

Date Submitted: 11/16/2022
Date Filed: 01/20/2023

Application Number: WRF-23-03
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: RR-Acre	Current Land Use Category: LDR	
Council District: 8	Planning District: 5	
Previous Zoning Applications Filed (provide application numbers): N/A		
Applicable Section of Ordinance Code: Sec.656.304		
Notice of Violation(s): N/A		
Neighborhood Associations: Whitehouse Civic Association		
Overlay: Noise Contour 70db		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 2	Amount of Fee: \$1217	Zoning Asst. Initials: RM

PROPERTY INFORMATION	
1. Complete Property Address: 1221 & 1229 Cathy Tripp Lane N	2. Real Estate Number: 004685-0005 & 004685-0010
3. Land Area (Acres): 1.05 acres & 4.0 acres	4. Date Lot was Recorded: 10/18/2021 & 05/10/2022
5. Property Located Between Streets: Well Water Road & Rewis Road	6. Utility Services Provider: City Water / City Sewer <input type="checkbox"/> Well / Septic <input checked="" type="checkbox"/> (Both Lots)
7. Waiver Sought: Reduce Required Minimum Road Frontage from <u>80</u> feet to <u>0</u> feet. for two lots.	
8. In whose name will the Waiver be granted? Jason & Jessica Atkins / Holton Family Trust	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: (Holton Family Trust) Kim & Robert Holton Jason & Jessica Atkins	10. E-mail: holtonci@bellsouth.net J_Marie93@hotmail.com
11. Address (including city, state, zip): 1221 Cathy Tripp Lane N Jacksonville, FL 32221 1229 Cathy Tripp Lane N	12. Preferred Telephone: Robert: (904) 545-6604 Jessica: (904) 631-1808

APPLICANT'S INFORMATION (if different from owner)	
13. Name: N/A	14. E-mail:
15. Address (including city, state, zip):	16. Preferred Telephone:

CRITERIA
<p>Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage, pursuant to Section 656.407, Ordinance Code."</p> <p>Section 656.133(d)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the City Council shall grant a waiver for reduction of the minimum requirements for road frontage, if the Council makes a positive finding based upon substantial, competent evidence that the application meets all of the following five (5) criteria:</p> <ul style="list-style-type: none"> i. <i>There are practical or economic difficulties in carrying out the strict letter of the regulation;</i> ii. <i>The request is not based exclusively upon the desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 654 (Code of Subdivision Regulations);</i> iii. <i>The proposed waiver will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the waiver;</i> iv. <i>There is a valid and effective easement for adequate vehicular access connected to a public street which is maintained by the City or approved private street;</i> v. <i>The proposed waiver will not be detrimental to the public health, safety or welfare, result in additional expense, the creation of nuisances or conflict with any other applicable law.</i>

17. Given the above definition of a "waiver" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

ATTACHMENTS

The following attachments must accompany each copy of the application.

- Survey
- Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof of property ownership – may be print-out of property appraiser record card if individual owner, http://apps.coj.net/pao_propertySearch/Basic/Search.aspx, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.
- Proof of valid and effective easement for access to the property.

FILING FEES

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

<u>Base Fee</u>	<u>Public Notices</u>	<u>Advertisement</u>
Residential Districts: \$1,161.00	\$7.00 per Addressee	Billed directly to owner/agent
Non-residential Districts: \$1,173.00		

AUTHORIZATION

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.

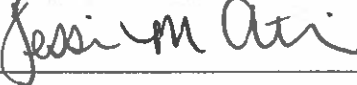
The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

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: Jason & Jessica Atkins

Signature: 



Applicant or Agent (if different than owner)

Print name: N/A

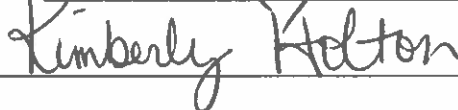
Signature: N/A

**An agent authorization letter is required if the application is made by any person other than the property owner.*

Owner(s)

Print name: Robert & Kim Holton

Signature: 



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

Property Ownership Affidavit - Individual

Date: 11/16/22

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

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:
Address: RE#(s):

To Whom it May Concern:

I, Robert A. Holten hereby certify that Robert & Kimberly Holten
is the Owner of the property described in Exhibit 1 in connection with filing application(s) for
Application for WAIVER of MIN ROAD FRONTAGE submitted to the
Jacksonville Planning and Development Department.

