

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2020-552 (WRF-20-20)

OCTOBER 20, 2020

Location: 0 Aladdin Terrace;
Between Aladdin Road and Dead end

Real Estate Number(s): 158115-1005

Waiver Sought: Reduce Minimum Required Road Frontage from 80
Feet to 30 Feet

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: 3-Southeast

Applicant/Owner: Michael Carl Bunso
14048 Corrine Circle
Jacksonville, FL 32258

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2020-552 (WRF-20-20)** seeks to reduce the required minimum road frontage from 80 feet to 30 feet in order to allow for the development of a single-family dwelling in the Residential Rural-Acre (RR-Acre) Zoning District. The subject property is approximately 1.19 acres in size and is accessed from Aladdin Terrace via a 30 feet sliver of property, creating a “flag-lot”. The lot was carved off of lot RE#158121-0025 (on plat map RE# 158121-0020). The owner of that lot also carved our lot RE# Per the applicant, the lot was recorded on March 31, 2020. City GIS maps, on archive in the Planning & Development Department, indicate the lot was recorded sometime between August 5, 2019 and November 25, 2019.

The current owner purchased the subject property in March of 2020 from Patricia Harman, the property owner to the north. The lot meets all of the minimum lot requirements of the RR-Acre zoning district, including width and square footage.

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?***

No. The site contains approximately 1.19 acres and is accessible by a paved driveway that has 30 feet in width of frontage on Aladdin Terrace. As divided, the lot meets all other requirements of the RR-Acre Zoning District. Strict enforcement of the road frontage requirement would leave this property unbuildable until the road frontage minimum is acquired. The lot purchased was once a part of a larger parcel. This parcel is the one to the north (RE#158121-0025) which, not only has enough road frontage for the one home on the property but also has direct frontage that could be purchased and added to the subject property. The access would then be off Marbon Road. This option may not be financially feasible but the option is practical.

- (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 home on the site. Approval of this request would not change the cost burden on the applicant for this construction. Rather, it would allow the construction that would otherwise not be permitted. 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. The subject property is currently undeveloped and wooded. It is not anticipated that the construction of a new dwelling will reduce the property values of the neighboring lots, nor would it interfere with the rights of other homeowners. As mentioned previously, there are a

diverse number of lots of varying sizes and shapes in the area. The proposed single-family dwelling and lot size are not out of character with the surrounding neighborhood.

- (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 owner has a 30 feet wide, paved sliver of property that would act as a private driveway from the home to the City approved ROW, Aladdin Terrace.

- (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 grant of the proposed waiver should not create a detriment to any surrounding property. There is one adjacent single family home that utilizes the property owner's driveway as an easement for access to their property, which is a lot of record. This driveway should remain unobstructed and accessible for both property owners.

