

Date Submitted:	11/15/21
Date Filed:	11/18/21

Application Number:	WRF-21-24
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-ACRE	Current Land Use Category: RR
Council District:	2	Planning District: 6
Previous Zoning Applications Filed (provide application numbers): N/A		
Applicable Section of Ordinance Code: 656.407		
Notice of Violation(s):		
Neighborhood Associations: M <sup>2</sup> M DAIRY INC., THE EDEN GROUP INC., NORTH		
Overlay: N/A		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 1	Amount of Fee: \$1245	Zoning Asst. Initials: gm

PROPERTY INFORMATION	
1. Complete Property Address: 0 BIRD RD JACKSONVILLE FL, 32218	2. Real Estate Number: 106213-0000
3. Land Area (Acres): 1.13	4. Date Lot was Recorded: 7-29-1996
5. Property Located Between Streets: WADE RD, BIRD RD and BERNARD RD	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> feet to <u>0</u> feet.	
8. In whose name will the Waiver be granted? NATH MATHLIN	

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OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: <i>NATH MATHLIN</i>	10. E-mail: <i>nathmathlin@gmail.com</i>
11. Address (including city, state, zip): <i>3648 SHREWSBURY DR JACKSONVILLE FL, 32226</i>	12. Preferred Telephone: <i>904-731-6460</i>

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"> <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.

I am seeking a waiver of road frontage, that I may be able to build a family home on the lot of land I purchased on Bird Road. The lot has a recorded easement that's just shy of the required width per city regulations.

I have had plans drawn up for a beautiful home, which I am certain will add value to the area. I am of the firm belief that my situation meets all of the criteria required to request a waiver.

The easement recorded on my deed is 60' wide versus the 80' required by the city.

I am humbly seeking your kind consideration and approval of this request.

Thank you to all who may review this document.

**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)
- N/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](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: NATH MAHLIN

Signature: Nath Mahlin

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

Print name: \_\_\_\_\_

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 A**

**Property Ownership Affidavit - Individual**

Date: 11-12-2021

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

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: O BIRD RD RE#(s): 106713-0000

To Whom it May Concern:

I NATH MATHLEN 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.

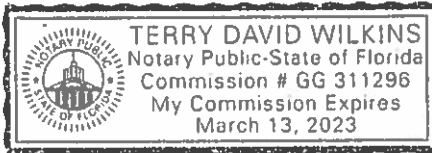
By [Signature]

Print Name: NATH MATHLEN

**STATE OF FLORIDA  
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 12 day of NOVEMBER 20, by NATH MATHLEN, who is personally known to me or who has produced FLORIDA DRIV. LIC as identification and who took an oath.

[Signature]  
(Signature of NOTARY PUBLIC)



TERRY D. WILKINS  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 03/13/2023

**TRUSTEE'S DEED**

THIS DEED is made as of this 6th day of December, 2017 between Robert Altman, Trustee (and not individually) ("Trustee" or the "Grantor") of the Bankruptcy Estate of Mary Parrish Thompson (the "Debtors"), which is pending in the United States Bankruptcy Court, Middle District of Florida, Jacksonville Division, Case No.: 17-02134, whose mailing address is P.O. Box 922, Palatka, FL 32178, and Nath Mathlin, whose mailing address is 3648 Shrewsbury Drive, Jay, FL 32226, (the "Buyers" or "Grantees").

WHEREAS, the Trustee was duly appointed as the Trustee in bankruptcy of the Debtors' estate and qualified as such and is serving as such; and

WHEREAS, the undersigned filed and served in the Debtors' case a motion for authority to sell certain property of the bankruptcy estate (the "Motion") under which the sale of the property described herein was described, and no objection or request for a hearing was filed in response, and the Court entered an Order granting the Motion, and the Trustee is therefore authorized to complete the sale.

NOW, THEREFORE, the Grantor in consideration of the sum of Ten Dollars and No/00 (\$10.00) and other valuable considerations paid by the Buyers, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the Buyers, their heirs and assigns forever, to have and to hold, all of the Grantor's interest in the following described land, referred to herein as the "Property", to-wit:

0 Bird Road, Jacksonville, Florida 32218  
(Parcel Identification Number 106213-0000)

A part of Government Lot 5, Section 16, Township 1 North, Range 27 East, Duval County, Florida, more particularly described as follows:  
For a Point of Reference commence at the intersection of the southerly right of way line of Bird Road (a 66 foot right of way) with the easterly line of Tract 3, Los Angeles Gardens, as recorded in Plat Book 5, Page 6, Current Public Records of said County; thence South 0°12'30" East, (bearing base) along said easterly line, a distance of 529.45 feet to the southerly line of those lands described in Official Records Volume 3691, Page 264, said Current Public Records and the Point of Beginning; thence continue South 0°12'30" East, along said easterly line, a distance of 156.55 feet to an intersection with the Southerly most northerly line of those lands described in Official Records Volume 5601, Pages 606 and 607, said Current Public Records; thence North 89°45'00" East, along said northerly line, a distance of 314.00 feet to the easterly most westerly line of said lands; thence North 0°12'30" West, along said westerly line, a distance of 156.55 feet to said southerly line of Official Records Volume 3691, Page 264, said Current Public Records; thence South 89°45'00" West, along said southerly line, a distance of 314.00 feet to the Point of Beginning.

Together with reserved easement for ingress and egress recorded in Official Records Book 5601, Page 606.

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN AND MADE A PART HEREOF.

This conveyance is expressly subject to all covenants, restrictions, easements, limitations, assessments and other matters of record (although reference to such matters shall not serve to extend the same) existing zoning and/or restrictions imposed by governmental authority, and ad valorem taxes.







SETE plan 2/2

Home Layers Tools Base-maps About Download

Q 622 bird road

Parcels

Real Estate #: 106216.0000  
 Owner: MATHLIY NATH  
 Address: 0 BIRD RD  
 City: JACKSONVILLE  
 Zip Code: 32218  
 Acres: 1.13

[View more Parcel Details](#)  
[Zoom In](#)

Real Estate #: 106216.0000
Owner: HENDRIX BOBBIE SUE
Address: 630 BIRD RD
Zip Code: 32218
Transaction Price: \$100
Transaction Year: 2019
Acres: 0.91
Book-Page: 1886800628
Map Panel: 7216
Legal Descriptions: 16-1N-27E 91 PT GOVTL LOT 5 RECD O/R 18868-628
Flood Zone: ZONE X
Ashtite:
EDA Level: NOT DISTRESSED
Evacuation Zone: ZONE E
Fire District: 6
Noise Zone: NA