## AD-21-74

## **OCTOBER 18, 2022**

LOCATION: 0 Flynn Road between Cody Drive and Flynn Road West

**REAL ESTATE NUMBER: 105920-0050** 

**DEVIATION SOUGHT:** 

1. Reduce lot width from 100 feet to 99 feet.

PRESENT ZONING: RLD-100B CURRENT LAND USE: LDR

PLANNING DISTRICT: 3 COUNCIL DISTRICT: 6 SIGNS POSTED: 1

**OWNER:** 

William W. Anderson 10468 Roxbury Lane Jacksonville, FL 32257 **AGENT:** 

Alex Fink Brink Realty, LLC 797 Blanding Blvd. Orange Park, FL 32065

#### STANDARDS, CRITERIA AND FINDINGS

# 1. Is this situation unique or similar to other properties in the neighborhood?

#### **Recommendation:**

Unique. This area of Mandarin contained large tracts of land that have been subdivided into smaller lots over the decades, with a few remaining large lots. This is one of those remaining lots. The applicant is requesting to reduce the required lot width from 100 feet to 99 feet. While there is no indication of similar deviations in the area, the pattern of development is similar for the surrounding neighborhood. The granting of this and similar deviations would be consistent with the area.

2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...

#### **Recommendation:**

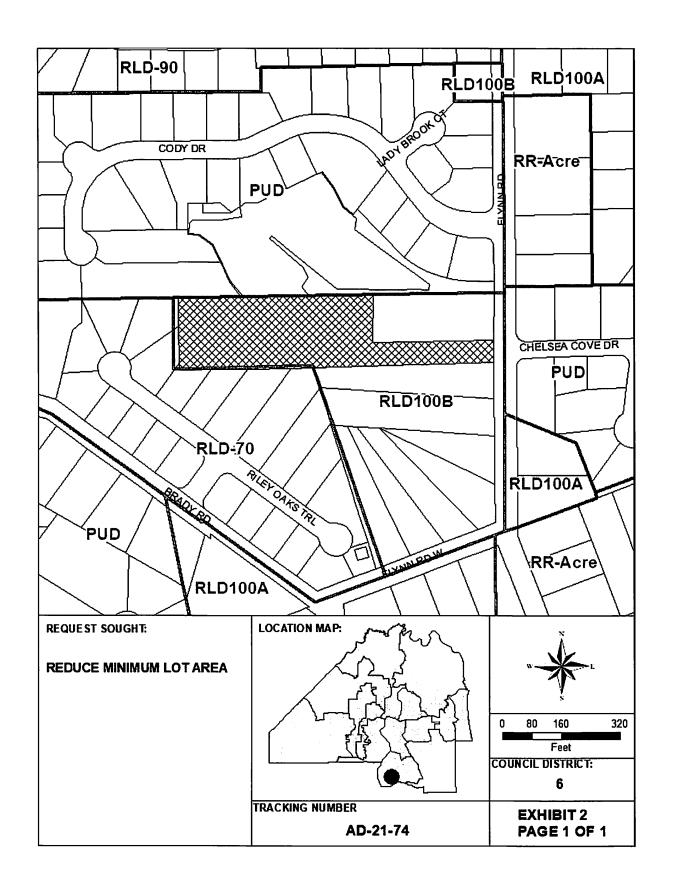
Yes. It is impractical to strictly impose the RLD-100B lot width requirement for this property as it was platted at this width. It is unrealistic that the owner could purchase the additional two feet in width from adjacent property owners. The proposed lots will be consistent with and reflective of the established pattern of development.

Recommendation: based The request is not exclusively upon a desire to reduce Yes. There is no evidence that granting the the cost of developing the site, but deviation would reduce the cost of developing the would accomplish a result that is in site. The owner will need to construct a road to City the public interest. Standards to the two lots. It is in the public interest to allow best use of the property since the result is in keeping with the pattern of development. 4. The proposed deviation will not **Recommendation:** substantially diminish property No. The proposed deviation will not substantially values in, nor alter the essential diminish property values, but instead allow for two character of the area surrounding single-family dwellings similar to the established the site and will not substantially pattern of development. interfere with or injure the rights of others whose property would be affected by the deviation, in that... 5. The proposed deviation will not be **Recommendation:** detrimental to the public health, Yes. The proposed lots will be accessed by a private safety, or welfare, result road from Flynn Road and have access to allow for additional public expense, City services including first responders. The creation of nuisances, or conflict property is consistent with the pattern with any other applicable law, in development and there is no evidence it will be a that... nuisance or public safety concern. The effect of the Recommendation: proposed deviation is in harmony with the Yes. The intent of the Zoning Code is to promote the spirit and intent of the Zoning Code. health and safety of the public, while allowing for deviations that are within the public's best interest. The proposed deviation does not negatively affect the public's health or safety, and allows property owner to construct a single family dwelling. 7. The City landscape architect N/A (has/has not) recommended the proposed deviation. 8. The existing violation was not There are currently no existing Zoning Code created by the applicant with an violations associated with the subject property. intent to violate the Zoning Code.

