

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**  
**APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE**

**ORDINANCE 2019-0433 (WRF-19-16)**

**AUGUST 6, 2019**

***Location:*** 3977 Clearwater Lane  
Between Olde Oaks Drive and Mandrake Woods Court

***Real Estate Number(s):*** 158075-0000

***Waiver Sought:*** Reduce Minimum Required Road Frontage from 35 Feet to 0 Feet

***Present Zoning:*** Residential Rural-Acre (RR-Acre)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** 3-Southeast

***Agent/Applicant:*** Kyle Ramsey  
RG Ramsey Construction Company, Inc.  
450-106 SR 13N #453  
St. Johns, FL 32259

***Owner:*** Aaron Sohl  
13444 Gran Bay Parkway  
Jacksonville, FL 32258

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Waiver of Minimum Required Road Frontage Ordinance 2019-0433 (WRF-19-16) seeks to reduce the required minimum road frontage from 35 feet to 0 feet in order to allow a single-family dwelling in the Residential Rural-Acre (RR-Acre) Zoning District. Located on a 1.58-acre parcel at the end of a cul-de-sac, the subject property will be accessed via Clearwater Lane, a 30-foot wide recorded easement (Book: 7965, Page: 1984).

The Planning and Development Department's Addressing Section and the Jacksonville Fire and Rescue Department were forwarded the application. Both had no objections to the subject property's assigned address or accessibility. For more information, please see the attached memos.

**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. Given the current configuration of the site and its restricted access to a public street, Staff finds that there are practical and economic challenges in meeting the required road frontage. If contested, the lack of frontage on 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 a single-family dwelling, which does not adhere to subdivision guidelines. Rather, the unique physical location 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 a single-family dwelling on the property, which Staff contends will be similar in size and character with the surrounding RR-Acre lots.

Additionally, Staff should note the prevailing trend of residential lots in the area that lack frontage along a public street or approved private streets. In fact, the two abutting

properties located at 3983 Clearwater Lane and 3970 Clearwater Lane both contain single-family dwellings that were constructed in 1995 respectively.

- (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 survey recorded with the Duval County Clerk of Courts on October 28, 1994, which indicates a 30-foot access easement for ingress and egress will be provided through Clearwater Lane.

- (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 Clearwater Lane 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, Staff notes 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 **July 18, 2019** by the Planning and Development Department the required Notice of Public Hearing sign **was** posted.





**Figure B:**



**Source: Planning & Development Dept, 7/18/19**

**View of Clearwater Lane, the 30-foot recorded easement, facing south on Clearwater Lane.**

**Figure C:**



**Source: Planning & Development Dept, 7/18/19**

**View of the cul-de-sac and the subject property, facing south on Clearwater Lane.**



**Figure D:**



Source: Planning & Development Dept, 7/18/19

View of the subject property and proposed entrance, facing south on Clearwater Lane.

**Figure E:**



Source: Planning & Development Dept, 7/18/19

View of the subject property (in the middle) and the neighboring properties, facing south on Clearwater Lane.



<p><b>REQUEST SOUGHT:</b></p> <p><b>REDUCE REQUIRED MINIMUM ROAD FRONTAGE FROM 35 FEET TO 0 FEET</b></p>	<p><b>LOCATION MAP:</b></p> <p>A small map showing the location of the site within a larger geographic area, with a black dot indicating the site's location.</p>	<p>A north arrow pointing upwards and a scale bar showing 0, 95, 190, and 380 feet.</p> <p><b>COUNCIL DISTRICT:</b></p> <p><b>6</b></p>
<p><b>ORDINANCE NUMBER</b></p> <p><b>ORD-2019-0433</b></p>	<p><b>APPLICATION NUMBER</b></p> <p><b>WRF-19-16</b></p>	<p><b>EXHIBIT 3</b></p> <p><b>PAGE 1 OF 1</b></p>

Date Submitted: <u>3/28/2019</u>
Date Filed: <u>5/16/2019</u>

Application Number: <u>WRF-19-16</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>RR</u>	Current Land Use Category: <u>LDR</u>	
Council District: <u>6</u>	Planning District: <u>3</u>	
Previous Zoning Applications Filed (provide application numbers): <u>none</u>		
Applicable Section of Ordinance Code: <u>656.304</u>		
Notice of Violation(s): <u>none</u>		
Neighborhood Associations: <u>none</u>		
Overlay: <u>none</u>		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: <u>1</u>	Amount of Fee: <u>\$1266.</u>	Zoning Asst. Initials: <u>CIR</u>

PROPERTY INFORMATION	
1. Complete Property Address: <u>3977 CLEAR WATER LANE JACKSONVILLE, FL 32258</u>	2. Real Estate Number: <u>158075-0000</u>
3. Land Area (Acres): <u>1.57</u>	4. Date Lot was Recorded: <u>9/26/2018</u>
5. Property Located Between Streets: <u>OLDE OAKS DRIVE MANDRAKE WOODS COURT</u>	6. Utility Services Provider: City Water / City Sewer <input type="checkbox"/> Well / Septic <input checked="" type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Road Frontage from <u>80</u> <sup><u>35'</u></sup> feet to <u>50</u> <sup><u>0</u></sup> feet.	
8. In whose name will the Waiver be granted? <u>AARON SOHL</u>	



OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Aaron Soló	10. E-mail: aaron.solo@truteam.com
11. Address (including city, state, zip): 13444 Graham Bay Pkwy Jep 32258	12. Preferred Telephone: 904-237-7582

APPLICANT'S INFORMATION (if different from owner)	
13. Name: KYLE RAMSEY/RG RAMSEY CONSTRUCTION	14. E-mail: KYLE.RAMSEY@YAHOO.COM
15. Address (including city, state, zip): 450-106 SR 13N #453 SAINT JOHNS, FL 32259	16. Preferred Telephone: 904 687 4217

CRITERIA
<p>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."</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"> <li>i. <i>There are practical or economic difficulties in carrying out the strict letter of the regulation;</i></li> <li>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></li> <li>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></li> <li>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></li> <li>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></li> </ul>

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.

PROPERTY LINE DRAWN TO THE MIDDLE OF COL DE SAK  
ACCESS TO PROPERTY FROM EDGE OF COL DE SAK  
AS DRAWN ON SITE PLAN. SEE ATTACHED  
SITE PLAN FOR REVIEW. SUBSTANTIAL EVIDENCE  
CLAIMS EASEMENT ACCESS TO PROPERTY.

