

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

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

**ORDINANCE 2014-0103 (WRF-14-01)**

**APRIL 1, 2014**

***Location:*** 2633 Jones Road; between Snellgrove Avenue and  
Vineyard Lane

***Real Estate Number(s):*** 004580 0200

***Waiver Sought:*** Reduce the required minimum road frontage from  
240 feet to 37 feet for three single family dwellings

***Current Zoning:*** Residential Rural – Acre (RR-Acre)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Northwest - 5

***City Council District:*** The Honorable Denise Lee, District 8

***Agent:*** Curtis Hart  
8051 Tara Lane  
Jacksonville, Florida 32216

***Owner:*** Robert White  
2633 Jones Road  
Jacksonville, Florida 32220

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage **Ordinance 2014-103 (WRF-14-01)** seeks to reduce the required minimum road frontage in the RR-Acre zoning district from 240 feet (80x3) to 37 feet for three proposed single-family dwellings. The subject property contains approximately 6.8 acres and is undeveloped. This flag lot site is the remaining portion of the original 7.8 acre lot of record (designated Open Rural at the time), which was reduced by one acre when the property at 2631 was split-off and developed with a home in 1967. The property has a 37 foot wide access way along the northern boundary which will be used to gain access to

the property. WRF-09-01 was granted to the previous owner of this property for a reduction in frontage from 80 feet to 37 feet for the construction of one home.

### **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 property was originally part of a 7.8 acre lot. A previous owner sold one acre of land in 1967 which was used to build the residence at 2631 Jones Road, leaving this remaining 6.8 acre lot with only 37 feet of road frontage. Given the shape of the original parcel, it was not possible to divide the large piece of land without creating the need for relief on one of the properties. Furthermore, the owner is not able to acquire any of the surrounding properties to gain access to Jones Road without incurring a serious economic burden. This method of development has long been established along Jones Road, and a number of previous Waivers (WRF-99-43, WRF-05-08, WRF-05-13 and WRF-10-07) have been approved for similar requests.

- (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 does not have the effect of reducing the cost of development, and it does not circumvent the requirements of Chapter 654 because the original lot has not been divided into three or more parts. Grant of the request would allow for the utilization of a single 6.8 acre lot that meets all other development standards of the RR-Acre zoning district.

- (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 area is semi-rural with numerous large lots accessed by narrow driveways. This method of development has long been established along Jones Road, and a number of previous Waivers (WRF-99-43, WRF-05-08, WRF-05-13 and WRF-10-07) have been

approved for similar requests. The grant of the waiver will allow development consistent with the character of the 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?*

No. Since the site contains 37 feet of road frontage along Jones Road, an access easement is not needed. The existing frontage along Jones Road is sufficient to permit access to the site by fire/rescue, service and utility vehicles. A mailbox with a visible address already exists along Jones Road.

- (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. The proposed waiver will not be detrimental to the public health, safety, or welfare. The development of the site must comply with the Land Development Procedures and permitting requirements.

#### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on March 25, 2014 by the Planning and Development Department, the required Notice of Public Hearing sign was properly posted.



#### RECOMMENDATION

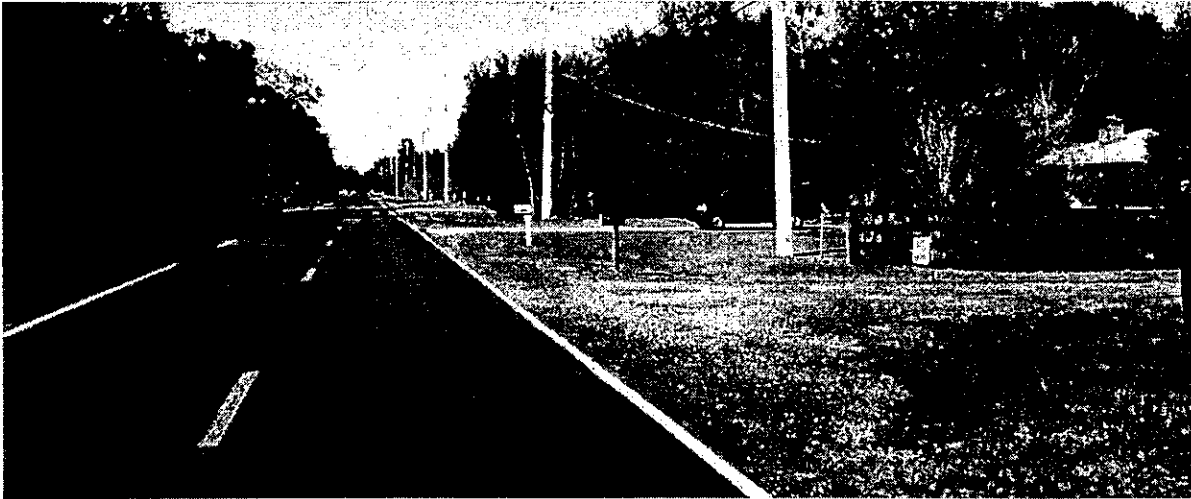
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Required Road Frontage **Ordinance 2014-0103 (WRF-14-01)** be **APPROVED**.



