

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE
ORDINANCE 2022-0314 (WRF-22-17)

JUNE 7, 2022

Location: 7945 Pipit Avenue
Between Redpoll Avenue and McLeod Avenue

Real Estate Number(s): 021235-0000

Waiver Sought: Reduce minimum road frontage from 96 feet to 85 feet for two lots.

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: 5- Northwest

Owner/Applicant: Steven Walker
9771 Kings Crossing Drive
Jacksonville, Florida 32219

Staff Recommendation: Deny

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2022-0314** (WRF-22-17) seeks to reduce the required minimum road frontage from 96 feet to 85 feet in order to allow for two single-family dwellings in the Residential Low Density-60 (RLD-60) Zoning District. Located on a 0.48± acre parcel, the property will be accessed via Pipit Avenue, which is a publically maintained road.

A companion Administrative Deviation application (**2022-0315**) seek to reduce the minimum lot width for the two parcels from 60 feet to 42.5 feet. The department is also recommending Denial on the Administrative Deviation Application.

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 only difficulty in carrying out the strict letter of the regulation is that the lot is not double the required 48 feet of frontage of the RLD-60 Zoning Category. No other lot on the block has previously been granted a waiver that the applicant seeks, it is not seen as a practical or economic difficulty that the historically platted lot is not double the required size.

- (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. The property is currently vacant and the grant of this waiver would allow a new single family structure to be built. There is a companion Administrative Deviation application that is seeking to reduce the minimum lot width from 60 feet in width to 42.5 feet in width.

- (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?*

Yes. The subject property is a lot of record that was platted in 1913. Other parcels on the historically platted block have been modified to put homes on skinnier lots, however no record of waivers or variances were found to allow for the lot splits.

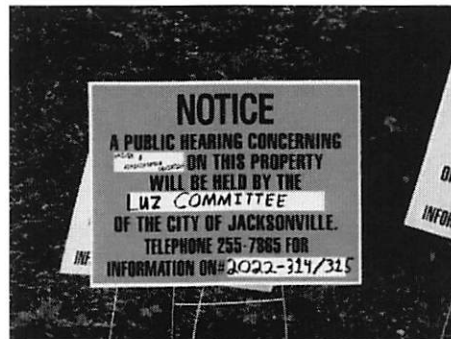
- (iv) *Is there a valid and effective easement for adequate vehicular access connected to a public street maintained by the City or an approved private street?*

Not applicable as the lots have frontage on Pipit Avenue.

- (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. Given the general development pattern in the area, as well as the existing land use categories and zoning district contiguous to the site, the proposed waiver would not result in the creation of a nuisance. However the proposed waiver would have an effect on the overall character of the block, which has not been granted a Waiver or Variance for Road frontage since the establishment of the City for Road Frontage Requirements.

SUPPLEMENTARY INFORMATION

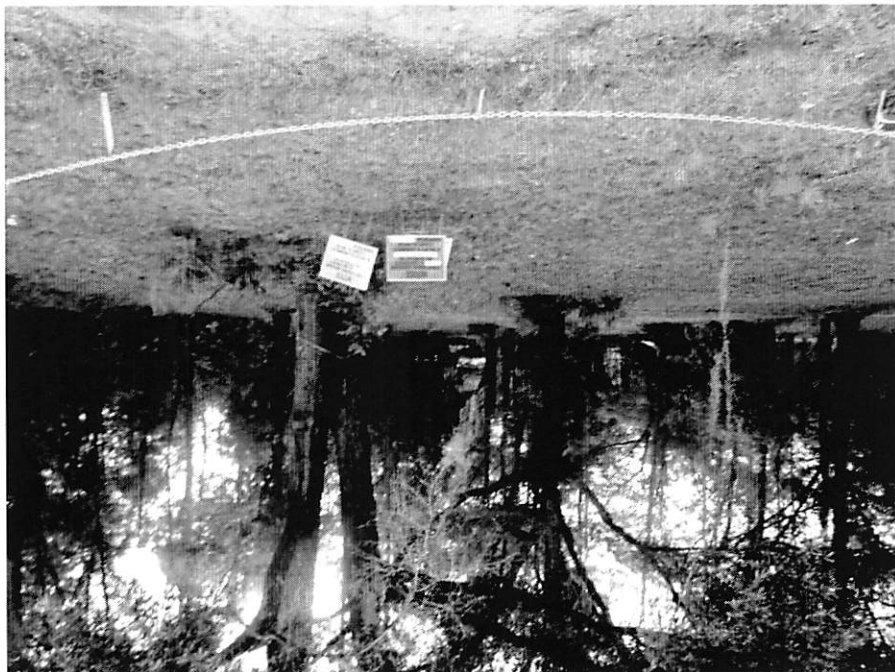


Upon visual inspection of the subject property on **May 24, 2022** by the Planning and Development Department the required Notice of Public Hearing sign was posted.

