

1 Introduced by the Land Use and Zoning Committee:  
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4 **ORDINANCE 2019-369**

5 AN ORDINANCE APPROVING THE WAIVER OF MINIMUM  
6 ROAD FRONTAGE APPLICATION WRF-19-15, LOCATED  
7 IN COUNCIL DISTRICT 14 AT 6263 ORTEGA FARMS  
8 BOULEVARD, BETWEEN ORTEGA FARMS BOULEVARD AND  
9 WIEGLA TERRACE (R.E. NO. 103341-0020) AS  
10 DESCRIBED HEREIN, OWNED BY MERIDIAN PROPERTY  
11 DEVELOPMENT, LLC, REQUESTING TO REDUCE THE  
12 MINIMUM ROAD FRONTAGE REQUIREMENTS FROM 48  
13 FEET TO 0 FEET IN ZONING DISTRICT RESIDENTIAL  
14 LOW DENSITY-60 (RLD-60), AS DEFINED AND  
15 CLASSIFIED UNDER THE ZONING CODE; PROVIDING A  
16 DISCLAIMER THAT THE WAIVER GRANTED HEREIN  
17 SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM  
18 ANY OTHER APPLICABLE LAWS; PROVIDING AN  
19 EFFECTIVE DATE.  
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21 **WHEREAS**, an application for a waiver of minimum road frontage,  
22 **On File** with the City Council Legislative Services Division, was  
23 filed by Meridian Property Development, LLC, the owner of property  
24 located in Council District 14 at 6263 Ortega Farms Boulevard,  
25 between Ortega Farms Boulevard and Wiegla Terrace (R.E. No. 103341-  
26 0020) (Subject Property), requesting to reduce the minimum road  
27 frontage from 48 feet to 0 feet in Zoning District Residential Low  
28 Density-60 (RLD-60); and

29 **WHEREAS**, the Planning and Development Department has  
30 considered the application and all attachments thereto and has  
31 rendered an advisory recommendation; and

1           **WHEREAS**, the Land Use and Zoning Committee, after due notice  
2 held a public hearing and having duly considered both the  
3 testimonial and documentary evidence presented at the public  
4 hearing, has made its recommendation to the Council; and

5           **WHEREAS**, taking into consideration the above recommendations  
6 and all other evidence entered into the record and testimony taken  
7 at the public hearings, the Council finds that: (1) there are  
8 practical or economic difficulties in carrying out the strict  
9 letter of the regulation; (2) the request is not based exclusively  
10 upon the desire to reduce the cost of developing the site or to  
11 circumvent the requirements of Chapter 654 (Code of Subdivision  
12 Regulations); (3) the proposed waiver will not substantially  
13 diminish property values in, nor alter the essential character of,  
14 the area surrounding the site and will not substantially interfere  
15 with or injure the rights of others whose property would be  
16 affected by the waiver; (4) there is a valid and effective easement  
17 for adequate vehicular access connected to a public street which is  
18 maintained by the City or an approved private street; and (5) the  
19 proposed waiver will not be detrimental to the public health,  
20 safety or welfare, result in additional expense, the creation of  
21 nuisances or conflict with any other applicable law; now, therefore

22           **BE IT ORDAINED** by the Council of the City of Jacksonville:

23           **Section 1. Adoption of Findings and Conclusions.** The  
24 Council has reviewed the record of proceedings and the Staff Report  
25 of the Planning and Development Department and held a public  
26 hearing concerning application for waiver of road frontage WRF-19-  
27 15. Based upon the competent, substantial evidence contained in  
28 the record, the Council hereby determines that the requested waiver  
29 of road frontage meets the criteria for granting a waiver contained  
30 in Chapter 656, *Ordinance Code*. Therefore, Application WRF-19-15 is  
31 hereby **approved**.

1           **Section 2.           Owner and Description.** The Subject Property is  
2 owned by Meridian Property Development, LLC, and is legally  
3 described in **Exhibit 1**, dated May 9, 2019, and graphically depicted  
4 in **Exhibit 2**, both **attached hereto**. The agent is Courtney Sotack,  
5 4495 Roosevelt Boulevard, #247, Jacksonville, Florida 32210; (570)  
6 594-9720.

7           **Section 3.           Distribution by Legislative Services.**  
8 Legislative Services is hereby directed to mail a copy of this  
9 legislation, as enacted, to the applicant and any other parties to  
10 this matter who testified before the Land Use and Zoning Committee  
11 or otherwise filed a qualifying written statement as defined in  
12 Section 656.140(c), *Ordinance Code*.

13           **Section 4.           Disclaimer.** The waiver of road frontage  
14 granted herein shall **not** be construed as an exemption from any  
15 other applicable local, state, or federal laws, regulations,  
16 requirements, permits or approvals. All other applicable local,  
17 state or federal permits or approvals shall be obtained before  
18 commencement of the development or use and issuance of this waiver  
19 of road frontage is based upon acknowledgement, representation and  
20 confirmation made by the applicant(s), owner(s), developer(s)  
21 and/or any authorized agent(s) or designee(s) that the subject  
22 business, development and/or use will be operated in strict  
23 compliance with all laws. Issuance of this waiver of road frontage  
24 does **not** approve, promote or condone any practice or act that is  
25 prohibited or restricted by any federal, state or local laws.

26           **Section 5.           Effective Date.** The enactment of this  
27 Ordinance shall be deemed to constitute a quasi-judicial action of  
28 the City Council and shall become effective upon signature by the  
29 Council President and Council Secretary. Failure to exercise the  
30 waiver, if herein granted, by the commencement of the use or action  
31 herein approved within one year of the effective date of this

1 legislation shall render this waiver invalid and all rights arising  
2 therefrom shall terminate.

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4 Form Approved:

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6           /s/ Shannon K. Eller          

7 Office of General Counsel

8 Legislation Prepared By: Connor Corrigan

9 GC-#1283869-v1-WRF-19-15