

AD-20-74

LOCATION: 1310 Prioleou Street

REAL ESTATE NUMBER: 050919-0000

DEVIATION SOUGHT:

1. Reduce the minimum lot area from 4,000 Square Feet to 3,010 Square Feet
2. Reduce the minimum lot width from 40 feet to 30 feet.

PRESENT ZONING: RMD-A

CURRENT LAND USES: MDR

PLANNING DISTRICT: 5

COUNCIL DISTRICT: 9

SIGNS POSTED: 1

OWNER:

Habitat for Humanity of Jacksonville, Inc
2404 Hubbard Street
Jacksonville, Florida. 32206

AGENT:

Scott Dittmer
Habitat for Humanity of Jacksonville
2404 Hubbard Street
Jacksonville, Florida. 32206

STANDARDS, CRITERIA AND FINDINGS

<p>1. Is this situation unique or similar to other properties in the neighborhood?</p>	<p><u>Recommendation:</u> Similar. The Subject Site is located in a neighborhood that has numerous lots of similar widths and areas that do not meet the minimums of the RMD-A Zoning District. The proposed lot reduction is being sought in order to develop a new single family dwelling on the site.</p> <p>The subject property has been in its current configuration since at least 1972 based on City records. It is possible that the subject site was created prior to the consolidation of the City, however no definitive proof could be found. A Digital Sanborn map indicates that a structure was located on the location of the lot in the 1950s, however it does not show specific lot lines for the subject lot.</p> <p><u>Findings:</u></p>
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<p>2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...</p>	<p><u>Recommendation:</u> Yes. It is seen as a practical difficulty for the strict letter of the code to be enforced on the lot due to the history of structures and lot lines for the site.</p> <p><u>Findings:</u></p>
<p>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.</p>	<p><u>Recommendation:</u> Yes. The request is not based upon a desire to reduce the cost of developing the site. Rather, granting of this deviation would accomplish a result in the public interest by allowing the applicant to redevelop the vacant property with a single family dwelling.</p> <p><u>Findings:</u></p>
<p>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...</p>	<p><u>Recommendation:</u> Yes. Staff finds no evidence that the proposed deviation is likely to diminish property values in the surrounding area or alter the essential character of the area as the subject site has similar characteristics to other lots in the surrounding neighborhood.</p> <p><u>Findings:</u></p>
<p>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...</p>	<p><u>Recommendation:</u> Yes. The proposed deviation is unlikely to have a detrimental effect on the public health, safety or welfare, nor create a public expense or potential nuisance. Rather, the deviation would allow a vacant undeveloped property to be used.</p> <p><u>Findings:</u></p>
<p>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</p>	<p><u>Recommendation:</u> Yes. The intent of the Zoning Code is to promote the health and safety of the public, while allowing for deviations that are within the public's best interest. The proposed deviation does not negatively affect the public's health or safety.</p>

	Findings:
7. The City landscape architect has/has not recommended the proposed deviation.	N/A
8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.	N/A

