

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2021-0073 (WRF-21-01)

MARCH 16, 2021

Location: 1934 Bartram Road
Between Embassy Drive and Milmar Drive North

Real Estate Number(s): 134052-0000

Waiver Sought: Reduce Minimum Required Road Frontage from 96 Feet to 24 Feet

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: 2- Greater Arlington/Beaches

Applicant/Owner: Joshua Gideon, P.E.
1408 Aiken Avenue
Jacksonville, FL 32207

Staff Recommendation: **APPROVE**, subject to a technical amendment to the ordinance that the reduction is 96 feet to 24 feet instead of 48 feet to 24 feet.

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2021-0073 (WRF-21-01)** seeks to reduce the required minimum road frontage from 96 feet to 24 feet in order to allow for the development of two single-family dwellings in the Residential Low Density-60 (RLD-60) Zoning District. The subject property is approximately 6.73± acres in size and is accessed from Bartram Road via a 24 foot sliver of property, creating a "flag-lot". The lot to the south (RE: 134052-0100 1950 Bartram Road) was carved off of the subject lot around 1985 per Sale Date from the Property Appraiser. The lot split has left the subject lot with only 24 foot wide sliver of property. The property is currently developed with a single family dwelling constructed in 1936 and the property is seeking to construct a second dwelling unit on the property which is now requiring the property to apply for a Waiver of Road Frontage.

DEFINITION

According to Section 656.1601 of the Zoning Code, the term *waiver* means a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the Zoning Code. Waivers of Road Frontage are granted by the City Council pursuant to the criteria set forth in Section 656.133 of the Zoning Code.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.133 of the Zoning Code, a waiver for minimum required street frontage may be granted if the City Council makes a positive finding based on substantial, competent evidence that the application meets all of the following criteria:

- (i) ***Are there practical or economic difficulties in carrying out the strict letter of the regulation?***

Yes. The site contains approximately 6.73± acres and is accessible by a driveway that has 24 feet in width of frontage on Bartram Road. Given the current configuration of the site and its restricted access to a public street, this creates practical and economic challenges in meeting the regulation of required road frontage. As divided, the lot meets all other requirements of the Residential Low Density-60 Zoning District for two single family dwellings.

- (ii) ***Is the request based exclusively upon the desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 654 (Code of Subdivision Regulations)?***

No. The applicant is proposing to construct a second single family dwelling on the site in addition to the existing single family dwelling which was constructed in 1936. Approval of this request would not change the cost burden on the applicant for this construction. It is not anticipated that the applicant will need relief from any of the requirements of Chapter 654 of the Municipal Code.

- (iii) ***Will the proposed waiver substantially diminish property values in, or alter the essential character of, the area surrounding the site and will the waiver substantially interfere with or injure the rights of others?***

No. The waiver would permit a new single family dwelling to be constructed. It is not anticipated that the construction of a new dwelling will reduce the property values of the neighboring lots, nor would it interfere with the rights of other homeowners. As mentioned previously, there are a diverse number of lots of varying sizes and shapes in the area.

- (iv) *Is there a valid and effective easement for adequate vehicular access connected to a public street maintained by the City or an approved private street?*

Yes. The property owner has a 24 feet wide, paved sliver of property that would act as a private driveway from the home to the City approved ROW, Bartram Road.

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

No. The grant of the proposed waiver should not create a detriment to any surrounding property as the property is already developed with a single family dwelling and constructing a second dwelling will not change the property substantially. The driveway should remain unobstructed and be accessible for both single family dwellings.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **February 19, 2021** by the Planning and Development Department the required Notice of Public Hearing sign was posted correctly.

