

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

NOVEMBER 21, 2023

Location: 0 Dinsmore Dairy Road between Silver Key Drive
and Braddock Road

Real Estate Number(s): 003796-1800

Waiver Sought: Reduce required minimum road frontage from 80
feet to zero (0) feet

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: North, District 6

Applicant /Agent: Callie Adcock
11298 Dinsmore Dairy Road
Jacksonville, Florida 32218

Owner: Russell Rathfon
0 Dinsmore Dairy Road
Jacksonville, Florida 32218

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage Ordinance **2023-712 (WRF-23-18)** seeks to reduce the minimum required road frontage from 80 feet to 0 feet to allow for a single family dwelling to be built. The subject property is a 1.26 acre lot located at the end of Dinsmore Dairy Road.

In the RR-Acre Zoning District, parcels of land need to be at least 43,560 square feet (1 acre), 100 feet in width with 80 feet of road frontage for each single-family dwelling. The subject property currently has an access easement to Dinsmore Dairy Road, but does not have direct 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... 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. The Dinsmore Dairy Road right of way does not end in a standard cul-de-sac, which does not allow the required 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. The applicant is proposing to construct a new single family home. This request is not based exclusively upon the desire to reduce the cost of developing the site or Chapter 654.

- (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 subject property is currently undeveloped. It is not anticipated that the construction of a new single family dwelling will reduce the property values of the neighboring lots, nor would it interfere with the rights of other homeowners. The proposed single-family dwelling and lot size are not out of character with the surrounding 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 subject parcel has a 30 foot wide easement from the parcel to Dinsmore Dairy Road, which is a public maintained right of way.

- (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 along a private road that is considered low traffic. There are eight homes which use Dinsmore Dairy Road. There will be little to no effect on public health safety and welfare as the requested waiver will allow for one additional home along Dinsmore Dairy Road.

