

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2023-0546 (WRF-23-12)

October 3, 2023

Location: 10702 Alta Drive
Between Masters Road and Port Industrial Drive

Real Estate Number(s): 109086-0000

Waiver Sought: Reduce Minimum Required Road Frontage from 160 Feet to 35 Feet for two lots

Present Zoning: Residential Low Density-100A (RLD-100A)

Current Land Use Category: Low Density Residential (LDR)

Planning District: North, District 6

Applicant/Agent: Mike Herzberg
12483 Aladdin Road
Jacksonville, FL 32223

Owner: Joe Holton, ET AL
10103 Ecton Lane
Jacksonville, FL 32246

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2023-0546 (WRF-23-12)** seeks to reduce the required minimum road frontage from 160 feet to 35 feet for two lots in order to allow for the development of two single-family dwellings on separate lots in the Residential Low Density-100A (RLD-100A) Zoning District. The subject property is approximately 5.31± acres in size and is accessed from Alta Drive via a 35-foot sliver of property, creating a “flag-lot”. The property is currently developed with one single-family dwelling constructed in 1988. The property owner is seeking to permit a second single-family dwelling on the property by splitting the lot and having one single family dwelling on each lot, which is now requiring the property to apply for a Waiver of Road Frontage.

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, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the Zoning Code. Waivers of Road Frontage are granted by the City Council pursuant to the criteria set forth in Section 656.133 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 practical or economic difficulties in carrying out the strict letter of the regulation?***

Yes. The site contains approximately 5.31± acres and is accessible by a driveway that has 35 feet in width of frontage on Alta Drive. Given the current configuration of the site and its restricted access to a public street, this creates practical and economic challenges in meeting the regulation of required road frontage. The lot meets all other requirements of the Residential Low Density-100A Zoning District for two single-family dwellings, particularly when it comes to lot area and lot width.

- (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 permit two single family dwellings on the site. Approval of this request would not change the cost burden on the applicant for this additional dwelling to be used by another family member. It is not anticipated that the applicant will need relief from any of the requirements of Chapter 654 of the Municipal Code.

- (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. It is not anticipated that the construction of the new dwelling will reduce the property values of the neighboring lots, nor would it interfere with the rights of other homeowners. The lot north of the subject property currently has two mobile homes on it without an issue.

- (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 owner has a 35-foot wide, sliver of property that would act as a private driveway from the homes to the City approved right of way, Alta Drive.

- (v) *Will the proposed waiver be detrimental to the public health, safety or welfare, result in additional expense, the creation of nuisances or conflict with any other applicable law?*

No. The granting of the proposed waiver should not create a detriment to any surrounding property. The need for the waiver is to permit for the allowance of the second single-family dwelling. The landowners plan on splitting the lot, but the driveway should remain unobstructed and be accessible for both single-family dwellings.

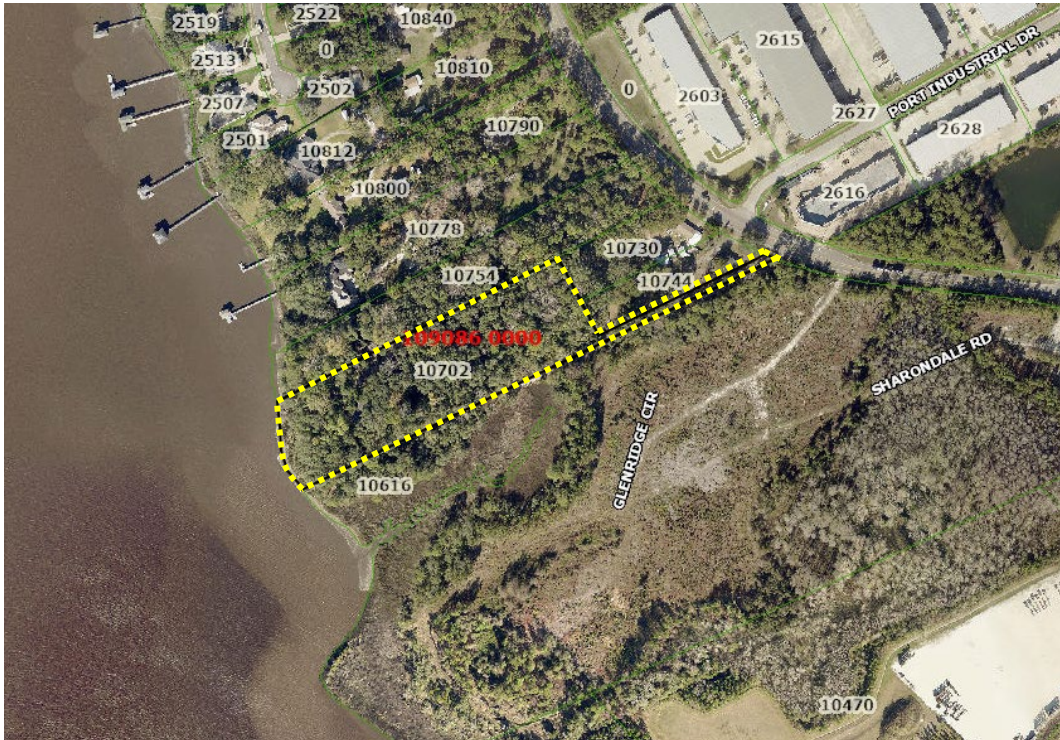
SUPPLEMENTARY INFORMATION

The applicant provided pictures on **September 5, 2023**, of the Notice of Public Hearing sign posted correctly.



