

Date Submitted:	8/10/21
Date Filed:	8/24/21

Application Number:	WRF-21-14
Public Hearing:	

Application for Waiver of Minimum Required Road Frontage

City of Jacksonville, Florida
 Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only		
Current Zoning District: RR	Current Land Use Category: LDR	
Council District: 6	Planning District: 3	
Previous Zoning Applications Filed (provide application numbers): none found		
Applicable Section of Ordinance Code: 656.304 / 656.407		
Notice of Violation(s): none found		
Neighborhood Associations: Oldfield Point HA		
Overlay: Mandarin Height Overlay		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 1	Amount of Fee: \$1266.	Zoning Asst. Initials: DK

CR # 599947

PROPERTY INFORMATION	
1. Complete Property Address: 0 Clearwater Ln 32223	2. Real Estate Number: 158913-0300 & 159913-0100
3. Land Area (Acres): 2.256	4. Date Lot was Recorded: 08/04/1081
5. Property Located Between Streets:	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 80 feet to 0 feet.	
8. In whose name will the Waiver be granted? Devon J Cole	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Devon J Cole	10. E-mail: devang@bellsouth.net
11. Address (including city, state, zip): 5650 Crest Creek Dr Jacksonville, FL 32258	12. Preferred Telephone: 9048607171

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

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

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

We are requesting to split the land into two parcels so two families can build on the lot. Each family will have approximately 1 acre of land to build on.

The property was purchased so two sets of lifelong friends who have a dream of building homes beside each other.

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

SUBMITTAL

This application must be typed or printed in ink and submitted along with three (3) copies for a total of **four (4) applications**. Each application must include **all required attachments**.

Submit applications to:
Planning and Development Department, Zoning Section
214 North Hogan Street, 2nd Floor
Jacksonville, Florida 32202
(904) 255-8300

EXHIBIT A

Property Ownership Affidavit - Individual

Date: 08/09/21

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: 0 Clearwater Ln RE#(s): 158913-0300 & 158913-0100

To Whom it May Concern:

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

By Devon Cole
Print Name: Devon J. Cole

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 9th day of August 2021, by Devon Cole, who is personally known to me or who has produced FL Driver License as identification and who took an oath.

Laura Kott
(Signature of NOTARY PUBLIC)

Laura Kott
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: August 13 2022

E-RECORDED simplifile

ID: 2021103908
County: Duval
Date: 4/23/21 Time: 11:48 AM

Prepared by/Return to:
Marika Sevin
US PATRIOT TITLE, LLC
111 Nature Walk Parkway
Unit 101
St. Augustine, FL 32092

After Recording Return to: Grantee

File Number: 2021-362MS

General Warranty Deed
(Non Homestead)

Made this 6 day of April, 2021 A.D., by **Joseph Ralph Hogan, Jr., as Individual and Trustee of Joseph R. Hogan Jr. Trust dated September 11, 2018**, (henceforth referred to as "Grantor") whose address is: **12785 Shapell Ct, Jacksonville, FL 32223**, to **Angela Danielle Cole and Devon Cole, wife and husband**, (henceforth referred to as "Grantee") whose address is: **0 Clearwater Lane, Jacksonville, FL 32223**:

(Whenever used herein the term 'Grantor' and 'Grantee' include all the parties to this instrument and their heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Duval, Florida, viz:

PARCEL 1:

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

Commence at the intersection of the line between the Fred Hartley Grant, Section 42 and the George Hartley Grant, Section 41, both in Township 4 South, Range 27 East and the Northerly line of Clearwater Lane (a 60 foot right of way as now established by the City of Jacksonville Department of Public Works) ; thence South 86° 46' 40" West, 262.3 feet along the Northerly line of said Clearwater Lane; thence South 84° 07' 16" West, 189.82 feet along the Northerly line of said Clearwater Lane to an iron in the Northerly line of said Clearwater Lane, being in a curve concave to the Southeast and having a radius of 300.81 feet; then along said curve and the Northerly line of said Clearwater Lane a chord bearing and distance of South 74° 33' 11" West, 100.0 feet; thence North 40° 46' 48" West, 227.52 feet; thence North 41° 49' 48" West, 233.13 feet to an iron pin and the point of beginning; thence North 7° 44' 44" West, 218.79 feet; thence South 48° 12' 58" West, 122.61 feet; thence South 41° 49' 48" East, 181.30 feet to the point of beginning.

PARCEL 2:

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 Fred Hartley Grant, Section 42 and the George Hartley Grant, Section 41 both in Township 4 South, Range 27 East and the Northerly line of Clearwater Lane (a 60 foot right of way as now established by the City of Jacksonville Department Of Public Works); thence South 86°-46'-40" West, 262.3 feet along the Northerly line of said Clearwater Lane; thence South 84°-07'-16" West, 189.82 feet along the Northerly line of said Clearwater Lane to the Point of Beginning; thence North 38°43'-44" West, 266.9 feet; thence North 28°-46'-44" West, 211.0 feet; thence North 7°-44'-44" West, 258.45 feet; thence South 48°-12'-58" West, 169.73 feet; thence South 7°-44'-44" East, 218.79 feet; thence South 41-49'-48" East, 233.13 feet; thence South 40°-46'-48" East, 227.52 feet to a point to an Iron in the Northerly line of said Clearwater Lane, being in a curve concave to the Southeast and having a radius of 300.81 feet; thence along said curve and the Northerly line of said Clearwater Lane a chord bearing and distance of North 74°-33'-11" East, 100.0 feet to the Point of Beginning.

Parcel ID Number: 158913-0100 and 158913-0300

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the State of Florida, nor is it contiguous to or a part of a homestead property. Grantor's residence and homestead address is: 12785 Shapell Ct, Jacksonville, FL 32223

Subject to covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments of the current year and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2021.

LAND SURVEYORS AND PLANNERS

211 GUARANTY LIFE BUILDING

137 E. FORSYTH STREET

JACKSONVILLE, FLORIDA 32202

SCHEDULE

EASEMENT No. 3

August 10, 1981

30 foot easement for ingress and egress

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 Fred Hartley Grant, Section 42 and the George Hartley Grant, Section 41, both in Township 4 South, Range 27 East and the Northerly line of Clearwater Lane; thence South $86^{\circ}-46'-40''$ West, 262.3 feet along the Northerly line of said Clearwater Lane; thence South $84^{\circ}-07'-16''$ West, 189.82 feet along the Northerly line of said Clearwater Lane to the Point of Curve of a curve concave to the Southeast and having a radius of 300.81 feet; thence around and along said curve and the Northerly line of said Clearwater Lane a chord bearing and distance of South $74^{\circ}-33'-11''$ West, 100.0 feet; thence North $40^{\circ}-46'-48''$ West, 227.52 feet; thence North $41^{\circ}-49'-48''$ West, 233.13 feet to the Point of Beginning; thence continue North $41^{\circ}-49'-48''$ West, 181.3 feet; thence South $48^{\circ}-12'-58''$ West, 172.97 feet; thence South $80^{\circ}-17'$ West, 30.0 feet; thence South $9^{\circ}-43'$ East, 30.0 feet; thence North $80^{\circ}-17'$ East, 38.62 feet; thence North $48^{\circ}-12'-58''$ East, 151.62 feet; thence South $41^{\circ}-49'-48''$ East, 166.33 feet; thence South $86^{\circ}-49'-48''$ East, 21.21 feet; thence North $41^{\circ}-49'-48''$ West, 15.0 feet; thence North $3^{\circ}-10'-12''$ East, 21.21 feet to the Point of Beginning.