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 2022-0314 (WRF-22-17)** be **DENIED**.

View of the Subject Site



Aerial View





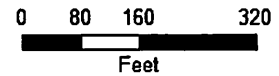
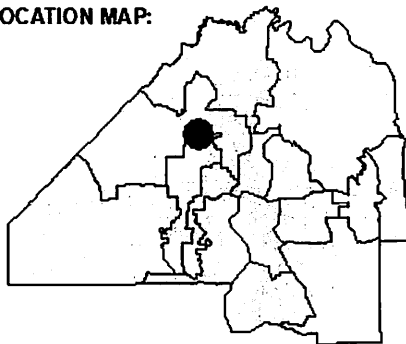
View of the parcels across Pipit Avenue



REQUEST SOUGHT:

REDUCE REQUIRED MINIMUM ROAD FRONTAGE FROM 96 FEET TO 85 FEET

LOCATION MAP:



COUNCIL DISTRICT:

10

ORDINANCE NUMBER

ORD-2022-0314

TRACKING NUMBER

WRF-22-17

**EXHIBIT 2
PAGE 1 OF 1**

Legal Map

COMPANION APPLICATION / WRF-22-17
AD #4079

~~AD Companion (2-4079)~~

Date Submitted: 3-7-22
 Date Filed: 3/16/22

Application Number: WRF-22-17
 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: <u>RLD-60</u>	Current Land Use Category: <u>LDR</u>	
Council District: <u>10</u>	Planning District: <u>5</u>	
Previous Zoning Applications Filed (provide application numbers): <u>none found</u>		
Applicable Section of Ordinance Code: <u>656.305 A. II. (d)(vii)</u> <u>656.407</u>		
Notice of Violation(s): <u>none found</u>		
Neighborhood Associations: <u>Kinlock Civic Assoc; Trout River JAX, Lincoln Villas East</u>		
Overlay: <u>none</u>		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: <u>1</u>	Amount of Fee: <u>\$1525.00</u>	Zoning Asst. Initials: <u>OK</u>
<u>+ 966. AD fee / Companion</u> <u>\$2491. Total</u>		

PROPERTY INFORMATION	
1. Complete Property Address: <u>7945 Pipit Avenue 32219</u>	2. Real Estate Number: <u>021235-0000</u>
3. Land Area (Acres): <u>0.48</u>	4. Date Lot was Recorded: <u>1913</u>
5. Property Located Between Streets: <u>Redpoll + McLead</u>	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Road Frontage from <u>96</u> feet to <u>85</u> feet.	
8. In whose name will the Waiver be granted? <u>Steven Walker</u>	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Steven Walker	10. E-mail: sbricknblack@yahoo.com
11. Address (including city, state, zip): 977 Kings Crossing Drive Jacksonville, FL 32219	12. Preferred Telephone: 301 440-7706

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> ii. <i>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> iii. <i>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> iv. <i>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> v. <i>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.

The waiver request is needed because we would like to build two single family homes on family owned property. These homes will be built with care and will only add value to the neighborhood.

There will be adequate room for parking for both homes, with both having driveway and garages planned for both.

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		

AUTHORIZATION	
<p>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.</p> <p>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.</p> <p><u>I hereby certify that I have read and understand</u> 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.</p>	
<p>Owner(s) Print name: <u>Steven Walker</u> Signature: <u>[Signature]</u></p>	<p>Applicant or Agent (if different than owner) Print name: _____ Signature: _____</p>
<p>Owner(s) Print name: <u>Michelle Walker</u> Signature: <u>[Signature]</u></p>	<p><i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i></p>

SUBMITTAL
<p>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.</p> <p><u>Submit applications to:</u> Planning and Development Department, Zoning Section 214 North Hogan Street, 2nd Floor Jacksonville, Florida 32202 (904) 255-8300</p>

EXHIBIT 1

Legal Description

PARCEL ID NUMBER: 021235-0000

LOT 30, BLOCK 1, LINCOLN VILLAS, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED AT PLAT BOOK 5, PAGE 96, IN THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

March 3, 2022

**Exhibit 1
Page 1 of 1**

#

Property Ownership Affidavit - Individual

Date: 2-8-22

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):

To Whom it May Concern:

I, Bryan Richardson hereby certify that Steven Walker
is the Owner of the property described in Exhibit 1 in connection with filing application(s) for
7945 Pipit Avenue submitted to the
Jacksonville Planning and Development Department.

