

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE**

**ORDINANCE 2024-0360 (WRF-24-11)**

**JUNE 18, 2024**

<b><i>Location:</i></b>	0 Preciosa Court; between Sandler Road and Bonita Cove Road
<b><i>Real Estate Number(s):</i></b>	015380-0100
<b><i>Waiver Sought:</i></b>	Reduce Required Minimum Road Frontage from 80 feet to 0 feet.
<b><i>Present Zoning:</i></b>	Residential Rural-Acre (RR-Acre)
<b><i>Current Land Use Category:</i></b>	Low Density Residential (LDR)
<b><i>Planning District:</i></b>	District 4 – Southwest
<b><i>Council District:</i></b>	District 12
<b><i>Owner:</i></b>	E. Ross Grant Jr 4255 Saint Francis Circle Jacksonville, Florida 32210
<b><i>Agent:</i></b>	Luke Ross Grant 9731 Sandler Road Jacksonville, Florida 32222
<b><i>Staff Recommendation:</i></b>	<b>APPROVE</b>

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage Ordinance **2024-360 (WRF-24-11)** seeks to reduce the minimum required road frontage from 80 feet to 0 feet to allow for a single-family dwelling to be built on a landlocked parcel. The subject property contains 2.97± acres of land.

In the RR-Acre Zoning District parcels of land need to be at least 43,560 Square Feet (1 acre), with 80 feet of road frontage for each single-family dwelling. Even though the property has nearly three (3) acres, this request from 80 feet to 0 will only permit for one single family dwelling on

the subject property. The subject property currently does not have access to Sandler Road; however, the owner intends to access their property through 9731 Sandler Road. The owner of 9731 Sandler Road is the father of the owner of this subject property. If approved, the property will access Sandler Road via the adjacent properties established driveway.

### **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?*

Yes. There are practical and economic difficulties in carrying out the strict letter of the zoning code. In the RR-Acre Zoning District, a property is required to have 80 feet of road frontage per single-family dwelling. The subject property is landlocked with no direct right-of-way access.

- (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 a new single-family home on an existing vacant parcel. The applicant/owner also owns the property to the north (9731 Sandler Road). Both properties (0 Preciosa Court and 9731 Sandler Road) are adjacent and connected properties. The request is not based exclusively on a desire to reduce the cost of developing the site, but rather would allow for him to be able to build a single-family dwelling on the vacant property for his grandson, which is land locked and has no access to a road.

- (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 on a vacant/undeveloped parcel. It is not anticipated that the construction of a new dwelling will reduce the property values of the neighboring lots, nor would it interfere with the rights of other homeowners. The proposed single-family dwelling and lot size are not out of

character with the surrounding neighborhood as the area is mostly fully developed with single family dwellings on larger sized 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. The subject property will have access to Sandler Road, a public right of way. The owners of the subject property will use the adjacent parcel at 9731 Sandler Road for access as the two property owners are the same person. Please see Exhibit 3 at the end of this report for further clarification.

- (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?*

No. The road frontage of the subject property will be accessed through an already established driveway off Sandler Road, which has very little traffic as a public road. There will be little to no effect on public health, safety and welfare as the requested waiver will allow for one additional dwelling on a nearly three-acre parcel.

### **SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on May 16, 2024 by the Planning and Development Department the required Notice of Public Hearing sign **was not** posted. Waiting on applicant to email picture of sign 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 2024-0360 / WRF-24-11** be **APPROVED**.



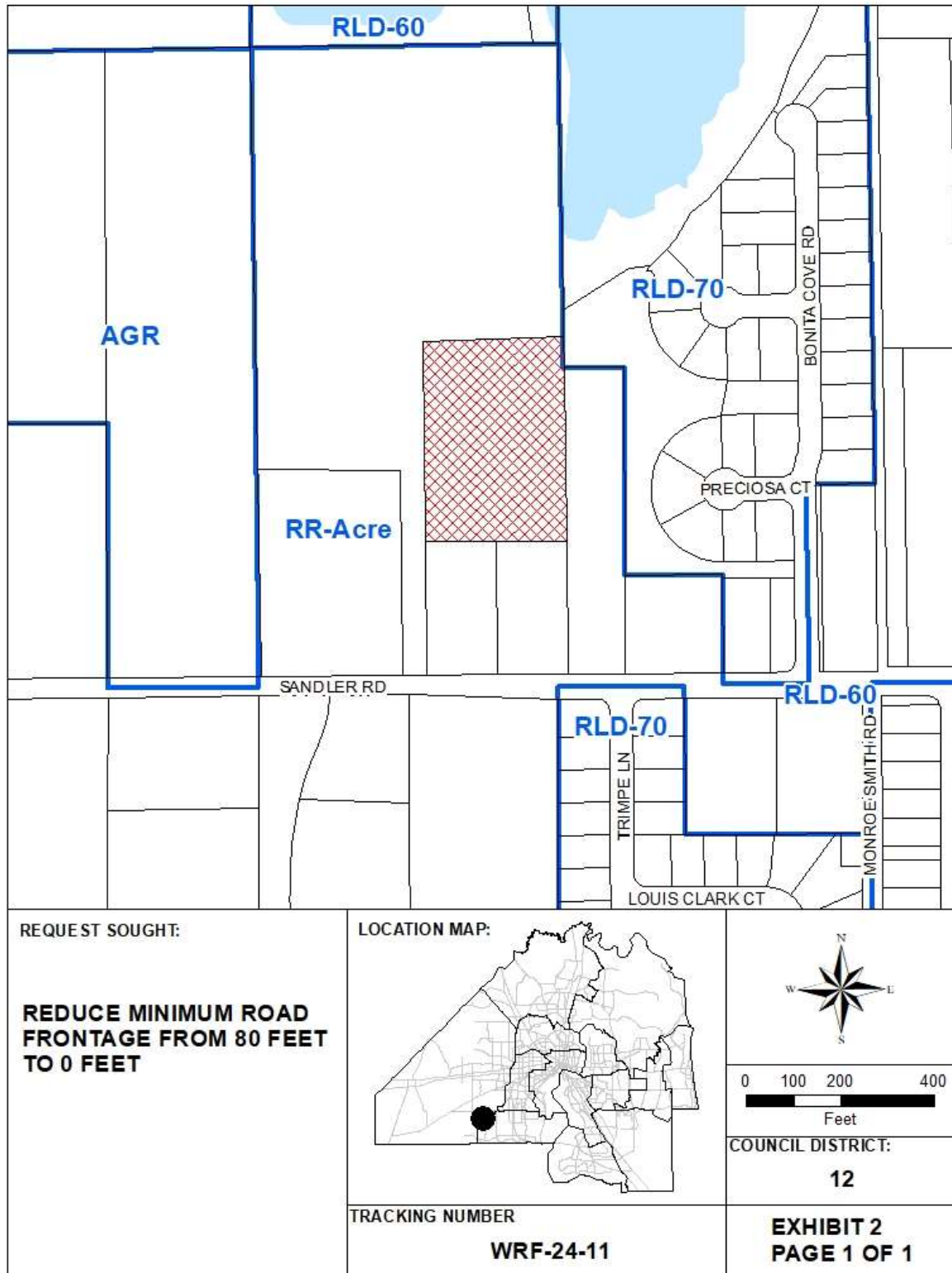
**Aerial view of the subject property.**



