

**AD-20-72**

**LOCATION:** 2841 Doric Avenue

**REAL ESTATE NUMBER:** 101492-0000

**DEVIATION SOUGHT:**

1. Reduce required minimum lot area from 9,900 square feet to 9,375 square feet
2. Reduce lot width from 90 feet to 62.5 feet for two lots.

**PRESENT ZONING:** RLD-90

**CURRENT LAND USE:** LDR

**PLANNING DISTRICT:** 4

**COUNCILDISTRICT:** 14

**SIGNS POSTED:** 1

**OWNER:**

Cheryl Laucks  
2841 Doric Ave.  
Jacksonville, FL 32210

**AGENT:**

Brenna M. Durden  
Lewis, Longman & Walker, P.A.  
245 Riverside Avenue, Suite 510  
Jacksonville, FL 32202

**STANDARDS, CRITERIA AND FINDINGS**

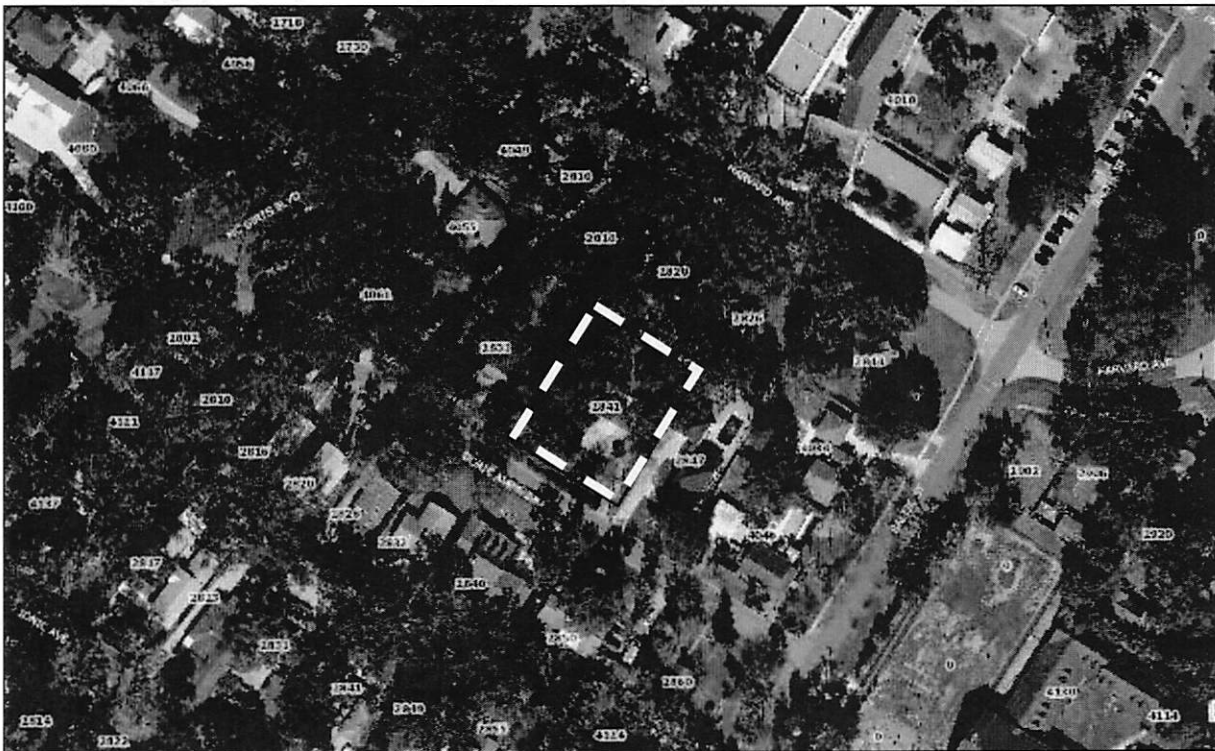
<p><b>1. Is this situation unique or similar to other properties in the neighborhood?</b></p>	<p><b><u>Recommendation:</u></b> Similar. The subject property and surrounding neighborhood are part of the Ortega plat as recorded in 1909 in Plat Book 3, Page 40. The original platted neighborhood contained 90 and 100-foot wide lots. The current zoning of RLD-90 was adopted in 2008 per Ordinance 2008-969-E. The two prior zoning districts in the past 30 years (RLD-D, RS-D) also required a minimum of 90 feet of lot width per residence. The minimum lot area under RLD-D and RS-D was 10,800 square feet. Notwithstanding the historical zoning districts, the pattern of development has been quite different.</p> <p>There are currently 33 residential lots within an area bounded by McGirts Boulevard, Harvard Avenue, Baltic Street, and Ionic Avenue (identified as Blocks 21 and 23 of the Ortega Plat). 15 of the 33 lots have substandard road frontage ranging from 69 feet down to 46 feet. 11 of the 15 substandard lots contain residences built between 1918 and 1940, thereby indicating that this pattern of development has gone on for generations. Further examination of the residential lots on the two platted blocks reveal that 12 of 33 have insufficient lot area and 17 of 33 have insufficient lot width. The road frontage, lot area, and lot width requirements of RLD-90 do not reflect the long established pattern of development.</p>
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	<p>Per 656.109 of the Zoning Code, when the need for the deviation is the result of a condition common to numerous sites so that similar requests are likely, the findings should be based on the cumulative effect of granting the deviation to all who may apply. While there is no indication of similar deviations in the area, the pattern of development began decades ago. The granting of this and similar deviations would be consistent with the area.</p> <p>There is a companion Waiver of Road Frontage Application <b>Ordinance 2020-0725 (WRF-20-28)</b> which is requesting a reduction of the required minimum road frontage from 72 feet to 62.5 feet for both lots. Staff is recommending that the waiver be approved.</p>
<p><b>2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...</b></p>	<p><b><u>Recommendation:</u></b> Yes. It is impractical to strictly impose the RLD-90 lot area and lot width requirement for this property when almost half of the lots on the two blocks referenced above do not meet the RLD-90 requirements. The two proposed 62½-foot wide lots are consistent with and reflective of the established pattern of development.</p>
<p><b>3. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish a result that is in the public interest.</b></p>	<p><b><u>Recommendation:</u></b> There is no evidence that granting the waiver would reduce the cost of developing the site. The proposed lot split will result in the creation of two single-family lots consistent with the area. It is in the public interest to allow the highest and best use of the property since the result is in keeping with the pattern of development.</p>
<p><b>4. The proposed deviation 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 deviation, in that...</b></p>	<p><b><u>Recommendation:</u></b> The proposed deviation will allow the creation of two residential lots similar to the existing and long established pattern of development. There is no evidence that granting the deviation would substantially diminish property values nor alter the essential character of the surrounding area.</p>
<p><b>5. The proposed deviation will not be detrimental to the public health, safety, or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law, in that...</b></p>	<p><b><u>Recommendation:</u></b> The proposed lots have adequate road frontage and access to allow for City services including first responders. The proposed lots are consistent with the pattern of development and there is no evidence they will be a nuisance or public safety concern.</p>