By Steven Walker

Print Name: Steven Walker

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me by means of physical presence or
 online notarization, this 8 day of FEBRUARY 2022, by
STEVEN WALKER, as _____, of
FL DL BCR, a _____ corporation, who is
personally known to me or who has produced FL DL as identification
and who took an oath.



Bryan C. Richardson
State of Florida
My Commission Expires 10/31/2024
Commission No. HH 50200

Bryan C. Richardson
(Signature of NOTARY PUBLIC)

BRYAN C. RICHARDSON
(Printed name of NOTARY PUBLIC)

State of Florida at Large.
My commission expires: 10-31-2024

Prepared by:
Daralyn Guthrie
Watson Title Services of North FL, Inc.
3951 Baymeadows Road
Jacksonville, Florida 32217

File Number: 2100008

21005583

General Warranty Deed

Made this January 29, 2021 A.D. By Deloris Robinson Robertson aka Deloris Robinson, a single woman, whose post office address is: 3904 Lennox Circle E, Jacksonville, Florida 32209, hereinafter called the grantor, to Steven Walker, a married man, whose post office address is: 9971 Kings Crossing Drive, Jacksonville, Florida 32209, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$10,000.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Duval County, Florida, viz:

Lots 30, Block 1, Lincoln Villas, a subdivision according to the plat thereof recorded at Plat Book 5, Page 98, in the Current Public Records of Duval County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 021235-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

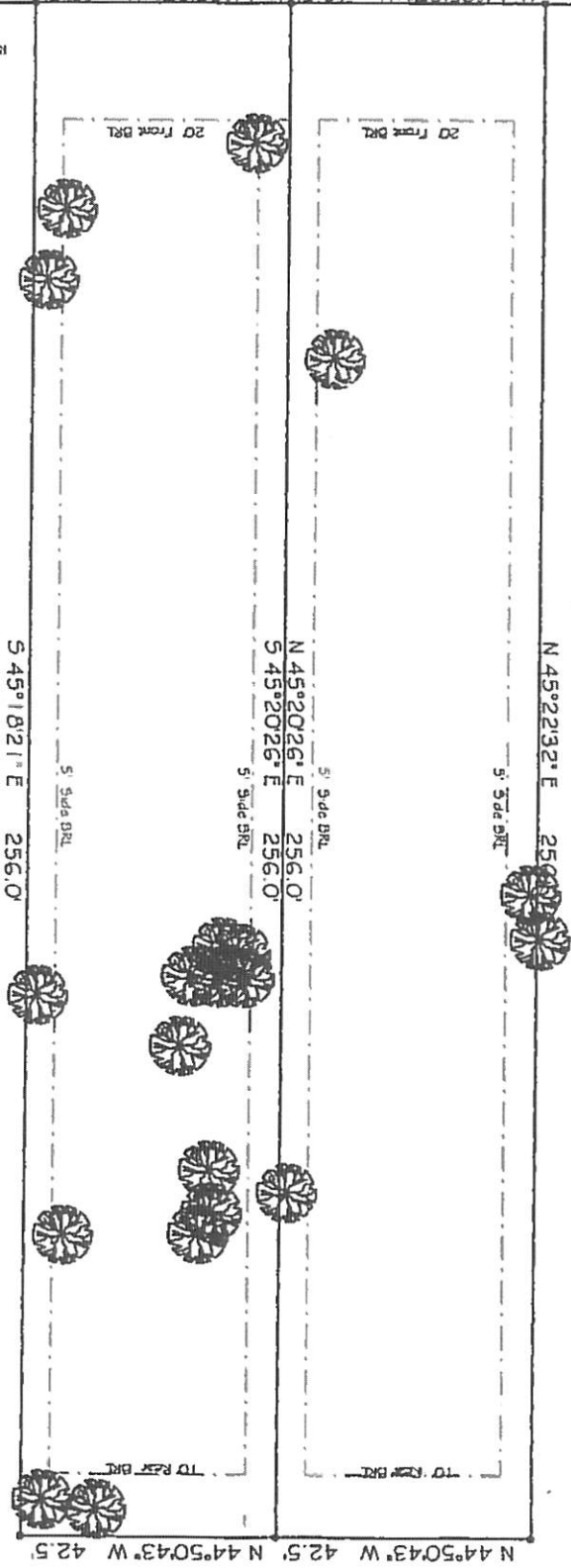
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2020.

