

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE**

**ORDINANCE 2024-0235 (WRF-24-03)**

**MAY 7, 2024**

***Location:*** 0 Dawsons Creek Drive  
Between Brannan Field Road and Forest Trail Road

***Real Estate Number(s):*** 002331-0000

***Waiver Sought:*** Reduce Minimum Required Road Frontage from 80 Feet to 0 Feet for one lot.

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

***Current Land Use Category:*** Residential Rural (RR)

***Planning District:*** 4-Southwest

***Council District:*** District - 12

***Applicant/Agent:*** Ryan C. Powell  
1086 Rigdon Road  
Jacksonville, Florida 32220

***Owner/Applicant:*** Amal Real Estate Investments LLC  
4946 23<sup>rd</sup> Avenue North  
Saint Petersburg, Florida 33710

***Staff Recommendation:*** **Approve**

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage **Ordinance 2024-0235** (WRF-24-03) seeks to reduce the required minimum road frontage from 80 feet to 0 feet in order to allow for a single family home to be developed on the site. The subject site is 9.4 acres and is located near the Ceicil Field Airport. More specifically the subject site is located within the 50 foot height limit zone, and the 70 decibel noise contour area of the airport. The subject site will be required to comply with all Part 10 requirements of the Zoning Code.

**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 subject site is located .62 miles north of Brannan Field Road behind 6 other properties. In order to comply with the strict letter of the code a new roadway would need to be built to City standards through the other properties in order for the road frontage requirement to be met. This requirement is seen as both practical and economically impractical for the applicant to do.

- (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 is not 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*). The request being sought will allow for the construction of one single family dwelling on a lot that is much larger than the minimum lot requirements of the RR-Acre Zoning Category.

- (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 will not diminish the property values or alter the essential character of the area surrounding the site. The subject site exceeds every requirement of the RR-Acre zoning category and is similar in nature to other properties 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. The property has access through a 30-foot private driveway from Brannan Field Road and easements through neighboring properties. The easement is depicted in Exhibit 3 of the application.

- (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?*

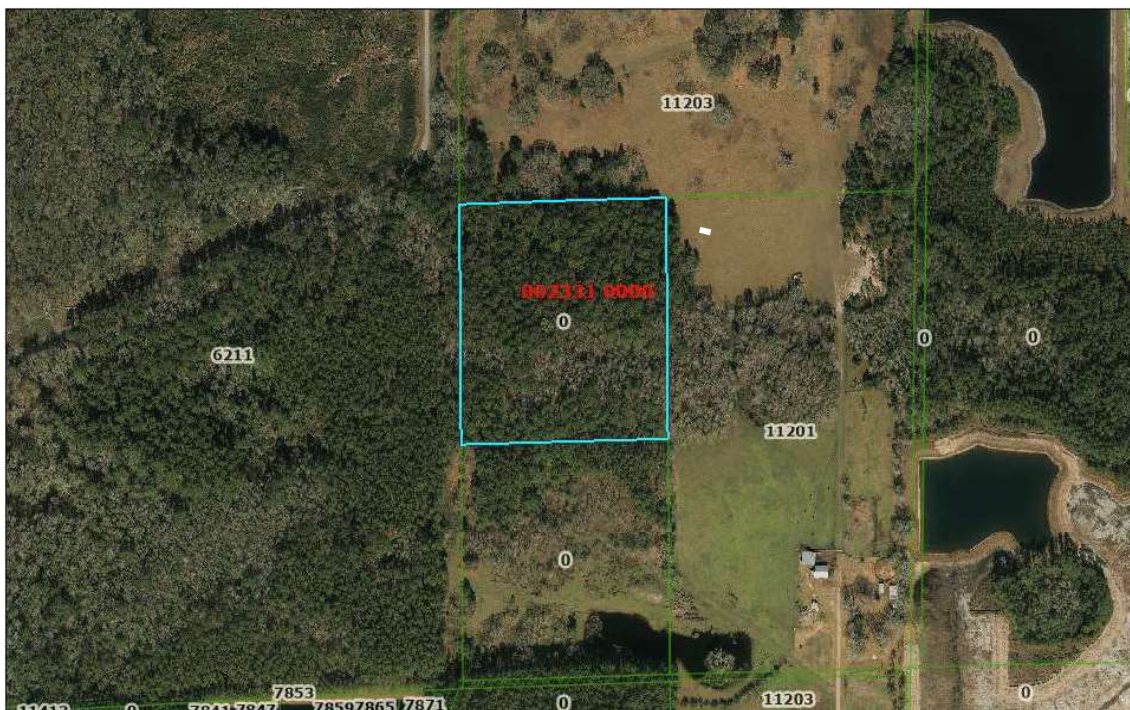
No. Staff finds the proposed waiver will not be detrimental to the public health, safety, or welfare, or create a nuisance. Given the general residential lot size in the surrounding area, as well as the existing land use categories and zoning district contiguous to the site, the proposed waiver will allow for a residence to be built on a property that is of similar nature to the area.