PLANNER RECOMMENDATION: APPROVE

DATE OF REPORT: February 2, 2021



Aerial View

Source: JaxGIS
Date: January 13, 2021

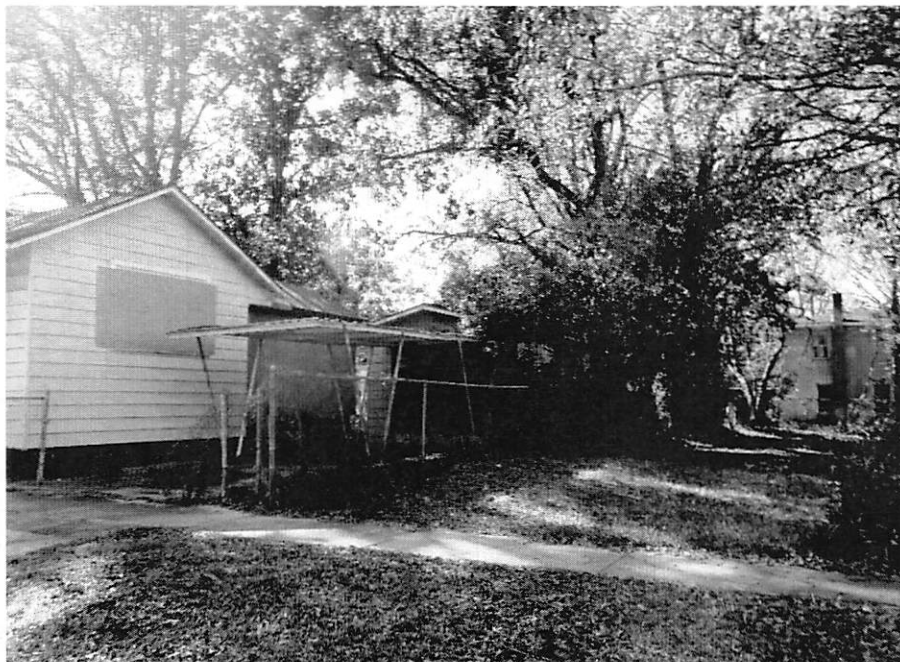


Upon visual inspection of the subject property on January 15, 2021 by the Planning and Development Department the required Notice of Public Hearing sign was *posted*.