SUPPLEMENTARY INFORMATION

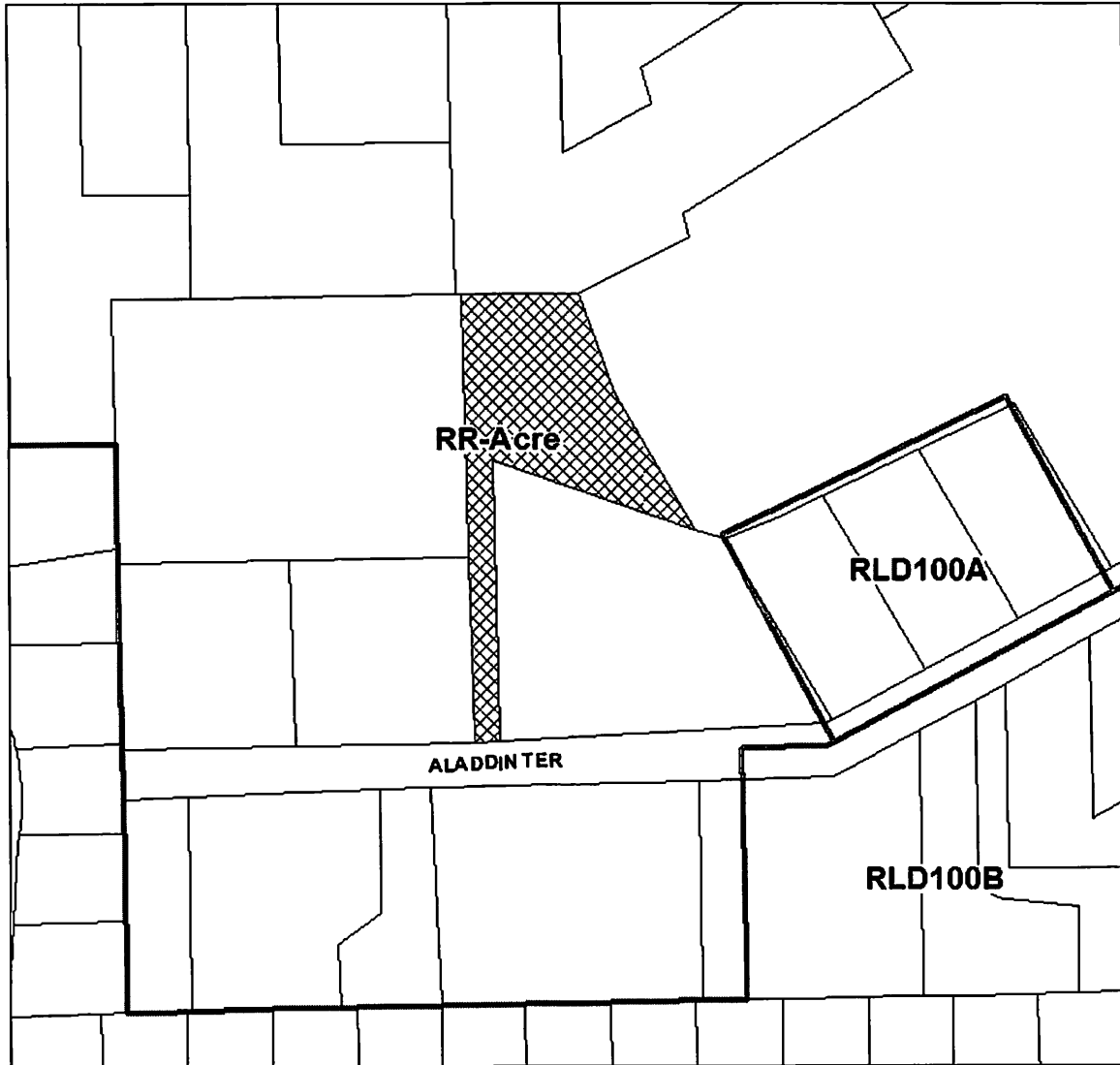
The required Notice of Public Hearing sign was posted by the property owner.

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 2020-0552 (WRF-20-20)** be **APPROVED**.



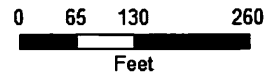
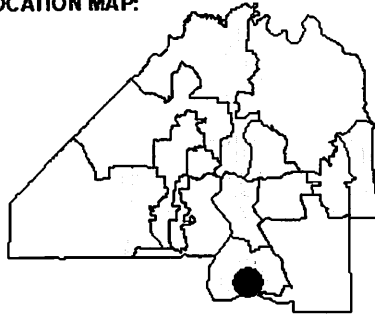
Aerial View



REQUEST SOUGHT:

**REDUCE REQUIRED MINIMUM
ROAD FRONTAGE FROM 80'
TO 30'**

LOCATION MAP:



COUNCIL DISTRICT:

6

TRACKING NUMBER

WRF-20-20

**EXHIBIT 2
PAGE 1 OF 1**

Date Submitted: 8-12-2020
Date Filed: 8-13-2020

Application Number: WRF 20-20
Public Hearing:

Application for Waiver of Minimum Required Road Frontage

City of Jacksonville, Florida
Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only		
Current Zoning District: RR-A	Current Land Use Category: LDR	
Council District: 6	Planning District: 3	
Previous Zoning Applications Filed (provide application numbers): None Found		
Applicable Section of Ordinance Code:		
Notice of Violation(s):		
Neighborhood Associations: SouthEast		
Overlay:		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 1	Amount of Fee: \$	Zoning Asst. Initials: <i>MLC</i>

