

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2024-0023 (WRF-23-28)

MARCH 5, 2024

Location: 0 Yellow Bluff Road,
Between Mahou Road and Lake Road

Real Estate Number(s): 106166 0420

Waiver Sought: Reduce the minimum required road frontage from 80
feet to zero (0) feet

Present Zoning: Residential Rural-Acre (RR-Acre)

Current Land Use Category: Rural Residential (RR)

Planning District: North, District 6

Applicant: Robert Creech
14971 Yellow Bluff Road
Jacksonville, FL 32226

Owner: Melissa J. Farrar
627 Delaware Avenue
Virginia Beach, VA 23451

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2024-0023 (WRF-23-28)** seeks to reduce the required minimum road frontage from 80 feet to 0 feet in order to allow for the development of a single-family dwelling in the Residential Rural-Acre (RR-Acre) Zoning District.

Per Part 4 of the Zoning Code (Sec.656.407), no dwelling or dwellings may be constructed on a lot in a residential zoning district unless the lot has frontage on a public or approved private street equal to not less than 80 percent of the minimum lot width.

The subject property is a 1.52 acre lot located approximately 0.50 miles northeast of Yellow Bluff Road. The property is currently vacant and the applicant seeks to develop it with one single-family

dwelling. While the property lacks frontage along Yellow Bluff Road, the property owner has access to an established easement that connects to Yellow Bluff Road. There are at least four other properties in the surrounding area that utilize this same easement, including 14971 and 14955 Yellow Bluff Road.

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 1.52 acre property meets the RR-Acre Zoning District requirements in order to build one single family dwelling, except for the minimum road frontage. While the subject property does not front a public right of way, it does have access to an established easement and private drive that connects to Yellow Bluff Road.

- (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 a single-family dwelling 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. The waiver would permit a new single family dwelling to be constructed. 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. There are a diverse number of lots of varying sizes and shapes in the surrounding area.

- (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. There is an approximately 85-foot wide parcel that is utilized as a private drive for multiple property owners located in this area. The applicant will have access to this private drive, along with an easement through 14971 Yellow Bluff Road to this private drive.

- (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. There is an existing gravel driveway that neighboring properties currently use as an easement. Per the submitted survey of the subject property, the property owner will be utilizing these easements through neighboring properties to access Yellow Bluff Road. There is no detriment to the public health, safety, or welfare, and the development will comply with all other requirements of the Zoning Code.

