

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2024-63**

5 AN ORDINANCE APPROVING THE WAIVER OF MINIMUM
6 REQUIRED ROAD FRONTAGE APPLICATION WRF-23-26,
7 FOR PROPERTY LOCATED IN COUNCIL DISTRICT 8 AT 0
8 PITTS ROAD AND 6612 PITTS ROAD, BETWEEN NEW
9 KINGS ROAD AND SYCAMORE STREET (R.E. NOS.
10 002674-0145 AND 002674-0155), AS DESCRIBED
11 HEREIN, OWNED BY RICHARD L. CORLEY, JR., KALLI
12 CORLEY, RICHARD L. CORLEY AND CAROL J. CORLEY,
13 REQUESTING TO REDUCE THE MINIMUM ROAD FRONTAGE
14 REQUIREMENTS FROM A TOTAL OF 160 FEET TO 30 FEET
15 FOR TWO PARCELS, INCLUDING A REDUCTION FROM 80
16 FEET TO 30 FEET FOR PARCEL NO. 002674-0145 AND
17 A REDUCTION FROM 80 FEET TO 0 FEET FOR PARCEL
18 NO. 002674-0155, IN ZONING DISTRICT RESIDENTIAL
19 RURAL-ACRE (RR-ACRE), AS DEFINED AND CLASSIFIED
20 UNDER THE ZONING CODE; PROVIDING FOR
21 DISTRIBUTION; PROVIDING A DISCLAIMER THAT THE
22 WAIVER GRANTED HEREIN SHALL NOT BE CONSTRUED AS
23 AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;
24 PROVIDING AN EFFECTIVE DATE.
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26 **WHEREAS,** an application for a waiver of minimum road frontage,
27 **On File** with the City Council Legislative Services Division, was
28 filed by Austin Painter on behalf of the owners of property located
29 in Council District 8 at 0 Pitts Road and 6612 Pitts Road, between
30 New Kings Road and Sycamore Street (R.E. Nos. 002674-0145 and
31 002674-0155) (the "Subject Property"), requesting a total reduction

1 from the minimum road frontage for two parcels from 160 feet to 30
2 feet, including a reduction from 80 feet to 30 feet for Parcel No.
3 002674-0145 and a reduction from 80 feet to 0 feet for Parcel No.
4 002674-0155, in Zoning District Residential Rural-Acre (RR-Acre); and

5 **WHEREAS**, the Planning and Development Department has
6 considered the application and all attachments thereto and has
7 rendered an advisory recommendation; and

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

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

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

30 **Section 1. Adoption of Findings and Conclusions.** The
31 Council has reviewed the record of proceedings and the Staff Report

1 of the Planning and Development Department and held a public hearing
2 concerning Application for Waiver of Minimum Required Road Frontage
3 WRF-23-26. Based upon the competent, substantial evidence contained
4 in the record, the Council hereby determines that the requested waiver
5 of road frontage meets the criteria for granting a waiver contained
6 in Chapter 656, *Ordinance Code*. Therefore, Application WRF-23-26 is
7 hereby approved.

8 **Section 2. Owner and Description.** The Subject Property is
9 owned by Richard L. Corley, Jr., Kalli Corley, Richard L. Corley and
10 Carol J. Corley, is legally described in **Exhibit 1**, dated October 14,
11 2023, and is graphically depicted in **Exhibit 2**, both of which are
12 attached hereto. A graphic depiction of the easement providing access
13 to the Subject Property is attached hereto as **Exhibit 3**. The applicant
14 is Austin Painter, 35081 Oak Hill Lane, Callahan, Florida 32011;
15 (904) 923-9009.

16 **Section 3. Distribution by Legislative Services.**
17 Legislative Services is hereby directed to mail a copy of this
18 legislation, as enacted, to the applicant and any other parties to
19 this matter who testified before the Land Use and Zoning Committee
20 or otherwise filed a qualifying written statement as defined in
21 Section 656.140(c), *Ordinance Code*.

22 **Section 4. Disclaimer.** The waiver of road frontage granted
23 herein shall **not** be construed as an exemption from any other
24 applicable local, state, or federal laws, regulations, requirements,
25 permits or approvals. All other applicable local, state or federal
26 permits or approvals shall be obtained before commencement of the
27 development or use and issuance of this waiver of road frontage is
28 based upon acknowledgement, representation and confirmation made by
29 the applicant(s), owner(s), developer(s) and/or any authorized
30 agent(s) or designee(s) that the subject business, development and/or
31 use will be operated in strict compliance with all laws. Issuance of

1 this waiver of road frontage does not approve, promote or condone any
2 practice or act that is prohibited or restricted by any federal,
3 state or local laws.

4 **Section 5. Effective Date.** The enactment of this Ordinance
5 shall be deemed to constitute a quasi-judicial action of the City
6 Council and shall become effective upon signature by the Council
7 President and Council Secretary. Failure to exercise the waiver, if
8 herein granted, by the commencement of the use or action herein
9 approved within one (1) year of the effective date of this legislation
10 shall render this waiver invalid and all rights arising therefrom
11 shall terminate.

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13 Form Approved:

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15 /s/ Mary E. Staffopoulos

16 Office of General Counsel

17 Legislation Prepared By: Erin Abney

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