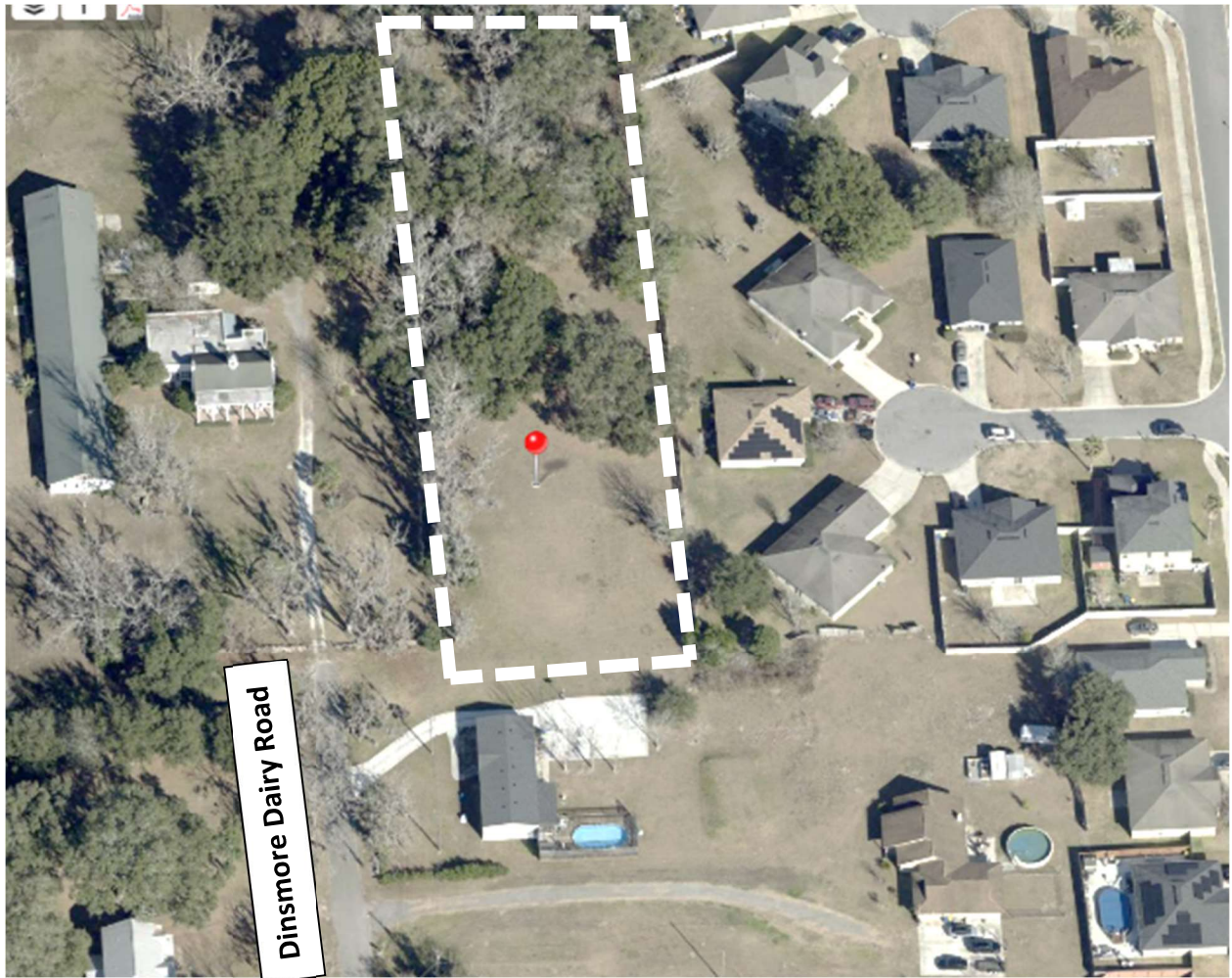
SUPPLEMENTARY INFORMATION

The applicant provided evidence on November 15, 2023, 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 2023-712/WRF-23-18** be **APPROVED**.



