AD-20-41

OCTOBER 20, 2020

LOCATION: 4569 Prunty Lane between Lamboll Avenue and Gien Laura Road

REAL ESTATE NUMBER(S): 065399-0000

DEVIATION SOUGHT:

1. Reduce lot sizes in the RLD-60 Zoning District from 60 feet to 54.45 feet

PRESENT ZONING: RLD-60 CURRENT LAND USE: LDR

PLANNING DISTRICT: 4 COUNCIL DISTRICT: 14 SIGNS POSTED: 1

OWNER: AGENT: Frank Erwin None

4228 Rosewood Avenue Jacksonville, Florida 32207

PLANNER RECOMMENDATION: APPROVE

STANDARDS, CRITERIA AND FINDINGS

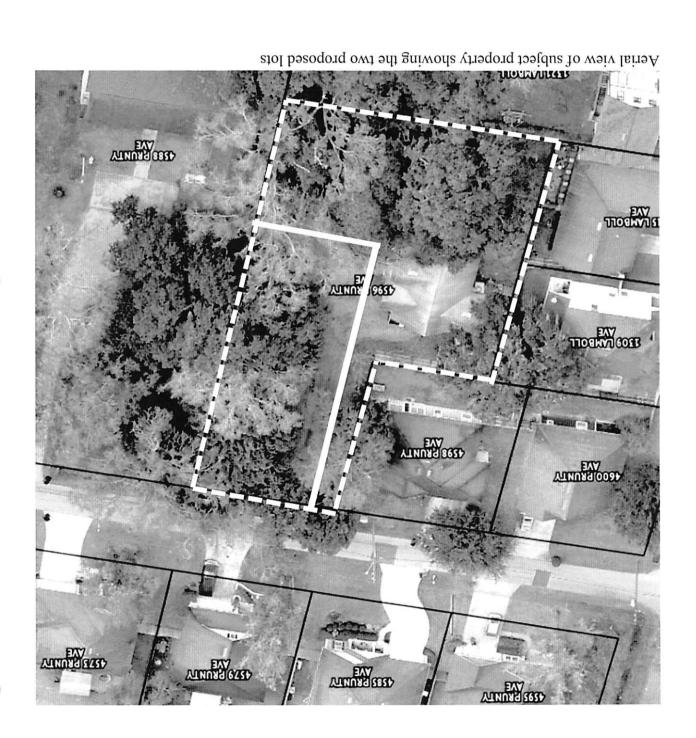
1. Is this situation unique or similar to other properties in the neighborhood?	Recommendation: Unique. The subject property and surrounding neighborhood is zoned RLD-60, however the lots vary in size from 6,000 square feet to 19,000 square feet and lot widths vary from 60 feet to 100 feet. This property is approx. ½ acre with adequate area for two lots, but due to the lot shape does not have the road frontage or width for two lots.
2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that	Recommendation: Yes. There are practical difficulties in providing the additional 6 feet required in order to meet the lot width of the zoning district. The proposed lots will meet the size requirements of RLD-60. This request would not result in a pattern of development that is out of character with the surrounding neighborhoods.
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.	Recommendation: Yes. There is no evidence that granting the waiver would reduce the cost of developing the site. Any costs for mitigation or mobility fees are not examined as part of the administrative deviation process. The proposed lot split will result in the creation of two single-family lots consistent with the area. The resulting lot split would be in keeping with