**PLANNER RECOMMENDATION:** Approve







Date Submitted: 2.3.21
Date Filed: /2/7/2/

Application Num	ber	40	-21.	-74
Public Hearing:	ı\	7	22	7

# **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-100 B	Current Land Use Category:			
Deviation Sought: REDUCE LOT WITH FOR	Applicable Section of Ordinance Code:			
TWO LOTS 100' TO 99' (EACH LOT)	656.305 AII(d) ((iii)			
Council District:	Planning District: 3			
Previous Zoning Applications Filed (provide app				
Notice of Violation(s):				
Number of Signs to Post: Amount of	of Fee: 1.400 Zoning Asst. Initials			
Neighborhood Associations: MANDAIN GARDE	NETHER CHOISER COVE HOR, HAMMOCK DAVE BERGIFICETON CO			
Overlay:	W (54 Market) Bestate (60)			
Post de la constant d				
PROPERTY INFORMATION				
1. Complete Property Address:	2. Real Estate Number:			
0 Flynn Road	105920 0050			
3. Land Area (Acres):	4. Date Lot was Recorded:			
2.89	5/22/1972 ?			
5. Property Located Between Streets:	6. Utility Services Provider:			
Flynn Road and Cody Drive	City Water / City Sewer			
Well / Septic				
7. In whose name will the Deviation be granted Brink Realty LLC	:			
8. Is transferability requested? If approved, the a	dministrative deviation is transferred with the property.			
Yes 🗸				
No				
	Page 1 of 7			

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 fromtofeet.
Reduce Required Yard(s)
Reduce Minimum Number of Off-street Parking Spaces from to
Increase the Maximum Number of Off-street Parking Spaces fromto
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 <u>north / east / south / west</u> 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 minimu	m width of the driveway access from			
(Circle) from 24 / 36 / 48 feet requir	ed to feet.			
(Circle) Increase the maximum / Decrease the minimu	m width of the driveway access to adjoining			
(Circle)	rty boundary from 24 feet required to feet.			
	(Circle)			
	width along the <u>north / east / south / west</u> property			
boundary from 10 feet wide required to fee	et wide. <i>(Circle)</i>			
Reduce the uncomplimentary land use buffer t	rees along the <u>north / east / south / west</u> property			
boundary from required to				
Reduce the uncomplimentary land use buffer v	(Circle) visual screen along the <u>north / east / south / west</u>			
property boundary from 6 feet tall and 85 % opaque				
OWNER'S INFORMATION (please attach separa	te sheet if more than one owner)			
10. Name:	11. E-mail:			
William W. Anderson	mojoandy49@aol.com			
12. Address (including city, state, zip):	13. Preferred Telephone:			
10468 Roxbury Lane	904-333-9843			
Jacksonville FL 32257	sonville FL 32257			
APPLICANT'S INFORMATION (if different from owner)				
14. Name:	15. E-mail:			
Alex Fink, Brink Realty, LLC	alexmfink@me.com			
16. Address (including city, state, zip):	17. Preferred Telephone:			
797 Blanding Blvd.	407-373-3383			
Orange Park FL 32065				
I .	1			

#### **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:

- I. 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.
to meet the checha sectoral above may result in a demail.
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 o	opy of the application.			
Survey	Survey			
Site Plan – two (2) copies on 8 ½ x 11 and two	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)	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 I	ot and block or metes and bounds (Exhibit 1)			
Proof of property ownership – may be print-o	out of property appraiser record card if individual			
owner, <a href="http://apps.coj.net/pao-propertySearch/8">http://apps.coj.net/pao-propertySearch/8</a>	asic/Search.aspx, or print-out of entry from the			
Florida Department of State Division of Corporation	ns if a corporate owner,			
http://search.sunbiz.org/Inquiry/CorporationSearch	h/ByName.			
Letter from the Department of Children and I	Family Services (DCFS) – day care uses only			
Letter from the applicable Home Owner's Ass	sociation 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 – resident	ential 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.				
Base Fee	<u>Public Notices</u>			
Residential Districts: \$966.00	\$7.00 per Addressee			
Non-residential Districts: \$952.00				

