

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

ORDINANCE 2021-0018 (WRF-20-31)

FEBRUARY 17, 2021

Location: 5929 Seaboard Avenue and 0 Seaboard Avenue
Between 110th Street and Bryner Drive

Real Estate Number(s): 103180-0000 and 103183-0000

Waiver Sought: Reduce Minimum Required Road Frontage from 32
Feet to 0 Feet for Lots 12-15

Present Zoning: Residential Medium Density-D (RMD-D)

Current Land Use Category: Medium Density Residential (MDR)

Planning District: 4-Southwest

Applicant/Agent: Wyman R. Duggan, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner/Applicant: Troy W. Albers
154 Riverwood Drive
Fleming Island, Florida 32003

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2021-0018 (WRF-20-31)** seeks to reduce the required minimum road frontage from 32 feet to 0 feet in order to allow for four (4) single-family dwelling units in the Residential Medium Density-D (RMD-D) Zoning District.

More specifically, the waiver is being sought for the reduction of road frontage for four (4) single-family lots (see lots 12-15 on site plan). Located on a 7.42± parcel in the Urban Development Area, the subdivision the property will be accessed via 110th Street and through a 40-foot wide

private easement. The site will be developed in conjunction with 60 multi-family dwelling units in 15 quadruplex buildings.

There is also a companion Zoning Variance V-20-24 (**Ordinance 2021-0019**) that seeks to reduce the structural separation requirement for multi-family dwellings located on the same lot from 40 feet to 20 feet and to reduce the rear/side yard setbacks from 20 feet to 2 feet.

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. Several of the proposed dwellings units are being developed without consideration for access along a public street or an approved private street. If contested, the lack of frontage on an approved private street or public road would render the lot undevelopable according to the strict letter of the regulation, as referenced in Sec. 656.704.

(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 four (4) single-family dwellings, which does not adhere to subdivision guidelines. Rather, the unique physical location, its location in the Military Accident Potential Zone-2 (APZ-2), and its lack of frontage along an approved 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 four (4) single-family dwellings on the property, which Staff contends will be similar (if not greater) in size and character with the surrounding RMD-D 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?***

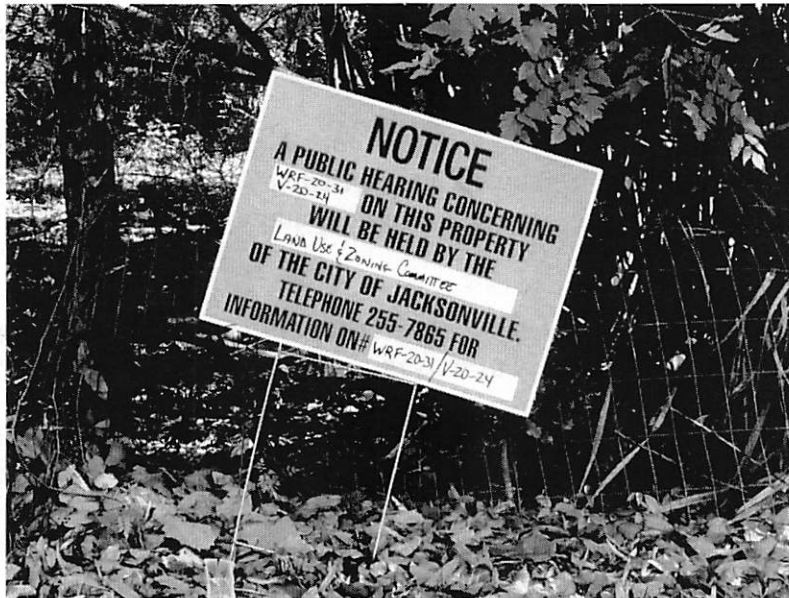
Yes. There is a valid and effective easement for adequate vehicular access connected to a public street. This is evidenced by the attached site plan dated September 24, 2020, which indicates a 40-foot access easement for ingress and egress will be provided along 110th Street.

- (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 the area 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 **January 21, 2021** by the Planning and Development Department the required Notice of Public Hearing signs **were** 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 2021-0018 (WRF-20-31)** be **APPROVED WITH CONDITION**.

1. **The applicant shall provide a visible address for the subject property along 110th Street.**

Figure C:



Source: Planning & Development Dept, 01/21/21

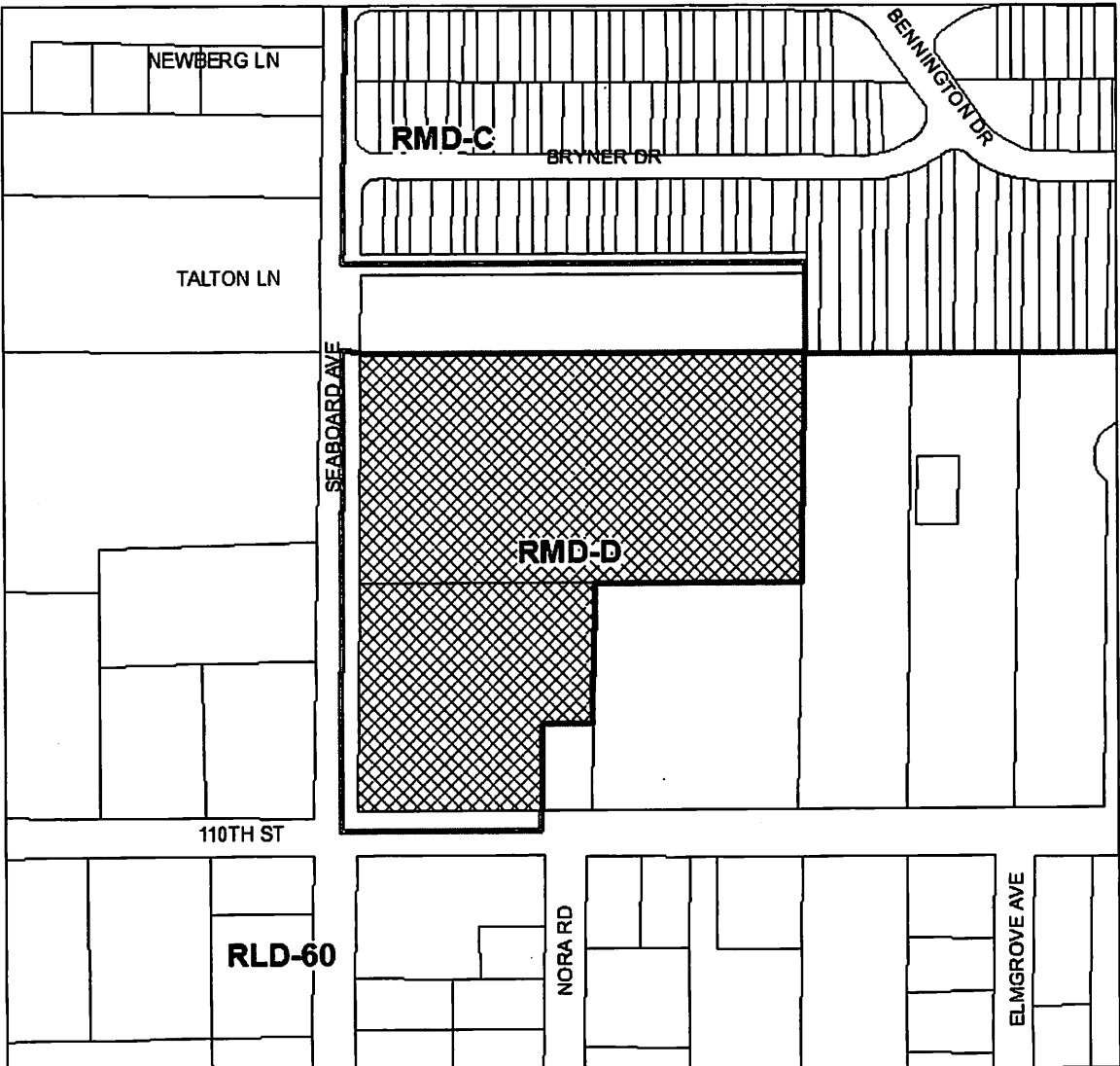
View of the subject property, facing east on Seaboard Avenue.

