

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2023-0432 (WRF-23-08)

SEPTEMBER 6, 2023

Location: 11317 or 0 Distribution Avenue; on the north side of Philips Highway (US 1) between Business Park Boulevard and Business Park Boulevard North

Real Estate Number: 167826-0010

Waiver Sought: Reduce minimum required road frontage from 35 feet to 0 feet

Present Zoning District: Industrial Light (IL)

Current Land Use Category: Light Industrial (LI)

Planning District: Southeast, District 3

Agent/Owner: Agan Prameshuber
Twin Towers Group
3653 Eastbury Drive
Jacksonville, Florida 32224

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance-2023-0432 (WRF-23-08)** seeks to reduce the minimum required road frontage from 35 feet to 0 feet to allow for a parcel with deficient road frontage to use an easement for access to Distribution Avenue. The property is currently undeveloped and located in the Industrial Light (IL) zoning district. The owner wishes to use the 3.43 acre site for a storage lot. The lot, and adjacent parcel with the 35 foot wide easement for access (RE 167865 2112) are owned by the same owner.

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 authorized to be granted by the City Council 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 practical or economic difficulties in carrying out the strict letter of the regulation?*

Yes. There is no way for the owner to obtain additional property providing road frontage. The property owner would have to combine the lots to demonstrate access to Distribution Avenue. The property owner does not own any other property adjacent to these lots, and all the parcels around it have been developed. Due to existing structures already on the properties, there would be no way to create a driveway to meet the requirements for the parcel in question.

- (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 request does not have the effect of reducing the cost of development; rather, it will allow the applicant to access the property through an easement, across property they own. The property meets all other development standards.

- (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 property to the west is owned by the applicant, and surrounding properties are developed with similar industrial uses, or are undevelopable wetlands. The request to access Distribution Avenue through the adjacent property utilizing an easement will not diminish property values.

- (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 applicant has provided information about an easement across property RE# 167865 2112 that fronts Distribution Avenue.

- (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 easement will provide adequate access to the subject properties. There is no detriment to the public health, safety, or welfare, and the development will comply with all other requirements of the Zoning Code.

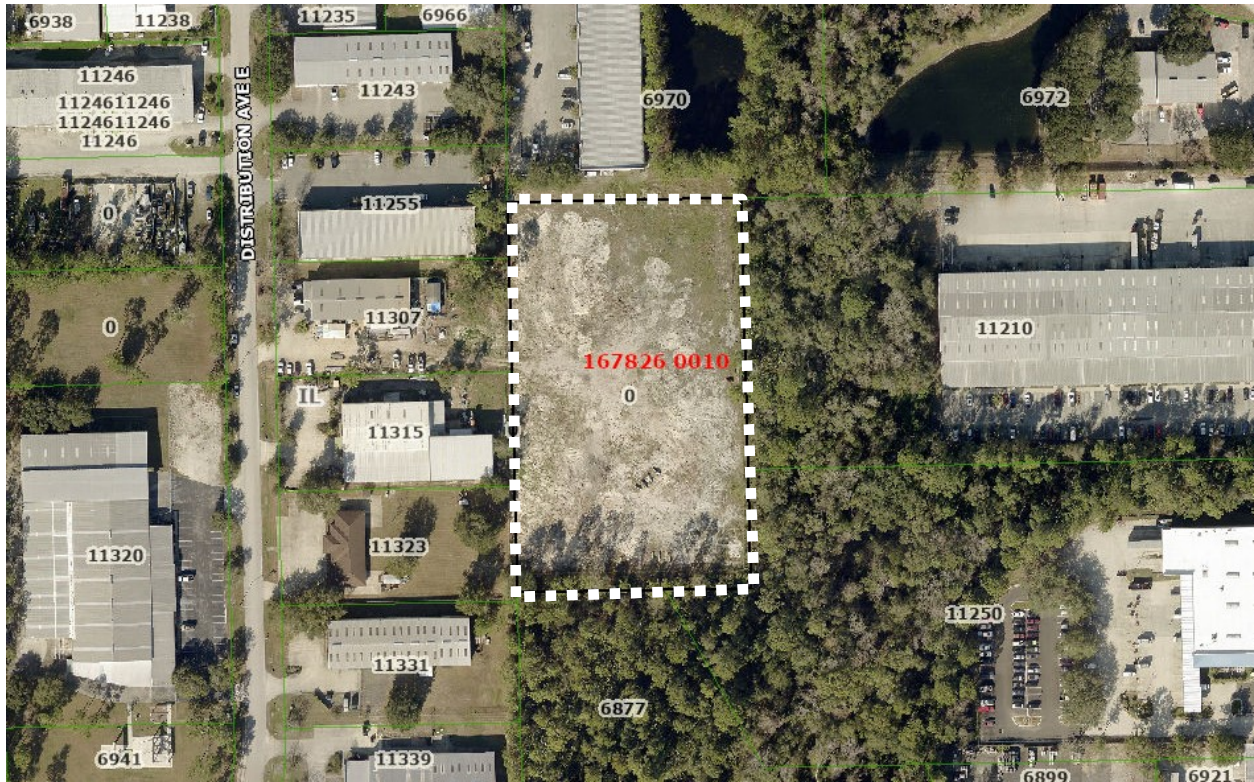
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 24, 2023, by the Planning and Development Department, 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 **WRF-23-08** be **APPROVED**.