View of the Subject Site

*Source: Planning and Development Department
Date: January 5, 2021*



View of the neighboring parcel to the south

Source: Planning and Development Department

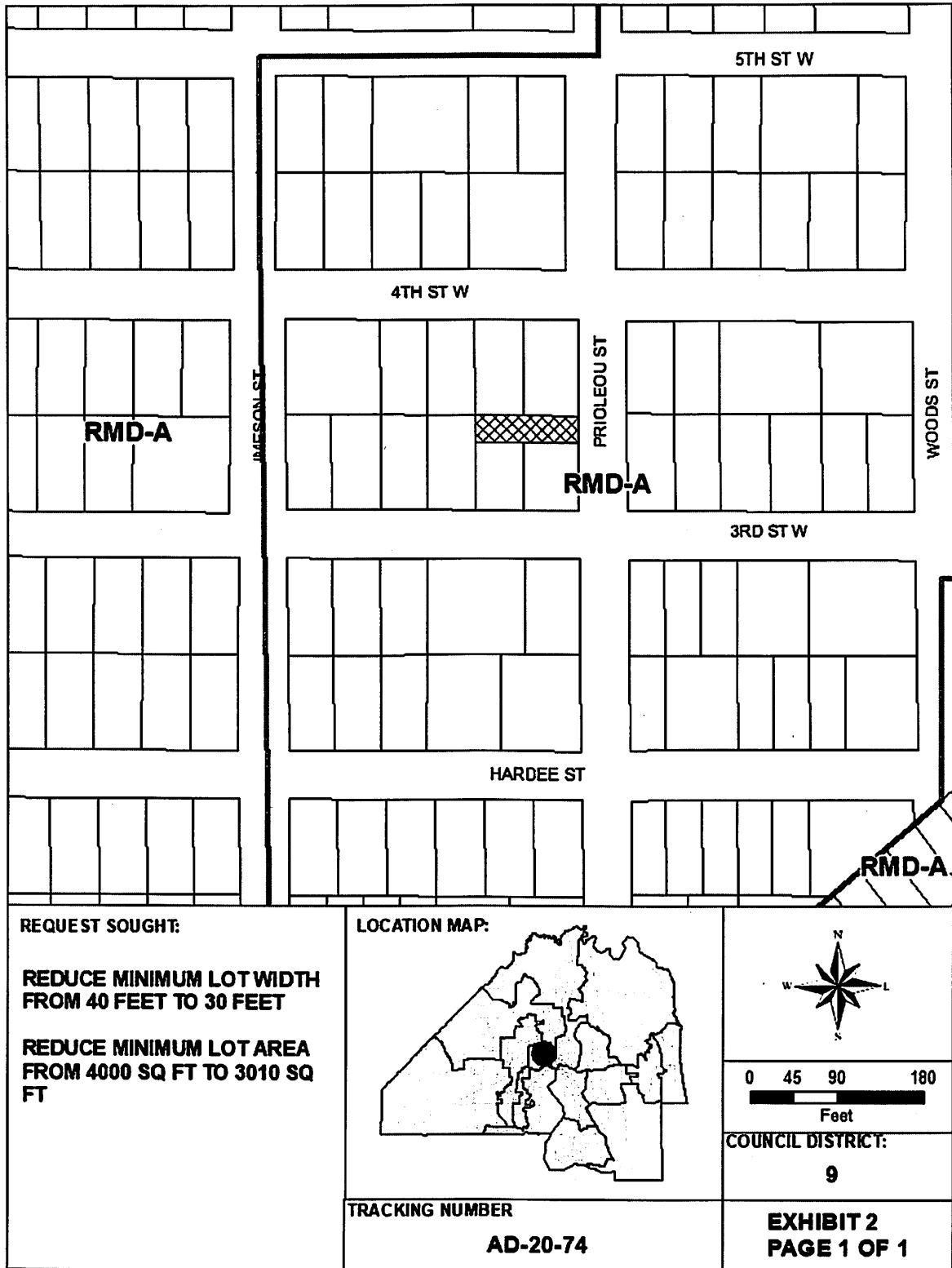
Date: January 5, 2021



View of the neighboring parcel to the north

Source: Planning and Development Department

Date: January 5, 2021



Legal Map

Source: JaxGIS
Date: January 13, 2021

Application For Administrative Deviation

Planning and Development Department Info

Application # AD-20-74 Staff Sign-Off/Date CMC / 11/17/2020
 Filing Date 11/17/2020 Number of Signs to Post 1
 Current Land Use Category MDR
 Deviation Sought 1. REDUCE MINIMUM LOT WIDTH FROM 40 FEET TO 30 FEET. 2. REDUCE MINIMUM LOT AREA FROM 4000 SQUARE FEET TO 3010 SQUARE FEET.
 Applicable Section of Ordinance Code 656.306 (II) (D) (1) (I-II)
 Notice of Violation(s) N/A
 Hearing Date N/A
 Neighborhood Association BETTER LIVING COMMUNITY ASSOCIATION; HABITAT FOR HUMANITY JAX; NEW TOWN SUCCESS ZONE
 Overlay N/A

Application Info

Tracking # 3069 Application Status FILED COMPLETE
 Date Started 08/21/2020 Date Submitted 08/26/2020

General Information On Applicant

Last Name First Name Middle Name
 DITTMER SCOTT
 Company Name
 HABITAT FOR HUMANITY OF JACKSONVILLE, INC.
 Mailing Address
 2404 HUBBARD STREET
 City State Zip Code
 JACKSONVILLE FL 32206
 Phone Fax Email
 9042086631 904 SDITTMER@HABIJAX.ORG

General Information On Owner(s)

Last Name First Name Middle Name
 LEATHERBURY ANGELA
 Company/Trust Name
 HABITAT FOR HUMANITY OF JACKSONVILLE, INC.
 Mailing Address
 2404 HUBBARD STREET
 City State Zip Code
 JACKSONVILLE FL 32206
 Phone Fax Email
 9042086664 9047982782 ALEATHERBURY@HABIJAX.ORG

Property Information

Previous Zoning Application Filed?
 If Yes, State Application No(s)

Map RE#	Council District	Planning District	Current Zoning District(s)
Map 050919 0000	9	5	RMD-A

Ensure that RE# is a 10 digit number with a space (##### #)
 Total Land Area (Nearest 1/100th of an Acre) 0.07
 In Whose Name Will The Deviation Be Granted
 HABITAT FOR HUMANITY OF JACKSONVILLE, INC.
 Is transferability requested? Yes No
 If approved, the administrative deviation is transferred with the property.