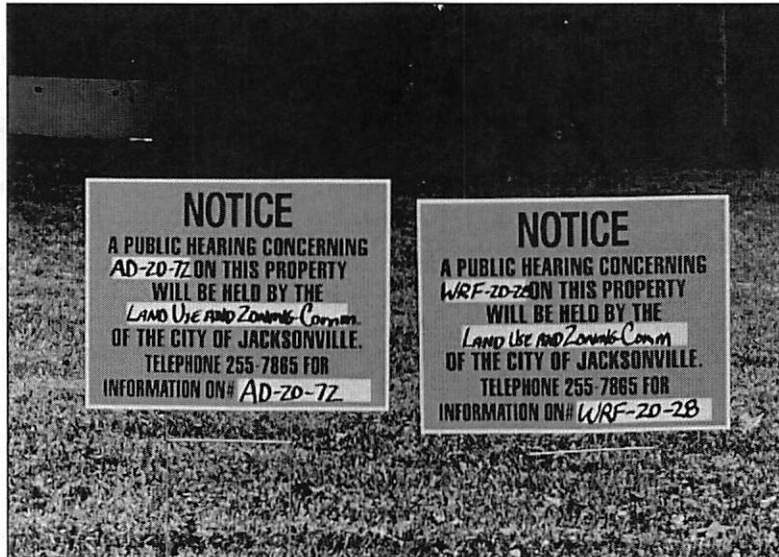
<p><b>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</b></p>	<p><b>Recommendation:</b> Yes. The intent of the Zoning Code is to promote the health and safety of the public while allowing deviations that result in development harmonious with the existing pattern of development. As explained in the foregoing analysis, granting this deviation meets this criteria.</p>
<p><b>7. The City landscape architect (has/has not) recommended the proposed deviation.</b></p>	<p>Not applicable. Comments from the City Landscape Architect are required for deviations to reduce landscaping. This deviation seeks to reduce lot area and lot width, not landscaping.</p>
<p><b>8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.</b></p>	<p>There are no zoning violations associated with the subject property.</p>

**PLANNING DEPARTMENT RECOMMENDATION:** Approve

**DATE OF REPORT:** January 20, 2021



**Aerial View**  
Source: JaxGIS



**The Required Notice of Public Hearing Signs Were Posted**

Source: Planning and Development Department, COJ (Date: December 15, 2020)



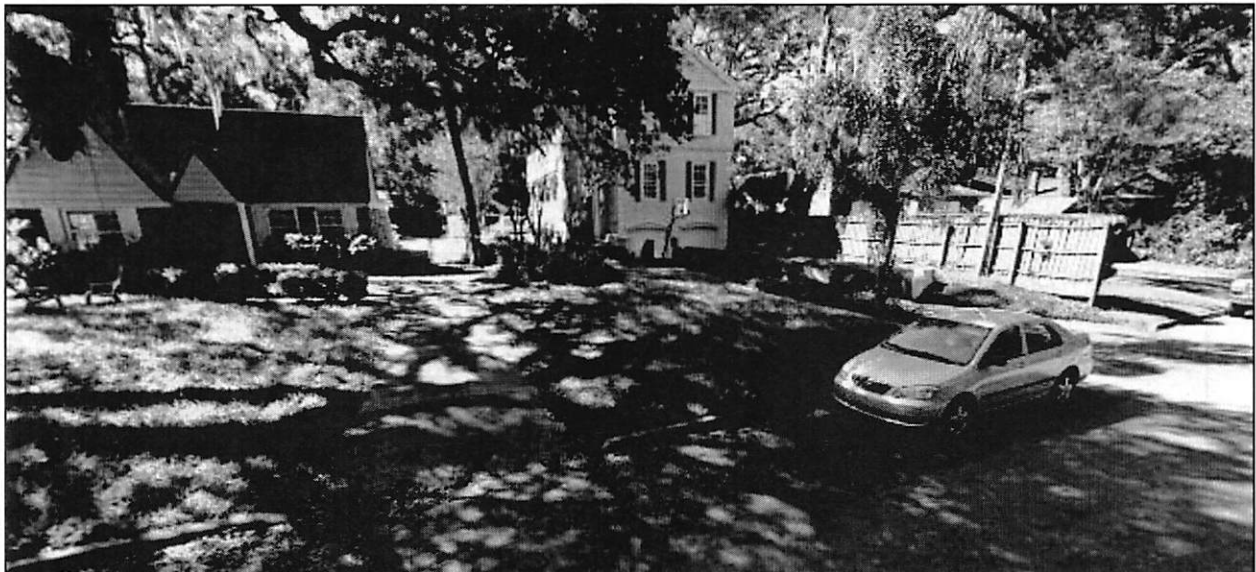
**Property View**

Source: Planning and Development Department, COJ (Date: December 15, 2020)



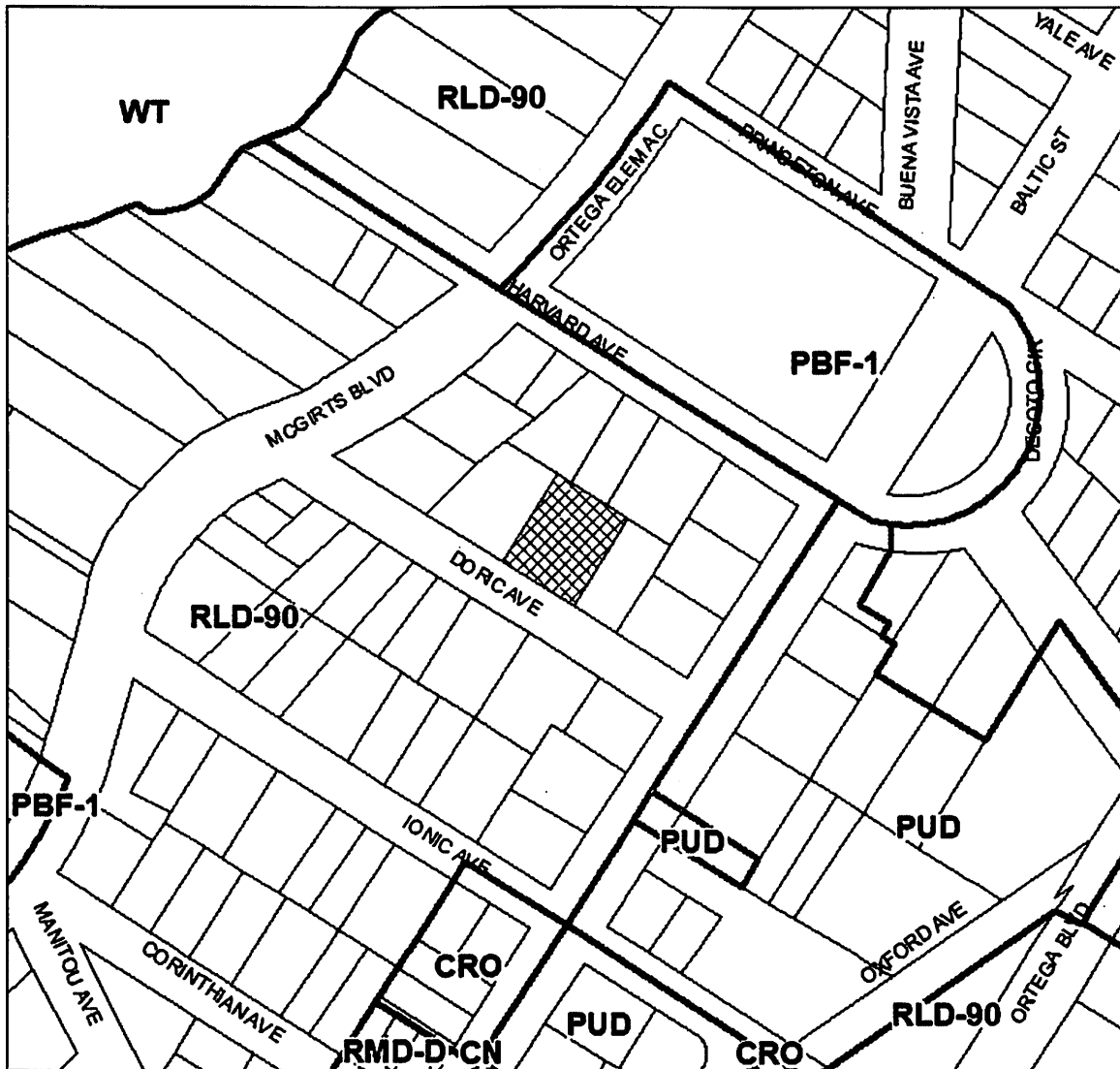
**Property to the East: 2847 Doric Ave.**