Figure D:

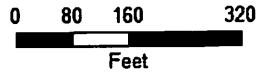
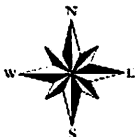
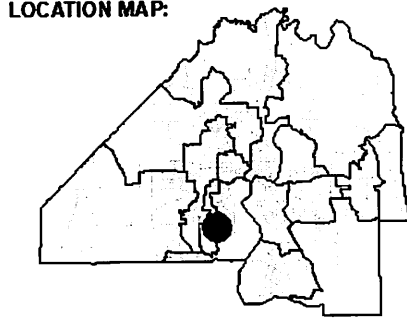


Source: Planning & Development Dept, 01/21/21

View of the neighboring property (church), facing east on Seaboard Avenue.



REQUEST SOUGHT:
REDUCE REQUIRED MINIMUM ROAD FRONTAGE FROM 32 FEET TO 0 FEET FOR LOTS 12-15



COUNCIL DISTRICT:
9

TRACKING NUMBER
WRF-20-31

EXHIBIT 2
PAGE 1 OF 1

Date Submitted:	11-30
Date Filed:	12-8

Application Number:	WRF-20-31
Public Hearing:	1/7/21

Application for Waiver of Minimum Required Road Frontage

City of Jacksonville, Florida
 Planning and Development Department

**COMPANION
 VARIANCE**
 V-20-24

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:	RMD-D	Current Land Use Category: MDR
Council District:	9	Planning District: 4
Previous Zoning Applications Filed (provide application numbers): NONE		
Applicable Section of Ordinance Code: 656.407		
Notice of Violation(s): NONE		
Neighborhood Associations: NONE		
Overlay: NONE		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 6	Amount of Fee: 2945.00	Zoning Asst. Initials: <i>[Signature]</i>

PROPERTY INFORMATION	
1. Complete Property Address: 0 and 5929 Seaboard Avenue	2. Real Estate Number: 103180-0000 and 103183-0000
3. Land Area (Acres): 7.5	4. Date Lot was Recorded: 1910
5. Property Located Between Streets: 110th Street and Bryner Dr.	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>35</u> feet to <u>0</u> feet.	
8. In whose name will the Waiver be granted? Southern Impression Homes, Inc.	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Troy Albers	10. E-mail:
11. Address (including city, state, zip): 5929 Seaboard Avenue Jacksonville, FL 32244	12. Preferred Telephone:

APPLICANT'S INFORMATION (if different from owner)	
13. Name: Southern Impression Homes, Inc.	14. E-mail: cfunk@sihomesfl.com
15. Address (including city, state, zip): 5711 Richard St., Ste. 1 Jacksonville, FL 32216	16. Preferred Telephone: 904-476-6989

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> <i>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);</i> <i>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;</i> <i>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;</i> <i>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.</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.

See attached written description.

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.

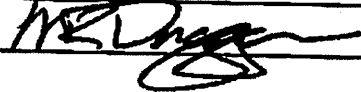
<u>Base Fee</u>	<u>Public Notices</u>	<u>Advertisement</u>
Residential Districts: \$1,161.00	\$7.00 per Addressee	Billed directly to owner/agent
Non-residential Districts: \$1,173.00		

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: <u>Troy Albers</u> Signature: _____	Applicant or Agent (if different than owner) Print name: <u>Wyman Duggan</u> Signature: <u></u>
Owner(s) Print name: _____ Signature: _____	<i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i>

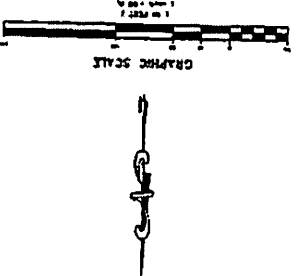
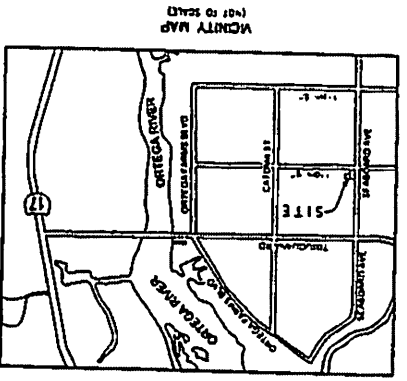
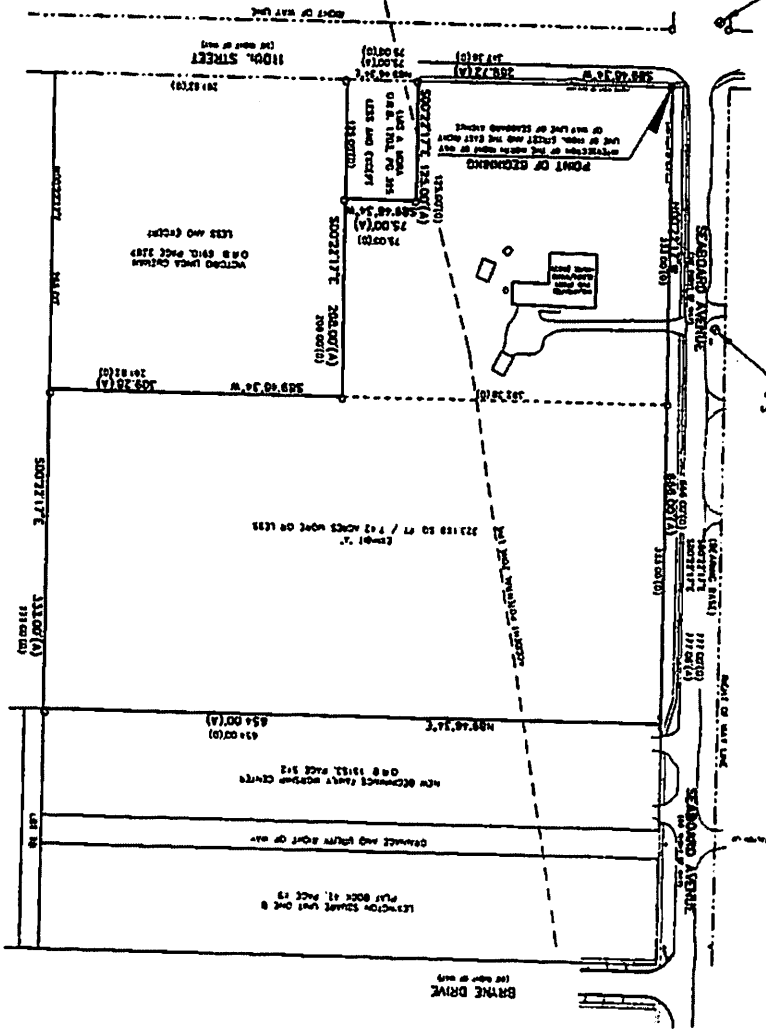
SUBMITTAL

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

THIS MAP IS A REPRODUCTION OF THE ORIGINAL SURVEY MAP AND IS NOT TO BE USED AS A SUBSTITUTE FOR THE ORIGINAL SURVEY MAP.



MAP SHOWING BOUNDARY, TOPOGRAPHIC AND TREE SURVEY OF LOT 19, BLOCK 28 AS SHOWN ON MAP OF ORTEGA FARMS

THIS MAP IS A REPRODUCTION OF THE ORIGINAL SURVEY MAP AND IS NOT TO BE USED AS A SUBSTITUTE FOR THE ORIGINAL SURVEY MAP.