## 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: Aeron Sold

Signature: 

**Applicant or Agent (if different than owner)**

Print name: ALANSON CONSTRUCTION/Kyle Hanson

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, 2<sup>nd</sup> Floor

Jacksonville, Florida 32202

(904) 255-8300

**EXHIBIT 1**

**Legal Description**

---

- 1 16-4S-27E 1.575
- 2 PT GOVT LOTS 4,5 ,PT GEORGE HARTELY
- 3 GRANT RECD O/R 18542-2050

PART OF GOVERNMENT LOTS 4 AND 5, SECTION 16 AND A PART OF THE GEORGE HARTLEY GRANT. SECTION 41, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST SOUTHERLY CORNER OF LOT 21 CLEARWATER CREEK AS RECORDED IN PLAT BOOK 43, PAGES 57, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 77° 49' 29" WEST, 200.0 FEET ALONG THE SOUTHERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 5527, PAGE 2001; THENCE NORTH 75° 56' 52" WEST 102.02 FEET ALONG THE SOUTH LINE OF SAID LANDS; THENCE NORTH 48° 57' 57" WEST 79.88 FEET ALONG THE SOUTH LINE OF SAID LANDS; THENCE SOUTH 70° 26' 30" WEST 50.0 FEET TO THE POINT OF THE BEGINNING;

THENCE SOUTH 53° 11' 16" WEST 50.0 FEET; THENCE SOUTH 11° 32' 13" WEST 488.73 FEET; THENCE SOUTH 89° 35' 46" EAST 219.36 FEET; THENCE NORTH 06° 10' 34" WEST 345.71 FEET; THENCE NORTH 18° 41' 20" WEST 123.40 FEET; THENCE NORTH 05° 33' 35" WEST 50.0 FEET TO THE POINT OF THE BEGINNING

# Warranty Deed

THIS INDENTURE, Made this 15th day of MAY . A.D. 1982 BETWEEN  
 Horace Levering Arnold a/k/a H. Levering Arnold and Elisabeth R. Arnold  
 a/k/a Martha Elisabeth Arnold, his wife  
 of the County of Duval State of Florida parties of the first part, and  
 Alton B. Hynes and Margaret L. Hynes, his wife, whose postoffice mailing  
 address is 6938 Red Robin Drive, Jacksonville, Fla. 32210  
 of the County of Duval State of Florida parties of the second part,  
**WITNESSETH:** That the said parties of the first part, for and in consideration of the sum of  
 TEN (\$10.00) dollars and other valuable considerations -Dollars,  
 to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknow-  
 ledged, have granted, bargained and sold to the said parties of the second part,  
 their heirs and assigns forever, the following described land, situate, lying and being in the  
 County of Duval State of Florida, to wit:

The lands described in

EXHIBIT A which is legal description and survey by Ellis, Curtis & Kooker  
 Inc. dated May 12, 1982, subject to Covenants and Restrictions contained in  
EXHIBIT B attached hereto.

This instrument was prepared by:  
 LARRY THORNER, ATTORNEY AT LAW  
 1910 Meador Ave.,  
 Jacksonville, Florida



02/13/82

And the said part 1es of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever. Except real estate taxes subsequent to Dec. 31st 1982.

IN WITNESS WHEREOF, the said part 1es of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED AND SEALED IN OUR PRESENCE:

*Charles E. Trofner* \_\_\_\_\_ *Horace Levering Arnold* (SEAL)  
*Ramon Trofner* \_\_\_\_\_ *Elisabeth R. Arnold* (SEAL)  
 \_\_\_\_\_ (SEAL)  
 \_\_\_\_\_ (SEAL)

STATE OF FLORIDA

COUNTY OF Duval

ss.

Before me personally appeared Horace Levering Arnold, a/k/a H. Levering Arnold,  
 and Elisabeth P. Arnold a/k/a Martha Elisabeth Arnold, his wife, to me well known  
 and known to me to be the individuals described in and who executed the foregoing instrument, and  
 acknowledged to and before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 15th day of MAY 1982, at Jacksonville County and State aforesaid.

*Ramon Trofner*  
 Notary Public in and for the County and State Aforesaid.  
 My commission expires:

NOTARY PUBLIC STATE OF FLORIDA  
 MY COMMISSION EXPIRES OCT 22 1984  
 OLD FUG FEDERAL 125 - UNDERWRITERS

RETURN TO GRANTEE

PLANNING NO. 1114

*John R. H.*

ELLIS, CURTIS & KOOKER, INC.  
LAND SURVEYORS AND PLANNERS  
211 GUARANTY LIFE BUILDING  
137 E. FOREYTH STREET  
JACKSONVILLE, FLORIDA 32202

PHONE 323 8886  
323 8837  
AREA CODE 904

VOL 5527 PG 2002  
OFFICIAL RECORDS

May 12, 1982

Legal description for: H.L. Arnold

Part of the George Hartley Grant, Section 41, Township 4 South, Range 27 East, Duval County, Florida, more particularly described as follows: Commence at the intersection of the line between the George Hartley Grant, Section 41, Township 4 South, Range 27 East and the Fred Hartley Grant, Section 42, Township 4 South, Range 27 East and the Southerly line of Clearwater Lane (a 60 foot right of way as now established by the office of the City Engineer of the City of Jacksonville); thence South 86°-46'-40" West, 239.5 feet; thence South 84°-07'-16" West, 139.07 feet to the Point of Curve of a curve concave to the Southeast and having a radius of 240.81 feet; thence around and along said curve a chord bearing and distance of South 64°-29'-50" West, 161.31 feet to its Point of Tangency; thence South 44°-52'-25" West, 43.67 feet to the Point of Curve of a curve concave to the Southeast and having a radius of 573.5 feet; thence around and along said curve a chord bearing and distance of South 38°-45'-41" West, 122.1 feet; thence South 10°-32'-11" East, 67.95 feet; thence South 73°-13'-42" West, 28.11 feet; thence South 23°-37'-30" East, 649.1 feet to an iron and th Point of Beginning; thence continue South 28°-37'-30" East, 215.09 feet; thence South 77°-49'-29" West, 200.0 feet; thence North 75°-56'-52" West, 102.02 feet; thence North 43°-57'-57" West, 79.38 feet; thence South 70°-26'-30" West, 50.0 feet; thence North 17°-02'-17" West, 181.24 feet; thence South 89°-40'-32" East, 351.47 feet to the Point of Beginning.

Containing 1.8 acres more or less.

Subject to an easement for ingress and egress, more particularly described as follows:

*EKA*  
*AKA*

EXHIBIT A.

