REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2021-0540 (WRF-21-05)

SEPTEMBER 21, 2021

Location: 6973 Camfield Street and 0 Camfield Street

Between Camfield Street & Paul Howard Drive

Real Estate Number(s): 015668-0100 and 015691-0050

Waiver Sought: Reduce Minimum Required Road Frontage from 48

Feet to 35 Feet

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: 4-Southwest

Agent/Applicant: Hunter Faulkner

1 Independent Drive, Suite 1400 Jacksonville, Florida 32202

Owner: American Classic Homes, LLC

4550 St. Augustine Road Jacksonville, Florida 32207

Staff Recommendation: APPROVE WITH CONDITION

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2021-0540** (WRF-20-05) seeks to reduce the required minimum road frontage from 48 feet to 35 feet in order to allow for a single-family dwelling. Located on a 0.43-acre landlocked parcel (RE: 015668-0100) in the Residential Low Density-60 (RLD-60) Zoning District, the property will be accessed via Camfield Street and through a 48-foot wide parcel (RE: 015691-0050) deeded to the owner.

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

Page 2

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. If contested, the lack of frontage on an approved private street or public road would render the property in question undevelopable according to the strict letter of the regulation, as referenced in Sec. 656.704.

Staff also found several substandard lots along Camfield Street that were either developed without consideration for access along an approved street or subdivided without meeting current zoning standards. Examples of adjacent substandard lots include:

- 6961 Camfield Street (RE: 15689-0040) deficient in minimum lot requirements
- 0 Camfield Street (RE: 015690-0010) deficient in minimum lot requirements
- 0 Camfield Street (RE: 015691-0050) deficient in minimum lot requirements
- 6979 Camfield Steet (RE: 015668-0200) deficient in minimum road frontage
- (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 request is not based on exclusively upon the desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 654 (Code of Subdivision Regulations). The request being sought will allow for the construction of a single-family dwelling, which does not adhere to subdivision guidelines. Rather, the unique physical location of the property and its lack of frontage along a public right-of-way precludes development on the site unless a Waiver of Minimum Road Frontage is obtained.

(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 will not substantially diminish property values or alter the essential character of the surrounding area, nor interfere with the rights of others. Rather, the applicant plans to construct a single-family dwelling on the property, which Staff contends will be similar in size and character with the surrounding RLD-60 lots.

(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. There is a valid and effective easement for adequate vehicular access connected to a public street. This is evidenced by the attached Warranty Deed recorded on September 13, 2019, which indicates ownership of a 48-foot wide parcel that will be used for ingress and egress via Camfield Street.

(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. Staff finds the proposed waiver will not be detrimental to the public health, safety, or welfare. Given the general residential nature of Camfield Street as well as the existing land use categories and zoning district contiguous to the site, the proposed waiver will not result in the creation of a nuisance. Furthermore, the development of the site still must comply with the Land Development Procedures and permitting requirements.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **September 9, 2021** by the Planning and Development Department the required Notice of Public Hearing sign was posted.



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 2021-0540 (WRF-21-05) be APPROVED WITH CONDITION.

1. The applicant shall provide a visible address for the subject property along Camfield Street.



Source: Planning & Development Dept, 08/10/21

Aerial view of the subject site and proposed access, facing north.



Source: Planning & Development Dept, 09/09/21

View of RE: 015691-0050, a 48-foot wide parcel, facing east on Camfield Street.