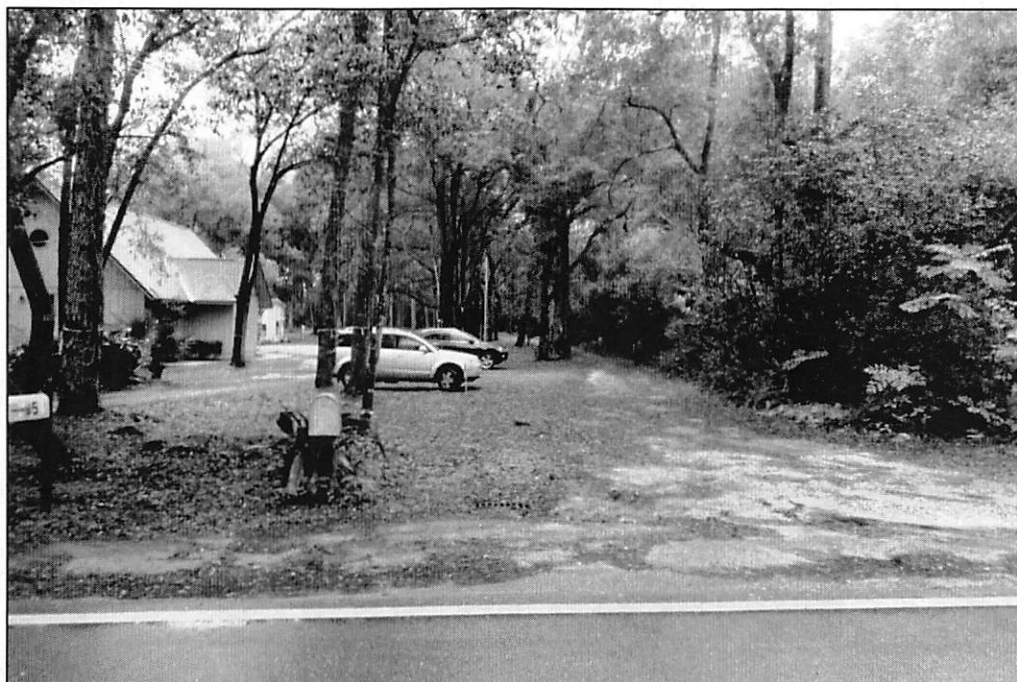


RECOMMENDATION

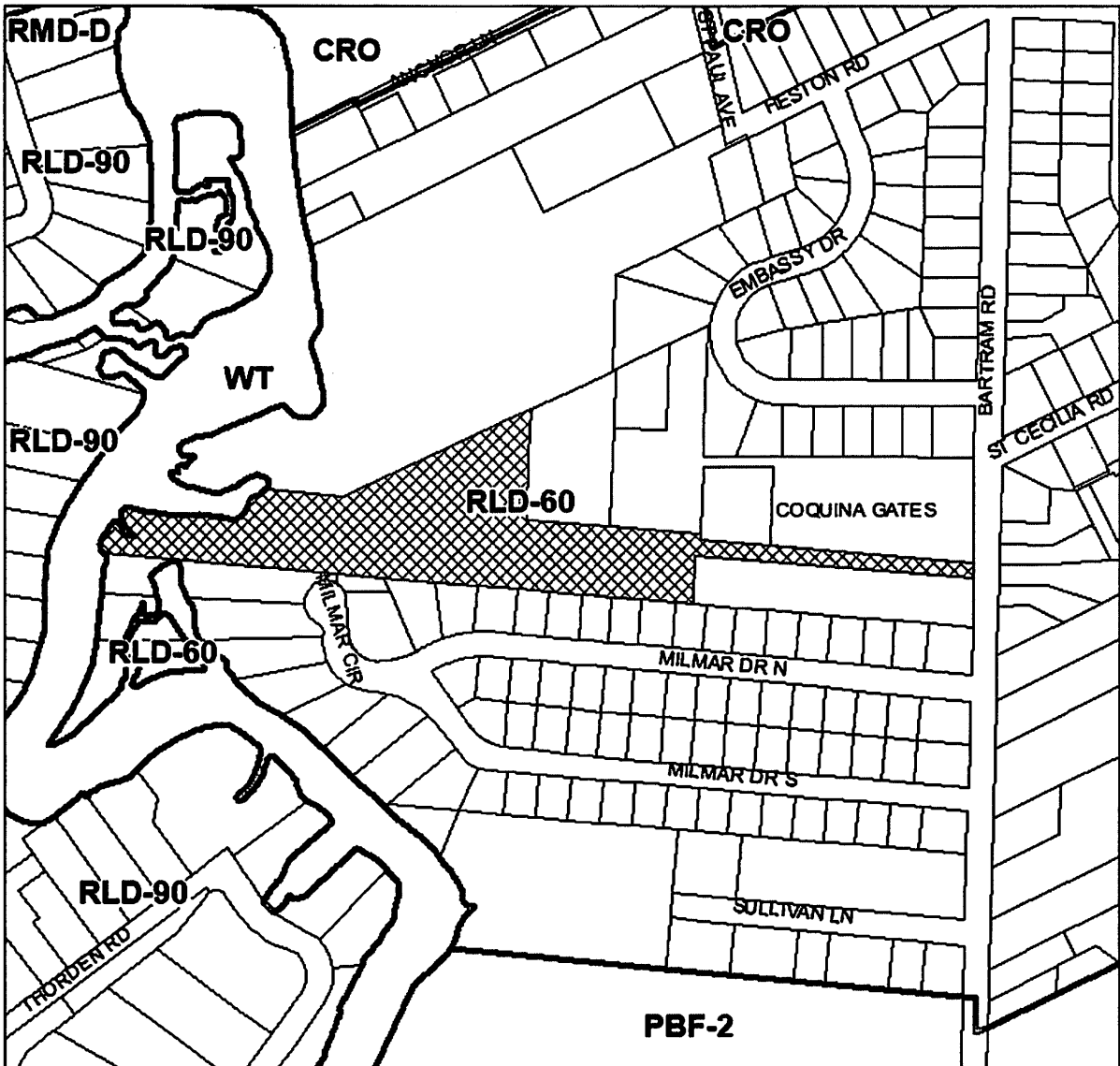
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Required Road Frontage **Ordinance 2021-0073 (WRF-21-01)** be **APPROVED**.