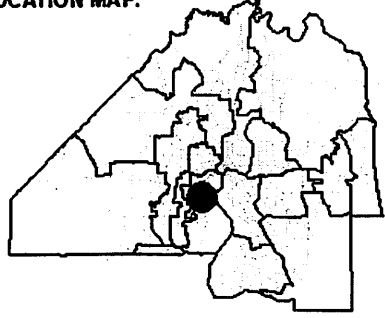

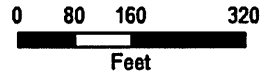
Source: Planning and Development Department, COJ (Date: December 15, 2020)



**Properties along Doric Ave. (Widths Approximately 50-60 feet)**

Source: Google Maps



<p><b>REQUEST SOUGHT:</b></p> <p><b>LOT WIDTH 90' TO 62.5'</b></p> <p><b>LOT AREA 9,900 TO 9,375</b></p>	<p><b>LOCATION MAP:</b></p>  <p><b>TRACKING NUMBER</b> <b>AD-20-72</b></p>	  <p><b>COUNCIL DISTRICT:</b> <b>14</b></p> <p><b>EXHIBIT 2</b> <b>PAGE 1 OF 1</b></p>
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**Legal Map**  
Source: JaxGIS

COMP WLF-20-2

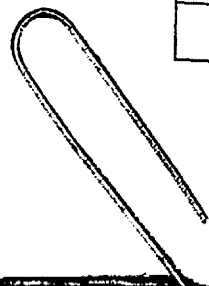
### Zoning Application for an Administrative Deviation

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.

Date Submitted:	10-16
Date Filed:	11-9

Application Number:	AD-20-72
Public Hearing:	



For Official Use Only	
Current Zoning District:	R1D-9D
Current Land Use Category:	LDR
Deviation Sought:	LOT WIDTH - 90' to 62.5' LOT AREA 9900 to 9,375
Applicable Section of Ordinance Code:	656.305 ADD (IV) & D (2) (IV)
Council District:	14
Planning District:	4
Previous Zoning Applications Filed (provide application numbers):	NONE
Notice of Violation(s):	NA
Number of Signs to Post:	1
Amount of Fee:	
Zoning Asst. Initials:	
Neighborhood Associations:	Debra Preservation Society
Overlay:	NA

2 lots

PROPERTY INFORMATION	
1. Complete Property Address:	2841 Domic Avenue
2. Real Estate Number:	101492-0000
3. Land Area (Acres):	0.43
4. Date Lot was Recorded:	1909 (plat)
5. Property Located Between Streets:	McGitts Blvd and Baltic Street
6. Utility Services Provider:	City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. In whose name will the Deviation be granted:	Cheryl P. Laucks

8. Is transferability requested? If approved, the administrative deviation is transferred with the property

Yes   
No

(Circle)

Increase the maximum / Decrease the minimum width of the driveway access from \_\_\_\_\_ from 24 / 36 / 48 feet required to \_\_\_\_\_ feet.

(Circle)

Increase the maximum / Decrease the minimum width of the driveway access to adjoining property along the north / east / south / west property boundary from 24 feet required to \_\_\_\_\_ feet.

(Circle)

Reduce the uncomplimentary land use buffer width along the north / east / south / west property boundary from 10 feet wide required to \_\_\_\_\_ feet wide.

(Circle)

Reduce the uncomplimentary land use buffer trees along the north / east / south / west property boundary from \_\_\_\_\_ required to \_\_\_\_\_ trees.

(Circle)

Reduce the uncomplimentary land use buffer visual screen along the north / east / south / west property boundary from 6 feet tall and 85 % opaque required to \_\_\_\_\_ feet tall and \_\_\_\_\_ %.

**OWNER'S INFORMATION (please attach separate sheet if more than one owner)**

10. Name: <b>Cheryl P. Laucks</b>	11. E-mail: <b>cplaucks@gmail.com</b>
12. Address (including city, state, zip): 2841 Doric Avenue Jacksonville, FL 32210	13. Preferred Telephone: (904) 610-9183

**APPLICANT'S INFORMATION (if different from owner)**

14. Name: <b>Brenna M. Durden</b>	15. E-mail: <b>bdurden@llw-law.com</b>
16. Address (including city, state, zip): 245 Riverside Ave, Suite 510 Jacksonville, FL 32202	17. Preferred Telephone: (904) 353-6410



## CRITERIA

Section 656.101(a), Ordinance Code, defines an administrative deviation as "a relaxation of the terms of the Zoning Code requirements for minimum lot area, yards, number of off-street parking spaces, landscaping, maximum lot coverage and maximum height of structures, including fences, which the Zoning Administrator is authorized to grant pursuant to the procedures set forth in Section 656.109(e) through (j)."

Section 656.109(e) through (j), Ordinance Code, provides that, with respect to action upon Applications for Administrative Deviations, the Zoning Administrator shall grant a deviation only if substantial competent evidence exists to support a positive finding based on each of the following criteria:

1. *The need for the proposed deviation arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the subject property alone; or this issue is common to numerous sites.*
1. *There are practical or economic difficulties in carrying out the strict letter of the regulation; See attached Exh. G*
2. *The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result that is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees. See attached Exh G*
3. *The proposed deviation 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 deviation; See attached Exh G*
4. *The proposed deviation will not be detrimental to the public health, safety or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law; See attached Exh G*
5. *The proposed deviation has been recommended by a City landscape architect, if the deviation is to reduce required landscaping; and See attached Exh G*
6. *The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code. See attached Exh G*

If the deviation is proposed to correct an existing violation, the Zoning Administrator shall also consider the following:

- (i) *Whether the violation was created by the applicant with the intent to violate the provisions of this Zoning Code; N/A - no violation*
- (ii) *The length of time the violation has existed without receiving a citation; and N/A - no violation*
- (iii) *Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner. N/A - no violation*

18. Given the above definition of an "administrative deviation" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the deviation 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 deviation and to meet the criteria set forth above may result in a denial.