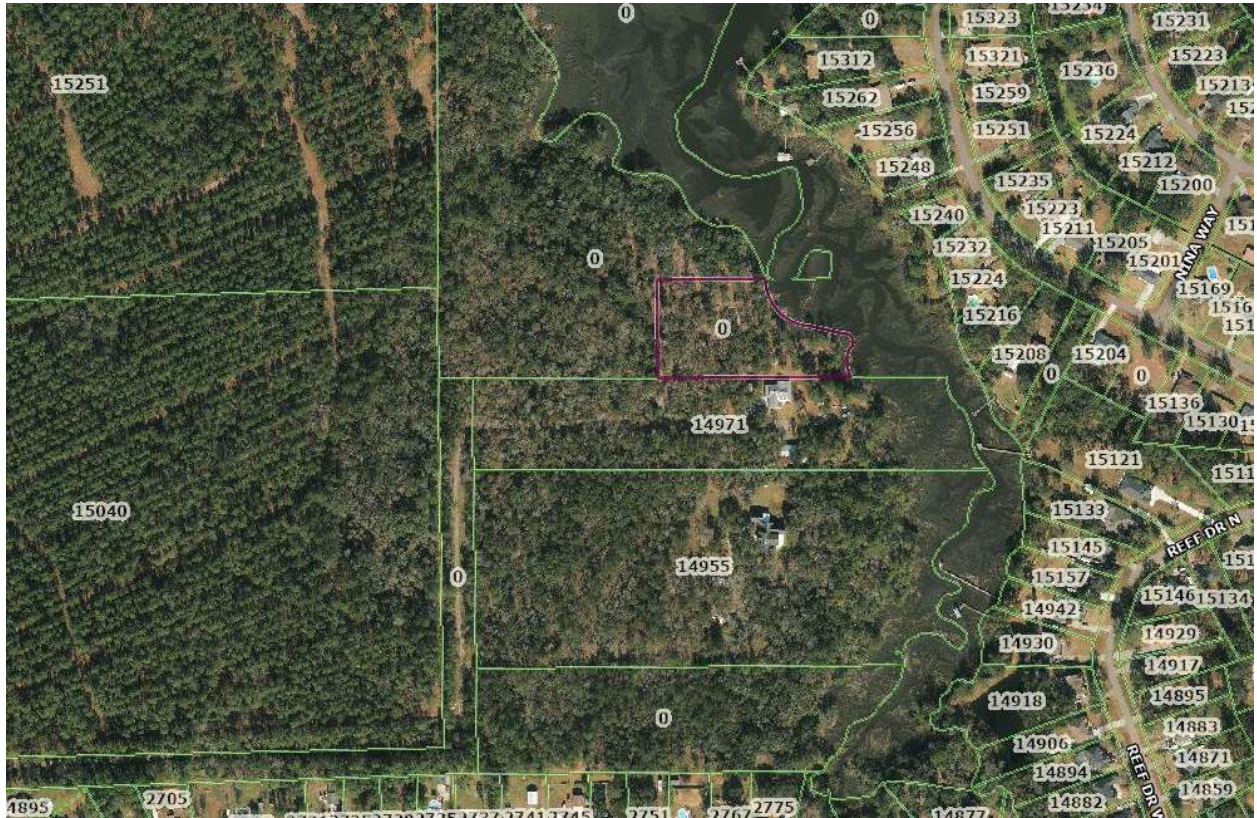
SUPPLEMENTARY INFORMATION

The applicant provided photo evidence on **February 26, 2024** that 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 **Ordinance 2024-0023 (WRF-23-28)** be **APPROVED**.