Aerial View
Source: JaxGIS



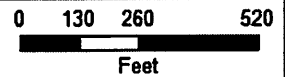
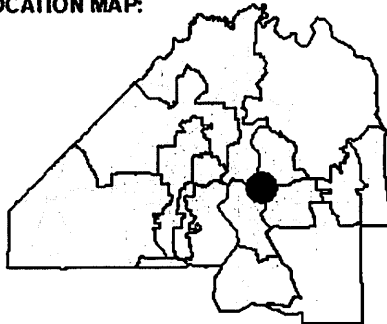
Subject Property
Source: Staff, Planning and Development Department, COJ
Date: 02/19/2021



REQUEST SOUGHT:

**REDUCE REQUIRED MINIMUM
ROAD FRONTAGE FROM 48'
TO 24'**

LOCATION MAP:



COUNCIL DISTRICT:

5

TRACKING NUMBER

WRF-21-01

**EXHIBIT 2
PAGE 1 OF 1**

Date Submitted:
Date Filed: <u>1-12-21</u>

Application Number: <u>WRF-21-01</u>
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: <u>RLD-60</u>	Current Land Use Category: <u>LDR</u>	
Council District: <u>5</u>	Planning District: <u>2</u>	
Previous Zoning Applications Filed (provide application numbers): <u>NONE</u>		
Applicable Section of Ordinance Code: <u>656.407</u>		
Notice of Violation(s): <u>NA</u>		
Neighborhood Associations: <u>ST. NICHOLAS BUSINESS ASSOCIATION</u>		
Overlay: <u>NA</u>		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: <u>1</u>	Amount of Fee: <u>1,521.00</u>	Zoning Asst. Initials: <u>[Signature]</u>

PROPERTY INFORMATION	
1. Complete Property Address: <u>1934 Bartram Road, Jacksonville Florida 32207</u>	2. Real Estate Number: <u>134052 0000</u>
3. Land Area (Acres): <u>6.73</u>	4. Date Lot was Recorded:
5. Property Located Between Streets: <u>Embassy Drive and Milmar Drive North</u>	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Road Frontage from <u>96'</u> feet to <u>24'</u> feet.	
8. In whose name will the Waiver be granted? <u>Joshua Gideon</u>	

1,161 + 360
1,521.00 90 NOTICES
74

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Joshua Gideon	10. E-mail: jegfla@outlook.com
11. Address (including city, state, zip): 1408 Aiken Avenue Jacksonville, FL 32207	12. Preferred Telephone: 904-624-2375

APPLICANT'S INFORMATION (if different from owner)	
13. Name:	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.

Given the flaglike shape of the property, despite it's size and access to a public street, a waiver is required to allow construction of a home for my family and I.
The shape of the property does not allow for the minimum street frontage required by the Jacksonville Municipal Code.