See Exhibit G

## 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.coi.net/pao\\_propertySearch/Basic/Search.aspx](http://apps.coi.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>.
- Letter from the Department of Children and Family Services (DCFS) – day care uses only
- Letter from the applicable Home Owner's Association stating that the request meets their architectural and aesthetic requirements; or letter stating that the subject parcel is not within the jurisdiction of a Home Owner's Association – residential only
- Elevations are required with height increase requests and must be drawn to scale

## FILING FEES

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

### Base Fee

Residential Districts: \$966.00

Non-residential Districts: \$952.00

### Public Notices

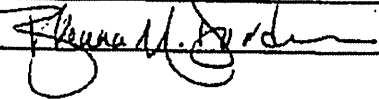
\$7.00 per Addressee

**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. 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 this 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.

<p>Owner(s) Print name: <u>Cheryl P. Laucks</u> Signature: _____</p>	<p>Applicant or Agent (if different than owner) Print name: <u>Brenna M. Durden</u> Signature: <u></u></p>
<p>Owner(s) Print name: _____ Signature: _____</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**

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.

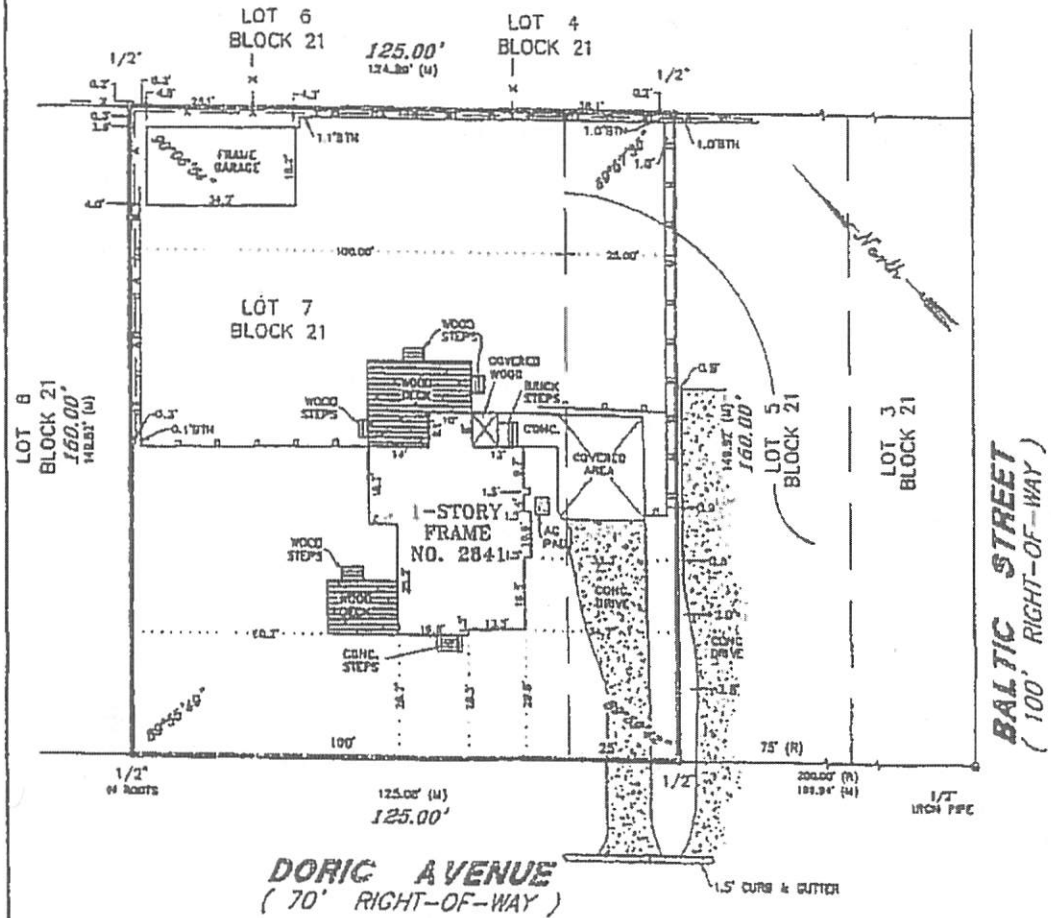
Submit applications to:  
Planning and Development Department, Zoning Section  
214 North Hogan Street, 2<sup>nd</sup> Floor  
Jacksonville, Florida 32202  
(904) 255-8300

# EXHIBIT D

## MAP SHOWING BOUNDARY SURVEY OF LOT 7 & THE NORTHWEST 25 FEET OF LOT 5 BLOCK 21 ACCORDING TO THE PLAT OF **ORTEGA**

AS RECORDED IN PLAT BOOK 3 , PAGE(S) 40 OF THE CURRENT  
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO: ZACHARY H. HANNA AND MAE R. BARKER, SHORE TO SHORE TITLE, LLC  
AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.



**DORIC AVENUE**  
( 70' RIGHT-OF-WAY )

**BALTIC STREET**  
( 100' RIGHT-OF-WAY )

X-REF: 15866

FLOOD ZONE "X" = AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN / FLOOD ZONE "X (SHADED)" = AREAS OF 0.2% ANNUAL CHANCE FLOOD. AREAS OF 1% ANNUAL CHANCE WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH CHAGLAGE AREAS LESS THAN 1 SQUARE FOOT, AND AREAS PROTECTED BY LEVERS FROM THE ANNUAL CHANCE FLOOD.



**ASSOCIATED SURVEYORS INC.**  
LAND & ENGINEERING SURVEYS  
3846 BLANDING BOULEVARD  
JACKSONVILLE, FLORIDA 32210  
904-771-6488

CERTIFICATE OF AUTHORIZATION NO. LB 0005488

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 5J-17.050 THROUGH 17.052, FLORIDA ADMINISTRATIVE CODE, CHAPTER 472, F.S.

BY: *Charles B. Hatcher*  
CHARLES B. HATCHER FLORIDA CERTIFICATE NO. 3771  
CHARLES L. STARLING FLORIDA CERTIFICATE NO. 4579  
RAYMOND J. SCHAEFER FLORIDA CERTIFICATE NO. 6132

JOB NO 65541 DATE 5/19/2015  
SCALE 1" = 40' DRAFTER HILL ECA

- GENERAL NOTES:**
1. ANGLES ARE SHOWN OPEN THIS SURVEY.
  2. STRUCTURE NO. 2841 SHOWN HEREON LIES WITHIN FLOOD ZONE "X" AS BEST DETERMINED FROM FEMA FLOOD MAPS PANEL NO. 34481D (04/01/2013).
  3. THIS IS A SURFACE SURVEY ONLY. THE EXISTENCE OF UNDERGROUND UTILITIES, PIPES AND UTILITY, IF ANY, NOT DETERMINED.
  4. ADDITIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
  5. THIS SURVEY BASED ON LEGAL DESCRIPTIONS FURNISHED. THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, EASE COVENANTS, EASES, ETC. RETROACTIVE, EASEMENTS, EASES OR EASEMENTS, ETC.
  6. UNLESS OTHERWISE STATED ALL HIGH PIPES FOUND HAVE NO DIMENSION.