Location Of Property

General Location
 COLLEGE PARK
 House # Street Name, Type and Direction Zip Code
 1310 PRIOLEOU ST 32209
 Between Streets
 3RD ST W and 4TH ST W
 Utility Services Provider
 City Water/City Sewer Well/Septic City Water/Septic City Sewer/Well

Deviation sought

Click on a check box to provide details pertaining to the deviation sought.

Reduce required minimum lot area from 4000 to 3010 square feet.

Increase maximum lot coverage from % to %.

Increase maximum height of structure from to feet.

Reduce required yard(s)

REDUCE MINIMUM LOT WIDTH FROM 40 FEET TO 30 FEET.

Reduce minimum number of off-street parking spaces from to

Increase the maximum number of off-street parking spaces from to

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 feet.

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 feet.

Decrease minimum number of loading spaces from required to loading spaces.

Reduce the dumpster setback from the required 5 feet along:

North to feet;

East to feet;

South to feet;

West 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 square feet to square feet.

Increase the distance from the vehicle use area to the nearest tree from 55 feet maximum to feet.

Reduce the number of terminal island trees from terminal islands required to terminal islands.

Reduce the landscape buffer between vehicle use area along Enter Street Name 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 Enter Street Name from required to shrubs.

Reduce the number of trees along Enter Street Name from required to trees.

Reduce the perimeter landscape buffer area between vehicle use area and abutting property from 5 feet minimum width required along:

North boundary to feet;

East boundary to feet;

South boundary to feet;

West boundary to feet.

Reduce the number of trees along:

North property boundary from required to trees;

East property boundary from required to trees;

South property boundary from required to trees;

West property boundary from required to trees.

Increase the maximum width of the driveway access from Enter Street Name from 24 36 48 feet required to feet.

Decrease the minimum width of the driveway access from Enter Street Name from 24 36 48 feet required to feet.

Increase the maximum width of the driveway access to adjoining property from 24 feet required along:

North to feet;

East to feet;

South to feet;

West to feet.

Decrease the minimum width of the driveway access to adjoining property from 24 feet required along:

North to feet;
 East to feet;
 South to feet;
 West to feet.

Reduce the uncomplimentary land use buffer width from 10 feet wide required along:

North property boundary to feet wide;
 East property boundary to feet wide;
 South property boundary to feet wide;
 West property boundary to feet wide.

Reduce the uncomplimentary land use buffer trees along:

North property boundary from required to trees;
 East property boundary from required to trees;
 South property boundary from required to trees;
 West property boundary from required to trees.

Reduce the uncomplimentary land use buffer visual screen from 6 feet tall and 85 % opaque required along:

North property boundary to feet tall and %;
 East property boundary to feet tall and %;
 South property boundary to feet tall and %;
 West property boundary to feet tall and %.

Required Attachments

The following items must be attached to the application.

- Survey
- Site Plan
- 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, <https://paopropertysearch.coj.net/Basic/Search.aspx>, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <https://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

Supplemental Information

- Letter From DCFS, Department of Children and Family Services - 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, must be drawn to scale - height increase requests only

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.

THIS APPLICATION AS IN ALL OF OUR CURRENT APPLICATIONS IS LIMITED TO THE REDUCTION OF MINIMUM PROPERTY AREA AND/OR WIDTH.

1. There are practical or economic difficulties in carrying out the strict letter of the regulation;

THE LIMITS OF THE PROPERTY'S LEGAL AND SPATIAL BOUNDARIES ARE THE ROOT OF THE INSUFFICIENCY.

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.

THE IS NOT AN ECONOMIC INCENTIVE TO BE HAD, BUT THE ABILITY TO PROVIDE LOW TO MODERATE INCOME HOUSING TO A HOUSEHOLD AND LOCALITY THAT WOULD BENEFIT IN HAVING A NEWLY-CONSTRUCTED HOME ERECTED AND THE PROVISION OF ADDITIONAL TAX REVENUE.

