

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-361-E**

5 AN ORDINANCE APPROVING THE WAIVER OF MINIMUM
6 REQUIRED ROAD FRONTAGE APPLICATION WRF-24-12,
7 FOR PROPERTY LOCATED IN COUNCIL DISTRICT 12 AT
8 0 CRYSTAL SPRINGS ROAD, BETWEEN CRYSTAL ROAD AND
9 BLAIR ROAD (R.E. NO. 008936-0010), AS DESCRIBED
10 HEREIN, OWNED BY MAKENZIE LEE, REQUESTING TO
11 REDUCE THE MINIMUM ROAD FRONTAGE REQUIREMENTS
12 FROM 80 FEET TO 0 FEET IN ZONING DISTRICT
13 RESIDENTIAL LOW DENSITY-100A (RLD-100A), AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
15 PROVIDING FOR DISTRIBUTION; PROVIDING A
16 DISCLAIMER THAT THE WAIVER GRANTED HEREIN SHALL
17 NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER
18 APPLICABLE LAWS; PROVIDING AN EFFECTIVE DATE.
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20 **WHEREAS**, an application for a waiver of minimum road frontage,
21 **On File** with the City Council Legislative Services Division, was
22 filed by Jack S. Lee, Jr. on behalf of Makenzie Lee, the owner of
23 property located in Council District 12 at 0 Crystal Springs Road,
24 between Crystal Road and Blair Road (R.E. No. 008936-0010) (the
25 "Subject Property"), requesting to reduce the minimum road frontage
26 from 80 feet to 0 feet in Zoning District Residential Low Density-100A
27 (RLD-100A); and

28 **WHEREAS**, the Planning and Development Department has
29 considered the application and all attachments thereto and has
30 rendered an advisory recommendation; and

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice

1 held a public hearing and having duly considered both the testimonial
2 and documentary evidence presented at the public hearing, has made
3 its recommendation to the Council; and

4 **WHEREAS**, taking into consideration the above recommendations
5 and all other evidence entered into the record and testimony taken
6 at the public hearings, the Council finds that: (1) there are
7 practical or economic difficulties in carrying out the strict letter
8 of the regulation; (2) the request is not based exclusively upon the
9 desire to reduce the cost of developing the site or to circumvent the
10 requirements of Chapter 654 (Code of Subdivision Regulations); (3)
11 the proposed waiver will not substantially diminish property values
12 in, nor alter the essential character of, the area surrounding the
13 site and will not substantially interfere with or injure the rights
14 of others whose property would be affected by the waiver; (4) there
15 is a valid and effective easement for adequate vehicular access
16 connected to a public street which is maintained by the City or an
17 approved private street; and (5) the proposed waiver will not be
18 detrimental to the public health, safety or welfare, result in
19 additional expense, the creation of nuisances or conflict with any
20 other applicable law; now therefore

21 **BE IT ORDAINED** by the Council of the City of Jacksonville:

22 **Section 1. Adoption of Findings and Conclusions.** The
23 Council has reviewed the record of proceedings and the Staff Report
24 of the Planning and Development Department and held a public hearing
25 concerning Application for Waiver of Minimum Required Road Frontage
26 WRF-24-12. Based upon the competent, substantial evidence contained
27 in the record, the Council hereby determines that the requested waiver
28 of road frontage meets the criteria for granting a waiver contained
29 in Chapter 656, *Ordinance Code*. Therefore, Application WRF-24-12 is
30 hereby approved.

31 **Section 2. Owner and Description.** The Subject Property is

1 owned by Makenzie Lee, and is legally described in **Exhibit 1**, dated
2 April 25, 2024, and graphically depicted in **Exhibit 2**, both of which
3 are attached hereto. The applicant is Jack S. Lee, Jr., 10578 Crystal
4 Springs Road, Jacksonville, Florida 32221; (904) 219-8079.

5 **Section 3. Distribution by Legislative Services.**

6 Legislative Services is hereby directed to mail a copy of this
7 legislation, as enacted, to the applicant and any other parties to
8 this matter who testified before the Land Use and Zoning Committee
9 or otherwise filed a qualifying written statement as defined in
10 Section 656.140(c), *Ordinance Code*.

11 **Section 4. Disclaimer.** The waiver of road frontage granted

12 herein shall not be construed as an exemption from any other
13 applicable local, state, or federal laws, regulations, requirements,
14 permits or approvals. All other applicable local, state or federal
15 permits or approvals shall be obtained before commencement of the
16 development or use and issuance of this waiver of road frontage is
17 based upon acknowledgement, representation and confirmation made by
18 the applicant(s), owner(s), developer(s) and/or any authorized
19 agent(s) or designee(s) that the subject business, development and/or
20 use will be operated in strict compliance with all laws. Issuance of
21 this waiver of road frontage does not approve, promote or condone any
22 practice or act that is prohibited or restricted by any federal,
23 state or local laws.

24 **Section 5. Effective Date.** The enactment of this Ordinance

25 shall be deemed to constitute a quasi-judicial action of the City
26 Council and shall become effective upon signature by the Council
27 President and Council Secretary. Failure to exercise the waiver, if
28 herein granted, by the commencement of the use or action herein
29 approved within one (1) year of the effective date of this legislation
30 shall render this waiver invalid and all rights arising therefrom
31 shall terminate.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Erin Abney

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