Pirit Avenue

N 44°05'07" W 42.5' N 44°05'07" W 42.5'

R/D 60



N 45°22'32" E 256.0'

S Side BRL

S Side BRL

N 45°20'26" E 256.0'

S Side BRL

S 45°18'21" E 256.0'

S Side BRL

N 44°50'43" W 42.5' N 44°50'43" W 42.5'

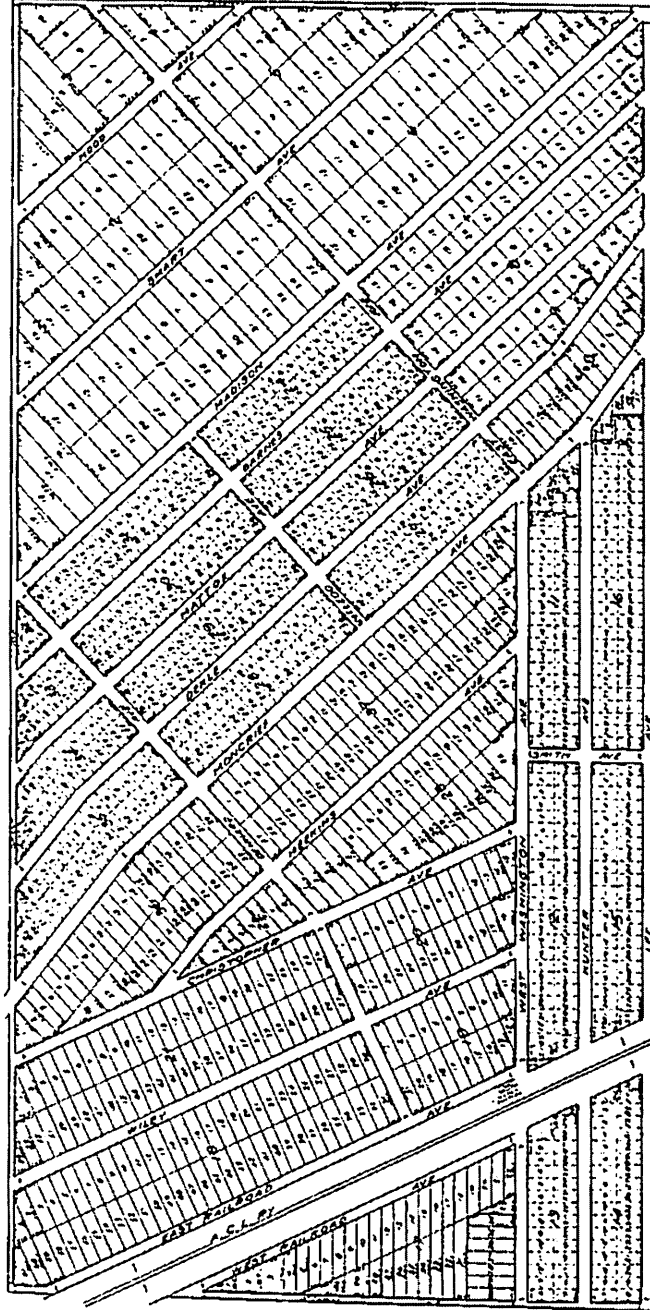
TO REAR BRL

TO REAR BRL

20' Front BRL

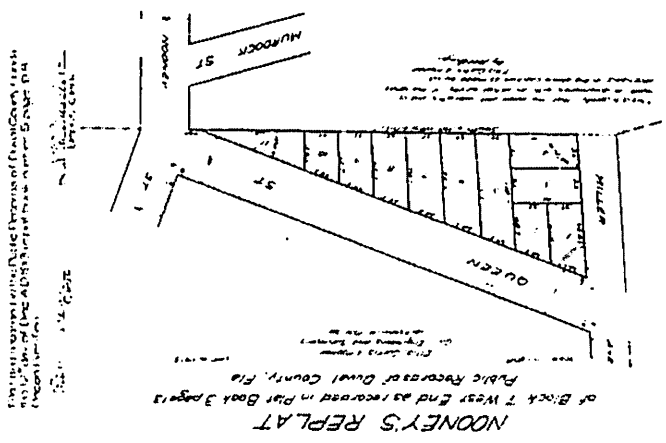
20' Front BRL

LINCOLN VILLAS
 A SUBDIVISION OF BLOCKS A C O'GARA
LINCOLN FARMS
 AS APPROVED BY THE BOARD OF PUBLIC WORKS OF DUNEL COUNTY, Fla.



