

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2020-612-E**

5 AN ORDINANCE APPROVING THE WAIVER OF MINIMUM
6 ROAD FRONTAGE APPLICATION WRF-20-24, LOCATED
7 IN COUNCIL DISTRICT 7 AT 1703 PECAN PARK ROAD,
8 BETWEEN PECAN PARK ROAD AND ARNOLD ROAD (R.E.
9 NO. 019600-0130) AS DESCRIBED HEREIN, OWNED BY
10 WILLIAM C. DREW, REQUESTING TO REDUCE THE
11 MINIMUM ROAD FRONTAGE REQUIREMENTS FROM 35
12 FEET TO 0 FEET IN ZONING DISTRICT AGRICULTURE
13 (AGR), AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE; PROVIDING A DISCLAIMER THAT THE
15 WAIVER GRANTED HEREIN SHALL NOT BE CONSTRUED
16 AS AN EXEMPTION FROM ANY OTHER APPLICABLE
17 LAWS; PROVIDING AN EFFECTIVE DATE.
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19 **WHEREAS**, an application for a waiver of minimum road frontage,
20 **On File** with the City Council Legislative Services Division, was
21 filed by William C. Drew, the owner of property located in Council
22 District 7 at 1703 Pecan Park Road, between Pecan Park Road and
23 Arnold Road (R.E. No. 019600-0130) (Subject Property), requesting
24 to reduce the minimum road frontage from 35 feet to 0 feet in
25 Zoning District Agriculture (AGR); and

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

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

1 hearing, has made its recommendation to the Council; and

2 **WHEREAS**, taking into consideration the above recommendations
3 and all other evidence entered into the record and testimony taken
4 at the public hearings, the Council finds that: (1) there are
5 practical or economic difficulties in carrying out the strict
6 letter of the regulation; (2) the request is not based exclusively
7 upon the desire to reduce the cost of developing the site or to
8 circumvent the requirements of Chapter 654 (Code of Subdivision
9 Regulations); (3) the proposed waiver will not substantially
10 diminish property values in, nor alter the essential character of,
11 the area surrounding the site and will not substantially interfere
12 with or injure the rights of others whose property would be
13 affected by the waiver; (4) there is a valid and effective easement
14 for adequate vehicular access connected to a public street which is
15 maintained by the City or an approved private street; and (5) the
16 proposed waiver will not be detrimental to the public health,
17 safety or welfare, result in additional expense, the creation of
18 nuisances or conflict with any 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
23 hearing concerning application for waiver of road frontage WRF-20-
24 24. Based upon the competent, substantial evidence contained in
25 the record, the Council hereby determines that the requested waiver
26 of road frontage meets the criteria for granting a waiver contained
27 in Chapter 656, *Ordinance Code*. Therefore, Application WRF-20-24 is
28 hereby **approved**.

29 **Section 2. Owner and Description.** The Subject Property is
30 owned by William C. Drew, and is legally described in **Exhibit 1**,
31 dated September 7, 2020, and graphically depicted in **Exhibit 2**,

1 **attached hereto.** A graphic depiction of the easement is **attached**
2 **hereto** as **Exhibit 3**. The applicant is William C. Drew, 1703-1 Pecan
3 Park Road, Jacksonville, Florida 32218; (904) 655-2914.

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

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

10 **Section 4. Disclaimer.** The waiver of road frontage

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

23 **Section 5. Effective Date.** The enactment of this

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

