

AD-23-89

LOCATION: 0 Fair Street

REAL ESTATE NUMBER: 069335-0020

DEVIATION SOUGHT:

1. Reduce required lot width from 60 feet to 31 feet four (4) inches for both proposed lots.
2. Reduce lot area from 6,000 square feet to 3,646 square feet for both proposed lots.
3. Reduce required front yard from 20 feet to 10 feet for both proposed lots.
4. Reduce required secondary front yard along Irvington Avenue from 10 feet to five (5) feet for Lot 1 as depicted on the site plan

PRESENT ZONING: RLD-60

CURRENT LAND USE: LDR

PLANNING DISTRICT: 4

COUNCIL DISTRICT: 7

SIGNS POSTED: 2

OWNER/Agent:

John Allmand
J.A. Architecture, 1746 Fair LLC
3750 Oak Street
Jacksonville, FL 32205

STANDARDS, CRITERIA AND FINDINGS

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| 1. Is this situation unique or similar to other properties in the neighborhood? | <p><u>Recommendation:</u></p> <p>Similar. This property is located at the northwest corner of Irvington Avenue and Fair Street. The property is approximately 0.16± acres. The subject property is zoned Residential Low Density-60 (RLD-60) with required minimum lot width of 60 feet, 6,000 square feet of area, a 20 foot front setback and 10 foot secondary front setback in accordance with Sec. 656.305(A)(II)(d)&(f). There is a companion Waiver of Road Frontage (2023-0827, WRF-23-25) to reduce road frontage along Lot 2, as depicted on the site plan, from 48 feet to 31 feet, four inches.</p> <p>Currently, the subject property is undeveloped and approximately 63 feet in width. The property owner proposes splitting the parcel into two lots, each being approximately 31 feet four inches wide and 3,646 square feet. The majority of the surrounding area is made up of properties that exceed the foregoing lot requirements. Therefore, this property is not out of character for the area in its current configuration, however, splitting the lot would create a unique situation for the neighborhood.</p> <p><u>Findings:</u></p> |
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| 2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that... | <p><u>Recommendation:</u> No. It is not impractical to strictly impose the RLD-60 standards for lot width, area, and setbacks on this property. The proposed split represents a self-imposed hardship and could be developed in its current configuration while still conforming to the strict letter of the code.</p> <p><u>Findings:</u></p> |
| 3. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish a result that is in the public interest. | <p><u>Recommendation:</u> Yes. There is no evidence that granting the deviation would reduce the cost of developing the site. The property is currently vacant. The property owner is proposing to develop two single family dwellings. If the deviation is granted, the cost of developing two single family homes would exceed the cost to build one, as the Zoning District currently allows. It is not in the public's interest to allow this deviation as it does not follow the existing pattern of development.</p> <p><u>Findings:</u></p> |
| 4. The proposed deviation will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation, in that... | <p><u>Recommendation:</u> No. The deviation will substantially diminish property values or alter the essential character of the surrounding area. The applicant plans to construct two (2) single-family dwellings on the property, which Staff contends will not be similar to existing development in the surrounding neighborhood. The majority of the dwellings surrounding the subject lot are developed on 75 foot or larger lots. The subject property is already smaller than what is generally developed in the area, splitting it into 30 foot lot would set a precedent for future, similar requests, thereby altering the existing character of the area.</p> <p><u>Findings:</u></p> |
| 5. The proposed deviation will not be detrimental to the public health, safety, or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law, in that... | <p><u>Recommendation:</u> No. Staff finds the proposed deviation will not be detrimental to the public health, safety, or welfare, however, it may create a nuisance. Given the general residential lot size in the surrounding area, as well as the existing land use categories and zoning district contiguous to the site, the proposed deviation will create two lots significantly smaller than surrounding lots, decreasing property values and altering the character of the area.</p> <p><u>Findings:</u></p> |

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| 6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code. | <p><u>Recommendation:</u> No. The intent of the Zoning Code is to promote the health and safety of the public, while allowing for deviations that are within the public's best interest. The proposed deviation does not negatively affect the public's health or safety, however, it could create a deviation that is out of character with the surrounding neighborhood, setting a precedent for future requests, and thereby altering the existing character of the surrounding area.</p> <p><u>Findings:</u></p> |
| 7. The City landscape architect (has/has not) recommended the proposed deviation. | N/A |
| 8. The existing violation was not created by the applicant with an intent to violate the Zoning Code. | There are currently no existing Zoning Code violations associated with the subject property. |

STAFF RECOMMENDATION: DENY
DATE OF REPORT: January 17, 2024
ZONING ADMINISTRATORS DECISION:
DATE:

Upon visual inspection of the subject property on November 30, 2023 by the Planning and Development Department the required Notice of Public Hearing signs were posted.