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, 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

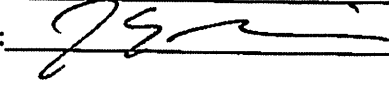
Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the City Council. The owner and/or authorized agent must be 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: Joshua Gideon

Signature: 

Applicant or Agent (if different than owner)

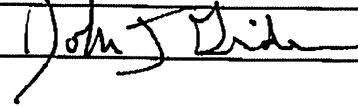
Print name: _____

Signature: _____

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

Owner(s)

Print name: John Gideon

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

EXHIBIT 1

Legal Description

That certain tract or parcel of land being a part of Lot 13, and a portion of an numbered lot lying South of said Lot, Lawrence Point, as recorded in Deed Book AB, Page 304 of the Former Public Records of Duval County, Florida, and lying with the Peter Bagley Grant, Section 48 and the Richard Grant, Section 52, all in Township 2 South, Range 27 East of said County and being more particularly described as commencing at the Northeast corner of Lot 41, Milmar Manor, as recorded in Plat Book 21, Page 49 of the Current Public Records of said County, said corner being situated in the Westerly right of way line of Bartram Road (a 60 foot right of way); thence North 0200'00" East, along said Westerly right of way line, 166.78 feet to a point for the point of beginning; thence South 0200'00" West, along said Westerly right of way line, 24.00 feet to a point in the Northerly line of the lands described in Official Records Volume 6892, Page 4 of said Current Public Records; thence North 8424'50" West, along said Northerly line of said aforementioned lands, 600.15 feet to the Northwest corner of said lands; thence South 0200'00" West, along the Westerly line of said lands described in Official Records Volume 6892, Page 4, a distance of 142.78 feet to the Southwest corner of said aforementioned lands, said corner being situated in the Northerly line of said Plat of Milmar Manor; thence North 8424'50" West, along said Northerly line of Milmar Manor, the same being the Southerly line of the lands described in Deed Book 878, Page 248 of said Public Records, 237.18 feet; thence continuing along said Northerly line of Milmar Manor, the same being said Southerly line of Deed Book 878, Page 248, North 8421'30" West, 1230 feet, more or less to the channel of Little Pottsburg Creek; thence Northeasterly, Easterly and Northerly, along said channel, following the meanderings, thereof, 454 feet, more or less, to a point that bears North 8421'30' West, 1704 feet, more or less from the point of beginning; thence South 8421'30" East, 500 feet, more or less to the Southwest corner of the lands described in Deed Book 1089, Page 41 of said Current Public Records; thence North 6440'30" East, along the Northwesterly line of said lands described in Deed Book 1089, Page 41, a distance of 433.60 feet to the most Northerly corner of said lands; thence South 07'07'30 East, along the Easterly line of said aforementioned lands, 228.76 feet to the Southeast corner of said lands, said corner being situated in the Northerly line of the lands described in Deed Book 741, Page 362 of said Public Records; thence North 8421'30" East, along said Northerly line of the lands described in Deed Book 741, Page 362, a distance of 1051.63 feet to the point of beginning. Containing 6.62 acres, more or less.

