

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2023-666 (WRF-23-15)

NOVEMBER 7, 2022

Location: 0 Gracy Road
West side of Gracy Road south of Stratton Road

Real Estate Number(s): 012886-0015

Waiver Sought: Reduce Minimum Required Road Frontage from 80 Feet to 0 Feet

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Applicant/Owner: Justen and Amanda Kelley
3806 Gracy Road
Jacksonville, FL 32221

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2023-666 (WRF-23-15)** seeks to reduce the required minimum road frontage from 80 feet to 0 feet in order to allow for the development of a single-family dwelling in the Residential Rural-Acre (RR-Acre) Zoning District. Per Part 4 of the Zoning Code (Sec.656.407), no dwelling or dwellings may be constructed on a lot in a residential zoning district unless the lot has frontage on a public or approved Private Street equal to not less than 80 percent of the minimum lot width. The subject property is 1.0 acre in size and has 100 feet of frontage on Gracy Road, which is an “Unapproved Private” road.

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 1 acre property meets the RR-Acre Zoning District requirements in order to build one single family dwelling, except for the minimum road frontage. The subject property fronts Gracy Road, which is considered an Unapproved Private Road. Without an approval, the property will remain vacant and will not have the ability to be developed.

- (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 single-family dwelling on the site and approval of this request would not change the cost burden on the applicant for the construction of the single-family dwelling. 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. There are a diverse number of lots of varying sizes and shapes in the surrounding area.

- (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. There is a 30 foot wide access easement on Gracy Road which connects to Stratton Road, which is a public right of way.

- (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. Gracy Road will provide adequate access to the subject property. It is a well graded dirt/gravel road. There is no detriment to the public health, safety, or welfare, and the development will comply with all other requirements of the Zoning Code.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 19, 2023 by the Planning and Development Department, the required Notice of Public Hearing sign **was** posted correctly.



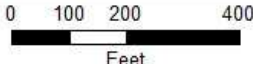
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Required Road Frontage **Ordinance 2023-666 (WRF-23-15)** be **APPROVED**.



Aerial View



<p>REQUEST SOUGHT:</p> <p>REDUCE REQUIRED MINIMUM ROAD FRONTAGE FROM 80 FEET TO 0 FEET</p>	<p>LOCATION MAP:</p> 	  <p>0 100 200 400 Feet</p>
<p>ORDINANCE NUMBER ORD-2023-0666</p>	<p>TRACKING NUMBER WRF-23-15</p>	<p>COUNCIL DISTRICT: 12</p> <p>EXHIBIT 3 PAGE 1 OF 1</p>

