

1 Introduced and amended by the Land Use and Zoning Committee:
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4 **ORDINANCE 2021-701-E**

5 AN ORDINANCE DENYING THE WAIVER OF MINIMUM ROAD
6 FRONTAGE APPLICATION WRF-21-16, LOCATED IN
7 COUNCIL DISTRICT 2 AT 0 WATERVILLE ROAD, BETWEEN
8 RED BASS DRIVE AND WATERVILLE ROAD (R.E. NO.
9 159665-0500) AS DESCRIBED HEREIN, OWNED BY
10 POWERHOUSE EQUITIES INC., REQUESTING TO REDUCE
11 THE MINIMUM ROAD FRONTAGE REQUIREMENTS FROM 160
12 FEET TO 0 FEET IN ZONING DISTRICT RESIDENTIAL
13 RURAL-ACRE (RR-ACRE), AS DEFINED AND CLASSIFIED
14 UNDER THE ZONING CODE; PROVIDING AN EFFECTIVE
15 DATE.
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17 **WHEREAS**, an application for a waiver of minimum road frontage,
18 **On File** with the City Council Office of Legislative Services, was
19 filed by Powerhouse Equities Inc., the owner of property located in
20 Council District 2 at 0 Waterville Road, between Red Bass Drive and
21 Waterville Road (R.E. No. 159665-0500) (the "Subject Property"),
22 requesting to reduce the minimum road frontage from 160 feet to 0
23 feet in Zoning District Residential Rural-Acre (RR-Acre); and

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

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

1 **WHEREAS**, taking into consideration the above recommendations and
2 all other evidence entered into the record and testimony taken at the
3 public hearings, the Council finds that Application WRF-21-16 fails
4 to meet each of the following criteria: (1) there are practical or
5 economic difficulties in carrying out the strict letter of the
6 regulation; (2) the request is not based exclusively upon the desire
7 to reduce the cost of developing the site or to circumvent the
8 requirements of Chapter 654 (Code of Subdivision Regulations); (3)
9 the proposed waiver will not substantially diminish property values
10 in, nor alter the essential character of, the area surrounding the
11 site and will not substantially interfere with or injure the rights
12 of others whose property would be affected by the waiver; (4) there
13 is a valid and effective easement for adequate vehicular access
14 connected to a public street which is maintained by the City or an
15 approved private street; and (5) the proposed waiver will not be
16 detrimental to the public health, safety or welfare, result in
17 additional expense, the creation of nuisances or conflict with any
18 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 hearing
23 concerning application for waiver of road frontage WRF-21-16. Based
24 upon the competent, substantial evidence contained in the record, the
25 Council hereby determines that the requested waiver of road frontage
26 fails to meet each of the criteria for granting a waiver contained
27 in Chapter 656, *Ordinance Code*, as specifically identified in the
28 Staff Report of the Planning and Development Department. Therefore,
29 Application WRF-21-16 is hereby **denied**.

30 **Section 2. Owner and Description.** The Subject Property is
31 owned by Powerhouse Equities Inc., and is legally described in **Exhibit**

1 1, dated January 10, 2017, and graphically depicted in **Exhibit 2,**
2 **attached hereto.** A graphic depiction of the easement is **attached**
3 **hereto** as **Exhibit 3.** The applicant is Powerhouse Equities Inc., 411
4 Walnut Street, #13576, Green Cove Springs, Florida 32043; (787) 600-
5 9065.

6 **Section 3. Distribution by Legislative Services.** The Office
7 of Legislative Services is hereby directed to mail a copy of this
8 legislation, as enacted, to the applicant and any other parties to
9 this matter who testified before the Land Use and Zoning Committee
10 or otherwise filed a qualifying written statement as defined in
11 Section 656.140(c), *Ordinance Code.*

12 **Section 4. Effective Date.** The enactment of this Ordinance
13 shall be deemed to constitute a quasi-judicial action of the City
14 Council and shall become effective upon signature by the Council
15 President and Council Secretary.

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17 Form Approved:

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19 /s/ Mary E. Staffopoulos

20 Office of General Counsel

21 Legislation Prepared By: Connie Quinto

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