

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE****ORDINANCE 2024-0236 (WRF-24-04)****May 7, 2024**

Location: 5841 Ellakel Road
Between Scott Street and Reed Street

Real Estate Number(s): 026444-0200

Waiver Sought: Reduce Minimum Required Road Frontage from 48 feet to 32 feet.

Present Zoning: Residential Low Density-60 (RLD-60)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Northwest, District 5

Council District: District 10

Owner: Ellakel Road Land Trust
1919 Blanding Blvd
Jacksonville, FL 32210

Applicant: Tana Mankus
14571 Marsh View Drive
Jacksonville Beach, FL 32250

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2024-0236 (WRF-24-04)** seeks to reduce the required minimum road frontage from 48 feet to 32 feet to allow for the development of a new single-family dwelling at 5841 Ellakel Road in the Residential Low Density-60 (RLD-60) Zoning District. Ellakel Road does not extend the full width of the property, therefore, the applicant is requesting to reduce the required road frontage.

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 parcel is located along a publicly maintained roadway, Ellakel Road, and meets all other requirements for the Residential Low Density-60 (RLD-60) zoning district, including lot width and lot area. Given the restrictions to access a public street, this creates a practical and economic challenge in meeting the regulations of required road frontage.

- (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 new single-family dwelling on the otherwise vacant undeveloped parcel at 5841 Ellakel Road. Approval of this request would not change the cost burden on the applicant for this construction of the single-family dwelling. It is not anticipated that the applicant will need further 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 on an otherwise vacant, undeveloped parcel. 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, but would rather add value to the adjacent properties as the parcel would go from being a vacant, undeveloped lot to having a single-family home.

- (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. As previously mentioned, the subject property fronts Ellakel Road, which is a publicly maintained road, but does not meet the standards of the Zoning Code for the amount of feet for road access—the property has 32 feet of road frontage along Ellakel Road, but 48 feet is required in Residential Low Density (RLD-60) zoning district.

- (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. Ellakel Road 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 **April 16th, 2024** by the Planning and Development Department the required Notice of Public Hearing signs **were** 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 2024-0236 (WRF-24-04)** be **APPROVED**.



Aerial View
Source: JaxGIS



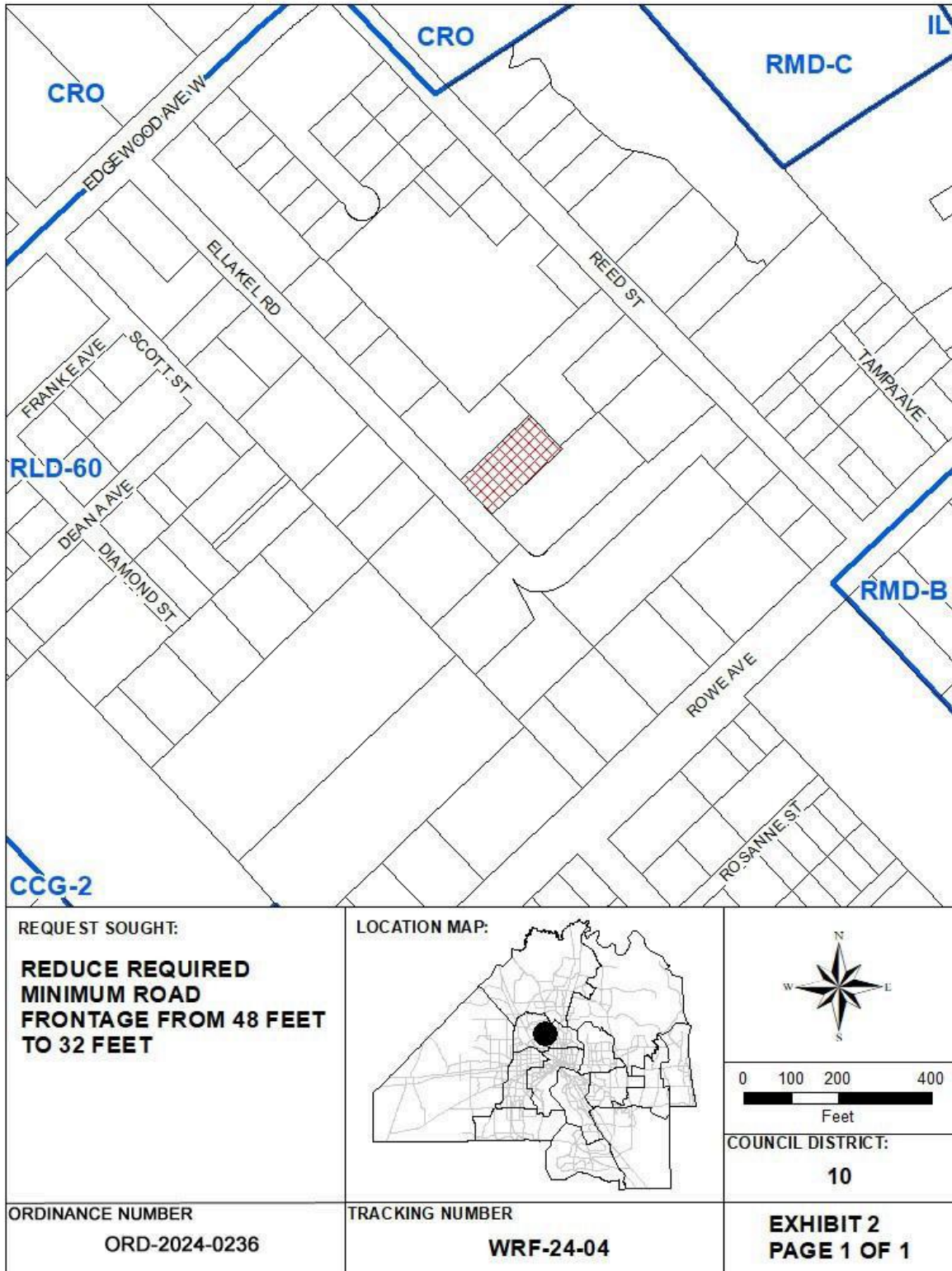
Subject Property: 5841 Ellakel Road
Source: Planning and Development Department, COJ
Date: April 16, 2024



Subject Property: 5841 Ellakel Road

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Date: April 16, 2024



Legal Map