By [Signature]
Print Name: Robert Holten

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me by means of physical presence or
 online notarization, this 16TH day of NOVEMBER 2022, by
ROBERT HOLTON, as _____, of _____, a _____-corporation, who is
personally known to me or who has produced PERSONALLY KNOWN as identification
and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)
BRENDA K. COON
(Printed name of NOTARY PUBLIC)

State of Florida at Large.
My commission expires:



Property Ownership Affidavit - Individual

Date: 11-15-22

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

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: RE#(s):
1229 Cathy Tripp Ln Jax, FL 32220
To Whom it May Concern:

I, JASON ATKINS hereby certify that JASON & Jessica Atkins
is the Owner of the property described in Exhibit 1 in connection with filing application(s) for
road frontage variance for 1229 Cathy Tripp Ln submitted to the
Jacksonville Planning and Development Department. JAX. FL. 32220

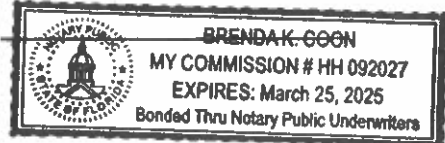
By [Signature]
Print Name: JASON ATKINS

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me by means of physical presence or
 online notarization, this 16TH day of November 2022, by
JASON ATKINS, as _____ of
_____, a _____ corporation, who is
personally known to me or who has produced personally known as identification
and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)
BRENDA K. COON
(Printed name of NOTARY PUBLIC)

State of Florida at Large.
My commission expires:



This instrument prepared by:

David M. Goldman, Attorney at Law
Law Office of David M. Goldman PLLC
4115 Hendricks Avenue
Jacksonville, Florida 32207

Recording Fee: \$27.00
Documentary Stamps: \$0.70
Total Paid: \$27.70

004685-0005

Parcel Identification Number(s)

(The space above is provided for recording information)

WARRANTY DEED

The Grantors, **Robert A. Holton, Jr. and Kimberly Holton**, husband and wife, whose mailing address is 1221 Cathy Tripp Lane North, Jacksonville, Florida 32220, for and in consideration of Ten Dollars (\$10) and other valuable consideration, receipt of which is acknowledged, grant and convey to the Grantees, **Robert A. Holton, Jr. and Kimberly H. Holton, as Co-Trustees of the Holton Family Trust dated April 27, 2022, as amended from time to time** (the "Trust"), whose mailing address is 1221 Cathy Tripp Lane North, Jacksonville, Florida 32220, the real property located in Duval County, Florida described as follows:

See attached "Exhibit A" for legal description.

Subject to covenants, restrictions, and easements of record. Subject also to applicable real property taxes for the current and subsequent years.

Such real property or its street address is commonly known as 1221 Cathy Tripp Lane North, Jacksonville, Florida 32220.

Such real property is the homestead of the Grantors.

The Grantees confirm that they have retained a beneficial interest for each of their lifetimes under Article V (C) of the Trust and are entitled to a homestead exemption pursuant to Section 196.041, Florida Statutes.

Full power and authority are conferred upon the Grantees, as Trustees, to protect, conserve, sell, lease, and encumber all interests conveyed by this instrument, and otherwise to manage and dispose of those interests, it being the intent of the Grantors to vest in the Trustees full rights of ownership as authorized and contemplated by Section 689.071, Florida Statutes.

The Grantors fully warrant the title to the property and will defend the same against the lawful claims of all persons.

This conveyance is being prepared without the benefit of a title search.

Signed by the Grantors, **Robert A. Holton, Jr. and Kimberly Holton**, on April 27, 2022.

Signed in the presence of:

C. Ashley Dilda
Carolyn A. Dilda

[Signature]
Robert A. Holton, Jr.

[Signature]
T. Nicole Dunkin-Bransford

Kimberly Holton
Kimberly Holton

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, by Robert A. Holton, Jr. [] who is personally known to me or [] who has produced a valid Florida driver's license or _____ as identification, and Kimberly Holton, [] who is personally known to me or [] who has produced a valid Florida driver's license or _____ as identification, and sworn to and subscribed before me by the witnesses, Carolyn A. Dilda and T. Nicole Dunkin-Bransford, both of whom are personally known to me, on April 27, 2022.