TED A. RUFF, NO. 1114

*T. A. Ruff*

ELLIS, CURTIS &amp; KOOKER, INC.

LAND SURVEYORS AND PLANNERS  
311 GUARANTY LIFE BUILDING  
127 E. FORSYTH STREET  
JACKSONVILLE FLORIDA 32202PHONE 393 8286  
453 8827  
AREA CODE 904

VOL 5527 PC 2003

OFFICIAL RECORD

Page 2

Commence at the above described Point of Beginning; thence North  $89^{\circ}-40'-32''$  West, 351.47 feet to the Point of Beginning; thence South  $17^{\circ}-02'-17''$  East, 181.24 feet to the terminus of this description and the radius point of a cul-de-sac having a radius of 50.0 feet. The above described line being the center line of a 60 foot easement for ingress and egress.

*EXHIBIT A (sh-2)*

MEMBER OF THE FLORIDA SOCIETY OF PROFESSIONAL LAND SURVEYORS

78875-L-434-53

PARCEL B



EXHIBIT B

COVENANTS AND RESTRICTIONS

The following covenants and restrictions shall run with the land herein conveyed and shall be binding upon the grantees, their heirs, successors, personal representatives and assigns for a period of twenty-one (21) years from the date of this conveyance.

1. No building shall be constructed on the land herein conveyed except for a single family residence, garage, guest house, barn, tool shed, or the usual farm type (non-commercial) building.

2. The minimum setback distance from the front of residence to the C/L of Clearwater Lane extended shall be 80 ft; detached garage the same, but for all other buildings such distance shall be not less than 100 ft.

3. The minimum distance from any building or animal shelter or pen to the southerly side property line shall be 50 ft and to the northerly side property line 25 ft. In all other respects the requirements of the City of Jacksonville Building and Zoning Code shall apply.

4. The minimum size of the residence building shall be 1400 sq. ft. of heated area.

5. No trailer, including residential house trailers or mobile home, single or double-wide, shall be used as a residence on the land. It is not intended to preclude the use of the more modern factory made modular or partially pre-manufactured homes which, when assembled on the site, become permanent buildings.

6. This land shall not be further sub-divided for additional residential construction.

7. No noxious, offensive, unlawful or immoral use shall be made of the land.

8. Barbed wire fencing shall not be used on the front (westerly side) Clearwater lane boundary of the property UNLESS it is protected and screened not less than six feet behind a hedge or other ornamental plantings, such plantings observing the access easement line easterly of roadway C/L.

9. No part of the land, nor any interest in it, may be conveyed or dedicated to third parties, nor shall it be used as a roadway to lands other than those herein conveyed.

10. Invalidation of any one or more of the foregoing paragraphs shall not affect any of the other paragraphs and provisions hereof, which shall remain in full force and effect.

11. Grantors reserve the right, upon request by the grantees or their successors in interest, to modify, waive, or condition any of the foregoing restrictions by instrument in writing.

EXHIBIT 'B'

82-29058  
MAY 17 9 49 AM '82

FILED AND RECORDED IN PUBLIC RECORDS OF DUVAL COUNTY, FLA

*[Signature]*  
REC. CLERK

*[Handwritten initials]*

Commonwealth of Massachusetts

PLYMOUTH, SS.  
ANNA I. AVERY, Assistant

PROBATE COURT.  
No. 132,897

I, ~~Judge J. C. Bates~~, Register of Probate for said County of Plymouth, hereby

certify, that at a Probate Court held at Plymouth, in and for said County, on the  
ninth day of January in the year of our Lord one thousand nine  
hundred and eighty-one

Patricia J. Hennessey

of Wareham, in the County of Plymouth was

~~was~~ duly appointed administratrix

of the estate \_\_\_\_\_ of

Evelyn Grace Gallerani, also known as E. Grace Gallerani

late of Wareham, in the County of Plymouth,

deceased, in testate, and gave bond as required by law, for the due performance of said trust.

I further certify, that it appears by the records and files of said Court, that said appointment remains in full force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this twenty-first day of April

in the year of our Lord on thousand nine hundred and eighty-two

**82- 29059** Anna I. Avery Asst. Register.

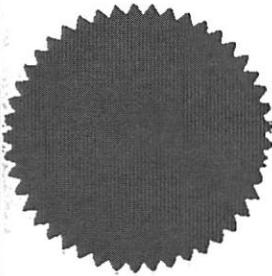
MAY 17 9 55 AM '82

FILED AND RECORDED IN PUBLIC RECORDS OF BAYAL COUNTY, FLA.

*[Signature]*  
CLERK OF CIRCUIT COURT

RETURN TO:  
RETURN & WITSON, GERRY & ROTHEHEAD  
1005 E. PALM BLVD  
JACKSONVILLE, FLORIDA 32211

400



Doc: 7965  
Pg: 1984 - 1990  
Doc# 94173437  
Filed & Recorded  
10/28/94  
04:29:46 P.M.  
HENRY H. COOK  
CLERK CIRCUIT COURT  
DUVAL COUNTY, FL  
REC. \$ 33.00

RE-RECORD

① 1694-196  
KRC 3135.008  
DS-325.50  
REC-33.00⑦

Documentary Tax Pd.F.S. 201.02 \$ 325.50  
Documentary Tax Pd.F.S. 201.04 \$ 2  
L. 1.1 eligible see Pd.F.S. 194 2  
Here pt# 1089252  
Hereby, I, Henry H. Cook Clerk of Circuit Court, Duval County  
By: Henry H. Cook Deputy Clerk

VOL 7904 PG 1990

OFFICIAL RECORDS

WARRANTY DEED

THIS INDENTURE made this 17<sup>th</sup> day of May, 1994, AD  
between JAMES H. ARNOLD, a/k/a JAMES HAMILTON ARNOLD, a married man  
conveying property which is not his homestead, herein the  
"Grantor", and RADFORD S. MURPHY, JR. and SUSAN A MURPHY, his wife,  
post-office address: 4001 Clearwater Lane, Jacksonville, FL 32223,  
Tax Identification Number: [redacted] and [redacted] herein the  
"Grantee". (As used herein, the terms Grantor and Grantee shall  
include, where the context permits or requires, singular or plural,  
heirs, personal representatives, successors, or assigns.)

