

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

NOVEMBER 2, 2021

Location: 5716 Ada Johnson Road
between V C Johnson Road and Deadend

Real Estate Number(s): 004258-1780

Waiver Sought: Reduce Minimum Required Road Frontage from
160 Feet to 154.85 Feet

Present Zoning: Residential Rural -Acre (RR-Acre)

Current Land Use Category: Low Density Residential (LDR)

Planning District: North, District 6

Owner: Michelle Carrafa Tuttle
5716 Ada Johnson Road
Jacksonville, Florida 32218

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage Ordinance-2021-702 (WRF-21-17) seeks to reduce the minimum required road frontage from 160 feet to 154.85 feet. In the RR-Acre Zoning District, one acre of land and 80 feet of road frontage is required to build a single-family dwelling. The subject property currently is developed with a 3,560 square foot home and several small sheds. The property owner seeks to add a mobile home on the southern portion of their property to allow their parents to live closer to them as they age.

The applicant has filed a companion Administrative Deviation (AD-21-52) requesting that the subject lot be reduced from the required 87,120 square feet (2 acres) to 72,177 (1.66 acres) in the RR-Acre Zoning District. Staff is recommending approval for both properties.

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. Increasing the width of the property 5.15 feet is not physically possible without making the neighboring properties substandard.

- (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. Because of the unique physical characteristics of this property and abutting properties, it would not be economically feasible or logical to require the owner to acquire additional property to be in compliance. By allowing an additional mobile home on the property, it will not violate the allowed density in the LDR land use category.

- (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 proposed mobile home will be placed at the back of the 466 feet deep property directly behind the existing single-family home. The proposed mobile home is 960 square feet which is smaller than some of the accessory structures in the neighborhood.

- (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 property will not be divided for the new mobile home. The residents of the new mobile home will be able to drive on the subject property to have access to Ada Johnson Road.

- (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 is 154.85 feet. This road frontage is on Ada Johnson Road. This proposed waiver will not create a public health, safety, or welfare. The additional mobile home on the property will not negatively affect the character of the area and will not conflict with the rights of surrounding property owners.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 7, 2021 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 2021-702 / WRF-21-17** be **APPROVED**.