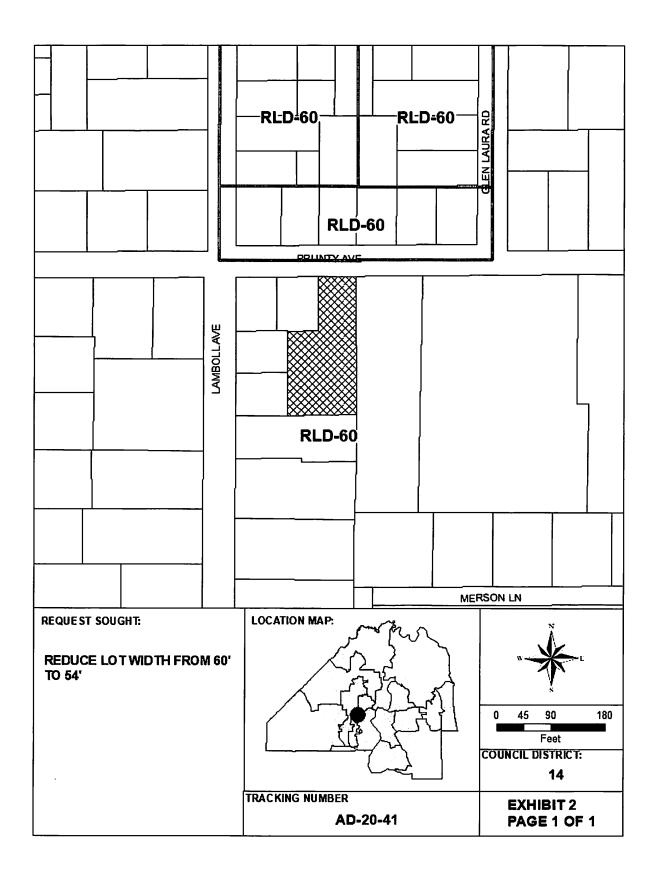
	the pattern of development and mix of lot sizes in the area.
4. The proposed deviation will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation, in that	Recommendation: Yes. The proposed deviation will not substantially diminish property values in the area. The proposed deviation will allow the creation of two residential lots similar to the existing 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.
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	Recommendation: Yes. 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. The proposed lots will have 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. The property does not contain wetlands and is not in a flood zone. If approved, any drainage concerns will be addressed during the permitting process.
6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.	Recommendation: 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.
7. The City landscape architect (has/has not) recommended the proposed deviation.	Not applicable.
8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.	Not applicable.





Frontage of subject property





Date Submitted: 8-7-20	
Date Filed:	

Current Zoning District:

Application Number: AD-20-41	
Public Hearing:	_

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.

For Official Use Only

Current Land Use Category:

Deviation Sought: Reduction of Lot width	Applicable Section of Ordinance Code:	
Council District:	Planning District:	
Previous Zoning Applications Filed (provide applications)	ion numbers):	
Notice of Violation(s):		
Number of Signs to Post: Amount of Fee	Zoning Asst. Initials: QM	
Neighborhood Associations: Murray H	IIII Preservation	
Overlay: NONE	in the Carvanor	
PROPERTY INFORMATION		
1. Complete Property Address:	2. Real Estate Number:	
4590 Prunty Ave Tacksonville, F1 32205	065399-0000	
3. Land Area (Acres):	4. Date Lot was Recorded:	
. 49 Acres or 21,559 sq ft	12/20/1985	
5. Property Located Between Streets:	6. Utility Services Provider:	
Prunty is between Lamboll Ave and	City Water / City Sewer	
Hamilton St	Well / Septic	
7 In whose name will the Deviation be granted	rank Erwin	
8. Is transferability requested? If approved, the admini		
Yes	and one broperty	
No.		

9. Deviation Sought: 54.45
Reduce Required Minimum Lot med from 60 to 54.45 feet.
Increase Maximum Lot Coverage from% to%.
Increase Maximum Height of Structure fromtofeet.
Reduce Required Yard(s)
Reduce Minimum Number of Off-street Parking Spaces fromto
Increase the Maximum Number of Off-street Parking Spaces fromto
Reduce setback for any improvements other than landscaping, visual screening or retention in the
CCG-1 zoning district from a residential zoning district from a minimum of 15 feet to
Reduce setback for any improvements other than landscaping, visual screening or retention in the
CCG-2 zoning district from a residential zoning district from a minimum of 25 feet to
Decrease minimum number of loading spaces from required to loading spaces.
Reduce the dumpster setback along from the required 5 feet to feet.
Decrease the minimum number of bicycle parking spaces from required to spaces.
Reduce the minimum width of drive from feet required to feet.
Reduce vehicle use area interior landscape from sq. ft. required to sq. ft.
Increase the distance from the vehicle use area to the nearest tree from 55 feet maximum to
provided as indicated on the Landscape Site Plan dated
Reduce the number of terminal island trees from terminal islands required to
terminal islands as indicated on the Landscape Site Plan dated
Reduce the landscape buffer between vehicle use area along from 10
feet per linear feet of frontage and 5 feet minimum width required to feet per linear feet of
frontage and feet minimum width.
Reduce the number of shrubs along from required to
shrubs and relocate as indicated on the Landscape Site Plan dated
Reduce the number of trees along from required to
trees and relocate as indicated on the Landscape S te Plan dated
Reduce the perimeter landscape buffer area between vehiule use area and abutting property along
the <u>north / east / south / west</u> property boundary from 5 feet minimum width required to feet
Reduce the number of trees along the <u>north_east_south_west</u> property boundary from
required to trees and relocate as indicated the Lands aper Fite Plan dated