RECOMMENDATION

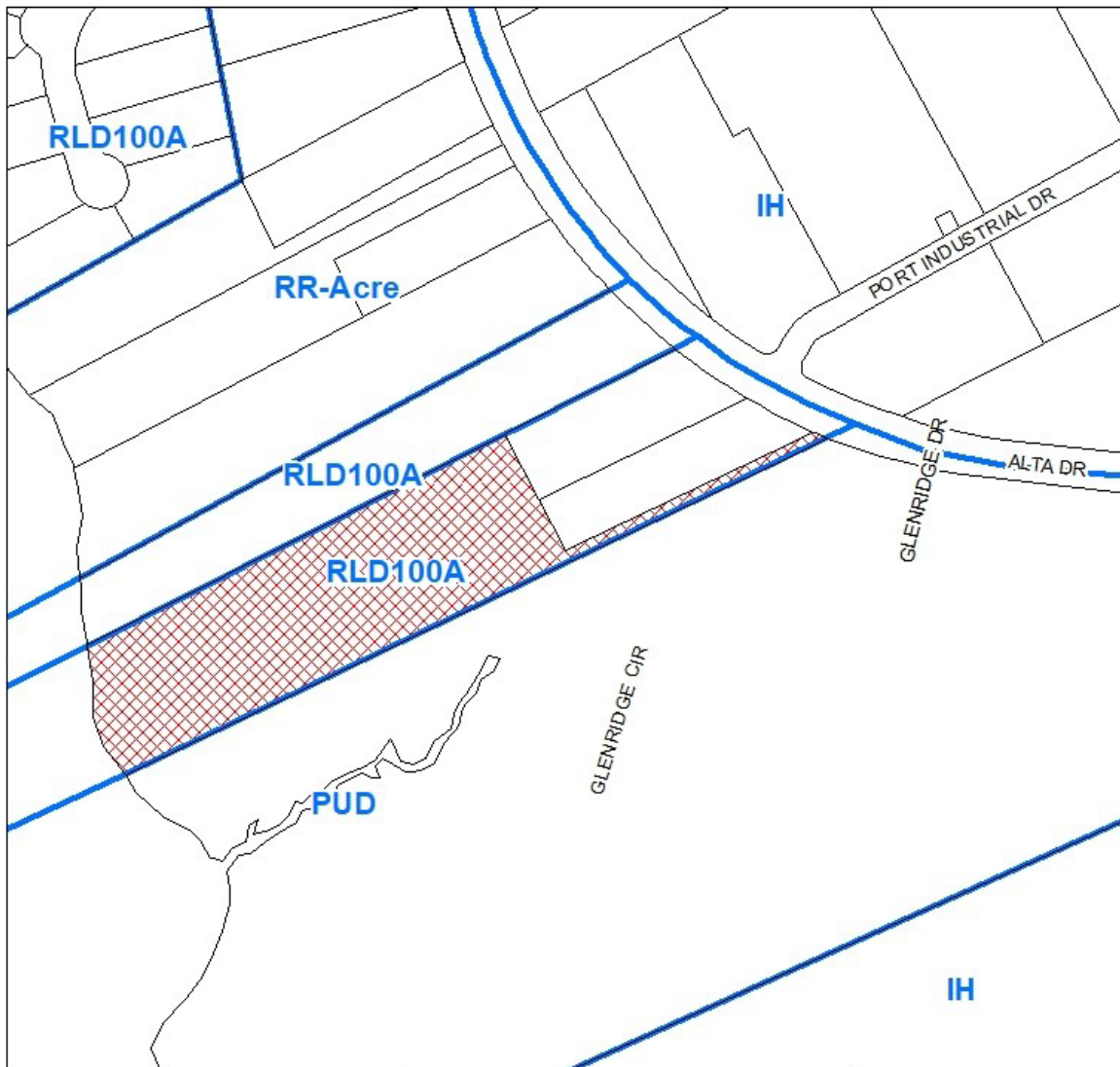
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Required Road Frontage Ordinance 2023-0546 (WRF-23-12) be **APPROVED**.



