

Date Submitted:	12.3.21
Date Filed:	12/7/21

Application Number:	AD-21-74
Public Hearing:	1/7/22

Zoning Application for an Administrative Deviation
City of Jacksonville, Florida
Planning and Development Department

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

For Official Use Only			
Current Zoning District:	RLD-100B	Current Land Use Category:	LDR
Deviation Sought:	REDUCE LOT WIDTH FOR TWO LOTS 100' TO 99' (EACH LOT)	Applicable Section of Ordinance Code:	656.305 AII(d)1(iii)
Council District:	6	Planning District:	3
Previous Zoning Applications Filed (provide application numbers): NONE			
Notice of Violation(s): N/A			
Number of Signs to Post:	1	Amount of Fee:	1,407-
		Zoning Asst. Initials:	
Neighborhood Associations: MANDALIN GARDEN CLUB, CHELSEA COVE HOA, HAMMOCK-DAY BEAUFIELD COMRA, OLIVE MANDALIN NEIGHBORHOOD ASSOCIATION			
Overlay:			

PROPERTY INFORMATION	
1. Complete Property Address: 0 Flynn Road	2. Real Estate Number: 105920 0050
3. Land Area (Acres): 2.89	4. Date Lot was Recorded: 5/22/1972 ?
5. Property Located Between Streets: Flynn Road and Cody Drive	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. In whose name will the Deviation be granted: Brink Realty LLC	
8. Is transferability requested? <i>If approved, the administrative deviation is transferred with the property.</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

9. Deviation Sought:

- Reduce Required Minimum Lot Area from lot width 100' to 99' (2 lots) feet. /
- Increase Maximum Lot Coverage from _____ % to _____ %.
- Increase Maximum Height of Structure from _____ to _____ feet.
- Reduce Required Yard(s) _____
- Reduce Minimum Number of Off-street Parking Spaces from _____ to _____.
- Increase the Maximum Number of Off-street Parking Spaces from _____ to _____.
- Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-1 zoning district from a residential zoning district from a minimum of 15 feet to _____.
- Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-2 zoning district from a residential zoning district from a minimum of 25 feet to _____.
- Decrease minimum number of loading spaces from _____ required to _____ loading spaces.
- Reduce the dumpster setback along _____ from the required 5 feet to _____ feet.
- Decrease the minimum number of bicycle parking spaces from _____ required to _____ spaces.
- Reduce the minimum width of drive from _____ feet required to _____ feet.
- Reduce vehicle use area interior landscape from _____ sq. ft. required to _____ sq. ft.
- Increase the distance from the vehicle use area to the nearest tree from 55 feet maximum to _____ provided as indicated on the Landscape Site Plan dated _____.
- Reduce the number of terminal island trees from _____ terminal islands required to _____ terminal islands as indicated on the Landscape Site Plan dated _____.
- Reduce the landscape buffer between vehicle use area along _____ from 10 feet per linear feet of frontage and 5 feet minimum width required to _____ feet per linear feet of frontage and _____ feet minimum width.
- Reduce the number of shrubs along _____ from _____ required to _____ shrubs and relocate as indicated on the Landscape Site Plan dated _____.
- Reduce the number of trees along _____ from _____ required to _____ trees and relocate as indicated on the Landscape Site Plan dated _____.
- Reduce the perimeter landscape buffer area between vehicle use area and abutting property along the north / east / south / west property boundary from 5 feet minimum width required to _____ feet. (Circle)
- Reduce the number of trees along the north / east / south / west property boundary from _____ required to _____ trees and relocate as indicated on the Landscape Site Plan dated _____.

^(Circle) Increase the maximum / Decrease the minimum width of the driveway access from _____ ^(Circle) from 24 / 36 / 48 feet required to _____ feet.

^(Circle) Increase the maximum / Decrease the minimum width of the driveway access to adjoining property along the north / east / south / west property boundary from 24 feet required to _____ feet.

^(Circle) Reduce the uncomplimentary land use buffer width along the north / east / south / west property boundary from 10 feet wide required to _____ feet wide.