	inimum width of the driveway access from
(Circle) from 24 / 36 / 48 feet	required to feet.
(Circle) Increase the maximum / Decrease the m	inimum width of the driveway access to adjoinin
(Circle)	•
	property boundary from 24 feet required to (Circle)
Reduce the uncomplimentary land use b	uffer width along the <u>north / east / south / west</u>
boundary from 10 feet wide required to	
Reduce the uncomplimentary land use b	(Circle) uffer trees along the <u>north / east / south / west</u> (
boundary from required to	trees.
	(Circle)
L	uffer visual screen along the <u>north / east / south</u>
property boundary from 6 feet tall and 85 % o	paque required to feet tall and
10 Namas	11 6
10. Name: Frank Erwin 12. Address (including city, state, zip):	11. E-mail: fberwin3 @gmail.com 13. Preferred Telephone:
Frank Erwin	fberwing Qgmail.com 13. Preferred Telephone:
Frank Erwin 12. Address (including city, state, zip):	fberwin3 Qgmail.com
Frank Erwin 12. Address (including city, state, zip): 4228 Rosewood Ave	fberwing Qgmail.com 13. Preferred Telephone:
Frank Erwin 12. Address (including city, state, zip): 4228 Rosewood Ave	Therwin3 Qgmail.com 13. Preferred Telephone: 843-372-2977
Frank Erwin 12. Address (including city, state, zip): 4228 Rosewood Ave Tachsonville Fl 32207	Therwin3 Qgmail.com 13. Preferred Telephone: 843-372-2977
Frank Erwin 12. Address (including city, state, zip): 4228 Rosewood Ave Tachsonville Fl 32207 APPLICANT'S INFORMATION (if different 14. Name:	fber win 3 @gmail.com 13. Preferred Telephone: 843-372-2977 from owner) 15. E-mail:
Frank Erwin 12. Address (including city, state, zip): 4228 Rosewood Ave Tachsonville Fl 32207 APPLICANT'S INFORMATION (if different	fber win 3 Qgmail.com 13. Preferred Telephone: 843-372-2977 from owner)

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:

- I. 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;
- 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.
- 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;
- 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:
- 5. The proposed deviation has been recommended by a City landscape architect, if the deviation is to reduce required landscaping; and
- 6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.

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 Zaning Code;
- (ii) The length of time the violation has existed without receiving a citation; and
- (iii) Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner.

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.

X See Attached X

ATTACHMENTS				
The following attachments must accompany each of	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 8)			
Legal Description – may be written as either I	ot and block or metes and bounds (Exhibit 1)			
Proof of property ownership – may be print-o	out of property appraiser record card if individual			
owner, http://apps.coj.net/pao_propertySearch/B	asic/Search.aspx, or print-out of entry from the			
Florida Department of State Division of Corporation	ns if a corporate owner,			
http://search.sunbiz.org/Inquiry/CorporationSearch	h/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 – resid	ential only			
Elevations are required with height increase requests and must be drawn to scale				
FILING FEES				
*Applications filed to correct existing zoning violat	ions are subject to a double fee.			
Base Fee	Public Notices			
Residential Districts: \$966.00	\$7.00 per Addressee			
Non-residential Districts: \$952 00				

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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.

<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.

	· ·
Owner(s) Print name: Frank Erwin Signature ### Signature	Applicant or Agent (if different than owner) Print name: Signature:
Owner(s) Print name: Signature:	*An agent authorization letter is required if the application is mode by any person other than the property owner.

