

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE****SEPTEMBER 1, 2020**

Location: 0 Epperson Avenue between Lem Turner Road and Lueders Avenue

Real Estate Number(s): 024217-0020

Waiver Sought: Reduce Required Minimum Road Frontage from 48 feet to 38.01 feet for two lots

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: Northwest, District 5

Owner/Agent: Anthony Sessions
Wildcat Properties of N.E. Florida, LLC
11260 Island Club Lane
Jacksonville, Florida 32225

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage Ordinance-2020-395 WRF-20-09 seeks to reduce the minimum required road frontage from 48 feet to 30.01 feet to allow for two lots. Currently a residential structure is under construction (B-20-289130).

In the RLD-60 Zoning District parcels of land need to be a minimum 6,000 square feet in area and 60 feet in width, with 48 feet of road frontage for each single family dwelling. The current parcel on the cul-de-sac of Epperson Street is 19,602 square feet in area and 166 feet in width. This is sufficient for two lots, however there is only 63 feet of frontage on Epperson Street.

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... and for minimum

street frontage, pursuant to Section 656.407. Waivers are authorized to be granted by the Commission pursuant to the criteria set forth in Section 656.133(b)” [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 any practical or economic difficulties in carrying out the strict letter of the regulation?*

Yes. There are practical and economic difficulties in carrying out the strict letter of the zoning code. In the RLD-60 Zoning District a property is required to have 48 feet of road frontage per single family dwelling. The location is unique, the existing lot is larger than many of the lots on Epperson Avenue but it has a limited frontage, being at the end of the cul-de-sac. However there is no practical way to purchase more frontage. It is neither practical, nor economically reasonable to require the applicant to create additional road frontage at the end of the street.

- (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 property is large enough to accommodate two dwellings meeting all setback requirements. The purpose of this waiver is to allow for a second single family dwelling.

- (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. Epperson Avenue is a short cul-de-sac with single family dwellings along the entire length. The dwelling is under construction is similar to the existing houses in the area and will not substantially diminish property values.

- (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?*

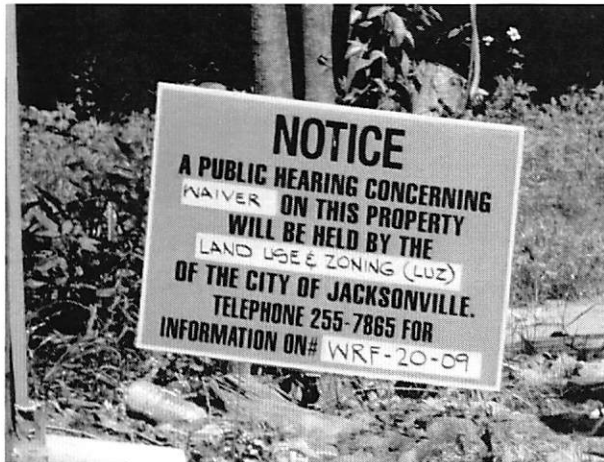
Yes. The property currently has a 60 foot of frontage on Epperson Avenue.

- (v) *Will the proposed waiver be detrimental to the public health, safety or welfare, and result in additional expense, the creation of nuisances or conflict with any other applicable law?*

No. The road frontage of the subject property is at the end of a local residential road. There will be little to no effect on public health safety and welfare as the requested waiver will allow for two single-family residences to have access to Epperson Avenue.