Aerial view of the subject site facing north



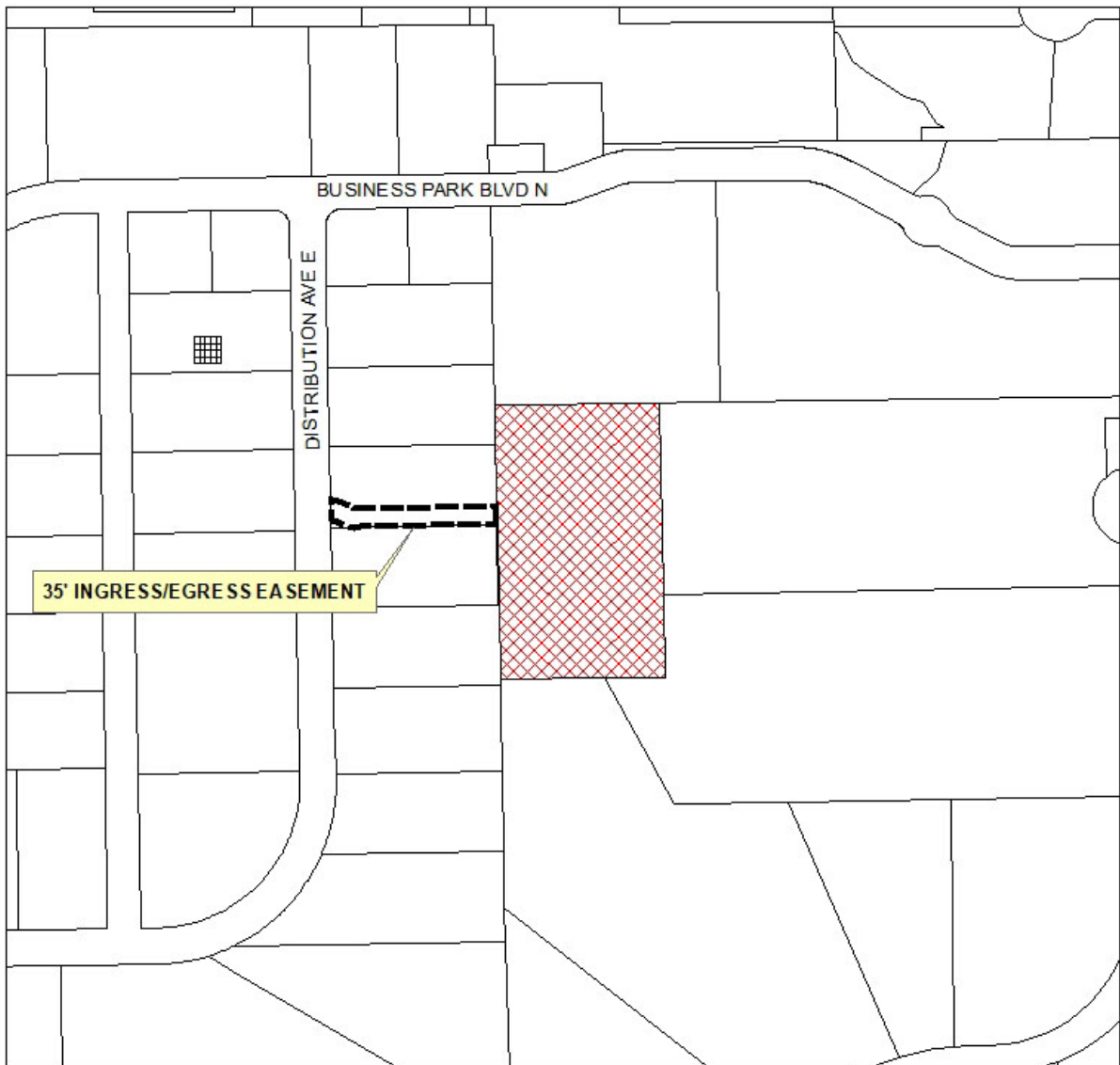
Facing east into the subject site from 11307 Distribution Avenue.



Facing south along Distribution Avenue with 11307 on the left.



Facing north along Distribution Avenue with 11307 on the right.

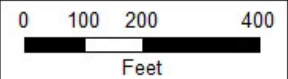
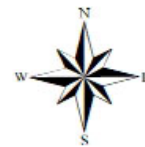
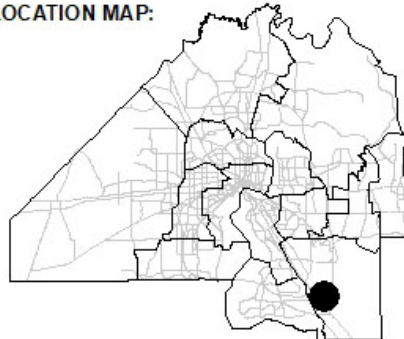


REQUEST SOUGHT:

**REDUCE REQUIRED
MINIMUM ROAD
FRONTAGE FROM 35' TO 0'**

**ACCESS THROUGH
ADJACENT PARCEL**

LOCATION MAP:



COUNCIL DISTRICT:

11

ORDINANCE NUMBER

ORD-2023-0432

TRACKING NUMBER

WRF-23-08

**EXHIBIT 3
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