Aerial View



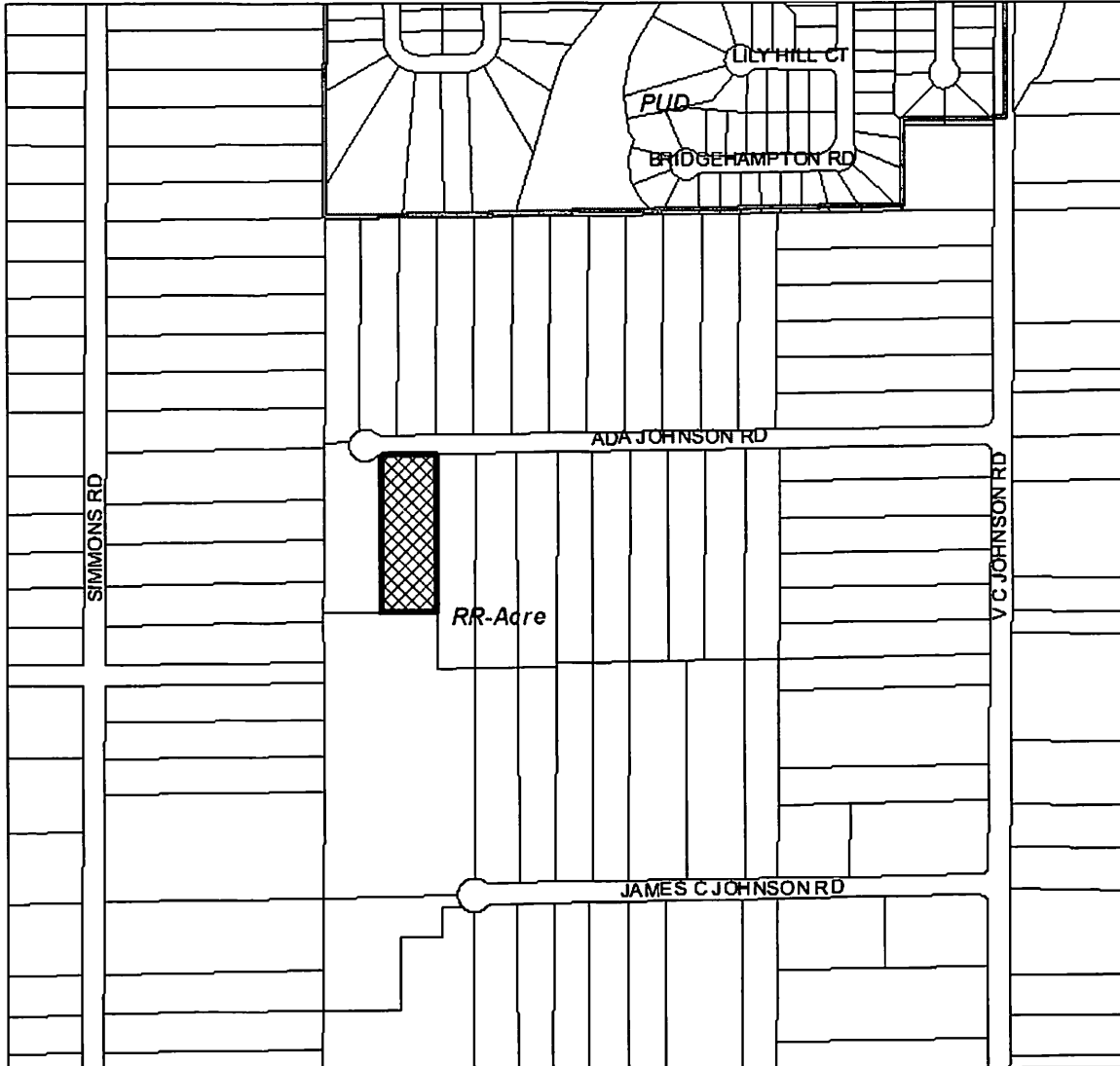
Subject Property

Source: City of Jacksonville Planning & Development Department - Date: 10/07/2021



Neighbor to the west

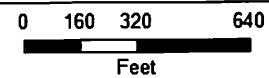
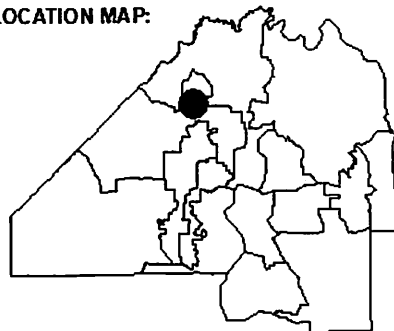
Source: City of Jacksonville Planning & Development Department - Date: 10/07/2021



REQUEST SOUGHT:

Reduce required minimum road frontage from 160 feet to 154.85 feet.

LOCATION MAP:



COUNCIL DISTRICT:

8

WRF-21-17

**EXHIBIT 2
PAGE 1 OF 1**

Date Submitted: 8/27/21	COMPANION APPLICATION	Application Number: WRF-21-17
Date Filed: 9.2.21		Public Hearing: AD-21-52

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: RR	Current Land Use Category: LDR	
Council District: 8	Planning District: 6	
Previous Zoning Applications Filed (provide application numbers): none found		
Applicable Section of Ordinance Code: 656.304 A.I. (d)(1)		
Notice of Violation(s): none found		
Neighborhood Associations: The Eden Group Inc, Angel Lakes HOA		
Overlay: none		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 1	Amount of Fee: \$2288.	Zoning Asst. Initials: <i>OK</i>

*Total Companion Fee
CR# 602286 WRF + AD*

PROPERTY INFORMATION	
1. Complete Property Address: 5716 Ada Johnson Road Jacksonville, Florida 32218	2. Real Estate Number: 004258-1780
3. Land Area (Acres): 1.71	4. Date Lot was Recorded: 6-19-2003
5. Property Located Between Streets: V.C. Johnson Road James C Johnson Road	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 <u>160</u> feet to <u>154.85</u> feet.	
8. In whose name will the Waiver be granted? Michelle Carrafa Tuttle and David Leroy Tuttle	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)