[Signature]
Notary Public--State of Florida
(Print or Stamp Name, Commission # and Expiration below)

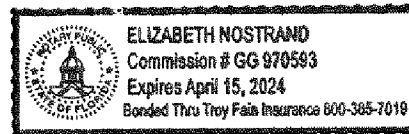


EXHIBIT "A"

PARCEL "A"

A PART OF THE NORTH ONE HALF OF TRACT 16, BLOCK 4, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SECTION 8, THENCE, N 00° 12' 46" E FOR A DISTANCE OF 331.70 FEET TO THE POINT OF BEGINNING; THENCE, N 00° 12' 46" E FOR A DISTANCE OF 331.70 FEET; THENCE S 89° 58' 13" W FOR A DISTANCE OF 372.89 FEET; THENCE, S 00° 00' 12" E FOR A DISTANCE OF 159.92 FEET TO A POINT ON A LINE; THENCE, N 89° 58' 20" W FOR A DISTANCE OF 291.48 FEET; THENCE S 00° 09' 23" W, A DISTANCE OF 172.19 FEET; THENCE N 89° 57' 35" E FOR A DISTANCE OF 663.60 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER THE WESTERLY 60 FEET

SAID PARCEL CONTAINS 4.0 ACRES MORE OR LESS.

Prepared by and return to:
Daryl Banks
Banks & Banks Consulting, Inc.
83 W 9th Street
Atlantic Beach, FL 32233

*Note: This Deed prepared without benefit of a title search, title insurance, or attorney's opinion of title

CORRECTIVE QUIT-CLAIM DEED

THIS QUIT CLAIM DEED made this 8th day of October, 2021 by

Robert A. Holton, Jr. AND Kimberly Holton, his wife, whose post office address: 1221 Cathy Tripp Ln N Jacksonville, FL 32220, hereinafter called the Grantor, AND Jason Keith Atkins and Jessica Marie Atkins, whose post office address: 221 Cathy Tripp Ln N Jacksonville, FL 32220, hereinafter called the Grantee,

This Corrective Deed excludes the Parcel "A" previously included which was NOT the intent of the grantors. Only 1.0 Ac parcel is to be deeded. The incorrect deed was ORV 19902-1534 to convey parcels in attached Exhibits.

WITNESSETH, that said grantor, for and in consideration of ten dollars (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged/ in consideration of grantor's love and affection, does hereby remise, release, and quitclaim to the said grantee, grantee's heirs and assigns forever, the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in County, Florida to w it:

1. **Parcel ID Number:** 006471 0600
2. **Property Address:** 1221 Cathy Tripp Ln N Jacksonville, FL 32220
3. **Legal Descriptions:** See Exhibit "A"
4. **Map:** See Exhibit "B"
5. **Disclaimer and Hold Harmless** N/A

Subject to taxes for the year 2021 and subsequent years; covenants, conditions, restrictions, easements, reservations, and limitations of record, if any. *Said property is the constitutional homestead of the Grantor.*

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

IN WITNESS WHEREFORE, the said party of the first part have hereunto set their hand and seal the day and year first above written.

Abby K. Holton
Witness 1 Signature

[Signature]
Robert A. Holton, Jr

Abby Holton
Witness 1 Printed Name

Kimberly Holton
Kimberly Holton

[Signature]
Witness 2 Signature

BRIAN GILL
Witness 2 Printed Name

STATE OF Florida
COUNTY OF Duval

I HEREBY CERTIFY THAT BEFORE ME personally appeared Robert A. Holton Jr AND Kimberly Holton and who (check one) is personally known to me or has produced a valid driver's license as identification, and who did take an oath and who executed the foregoing deed of conveyance, and acknowledged before me that he/she executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the county and state last aforesaid this 8TH day of September, 2021.