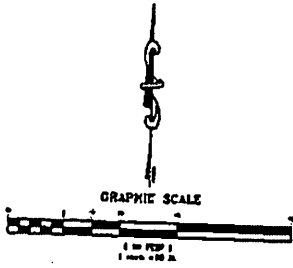
THE SURVEY WAS MADE BY THE SURVEYOR ON THE 15TH DAY OF JANUARY, 2024, AT THE POINT OF BEGINNING AND CORNERS SHOWN ON THIS MAP.

THE SURVEY WAS MADE BY THE SURVEYOR ON THE 15TH DAY OF JANUARY, 2024, AT THE POINT OF BEGINNING AND CORNERS SHOWN ON THIS MAP.

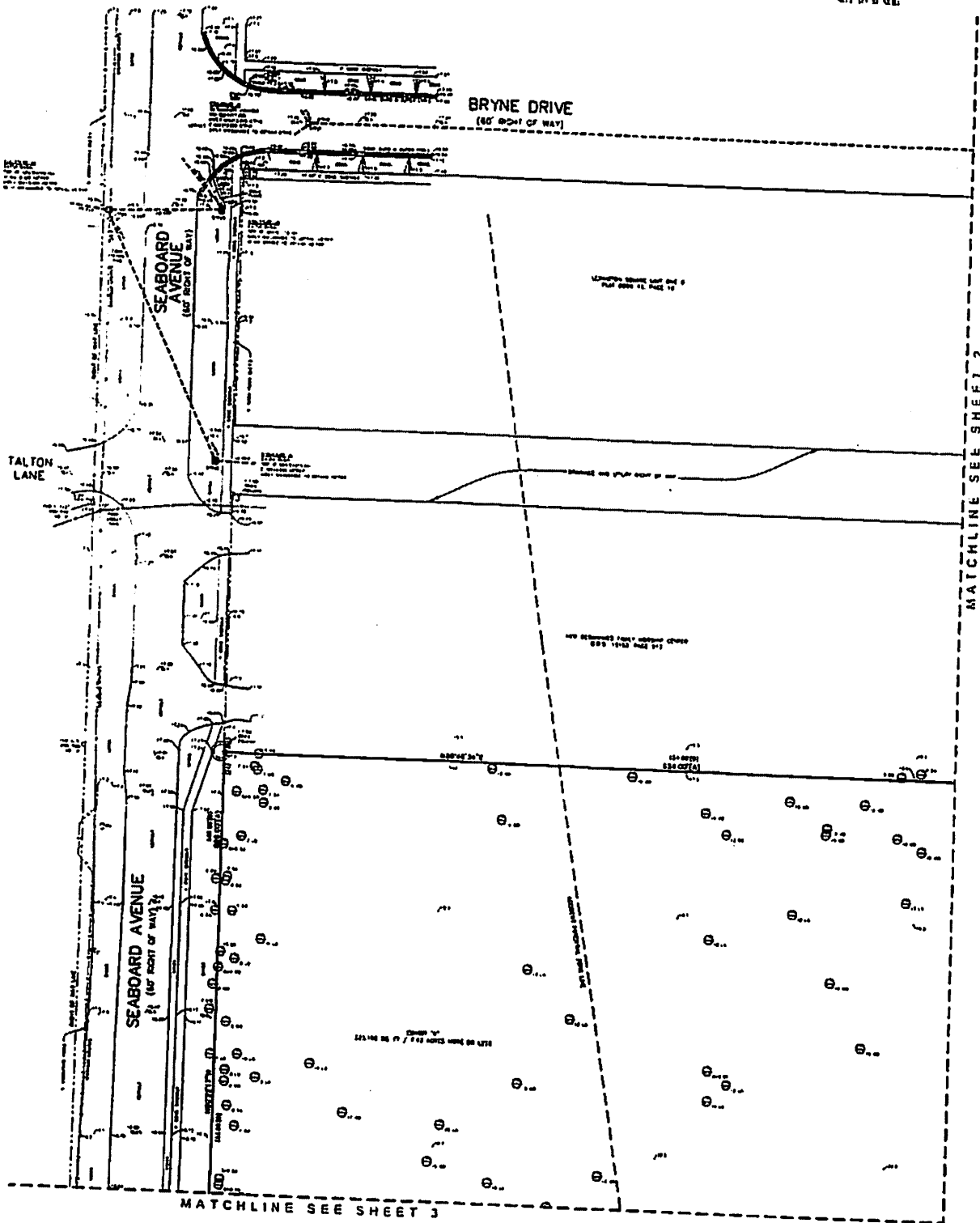
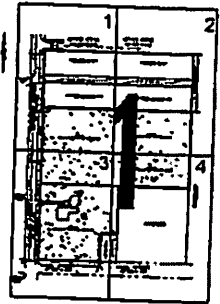
THE SURVEY WAS MADE BY THE SURVEYOR ON THE 15TH DAY OF JANUARY, 2024, AT THE POINT OF BEGINNING AND CORNERS SHOWN ON THIS MAP.

MAP SHOWING BOUNDARY, TOPOGRAPHIC AND TREE SURVEY OF LOT 16, BLOCK 29 AS SHOWN ON MAP OF ORTEGA FARMS

USE AND CARRY THIS CERTAIN REAL PROPERTY ACCORDING TO DEEDS RECORDED IN OFFICIAL RECORDS BOOK 4074, PAGE 2487 AND OFFICIAL RECORDS BOOK 1782, PAGE 204 OF THE CLERK OF PUBLIC RECORDS OF DUNAL COUNTY, FLORIDA. (SEE COVER SHEET FOR THE COMPLETE LEGAL DESCRIPTION)

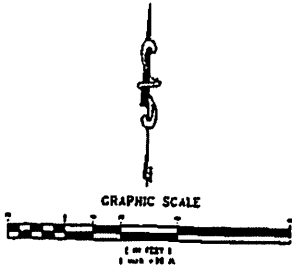


LEGEND & INTERPRETATION	SYMBOLS & MEANINGS
1. Boundary line	① 100' radius tree
2. Property line	② 50' radius tree
3. Right of way line	③ 25' radius tree
4. Easement line	④ 12.5' radius tree
5. Utility line	⑤ 6.25' radius tree
6. Survey line	⑥ 3.125' radius tree
7. Right of way line	⑦ 1.5625' radius tree
8. Survey line	⑧ 0.78125' radius tree
9. Right of way line	⑨ 0.390625' radius tree
10. Survey line	⑩ 0.1953125' radius tree
11. Right of way line	⑪ 0.09765625' radius tree
12. Survey line	⑫ 0.048828125' radius tree
13. Right of way line	⑬ 0.0244140625' radius tree
14. Survey line	⑭ 0.01220703125' radius tree
15. Right of way line	⑮ 0.006103515625' radius tree
16. Survey line	⑯ 0.0030517578125' radius tree
17. Right of way line	⑰ 0.00152587890625' radius tree
18. Survey line	⑱ 0.000762939453125' radius tree
19. Right of way line	⑲ 0.0003814697265625' radius tree
20. Survey line	⑳ 0.00019073486328125' radius tree