WITNESSETH, That the Grantor, for and in consideration of the  
sum of Ten and 00/100 Dollars (\$10.00) and other valuable  
considerations paid to the Grantor by the Grantee, the receipt and  
sufficiency of which are hereby acknowledged, has granted,  
bargained, sold and conveyed and by these presents does hereby  
grant, bargain, sell and convey to the Grantee forever, all of that  
certain real property in Duval County, Florida, described as  
follows:

See Exhibit "A" attached hereto and by this reference  
made a part hereof.

SUBJECT TO covenants, easements and restrictions more  
particularly described in Exhibit "B" attached hereto and  
by this reference made a part hereof and any other  
covenants, restrictions or easements of record, and all  
zoning or other governmental regulations or ordinances.

THE PROPERTY CONVEYED HEREIN IS NOT THE HOMESTEAD OF THE  
GRANTOR.

THIS WARRANTY DEED IS GIVEN FROM THE GRANTOR TO THE  
GRANTEE HEREIN IN FULL PAYMENT AND SATISFACTION OF THAT  
CERTAIN AGREEMENT FOR DEED DATED JUNE 10, 1993, AND  
RECORDED IN OFFICIAL RECORDS VOLUME 7743, BEGINNING AT  
PAGE 2219, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY,  
FLORIDA.

TO HAVE AND TO HOLD the same, together with the tenements,  
hereditaments and appurtenances, unto the Grantee in fee simple.  
And the Grantor fully warrants the title to said property and will  
warrant and defend the same against the lawful claims of all  
persons whomsoever.

This conveyance is subject to ad valorem taxes or assessments  
levied or which may become a lien subsequent to December 31st of  
the calendar year next preceding the date hereof.

Prepared By + Return To:  
Frederick H. Kent, III Esquire *oc*  
Kent Ridge + Crawford  
225 Water Street, Suite 900

THIS DEED IS BEING RE-RECORDED TO  
CORRECT THE NAME OF THE GRANTEE

OFFICIAL RECORDS

IN WITNESS WHEREOF, this Deed has been executed as of the date first above written.

Signed, sealed and delivered in the presence of:

Brian D. Lester  
BRIAN D. LESTER  
(Printed Name of Witness)

[Signature]  
GEORGE R. SIDES  
(Printed Name of Witness)

James H. Arnold (SEAL)  
JAMES H. ARNOLD  
5084 Losco Road  
Jacksonville, Florida 32257

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of May, 1994, by JAMES H. ARNOLD, a/k/a JAMES HAMILTON ARNOLD, the person described in and who executed the foregoing as the Grantor, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Suzanne W Bass  
Suzanne W Bass  
(Printed Name of Notary Public)  
Notary Public, State of Florida  
My commission expires: 10/18/96



SUZANNE W. BASS  
Notary Seal  
My Comm Exp. 10/18/96  
Bonded By Service Ins  
No. CC236667  
My Comm. Expires 10/18/96

THIS INSTRUMENT PREPARED BY: return to  
Frederick H. Kent, III see  
KENT, RIDGE & CRAWFORD  
225 Water Street, Suite 900  
Jacksonville, Florida 32202

PROPERTY APPRAISER'S  
PARCEL IDENTIFICATION  
NUMBER: 158913-0035

EXHIBIT "A"

Part of the George Hartley Grant, Section 41, Township 4 South, Range 27 East, Duval County, Florida, more particularly described as follows:

Commence at the intersection of the line between the George Hartley Grant, Section 41 and the Fred Hartley Grant, Section 42 with the Southerly line of Clearwater Lane (a 60.0 foot right-of-way); thence the following courses along the Southerly line of said Clearwater Lane, South 86°46'40" West, 289.5 feet; thence South 84°07'16" West, 189.07 feet, to the point of curve of a curve, concave to the Southeast and having a radius of 240.81 feet; thence around and along said curve, through a central angle of 39°15'47", an arc distance of 165.02 feet (chord bearing and distance of South 64°29'50" West, 161.81 feet), to its point of tangency; thence South 44°52'25" West, 43.67 feet to the point of curve of a curve, concave to the Southeast and having a radius of 573.5 feet; thence around and along said curve, through a central angle of 12°13'18", an arc distance of 122.33 feet (chord bearing and distance of South 38°45'41" West, 121.1 feet); thence departing from the Southerly line of said Clearwater Lane, South 10°32'11" East, 67.95 feet; thence South 73°18'42" West, 28.11 feet; thence South 28°37'30" East, 378.92 feet; thence North 86°03'24" West, 279.93 feet; thence South 17°24'51" East, 75.54 feet; thence South 13°33'06" East, 147.94 feet; thence South 17°02'17" East, 119.53 feet, to the point of beginning; thence North 17°02'17" West, 80.0 feet; thence South 59°17'38" West, 178.06 feet; thence South 83°54'24" West, 314 feet, more or less, to the center of Oldfield Creek; thence Southerly, along the center of said creek and following its meanderings thereof, to a point that is South 56°41'16" West, from the point of beginning; thence North 56°41'16" East, 490 feet, more or less, to the point of beginning.

SUBJECT TO an easement over the Easterly 30 feet of the above described property for ingress and egress; and TOGETHER WITH a non-exclusive easement for ingress and egress over the following described property:

Part of the George Hartley Grant, Section 41, Township 4 South, Range 27 East, Duval County, Florida, more particularly described as follows:

Commence at the intersection of the Easterly line of said George Hartley Grant with the Southerly line of Clearwater Lane (a 60.0 foot right-of-way); thence the following courses along the Southerly line of said Clearwater Lane, South 86°46'40" West, 289.5 feet, South 84°07'16" West, 189.07 feet, to the point of curve of a curve, concave to the Southeast and having a radius of 240.81 feet; thence around and along said curve, through a central angle of 39°15'47", an arc distance of 165.02 feet (chord bearing and