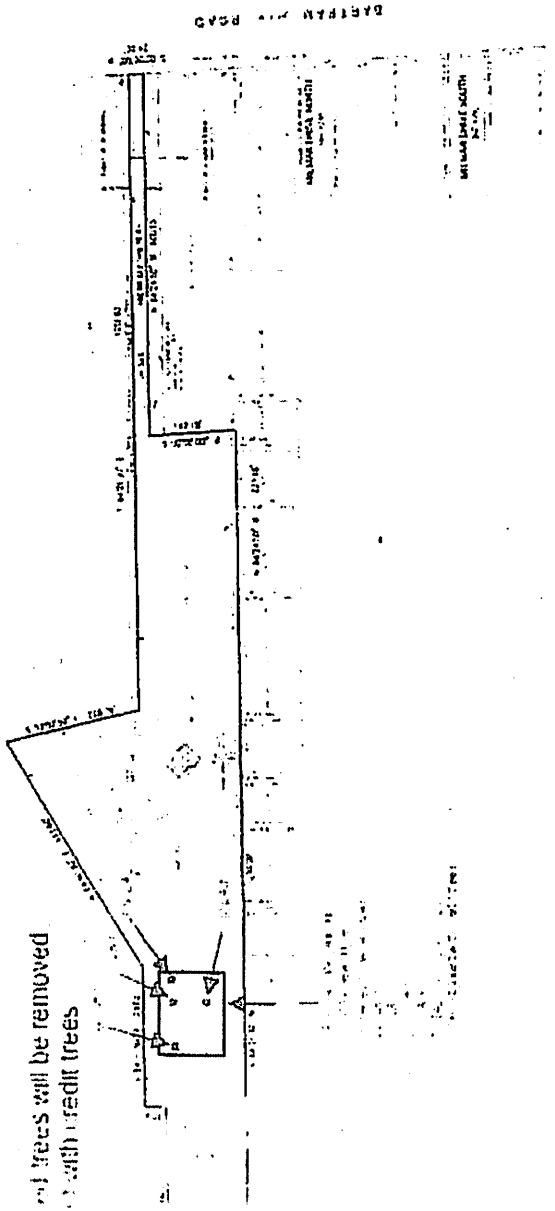
MAP SHOWING BOUNDARY SURVEY OF

STATE OF MISSISSIPPI

STATE OF MISSISSIPPI

USC DETAIL

Trees will be removed with credit



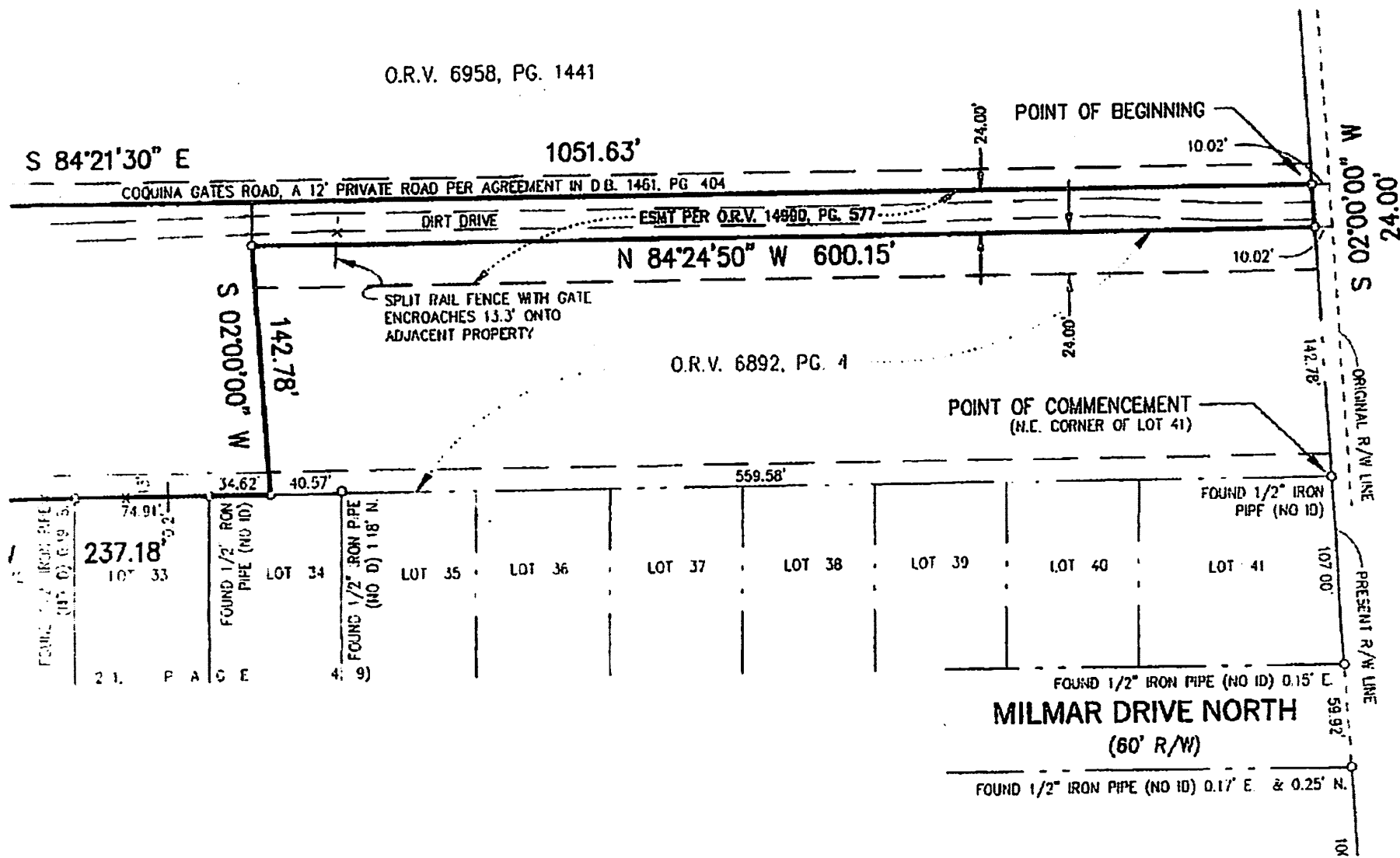
GENERAL NOTES

1. THIS SURVEY WAS MADE BY THE STATE OF MISSISSIPPI...

