

1 Introduced and amended by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2021-878-E**

5 AN ORDINANCE DENYING THE WAIVER OF MINIMUM ROAD
6 FRONTAGE APPLICATION WRF-21-25, LOCATED IN
7 COUNCIL DISTRICT 4 AT 1724 MARION ROAD, BETWEEN
8 BEACH BOULEVARD AND MARION COURT SOUTH (R.E. NO.
9 134625-0000), AS DESCRIBED HEREIN, OWNED BY
10 MARTIN RAPANT, REQUESTING TO REDUCE THE MINIMUM
11 ROAD FRONTAGE REQUIREMENTS FROM 48 FEET TO 21
12 FEET IN ZONING DISTRICT RESIDENTIAL LOW DENSITY-
13 60 (RLD-60), AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE; PROVIDING FOR DISTRIBUTION;
15 PROVIDING AN EFFECTIVE 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 Martin Rapant, the owner of certain real property located
20 in Council District 4 at 1724 Marion Road, between Beach Boulevard
21 and Marion Court South (R.E. No. 134625-0000) (the "Subject
22 Property"), requesting to reduce the minimum road frontage from 48
23 feet to 21 feet in Zoning District Residential Low Density-60 (RLD-
24 60); and

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

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

1 its recommendation to the Council; and

2 **WHEREAS**, taking into consideration the above recommendations and
3 all other evidence entered into the record and testimony taken at the
4 public hearings, the Council finds that Application WRF-21-25 fails
5 to meet each of the following criteria: (1) there are practical or
6 economic difficulties in carrying out the strict letter of the
7 regulation; (2) the request is not based exclusively upon the desire
8 to reduce the cost of developing the site or to circumvent the
9 requirements of Chapter 654 (Code of Subdivision Regulations),
10 *Ordinance Code*; (3) the proposed waiver will not substantially
11 diminish property values in, nor alter the essential character of,
12 the area surrounding the site and will not substantially interfere
13 with or injure the rights of others whose property would be affected
14 by the waiver; (4) there is a valid and effective easement for
15 adequate vehicular access connected to a public street which is
16 maintained by the City or an approved private street; and (5) the
17 proposed waiver will not be detrimental to the public health, safety
18 or welfare, result in additional expense, the creation of nuisances
19 or conflict with any other applicable law; now, therefore

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

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

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

1 owned by Martin Rapant, and is legally described in **Exhibit 1**, dated
2 September 20, 2021, and graphically depicted in **Exhibit 2**, both
3 **attached hereto**. The applicant is Martin Rapant, 231 Hickory Hollow
4 Drive South, Jacksonville, Florida 32225; (904) 333-9181.

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.

15
16 Form Approved:

17
18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Bruce Lewis

21 GC-#1480537-v1-2021-878-E_(deny)