

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2022-155-E**

5 AN ORDINANCE APPROVING THE WAIVER OF MINIMUM  
6 ROAD FRONTAGE APPLICATION WRF-22-03, LOCATED IN  
7 COUNCIL DISTRICT 7 AT 826 SOUTH CAMDEN ROAD,  
8 BETWEEN GILLESPIE AVENUE AND TINY DRIVE (R.E.  
9 NO. 106743-0000), AS DESCRIBED HEREIN, OWNED BY  
10 GEORGE R. YOUNG AND JUDITH A. YOUNG, REQUESTING  
11 TO REDUCE THE MINIMUM ROAD FRONTAGE REQUIREMENTS  
12 FROM 96 FEET TO 20 FEET IN ZONING DISTRICT  
13 RESIDENTIAL LOW DENSITY-60 (RLD-60), AS DEFINED  
14 AND CLASSIFIED UNDER THE ZONING CODE; PROVIDING  
15 FOR DISTRIBUTION; PROVIDING A DISCLAIMER THAT  
16 THE WAIVER GRANTED HEREIN SHALL NOT BE CONSTRUED  
17 AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;  
18 PROVIDING AN EFFECTIVE DATE.  
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20 **WHEREAS**, an application for a waiver of minimum road frontage,  
21 **On File** with the City Council Legislative Services Division, was  
22 filed by Barbara Erzinger on behalf of the owners of property located  
23 in Council District 7 at 826 South Camden Road, between Gillespie  
24 Avenue and Tiny Drive (R.E. No. 106743-0000) (the "Subject Property"),  
25 requesting to reduce the minimum road frontage from 96 feet to 20  
26 feet in Zoning District Residential Low Density-60 (RLD-60); and

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

30 **WHEREAS**, the Land Use and Zoning Committee, after due notice  
31 held a public hearing and having duly considered both the testimonial

1 and documentary evidence presented at the public hearing, has made  
2 its recommendation to the Council; and

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

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

21       **Section 1. Adoption of Findings and Conclusions.** The  
22 Council has reviewed the record of proceedings and the Staff Report  
23 of the Planning and Development Department and held a public hearing  
24 concerning application for waiver of road frontage WRF-22-03. Based  
25 upon the competent, substantial evidence contained in the record, the  
26 Council hereby determines that the requested waiver of road frontage  
27 meets the criteria for granting a waiver contained in Chapter 656,  
28 *Ordinance Code*. Therefore, Application WRF-22-03 is hereby **approved**.

29       **Section 2. Owner and Description.** The Subject Property is  
30 owned by George R. Young and Judith A. Young, and is legally described  
31 in **Exhibit 1**, dated December 16, 2021, and graphically depicted in

1 **Exhibit 2**, both of which are **attached hereto**. The applicant is  
2 Barbara Erzinger, 1355 Rigdon Road, Jacksonville, Florida 32220;  
3 (904) 361-8440.

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

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

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

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

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

24 shall be deemed to constitute a quasi-judicial action of the City  
25 Council and shall become effective upon signature by the Council  
26 President and Council Secretary. Failure to exercise the waiver, if  
27 herein granted, by the commencement of the use or action herein  
28 approved within one (1) year of the effective date of this legislation  
29 shall render this waiver invalid and all rights arising therefrom  
30 shall terminate.

1 Form Approved:

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3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Erin Abney

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