^(Circle) Reduce the uncomplimentary land use buffer trees along the north / east / south / west property boundary from _____ required to _____ trees.

^(Circle) Reduce the uncomplimentary land use buffer visual screen along the north / east / south / west property boundary from 6 feet tall and 85 % opaque required to _____ feet tall and _____ %.

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
10. Name: William W. Anderson	11. E-mail: mojoandy49@aol.com
12. Address (including city, state, zip): 10468 Roxbury Lane Jacksonville FL 32257	13. Preferred Telephone: 904-333-9843

APPLICANT'S INFORMATION (if different from owner)	
14. Name: Alex Fink, Brink Realty, LLC	15. E-mail: alexmfink@me.com
16. Address (including city, state, zip): 797 Blanding Blvd. Orange Park FL 32065	17. Preferred Telephone: 407-373-3383

CRITERIA

Section 656.101(a), Ordinance Code, defines an administrative deviation as “a relaxation of the terms of the Zoning Code requirements for minimum lot area, yards, number of off-street parking spaces, landscaping, maximum lot coverage and maximum height of structures, including fences, which the Zoning Administrator is authorized to grant pursuant to the procedures set forth in Section 656.109(e) through (j).”

Section 656.109(e) through (j), Ordinance Code, provides that, with respect to action upon Applications for Administrative Deviations, the Zoning Administrator shall grant a deviation only if substantial competent evidence exists to support a positive finding based on each of the following criteria:

- 1. The need for the proposed deviation arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the subject property alone; or this issue is common to numerous sites.*
- 1. There are practical or economic difficulties in carrying out the strict letter of the regulation;*
- 2. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result that is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees.*
- 3. The proposed deviation 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 deviation;*
- 4. The proposed deviation will not be detrimental to the public health, safety or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law;*
- 5. The proposed deviation has been recommended by a City landscape architect, if the deviation is to reduce required landscaping; and*
- 6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.*

If the deviation is proposed to correct an existing violation, the Zoning Administrator shall also consider the following:

- (i) Whether the violation was created by the applicant with the intent to violate the provisions of this Zoning Code;*
- (ii) The length of time the violation has existed without receiving a citation; and*
- (iii) Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner.*

18. Given the above definition of an "administrative deviation" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the deviation 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 deviation and to meet the criteria set forth above may result in a denial.

The lot is 198 feet wide and zoning requires each lot to be 100 ft wide and we only have 99 feet per lot. We had a meeting with Tonya from the City of Jacksonville planning, she instructed us to submit this variance to resolve the above stated issue.

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>.
- Letter from the Department of Children and Family Services (DCFS) – **day care uses only**
- Letter from the applicable Home Owner’s Association stating that the request meets their architectural and aesthetic requirements; or letter stating that the subject parcel is not within the jurisdiction of a Home Owner’s Association – **residential only**
- Elevations are required with **height increase requests** and must be drawn to scale

FILING FEES

*Applications filed to correct existing zoning violations are subject to a double fee.

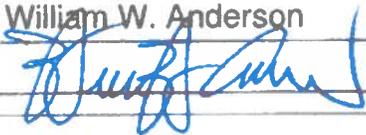
<u>Base Fee</u> Residential Districts: \$966.00 Non-residential Districts: \$952.00	<u>Public Notices</u> \$7.00 per Addressee
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AUTHORIZATION

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. 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 this 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>William W. Anderson</u> Signature: <u></u>	Applicant or Agent (if different than owner) Print name: <u>Alex Fink</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

Property Ownership Affidavit - Individual

Date: 11/17/21

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: RE#(s):

To Whom it May Concern:

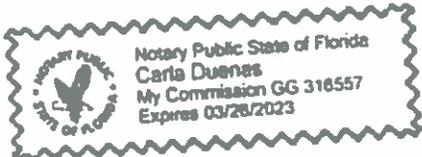
I, William Anderson hereby certify that William Anderson
is the Owner of the property described in Exhibit 1 in connection with filing application(s) for
Zoning Variance submitted to the
Jacksonville Planning and Development Department.