[Signature]
Notary Public



EXHIBIT "A"

PARCEL "B"

A PART OF THE NORTH ONE HALF OF TRACT 16, BLOCK 4, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SECTION 8, THENCE, N 00° 12' 46" E FOR A DISTANCE OF 331.70 FEET; THENCE, N 00° 12' 46" E FOR A DISTANCE OF 331.70 FEET; THENCE S 89° 58' 13" W FOR A DISTANCE OF 372.89 FEET TO THE POINT OF BEGINNING; THENCE, S 00° 00' 12" E FOR A DISTANCE OF 159.92 FEET; THENCE, N 89° 58' 20" W FOR A DISTANCE OF 291.48 FEET; THENCE N 00° 09' 23" E A DISTANCE OF 159.43 FEET; THENCE, N 89° 55' 47" E FOR A DISTANCE OF 291.04 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER THE WESTERLY 60 FEET

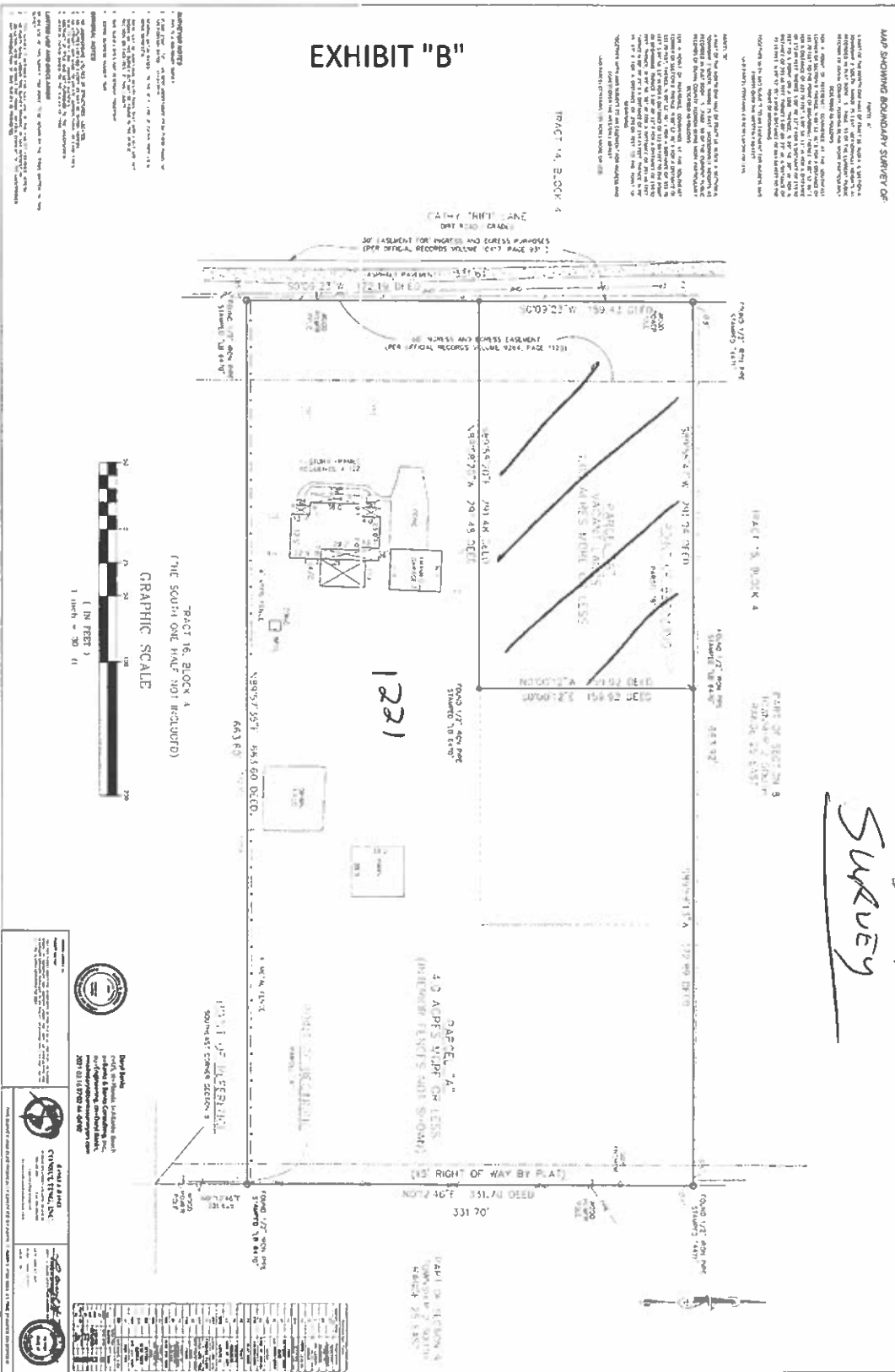
SAID PARCEL CONTAINS 1.05 ACRES MORE OR LESS.