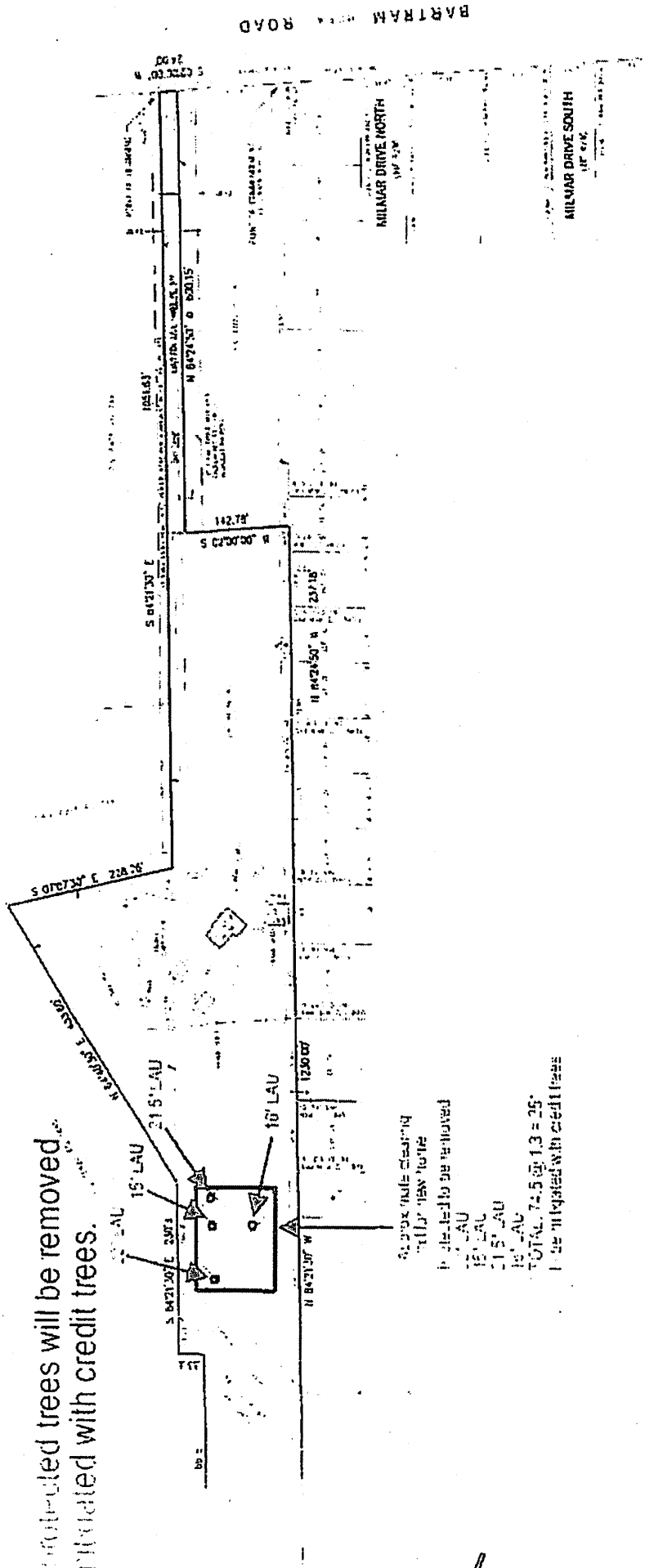
LEGEND

- 1. BOUNDARY LINE
- 2. ADJACENT LAND
- 3. ADJACENT WATER

Access

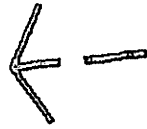


SITE PLAN



Unprotected trees will be removed
 and replaced with credit trees.