## OFFICIAL RECORDS

distance South 64°29'50" West, 161.81 feet), to its point of tangency; thence South 44°52'25" West, 43.67 feet to the point of curve of a curve, concave to the Southeast and having a radius of 573.5 feet; thence around and along said curve, through a central angle of 29°38'03", an arc distance of 296.62 feet (chord bearing and distance to South 30°03'24" West, 293.33 feet), to the Southerly terminus of said Clearwater Lane and the Point of Beginning; thence continue along and around said curve, through a central angle of 00°57'32", an arc distance of 9.6 feet (chord bearing and distance of south 14°45'36" west, 9.6 feet), to its point of tangency; thence South 12°22'57" West, 170.88 feet; thence South 17°22'51" East, 163.39 feet; thence South 13°33'06" East, 148.03 feet; thence South 17°02'17" East, 129.34 feet, to the point of curve of a curve, concave to the Northeast and having a radius of 25.0 feet; thence around and along said curve, through a central angle of 42°50'00", an arc distance of 18.69 feet (chord bearing and distance of South 38°27'17" East, 18.26 feet), to the point of reverse curve of a curve, concave to the Northwest and having a radius of 50.0 feet; thence around and along said curve, being a cul-de-sac at the Southerly end of this description, through a central angle of 265°40'00", an arc distance of 231.84 feet (chord bearing and distance of South 72°57'43" West, 73.33 feet), to the point reverse curvature of a curve, concave to the Northwest and having a radius of 25.0 feet; thence around and along said curve, through a central angle of 42°50'00", an arc distance of 18.69 feet (chord bearing and distance of North 04°22'43" East, 18.26 feet), to its point of tangency; thence North 17°02'17" West, 131.16 feet; thence North 13°33'06" West, 154.18 feet; thence South 80°43'51" East, 16.31 feet; thence North 17°22'51" West, 174.3 feet; thence North 12°22'57" East, 195.25 feet, to the Southerly terminus of said Clearwater Lane; thence South 74°06'40" East, 45.46 feet, along the last mentioned line, to the Point of Beginning.

---

## OFFICIAL RECORDS

EXHIBIT "B"COVENANTS AND RESTRICTIONS

This Exhibit is an addendum to and made a part of that certain Warranty Deed dated May 17, 1994, by and between JAMES H. ARNOLD, a married man, ("Seller") and RADFORD S. MURPHY, SR. and SUSAN A. MURPHY, his wife ("Buyer"), which Warranty Deed encumbers certain real property located in Duval County, Florida, and is more particularly described in said Warranty Deed, hereafter referred to as the "Land."

The following covenants and restrictions are hereby placed upon the Land and are intended to run with the title to the Land and by acceptance of any deed or agreement for deed, any person hereby covenants to observe, comply with and be bound by all of the following covenants and restrictions, including the heirs, successors, assigns, and personal representatives of the Buyer for a period not to exceed 21 years from the date of the deed or other document conveying legal and/or equitable title to the Land. The covenants and restrictions shall be as follows:

1. No structure shall be erected, altered, constructed, or permitted to remain on the Land other than for use as a single-family residence, which shall include a detached garage, guest house, barn, tool shed or other similar structure; however, such building shall be consistent with such residential use and shall in no event be used for any commercial or business purpose.

2. No principal residence shall be erected, constructed or allowed to remain on said Land unless the heated and cooled square footage area thereof is at least 1,500 square feet. No principal residence erected on the Land or any part of the same shall be erected, placed or allowed within 80 feet of the centerline of the right-of-way known as Clearwater Lane. No other structure on the Land, including garage, guest house, barn, tool shed or any similar structure, or any part of any of said structure shall be erected, placed or allowed within 100 feet of the centerline of the right-of-way known as Clearwater Lane.

The side clearance or set-back for any building of any type erected, placed, or allowed on the Land shall not be nearer than 30 feet from the Southerly property line of the Land. Requirements provided in the City of Jacksonville Code shall otherwise apply if not specifically addressed herein.

3. No mobile home, mobile house, trailer, tent or other temporary or movable building or structure of any kind shall be erected or permitted or installed on the Land.



OFFICIAL RECORDS

4. No illegal, noxious, immoral or offensive activity shall be permitted or carried on, on any part of the Land, nor shall anything be permitted or done thereon which is or may become a nuisance or a source of embarrassment, discomfort or annoyance to any other owner in the neighborhood nor shall any trash, garbage, rubbish, debris, waste material, or other refuse be permitted to be deposited or allowed to accumulate or remain on any part of the Land.

5. No barbed wire fencing shall be used, built or maintained on any portion of the Land between the front of any residence and Clearwater Lane along the front lot line nor between the residence and the lot line of the Southerly side and along the Southerly boundary line of the Land.

6. The Seller herein reserves and shall have the sole right to amend and/or terminate these covenants and restrictions. These restrictions may be enforced by the Seller or any other person owning any property subject to these restrictions or similar restrictions, whether by action at law for damages against those violating these covenants and restrictions or any proceeding in equity against those violating the covenants and restrictions for the purpose of preventing or enjoining all such violations or attempted violations. Failure to enforce these covenants and restrictions shall in no event be deemed as a waiver of the right to enforce the same thereafter as to the same breach of violation thereof occurring prior to or subsequent thereto. Owners of property subject to these restrictions found in violation of these restrictions shall be obligated to pay costs and attorney's fees to the successful plaintiff in all actions seeking to prevent, correct or enjoin such violations.

7. The invalidity of one or more or any part of one of the covenants and restrictions shall in no wise impair the validity of the remaining restrictions or a part thereof.