9. Name: Michelle Carrafa	10. E-mail: dmtuttle11@gmail.com
11. Address (including city, state, zip): 5716 Ada Johnson Road Jacksonville, Florida 32218	12. Preferred Telephone: (904)434-7111

APPLICANT'S INFORMATION (if different from owner)

13. Name: Michelle Carrafa Tuttle	14. E-mail: dmtuttle11@gmail.com
15. Address (including city, state, zip): 5716 Ada Johnson Road Jacksonville, Florida 32218	16. Preferred Telephone: (904)434-7111

CRITERIA

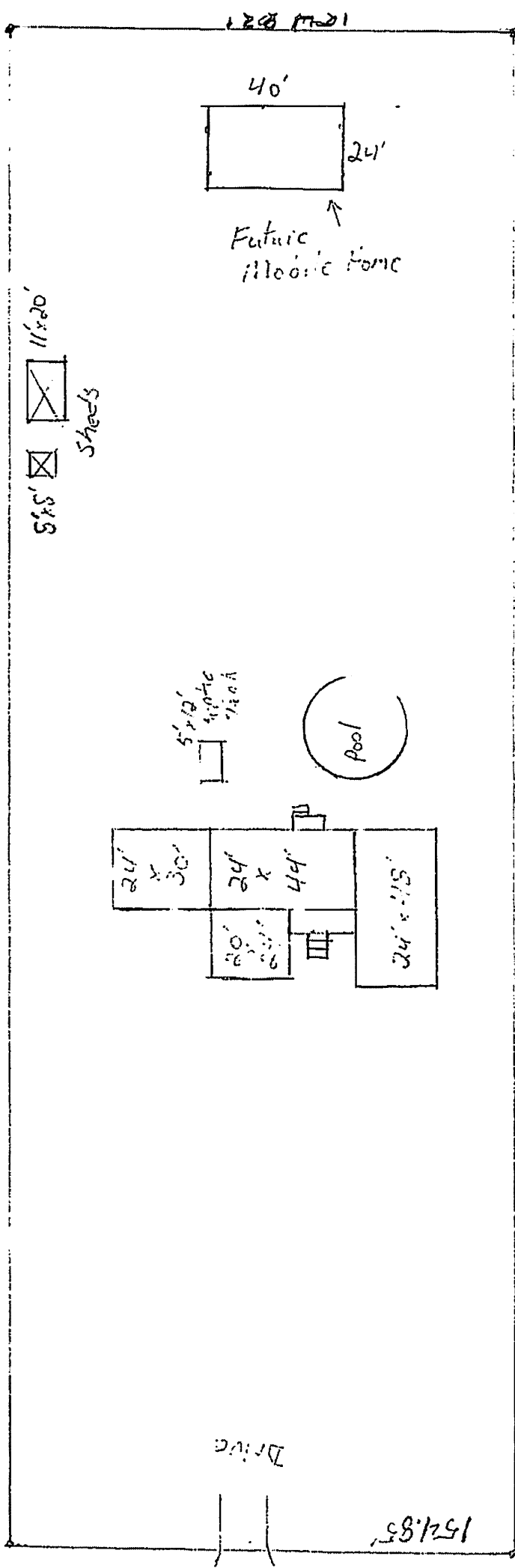
Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage, pursuant to Section 656.407, Ordinance Code."

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:

- i. There are practical or economic difficulties in carrying out the strict letter of the regulation;*
- 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);*
- 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;*
- 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;*
- 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.*

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.

I am needing the waiver to be able to put a mobile home on my property so that I can move my parents to my home from Keystone Heights Florida to take care of them. They are age 82 and age 70 and are having health issues and need to be here to be taken care of. It is important to get the waiver as soon as possible due to I have someone who is giving me a mobile home for them to stay here on my property, but it is needing to be moved soon.



Scale 1" = 44'
 Date 8/20/2021

North

Ada Johnson Rd ↘
 (60' R/W)