- 15' LAU
- 21.5' LAU
- 18' LAU
- TOTAL 74.5 @ 1.3 = 25'
- 1.25' minimum in credit trees



BARRIAR ROAD

MILMAR DRIVE NORTH

MILMAR DRIVE SOUTH

EXHIBIT A

Property Ownership Affidavit - Individual

Date: January 11, 2021

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: 1934 Bartram Road RE#(s): 134052 0000

To Whom it May Concern:

I Joshua Gideon hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Waiver of Minimum Required Road Frontage submitted to the Jacksonville Planning and Development Department.

By [Signature]
Print Name: Joshua E Gideon

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 12th day of January 2021, by Joshua Gideon, who is personally known to me or who has produced _____ as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

Tammy E Gray
(Printed name of NOTARY PUBLIC)

TAMMY E. GRAY
Notary Public, State of Florida
My Comm. Expires 08/13/2022
Commission No. GG223078

State of Florida at Large.
My commission expires: 8-13-22

GIDEON JOHN T ET AL
 4010 BALDWIN DR
 SEBASTIAN, FL 32976
 GIDEON ANNE W TC
 GIDEON JOSHUA E TC
 GIDEON EMILY TC

Primary Site Address
 1934 BARTRAM RD
 Jacksonville FL 32207

Official Record Book/Page
 19020-00605

Title #
 7428

1934 BARTRAM RD
 Property Detail

RE #	134052-0000
Tax District	GS
Property Use	0100 Single Family
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	02436 RICHARD HEIRS F S/D 48,52
Total Area	293202

Value Summary

Value Description	2020 Certified	2021 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$34,213.00	\$33,748.00
Extra Feature Value	\$347.00	\$347.00
Land Value (Market)	\$232,295.00	\$232,295.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$266,855.00	\$266,390.00
Assessed Value	\$266,855.00	\$266,390.00
Cap Diff/Portability Amt	\$0.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$266,855.00	See below

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification. [Learn how the Property Appraiser's Office values property.](#)

Taxable Values and Exemptions - In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value
 No applicable exemptions

SJRWMD/FIND Taxable Value
 No applicable exemptions

School Taxable Value
 No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
19020-00605	11/27/2019	\$345,000.00	WD - Warranty Deed	Qualified	Improved
14785-00518	2/13/2009	\$272,500.00	MS - Miscellaneous	Unqualified	Improved
14455-00188	4/9/2008	\$100.00	MS - Miscellaneous	Unqualified	Improved
01089-00041	12/30/1899	\$0.00	- Unknown	Unqualified	Improved
01089-00041	1/1/1899	\$0.00	- Unknown	Unqualified	Improved

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	FPFR7	Fireplace Prefab	1	0	0	1.00	\$347.00

Land & Legal

Land										Legal	
LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value	LN	Legal Description
1	0120	RES CANAL LD 3-7 UNITS PER AC	RLD-60	140.00	1080.00	Common	140.00	Front Footage	\$207,060.00	1	52-2S-27E 6.27
2	0100	RES LD 3-7 UNITS PER AC	RLD-60	0.00	0.00	Common	1.53	Acreage	\$24,480.00	2	S/D F RICHARD HEIRS
3	9400	RIGHT-OF-WAY & STS	RLD-60	0.00	0.00	Common	0.65	Acreage	\$650.00	3	PT LOT 13 RECD OR 14786-518,
4	9601	MARSH	RLD-60	0.00	0.00	Common	0.62	Acreage	\$105.00	4	PT F RICHARD GRANT RECD D BKS
										5	741-362,875-248(EX PT IN ROAD,O/R
										6	6297-1076)

Property Record Card (PRC)

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

2020

2019

2018

2017

Table with columns: CATEGORY, TYPE, % P/B, CATEGORY, UNITS, ADJ, BASE RATE ADJ, QUALITY ADJUSTMENT, etc. Includes building characteristics like EXTERIOR WALL, ROOFING COVER, etc.