OFFICIAL RECORDS

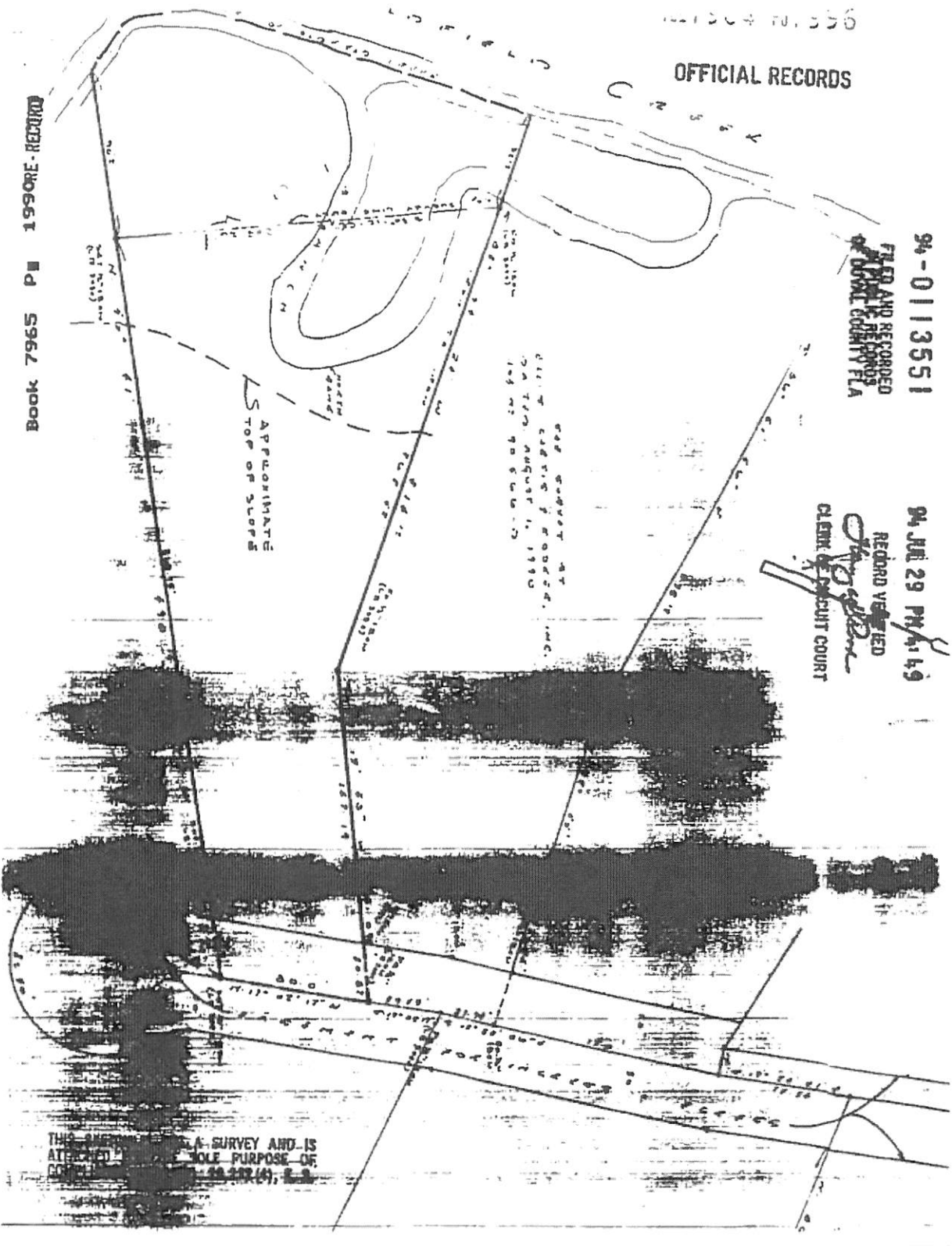
94-0113551

FILED AND RECORDED  
IN PUBLIC RECORDS  
OF DAVIE COUNTY FLA

94 JUN 29 PM 4:49

RECORD VERIFIED  
*[Signature]*  
CLERK OF DISTRICT COURT

Book 7965 P 1990RE-RECORD



THIS SURVEY IS A SURVEY AND IS  
ATTACHED FOR THE SOLE PURPOSE OF  
CORRECTING

**EXHIBIT 1**

**Legal Description**

---

1 16-4S-27E 1.575  
2 PT GOVT LOTS 4,5 ,PT GEORGE HARTELY  
3 GRANT RECD O/R 18542-2050

PART OF GOVERNMENT LOTS 4 AND 5, SECTION 16 AND A PART OF THE GEORGE HARTLEY GRANT. SECTION 41, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST SOUTHERLY CORNER OF LOT 21 CLEARWATER CREEK AS RECORDED IN PLAT BOOK 43, PAGES 57, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 77° 49' 29" WEST, 200.0 FEET ALONG THE SOUTHERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 5527, PAGE 2001; THENCE NORTH 75° 56' 52" WEST 102.02 FEET ALONG THE SOUTH LINE OF SAID LANDS; THENCE NORTH 48° 57' 57" WEST 79.88 FEET ALONG THE SOUTH LINE OF SAID LANDS; THENCE SOUTH 70° 26' 30" WEST 50.0 FEET TO THE POINT OF THE BEGINNING;

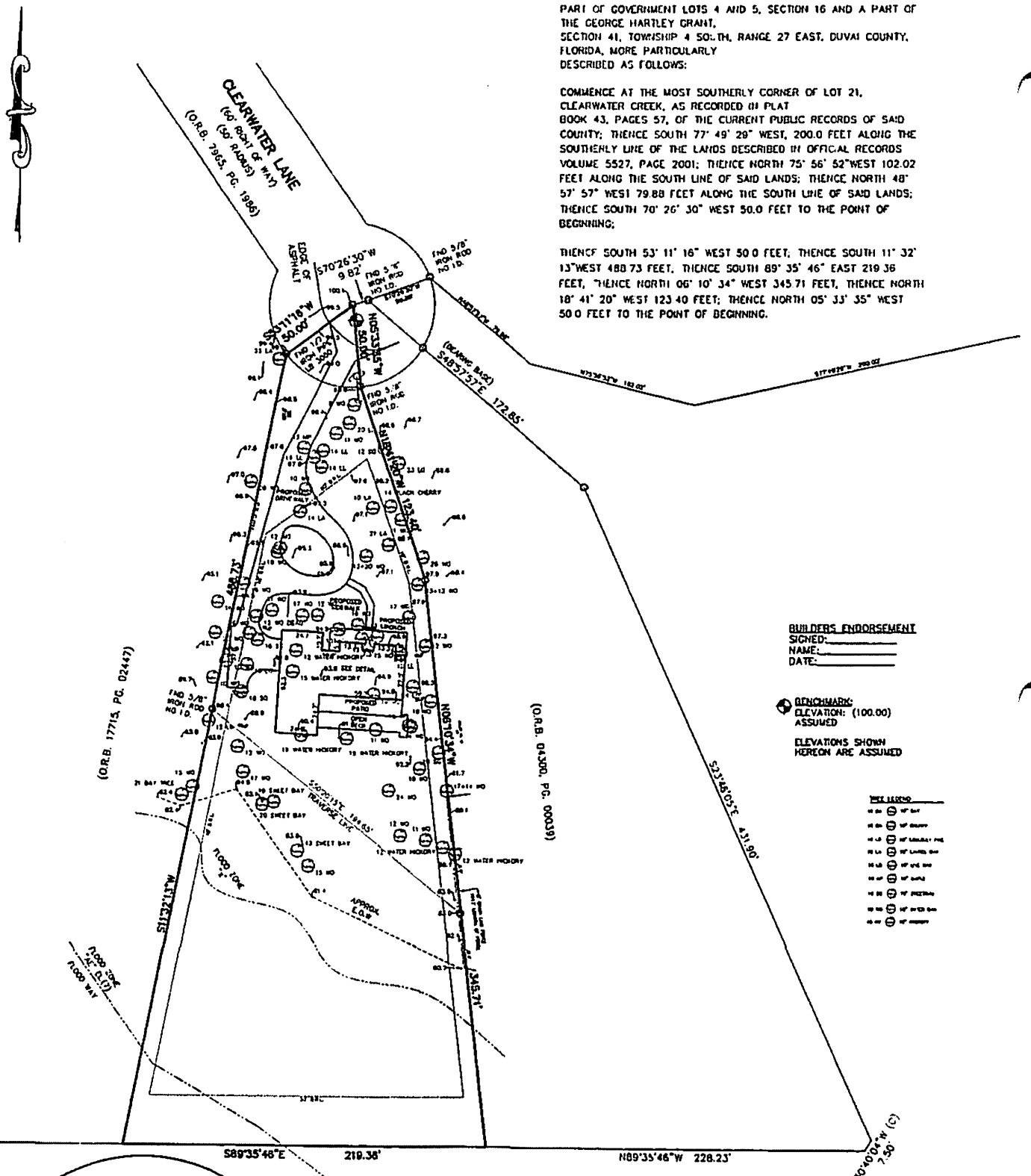
THENCE SOUTH 53° 11' 16" WEST 50.0 FEET; THENCE SOUTH 11° 32' 13" WEST 488.73 FEET; THENCE SOUTH 89° 35' 46" EAST 219.36 FEET; THENCE NORTH 06° 10' 34" WEST 345.71 FEET; THENCE NORTH 18° 41' 20" WEST 123.40 FEET; THENCE NORTH 05° 33' 35" WEST 50.0 FEET TO THE POINT OF THE BEGINNING

