Exhibit 1**, dated January 10, 2017, and graphically depicted in **Exhibit**
3 **2**, both **attached hereto**. The applicant is Hunter Faulkner, 1
4 Independent Drive, Suite 1400, Jacksonville, Florida 32202; (904)
5 389-0050.

6 **Section 3. Distribution by Legislative Services.**

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

12 **Section 4. Disclaimer.** The waiver of road frontage granted

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

25 **Section 5. Effective Date.** The enactment of this Ordinance

26 shall be deemed to constitute a quasi-judicial action of the City
27 Council and shall become effective upon signature by the Council
28 President and Council Secretary. Failure to exercise the waiver, if
29 herein granted, by the commencement of the use or action herein
30 approved within one year of the effective date of this legislation
31 shall render this waiver invalid and all rights arising therefrom

1 shall terminate.

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3 Form Approved:

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5 /s/ Mary E. Staffopoulos

6 Office of General Counsel

7 Legislation Prepared By: Arimus Wells

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