Source: Planning & Development Dept, 09/09/21

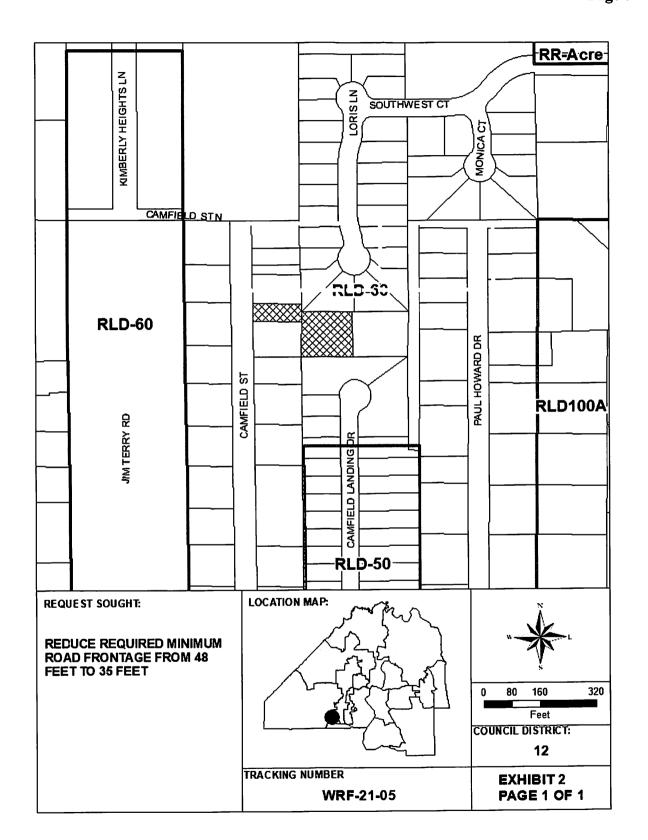
View of the subject property, facing east on Camfield Street.





Source: Planning & Development Dept, 09/09/21

View of the subject property, facing north on Camfield Landing Drive.



Date Submitted:	14
Date Filed: 6/16	

Application Number: ルドン1-0	5
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: RLD-60	Current Land Use Category: LDR	
Council District: 12	Planning District:	
Previous Zoning Applications Filed (provide applications Filed)	on numbers):	
	407	
Notice of Violation(s): ν/α		
Neighborhood Associations: ARSYE A	REA CIVIC ASSOC.	
Overlay: NONE	·	
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: / Amount of Fee	Zoning Asst. Initials:	
	A	
PROPERTY INFORMATION		
1. Complete Property Address:	2. Real Estate Number:	
6973 Camfield St., Jacksonville, FL 32222	015668-0100 and 015691-0050	
3. Land Area (Acres):	4. Date Lot was Recorded:	
243 0.59 - Am	4/1/1977	
5. Property Located Between Streets: 6. Utility Services Provider:		
Camfield St. and Paul Howard Dr.	City Water / City Sewer	
	Well / Septic	
7. Waiver Sought:		
Reduce Required Minimum Road Frontage from 48 feet to 55 feet.		
8. In whose name will the Waiver be granted? American Classic Homes, LLC		

OWNER'S INFORMATION (please attach separate sheet if more than one owner)		
9. Name: American Classic Homes, LLC	10. E-mail: richardbriggs@bellsouth.net	
11. Address (including city, state, zip): 4550 St. Augustine Rd., Suite 1 Jacksonville, FL 32207	12. Preferred Telephone: 904-838-9926	

13. Name:	14. E-mail:
Hunter Faulkner	hfaulkner@jimersonfirm.com
15. Address (including city, state, zip):	16. Preferred Telephone:
1 Independent Dr., Suite 1400 Jacksonville, FL 32202	904-389-0050

CRITERIA

Section 656.101(I), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage, pursuant to Section 656.407, Ordinance Code."

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:

- i. There are practical or economic difficulties in carrying out the strict letter of the regulation;
- ii. 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);
- iii. 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;
- iv. 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;
- v. 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.

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.

The Owner respectfully requests a Waiver of Road Frontage based upon the following:

- 1. There are practical and economical difficulties carrying out the strict letter of the regulation because the parcel is currently "landlocked" by parcels on all sides. There is no immediately adjacent right-of-way for the property to enter and exit the property. The northern forty-eight feet (48') of the parcel immediately adjacent to the west (6981 Camfield St.) has been deeded to the Owner as a means to access the subject property. As shown on the enclosed site plan, the parcel deeded for access narrows from forty-eight feet (48') wide to thirty-five feet (35') wide at the entrance to the subject property.
- 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. Again, the parcel is "landlocked" with no access to an immediately adjacent right-of-way. The owner has provided for deeded access as described in paragraph 1 above.
- The proposed waiver will not substantially diminish the property values in, nor alter the essential character of the area surrounding the site and will not interfere with or injure the rights of others whose property would be affected by the waiver. Property values would not diminish upon the granting of the waiver. The owner has deeded sufficient access to the subject property that would otherwise be inaccessible. Upon the granting of the waiver, the subject property can be improved with a new single-family home, which would enhance the surrounding property values. The deeded access and granting of the waiver does not impact the property rights of the surrounding property owners. No property boundaries would be encroached upon with the granting of the waiver.
- 4. There is valid and effective deeded access (as described herein), rather than an easement, for adequate vehicular access connected to a public street (Camfield Street), which is maintained by the City. The legal description for the deeded access is shown on the enclosed Warranty Deed for the subject property.
- 5. 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. The access parcel provides sufficient width for emergency vehicle access to the subject property. The granting of the waiver would simply provide access to the subject property that would otherwise be unavailable, and, therefore, unusable. The Owner has gone through the additional expense of providing the deeded access as described herein. There is no other expense for the surrounding property owners.

ATTACHMENTS
The following attachments must accompany each copy of the application.
√ Surveγ
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.			
Base Fee	Public Notices	Advertisement	
Residential Districts: \$1,161.00	\$7.00 per Addressee	Billed directly to owner/agent	
Non-residential Districts: \$1,173.00			

last update: 1/10/2017

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: Ameridan Classic Homes, LLC Signature:	Applicant or Agent (if different than owner) Print name: Hunter Faulkner Signature:
Owner(s) Print name: Signature:	*An agent authorization letter is required if the application is made 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, 2nd Floor Jacksonville, Florida 32202

(904) 255-8300

EXHIBIT 1

Legal Description

PARCEL'A'

A PORTION OF TRACT 13, BLOCK 4, JACKSONVILLE HEIGHTS, SECTION 21, TOWNSHIP 3 SOUTH, RANGE 25 EAST, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 93 AND 93A, CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING A PORTION OF THAT LAND AS DESCRIBED IN OFFICIAL RECORDS VOLUME 4363, PAGE 868, OF SAID CURRENT PUBLIC RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE. COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT 13, BLOCK 4, JACKSONVILLEHEIGHTS: THENCE SOUTH 0 DEGREE 21 MINUTES 33 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID TRACT13, 258.24 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 43 SECONDS WEST (ACTUAL) (SOUTH 88 DEGREES 42 MINUTES 16 SECONDS EAST/DEED). ALONG THE NORTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS VOLUME 4363, PAGE 868, 184.03 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED: THENCE CONTINUE SOUTH 89 DEGREES 58 MINUTES 43 SECONDS WEST, 147.24 FEET TO THE EASTERLY BOUNDARY OF "CAMFIELD HEIGHTS". ACCORDING TO PLAT THEREOF, AS RECORDED IN PLAT BOOK 26, PAGE 86, OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 0 DEGREES 16 MINUTES 42 SECONDS EAST. (ACTUAL) (SOUTH 0 DEGREE 20 MINUTES 57 SECONDS EAST/DEED), ALONG SAID EASTERLY BOUNDARY 129.83 FEET (ACTUAL) (129.86/DEED) TO THE SOUTH LINE OF SAID LAND DESCRIBED IN OFFICIAL RECORDS VOLUME 4363, PAGE 868; THENCE NORTH 89 DEGREES 58 MINUTES 43 SECONDS EAST (ACTUAL) (NORTH 88 DEGREES 48 MINUTES 04 SECONDS WEST/ DEED), ALONG SAID SOUTH LINE, 147.30 FEET: THENCE NORTH 0 DEGREE 18 MINUTES 08 SECONDS WEST, 129.83 FEET TO THE POINT OF BEGINNING.