**LEGEND/ABBREVIATIONS**

AC	• AIR CONDITIONER	PSM	• PROFESSIONAL SURVEYOR & MAPPER
BR	• BUILDING RESTRICTION LINE	S	• SAILS
BT	• BUILDING TIE	RD	• RECORDS
BN	• NETWORK	RLS	• REGISTERED LAND SURVEYOR
CB	• CROWNINGS & RESTRICTIONS	R/W	• RIGHT OF WAY
CH	• CHOP		
CHP	• CAN NOT READ		
CHS	• CHISEL		
CHV	• CHISEL		
CHW	• CHISEL		
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# EXHIBIT E

Map Showing Boundary Survey Of  
Lot 7 & The Northwest 25 Feet Of Lot 5 Block 21  
According To The Plat Of ORIEGA As Recorded in Plat  
Book 3, Page 40 Of The Current Public Records  
Of Duval County, Florida  
(Addendum to Original)  
Scale 1"=20'

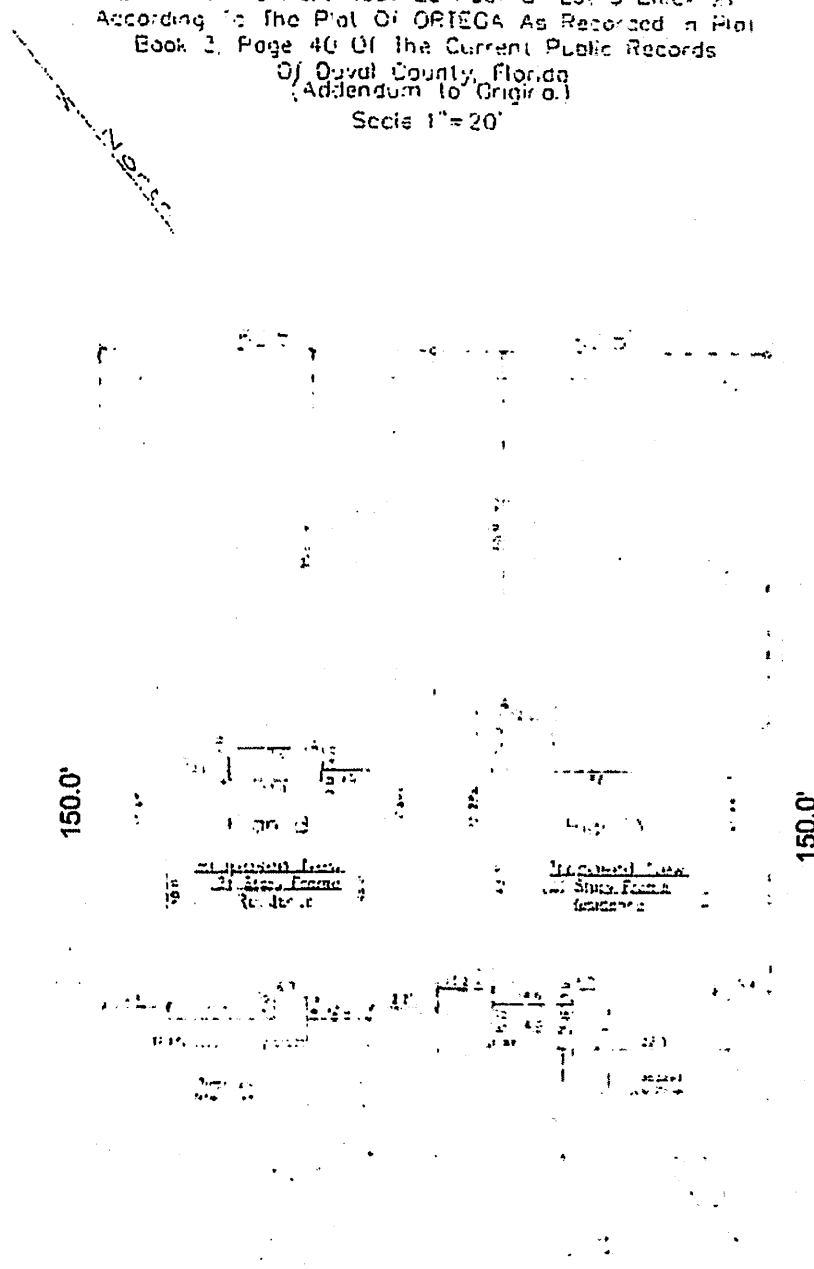
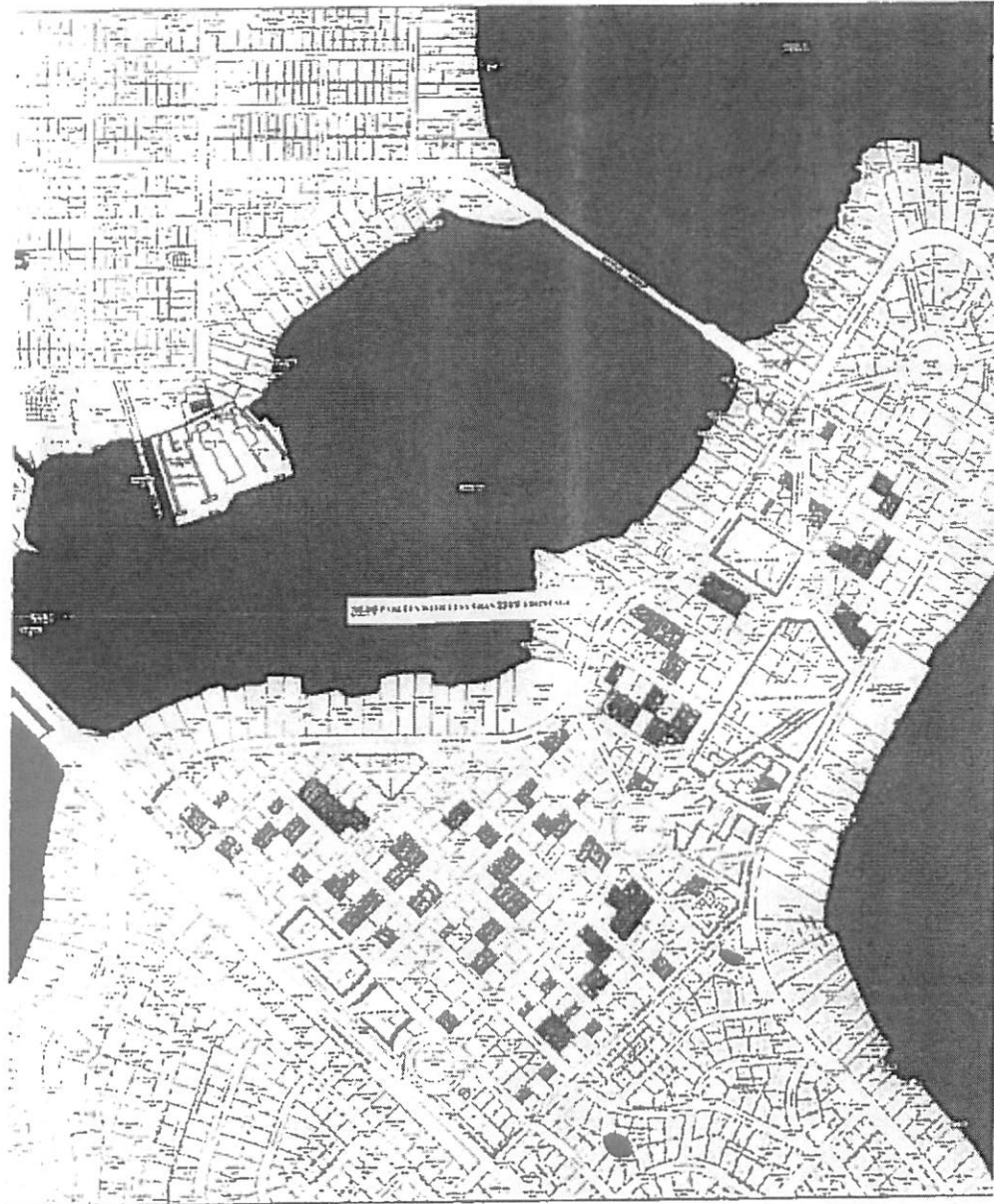
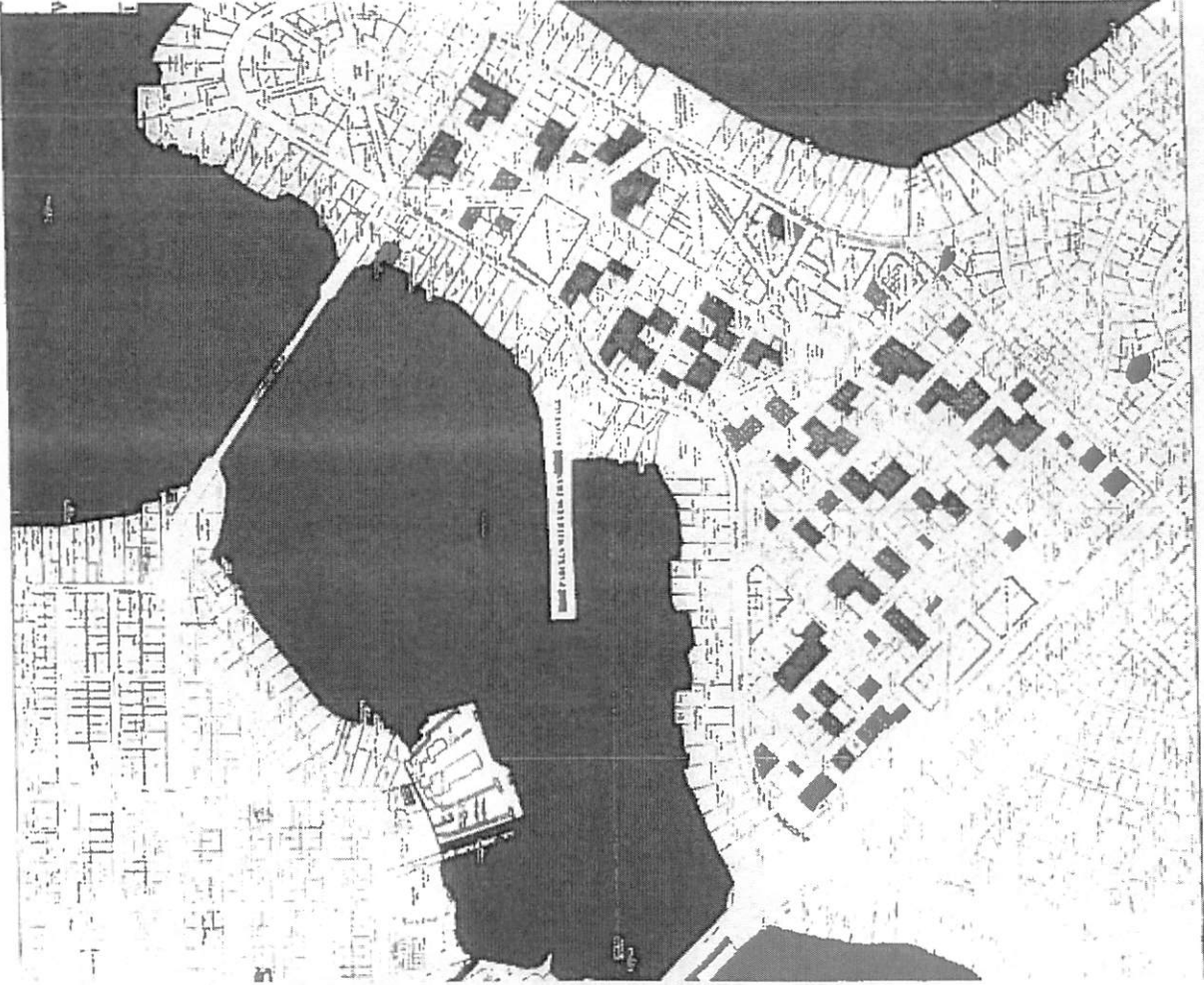