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;

IT IS NOT OUR BELIEF THAT SURROUNDING PROPERTY VALUES WILL NOT BE DIMINISHED, BUT ENHANCED RATHER, WITH THE ADDITION OF A NEWLY CONSTRUCTED, DETACHED, SINGLE FAMILY HOME.

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;

IT IS NOT OUR BELIEF THAT IT WILL DO SO, BUT THE OPPOSITE AS A PROPERTY OWNER WILL EVENTUALLY CONTROL AND MAINTAIN WHAT IS NOW A VACANT LOT.

5. The proposed deviation has been recommended by a City landscape architect, if the deviation is to reduce required landscaping; and

N/A

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

WE BELIEVE SO AS THE END RESULT IS THE HAVE DETACHED SINGLE-FAMILY HOUSING CONSTRUCTED.

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;

AS THE PROPERTY IS CURRENTLY VACANT, THERE IS NOT A CURRENT VIOLATION.

(ii) The length of time the violation has existed without receiving a citation; and

AS THE PROPERTY IS CURRENTLY VACANT, THERE IS NOT A CURRENT VIOLATION.

(iii) Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner.

AS THE PROPERTY IS CURRENTLY VACANT, THERE IS NOT A CURRENT VIOLATION.

Public Hearings

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 Planning Commission. 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.

Application Certification

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.

Agreed to and submitted

Filing Fee Information

- 1) Residential District Base Fee \$966.00
- 2) Plus Notification Costs Per Addressee
65 Notifications @ \$7.00/each: \$455.00
- 3) Total Application Cost: \$1,421.00

* Applications filed to correct existing zoning violations are subject to a double fee.
** The fee for the advertisement is in addition to the above fees. The newspaper will send the invoice directly to the applicant.

ORDINANCE _____

Legal Description

The North 30 feet of Lots 11 and 12, Block 23, COLLEGE PARK, according to plat thereof as recorded in Plat Book 4, Page 1 of the Public Records of Duval County, Florida

10/29/2020

DESCRIPTION:

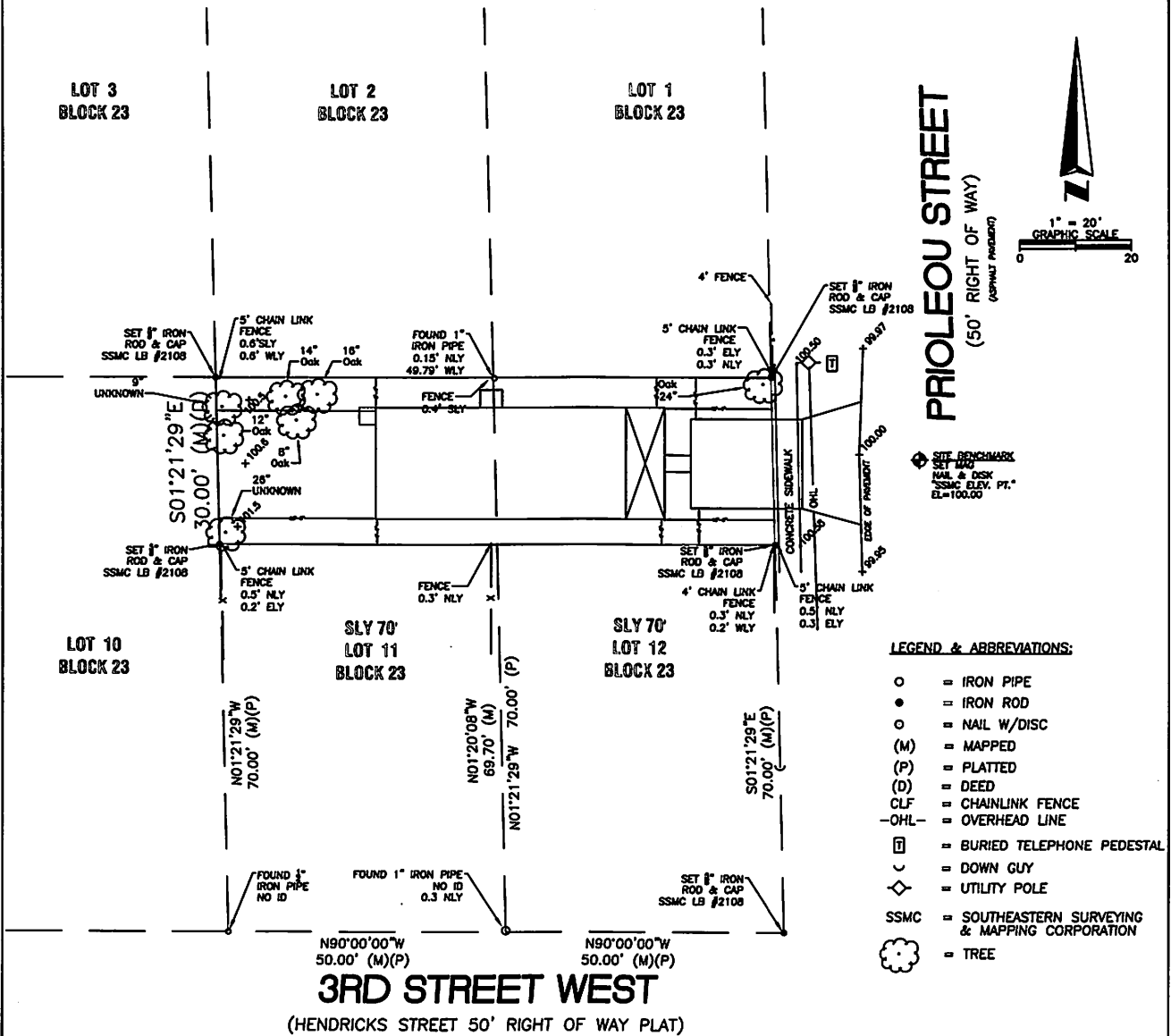
The North 30' of Lots 11 and 12, Block 23, COLLEGE PARK according to plat thereof as recorded in Plat Book 4, Page 1 of the Public Records of Duval County, Florida.

SURVEYOR'S REPORT:

- Utility locations if shown hereon are based on field location of markings by utility company representatives, surface features and construction plans furnished to the surveyor. Additional sub-surface utilities may exist that have not been field located.
- Easements or rights of way that appear on recorded plans or that have been furnished to the surveyor by others have been incorporated into this drawing with appropriate notation. Other easements may be discovered by a search of the Public Records.
- Minimum Horizontal Accuracy for this survey is in accordance with the STANDARDS OF PRACTICE set forth by the Board of Professional Surveyors and Mappers in Chapter 5J-17 requirements of Florida Administration Code. The map and measurement methods used for this survey meet or exceed this requirement. The dimensions shown hereon are in United States standard feet and decimals thereof.
- This survey does not determine ownership of the lands shown hereon.
- Underground foundations have not been located.
- Survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.
- Features shown by symbol as indicated in the legend are not to scale.
- Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- Vertical information shown hereon refers to assumed datum of 100.00 feet.
- Bearings shown hereon are based on assumed Westerly Right of Way line of Prioleou street as S01°21'28"E Bearings and distances shown hereon are measured unless otherwise noted.
- This Survey was performed without benefit of an abstract, title search, title opinion or title commitment. A title search may reveal additional information affecting the parcel as shown.
- Unless shown, only those visible features found within the boundaries of this survey or in the immediate vicinity of the above described parcel boundary have been located.
- Right of Way information shown hereon was determined by found monumentation, recorded plats, and information obtained on the Duval County Property Appraisers web site.
- Adjacent property information shown hereon, that was not furnished to this surveyor, was compiled using latest available data. No attempt was made by this firm to verify its accuracy.
- Based on the National Flood Insurance Program FIRM Map No. 12031C0352H, dated June 03, 2013, the above described property lies within Flood Zone "X".