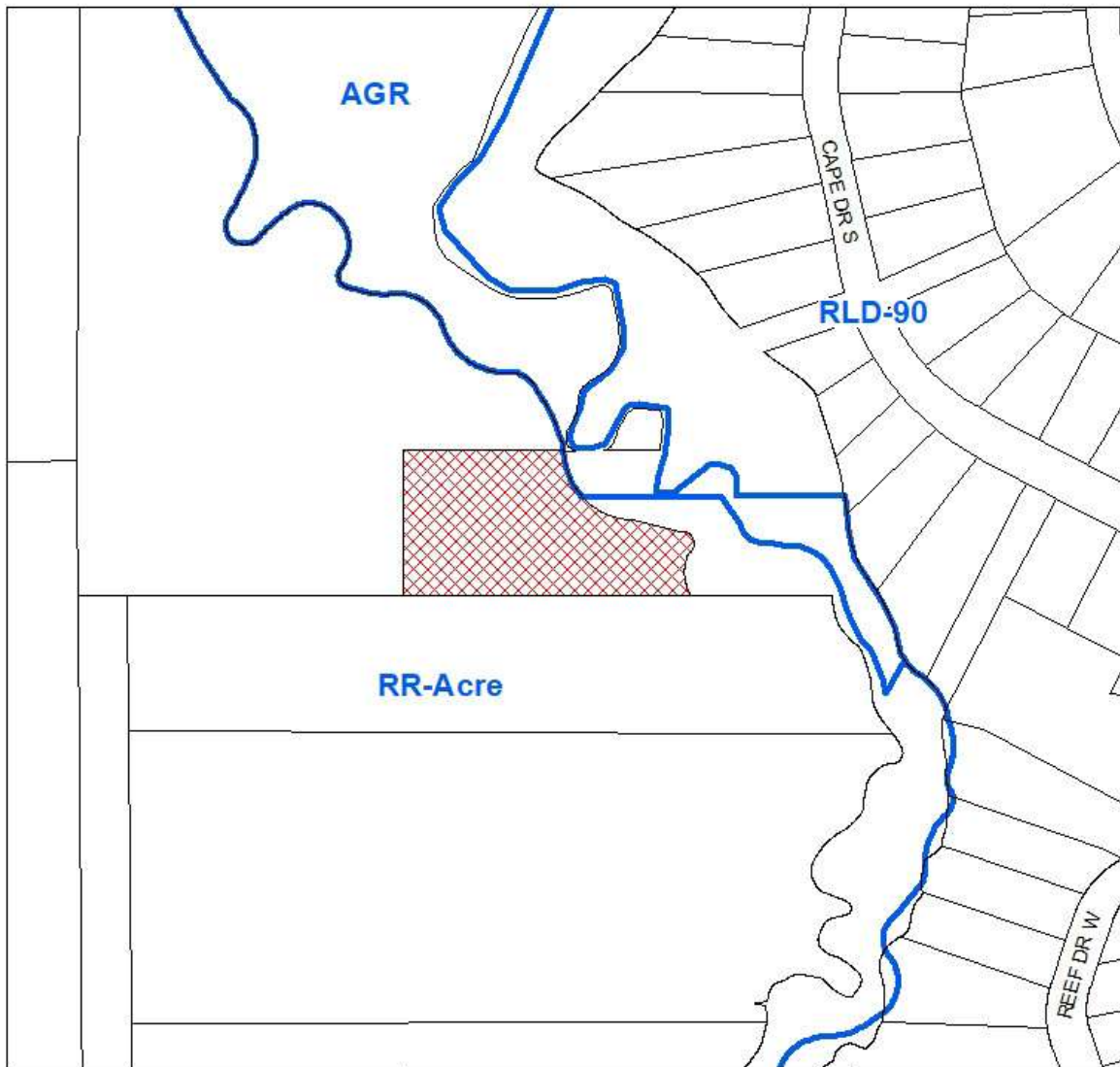


Source: Planning and Development Department, 2/26/2024
Aerial view of the subject property, facing north.



Source: Planning and Development Department, 2/26/2024

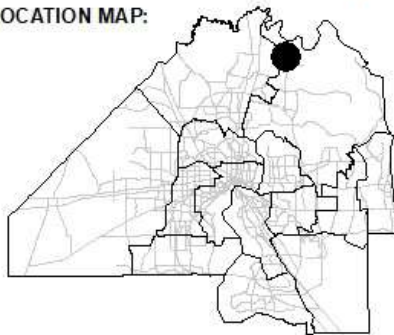
View of the existing easement from Yellow Bluff Road.



REQUEST SOUGHT:

**REDUCE REQUIRED
MINIMUM ROAD
FRONTAGE FROM 80 FEET
TO 0 FEET**

LOCATION MAP:



0 100 200 400
Feet

COUNCIL DISTRICT:

2

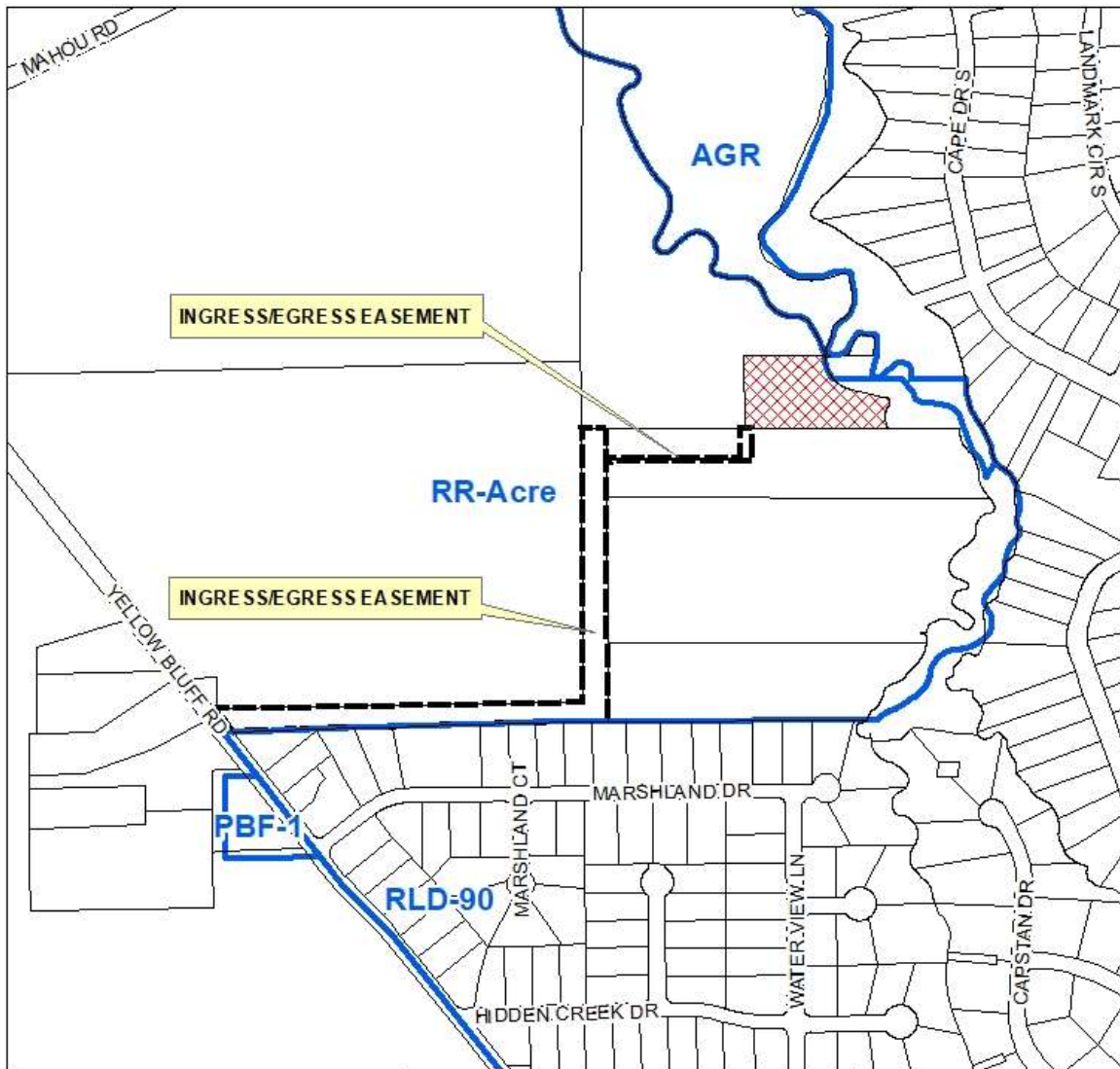
ORDINANCE NUMBER

ORD-2024-0023

TRACKING NUMBER

WRF-23-28

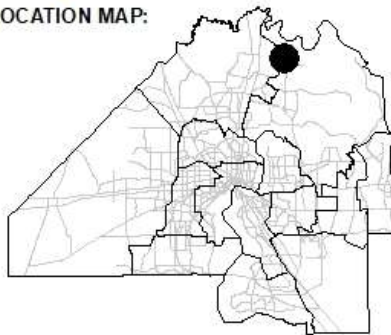
**EXHIBIT 2
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REQUEST SOUGHT:

**REDUCE REQUIRED
MINIMUM ROAD
FRONTAGE FROM 80 FEET
TO 0 FEET**

LOCATION MAP:



0 200 400 800
Feet

COUNCIL DISTRICT:

2

TRACKING NUMBER

WRF-23-28

**EXHIBIT 2
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