**Aerial view of the subject site facing north**



**The subject site ahead on the right facing north along Jones Rd.**



**The subject site on the right facing north along Jones Rd.**



**Facing east into the subject site from Jones Rd.**



**Facing east into the subject site from Jones Rd.**



**The subject site ahead on the left facing south along Jones Rd.**



**The subject site ahead on the left facing south along Jones Rd.**





# APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

2014-103

Application No. WRF- 14- 01
Set for Public Hearing on:
Notice of Violation:

This application must be typed or printed in black ink and submitted in person with three (3) other copies, for a total of four (4) copies.

Planning and Development Department  
Zoning Section  
Ed Ball Building  
214 North Hogan Street, 2nd Floor  
Jacksonville, Florida 32202

FOR INFORMATION REGARDING THIS FORM, CALL: (904) 255-8300.

For Official Use Only				
1. Date Submitted: <u>12-9-13</u>	2. Date Filed: <u>1-2-14</u>	3. Current Zoning District(s): <u>RR</u>	4. Future Land Use Map Category (FLUMs): <u>LDR</u>	5. Applicable Section of Ordinance Code: <u>656.407</u>
6. LUZ Public Hearing Date: <u>3/18/14</u>		7. City Council Public Hearing Date: <u>3/11/14</u>		
8. Neighborhood Association <u>CISCO GARDENS CIVIC ASSOCIATION</u>				
9. Number of Signs to be Posted <u>1</u>				

## TO BE COMPLETED BY APPLICANT

10. Complete Property Address: <u>2633 JONES ROAD</u>	13. Between Streets: <u>SNELLGROVE AVENUE</u> and <u>VINEYARD LANE</u>
11. Real Estate Number: <u>004580-0200</u>	
12. Date lot was recorded: _____	
14. Waiver Sought: <u>8043</u> Reduce Required Minimum Road Frontage from <u>240</u> feet to <u>37</u> feet <u>for 3 Houses</u>	
15. In whose name will the exception be granted? <u>ROBERT R. WHITE</u>	
16. Land Area (1/100 Acres): <u>6.98</u>	
17. Utility Services Provider	
Well: <input checked="" type="checkbox"/>	Septic: <input checked="" type="checkbox"/> City Water: _____ City Sewer: _____

\* \* \* NOTICE TO OWNER/AGENT \* \* \*

Section 656.101(i), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage requirements, pursuant to Section 656.407, Ordinance Code, Section 656.133 (b) 1 through 5, Ordinance Code, provides that with respect to action upon applications for Waivers, the City Council shall grant a waiver for reduction of the minimum requirements for road frontage, if the Council makes a positive finding based upon substantial, competent evidence that the application meets all of the following five (5) criteria:

18. Provide answers to the following questions pertaining to the standards and criteria. You may attach a separate sheet if necessary. (Please note that failure by the applicant to adequately substantiate the need for the exception and to meet the criteria set forth below may result in a denial).

(i) There are practical or economic difficulties in carrying out the strict letter of the regulation;

*Yes, Given the shape of this parcel it is not possible to divide with out relief. This method has long been established along Jones Road.*

(ii) 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 );

*No. This request does not reduce the cost of Development*

(iii) The proposed waiver 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 waiver;

*No. This area is semi-rural with numerous large lots accessed by narrow driveways*

(iv) There is a valid and effective easement for adequate vehicular access connected to a public street which is maintained by the City or approved private street;

*No, since we have 37 feet on Jones Road an easement is not needed.*

(v) The proposed waiver will not 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, The existing frontage along Jones Road is sufficient to permit access to the site by fire and rescue & public services.*

19. Attachments - One of each of the following should be included in each copy of the application, providing for four (4) complete copies. All copies, with the exception of the 2 required large site plans, should be on 8 1/2" x 11" paper.

☒ Survey (as required by the Current Planning Section)

☒ Site Plan as required per instructions. (2 copies on 8 1/2 x 11 and 2 copies on 11 x 17 or larger)

☒ Letter of Authorization for Agent/Applicant is required if application is made by any person other than the property owner.

☒ Legal description, may be either lot and block or metes and bounds, including real estate assessment number(s) of the subject property

☒ Proof of valid and effective easement for access to the property.

\*\*\* NOTICE TO OWNER / AGENT \*\*\*

Please review your application. All spaces noted as "TO BE COMPLETED BY APPLICANT" must be filled in for the application to be accepted.