PROPERTY INFORMATION	
1. Complete Property Address: 0 Aladdin Ter. Jax FL 32223	2. Real Estate Number: 158115-1005 ✓
3. Land Area (Acres): 1.19	4. Date Lot was Recorded: 3-31-20
5. Property Located Between Streets: Marbon Rd. Aladdin Rd.	6. Utility Services Provider: City Water / City Sewer <input type="checkbox"/> Well / Septic <input checked="" type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Road Frontage from <u>50</u> feet to <u>30</u> feet.	
8. In whose name will the Waiver be granted? <i>Michael Carl Bunso</i>	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: <i>Michael Carl Buns:</i>	10. E-mail: <i>Deepstreamconstruction@gmail.com</i>
11. Address (including city, state, zip): <i>14048 Corrine Cir. Jax, FL. 32258</i>	12. Preferred Telephone: <i>904-535-5851</i>

APPLICANT'S INFORMATION (if different from owner)	
13. Name:	14. E-mail:
15. Address (including city, state, zip):	16. Preferred Telephone:

CRITERIA
<p>Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage, pursuant to Section 656.407, Ordinance Code."</p> <p>Section 656.133(d)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:</p> <ul style="list-style-type: none"> <i>i. There are practical or economic difficulties in carrying out the strict letter of the regulation;</i> <i>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);</i> <i>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;</i> <i>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;</i> <i>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.</i>

17. Given the above definition of a "waiver" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

To whom it may concern,

I am seeking this waiver in order to build a single family home on the property. We have purchased this lot with the reasonable expectation for it to be our families new home. After studying the criteria, I believe the property qualifies under all 5 bullet points.

- i. If the waiver is granted, It will keep us from financial difficulties as we would not be able to afford the payment on this construction permit loan and another home.
- ii. We are not trying to circumvent any requirement but follow all laws, as we are law abiding citizens. Normally it would cost us to apply for the waiver from my understanding
- iii. There is already a driveway on the property that my neighbor at 3737 Aladdin Terrace is using to access their adjoining property. Their gate is close to ours but neither interferes with the other.
- iv. As stated above, there is already an existing driveway that intersects with Aladdin Terrace.
- v. It shouldn't have a negative impact on anyone. In fact, it should make hearts happy as we intend to be great neighbors. It will also improve property, so it should create more revenue for the city through taxes in order to assist our community.

Thank You for your consideration



AUTHORIZATION

Please review your application. No application will be accepted until all of 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 City Council. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

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.

Owner(s) Print name: <u>Michael C. Burns</u> Signature: <u>[Signature]</u>	Applicant or Agent (if different than owner) Print name: _____ Signature: _____ <i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i>
Owner(s) Print name: _____ Signature: _____	

SUBMITTAL

This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.

Submit applications to:
Planning and Development Department, Zoning Section
214 North Hogan Street, 2nd Floor
Jacksonville, Florida 32202
(904) 255-8300

BUNSO MICHAEL CARL
 0 ALADDIN TER
 JACKSONVILLE FL 32223
 BUNSO DANA E C

Primary Site Address
 0 ALADDIN TER
 Jacksonville FL 32223

Official Record Book/Page
 19179-00200

File #
 7617

0 ALADDIN TER

Property Detail

RE #	158115-1005
Tax District	GS
Property Use	0000 Vacant Res < 20 Acres
# of Buildings	0
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	00000 SECTION LAND
Total Area	51738

Value Summary

Value Description	2019 Certified		2020 In Progress	
	Value Method	CAMA	CAMA	CAMA
Total Building Value	\$0.00		\$0.00	
Extra Feature Value	\$0.00		\$0.00	
Land Value (Market)	\$0.00		\$61,990.00	
Land Value (Agric.)	\$0.00		\$0.00	
Just (Market) Value	\$0.00		\$61,990.00	
Assessed Value	\$0.00		\$61,990.00	
Cap Imp/Portability Amt	\$0.00	\$0.00	\$0.00	\$0.00
Exemptions	\$0.00		See below	
Taxable Value	\$0.00		See below	