NOTICE OF LIABILITY:

This survey is certified to those individuals shown on the face thereof. Any other use, benefit or reliance by any other party is strictly prohibited and restricted. Surveyor is responsible only to those certified and hereby disclaims any other liability and hereby restricts the rights of any other individual or firm to use this survey, without express written consent of the surveyor.



Certified to:		REVISION DATE		REVISION		BY
HABITAT FOR HUMANITY OF JACKSONVILLE, INC.						
DRAWING NUMBER	BOUNDARY SURVEY					
RIEBOU ST - S179-PLAN	1310 PRIOLEOU STREET JACKSONVILLE, FLORIDA 32209		SOUTHEASTERN SURVEYING AND MAPPING CORPORATION			
SHEET NUMBER	1 OF 1		8641 Baypine Road, Suite 6 Jacksonville, Florida 32256 (904) 737-5990 Fax (904) 737-5995 e-mail info@ssmc.us			
Survey Date:	Drawn By:	Scale:	REGISTERED LAND SURVEYOR AND MAPPER ROBERT H. GARRNER Professional Land Surveyor and Mapper PLS 5003			
3/13/2020	JTA	1"=20'				

DESCRIPTION:

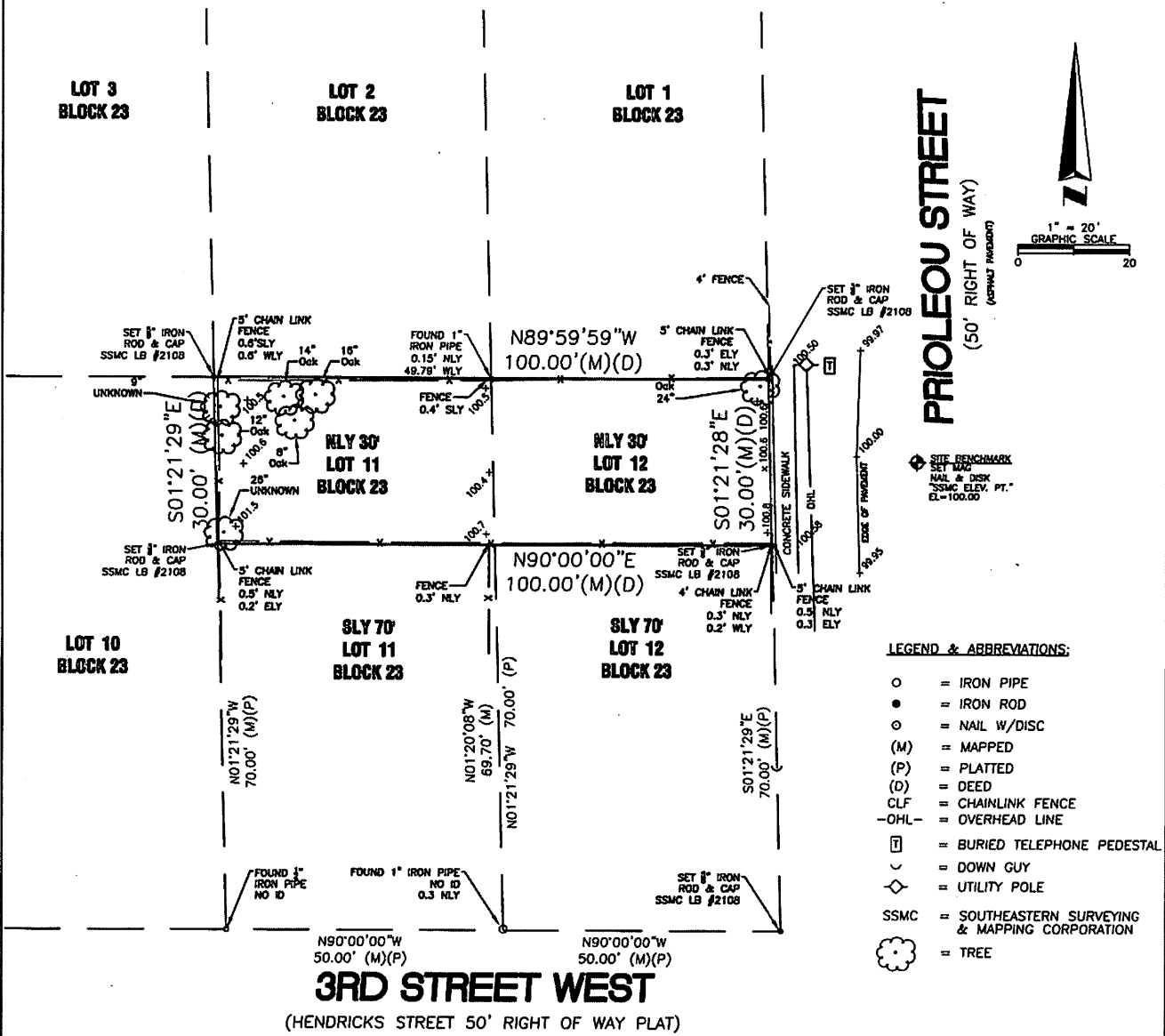
The North 30' of Lots 11 and 12, Block 23, COLLEGE PARK according to plat thereof as recorded in Plat Book 4, Page 1 of the Public Records of Duval County, Florida.

