

REPORT OF THE PLANNING DEPARTMENT**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE****ORDINANCE 2025-0863 (WRF-25-15)****JANUARY 21, 2026**

Location: 5206 Seaboard Avenue, between Sue Lane and 101st Street

Real Estate Number(s): 103131-0000

Waiver Sought: Reduce Minimum Required Road Frontage from 48 feet to 0 feet

Present Zoning: Residential Low Density (RLD)-60

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Council District: District 9

Owner: Groundfloor Jacksonville, LLC
7563 Philips Highway, Building 500
Jacksonville, FL 32256

Applicant: Michael Herzberg
12483 Aladdin Road
Jacksonville, FL 32223

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2025-0863 (WRF-25-15)** seeks to reduce the required minimum road frontage from 48 feet to 0 feet to allow for a subdivision and the development of an additional single family dwelling unit on a low-density residential lot. The 0.34-acre lot sits on a part of lot 3, block 27 on the map of Ortega Farms (Plat Book 3 Page 79). This home is accessed from Seaboard Avenue, which is listed as Right of Way. However, because Sue Lane is an unapproved private road, the applicant is required to submit this Waiver of Road Frontage as this roadway cannot count towards meeting the required road frontage. The subject property is zoned Residential Low Density-60 (RLD-60), within the Low Density Residential (LDR) land use category, and the Urban Development Area. Per Part 4 of the Zoning

Code (**Sec.656.407**), no dwellings 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 35 feet or 80 percent of the minimum lot width. Sue Lane is an unapproved private street and owned by the property owner (Jacksonville Justice Project LLC) to the west at 5709 Sue Lane. The property owner intends to access their parcel, after the subdivision, through the eastern created parcel which has frontage along Seaboard Avenue via an access easement. There is an unobstructed area on the south side of the existing dwelling, approximately 12 feet in width and abutting Sue Lane, that will be used as a driveway to the rear of the parcel, which is to be developed with the second dwelling.

There is currently a single-family house on the property built in 1960. The applicant purchased the property in 2024 and intends to subdivide the property and build a second single family home directly behind the existing home. The new lot will be approximately 75 X 85 (6,375 square feet), leaving the remainder 100 x 85 (8,500 square feet) of the original lot.

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 subject property is in the LDR functional land use category of the 2045 Comprehensive plan and zoned RLD-60. The property is adjacent to an unapproved private road (Sue Lane) and therefore cannot count towards meeting the required road frontage per Sec.656.407. The property possesses 85 feet of frontage along Seaboard Avenue, and another 175 feet along Sue Lane, which is utilized by the seven dwellings located to the west. It would be financially burdensome to require the property owners to develop this ROW to meet the standards of the city as an approved ROW to count for road frontage.

(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. This request is not based exclusively upon the desire to reduce the cost of developing the site but seeks to recognize the adjoining properties using Sue Lane for access and permit consideration for an additional 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. The owner of the second home will be able to access their property by way of access easement through the ea. 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 area includes the seven dwellings operated by the Jacksonville Justice Project, a legal entity that operates these residential homes the existence of these homes establishes the character of the area, and this request would be consistent with the existing uses immediately to the west. No other owner would be injured or otherwise affected by this waiver.

- (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 non-exclusive easement for ingress, egress, and utilities. There is an unobstructed area on the south side of the existing dwelling, approximately 12 feet in width and abutting Sue Lane, that will be used as a driveway to the rear of the parcel, which is to be developed with the second dwelling. While this access easement is 12 feet in width it does run adjacent to Sue Lane which could be used for the accessibility for public safety and municipal services vehicles to enter and exit to the property.

- (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. There is no detriment to the public health, safety, or welfare, and the development will comply with all other requirements of the Zoning Code and Code of Subdivision Regulations. The Comprehensive Plan permits the relaxation of such standard where the criteria of this application are deemed to have been met. Nor will this waiver create any nuisances or conflict with other applicable laws. Again, between the easement and Sue Lane the subject parcel and structure would be accessed by emergency services.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property by the Planning Department and the sign posting affidavit provided by the application on **November 14, 2025**, the required Notice of Public Hearing signs **were** posted on the property.

