

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE**

**OCTOBER 3, 2023**

***Location:*** 16005 Yogi Bear Lane, between Shellcracker Road and Croaker Road

***Real Estate Number(s):*** 159682 0265

***Waiver Sought:*** Reduce required minimum road frontage from 80 feet to zero (0) feet

***Present Zoning:*** Residential Rural-Acre (RR-Acre)

***Current Land Use Category:*** Rural Residential (RR)

***Planning District:*** North, District 6

***Owner/Agent:*** Lee Schlachter  
16005 Yogi Bear Lane  
Jacksonville, Florida 32218

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage Ordinance **2023-0547 (WRF-23-14)** seeks to reduce the minimum required road frontage from 80 feet to 0 feet to allow for a single family dwelling to be built. The subject property is a 3.54± acre lot located on Black Hammock Island and is currently zoned as Rural Residential-Acre (RR-Acre).

In the RR-Acre Zoning District parcels of land need to be at least 43,560 Square Feet (1 acre), with 80 feet of road frontage for each single-family dwelling. The subject property currently has access to and frontage along Trouble Lane, however, Trouble Lane is classified as an unapproved private road and does not meet the requirements of Section 656.407 of the Zoning Code.

The subject property was once part of a larger 6.9± parcel that was granted a waiver of road frontage in 2001, under **WRF-01-09**. **WRF-01-09** was approved with the condition that it was personal to the property owner at the time and non-transferable, therefore, it is not applicable to the current property or property owners.

### **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... and for minimum street frontage, pursuant to Section 656.407. Waivers are authorized to be granted by the Commission pursuant to the criteria set forth in Section 656.133(b)” [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 any practical or economic difficulties in carrying out the strict letter of the regulation?*

Yes. There are practical and economic difficulties in carrying out the strict letter of the zoning code. In the RR-Acre Zoning District, a property is required to have 80 feet of road frontage per single-family dwelling. The subject property was once part of a larger parcel that was platted with frontage along Shellcracker Road and Yogi Bear Lane, however, Yogi Bear Lane remains as an unopened private road. Since then the parcel has been subdivided and has left multiple lots without the necessary road frontage along a public right of way.

- (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 applicant is proposing to construct a new single family home on a recent parcel split. Originally the subject property was joined with the southern and western abutting parcels, however, Staff cannot determine when the parcels were split and cannot assume that it was done with the intention to circumvent Code of 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. The waiver would permit a new single family dwelling to be constructed. The subject property is currently undeveloped. It is not anticipated that the construction of a new dwelling will reduce the property values of the neighboring lots, nor would it interfere with the rights of other homeowners. The proposed single-family dwelling and lot size are not out of character with the surrounding neighborhood.

- (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. The subject parcel fronts Trouble Lane for approximately 128 feet. While Trouble Lane is an unapproved private road, it connects to Shellcracker Road, which is a public right of way.

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

No. The road frontage of the subject property is along a private road that is considered low traffic. There will be little to no effect on public health safety and welfare as the requested waiver will allow for one additional home along Trouble Lane.