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 ^d Floor Jacksonville, Florida 32202 (904) 255-8300

I am seeking an administrative deviation for this property to be able to build a house beside the current house that is on the property. I am going to live in the current house on the property and I am wanting to be able to build a house for my mother to be able to live beside me. I have talked to several people in the zoning and city planning departments and I was told that lineal consanguinity would be an option, but to be fully protected years down the road that I needed to apply for this administrative deviation.

I am needing this waiver for the width of the lot for the house that I will build. Although the lot meets the minimum square footage requirements for a second house the lot is 114.55 feet wide and it is my understanding for two houses with RLD-60 zoning you need 120 feet. I am wanting to be able to reduce the required lot width for the house that I will build from 60 to 54.55 feet.

EXHIBIT A

Property Ownership Affidavit - Individual

Date: 1/3/2020
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: 4696 4000 PWC RE#(s): 069399-000
To Whom it May Concern:
Frank Erwin hereby certify that I am the Owner of the property described in
Exhibit 1 in connection with filing application(s) for solminstructive derivative deriva
submitted to the Jacksonville Planning and Development Department.
Print Name: Frank Erwin
STATE OF FLORIDA COUNTY OF DUVAL
Sworn to and subscribed and acknowledged before me this
(Printed name of NOTARY PUBLIC)



State of Florida at Large My commission expires

Exhibit 1

Legal Description

29-2S-26E.50 PT NE ¼ of SW ¼ RECD O/R 15170-1441

A parcel of land lying in and being a part of the West half of the Northeast quarter of the Southwest quarter of Section 29, Township 2 South, Range 26 East, Duval County, Florida being more particularly described as follows:

Commence at the intersection of the southerly right of way line of Prunty Avenue, A 50 foot right of wat as now established, with the the easterly right of way line of Lamboll Avenue (formerly known as O'quinn Rd), A 50 foot right of way as now established; Thence on said Southerly right of way line, North 89 degrees 40 minutes, 25 Seconds East, 137.00 feet to the point of beginning; Thence continue North 89 degrees 40 Minutes 25 Seconds East, A distance of 63.18 feet; Thence South 00 Degrees 16 Minutes 39 Seconds West, 229.00 feet; Thence South 89 Degrees 39 Minutes 06 Seconds West, A distance of 114.55 feet; Thence North 00 Degrees 27 Minutes 58 Seconds East, A distance of 138.97 feet; Thence North 89 Degrees 40 Minutes 32 Seconds East. A distance of 51.00 feet; Thence North 00 Degrees 13 Minutes 17 Seconds East, A distance of 90.08 feet to said southerly right of way line and to the point of beginning

Parcel ID Number: 065399-0000

FileNo./Escrow No.: RC20-0443

Print Date & Time: 7/16/2020 @ 2:16 PM

Officer/Escrow Officer: Settlement Location:

11512 Lake Mead Ave, Suite 606 Jacksonville, Florida 32256 River City Title, LLC

11512 Lake Mead Ave, Suite 606 Jacksonville, Florida 32256

Property Address: 4596 Prunty Ave, Jacksonville, Florida 32205 Buyer: Frank Erwin, 4228 Rosewood Ave, Jacksonville, Florida 32207

Seller: Christopher A Jenkins

Lender: Canopy Oaks Properties, LLC

Loan Type: Other Settlement

Loan Number:

Settlement Date: 7/17/2020 Disbursement Date: 7/17/2020 Additional dates per state requirements:

Seller		Description	Borrower/Buyer	
Debit	Credit		Debit	Credit
		Financial		
	\$160,000.00	Sales Price of Property	\$160,000.00	***************************************
		Loan Amount		\$165,000.08
	•	Prorations/Adjustments		-
\$704.81		County Taxes from 1/1/2020 to 7/16/2020		\$704.8
		Loan Charges to Canopy Oaks Properties, LLC		
		Prepaid Interest (\$54.25 per day from 7/17/2020 to 8/1/2020) to Canopy Oaks Properties, LLC	\$813.70	
		Other Loan Charges		
\$4.50		E-Recording Fee to Old Republic National Title Insurance Company	\$9.00	
\$10.00		Non-Judgement Affidavit to Old Republic National Title Insurance Company		****
		Title Charges & Escrow / Settlement Charges	-	
		Title - Closing Fee to River City Title, LLC	\$250.00	
a de la descripción de la descripción de la descripción de la dela del		Title - Title Search to Old Republic National Title Insurance Company	\$85.00	
		Title - Lender's Coverage Premium to River City Title, LLC	\$900.00	
		Title - Owner's Coverage Premium to River City Title, LLC	\$250.00	****
		Government Recording & Transfer Charges		
		Recording Fees to Clerk of the Circuit Court	\$88.00	
		Transfer Taxes - Deed State to Clerk of the Circuit Court	\$1,120.00	