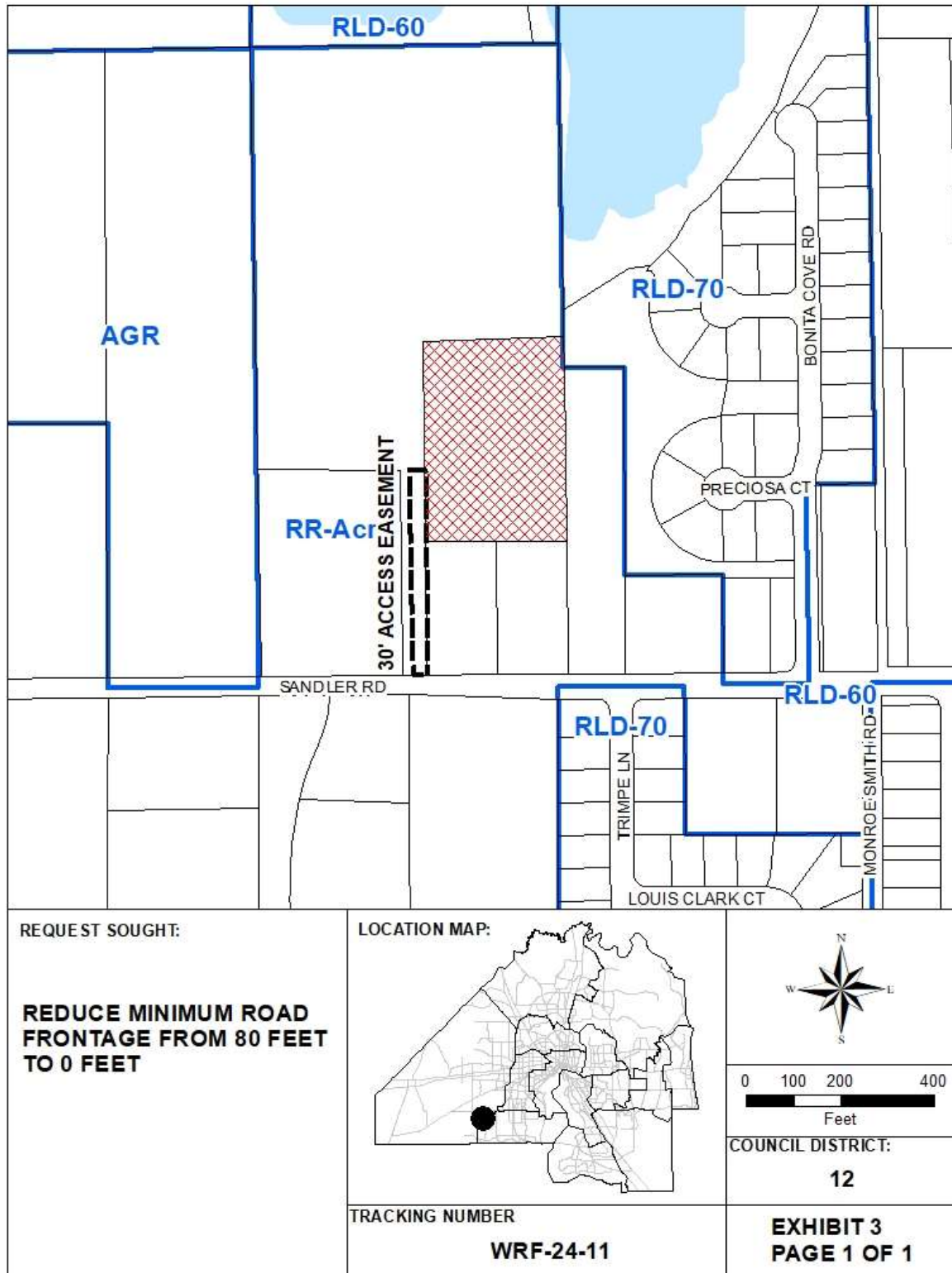


**View of the subject property's access through 9731 Sandler Road.**

*Source: Planning & Development Department, May 22, 2024.*



Legal Map



Legal Map – Exhibit 3