

1 Introduced and amended by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2021-542-E**

5 AN ORDINANCE DENYING THE WAIVER OF MINIMUM ROAD  
6 FRONTAGE APPLICATION WRF-21-10, LOCATED IN  
7 COUNCIL DISTRICT 3 AT 0 GERONA DRIVE NORTH,  
8 BETWEEN GERONA DRIVE NORTH AND WESTHAM ROAD  
9 (R.E. NO. 166872-0020) AS DESCRIBED HEREIN,  
10 OWNED BY OMKO, INC., REQUESTING TO REDUCE THE  
11 MINIMUM ROAD FRONTAGE REQUIREMENTS FROM 96 FEET  
12 TO 0 FEET IN ZONING DISTRICT RESIDENTIAL LOW  
13 DENSITY-60 (RLD-60), AS DEFINED AND CLASSIFIED  
14 UNDER THE ZONING CODE; PROVIDING AN EFFECTIVE  
15 DATE.  
16

17 **WHEREAS**, an application for a waiver of minimum road frontage,  
18 **On File** with the City Council Legislative Services Division, was  
19 filed by OMKO, Inc., the owners of property located in Council  
20 District 3 at 0 Gerona Drive North, between Gerona Drive North and  
21 Westham Road (R.E. No. 166872-0020) (the "Subject Property"),  
22 requesting to reduce the minimum road frontage from 96 feet to 0 feet  
23 in Zoning District Residential Low Density-60 (RLD-60); and

24 **WHEREAS**, the Planning and Development Department has considered  
25 the application and all attachments thereto and has rendered an  
26 advisory recommendation; and

27 **WHEREAS**, the Land Use and Zoning Committee, after due notice  
28 held a public hearing and having duly considered both the testimonial  
29 and documentary evidence presented at the public hearing, has made  
30 its recommendation to the Council; and

1           **WHEREAS**, taking into consideration the above recommendations and  
2 all other evidence entered into the record and testimony taken at the  
3 public hearings, the Council finds that Application WRF-21-10 fails  
4 to meet each of the following criteria: (1) there are practical or  
5 economic difficulties in carrying out the strict letter of the  
6 regulation; (2) the request is not based exclusively upon the desire  
7 to reduce the cost of developing the site or to circumvent the  
8 requirements of Chapter 654 (Code of Subdivision Regulations); (3)  
9 the proposed waiver will not substantially diminish property values  
10 in, nor alter the essential character of, the area surrounding the  
11 site and will not substantially interfere with or injure the rights  
12 of others whose property would be affected by the waiver; (4) there  
13 is a valid and effective easement for adequate vehicular access  
14 connected to a public street which is maintained by the City or an  
15 approved private street; and (5) the proposed waiver will not be  
16 detrimental to the public health, safety or welfare, result in  
17 additional expense, the creation of nuisances or conflict with any  
18 other applicable law; now, therefore

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

20           **Section 1. Adoption of Findings and Conclusions.** The  
21 Council has reviewed the record of proceedings and the Staff Report  
22 of the Planning and Development Department and held a public hearing  
23 concerning application for waiver of road frontage WRF-21-10. Based  
24 upon the competent, substantial evidence contained in the record, the  
25 Council hereby determines that the requested waiver of road frontage  
26 fails to meet each of the criteria for granting a waiver contained  
27 in Chapter 656, *Ordinance Code*, as specifically identified in the  
28 Staff Report of the Planning and Development Department. Therefore,  
29 Application WRF-21-10 is hereby **denied**.

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

1 owned by OMKO, Inc., and is legally described in **Exhibit 1**, dated  
2 January 10, 2017, and graphically depicted in **Exhibit 2**, both **attached**  
3 **hereto**. The applicant is BGRP Engineering Group, P.O. Box 684,  
4 Crystal River, Florida 34423; (904) 368-6969.

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. Effective Date.** The enactment of this Ordinance

12 shall be deemed to constitute a quasi-judicial action of the City  
13 Council and shall become effective upon signature by the Council  
14 President and Council Secretary.

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16 Form Approved:

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18           /s/ Mary E. Staffopoulos          

19 Office of General Counsel

20 Legislation Prepared By: Connie Quinto

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