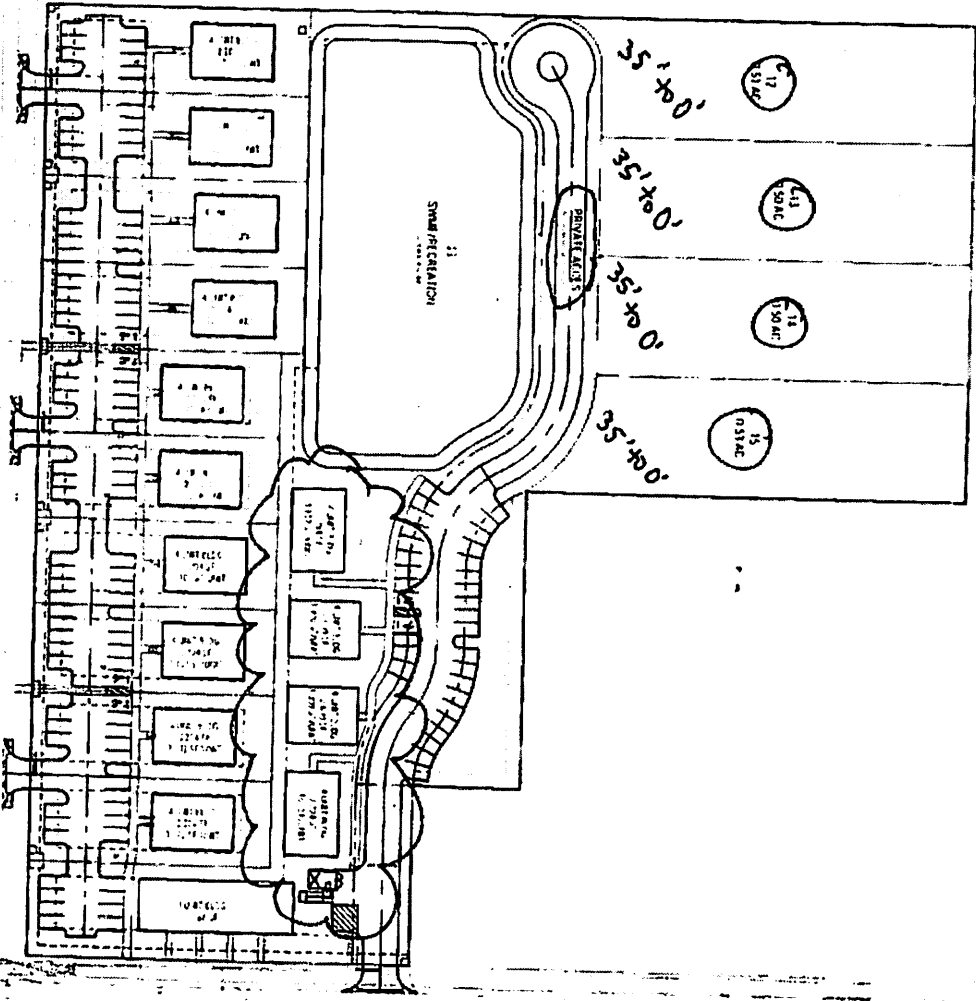


MAP SHOWING BOUNDARY, TOPOGRAPHIC AND TREE
SURVEY OF
LOT 16, BLOCK 29 AS SHOWN ON MAP OF
ORTEGA FARMS

LESS AND EXCEPT THAT CERTAIN REAL PROPERTY DESCRIBED IN DEEDS RECORDED IN OFFICIAL RECORDS BOOK 8974, PAGE 1287
AND OFFICIAL RECORDS BOOK 1783, PAGE 284 OF THE CLERK'S PUBLIC RECORDS OF BUNN COUNTY, FLORIDA.
(SEE OTHER SHEET FOR THE COMPLETE LEGAL DESCRIPTION)