By [Signature]
Print Name: William Anderson

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me by means of physical presence or
 online notarization, this 17 day of November 2021, by
William Anderson, as _____ of
_____, a _____ corporation, who is
personally known to me or who has produced FL DL as identification
and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)
Carla Duenas
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 3/26/23

Agent Authorization – Individual

Date: 11/17/21

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: 0 Flynn Rd Jacksonville, FL 32223

RE#(s): 105920 -0050

To Whom it May Concern:

You are hereby advised that William Anderson as owner of 0 Flynn Rd, hereby certify that said undersigned is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Alex Fink/Brink Realty LLC 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 as submitted to the Jacksonville Planning and Development Department.

By: [Signature]

Print Name: William Anderson

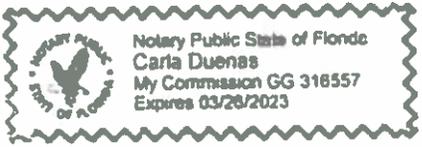
STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me by means of physical presence or online notarization, this 17 day of November 2021, by William Anderson who is personally known to me or who has produced FL DL as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

Carla Duenas
(Printed name of NOTARY PUBLIC)

State of Florida at Large.
My commission expires: 3/26/23



THIS INSTRUMENT PREPARED BY:

Griffin Helwig
Griffin Helwig, P. A.
One San Jose Place, Suite 31
Jacksonville, Florida 32257

Doc# 2001110797

Book: 9984

Pages: 301 - 302

Filed & Recorded

05/09/2001 04:12:25 PM

JIM FULLER

CLERK CIRCUIT COURT

DUVAL COUNTY

TRUST FUND \$ 1.50

DEED DOC STAMP \$ 16.80

RECORDING \$ 9.00

RECORD AND RETURN TO:

Mr. W. W. Anderson
10468 Roxbury Lane
Jacksonville, Florida 32257

RE PARCEL ID #: 105922-0000

BUYER'S TIN:

WARRANTY DEED

THIS WARRANTY DEED made this 21 day of March, 2000 by Geraldine West and Willie Frank McIntosh, hereinafter called Grantor, and whose address is 1401 Ferris Street, Atlantic Beach, Florida 32233-2409 to W. W. Anderson, hereinafter called Grantee and whose address is 10468 Roxbury Lane, Jacksonville, Florida 32257.

(Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the 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 and NO/100 Dollars 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, lying and being in Duval County, Florida, viz:

A parcel of land in Government Lot 1, Section 24, Township 4 South, Range 26 East, Duval County, Florida, being a portion of the lands now owned by Robert Hartley as described in Deed Book 1615, page 186, public records of Duval County, Florida, said parcel being more particularly described as follows:

For point of reference commence at the Northeast corner of said Section 24 and run South 89 deg. 07 min. 40 sec. along the North line of said Section 24, a distance of 625.7 feet to an iron pipe for the point of beginning.

From the point of beginning continue South 89 deg. 97 min. 40 sec. West, along said section line 220 feet to a found iron pipe on North line of said Robert Hartley Lands; thence run South 0 deg. 23 min. 10 sec. East, 198 feet to South line of said Robert Hartley Lands; run thence North 89 deg 07 min. 49 sec. East, 220 feet to an iron pipe; run thence North 0 deg. 23 min. 10 sec. West, 198 feet to point of beginning.

The real property described in this instrument is not the constitutional homestead nor the primary physical residence of the Grantor.

This instrument prepared without benefit of title examination, title insurance or attorney's opinion of title.

SUBJECT TO taxes accruing subsequent to December 31, 1999.

SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

TOGETHER with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise 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.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Signature (As to Geraldine West) Joe Sein

Witness Printed Signature Joe Sein

Witness Signature (As to Geraldine West) Charlotte Anderson

Witness Printed Signature Charlotte Anderson

Witness Signature (As to Willie McIntosh) Robert Feeney

Witness Printed Signature Robert Feeney

Witness Signature (As to Willie McIntosh) WILLIAM PRYOR

Witness Printed Signature William Pryor

Geraldine West
Geraldine West

Willie Frank McIntosh
Willie Frank McIntosh

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 17th day of April, 2000 ²⁰⁰¹ by Geraldine West. She is personally known to me or has produced FLDL # H674-280-34-845-0 as identification.