The property shown on this plat is the same as that shown on the plat of the Lincoln Farms, as approved by the Board of Public Works of Dunel County, Fla., on the 15th day of September, 1914, and is subject to the same conditions and restrictions as are thereon set forth.

The property shown on this plat is the same as that shown on the plat of the Lincoln Farms, as approved by the Board of Public Works of Dunel County, Fla., on the 15th day of September, 1914, and is subject to the same conditions and restrictions as are thereon set forth.



NOONEY'S REPLAT
 of Block 7 West End as recorded in Plat Book 3 page 14
 Public Records of Dunel County, Fla.
 The City Engineer
 Dunel, Fla.

WALKER STEVEN +
 9971 KINGS CROSSING DR
 JACKSONVILLE, FL 32209

Primary Site Address
 0 PIPIT AVE
 Jacksonville FL 32219

Official Record Book/Page
 19572-02456

File #
 6319

0 PIPIT AVE
Property Detail

RE #	021235-0000
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	00275 LINCOLN VILLAS
Total Area	21038

Value Summary

Value Description	2021 Certified	2022 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$0.00	\$0.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$15,555.00	\$15,555.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$15,555.00	\$15,555.00
Assessed Value	\$9,410.00	\$15,555.00
Cap Diff/Portability Amt	\$6,145.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$9,410.00	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
19572-02456	1/29/2021	\$10,000.00	WD - Warranty Deed	Qualified	Vacant
12559-01438	6/20/2005	\$6,000.00	WD - Warranty Deed	Unqualified	Vacant
12324-01236	8/1/1999	\$100.00	MS - Miscellaneous	Unqualified	Improved

Extra Features +

No data found for this section

Land & Legal +

Land										Legal	
LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value	LN	Legal Description
1	0100	RES LD 3-7 UNITS PER AC	RLD-60	85.00	256.00	Common	85.00	Front Footage	\$15,555.00	1	19-1S-26E
										2	LINCOLN VILLAS
										3	LOT 30 BLK 1

Buildings +

No data found for this section

2021 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rollled-back
Gen Govt Ex B & B	\$9,410.00	\$0.00	\$9,410.00	\$97.89	\$107.67	\$103.00
Public Schools: By State Law	\$15,555.00	\$0.00	\$15,555.00	\$37.92	\$55.38	\$54.42
By Local Board	\$15,555.00	\$0.00	\$15,555.00	\$23.31	\$34.97	\$33.46
FL Inland Navigation Dist.	\$9,410.00	\$0.00	\$9,410.00	\$0.27	\$0.30	\$0.29
Water Mgmt Dist. SJRWMD	\$9,410.00	\$0.00	\$9,410.00	\$1.96	\$2.15	\$2.06
Totals				\$161.35	\$200.47	\$193.23

Description	Just Value	Assessed Value	Exemptions	Taxable Value
Last Year	\$10,370.00	\$8,555.00	\$0.00	\$8,555.00
Current Year	\$15,555.00	\$9,410.00	\$0.00	\$9,410.00

2021 TRIM Property Record Card (PRC)

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

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.