### SUPPLEMENTARY INFORMATION

Upon confirmation by the Applicant on April 22, 2024 to the Planning and Development Department, the required Notice of Public Hearing signs **was** posted. Proof of the sign posting can be found in the application folder.

### 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 2024-0235 (WRF-24-03)** be **APPROVED**.



Aerial View

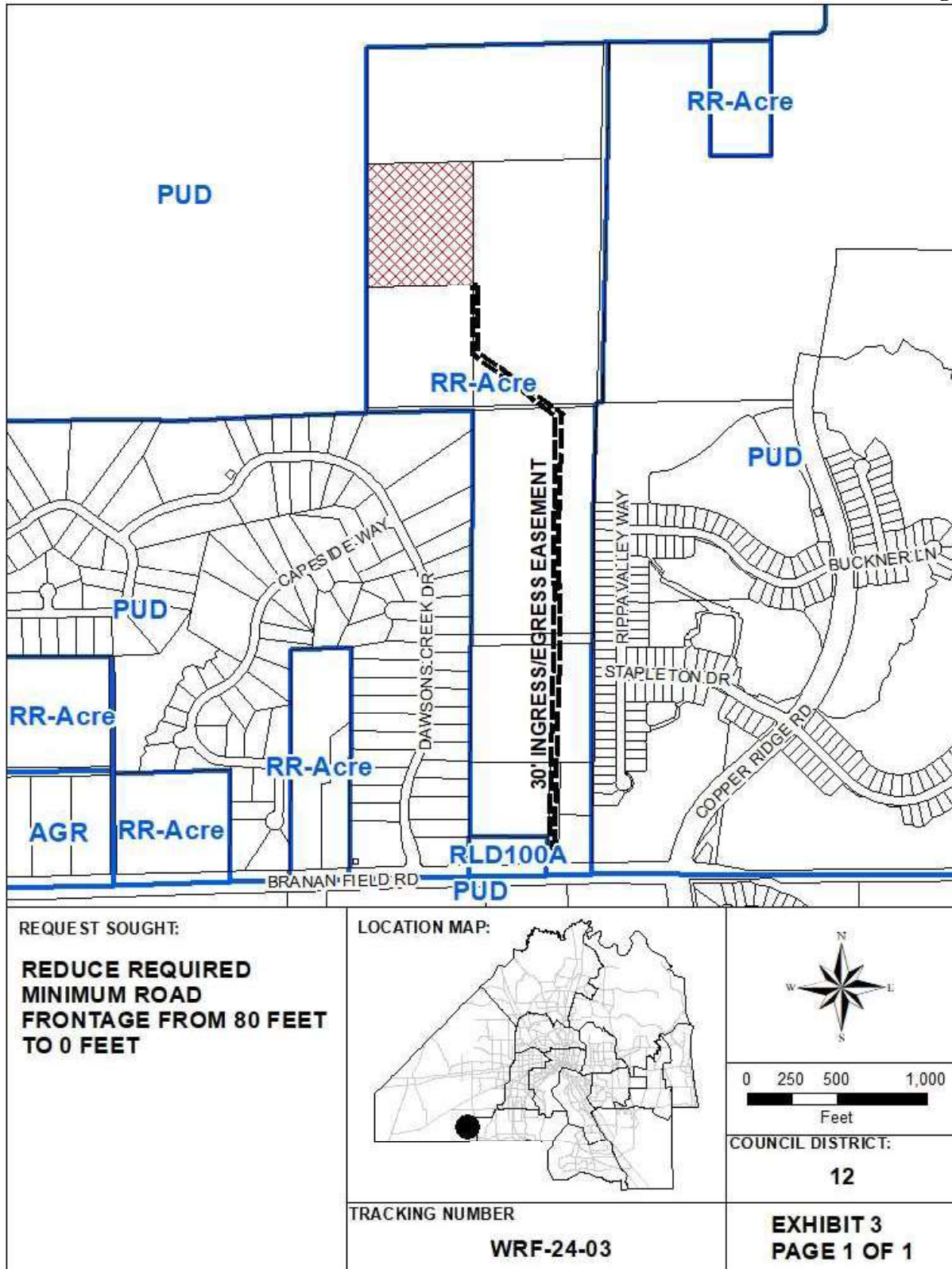


**View of the Private Road Entrance**



**View looking toward the subject site from the Private Road**





Legal Map