

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2024-64 (WRF-23-31)

MARCH 5, 2024

Location: 0 Spearing Street
Between Pippin Street and Union Street East

Real Estate Number(s): 122239-0000

Waiver Sought: Reduce Minimum Required Road Frontage from 32 feet to 30 feet

Present Zoning: Residential Medium Density B (RMD-B)

Current Land Use Category: Medium Density Residential (MDR)

Planning District: Urban Core, District 1

Council District: District 7

Applicant/Owner: Ahmed Ettaachfini
1923 Holly Oaks Ravine Drive
Jacksonville, Florida 32225

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2024-64 (WRF-23-31)** seeks to reduce the required minimum road frontage from 32 feet to 30 feet in order to allow for the development of a single-family dwelling. The lot was originally combined with the southern 30 feet of 810 Spearing Street. Staff is unable to determine when the lot was split. The lot split results in the northern portion deficient in road frontage and lot width.

This waiver is a companion to 2024-65 (AD-23-111) which seeks to reduce the minimum lot width from 40 feet to 30 feet and reduce the front setback from 20 feet to 15 feet. The department is also recommending approval of the administrative deviation.

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 property owner wishes to construct a single family dwelling on the 0.05 acre (2,275 sq. ft.) property. Sometime the parcel was split and made non-conforming. Any attempt to purchase additional property from adjacent parcels will result in those parcels being non-compliant. Given this, it is seen as impractical to require the site to meet the 32-foot requirement.

- (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 two single-family dwellings on the site and approval of this request would not change the cost burden on the applicant for the construction of the single-family dwelling. It is not anticipated that the applicant will need relief from any of the requirements of Chapter 654 of the Municipal Code.

- (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. There are other properties in the surrounding area that are 30 feet in width. It is not anticipated that the construction of the new dwelling will reduce the property values of the neighboring lots, nor would it interfere with the rights of other homeowners.

- (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?***

Not applicable. The subject site will be accessed from Spearing Street which is a publically maintained right of way by the City.

- (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. Spearing Street will provide adequate access to the subject property. 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 February 23, 2024 by the Planning and Development Department, the required Notice of Public Hearing sign was posted correctly.



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 2024-64 (WRF-23-31)** be **APPROVED**.



View of subject property



Aerial view of the subject property.