2021

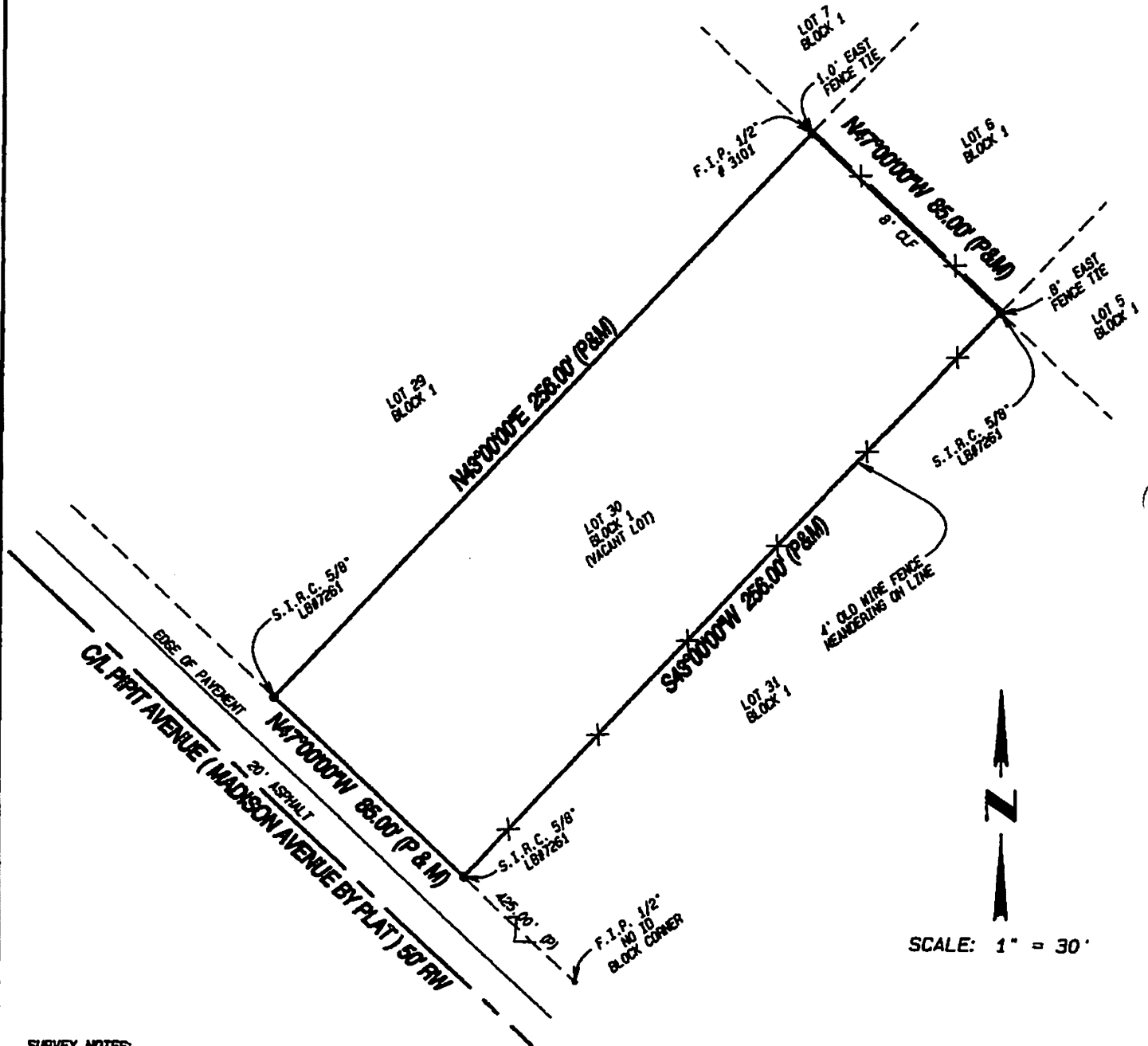
2020

2019

MAP OF BOUNDARY SURVEY

DESCRIPTION:

LOT 30 IN BLOCK 1 OF "LINCOLN VILLAS" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5 PAGE 98 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



SURVEY NOTES:

- #1 BEARINGS ARE BASED ON THE PLATS SOUTHWEST LINE OF LOT 30 IN BLOCK 1 BEING N 47° 00' 00" W (ASSUMED)
- #2 UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED BY THIS SURVEY.
- #3 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRMA MAP PANEL NO. 120077 0155E, EFFECTIVE 08/15/89, THE PROPERTY DESCRIBED HEREON APPEARS TO LIE IN ZONE "X".
- #4 THIS SURVEY PERFORMED WITHOUT BENEFIT OF AN ABSTRACT, TITLE SEARCH, TITLE OPINION OR TITLE INSURANCE.
- #5 DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF AND ARE PLAT AND MEASURED UNLESS SHOWN OTHERWISE.

CERTIFIED TO AND FOR THE EXCLUSIVE BENEFIT OF:

DELORIS AND ROBIN TUMOR

ADDRESS: PIPIT AVENUE (VACANT LOT)

7945