EXHIBIT F



Parcels with less than 72' frontage



Parcels with less than 60' frontage

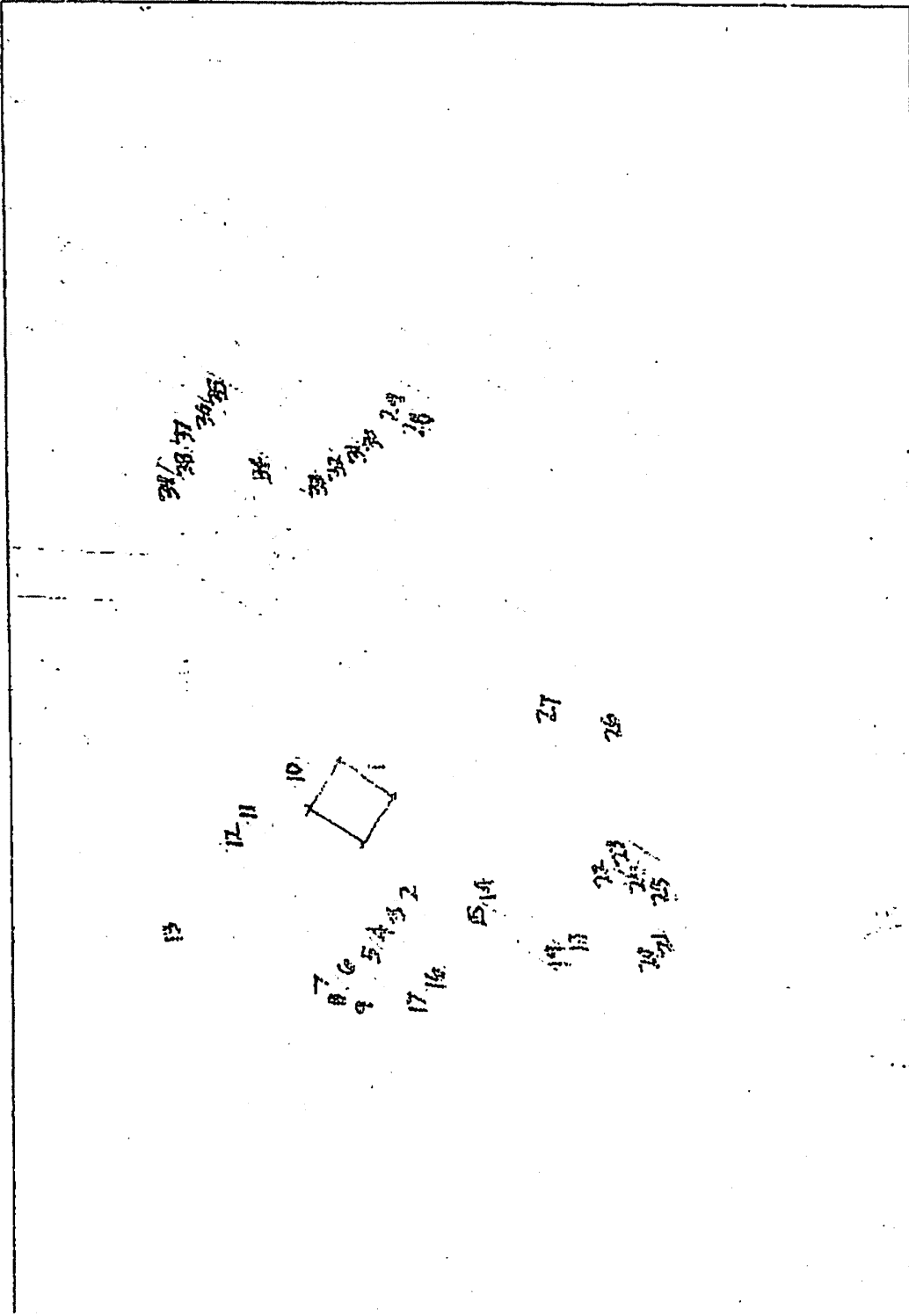


## LOT SIZE COMPARISON CHART

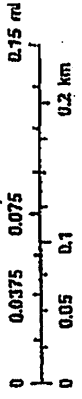
No.*	ADDRESS	RES SF	TOTAL LAND AREA SF	FRONT LOT WIDTH	REAR LOT WIDTH	BOTH LOT WIDTHS
1.	2847 Doric Ave.	3,387	11,077			75
2.	2832 Doric Ave.	2,119	9,014	54	93	
3.	2826 Doric Ave.	1,501	6,941	50.7	52.6	
4.	2820 Doric Ave.	2,984	8,792	52.4	63	
5.	2816 Doric Ave.	1,349	8,466	52.4	66.5	
6.	2810 Doric Ave.	1,670	5,58			60
7.	2802 Doric Ave.	1,191	2,444	60	95.6	
8.	4117 McGirts Blvd.	933	4,030	52.9	49.5	
9.	4121 McGirts Blvd.	1,630	6,910	51	51.7	
10.	2820 Harvard Ave.	1,331	9,188			60
11.	2810 Harvard Ave.	712	4,601	54.0	35.3	
12.	4049 McGirts Blvd.	2,396	8,035	68	90	
13.	2718 Harvard Ave.	1,765	5,050			50
14.	2849 Ionic Ave.	1,866	9,224			60
15.	2841 Ionic Ave.	2,277	9,9952			65
16.	2823 Ionic Ave.	1,412	9,963	66.5	63	
17.	2817 Ionic Ave	2,130	10,278	73	66.5	
18.	2848 Ionic Ave.	2,031	7,783	50	90	
19.	2842 Ionic Ave.	1,463	7,510			50
20.	2845 Corinthian Ave.	1,654	8,186			50
21.	2849 Corinthian Ave.	1,654	8,188			50
22.	2862 Ionic Ave.	1,377	6,288			62.5
23.	2866 Ionic Ave.	1,953	7,007			62.5
24.	4158 Baltic St.	1,431	6,563			50
25.	4162 Baltic St.	1,540	6,679			50
26.	2911 Ionic Ave.	1,031	5,886			60
27.	4121 Baltic St.	1,985	6,568			50
28.	4030 Ortega Blvd.	2,091	7,198	70	48	
29.	4022 Ortega Blvd.	2,537	7,472	70	47.8	
30.	2941 Harvard Ave.	2,770	6,899			49.3
31.	2935 Harvard Ave.	2,024	6,564	49.3	52.1	
32.	2929 Harvard Ave.	1,331	7,713	65	91.9	
33.	4015 Desota Circle	1,263	6,488	62.1	62.5	
34.	2918 Princeton Ave.	2,194	5,285	44.1	89	
35.	2929 Princeton Ave.	1,781	8,353	60	71	
36.	2923 Princeton Ave.	2,386	8,882			60
37.	2917 Princeton Ave.	1,799	9,005			60
38.	2911 Princeton Ave.	1,442	5,922	62.6	125	
39.	2903 Princeton Ave.	3,251	5,697			62.2

\*See Map

# Duval Map



1:4,514



Source: Esri, HERE, DeLorme, Intermap, Inc., SwisSTOP, USGS, FOD, NPS, NRCAN, GEBCO, IGN, Intermap, Inc., SwisSTOP, Esri

Exhibit "G" – Part 1  
2841 Doric Avenue  
Jacksonville, Florida 32210  
Proposed Reduction of Lot Size Criteria  
Section 656.109(h)(1-6), Zoning Code  
To Reduce Lot Size from 9,900 Square Feet to 9,375 Square Feet

(h)(1) "There are practical or economic difficulties in carrying out the strict letter of the regulation."

There are both practical difficulties and economic difficulties in carrying out the strict letter of the regulation. First, it is impractical to limit development of this parcel, which is nearly one-half acre in size, to only one single family residential dwelling when more than half of the lots facing Doric in the same block have lot areas of LESS than 9,000 square feet and within several blocks of the subject parcel, there are 36 parcels that do not meet the 9,900 square feet requirement. In fact, 35 of the 36 lots have a lot area less than 9,375 square feet, the lot area proposed in this application. See Lot Size Comparison Chart included with Exhibit "F" to this application. In addition, as shown on the maps included as part of Exhibit "F" in this application package, lots with less than 9,900 square feet of lot size exist throughout Old Ortega. These lots have been split and divided over the years from what was originally platted in 1909. The variety in lot size and road frontage are now a part of the historic character and pattern of development that make up part of the charm of Old Ortega.

In addition, it would cause extreme economic difficulty were the strict letter of the regulation required. First, market demand for single family homes on half acre lots is low. There is a generally recognized trend to smaller homes and smaller lots. Many people are looking to downsize. As a result, economic difficulties would arise if the administrative deviation is not approved. Secondly, the owner/applicant, Cheryl Laucks, desires to live in a new home to be built on one of the proposed lots and to build and lease or sell a home on the second lot. It would be extremely difficult economically for Ms. Laucks if she was limited to building only one home on the property and thus be required to construct and maintain such a large piece of land for just one single family residence.

Finally, it is clear that the best use of the subject property will be reached if it is divided once so that two parcels are created. The proposed new parcels will accommodate desirable, infill single family home sites with substantial value consistent with the neighboring parcels. Moreover, the resultant property taxes for the new single family homes will be accelerated, generating more tax value for the City than the property currently returns.