EXHIBIT "B"

MAP SHOWING BOUNDARY SURVEY OF

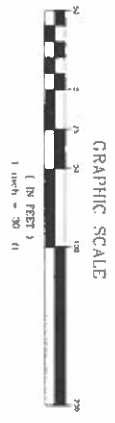
TRACT 16, BLOCK 4
 PART OF SECTION 9
 TOWNSHIP 28 S. RANGE 28 E. 55TH
 COUNTY OF BROWN, SOUTH DAKOTA

SECTION 9
 TOWNSHIP 28 S. RANGE 28 E. 55TH
 COUNTY OF BROWN, SOUTH DAKOTA



** 1221 Cathy Trippe Lane N.*

Survey



Survey Data

Surveyed by: *[Signature]*
 Date: *[Date]*
 County: *[County]*

Final Plat

Plat No. *[Number]*
 Date of Recording: *[Date]*
 Recorder: *[Name]*

<u>RE</u>	<u>LNAME</u>	<u>LNAME2</u>	<u>MAIL_ADDR1</u>	<u>MAIL_ADDR2</u>	<u>MAIL_ADDR3</u>	<u>MAIL_CITY</u>	<u>MAIL_STATE</u>	<u>MAIL_ZIP</u>
004685 0010	ATKINS JASON KEITH		1221 CATHY TRIPP LN N			JACKSONVILLE FL	FL	32220
004682 0030	BEGER ANDREW SCOTT		9643 WELL WATER RD			JACKSONVILLE FL	FL	32220
004682 0005	CAPPS APRIL M ET AL		9675 WELL WATER RD			JACKSONVILLE FL	FL	32220
006469 0100	DESAUSSURE ARDEN		1125 CATHY TRIPP LN			JACKSONVILLE FL	FL	32220
006470 0000	DESAUSSURE ARDEN ET AL		1125 N CATHY TRIPP LN			JACKSONVILLE FL	FL	32220
004747 0100	FRAME BOBBY L		1410 REWIS RD W			JACKSONVILLE FL	FL	32220-1445
004684 0100	GILLMAN ROBERT		1435 CATHY TRIPP LN			JACKSONVILLE FL	FL	32220-1365
004747 0220	GRUBER CLARENCE N JR LIFE ESTATE		1305 MAPLE AVE			JACKSONVILLE FL	FL	32220
004685 0005	HOLTON FAMILY TRUST		1221 CATHY TRIPP LN N			JACKSONVILLE FL	FL	32220
004747 0200	HORN HENRY RUSSELL		PO BOX 37272			JACKSONVILLE FL	FL	32236
004684 0000	KAUFFMANN THOMAS		1257 CATHY TRIPP LN			JACKSONVILLE FL	FL	32220-1348
004685 0050	MCCOLLIM HEATHER L		1129 N CATHY TRIPP LN			JACKSONVILLE FL	FL	32220
004683 0200	STOKES CHARLES A		1230 CATHY TRIPP LN			JACKSONVILLE FL	FL	32220
006470 0080	VARNER JUNIOR F ET AL		1128 CATHY TRIPP LN N			JACKSONVILLE FL	FL	32220-1361
	WHITEHOUSE CIVIC ASSOCIATION	JAMES B CLARK	550 CATHY TRIPP LN .			JACKSONVILLE FL	FL	32220
	THOMAS JEFFERSON CIVIC CLUB	JOE SOLOMONS	8237 NEVADA ST			JACKSONVILLE FL	FL	32208
	NORTHWEST	RHONDA BOYD	9381 ARBOR OAK LN			JACKSONVILLE FL	FL	32208