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification. [Learn how the Property Appraiser's Office values property.](#)

Taxable Values and Exemptions - In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value
 No applicable exemptions

SJRWMD/FIND Taxable Value
 No applicable exemptions

School Taxable Value
 No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
19179-00200	3/31/2020	\$95,000.00	WD - Warranty Deed	Qualified	Vacant
18977-01671	10/22/2019	\$100.00	QC - Quit Claim	Unqualified	Vacant
17439-02354	12/16/2015	\$100.00	QC - Quit Claim	Unqualified	Vacant
17439-02351	12/15/2015	\$100.00	QC - Quit Claim	Unqualified	Vacant
17439-02348	12/11/2015	\$100.00	QC - Quit Claim	Unqualified	Vacant
17367-00074	11/12/2015	\$100.00	MS - Miscellaneous	Unqualified	Vacant
15732-00092	4/7/2011	\$100.00	WD - Warranty Deed	Unqualified	Vacant
15072-02382	11/19/2009	\$700.00	TD - Tax Deed	Unqualified	Vacant
12265-02330	1/27/2005	\$700.00	TD - Tax Deed	Unqualified	Vacant
08928-00999	4/28/1998	\$100.00	MS - Miscellaneous	Unqualified	Vacant
05739-00312	12/23/1983	\$100.00	WD - Warranty Deed	Unqualified	Vacant

Extra Features

No data found for this section

Land & Legal

Land

LN	Code	Use Description	Zoning	Front	Depth	Category	Land Units	Land Type	Land Value
1	0103	RES RURAL 2 OR LESS UNITS PER AC	RR-Acre	0.00	0.00	Common	0.95	Acreage	\$61,750.00
2	9401	PRIVATE EASEMENTS	RR-ACRE	0.00	0.00	Common	0.24	Acreage	\$240.00

Legal

LN	Legal Description
1	17-4S-27E 1 19
2	PT LOT 5 RECD O/R 19179-200
3	PARCEL 2

Buildings

No data found for this section

2019 Notice of Proposed Property Taxes Notice (TRIM Notice)

Property Record Card (PRC)

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.
 No information available

• To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here: [+](#)

More Information

EXHIBIT "A"

REAL ESTATE No

158121-0020 AND 158115-1000

PARCEL 2: 1.18 ACRES

A PART OF GOVERNMENT LOT 5, SECTION 17, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF ALADDIN ROAD (A 60 FOOT RIGHT OF WAY) WITH THE SOUTHERLY RIGHT OF WAY LINE OF MARBON ROAD (A 60 FOOT RIGHT OF WAY); THENCE ALONG SAID SOUTHERLY RIGHT OF WAY, S 89°20'20" W, A DISTANCE OF 303.0 FEET TO AN INTERSECTION WITH EASTERLY LINE OF OFFICIAL RECORDS VOLUME (ORV) 17439 PAGE (PG) 2354; THENCE S29°59'00"E, A DISTANCE OF 245.0 FEET; THENCE S58°12'20"W, A DISTANCE OF 317.11 FEET; THENCE S15°52'32"E, A DISTANCE OF 28.92 FEET; THENCE S63°05'00"W, A DISTANCE OF 147.30 FEET AND THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING THUS DESCRIBED, S89°59'22"W, A DISTANCE OF 137.03 FEET; S01°34'36"E, ALONG A 5 FOOT CHAINLINK FENCE, A DISTANCE OF 524.55 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF ALADDIN TERRACE (A 60 FOOT RIGHT OF WAY); THENCE N85°03'10"E, ALONG SAID RIGHT OF WAY, A DISTANCE OF 30.22 FEET; THENCE N01°13'38"W, ALONG A 4 FOOT WOOD FENCE AS MONUMENTED AND POSSESSED, A DISTANCE OF 327.85 FEET; THENCE S71°04'44"E, ALONG THAT SAID 4 FOOT WOOD FENCE, A DISTANCE OF 249.73 FEET; THENCE N30°12'30"W, A DISTANCE OF 185.75 FEET; THENCE N20°42'30"W, A DISTANCE OF 122.35 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 1.18 ACRES MORE OR LESS.