No application will be accepted as "Complete and filed" until all the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. You (or your agent) must be present at the public hearing.

The required signs must be posted on the property within five (5) working days after the filing of this application. The sign(s) must remain posted and maintained until a final determination has been made on the application. Proof of notice publication must be submitted to the Current Planning Division, Planning and Development Department, Ed Ball Building, 214 North Hogan Street Suite 300, Jacksonville, Florida 32202, (904) 255-7800 PRIOR TO THE HEARING.

Also, an agent's letter of authorization must be attached if the application is not signed by the owner of record and also if someone attends the meeting on the applicant's behalf without prior authorization.

FILING FEES		NOTIFICATION COSTS:
RESIDENTIAL DISTRICTS.....	\$300.00	\$7.00 PER ADDRESSEE
NON-RESIDENTIAL DISTRICTS.....	\$700.00	ADVERTISING COSTS:
		BILLED TO OWNER / AGENT

\*\*\* Applications filed to correct existing zoning violations are subject to a double fee. \*\*\*

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

PLEASE PRINT:

Name and address of Owner(s)

Name: Robert R. White

Address: 2633 Jones Road

City: JACKSONVILLE

State: FLA Zip: 32220

Email: \_\_\_\_\_

Daytime Telephone: 334 9995

SIGNATURE OF OWNER(S)

Name and address of Authorized Agent(s)

Name: CURTIS L. HART

Address: 8051 Tark Lane

City: JACKSONVILLE

State: FLA Zip: 32216

Email: CURTIS.HART1972@ATT.NET

Daytime Telephone: 993-5006

SIGNATURE OF AUTHORIZED AGENT(S)

SIGNATURE OF OWNER(S)

Letter of Authorization for Agent is required if application is made by any person other than the property owner. Also, a larger scale drawing may be required for commercially zoned property with an existing structure or otherwise as required by the Planning and Development Department's Zoning Section.

# A MAP SHOWING A BOUNDARY SURVEY OF

[illegible]