PARCEL 'B'

THE NORTHERLY 45 FEET OF LOT 15, CAMFIELD HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 26 PAGE 86, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

last update: 1/10/2017

EXHIBIT A

Property Ownership Affidavit – Limited Liability Company (LLC)

Date: <u>5/24/2021</u>		
City of Jacksonville		
Planning and Development D	Department	
214 North Hogan Street, Suit	te 300,	
Jacksonville, Florida 32202		
Re: Property Owner Affidavi	it for the following site location in Jackson conville, FL 32222 RE#(s); 0156680100 an	ville, Florida:
7144114331	REH(S); oldocorrou al	10 0 1303 1-0030
To Whom it May Concern:		
Richard Briggs	as Managing Member	of
American Classic Homes, LLC	. a Limited Liability Company o	propried under the laws of the
state of h	ereby certify that said LLC is the Owner of	f the property described in Exhibit
1 in connection with filing ap	plication(s) for Walver of Road Frontage	submitted to the Jacksonville
Planning and Development D	epartment.	
(signature)		
(print name) Richard I	Briggs	
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managing member	of American Classic Homes, LLC	, a Limited Liability
Company, who is personall	y known to me or who has produced	
as identification and who to	ook an oath.	
		•
	(Signature of NOTARY PUBLI	C)
	Les Dun	70
	(Printed name of NOTARY PL	
	State of Florida at Large.	
	My commission expires:	12-11-2021
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last update: 1/10/2017

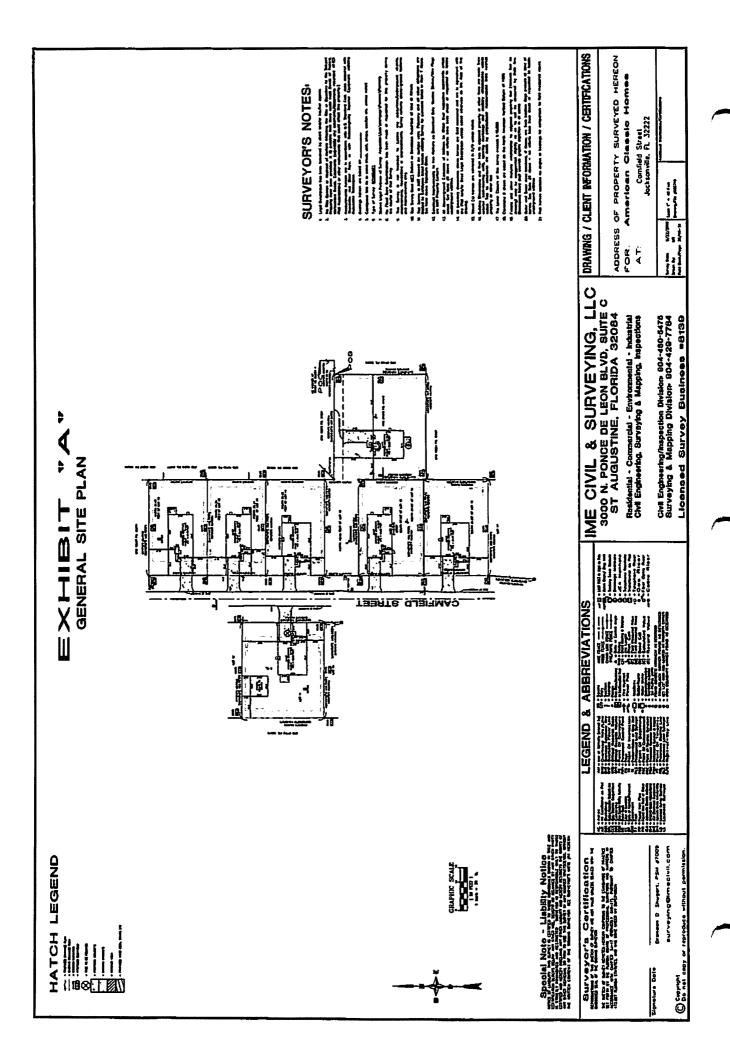


EXHIBIT 8

Agent Authorization - Limited Liability Company (LLC)