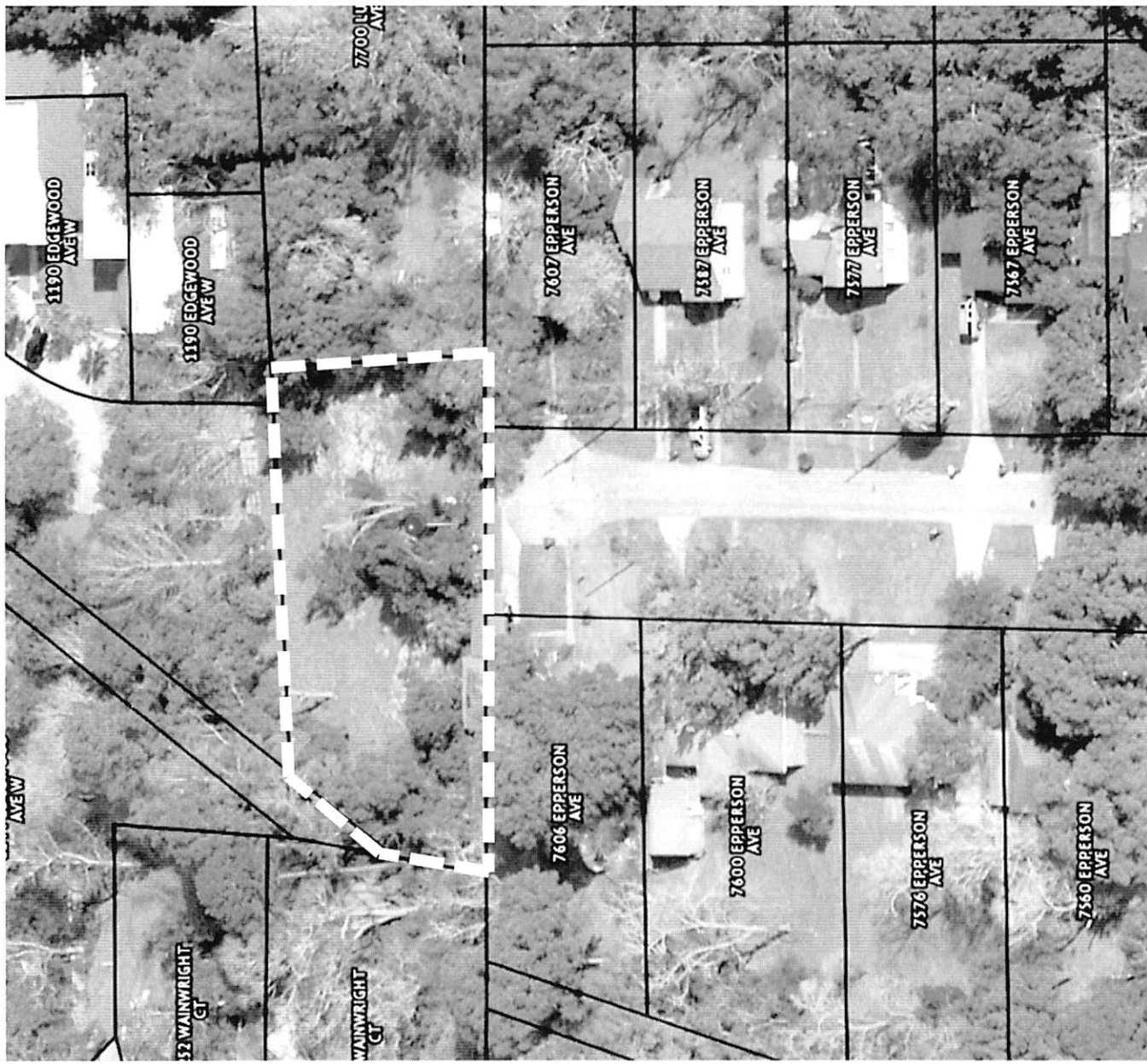
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 12, 2020 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 2020-395 / WRF-20-09** be **APPROVED**.



Aerial view of subject property.



Dwelling under construction on a portion of the subject property



Undeveloped portion of the subject property



Residential dwellings on Epperson Street



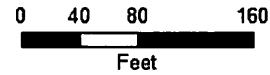
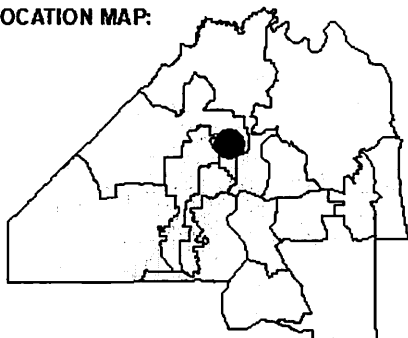
Residential dwellings on Epperson Street



REQUEST SOUGHT:

REDUCE REQUIRED MINIMUM ROAD FRONTAGE FROM 48 FT TO 30.01 FT (2 LOTS)

LOCATION MAP:



COUNCIL DISTRICT:

8

ORDINANCE NUMBER
ORD-2020-0395

APPLICATION NUMBER
WRF-20-09

EXHIBIT 2
PAGE 1 OF 1

4-15

Date Submitted: 3/16/2020
Date Filed: ~~4-15~~

Application Number: WRF-20-09
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: RLD60	Current Land Use Category: LDF	
Council District: 8	Planning District: 5	
Previous Zoning Applications Filed (provide application numbers): none		
Applicable Section of Ordinance Code: 656.305.A.II(d)(1)(vii)		
Notice of Violation(s): none found		
Neighborhood Associations: Trout River JAX, Lake Forest Residents		
Overlay: none		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 1	Amount of Fee: \$1462.	Zoning Asst. Initials: JIR

PROPERTY INFORMATION	
1. Complete Property Address: D Epperson AVE 32208	2. Real Estate Number: 024217-0020
3. Land Area (Acres): .47 acres	4. Date Lot was Recorded: 2/10/2020 4/6/1987
5. Property Located Between Streets: Edgewood Ave W, LDE DeWitt Ave Lem Turner, Rowe	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 48ft 96 feet to 30.01 feet. (2 lots)	
8. In whose name will the Waiver be granted? Wildcat Properties of NE Florida LLC	

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.