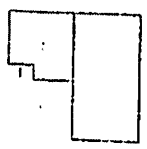


LINE & TYPE SYMBOL	TYPE OF TREE OR OBJECT
—	1. 1/2" or 3/4" diameter
—	2. 1" diameter
—	3. 1 1/2" diameter
—	4. 2" diameter
—	5. 3" diameter
—	6. 4" diameter
—	7. 5" diameter
—	8. 6" diameter
—	9. 8" diameter
—	10. 10" diameter
—	11. 12" diameter
—	12. 14" diameter
—	13. 16" diameter
—	14. 18" diameter
—	15. 20" diameter
—	16. 24" diameter
—	17. 30" diameter
—	18. 36" diameter
—	19. 42" diameter
—	20. 48" diameter
—	21. 54" diameter
—	22. 60" diameter
—	23. 66" diameter
—	24. 72" diameter
—	25. 78" diameter
—	26. 84" diameter
—	27. 90" diameter
—	28. 96" diameter
—	29. 102" diameter
—	30. 108" diameter
—	31. 114" diameter
—	32. 120" diameter
—	33. 126" diameter
—	34. 132" diameter
—	35. 138" diameter
—	36. 144" diameter
—	37. 150" diameter
—	38. 156" diameter
—	39. 162" diameter
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—	42. 180" diameter
—	43. 186" diameter
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—	83. 426" diameter
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—	91. 474" diameter
—	92. 480" diameter
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—	114. 612" diameter
—	115. 618" diameter
—	116. 624" diameter
—	117. 630" diameter
—	118. 636" diameter
—	119. 642" diameter
—	120. 648" diameter
—	121. 654" diameter
—	122. 660" diameter
—	123. 666" diameter
—	124. 672" diameter
—	125. 678" diameter
—	126. 684" diameter
—	127. 690" diameter
—	128. 696" diameter
—	129. 702" diameter
—	130. 708" diameter
—	131. 714" diameter
—	132. 720" diameter
—	133. 726" diameter
—	134. 732" diameter
—	135. 738" diameter
—	136. 744" diameter
—	137. 750" diameter
—	138. 756" diameter
—	139. 762" diameter
—	140. 768" diameter
—	141. 774" diameter
—	142. 780" diameter
—	143. 786" diameter
—	144. 792" diameter
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—	150. 828" diameter
—	151. 834" diameter
—	152. 840" diameter
—	153. 846" diameter
—	154. 852" diameter
—	155. 858" diameter
—	156. 864" diameter
—	157. 870" diameter
—	158. 876" diameter
—	159. 882" diameter
—	160. 888" diameter
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—	163. 906" diameter
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—	165. 918" diameter
—	166. 924" diameter
—	167. 930" diameter
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—	169. 942" diameter
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—	171. 954" diameter
—	172. 960" diameter
—	173. 966" diameter
—	174. 972" diameter
—	175. 978" diameter
—	176. 984" diameter
—	177. 990" diameter
—	178. 996" diameter
—	179. 1002" diameter
—	180. 1008" diameter
—	181. 1014" diameter
—	182. 1020" diameter
—	183. 1026" diameter
—	184. 1032" diameter
—	185. 1038" diameter
—	186. 1044" diameter
—	187. 1050" diameter
—	188. 1056" diameter
—	189. 1062" diameter
—	190. 1068" diameter
—	191. 1074" diameter
—	192. 1080" diameter
—	193. 1086" diameter
—	194. 1092" diameter
—	195. 1098" diameter
—	196. 1104" diameter
—	197. 1110" diameter
—	198. 1116" diameter
—	199. 1122" diameter
—	200. 1128" diameter
—	201. 1134" diameter
—	202. 1140" diameter
—	203. 1146" diameter
—	204. 1152" diameter
—	205. 1158" diameter
—	206. 1164" diameter
—	207. 1170" diameter
—	208. 1176" diameter
—	209. 1182" diameter
—	210. 1188" diameter
—	211. 1194" diameter
—	212. 1200" diameter
—	213. 1206" diameter
—	214. 1212" diameter
—	215. 1218" diameter
—	216. 1224" diameter
—	217. 1230" diameter
—	218. 1236" diameter
—	219. 1242" diameter
—	220. 1248" diameter
—	221. 1254" diameter
—	222. 1260" diameter
—	223. 1266" diameter
—	224. 1272" diameter
—	225. 1278" diameter
—	226. 1284" diameter
—	227. 1290" diameter
—	228. 1296" diameter
—	229. 1302" diameter
—	230. 1308" diameter
—	231. 1314" diameter
—	232. 1320" diameter
—	233. 1326" diameter
—	234. 1332" diameter
—	235. 1338" diameter
—	236. 1344" diameter
—	237. 1350" diameter
—	238. 1356" diameter
—	239. 1362" diameter
—	240. 1368" diameter
—	241. 1374" diameter
—	242. 1380" diameter
—	243. 1386" diameter
—	244. 1392" diameter
—	245. 1398" diameter
—	246. 1404" diameter
—	247. 1410" diameter
—	248. 1416" diameter
—	249. 1422" diameter
—	250. 1428" diameter
—	251. 1434" diameter
—	252. 1440" diameter
—	253. 1446" diameter
—	254. 1452" diameter
—	255. 1458" diameter
—	256. 1464" diameter
—	257. 1470" diameter
—	258. 1476" diameter
—	259. 1482" diameter
—	260. 1488" diameter
—	261. 1494" diameter
—	262. 1500" diameter
—	263. 1506" diameter
—	264. 1512" diameter
—	265. 1518" diameter
—	266. 1524" diameter
—	267. 1530" diameter
—	268. 1536" diameter
—	269. 1542" diameter
—	270. 1548" diameter
—	271. 1554" diameter
—	272. 1560" diameter
—	273. 1566" diameter
—	274. 1572" diameter
—	275. 1578" diameter
—	276. 1584" diameter
—	277. 1590" diameter
—	278. 1596" diameter
—	279. 1602" diameter
—	280. 1608" diameter
—	281. 1614" diameter
—	282. 1620" diameter
—	283. 1626" diameter
—	284. 1632" diameter
—	285. 1638" diameter
—	286. 1644" diameter
—	287. 1650" diameter
—	288. 1656" diameter
—	289. 1662" diameter
—	290. 1668" diameter
—	291. 1674" diameter
—	292. 1680" diameter
—	293. 1686" diameter
—	294. 1692" diameter
—	295. 1698" diameter
—	296. 1704" diameter
—	297. 1710" diameter
—	298. 1716" diameter
—	299. 1722" diameter
—	300. 1728" diameter
—	301. 1734" diameter
—	302. 1740" diameter
—	303. 1746" diameter
—	304. 1752" diameter
—	305. 1758" diameter
—	306. 1764" diameter
—	307. 1770" diameter
—	308. 1776" diameter
—	309. 1782" diameter
—	310. 1788" diameter
—	311. 1794" diameter
—	312. 1800" diameter
—	313. 1806" diameter
—	314. 1812" diameter
—	315. 1818" diameter
—	316. 1824" diameter
—	317. 1830" diameter
—	318. 1836" diameter
—	319. 1842" diameter
—	320. 1848" diameter
—	321. 1854" diameter
—	322. 1860" diameter
—	323. 1866" diameter
—	324. 1872" diameter
—	325. 1878" diameter
—	326. 1884" diameter
—	327. 1890" diameter
—	328. 1896" diameter
—	329. 1902" diameter
—	330. 1908" diameter
—	331. 1914" diameter
—	332. 1920" diameter
—	333. 1926" diameter
—	334. 1932" diameter
—	335. 1938" diameter
—	336. 1944" diameter
—	337. 1950" diameter
—	338. 1956" diameter
—	339. 1962" diameter
—	340. 1968" diameter
—	341. 1974" diameter
—	342. 1980" diameter
—	343. 1986" diameter
—	344. 1992" diameter
—	345. 1998" diameter
—	346. 2004" diameter
—	347. 2010" diameter
—	348. 2016" diameter
—	349. 2022" diameter
—	350. 2028" diameter
—	351. 2034" diameter
—	352. 2040" diameter
—	353. 2046" diameter
—	354. 2052" diameter
—	355. 2058" diameter
—	356. 2064" diameter
—	357. 2070" diameter
—	358. 2076" diameter
—	359. 2082" diameter
—	360. 2088" diameter
—	361. 2094" diameter
—	362. 2100" diameter
—	363. 2106" diameter
—	364. 2112" diameter
—	365. 2118" diameter
—	366. 2124" diameter
—	367. 2130" diameter
—	368. 2136" diameter
—	369. 2142" diameter
—	370. 2148" diameter
—	371. 2154" diameter
—	372. 2160" diameter
—	373. 2166" diameter
—	374. 2172" diameter
—	375. 2178" diameter
—	376. 2184" diameter
—	377. 2190" diameter
—	378. 2196" diameter
—	379. 2202" diameter
—	380. 2208" diameter
—	381. 2214" diameter
—	382. 2220" diameter
—	383. 2226" diameter
—	384. 2232" diameter
—	385. 2238" diameter
—	386. 2244" diameter
—	387. 2250" diameter
—	388. 2256" diameter
—	389. 2262" diameter
—	390. 2268" diameter
—	391. 2274" diameter
—	392. 2280" diameter
—	393. 2286" diameter
—	394. 2292" diameter
—	395. 2298" diameter
—	396. 2304" diameter
—	397. 2310" diameter
—	398.



APP 4

3



SEABOARD VILLAS
 PRELIMINARY SITE DEVELOPMENT PLAN
 PROJECT NO. 92-2420
 JACKSONVILLE, FL 32244

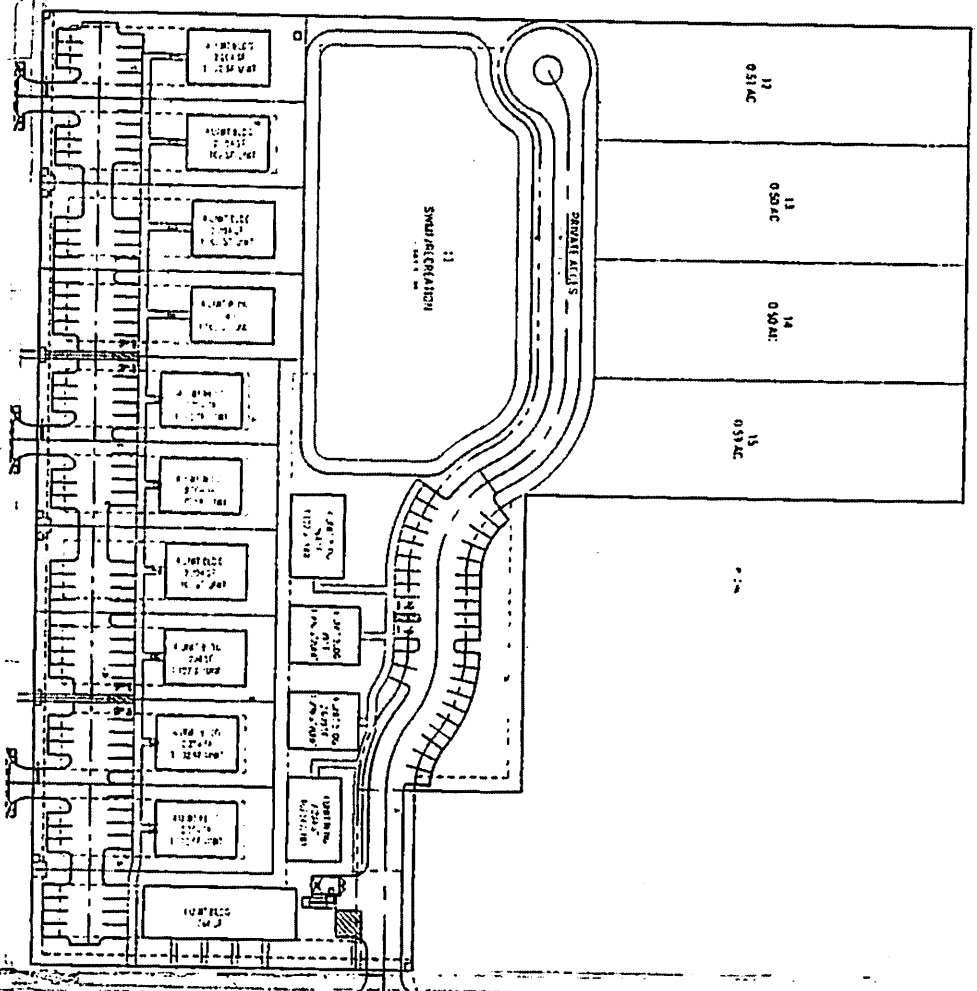
SEABOARD VILLAS
 JACKSONVILLE, FL 32244

SEABOARD VILLAS
 JACKSONVILLE, FL 32244

SEABOARD VILLAS
 JACKSONVILLE, FL 32244

PRELIMINARY SITE DEVELOPMENT PLAN
 PROJECT NO. 92-2420
 JACKSONVILLE, FL 32244

C100



9004

PROPOSED DEVELOPMENT
 PROJECT NAME: SEABOARD VILLAS
 PROJECT LOCATION: JACKSONVILLE, FL
 PROJECT AREA: 2.00 AC
 PROJECT TYPE: RESIDENTIAL
 PROJECT STATUS: PRELIMINARY



