

REPORT OF THE PUBLIC WORKS DEPARTMENT

APPLICATION FOR SMALL CELL FACILITY WAIVER – DECEMBER 2, 2025

Ordinance/Application Number: 2025-864 / CDN 9748.264

General Location: In Public Right-of-Way near 8239 Merrill Road, between Hartsfield Road and Dames Point Crossing Boulevard

Tower Address: 8217 Merrill Road, Unit CTSC

GPS Coordinates: 30.352508, -81.560251

Tower Type: Small Cell Facility

Waiver Sought: Reduce the required minimum setback from an existing sidewalk from two feet (2') to one-foot-six-inches (1.6')

Current Zoning District: Public Building and Facilities-1 (PBF-1)

Current Land Use Category: Public Building and Facilities (PBF)

Planning District: Greater Arlington and Beaches, District 2

City Council District: District 1

Applicant/Agent: Jeff Finch
CBVR Telecom Design Group
6505 North Himes Avenue
Tampa, FL 33614

Small Cell Facility Owner: Verizon Wireless
4700 Exchange Court, Suite 100
Boca Raton, FL 33431

STAFF RECOMMENDATION: APPROVE

GENERAL INFORMATION

Application for waiver of Section 711.438 – Objective Design Standards, seeks to reduce the minimum distance from a sidewalk from two-feet (2ft) to one-foot-six-inches (1.6ft). The proposed project takes place within the public right-of-way (ROW) along the north side of Merrill Road, to the left of the entrance to Merrill Road Elementary. As proposed by the applicant, a 36-foot-tall small cell facility will be installed within the ROW and encroach the required two-foot minimum distance from the sidewalk by six inches.

WAIVER AND VARIANCE CRITERIA

A request for a waiver shall include a detailed explanation, with supporting engineering or other data, as to why a waiver from the requirements of Section 711.429 is required. An applicant may request an administrative deviation from:

1. The requirement in Section 711.438 for new poles to not be located within two feet of a sidewalk for any pole proposed to be located within the Downtown Area as defined in Section 656.361.2 or in areas with a Land Use designation of CGC, IL or IH; and
2. Any requirement regarding size limitations on width and depth of pole-mounted equipment and size of new and replacement pole diameter if the requested deviation is necessary due to the distinct engineering, configurational or technological requirements associated with the applicant's Small Wireless Facility or equipment.

The Council, in considering a proposed waiver shall determine whether the proposed waiver is in harmony with the spirit and intent of Section 711.429(d)(i – x).

STANDARDS, CRITERIA AND FINDINGS

(i) Identify which of the above available requirements for which the Administrative Deviation is requested, and why?

The applicant is requesting an Administrative Deviation for Merrill Road MS, CDN 9748.264. A deviation from Section 711.438 is needed in order to place the small cell facility pole within the ROW.

(ii) The effect of the Administrative Deviation is compatible with the existing contiguous uses and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area.

The proposed small cell facility will match the poles within the area in order to maintain consistency in aesthetics according to what is existing in the corridor.

(iii) The result will not detract from the specific intent of the objective design standards by promoting the continued existence of nonconforming Small Wireless Facilities that currently exist in the vicinity.

The result will not detract from the current design standards as the proposed pole will be placed in the ROW, equidistant from other poles and facilitates in the area, and will match the color or material of the existing poles in the corridor.

(iv) The effect of the proposed Administrative Deviation will not diminish property values in, or negatively alter the aesthetic 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 same.

The design will not diminish property values and will match aesthetically with the other poles surrounding the corridor. The applicant typically places poles in between parcel lines and within the ROW in order to not interfere with residential housing or businesses.

(v) The Administrative Deviation will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions, or result in the creation of objectionable effects such as excessive light, glare, shadows, or other effects, taking into account existing uses in the vicinity.

The deviation will not be detrimental on vehicular or pedestrian traffic, parking conditions, and objectional effects. The applicant has proposed to place the small cell facility in accordance with clearance zones for oncoming vehicular and pedestrian traffic. The proposed location is not being placed anywhere that would affect parking.

(vi) The proposed Administrative Deviation will not be detrimental to the public health, safety or welfare, and will not result in additional public expense, creation of nuisances, or cause conflict with any other applicable law.

The proposed pole will not be detrimental to public safety and will not require additional public expense as the pole will be a Verizon owned structure. Verizon will be controlling the maintenance of the small cell pole.

(vii) The request is not based exclusively upon a desire to reduce the costs associated with compliance.

The administrative deviation is being requested due to the limited ROW and existing utilities making it impossible to clear the required two-foot setback from the sidewalk. The request is not based on the desire to reduce cost, this is based on physical constraints of the existing conditions.

(viii) The City's Right-of-Way where the Small Wireless Facility or Small Wireless Sole Purpose New Utility Pole is proposed exhibits specific physical limitations or characteristics which are unique to the site and which would make strict compliance with the regulation unduly burdensome, including but not limited to creating a substantial financial burden when considering cost of compliance.