LOT # 024217-0020 is at the end of Epperson Ave. The lot is .47 acre & 173 ft of frontage. The property is bordered on the East + West by houses. Access to the lot is from Epperson Ave with 61" of frontage. The best use for this lot is to be subdivided into 2 separate parcels that will allow for 2 new construction homes to be built. The dividing line for the 2 lots is the middle of Epperson Ave. This will allow for 30.5 feet per residence of ingress and egress. This will allow enough room for emergency vehicles to access each residence. The lot dimensions for each parcel will be 60x130 meeting the RLD 60 zoning requirements. The only exemption needed

is ~~the~~ a. Minimum required road frontage water + sewer are available

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>Anthony Scott Jensen</u> Signature: <u>Anthony Scott Jensen</u> MBML	Applicant or Agent (if different than owner) Print name: _____ Signature: _____
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Owner(s) <u>Wildcat Properties of NEFL</u> Print name: _____ Signature: <u>Wildcat Properties of NE Florida</u>	<i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i>
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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

EXHIBIT 'A'

A PORTION OF LOT 8, PICKETT'S SUBDIVISION OF THE ESTATES OF J.A. PICKETT, DESCRIBED IN DEED BOOK 97, PAGE 488 OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LYING SOUTH OF EDGEWOOD AVENUE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE SOUTHERLY LINE OF EDGEWOOD AVENUE (AN 80 FOOT RIGHT OF WAY) WITH THE WESTERLY LINE OF LUEDERS AVENUE (A 50 FOOT RIGHT OF WAY); THENCE SOUTH 0°44'52" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 522.19 FEET TO THE NORTHEAST CORNER OF SNELLER'S SUBDIVISION, UNIT NO. 2, AS RECORDED IN PLAT BOOK 19, PAGE 31, PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 89°47'10" WEST ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 218.64 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUE NORTH 89°47'10" WEST, A DISTANCE OF 176.71 FEET; THENCE NORTH 0°43'09" WEST, A DISTANCE OF 59.69 FEET TO THE SOUTHEASTERLY LINE OF A 25 FOOT EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1311, PAGES 117 AND 126; THENCE NORTH 22°22'49" EAST, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 62.97 FEET; THENCE NORTH 85°22'19" EAST A DISTANCE OF 148.21 FEET; THENCE SOUTH 2°31'16" EAST, A DISTANCE OF 130.66 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM any portion of the subject property that does not lie within the lands described in Deed Book 94, Page 66, of the Public Records of Duval County, Florida.

EXHIBIT A

Property Ownership Affidavit - Corporation

Date: 4/15/2020

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: D EPPERSON AVE RE#(s): 024217-0020

To Whom it May Concern:

I Anthony Sessions, as MGR of wildcat Properties
of N.E. Florida, a Limited Liability corporation, hereby certify that said corporation
is the Owner of the property described in Exhibit 1 in connection with filing application(s) for
WAIVER OF ROAD FRONTAGE submitted to the Jacksonville Planning and Development Department.

(signature) Anthony Sessions
(print name) Anthony Sessions

Please provide documentation illustrating that signatory is an authorized representative of the corporation: this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 15th day of
April 2020, by Anthony S. Sessions, Jr., as
MGR of wildcat Properties N.E. FL, LLC, a Florida
corporation, who is personally known to me or who has produced
_____ as identification and who took an oath.

Shelly R. Cotney
(Signature of NOTARY PUBLIC)
Shelly R. Cotney
(Printed name of NOTARY PUBLIC)

State of Florida at Large.
My commission expires: _____

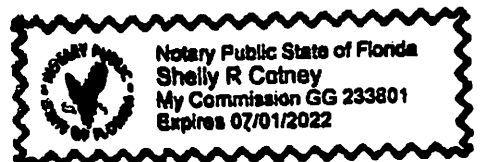


EXHIBIT B

Agent Authorization – Limited Liability Company (LLC)

Date: 03/13/2020

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

Re: Agent Authorization for the following site location in Jacksonville, Florida:
Address: 0 EPPERSON AVE 32208 RE#(s): 024217-0020

To Whom It May Concern:

You are hereby advised that Anthony Scott Sessions, as MEMBER of Wildcat Properties of NE Florida, a Limited Liability Company organized under the laws of the state of Florida, hereby certify that said LLC is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Anthony Scott Sessions to act as agent to file application(s) for Wildcat Properties of NE Florida LLC 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 as submitted to the Jacksonville Planning and Development Department.