Date: <u>5/24/2021</u>			
City of Jacksonville			
Planning and Development Department			
214 North Hogan Street, Suite 300,			
Jacksonville, Florida 32202			
Re: Agent Authorization for the following Address: 6973 Camfield St., Jacksonville, Fl.	ng site location in Jacksonville, Flor L 32222 RE#(s): 0156680100 and (rida: 015691-0050	
To Whom It May Concern:			
You are hereby advised that	Richard Briggs	, as Managing	Member of
American Classic Homes, LLC Florida harshy cortify that a	a Limited Liability Company	organized under	the laws of the state of
authorizes and empowers Hunter Faulkn	aid LLC is the Owner of the proper er		
Walver of Road Frontage		_	ent to file application(s) for
with such authorization to file such ap	olications papers documents as	above referenced	property and in connection
requested change as submitted to the Ja	piications, papers, documents, re	equests and other i	matters necessary for such
(signature)		ient bepartinent.	
(print name) Richard Briggs			
STATE OF FLORIDA COUNTY OF DUVAL			
Sworn to and subscribed and 20	acknowledged before me this _ , as Manager	25th day of	Mag
	a Limited Liability Company, w	ha is massanalli. Is	OT
produced	as identification and who	took an oath	nown to me of who has
		took all oatil.	
•	(Signature of NOTARY PUBLIC)		_
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	Printed name of NOTARY PUBL		_
	State of Florida at Large.		
	My commission expires: 1>	-11-2021	
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Notary Public State of Florida
Lesa J Duncan
My Commission GG 162990
Expires 12/11/2021





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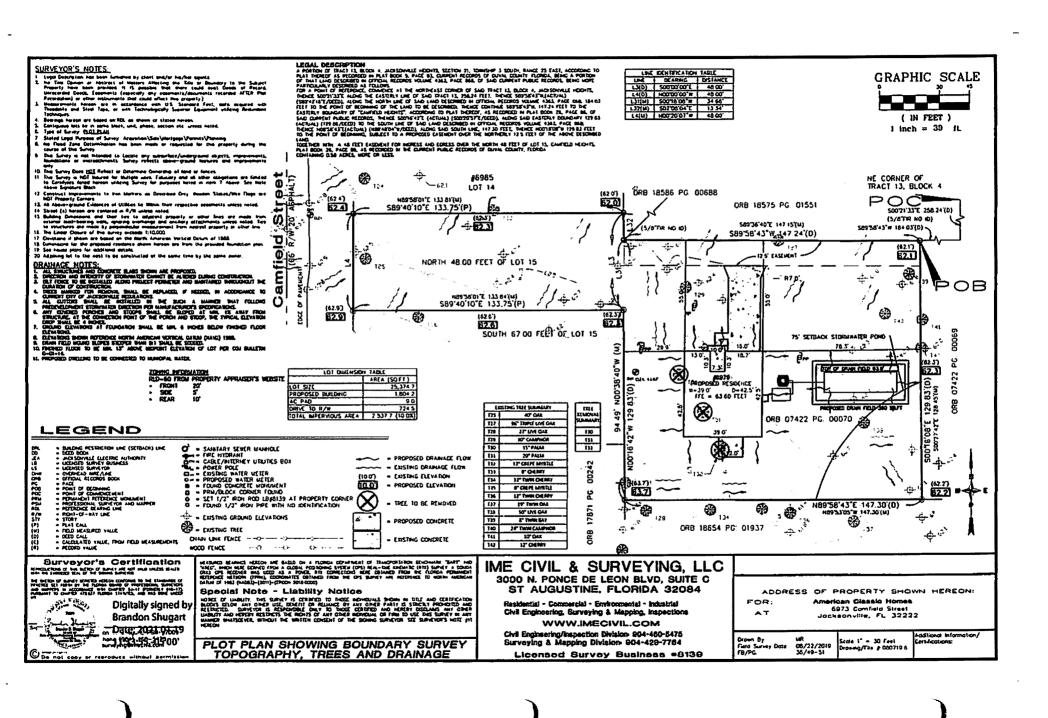
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GRAPHIC SCALE