# MAP SHOWING BOUNDARY, TOPOGRAPHIC & TREE SURVEY OF

PART OF GOVERNMENT LOTS 4 AND 5, SECTION 16 AND A PART OF THE GEORGE HARTLEY GRANT, SECTION 41, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE MOST SOUTHERLY CORNER OF LOT 21, CLEARWATER CREEK, AS RECORDED IN PLAT BOOK 43, PAGES 57, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 77° 49' 28" WEST, 200.0 FEET ALONG THE SOUTHERLY LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 5527, PAGE 2001; THENCE NORTH 75° 56' 52" WEST 102.02 FEET ALONG THE SOUTH LINE OF SAID LANDS; THENCE NORTH 48° 57' 57" WEST 79.88 FEET ALONG THE SOUTH LINE OF SAID LANDS; THENCE SOUTH 70° 26' 30" WEST 50.0 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 53° 11' 16" WEST 50.0 FEET; THENCE SOUTH 11° 32' 13" WEST 480.73 FEET; THENCE SOUTH 89° 35' 46" EAST 219.36 FEET; THENCE NORTH 06° 10' 34" WEST 345.71 FEET; THENCE NORTH 18° 41' 20" WEST 123.40 FEET; THENCE NORTH 05° 33' 35" WEST 50.0 FEET TO THE POINT OF BEGINNING.



**BUILDERS ENDORSEMENT**  
 SIGNED: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 DATE: \_\_\_\_\_

**BENCHMARK:**  
 ELEVATION: (100.00)  
 ASSUMED

ELEVATIONS SHOWN  
 HEREON ARE ASSUMED

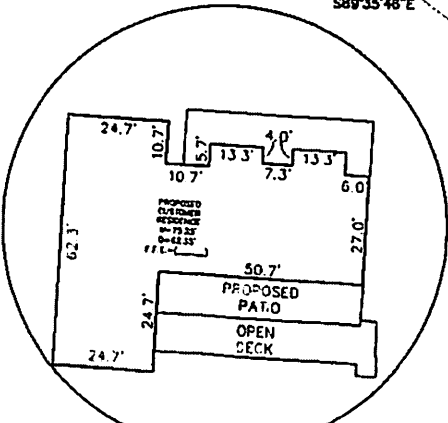
- THE MARKS**
- ⊙ - OF BAY
  - ⊙ - OF BRANCH
  - ⊙ - OF BRANCH PILE
  - ⊙ - OF LANE
  - ⊙ - OF LANE
  - ⊙ - OF LANE
  - ⊙ - OF LANE
  - ⊙ - OF LANE
  - ⊙ - OF LANE
  - ⊙ - OF LANE

(O.R.B. 17715, PG. 02447)

(O.R.B. 04300, PG. 00039)

(O.R.B. 12252, PG. 02275)

⊙ - DENOTES WOOD POWER POLE  
 — - DENOTES CUT ANCHOR



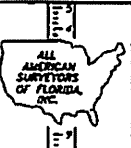
THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITTEE THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY

THE LAND SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE "A" AND "AE" FLOODWAY SITE "A" AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) FOR DUVAL COUNTY, FLORIDA, FIRM NO. 11-12-18  
**ALL AMERICAN SURVEYORS OF FLORIDA, INC.**  
 LAND SURVEYORS - 3751 SAN JESUIT PLACE, SUITE 15 - JACKSONVILLE, FLORIDA, 32217 - 904/279-0020 - LICENSED LAND BUSINESS NO. 3057

NO.	DESCRIPTION	DATE
1	Survey of the above lands	11-12-18
2	...	...
3	...	...
4	...	...
5	...	...
6	...	...
7	...	...
8	...	...
9	...	...
10	...	...
11	...	...
12	...	...
13	...	...
14	...	...
15	...	...
16	...	...
17	...	...
18	...	...
19	...	...
20	...	...
21	...	...
22	...	...
23	...	...
24	...	...
25	...	...
26	...	...
27	...	...
28	...	...
29	...	...
30	...	...
31	...	...
32	...	...

THIS IS TO CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO ENCUMBRANCES EXCEPT AS SHOWN AND THAT THE SURVEY SHOWS HEREON MEETS THE USUAL TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPLERS PURSUANT TO CHAPTER 472.027, F.S. / CHAPTER 01017-6, FLORIDA STATUTES.