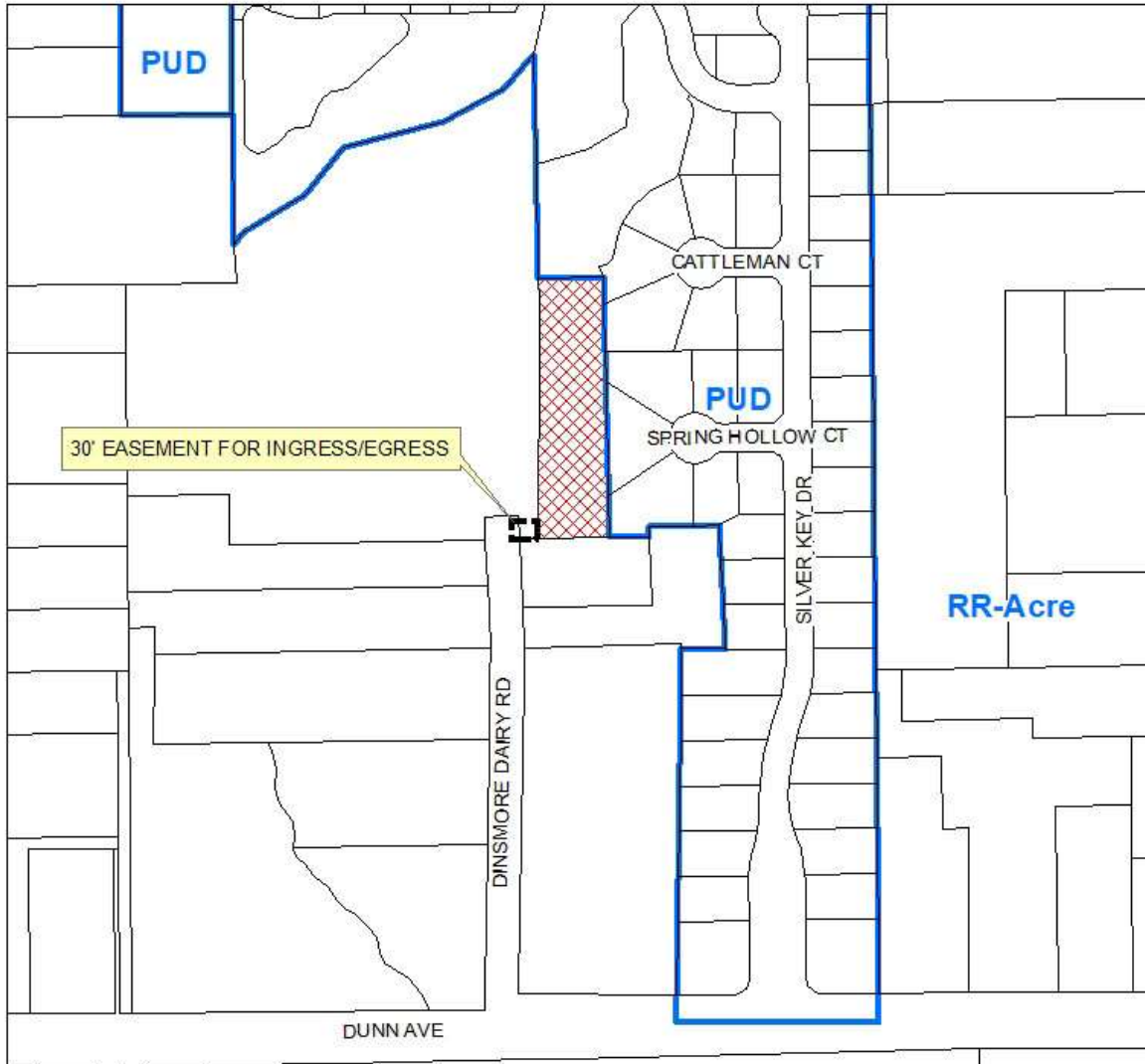
Aerial view of subject property



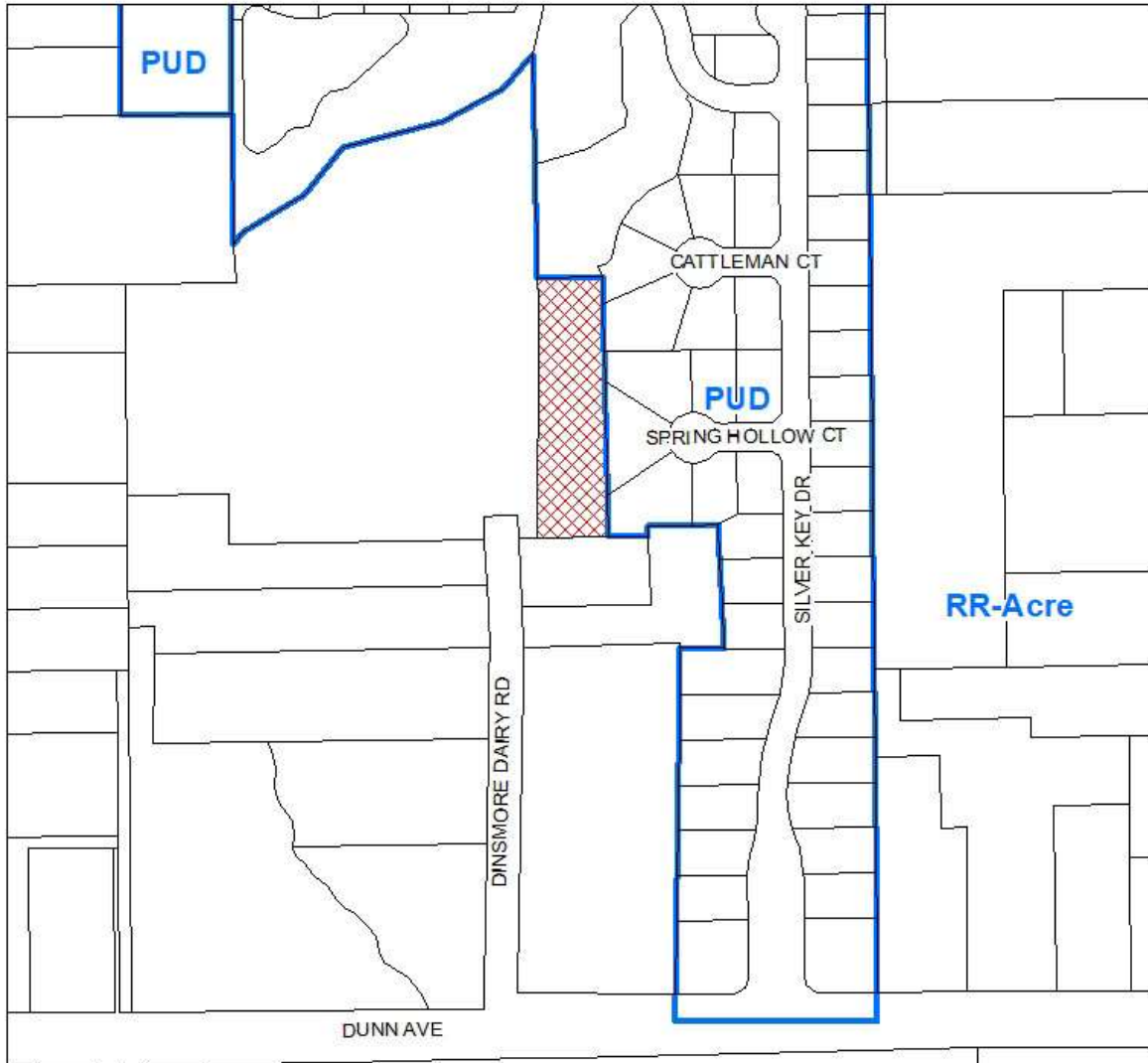
View of 30 foot wide easement from Dinsmore Dairy Road

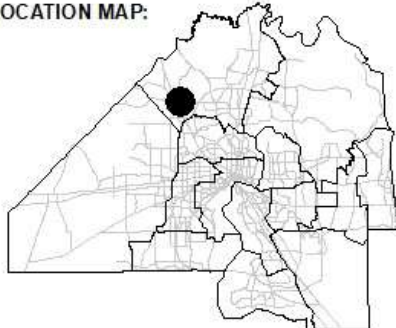
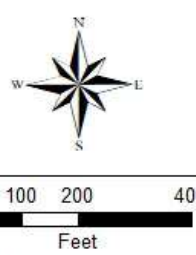


Dinsmore Dairy Road



<p>REQUEST SOUGHT:</p> <p>REDUCE REQUIRED FRONTAGE FROM 80 FEET TO 0 FEET</p>	<p>LOCATION MAP:</p>	<p>0 100 200 400 Feet</p>
<p>ORDINANCE NUMBER ORD-2023-0712</p>	<p>TRACKING NUMBER WRF-23-18</p>	<p>COUNCIL DISTRICT: 8</p> <p>EXHIBIT 3 PAGE 1 OF 1</p>



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<p>ORDINANCE NUMBER ORD-2023-0712</p>	<p>TRACKING NUMBER WRF-23-18</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>