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File #: RC20-0443 Printed on 7/16/2020 @ 2:16 PM

		Transfer Taxes - Intangible Tax to Clerk of the Circuit Court	\$330.00	
	-	Transfer Taxes - Mortgage State to Clerk of the Circuit Court	\$577.50	
		Payoff(s)		
\$94,856.48		Lender: BB&T		
		Principal Balance (\$94,856.48)		***************************************
		Interest on Payoff Loan ()		
Se	ller	Description	Borrowe	r/Buyer
Debit	Credit		Debit	Credit
\$95,575.79	\$160,000.00	Subtotals	\$164,423.20	\$165,704.81
		Due To Borrower	\$1,28	1.61
\$64,4	24.21	Due To Seller		

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize River City Title, LLC to cause the funds to be disbursed in accordance with this statement.

Borrower:	Frank Erwin	Seller:	Christopher Menkins
			A.53

I have reviewed the Closing Disclosure, the settlement statement, the lender's closing instructions and any and all other forms relative to the escrow funds, including any disclosure of the Florida title insurance premiums being paid, and I agree to disburse the escrow funds in accordance with the terms of this transaction and Florida law.

Escrow Officer

Prepared by:

River City Title, LLC 11512 Lake Mead Ave, Suite 606 Jacksonville, Florida 32256

File Number: RC20-0443

General Warranty Deed

Made this July 17, 2020 A.D. by Christopher A Jenkins and Tonyia Pugh Jenkins, husband and wife, whose address is: 994 Power Dam Road, Blue Ridge, Georgia 30513, hereinafter called the grantor, to Frank Erwin, a married man, whose post office address is: 4596 Prunty Ave, Jacksonville, Florida 32205, 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 Ten Dollars, (\$10.00) 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:

A PARCEL OF LAND LYING IN AND BEING A PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF PRUNTY AVENUE, A 50 FOOT RIGHT OF WAY AS NOW ESTABLISHED, WITH THE EASTERLY RIGHT OF WAY LINE OF LAMBOLL AVENUE (FORMERLY O'QUINN ROAD), A 50 FOOT RIGHT OF WAY AS NOW ESTABLISHED; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 89 DEGREES 40 MINUTES 25 SECONDS EAST, 137.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 40 MINUTES 25 SECONDS EAST, A DISTANCE OF 63.18 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 39 SECONDS WEST, 229.00 FEET; THENCE SOUTH 89 DEGREES 39 MINUTES 06 SECONDS WEST, A DISTANCE OF 114.55 FEET; THENCE NORTH 89 DEGREES 27 MINUTES 58 SECONDS EAST, A DISTANCE OF 138.97 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.00 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 17 SECONDS EAST, A DISTANCE OF 50.08 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE AND TO THE POINT OF BEGINNING.

Parcel ID Number: 065399-0000

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, 2019.

Prepared by:

River City Title, LLC 11512 Lake Mead Ave, Suite 606 Jacksonville, Florida 32256

File Number: RC20-0443

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

	• • • • • • • • • • • • • • • • • • • •
Signed, sealed and delivered in our presence:	
- Same Heran	Christopher A. Jenkins (Seal
Witness Printed Name Latura L. Gardon	•
Wittess Printed Name JESSUE G SMHM	Tonyia Pugh Jenigas (Scal
State of Florida County of Duval	
The foregoing instrument was acknowledged before me, by means 1144 , 2020, by Christopher A Jenkins and To has/have produced a	of [4] physical presence or [7] online notarization, this \(\frac{17^{\ext{fr}}}{1}\) day of nyia Pugh Jenkins, who is/are [7] personally known to me or [4] who on.
(notary seal below)	Samuel Solor
LAUREN L GORDON Notary Public-State of Florida Commission # GG 104980 My Commission Expires	Notary Public Print Name: Laws: Loadon My Commission Expires: 515121