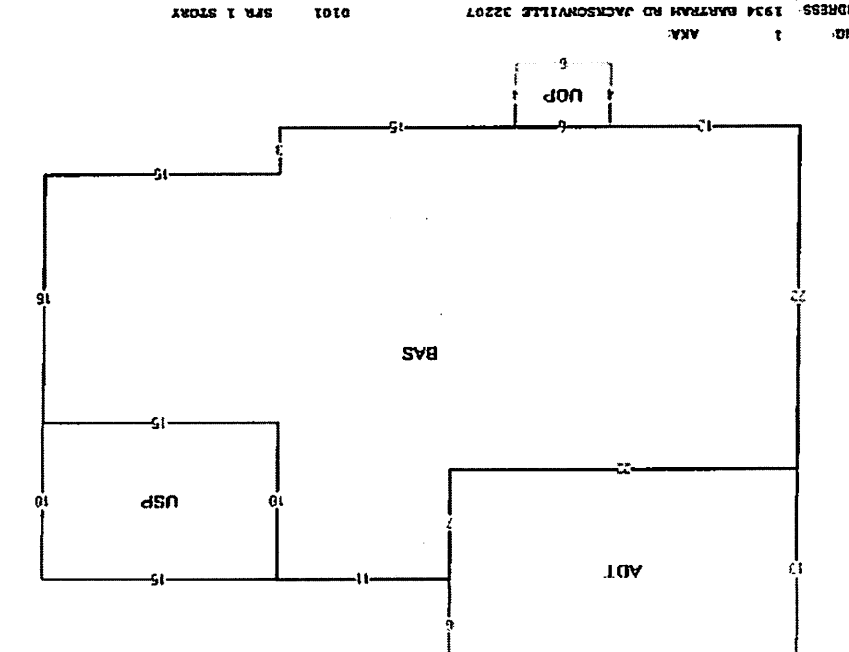
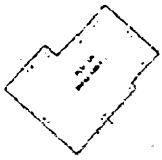
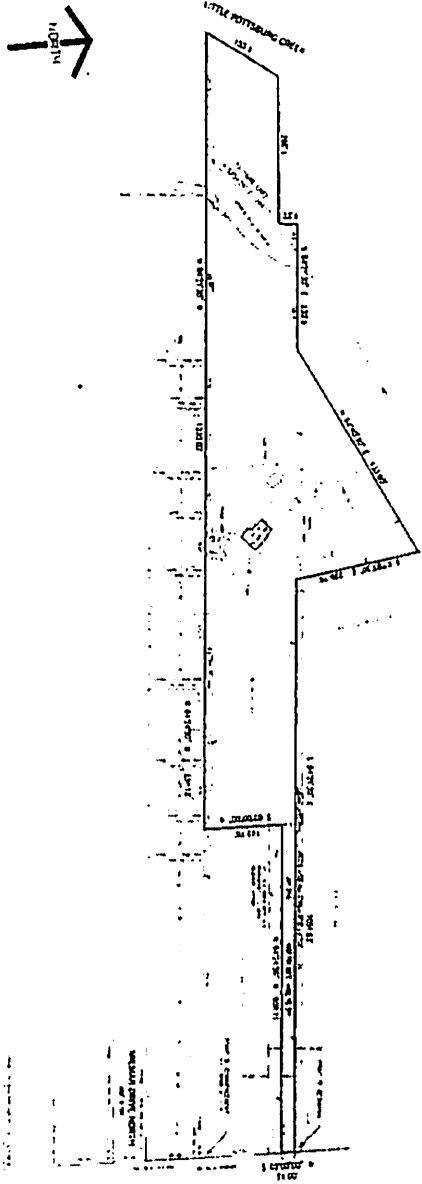


Table with columns: L, VOLUME, DATE, PAGE, etc. Includes sales notes, grantor/grantee information, and appraisal dates.

Table with columns: L, N CODE, DESCRIPTION, BLD, etc. Includes parcel notes, land use details, and appraisal information.



HOUSE DETAIL



BARTHAM ROAD

MAP SHOWING BOUNDARY SURVEY OF

THE LAND OF THE ... (Detailed survey description text)

BEARING ... (Survey data and notes)

GENERAL NOTES ... (General survey notes)

LEGEND ... (Legend for symbols and lines)

CROSSDELL COMPANY logo and address information.