SURVEY NOT VALID UNLESS ENDORSED BY SEAL  
 JAMES O. HARRISON, JR., No. 2547  
 MICHAEL A. GARRETT, No. 3043  
 DATE: 11-12-18



**EXHIBIT A**

**Property Ownership Affidavit - Individual**

Date: 3/28/19

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: 3977 Clearwater Ln RE#(s): 158075-0000  
Clearwater Ln

To Whom it May Concern:

I Aaron Solw hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Application for waiver of Minimum required submitted to the Jacksonville Planning and Development Department. road frontage

By [Signature]  
Print Name: Aaron Solw

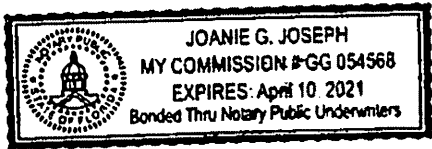
**STATE OF FLORIDA  
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 28<sup>th</sup> day of March 2019, by AARON SOLW, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

[Signature]  
(Signature of NOTARY PUBLIC)

Joanie G. Joseph  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 4-10-21



**EXHIBIT B**

**Agent Authorization - Individual**

Date: 3/28/19

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

Re: Agent Authorization for the following site location in Jacksonville, Florida:

Address: 3977 CLEARWATER LANE RE#(s): 158075-0000

To Whom it May Concern:

You are hereby advised that RG Ramsey, as agent of Aaron Sohl, hereby certify that said undersigned is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers RG Ramsey to act as agent to file application(s) for Application for waiver of minimum required road frontage 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 as submitted to the Jacksonville Planning and Development Department.

By: [Signature]  
Print Name: Aaron Sohl

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 28<sup>th</sup> day of March 2019 by AARON SOHL, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

[Signature]  
(Signature of NOTARY PUBLIC)

Joanie G. Joseph  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 4-10-21



**DESIGN STATEMENT**

DESIGN HAS BEEN PREPARED IN ACCORDANCE WITH THE BUILDING CODE, INTERNATIONAL, 2018 EDITION. THE DESIGN CRITERIA ARE AS FOLLOWS:  
 WIND DESIGN WIND SPEED: 110 mph  
 WIND EXPOSURE: B  
 IMPORTANCE FACTOR: 1  
 SEISMIC CATEGORY: C  
 OCCUPANCY: R-1  
 AL. PRESSURE COEFFICIENT: 0.18  
 WINDY & CLIMATIC WIND: +18.0 mph / -28.1 mph

RESIDENCE  
**Mr. and Mrs. Sohl**  
 0 Clearwater Lane  
 Jacksonville, Florida



DESIGNER  
**WHITE HEART DESIGNS**

**INDEX**

A-0	COVER SHEET & SITE PLAN
A-1	FLOOR PLAN
A-2	ELEVATIONS - Front & Rear
A-3	ELEVATIONS - Sides
A-4	ROOF PLAN

E-1 ELECTRICAL PLAN

AREAS

COVER SHEET	1.00
FLOOR PLAN	1.00
ELEVATIONS	1.00
ROOF PLAN	1.00
ELECTRICAL PLAN	1.00
TOTAL	5.00

REVISIONS

NO.	DATE	DESCRIPTION



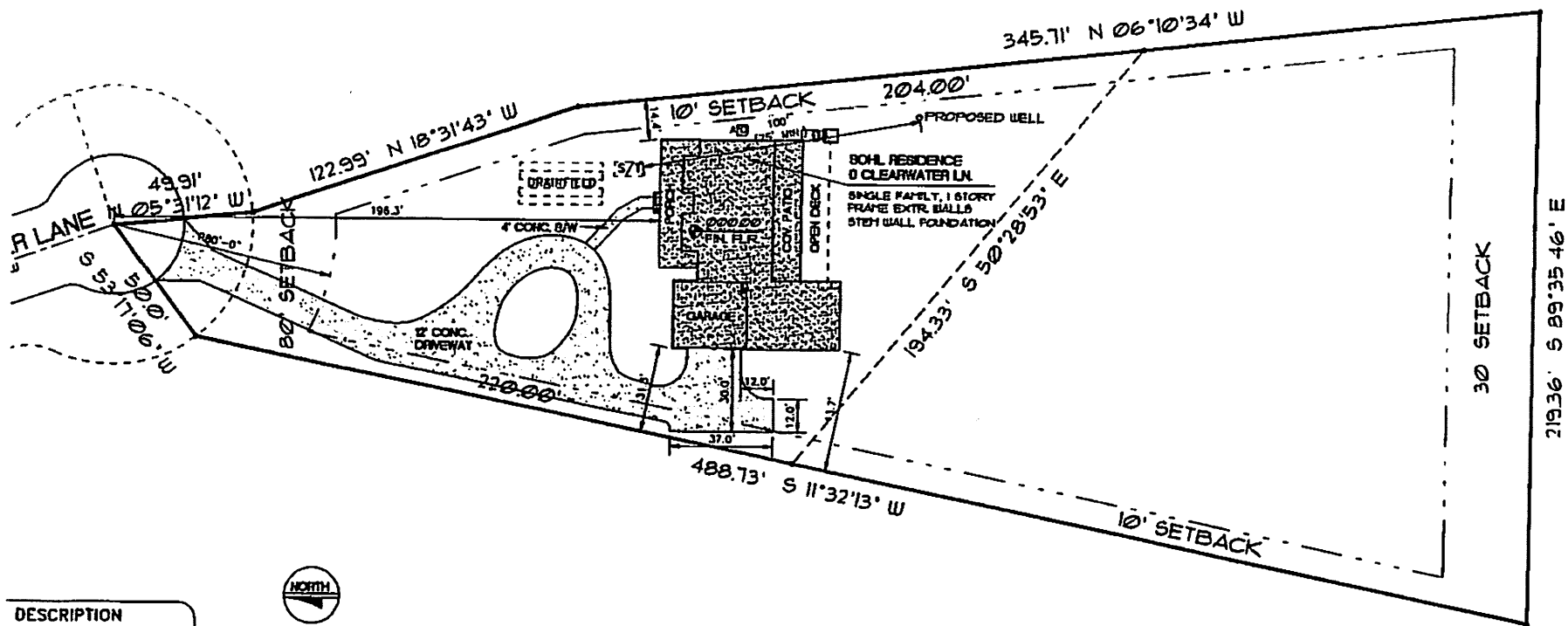
EDGEWOOD  
 DATE PLAN  
 GARAGE LEFT  
 FRONT ENTRY  
 PROJECT NO. 18-0001  
**PRICATE COLLECTION**

COVER AND SITE PLAN  
 A CUSTOM HOME FOR  
**Mr. & Mrs. Sohl**  
 0 Clearwater Ln., Jacksonville, FL

PROJECT NO. 18-0001  
 DATE: 12/14/18  
 DRAWN BY: [Signature]

DATE: 12/14/18  
 DRAWN BY: [Signature]

DATE: 12/14/18  
**A-0**



SCALE: 1" = 70' 60'

**DESCRIPTION**  
 PERMITS LOTS 4 AND 5,  
 A PART OF THE GEORGE  
 SECTION 41, TOWNSHIP 4  
 EAST, DUVAL COUNTY.

**SITE PLAN**