(signature) Anthony Scott Sessions
(print name) Anthony Scott Sessions

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 13 day of March 2020, by Anthony Scott Sessions, as agent, of Wildcat Properties of NE Florida, a Limited Liability Company, who is personally known to me or who has produced Florida Drivers License as identification and who took an oath.

Angelica Jade Eliam
(Signature of NOTARY PUBLIC)

Angelica Jade Eliam
(Printed name of NOTARY PUBLIC)

 Angelica Jade Eliam
State of Florida
My Commission Expires 09/11/2023
Commission No. GG 912289

State of Florida at Large.
My commission expires: 09/11/2023



Department of State / Division of Corporations / Search Records / Detail By Document Number /

Detail by Entity Name

Florida Limited Liability Company
WILDCAT PROPERTIES OF N. E. FLORIDA LLC

Filing Information

Document Number	L14000177688
FEI/EIN Number	47-2345729
Date Filed	11/17/2014
Effective Date	11/12/2014
State	FL
Status	ACTIVE

Principal Address

11260 ISLAND CLUB LANE
JACKSONVILLE, FL 32225

Mailing Address

11260 ISLAND CLUB LANE
JACKSONVILLE, FL 32225

Registered Agent Name & Address

SESSIONS, ANTHONY S, JR
1965 Glenfield Crossing Ct
St Augustine, FL 32092

Address Changed: 02/27/2019

Authorized Person(s) Detail

Name & Address

Title MGMR

SESSIONS, ANTHONY S, JR
11260 ISLAND CLUB LN
JACKSONVILLE, FL 32225

Annual Reports

Report Year	Filed Date
2018	01/15/2018
2019	02/27/2019
2020	01/31/2020

Prepared by:
Shelly Coimey, an employee of
Ian A. Brown, PL,
1031 Lasalle Street
Jacksonville, Florida 32207
File Number: 20-03

Corporate Warranty Deed

This Indenture, made this February 7, 2020 A.D.
Between

Sospence Holding Corp., a dissolved New York corporation, appropriate to wind up the normal course of business whose post office address is: 3 Zack Court, New Hampstead, New York 10977 a corporation existing under the laws of the State of New York, Grantor and Wildcat Properties of N.E. Florida LLC whose post office address is: 11260 Island Club Ln., Jacksonville, Florida 32225, Grantee,

Witnesseth, that the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee forever, the following described land, situate, lying and being in the County of Duval, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Subject to taxes for the YEAR 2020, covenants, restrictions and easements of record, if any.

Parcel Identification Number: 024217-0020

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Sospence Holding Corp., a dissolved New York corporation

Signed and Sealed in Our Presence:

Jose Acosta
Witness Print Name: JOSE ACOSTA
Derick A. Calder
Witness Print Name: DERICK A. CALDER

By: *Spencer Stanford*
Spencer Stanford
Its: President

LAWRENCE NEWKIRK
NOTARY PUBLIC, STATE OF NEW YORK
(Corporate Seal) Registration No. 01NE6387837
Qualified in New York County
My Commission Expires: 02-25-23

State of NEW YORK
County of BRONX

The foregoing instrument was acknowledged before me this 7th day of February, 2020, by Spencer Stanford, as President of Sospence Holding Corp., a dissolved New York corporation A corporation existing under the laws of the State of New York, on behalf of the corporation.

He/She is personally known to me or has produced *SPENCER STANFORD as identification.

* New York Drivers License as ID

Lawrence Newkirk (Seal)
Notary Public
Notary Printed Name LAWRENCE NEWKIRK
My Commission Expires: 02-25-23

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FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE SOUTHERLY LINE OF EDGEWOOD AVENUE (AN 80 FOOT RIGHT OF WAY) WITH THE WESTERLY LINE OF LUEDERS AVENUE (A 50 FOOT RIGHT OF WAY); THENCE SOUTH $00^{\circ} 44' 52''$ EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 522.19 FEET TO THE NORTHEAST CORNER OF SNELLERS SUBDIVISION, UNIT NO. 2, AS RECORDED IN PLAT BOOK 19, PAGE 31, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH $89^{\circ} 47' 10''$ WEST ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 218.64 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUE NORTH $89^{\circ} 47' 10''$ WEST, 59.69 FEET TO THE SOUTHEASTERLY LINE OF A 25 FOOT EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1311, PAGES 117 AND 126; THENCE 62.97 FEET; THENCE NORTH $85^{\circ} 22' 19''$ EAST A DISTANCE OF 148.21'; THENCE SOUTH $02^{\circ} 31' 16''$ EAST, A DISTANCE OF 130.66 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF THE SUBJECT PROPERTY THAT DOES NOT LIE WITHIN THE LANDS DESCRIBED IN DEED BOOK 194, PAGE 66, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