Aerial View
Source: JaxGIS



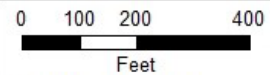
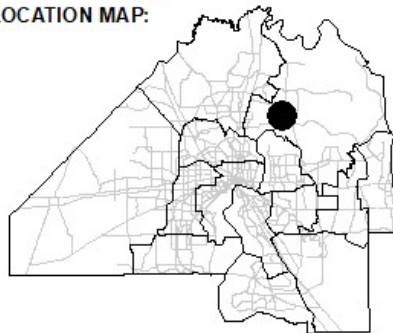
Subject Property
Source: Staff, Planning and Development Department, COJ
Date: 09/05/2023



REQUEST SOUGHT:

**REDUCE REQUIRED
MINIMUM ROAD
FRONTAGE FROM 160
FEET TO 35 FEET FOR 2
LOTS**

LOCATION MAP:



COUNCIL DISTRICT:

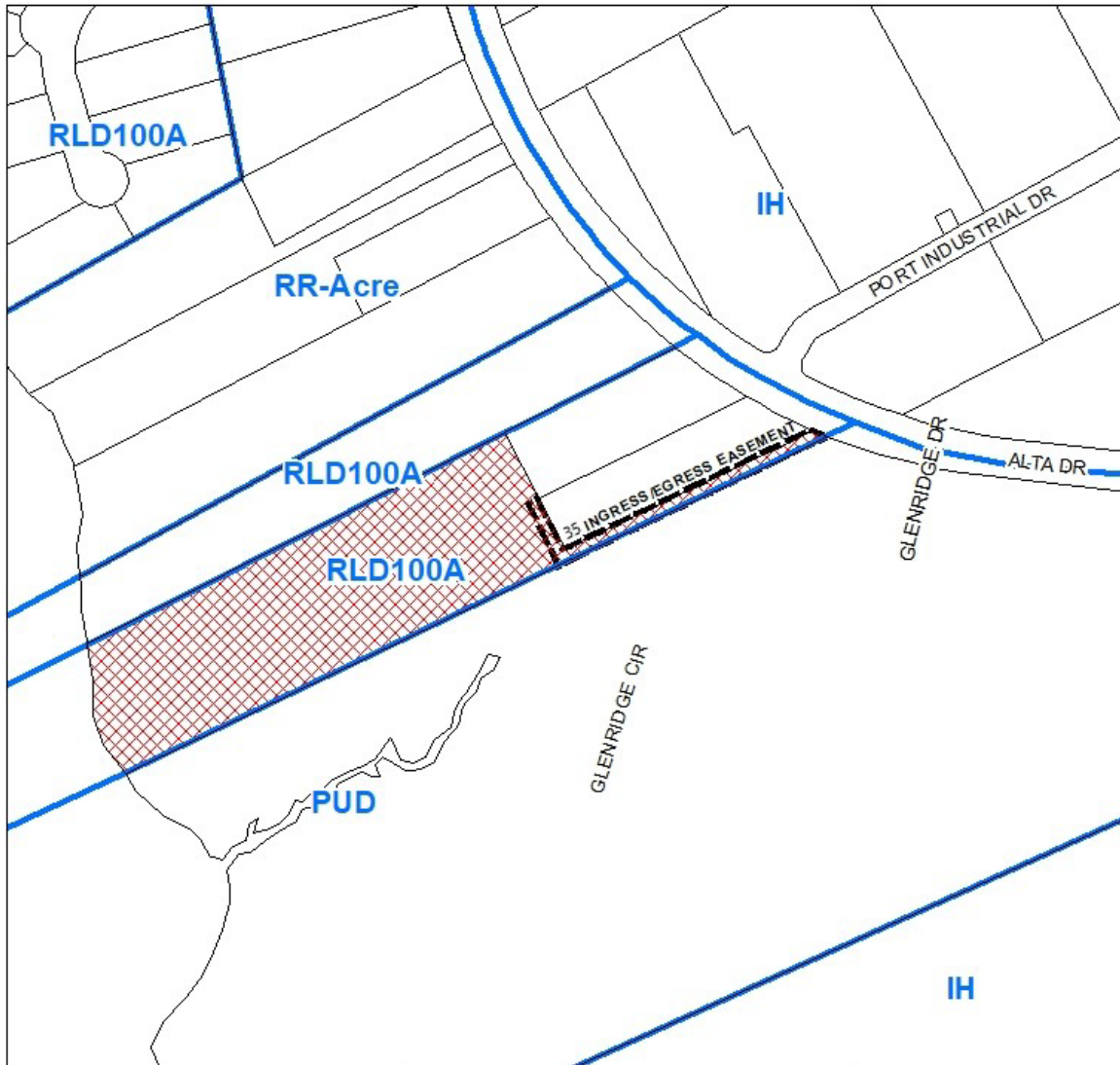
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TRACKING NUMBER

WRF-23-12

**EXHIBIT 2
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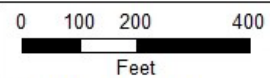
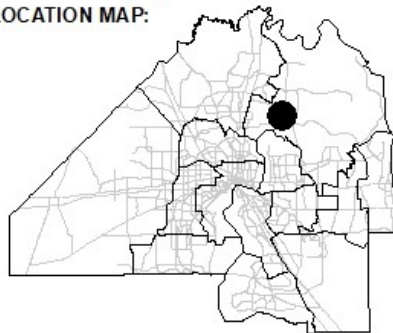
Legal Map



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**EXHIBIT 3
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Legal map – Exhibit 3