(h)(2) "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);"

The proposed Administrative Deviation to reduce the lot size from 9,900 square feet to 9,375 square feet does not circumvent the City's subdivision rules in that Ms. Laucks is respectfully requesting that the subject property be divided into only two parcels. A request to subdivide the subject property into three (3) or more parcels would be subject to the Chapter 654, Ordinance Code Subdivision Regulations and are not applicable to this application.

Moreover, the cost of development is not likely to be reduced at all if the deviation is approved. In fact, the initial costs to divide, prepare and construct two new single family detached homes on the property is generally thought to be higher than the costs to construct one home.

(h)(3) "The proposed deviation 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 deviation;"

- Property values will not be diminished. Property values in the area are on the rise and have been for decades, while many of the lots have been divided and are less than the required width. In addition, two new homes will likely increase surrounding property values when compared to the current vacant lot. New homes on 50 foot wide lots on Algonquin and Manitou are in the \$600,000 to \$700,000 range.
- The essential character of the area surrounding the property will not be altered by the development of one additional single family home on this very large property where there are currently many lots of less than 9,900 square feet of lot area.
- No rights of other property owners in the area will be injured or interfered with by the construction of one additional home on the block. In fact, more than likely it will enhance the general character of the surrounding area and substantially support and improve the property values of the neighboring properties. For example, the proposed side yard structural setbacks for proposed new housing Plan A (10.4 feet) and for proposed new housing Plan B (12.4 feet), all along their 150 feet side yard boundaries with their immediate neighbors, exceed the required RLD-90 side yard set back distances of only five (5) feet (please see Exhibit F).

(h)(4) "The proposed deviation will not be detrimental to the public health, safety or welfare, nor result in additional expense, the creation of nuisances or conflict with any other applicable law;"

Correct. The proposed deviation will result in two single family homes developed on lots that are consistent and compatible with the surrounding neighborhood development. The minimal reduction in lot area is just 525 square feet, an area just slightly larger than two standard parking spaces. One additional home will generate ten or less new average daily vehicular trips per day - virtually unnoticeable. The proposed additional lot and home site will not result in additional expense, creation of any nuisance or

conflict with any other applicable laws. Rather, the approval of the deviation is in the public interest: promotes more efficient and better use of public services; increases the tax base; allows the best use of the land; and is consistent with the character of the area.

(h)(5) "The proposed deviation has been recommended by a City landscape architect, if the deviation is to reduce required landscaping;"

Not applicable.

(h)(6) "The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code."

Note: There are no existing violations.

The intent of the Zoning Code regulations is to promote the health, safety and welfare of the citizens of Jacksonville. Deviations are appropriate when the proposal is harmonious with the character of the neighborhood and the existing pattern of development. As described in the foregoing analysis, the facts clearly show the proposed deviation meets the criteria for approving deviations.

Exhibit "G" - Part 2  
2841 Doric Avenue  
Jacksonville, Florida 32210  
Proposed Waiver of Minimum Required Road Frontage Criteria  
Section 656.133(d)(1-5), Zoning Code  
To Reduce Road Frontage from 72 feet to 62.5 feet

(d)(1) "There are practical or economic difficulties in carrying out the strict letter of the regulation."

There are both practical difficulties and economic difficulties in carrying out the strict letter of the regulation. First, it is impractical to limit development of this parcel, which is nearly one-half acre in size, to only one single family residential dwelling when at least half of the lots facing Doric in the same block have frontage of LESS than 60 feet and within two blocks, 15 of 33 total lots have road frontage ranging from 46 feet to 69 feet. In addition, as shown on the maps included as part of Exhibit "G" in this application package, lots with less than 72 feet of road frontage exist throughout Old Ortega. These lots have been split and divided over the years from what was originally platted in 1909. The variety in lot size and road frontage are now a part of the historic character and pattern of development that make up part of the charm of Old Ortega.

In addition, it would cause extreme economic difficulty were the strict letter of the regulation required. First, market demand for single family homes on half acre lots is low. There is a generally recognized trend to smaller homes and smaller lots. Many people are looking to downsize. As a result, economic difficulties would arise if the waiver is not approved. Secondly, the owner/applicant, Cheryl Laucks, desires to live in a new home to be built on one of the proposed lots and to build and lease or sell a home on the second lot. It would be extremely difficult economically for Ms. Laucks if she was limited to building only one home on the property and thus be required to construct and maintain such a large piece of land for just one single family residence.

Finally, it is clear that the best use of the subject property will be reached if it is divided once so that two parcels are created. The proposed new parcels will accommodate desirable, infill single family home sites with substantial value consistent with the neighboring parcels. Moreover, the resultant property taxes for the new single family homes will be accelerated, generating more tax value for the City than the property currently returns.

(d)(2) "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);"

The Proposed Waiver of Minimum Road Frontage does not circumvent the City's subdivision rules in that Ms. Laucks is respectfully requesting that the subject property be divided into only two parcels. A request to subdivide the subject property into three, 3, or more

parcels would be subject to the Chapter 654, Ordinance Code Subdivision Regulations and are not applicable to this application.

Moreover, the cost of development is not likely to be reduced at all if the waiver is approved. In fact, the initial costs to divide, prepare and construct two new single family detached homes on the property is generally thought to be higher than the costs to construct one home.

(d)(3) "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;"

- Property values will not be diminished. Property values in the area are on the rise and have been for decades, while many of the lots have been divided and are less than the required width. In addition, two new homes will likely increase surrounding property values when compared to the current vacant lot. New homes on 50 foot wide lots on Algonquin and Manitou are in the \$600,000 to \$700,000 range.
- The essential character of the area surrounding the property will not be altered by the development of one additional single family home on this very large property where there are currently lots of less than 60 feet wide.
- No rights of other property owners in the area will be injured or interfered with by the construction of one additional home on the block. In fact, more than likely it will enhance the general character of the surrounding area and substantially support and improve the property values of the neighboring properties. For example, the proposed side yard structural setbacks for proposed new housing Plan A (10.4 feet) and for proposed new housing Plan B (12.4 feet), all along their 150 feet side yard boundaries with their immediate neighbors, exceed the required RLD-90 side yard set back distances of only five (5) feet (please see Exhibit F).

(d)(4) "There is a valid and effective easement for adequate vehicular access connected to a public street which is maintained by the City of approved private street;"

Not applicable, as the subject property at 2841 Doric Avenue has frontage along Doric Avenue, as will its proposed new lots, Parcel "A" and Parcel "B."

(d)(5) "The proposed waiver will not be detrimental to the public health, safety or welfare, nor result in additional expense, the creation of nuisances or conflict with any other applicable law.

Correct. The proposed waiver will result in two single family homes developed on lots that are consistent and compatible with the surrounding neighborhood development. Substantial accessibility to the homes with 62.5 feet of frontage for each lot will be

safe. One additional home will generate ten or less new average daily vehicular trips per day – virtually unnoticeable. The proposed additional lot and home site will not result in additional expense, creation of any nuisance or conflict with any other applicable laws. Rather, the approval of the waiver is in the public interest: promotes more efficient and better use of public services; increases the tax base; allows the best use of the land; and is consistent with the character of the area.





EXHIBIT I