SEABOARD VILLAS
 SEABOARD AVE
 JACKSONVILLE, FL 32244



PSD 0-24-20

PRELIMINARY SITE DEVELOPMENT PLAN

DATE: 04/20/20
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN
 SHEET NO: C100

EXHIBIT A - Property Ownership Affidavit

Date: 10-16-20

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:
5929 and 0 Seaboard Avenue

To Whom It May Concern:

I Troy Albers hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for zoning variance submitted to the Jacksonville Planning and Development Department.

If Owner is Individual:

If Owner is Corporate Entity:*

By Troy Albers
Print Name: Troy Albers

Print Corporate Name: _____
By _____
Print Name: _____
Its: _____

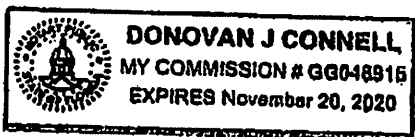
*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 16th day of October 2020, by Troy Albers, who is personally known to me or who has produced Driver's License as identification and who took an oath.

Donovan J Connell
(Signature of NOTARY PUBLIC)

Donovan J Connell
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 11/20/2020

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 10-16-20

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

Re: Agent Authorization for the following site location: 5929 and 0 Seaboard Avenue

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Rogers Towers P.A. to act as agent to file application(s) for zoning variance for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

By Troy Albert
Print Name: Troy Albert

By _____
Print Name: _____
Its: _____

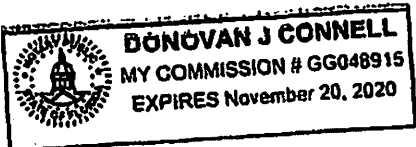
*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 16th day of October 2020, by Troy Albert, who is personally known to me or who has produced Driver's License as identification and who took an oath.

Donovan J Connell
(Signature of NOTARY PUBLIC)

Donovan J Connell
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 11/20/2020

Legal Description

The North $\frac{1}{2}$ of Lot 16, Block 29, Ortega Farms, according to the Plat thereof, recorded in Plat Book 3, Page 79, of the current public records of Duval County, Florida.

Together with:

The South $\frac{1}{2}$ of Lot 16, Block 29, Ortega Farms, according to the Plat thereof, recorded in Plat Book 3, Page 79, of the current public records of Duval County, Florida. Less and except that certain real property described in deeds recorded in Official Records Book 6910, page 2367 and Official Records Book 12443, page 370, all of the current public records of Duval County, Florida.

ALBERS TROY W
 154 RIVERWOOD DR
 FLEMING ISLAND, FL 32003
 SCHRADER ELANA

Primary Site Address
 0 SEABOARD AVE
 Jacksonville FL 32244

Official Record Book/Page
 18592-00492

Title #
 6517

0 SEABOARD AVE

Property Detail

RE #	103183-0000
Tax District	GS
Property Use	0000 Vacant Res < 20 Acres
# of Buildings	0
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	01780 ORTEGA FARMS (BLKS1,2)
Total Area	218364

Value Summary

Value Description	2020 Certified	2021 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$0.00	\$0.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$116,000.00	\$116,000.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$116,000.00	\$116,000.00
Assessed Value	\$96,800.00	\$106,480.00
Cap Diff/Portability Amt	\$19,200.00 / \$0.00	\$9,520.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$96,800.00	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
18592-00492	11/5/2018	\$105,000.00	WD - Warranty Deed	Unqualified	Vacant
14514-00993	5/15/2008	\$100.00	QC - Quit Claim	Unqualified	Vacant
12615-02248	7/14/2005	\$100.00	WD - Warranty Deed	Unqualified	Vacant
11856-02015	6/8/2004	\$100.00	WD - Warranty Deed	Unqualified	Improved
10950-01006	3/4/2003	\$100.00	WD - Warranty Deed	Unqualified	Vacant
09176-02090	1/11/1994	\$100.00	MS - Miscellaneous	Unqualified	Vacant
06083-00433	2/4/1986	\$100.00	WD - Warranty Deed	Unqualified	Improved
03183-00562	1/21/1971	\$18,000.00	MS - Miscellaneous	Unqualified	Improved

Extra Features

No data found for this section

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	0100	RES LD 3-7 UNITS PER AC	RLD-60	0.00	0.00	Common	5.00	Acreage	\$116,000.00

Legal

LN	Legal Description
1	3-79 42-35-26E
2	ORTEGA FARMS
3	N1/2 FARM 16 BLK 29

Buildings

No data found for this section

2020 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Ex B&B	\$96,800.00	\$0.00	\$96,800.00	\$1,006.89	\$1,107.58	\$1,061.11
Public Schools: By State Law	\$96,800.00	\$0.00	\$116,000.00	\$343.38	\$424.21	\$436.45
By Local Board	\$96,800.00	\$0.00	\$116,000.00	\$197.82	\$260.77	\$251.44
FL Inland Navigation Dist.	\$96,800.00	\$0.00	\$96,800.00	\$2.82	\$3.10	\$2.96
Water Mgmt Dist. SJRWMD	\$96,800.00	\$0.00	\$96,800.00	\$21.24	\$22.14	\$22.14
Gen Gov Voted	\$96,800.00	\$0.00	\$96,800.00	\$0.00	\$0.00	\$0.00
School Board Voted	\$96,800.00	\$0.00	\$116,000.00	\$0.00	\$0.00	\$0.00
Totals				\$1,572.15	\$1,817.80	\$1,774.10

ALBERS TROY W
 154 RIVERWOOD DR
 FLEMING ISLAND, FL 32003
 SCHRADER ELANA

Primary Site Address
 5929 SEABOARD AVE
 Jacksonville FL 32244

Official Record Book/Page
 18592-00492

Title #
 6517

5929 SEABOARD AVE

Property Detail

RE #	103180-0000
Tax District	GS
Property Use	0100 Single Family
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	01780 ORTEGA FARMS (BLKS1,2)
Total Area	104751

Value Summary

Value Description	2020 Certified	2021 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$125,555.00	\$124,509.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$72,500.00	\$72,500.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$198,055.00	\$197,009.00
Assessed Value	\$198,055.00	\$197,009.00
Cap Off/Portability Amt	\$0.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$198,055.00	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
<u>18592-00492</u>	11/5/2018	\$105,000.00	WD - Warranty Deed	Unqualified	Improved
<u>16412-00691</u>	6/3/2013	\$100.00	QC - Quit Claim	Unqualified	Improved
<u>16312-01516</u>	3/11/2013	\$100.00	QC - Quit Claim	Unqualified	Improved
<u>15694-01376</u>	8/16/2011	\$100.00	QC - Quit Claim	Unqualified	Improved
<u>07239-01322</u>	12/18/1991	\$100.00	QC - Quit Claim	Unqualified	Improved