#### **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. 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.

<u>I hereby certify that I have read and understand</u> 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: William W. Anderson	Applicant or Agent (if different than owner)  Print name: Alex Fink
Signature: The signature	Signature:
Owner(s)	*An agent authorization letter is required if the application is made by any person other than the
Print name:	property owner.
Signature:	, , , , , , , , , , , , , , , , , , ,

# 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.

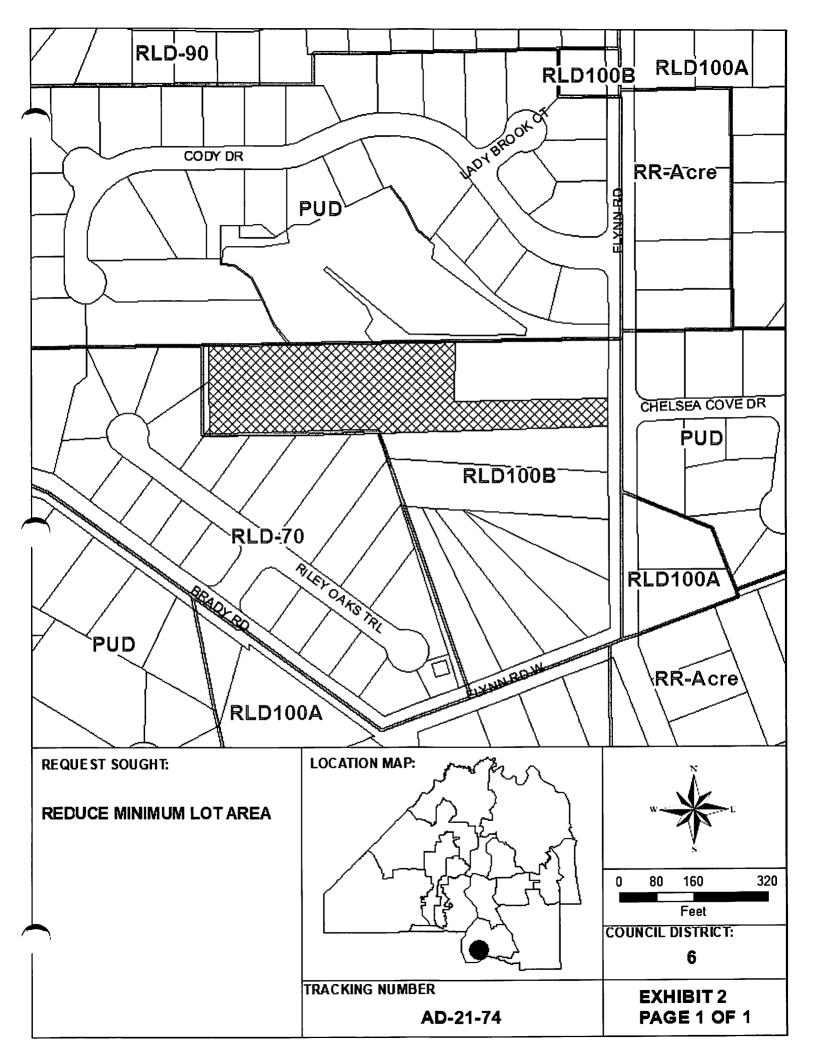
## Submit applications to:

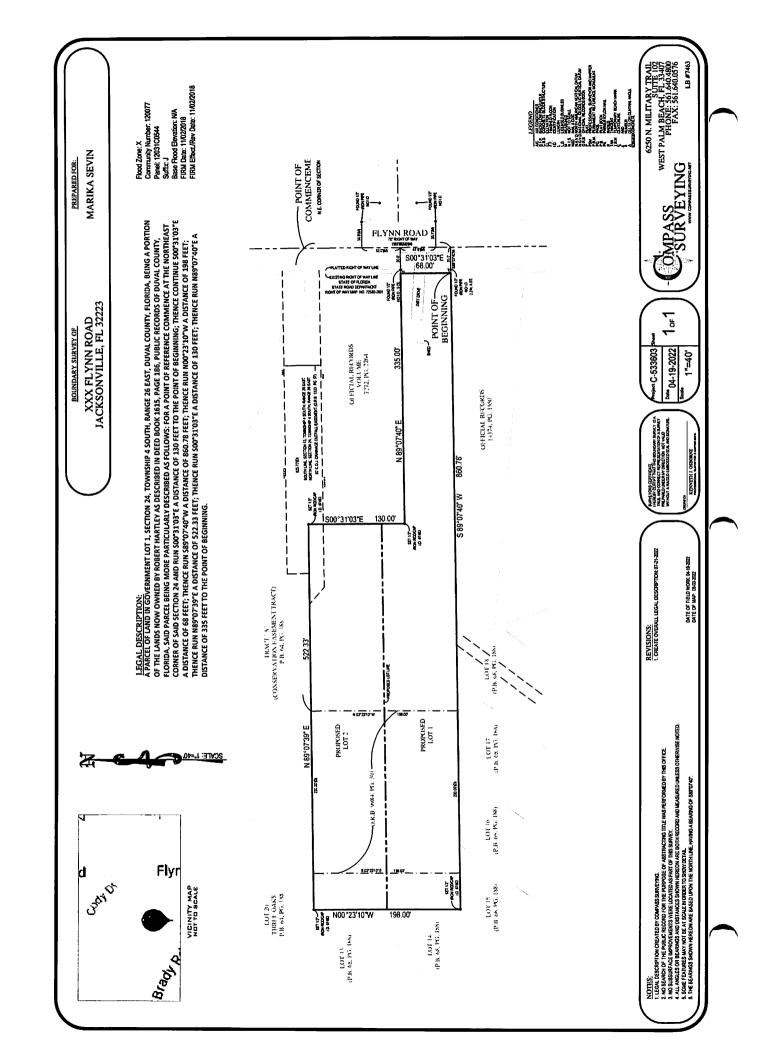
Planning and Development Department, Zoning Section 214 North Hogan Street, 2<sup>nd</sup> Floor Jacksonville, Florida 32202 (904) 255-8300

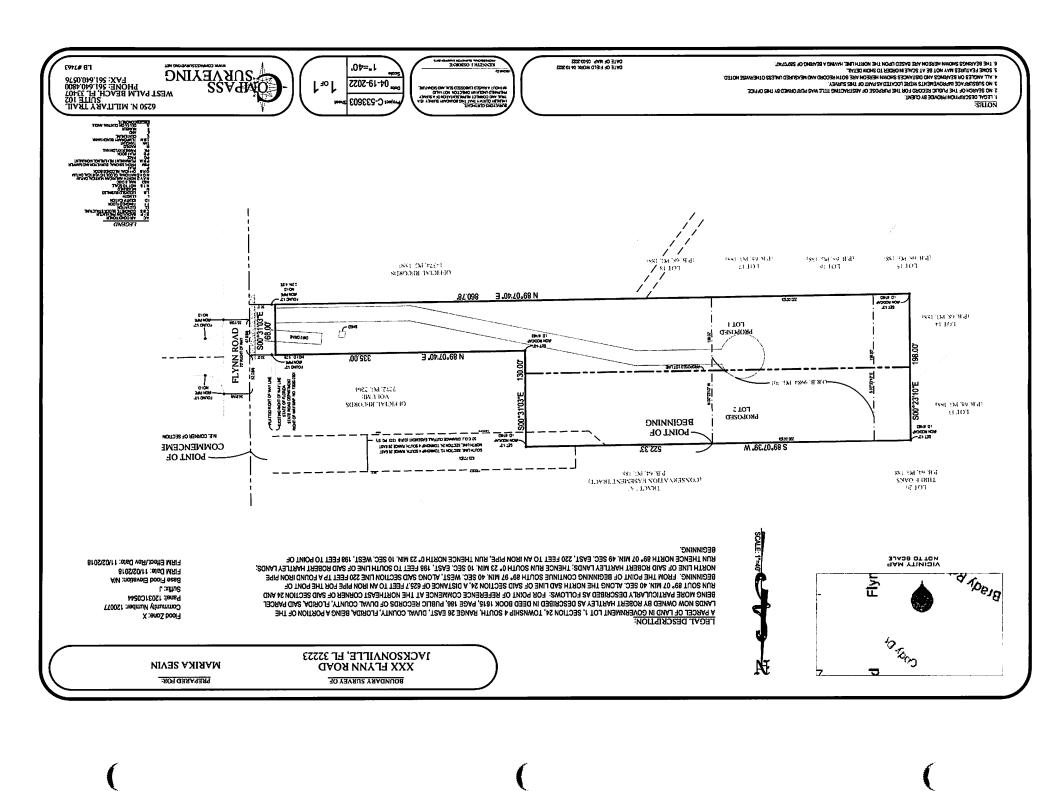
# **LEGAL DESCRIPTION**

### June 30, 2021

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 A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 24 AND RUN S00°31′03″E A DISTANCE OF 130 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S00°31′03″E A DISTANCE OF 68 FEET; THENCE RUN S89°07′40″W A DISTANCE OF 860.78 FEET; THENCE RUN N00°23′10″W A DISTANCE OF 198 FEET; THENCE RUN N89°07′39″E A DISTANCE OF 522.33 FEET; THENCE RUN S00°31′03″E A DISTANCE OF 130 FEET; THENCE RUN N89°07′40″E A DISTANCE OF 335 FEET TO THE POINT OF BEGINNING.