Figure A:



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning Department that Application for Waiver of Road Frontage **Ordinance 2025-0863 (WRF-25-12)** be **APPROVED**

Figure B:



Source: JaxGIS, 2025

Aerial View of Subject Property, Facing North

Figure C:



Source: Planning Department, 11/14/25

View of Sue Lane, Facing East

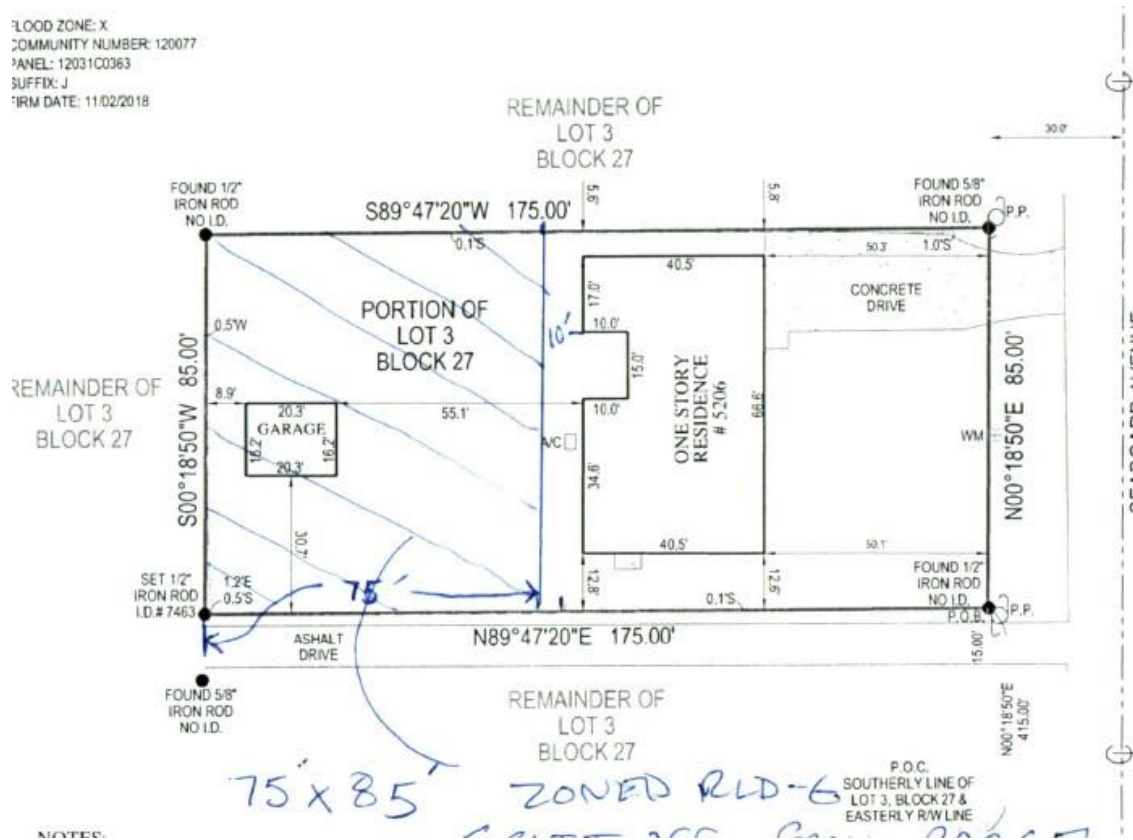
Figure D:



Source: Planning Department, 11/14/2025

View of Subject Property from Sue Lane, Facing North

FLOOD_ZONE: X
COMMUNITY_NUMBER: 120077
PANEL: 12031C0363
SUFFIX: J
FIRM_DATE: 11/02/2018



Approximate Site Plan for the New Lot

Figure F: Legal Map