Extra Features

No data found for this section

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	0100	RES LD 3-7 UNITS PER AC	RLD-60	0.00	0.00	Common	2.50	Acreage	\$72,500.00

Legal

LN	Legal Description
1	3-79 42-3S-26 2.5
2	ORTEGA FARMS
3	1/2 FARM 16 (EX PT RECD D BKS)
4	12443-370,O/R 6910-2367) BLK 29

Buildings

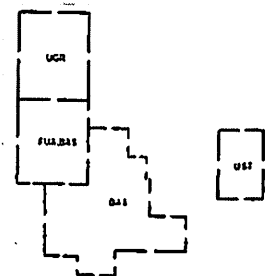
Building 1

Building 1 Site Address
 5929 SEABOARD AVE Unit
 Jacksonville FL 32244

Building Type	0103 - SFR SPLT-LEVEL
Year Built	1960
Building Value	\$124,509.00

Type	Gross Area	Heated Area	Effective Area
Unfinished Storage	308	0	123

Element	Code	Detail
Exterior Wall	8	8 Horizontal Lap
Exterior Wall	15	15 Concrete Bk
Roof Struct	3	3 Gable or Hip
Roofing Cover	3	3 Asph/Comp Shng
Interior Wall	5	5 Drywall
Int Flooring	8	8 Sheet Vinyl
Int Flooring	14	14 Carpet
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central



Prepared by and return to:

Matthew G. Breuer, Esq.
Driver, McAfee, Hawthorne & Diebenow, PLLC
One Independent Square, Suite 1200
Jacksonville, Florida 32202

DECLARATION OF ACCESS EASEMENT

This **DECLARATION OF ACCESS EASEMENT** (the "Declaration") is made as of this ___ day of _____, 20__ (the "Effective Date") by **SOUTHERN IMPRESSION HOMES LLC**, a Florida limited liability company (the "Declarant"), whose address is 5711 Richard Street, Suite 1, Jacksonville, Florida 32216.

RECITALS

A. Declarant is the owner of certain real property located in Duval County, Florida that is legally described and generally depicted in Exhibit A attached hereto (the "Property").

B. Declarant intends to subdivide the Property into multiple parcels for residential uses (each such subdivided parcel is referred to herein as a "Parcel"), as generally depicted on the site plan attached hereto as Exhibit B (the "Site Plan").

C. In order to accomplish the orderly development of the Property as a residential neighborhood, Declarant has elected to establish an access easement over a portion of the Property pursuant to the terms and provisions set forth in this Declaration.

DECLARATION

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant agrees as follows:

1. **Recitals; Exhibits.** The foregoing recitals and the exhibits attached hereto are incorporated herein and made a part hereof by this reference.

2. **Grant of Easement.** Declarant hereby grants, conveys, declares, and establishes a non-exclusive, perpetual easement forty feet (40') in width for vehicular and pedestrian ingress, egress, and access over, across, under, on, and through a portion of the Property that is generally depicted as the "Private Access" on the Site Plan and as legally described in Exhibit C attached hereto (the "Easement Area"). Such easement shall be for the benefit of the owners of the Parcels and their successors and assigns, contractors, representatives, employees, agents, tenants, occupants, guests, invitees, licensees, and permittees. This Declaration encumbers the Easement Area and is appurtenant to and benefits the Parcels, and is intended to run with the title thereto.

3. **Non-Exclusive.** The easement rights granted in this Declaration are non-exclusive in nature. This Declaration shall not prevent Declarant and its successors and assigns from continuing to use the Easement Area for any purpose not inconsistent with the terms of this Declaration.

4. **Incidental Rights.** Each of the rights and benefits granted herein shall include all those additional rights and benefits which are necessary for the full enjoyment thereof and are customarily incidental thereto.

5. **No Obstructions or Alterations.** No Parcel owner shall not erect any obstructions, or permit any obstructions to be erected, on any portion of the Easement Area that may materially impair the rights granted hereunder or that prevent, hinder, or interfere in any way with the free flow and passage of vehicular and pedestrian traffic over, upon, or across the Easement Area.

6. **Maintenance and Repair.** Until such time as Declarant conveys the Easement Area to a homeowners association ("HOA"), Declarant shall maintain, repair, and replace the Easement Area in a safe, clean, sanitary condition, free and clear of rubbish, debris, potholes, and other hazards to persons using the same, and shall make all repairs, replacements, and improvements necessary maintain the Easement Area in such condition. Upon conveyance of the Easement Area to the HOA, the HOA shall thereafter maintain, repair, and replace the Easement Area in a safe, clean, sanitary, and high-quality condition, free and clear of rubbish, debris, potholes, and other hazards to persons using the same, and shall make all repairs, replacements, and improvements necessary maintain the Easement Area in such condition, and the owners of the Parcels shall pay such maintenance and repair costs to the HOA pursuant to the terms of Declaration of Covenants, Conditions and Restrictions (the "Declaration") to be prepared and recorded by Declarant for the residential neighborhood being developed by Declarant.

7. **Running Benefits and Burdens.** All provisions of this Declaration, including the benefits and burdens, shall run with the title to the Easement Area and the Parcels, and are binding upon and inure to the benefit of heirs, personal representatives, successors, and assigns of Declarant and Parcel owners.

8. **Notices.** Any notice required or permitted to be given hereunder shall be in writing and may be given by personal delivery, by commercial courier service (such as FedEx or UPS), or by certified mail, return receipt requested, postage prepaid, to the address of the parcel owner as reflected on the tax assessor's records for the affected parcel.

9. **Governing Law.** This Declaration shall be governed by and construed under the laws of the State of Florida. Venue for any proceeding brought pursuant to this Declaration shall be in Duval County, Florida.

10. **Enforcement.** Either party may enforce this Declaration by appropriate action and should the party prevail in litigation, it shall be entitled to recover as part of its costs its reasonable attorneys' fees.

11. **Entire Agreement.** This Declaration constitutes the entire agreement and understanding between the parties hereto relating to the subject matter hereof and may not be amended, waived, or discharged, except by an instrument in writing executed by Declarant (or its successors and assigns), which written document shall be recorded in the public records of Duval County, Florida. No prior oral or written agreement shall have any force or affect whatsoever unless contained within this Declaration.

[signature pages follow]

IN WITNESS WHEREOF, Declarant has executed this Declaration of Access Easement as of the Effective Date.

WITNESSES:

DECLARANT:

SOUTHERN IMPRESSION HOMES, LLC,
a Florida limited liability company

Print Name: _____

Print Name: _____

By: _____

Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this ___ day of _____, 20__, by _____, as _____ of Southern Impression Homes, LLC, a Florida limited liability company, on behalf of the company. Such person is personally known to me or has produced _____ as identification.

Signature of Notary Public

Print Name: _____
Notary Public, State and County aforesaid
Commission No.: _____
My Commission Expires: _____

EXHIBIT A

Legal Description of the Property

[to be included here]

General Depiction of the Property

[to be included here]

EXHIBIT B

Site Plan

[to be included here]

EXHIBIT C

Legal Description of the Easement Area

[to be included here]

**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE
WRITTEN DESCRIPTION**

RE #103180-0000 and 103183-0000

November 10, 2020

Real Estate Parcels #103180-0000 and 103183-0000 (collectively, the "Property") are under development as a unified residential subdivision at the northeast corner of Seaboard Avenue and 110th Street. The Property was recently the subject of a land use amendment to Medium Density Residential pursuant to Ordinance 2020-49-E, and a companion rezoning to RMD-D pursuant to Ordinance 2020-50-E. The plan of development contemplates a mix of 60 multifamily dwelling units in 15 quadplex buildings, and 4 single family detached dwelling units. Lots 1 – 10 will each contain a single quadplex building; Lot 11 will contain 5 quadplex buildings; Lots 12 – 15 will each contain a single family detached dwelling unit. However, the Property will be developed as a unified subdivision with uniform covenants and restrictions and subject to a single property owners association.