Source: Planning & Development Department (11/30/2023)



Aerial View
Source: JaxGIS



View of Subject Lot
Source: Planning & Development Department (11/30/2023)



View of adjacent multifamily property

Source: Planning & Development Department (11/30/2023)



View of nearby single family homes

Source: Planning and Development Department (11/30/23)



View of nearby single family homes

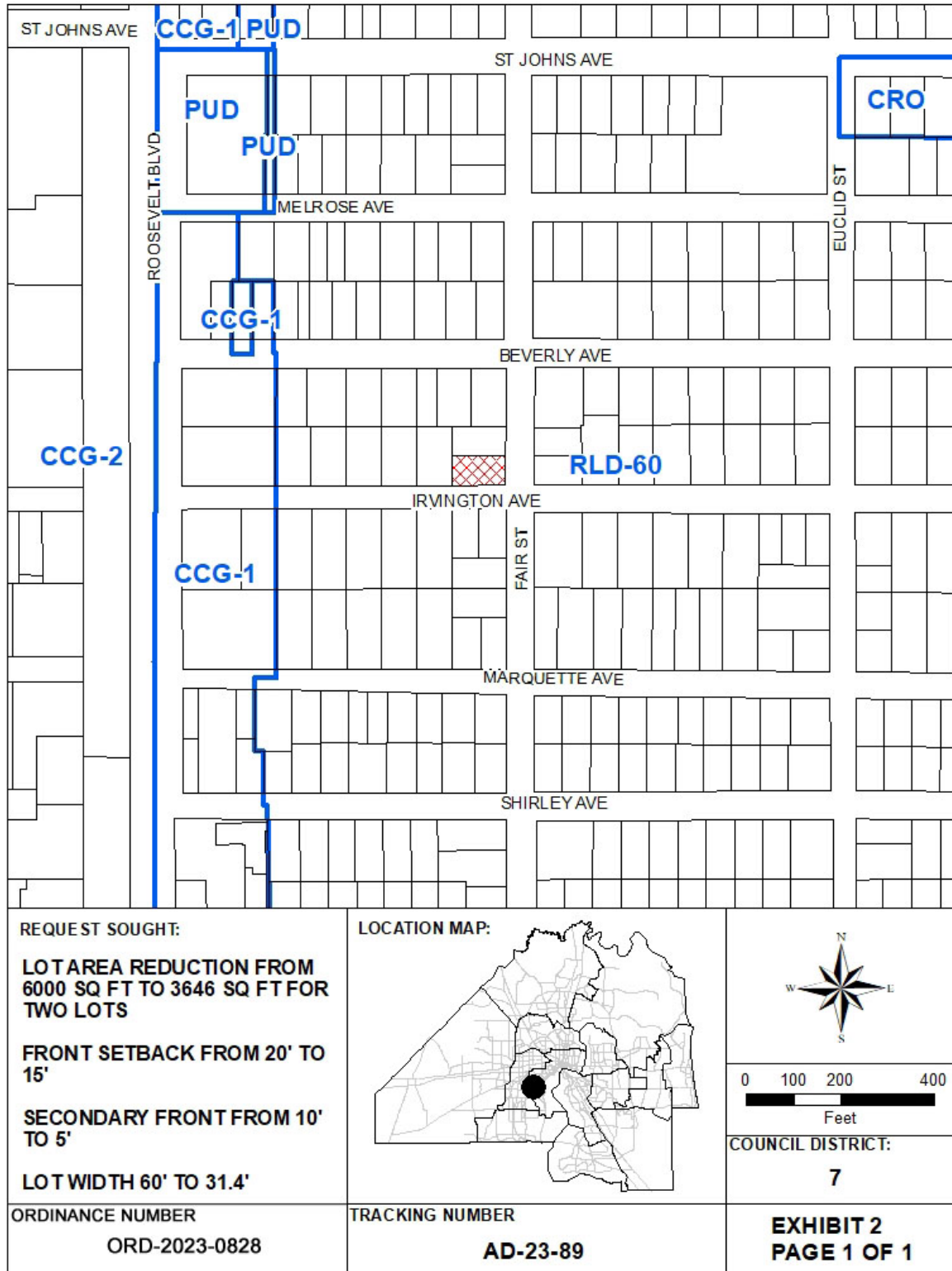
Source: Planning and Development (11/30/2023)



View of Nearby multifamily property

Source: Planning and Development (11/30/2023)

Legal



Map
Source: JaxGIS