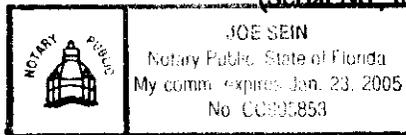
Notary Public, State and County Aforesaid

Notary Signature Joe Sein

Notary Printed Signature Joe Sein

Personal Member
(Title or Rank)

(Serial No. if any)



State of ~~Florida~~ New Jersey
County of ~~Duval~~ Hudson

The foregoing instrument was acknowledged before me this 21st day of March, 2001, by Willie Frank McIntosh. He is personally known to me or has produced Drum's Invoice # M15947850002272 as identification.

Notary Public, State and County aforesaid.

Notary Signature Linda Richmond

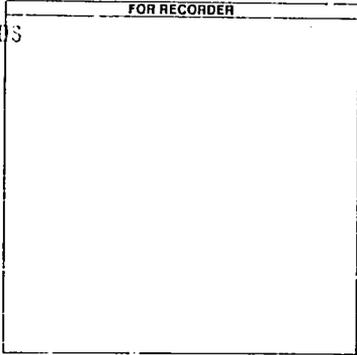
Notary Printed Signature Linda Richmond

LINDA RICHMOND
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 7, 2003

THIS INSTRUMENT PREPARED BY:
Griffin Helwig
Helwig & Fagan, P. A.
3030 Hartley Road, Suite 190
Jacksonville, Florida 32257

RECORD AND RETURN TO:
Mr. Walter Anderson
10468 Rocksbury Lane
Jacksonville, Florida 32257

RE PARCEL ID #: 105920-0000
BUYER'S TIN:



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WARRANTY DEED

THIS WARRANTY DEED made this 18th day of July, 1994 by Robert Hartley, a single man, hereinafter called Grantor, and whose address is 2790 Orange Pickers Road, Jacksonville, Florida 32223 to Walter W. Anderson and William W. Anderson, as Joint tenants with the right of survivorship, hereinafter called Grantee and whose address is 10468 Rocksbury Lane, Jacksonville, Florida 32257.

(Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the 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 and NO/100 Dollars 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, lying and being in Duval County, Florida, viz:

Part of Lot 1 as recorded in Deed Book 1615, page 186, except that part in Flynn Road and that part recorded in Official Records Volume 2485, page 980, Official Records Volume 2498, page 47, and Official Records Volume 3726, page 739, in Section 24, Township 4 South, Range 26 East, current public records of Duval County, Florida.

This Instrument prepared without benefit of title examination, title insurance or attorney's opinion of title.

1088959
Cheryl Corbett

SUBJECT TO taxes accruing subsequent to December 31, 1993.

SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

TOGETHER with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise 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.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

OFFICIAL RECORDS

Signed, sealed and delivered in our presence:

Griffin Helwig
Witness Signature
Griffin Helwig

Robert Hartley
Robert Hartley

Witness Printed Signature

Julie D. Graham
Witness Signature

Julie D. Graham
Witness Printed Signature

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 18th day of July, 1994 by Robert Hartley, a single man who produced a Florida Driver's License as identification and who did not take an oath.

Notary Public, State and County Aforesaid

Griffin Helwig
Notary Signature
Griffin Helwig

(Title or Rank)

Notary Printed Signature

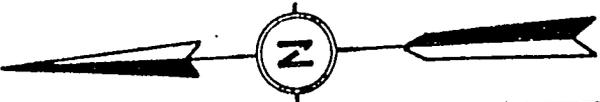
(Serial No., if any)



GRIFFIN HELWIG
My Commission CC368718
Expires Jun. 25, 1998
Bonded by AFB
800 852 5878

11-200

No. 344
301



94 JUL 21 PM 2:25
RECORDED & INDEXED
Theresa R. ...
CLERK OF CIRCUIT COURT

94-0107694
FILED AND RECORDED
IN PUBLIC RECORDS
OF DUVAL COUNTY FLA