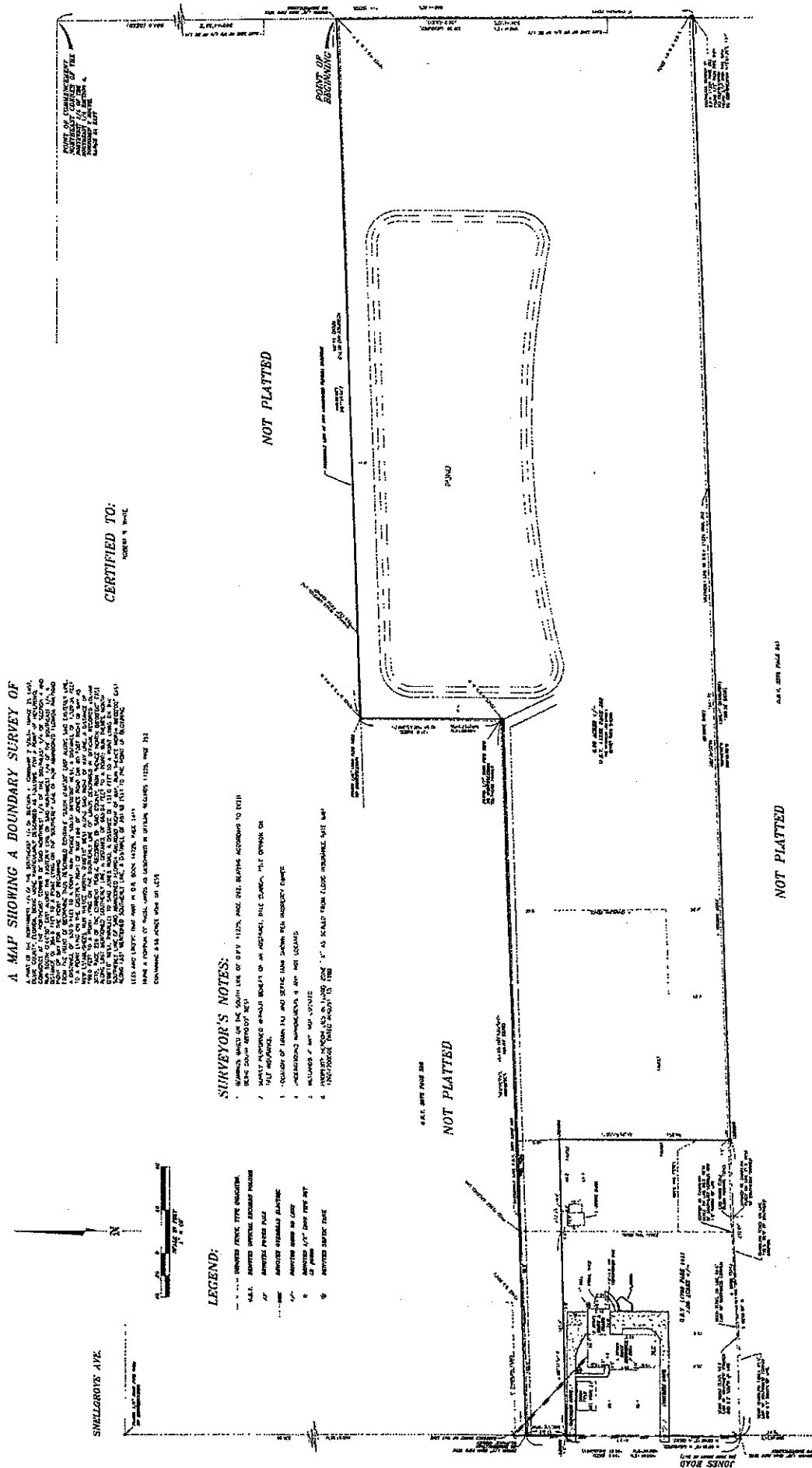
**CERTIFIED TO:**  
**THESE ARE TRUE**

## CONCLUSIONS

- [illegible]

**SILKVEYOR'S NOTES:**

- [illegible]



**NOT PLATTED**

THE JOURNAL OF THE

FROM THE ALABAMA DEPT. OF REVENUE, MONTGOMERY, ALA. 36103

**LIBRARI**  
**LAST SUPERVISORS**

5773 NORMANDY BOULEVARD,  
JACKSONVILLE, FLORIDA 32205  
PHONE (904) 748-6400 FAX (904) 744-1479

[illegible]

[illegible][illegible]

1. REVIEW THE FILE NUMBER  
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**ROBERT R. WHITE**

POINT OF BEGINNING

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

**NOT PLATTED**

SCALE 1" = 40.0' DATE: DEC. 5, 2013

**TOTAL LOT AREA:** 304,049 SQ. FT.

**TOTAL BUILDING GROUND COVERAGE: 8400 SQ. FT.**

**BUILDING GROUND COVER PERCENTAGE: 28%**

**LIBRADLEY**  
**LAND SURVEYORS**

5773 NORMANDY BOULEVARD,  
JACKSONVILLE, FLORIDA 32206  
PHONE (904) 754-6400 • FAX (904) 786-1

REC'D BY: JIM	ADMITTED BY: JIM	ADMITTED BY: JIM
NO. 13-370	NO. 13-370	NO. 13-370
DATE: 11/10/13	DATE: 11/10/13	DATE: 11/10/13
BY: JIM	BY: JIM	BY: JIM
PG 40	PG 40	PG 40

REF: 00-207

## Agent Authorization

Date: 11-1-13

City of Jacksonville  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> Floor / Ed Ball Building,  
214 North Hogan Street, Suite 300, Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

2433 Jones Road

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in

Exhibit 1 attached hereto. Said owner hereby authorizes and empowers

CURTIS L. HART

to act as agent to file application(s) for

Waiver for Minimum Road Frontage

for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

Robert R. White

Owner's Signature

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 28 day of

Oct (month), 2013 (year) by

Robert White, who is personally known to me or has

produced Inde [unclear] as identification.

(Notary Signature)

TINA E. JONES-LEFEVER  
Notary Public, State of Florida  
My Comm. Expires May 18, 2016  
Commission No. EE 193027

### LEGAL DESCRIPTION

A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4 AND RUN SOUTH 0°44'30" EAST ALONG THE EASTERLY LINE OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 384.0 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF NOW ABANDONED FLORIDA RAILROAD RIGHT OF WAY FOR THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE SOUTH 0°44'30" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 330.0 FEET TO A POINT, RUN THENCE SOUTH 88°00'00" WEST, A DISTANCE OF 1,320.36 FEET TO A POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF JONES ROAD (AN 80 FOOT RIGHT OF WAY AS NOW ESTABLISHED); RUN THENCE NORTH 0°08'10" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 199.0 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 3075, PAGE 226 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; RUN THENCE NORTH 88°00'00" EAST ALONG LAST MENTIONED SOUTHERLY LINE, A DISTANCE OF 665.04 FEET TO A POINT; RUN THENCE NORTH 0°08'10" WEST, PARALLEL TO SAID JONES ROAD, A DISTANCE OF 131.0 FEET TO A POINT LYING ON THE SOUTHERLY LINE OF SAID ABANDONED FLORIDA RAILROAD RIGHT OF WAY; RUN THENCE NORTH 88°00'00" EAST ALONG LAST MENTIONED SOUTHERLY LINE, A DISTANCE OF 651.65 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PART IN O.R. BOOK 14728, PAGE 1411.

BEING A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS 11225, PAGE 292.

CONTAINING 6.98 ACRES MORE OR LESS.