# Property Ownership Affidavit - Individual

Date: 11/17/21	
City of Jacksonville	
Planning and Development Departm	ent
214 North Hogan Street, Suite 300,	
Jacksonville, Florida 32202	
Jacksonvine, Florida 32202	
Re: Property Owner Affidavit for the Address: RE#(s):	e following site location in Jacksonville, Florida:
To Whom it May Concern:	
1, William ANDErSON	hereby certify that will an Awders on
is the Owner of the property describ	ed in Exhibit 1 in connection with filing application(s) for
Zoning Variance	submitted to the
Jacksonville Planning and Developme	ent Department.
By John Show Print Name: William Anon	rsen
STATE OF FLORIDA COUNTY OF DUVAL	
Sworn to and subscribed and acknow	wledged before me by means of ( physical presence or
	day of November 20 21, by
	of
	a corporation, who is
	produced <u>FL DL</u> as identification
and who took an oath.	
-	CoAI
	(Signature of NOTARY PUBLIC)
A. Hotary Public State of Florida	
Carla Duanas My Commission GG 316557	Laria Wenas
Express 03/29/2023	(Printed name of NOTARY PUBLIC)
•••	State of Florida at Large.
	My commission expires: $3/26/23$

A count Au	. <b></b>	\$\$ B	11+ + a A	
Date: 11/17/21	morizat	tion — I	ndividual	
City of Jacksonville Planning and Development Department 214 North Hogan Street, Suite 300, Jacksonville, Florida 32202				
Re: Agent Authorization for the following s	iite locatio	n in Jack	sonville, Florida:	
Address: O Flynn Rd Jacksonville REH(s): 105920-0050	FL 32	293		
To Whom it May Concern:				
You are hereby advised that		.m A O F	nderson Tynn Rd	a
hereby certify that said undersigned is the	e Owner c	of the pro	perty described in Ex	hibit 1. Said owne
hereby authorizes and empowers Alex	Fink	Bun	k Reulty LLC	to act as agent t
file application(s) for Zening Vari	ance		[	for the abov
referenced property and in connection				
documents, requests and other matters	necessary	for sucl	requested change a	s submitted to th
Jacksonville Planning and Development De	partment.			
By: Ales Aunes Brint Name: William Annews &				
Print Name: William ARMENSO	7			
STATE OF FLORIDA COUNTY OF DUVAL				
Sworn to and subscribed and acknowledge	d before r	ne by me	ans of ( physical pro	esence or [] onlin
notarization, this <u>17</u>	day		Narember	
William Anderson FLOL as identific	, wh	o is pers	onally known to me o	r who has produce
FL OL as identific	ation and	who tool	can oath.	



(Signature of NOTARY PUBLIC)

Carly Ovenus
(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: 3/26/23

PT GOVE LOT 1 RECD O/R 7859-724, 24-48-268 3.07 O/R 9967-301

DESCRIPTION OF THE PROPERTY OF 10468 mendenty 18 DECEMBERS 12, 12,

Page 1 of 1

R-105920-0050

32257

PRINKED 08/04/2021 147,445 1/6 147,533 147,688 The Table Towns of the Party VIE CERTAINFUL 314804.20 1.00 1.00 1.00 pes CHISCS TEACT 168.04 MANUAL PART CANT 111 ALC LOS DATE DATE 18/13/3815 67/24/3826 64/34/3864 **GLAL DING CHAMBIONS** VALUE BEENAM SULDING NOTES RAIL DUOS LAND LINES VALER REPREN Trespond FORMANY VALIATION INTEROP-ION-CHAIN VALUE INCIDENT VALUE INVIDENT VALUE INVIDENT VALUE INVIDENT VALUE INVIDENT VALUE VARIABIS VALUE OUR MARK VALUE - VALUE BLEAKET TO CHANGE - Dured Duning Propenty Appropriate Calles COMMETERS WALLE WALLE TATATA 165 163 163 FORM CONTROL VALUE
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