SURVEYOR'S REPORT:

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2. Easements or rights of way that appear on recorded plans or that have been furnished to the surveyor by others have been incorporated into this drawing with appropriate notation. Other easements may be discovered by a search of the Public Records.
3. Minimum Horizontal Accuracy for this survey is in accordance with the STANDARDS OF PRACTICE set forth by the Board of Professional Surveyors and Mappers in Chapter 5J-17 requirements of Florida Administration Code. The map and measurement methods used for this survey meet or exceed this requirement. The dimensions shown hereon are in United States standard feet and decimals thereof.
4. This survey does not determine ownership of the lands shown hereon.
5. Underground foundations have not been located.
6. Survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.
7. Features shown by symbol as indicated in the legend are not to scale.
8. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
9. Vertical information shown hereon refers to assumed datum of 100.00 feet.
10. Bearings shown hereon are based on assumed Westerly Right of Way line of Prioleau street as S01°21'28"E Bearings and distances shown hereon are measured unless otherwise noted.
11. This Survey was performed without benefit of an abstract, title search, title opinion or title commitment. A title search may reveal additional information affecting the parcel as shown.
12. Unless shown, only those visible features found within the boundaries of this survey or in the immediate vicinity of the above described parcel boundary have been located.
13. Right of Way information shown hereon was determined by found monumentation, recorded plats, and information obtained on the Duval County Property Appraisers web site.
14. Adjacent property information shown hereon, that was not furnished to this surveyor, was compiled using latest available data. No attempt was made by this firm to verify its accuracy.
15. Based on the National Flood Insurance Program FIRM Map No. 12031C0352H, dated June 03, 2013, the above described property lies within Flood Zone "X".

NOTICE OF LIABILITY:

This survey is certified to those individuals shown on the face thereof. Any other use, benefit or reliance by any other party is strictly prohibited and restricted. Surveyor is responsible only to those certified and hereby disclaims any other liability and hereby restricts the rights of any other individual or firm to use this survey, without express written consent of the surveyor.



Certified to:		HABITAT FOR HUMANITY OF JACKSONVILLE, INC.		REVISION DATE	REVISION	BY
DRAWING NUMBER	BOUNDARY SURVEY					
84124001	Project:					
SHEET NUMBER	1310 PRIOLEAU STREET					
1 OF 1	JACKSONVILLE, FLORIDA 32209					
Survey Date:	Drawn By:	Scale:	SOUTHEASTERN SURVEYING AND MAPPING CORPORATION			
3/13/2020	JTA	1"=20'	8641 Baypine Road, Suite 5			
			Jacksonville, Florida 32256			
			(904) 737-5990 Fax (904) 737-5995			
			e-mail: info@ssmc.us			