The Property is bisected by the perimeter of the Accident Potential Zone 2 area for NAS Jacksonville. Development inside the APZ2 area is limited to single family residential dwellings at a density of 2 units per acre. Due to the bifurcation of the Property by the APZ2 perimeter, the project needs three items of relief:

- A. Pursuant to sec. 656.306.A.II(f), a multifamily dwelling with four units or more that directly faces, or backs up to, another multifamily dwelling with at least four units shall provide a minimum separation of at least forty feet. The applicant proposes a minimum separation of 20 feet.
- B. Pursuant to sec. 656.306.A.II(g)(2), multifamily dwellings with more than one principal structure on the lot shall have a side setback of 20 feet. As shown on the site plan, Lot 11 will have 5 quadplex buildings. The applicant proposes a side yard setback for Lot 11 of 10 feet.

A separate companion application for zoning variance seeks relief for Items A and B.

- C. Pursuant to sec. 656.407, lots shall abut either a public street or an approved private street for at least 35 feet. As shown on the site plan, Lots 12 – 15 will not comply with this development standard. The applicant proposes that these 4 lots be accessed by a 40 foot wide easement that connects to Lot 11, which will comply with this development standard.

This application for waiver of minimum required road frontage seeks relief for Item C.

(i) There are practical or economic difficulties in carrying out the strict letter of the regulation;

The bifurcation of the Property by the NAS Jacksonville APZ2 perimeter presents a practical difficulty in complying with the regulations identified above, because multifamily development is prohibited within the APZ2 area. Accordingly, the single family lots inside the

APZ2 perimeter can't meet the road frontage requirements in the way that a unified development consisting entirely of multifamily development would be able to do (see, for example, Lot 11).

(ii) The request is not based exclusively upon a desire to reduce the cost of developing the site or to circumvent the requirements of Chapter 654;

Granting the waiver would serve the public interest because it will further the goals, objectives, and policies of the Comprehensive Plan identified in the staff reports recommending approval of Ordinances 2020-49-E and 2020-50-E, such as for example by encouraging and facilitating new development on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities (FLUE Objective 6.3); providing for a wide variety of housing types by area (FLUE Policy 3.1.6); and requiring that all development adjacent to NAS Jacksonville be compatible with aviation-related activities (FLUE Objective 2.5).

(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;

There will be no diminution of property values, alteration of the essential character of the area, or interference with the rights of others, as the staff reports recommending approval of Ordinances 2020-49-E and 2020-50-E determined that the proposed development of quadplex and single family product is consistent with the 2030 Comprehensive Plan; furthers the goals, objectives and policies of the 2030 Comprehensive Plan; and does not conflict with any portion of the City's land development regulations.

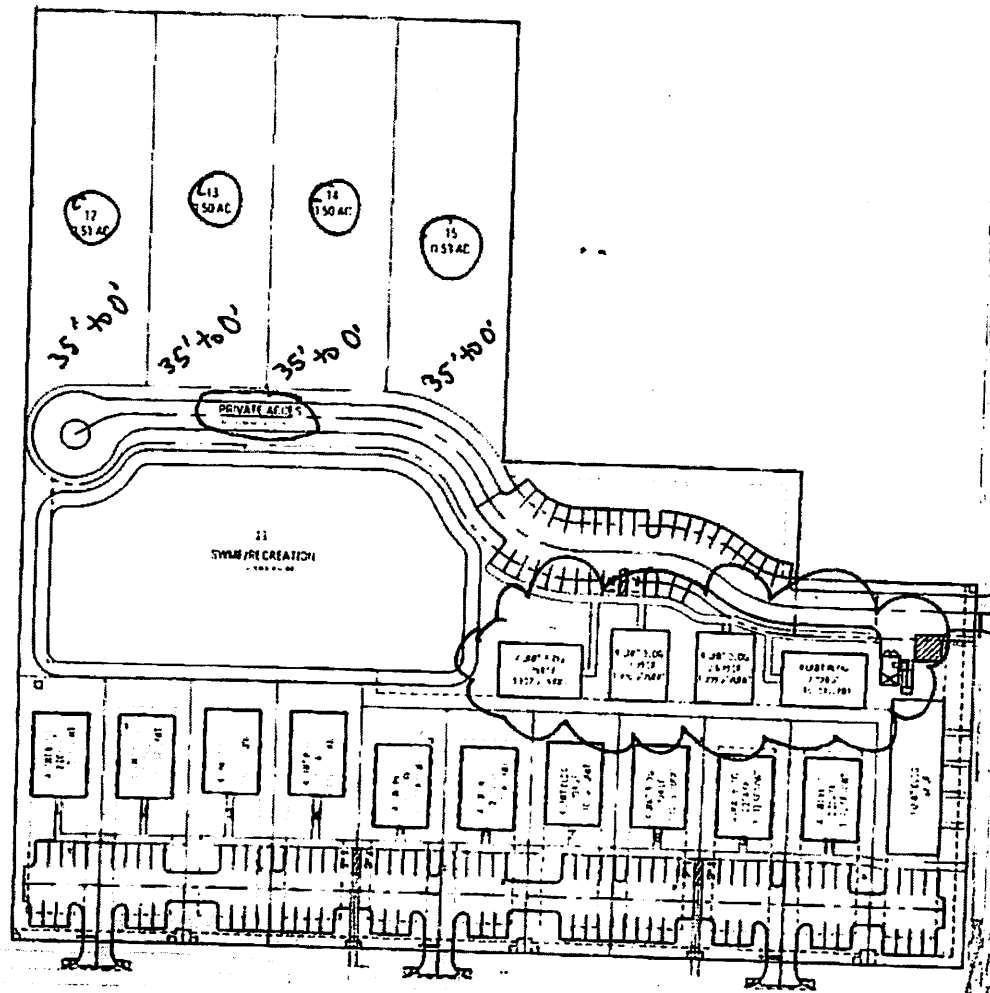
(iv) There is a valid and effective easement for adequate vehicular access connected to a public street which is maintained by the City;

A form of Declaration of Access Easement benefitting Lots 12-15 with access to 110th Street is attached. Should the requested relief be granted, the applicant will close on the Property and the Declaration of Access Easement will be executed and placed of record.

(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; and

It will not; see responses to criteria (i)-(iv).

404



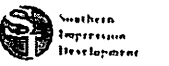
PROPOSED DEVELOPMENT

GENERAL NOTES:

1. THIS PLAN IS A PRELIMINARY SITE DEVELOPMENT PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.
3. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES.
4. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES.
5. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES.
6. THE DEVELOPER SHALL PROVIDE ADEQUATE PARKING AND TRAVELWAYS.
7. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES AND VEGETATION.
8. THE DEVELOPER SHALL PROVIDE ADEQUATE LIGHTING AND SECURITY MEASURES.
9. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES.
10. THE DEVELOPER SHALL PROVIDE ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES.

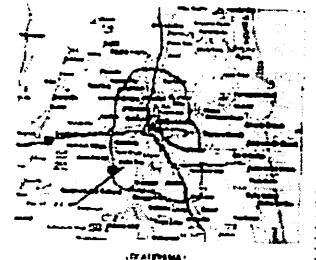
DATE: 9-24-20

SCALE: 1" = 100'



SEABOARD VILLAS

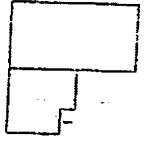
SEABOARD AVE.
JACKSONVILLE, FL 32244



PSD, 9-24-20

NO.	REVISION

PRELIMINARY SITE DEVELOPMENT PLAN



DATE:	9-24-20
SCALE:	1" = 100'
BY:	J.A.U.
CHECKED BY:	J.A.U.

C100