SUBJECT TO A 30 FOOT EASEMENT FOR INGRESS AND EGRESS AND UTILITIES AS DESCRIBED AS THE WESTERLY 30 FEET OF THE SOUTHERLY 300 FEET OF PARCEL 2 AS DESCRIBED IN ORV 17439 PG 2356 AND THE ABOVE DESCRIBED PARCEL 2. SAID EASEMENT BEING 9,000 SQ.FT IN AREA AND BEING BOUNDED ON THE SOUTH BY THE NORTHERLY RIGHT OF WAY LINE OF ALADDIN TERRACE (A 60 FOOT RIGHT OF WAY).

SUBJECT TO ANY EASEMENTS, APPURTENANCES THAT MAY BE CONVEYED IN ORV 6351 PG 2211 AND ANY MATTERS THAT ARE ATTACHED TO THAT PARTICULAR PROPERTY BEING MORE PARTICULARLY KNOWN AS 3737 ALADDIN TERRACE JACKSONVILLE, FLORIDA 32223.

State # 58121 0060
 Owner ROBERTSON, JAMES B & E
 Address 3777 ALADDIN TER
 City JACKSONVILLE
 Zip Code 32223
 Date 7/89

DEED

TERMINUS
ASSESSMENT

DEED

Parcel Estate # 58121 0060
 Owner HOURIET GERALD S ET AL
 Address 3745 ALADDIN TER
 City JACKSONVILLE
 Zip Code 32223
 Date 7/95

