

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2023-0714 (WRF-23-20)

NOVEMBER 21, 2023

Location: 0 Spring Forest Avenue

Real Estate Number(s): 138675-0210

Waiver Sought: Reduce Minimum Required Road Frontage from 48 Feet to 0 Feet

Present Zoning: Residential Low Density-60 (RLD-60)

Current Land Use Category: Low Density Residential (MDR)

Planning District: Greater Arlington/Beaches, District 2

Owner: James and Mary Osborne
6063 Wateredge Drive South
Jacksonville, Florida 32211

Applicant: Michael Atkins
1805 Bartram Circle W
Jacksonville, Florida 32207

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2023-714 (WRF-23-20)** seeks to reduce the required minimum road frontage from 48 feet to 0 feet for a single-family residence. The subject parcel is located off of Spring Forest Avenue and is located between one parcel that fronts the street, and another that fronts Pottsburg Creek. The subject site will be accessed through a 20-foot shared easement along the southern property boundary of the site.

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, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the

Zoning Code. Waivers of Road Frontage are granted by the City Council pursuant to the criteria set forth in Section 656.133 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 practical or economic difficulties in carrying out the strict letter of the regulation?***

Yes. The subject parcel meets the minimum lot area and width of the zoning district. The economic difficulty is the owner would need to construct an approved road or buy the neighboring parcel in order for the lot to obtain 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 waiver of road frontage, if granted, will reduce the cost of constructing a city-approved road to the owner. The request will not circumvent the requirements of Chapter 654 Subdivision Regulations.

- (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. While the proposed waiver will allow the property owner to construct one single-family dwelling on a lot that meets the minimum standards of the zoning district, the lot will not meet the road frontage requirement. Approval of the waiver will not diminish property values or alter the character of the area surrounding the subject parcel.

- (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?***

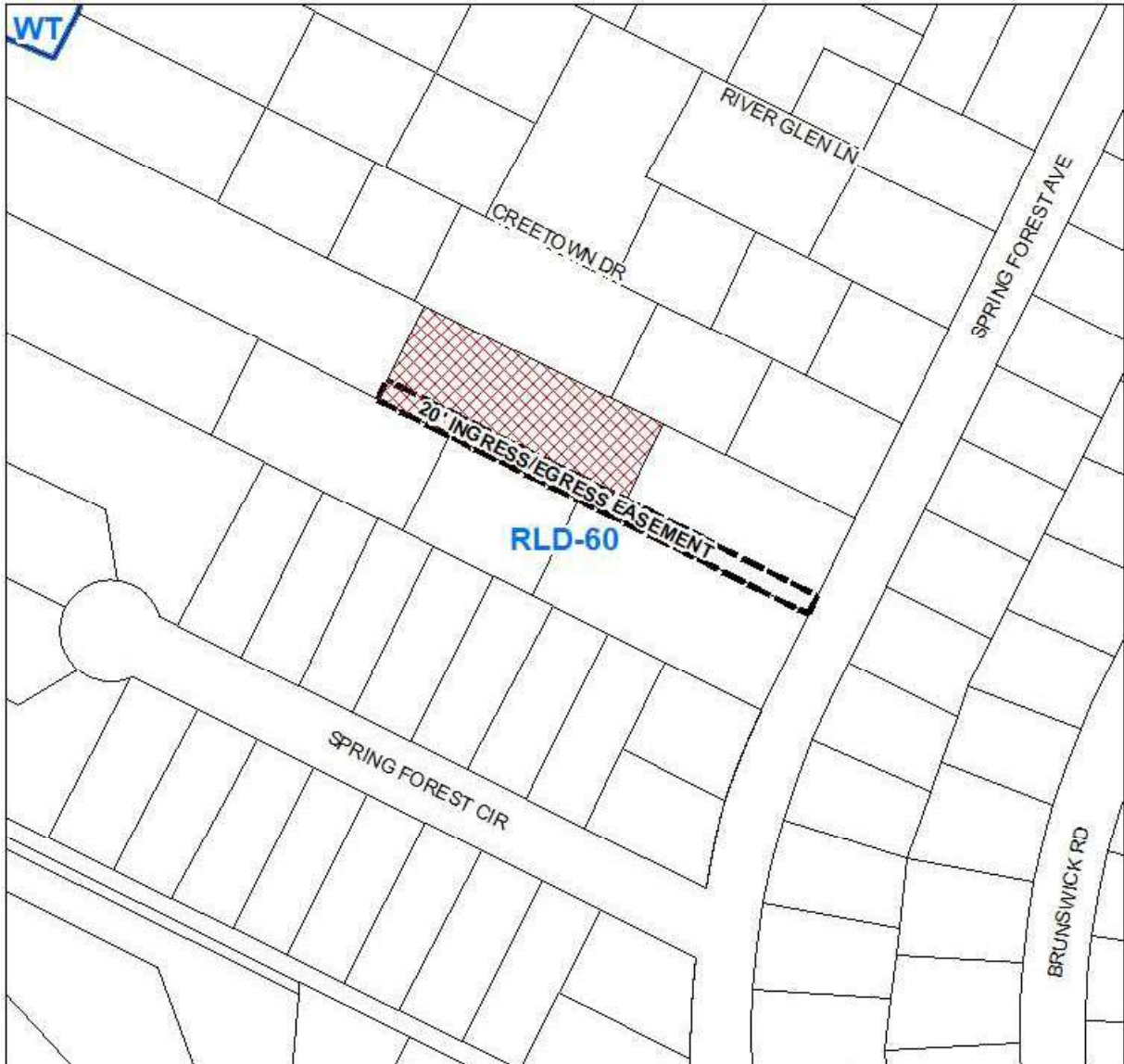
Yes. A 20-foot shared ingress and egress easement to Spring Forest Avenue is located along the southern edge of the subject parcel.

- (v) ***Will the proposed waiver be detrimental to the public health, safety or welfare, result in additional expense, the creation of nuisances or conflict with any other applicable law?***

No. The Planning and Development Department does not have any concerns that the waiver will create a public health, safety, and welfare.



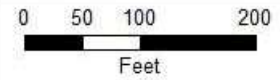
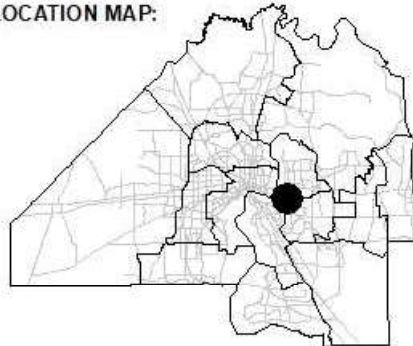
View of the easement looking toward the Subject Site



REQUEST SOUGHT:

**REDUCE REQUIRED
MINIMUM ROAD
FRONTAGE FROM 48 FEET
TO 0 FEET**

LOCATION MAP:



COUNCIL DISTRICT:

4

TRACKING NUMBER

WRF-23-20

**EXHIBIT 3
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