Doc # 2019212257, OR BK 18931 Page 712, Number Pages: 2, Recorded 09/13/2019 12:05 PM, RONNIE FUSSELL CLERK CIRCUIT COURT DUVAL COUNTY RECORDING \$18.50 DEED DOC ST \$1151.50

Prepared by and return to:
D. Gonzales
Sunshine Title Corporation
8613 Old Kings Road South, Suite 160
Jacksonville, Florida 32217
File Number: STC #114524

General Warranty Deed

Made this September 6, 2019 A.D. By Victoria M. Bell, an unremarried widow, whose address is: 6981 Camfield St., Jacksonville, Florida 32222, hereinafter called the grantor, to American Classic Homes, LLC, a Florida Limited Liability Company, whose post office address is: 4550 St. Augustine Rd. Suite 1, Jacksonville, Florida 32207, 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 individuels, 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:

See Attached Exhibit "A" legal description

Parcel ID Number: 015689-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in see 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, 2018.

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:		
The Donate To	Victoria M. Bell	_(Scal)
winders Printed Plane J. Mingues	Address: 6981 Camfield St., Jacksonville, Florida 32222	_(Seal)
Witness Printed Name DAWN GONZALES	Address:	
State of Florida County of Duval		
The foregoing instrument was acknowledged before me this Septe personally known to me or who has produced a drivers license as		who is/ar
JOSEPH M. DANESE IS MY COMMISSION # GG 03/061 EDOPRES: August 11, 2021 Bonded Thre Notiny Tubic Understans	Print Natie: My Commission Expires:	

Exhibit "A"

Parcel 1:

Lot 13, Camfield Heights, according to the map or plat thereof, as recorded in Plat Book 26, Page(s) 86, of the Public Records of Duval County, Florida.

Parcel 2:

Lot 14, Camfield Heights, according to the map or plat thereof, as recorded in Plat Book 26, Page(s) 86, of the Public Records of Duval County, Florida.

Parcel 3:

Lot 11, Camfield Heights, according to the map or plat thereof, as recorded in Plat Book 26, Page(s) 86, of the Public Records of Duval County, Florida.

Parcel 4:

A portion of Tract 13, Block 4, Jacksonville Heights, Section 2, Township 3 South, Range 25 East, according to plat thereof recorded in Plat Book 5, Page 93 and 93A, Current Public Records of Duval County, Florida, being a portion of that land as described in Official Records Volume 4363, Page 868, of said current Public Records, being more particularly described as follows:

For a point of reference, commence at the Northeast corner of said Tract 13, Block 4, Jacksonville Heights; thence South 0 Degree 21 Minutes 33 Seconds East, along the Easterly line of said Tract 13, 258.24 feet; thence South 89 Degrees 58 Minutes 43 Seconds West (Actual) (South 88 Degrees 42 Minutes 16 Seconds East/Deed), along the North line of said land described in Official Records Volume 4363, Page 868, 184.03 feet to the Point of Beginning of the land to be described; thence continue South 89 Degrees 58 Minutes 43 Seconds West, 147.24 feet to the Easterly Boundary of "Camfield Heights", according to plat thereof, as recorded in Plat Book 26, Page 86, of said current public records; thence South 0 Degrees 16 Minutes 42 Seconds East, (Actual) (South 0 Degree 20 Minutes 57 Seconds East/Deed), along said Easterly boundary 129.83 feet (Actual) (129.86/Deed) to the South line of said land described in Official Records Volume 4363, Page 868; thence North 89 Degrees 58 Minutes 43 Seconds East (Actual) (North 88 Degrees 48 Minutes 04 Seconds West/Deed), along said South Line, 147.30 feet; thence North 0 Degree 18 Minutes 08 Seconds West., 129.83 feet to the Point of Beginning.

Parcel 5:

Lot 15, Camfield Heights, according to the map or plat thereof, as recorded in Plat Book 26, Page(s) 86, of the Public Records of Duval County, Florida.

File Number: STC #114524
Legal Description with Non Humestead
Closer's Choice