### SUPPLEMENTARY INFORMATION

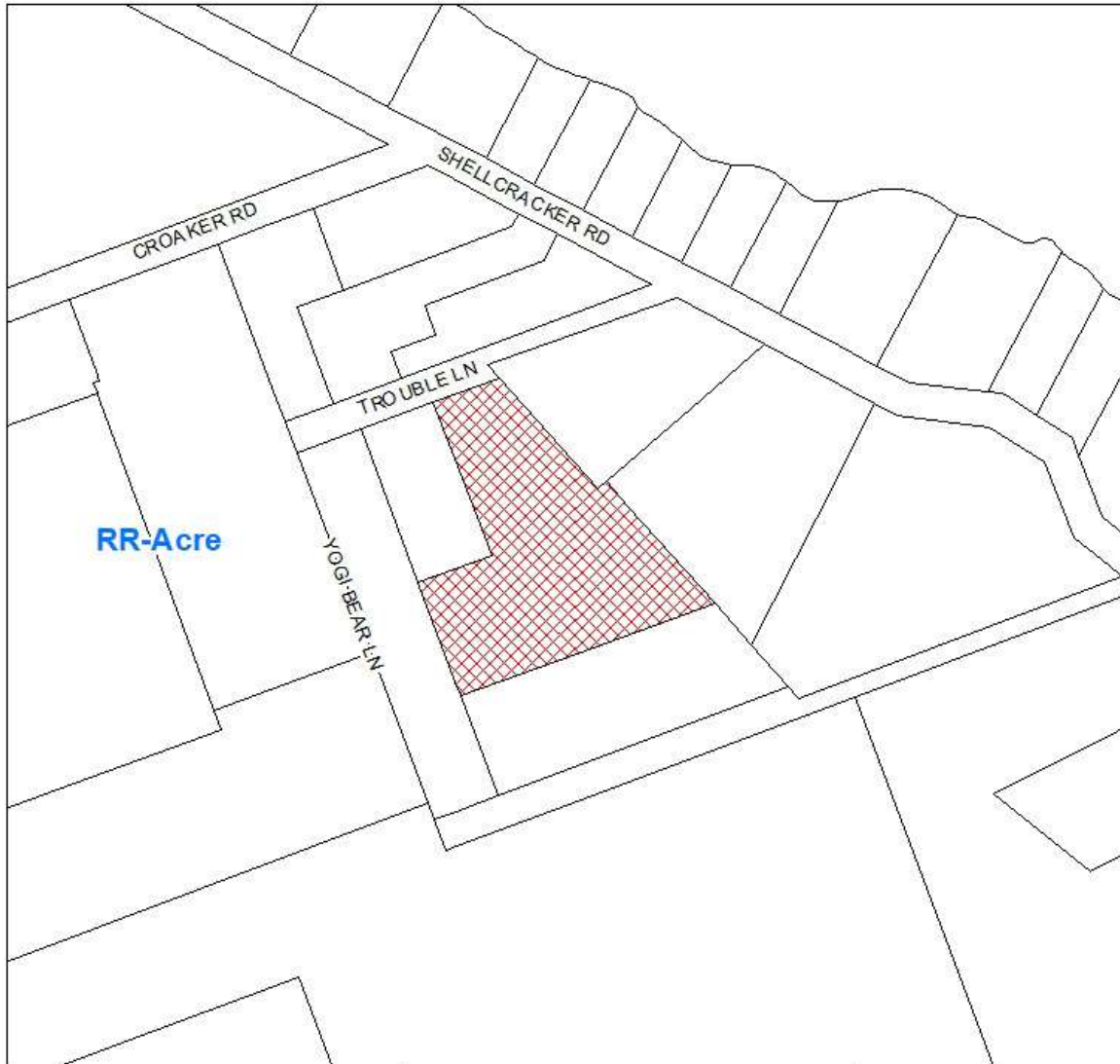
The applicant provided evidence on September 25, 2023, the required Notice of Public Hearing sign was posted.

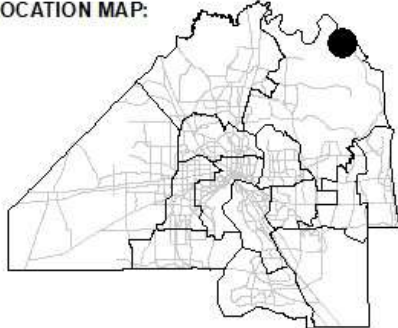

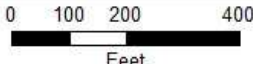


### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Required Road Frontage Ordinance 2023-0547/WRF-23-14 be APPROVED.





<p>REQUEST SOUGHT:</p> <p><b>REDUCE REQUIRED MINIMUM ROAD FRONTAGE FROM 80 FEET TO 0 FEET</b></p>	<p>LOCATION MAP:</p> 	  <p>0 100 200 400 Feet</p>
<p>ORDINANCE NUMBER ORD-2023-0547</p>	<p>TRACKING NUMBER WRF-23-14</p>	<p>COUNCIL DISTRICT: 2</p> <p><b>EXHIBIT 2 PAGE 1 OF 1</b></p>