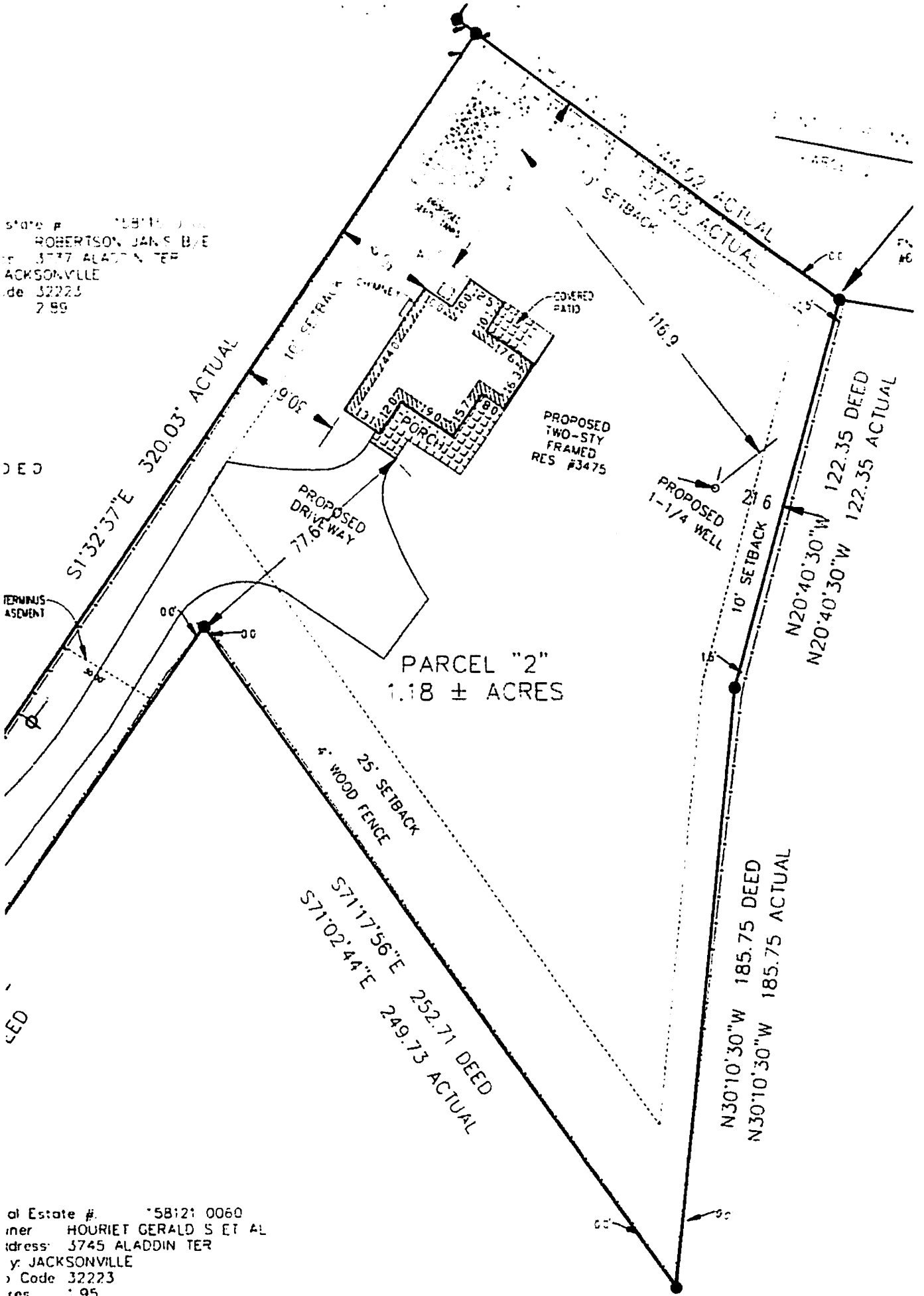


EXHIBIT A

Property Ownership Affidavit - Individual

Date: 8-12-20

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: _____ RE#(s): 158115-1005

To Whom it May Concern:

I Michael C. Bunso hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Property Frontage Waiver submitted to the Jacksonville Planning and Development Department.

By [Signature]

Print Name: Michael C. Bunso

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 12th day of August 2020 by Michael Bunso, who is personally known to me or who has produced drivers license as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

Crystal Doiron
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 1/14/2024

ATTACHMENTS

The following attachments must accompany each copy of the application.

- Survey
- Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof of property ownership – may be print-out of property appraiser record card if individual owner, http://apps.coj.net/pao_propertySearch/Basic/Search.aspx, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.
- Proof of valid and effective easement for access to the property.

FILING FEES

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

<u>Base Fee</u>	<u>Public Notices</u>	<u>Advertisement</u>
Residential Districts: \$1,161.00	\$7.00 per Addressee	Billed directly to owner/agent
Non-residential Districts: \$1,173.00		

MAP SHOWING DRAINAGE PLAN OF:

ESSEXVILLE
TOWNSHIP
COUNTY OF HAMILTON
ONTO

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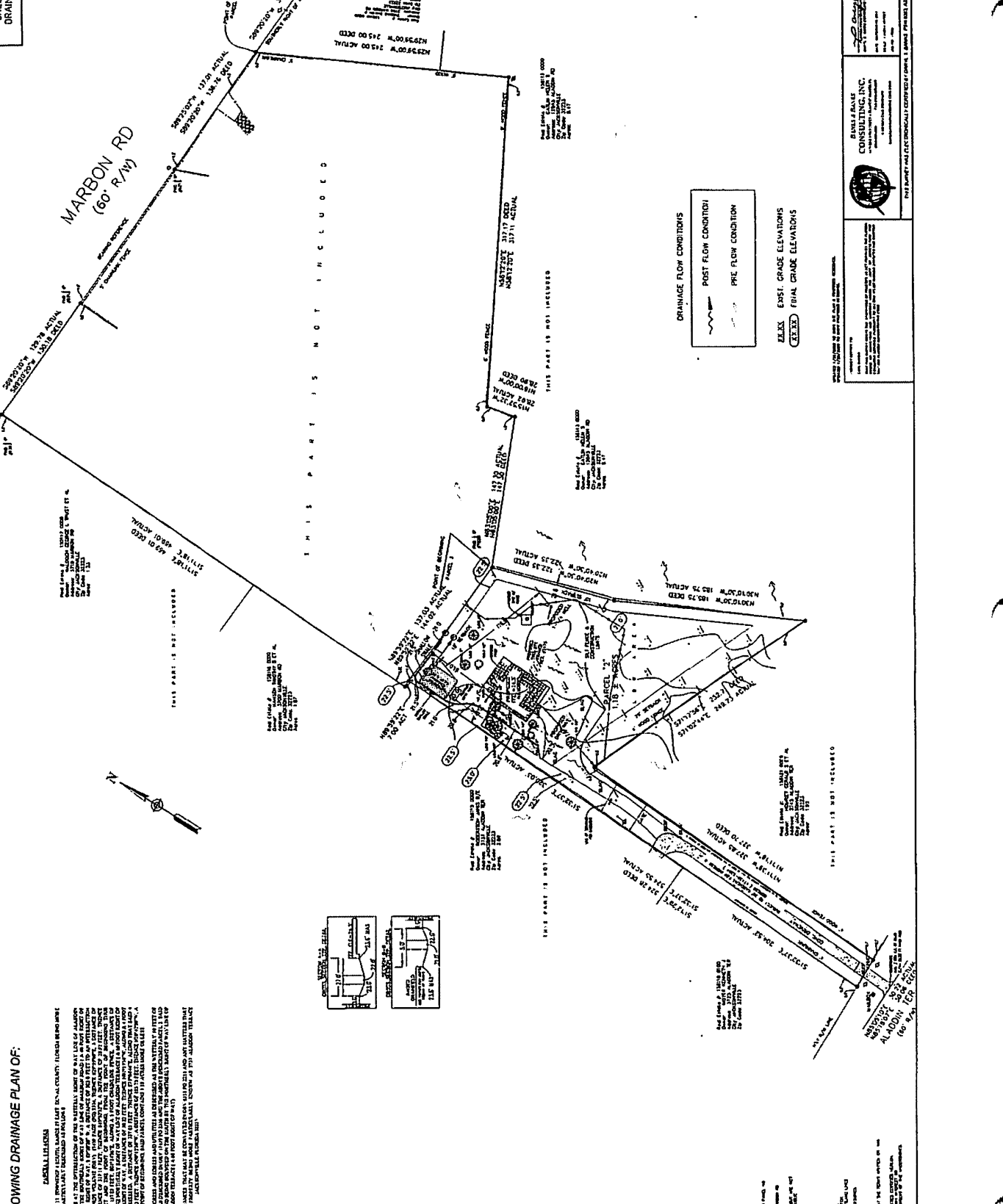
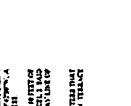
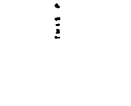
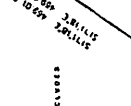
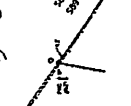
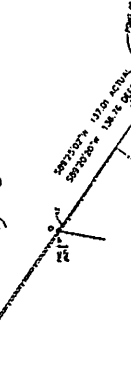
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THIS PART IS NOT INCLUDED

MARBON RD
(60' R/W)

ALADDIN RD
(60' R/W)



NO.	DESCRIPTION	DATE	BY	CHECKED
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DRAINAGE FLOW CONDITIONS
POST FLOW CONDITION
PRE FLOW CONDITION

ESSEXVILLE
TOWNSHIP
COUNTY OF HAMILTON
ONTO

THIS PART IS NOT INCLUDED

THIS PART IS NOT INCLUDED

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GENERAL NOTES:
1. THIS DRAWING IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE ENGINEER.
2. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS AND HAS BEEN ADVISED BY THE CLIENT THAT THE EXISTING CONDITIONS ARE AS SHOWN ON THIS DRAWING.
3. THE CLIENT IS RESPONSIBLE FOR PROVIDING ALL NECESSARY RECORDS AND DATA.
4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
5. THE CLIENT IS RESPONSIBLE FOR THE COST OF ALL MATERIALS AND LABOR.
6. THE CLIENT IS RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND UTILITIES.
7. THE CLIENT IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES AND UTILITIES.
8. THE CLIENT IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PLANTING AND LANDSCAPING.
9. THE CLIENT IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
10. THE CLIENT IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

THIS PART IS NOT INCLUDED

THIS PART IS NOT INCLUDED

THIS PART IS NOT INCLUDED



ESSEXVILLE CONSULTING INC.
1200 SHEPPARD AVENUE EAST
SUITE 200
SCARBORO, ONTARIO M1S 4V6
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