The proposed pole will be located within the public ROW. The applicant is unable to obtain the required two-foot clearance from the sidewalk due to the limited width of the ROW, existing utilities in the ROW, and FDOT road clearance. The proposed pole has been designed to match the conditions of the existing poles in the surrounding area. In order to match the existing conditions, the proposed pole must be placed within the two-foot setback.

(ix) The request accomplishes a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees.

The request will accomplish the goal of providing public safety and providing a reliable wireless infrastructure in a densely populated area. The proposed pole installation will not require any trees to be removed.

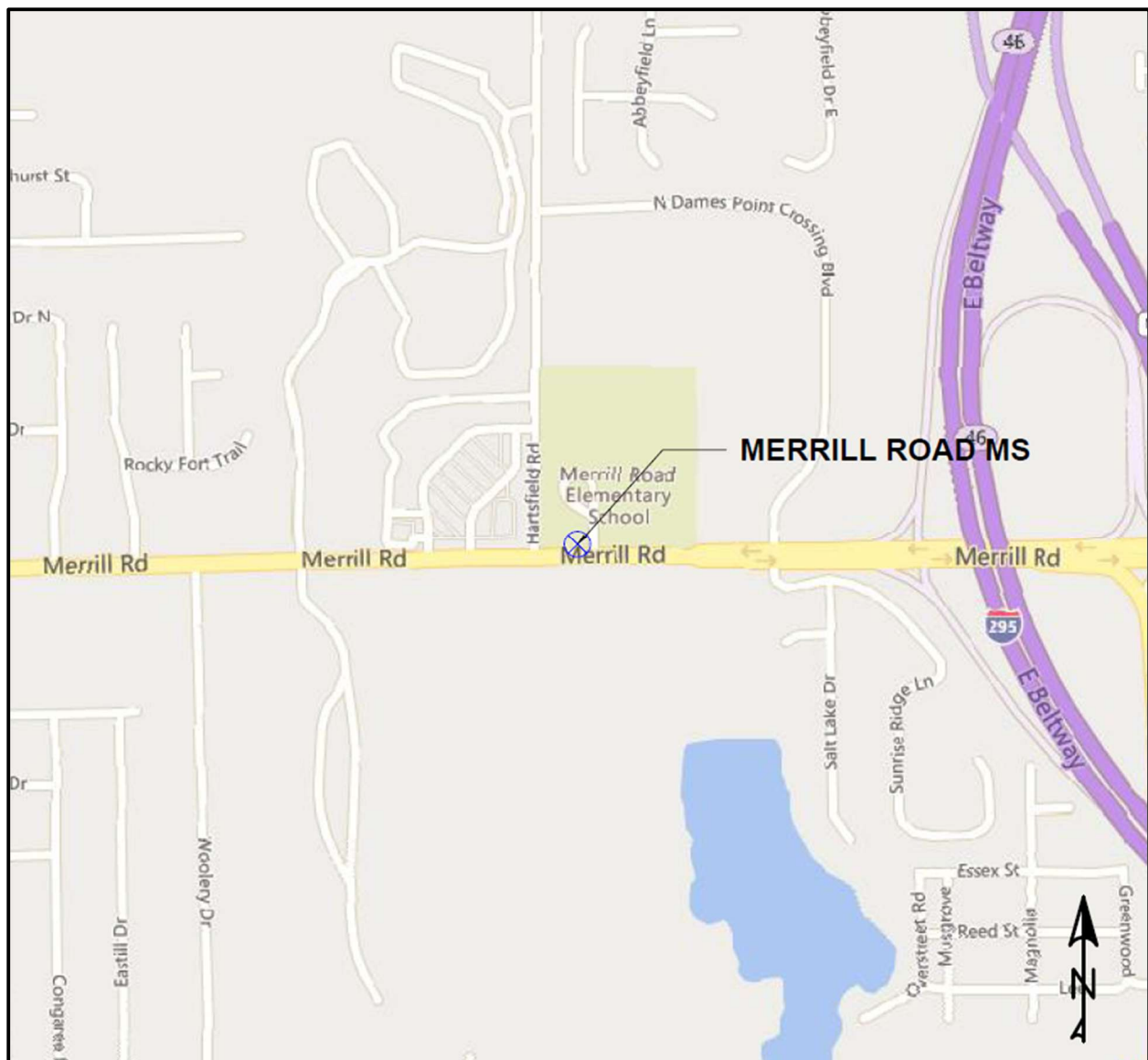
(x) The request moves The City of Jacksonville and Duval County closer to the goal of ensuring that all citizens of the abundant access to broadband capability.

The request will move the City of Jacksonville closer to the goal of ensuring that all citizens will have extensive wireless capability, ensuring more safety and better response times for emergency services.

RECOMMENDATION

Based on the foregoing, and supplementary information it is the recommendation of the Public Works Department - Development Services Division that the Application for Waiver of Section 711.438 - Objective Design Standards be **APPROVED**.

LOCATION MAP



NODE LOCATION PHOTOS



POSTED PUBLIC NOTICE SIGN

