

Date Submitted: **9/21/22**
 Date Filed: **10-5**

Application Number: **WRF-22-28**
 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: LDR	
Council District: 8	Planning District: 4	
Previous Zoning Applications Filed (provide application numbers): none found		
Applicable Section of Ordinance Code: 656.407		
Notice of Violation(s): none found		
Neighborhood Associations: none		
Overlay: none		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 1	Amount of Fee: \$ 1343.	Zoning Asst. Initials: CJK

PROPERTY INFORMATION	
1. Complete Property Address: 351 Otis Road	2. Real Estate Number: 001712-0020
3. Land Area (Acres): 3.53	4. Date Lot was Recorded:
5. Property Located Between Streets: Dollar Lane & Sellers Lane	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 40 feet. 2 LOTS	
8. In whose name will the Waiver be granted? A & K Florida Enterprises LLC	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: A & K Florida Enterprises LLC	10. E-mail:
11. Address (including city, state, zip): 5022 Cinancy Court Jax, FL 32277	12. Preferred Telephone:

APPLICANT'S INFORMATION (if different from owner)	
13. Name: Hipps Group Inc.	14. E-mail: info@hippsgroupinc.com
15. Address (including city, state, zip): 1650 Margaret ST #323 Jax, FL 32204	16. Preferred Telephone: 904-781-2654

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: PLEASE SEE THE ATTACHED</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. PLEASE SEE THE ATTACHED

Waiver of Road Frontage Questions

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:

i. There are practical or economic difficulties in carrying out the strict letter of the regulation;

The practical difficulty is the two lots of approximately 3.53 acres have approximately 80 feet of frontage along Otis Road, which is insufficient frontage for the proposed two houses.

ii. 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);

This 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) as it is only for two lots.

iii. 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;

No. The subject property is currently undeveloped and the waiver would permit two new single family dwellings which would not reduce the property values of the neighboring lots or interfere with other property owners rights. These two new homes will not alter the essential character of the area surrounding the site.

iv. 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;

No. an easement is not necessary as the owner proposes to split the lot with two (2) separate driveways.

v. 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.

This 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 as fire, rescue and public services will have sufficient ability to access the property.

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.

This is a flag lot which does not have enough road frontage for the two proposed houses.

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. N/A

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: _____

Signature: _____

Applicant or Agent (if different than owner)

Print name: Alberta Hipps

Signature: 

**An agent authorization letter is required if the application is made by any person other than the property owner.*

Owner(s)

Print name: _____

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, 2nd Floor

Jacksonville, Florida 32202

(904) 255-8300

Property Ownership Affidavit – Limited Liability Company (LLC)

Date: 12-5-2022

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: 351 Otis Road RE#(s): 001712-0020

To Whom it May Concern:

I Kyrylo Fesenko, as Manager of A & K Florida Enterprises, LLC,
a Limited Liability Company organized under the laws of the state of Florida, hereby certify
that said LLC is 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.

(signature) 

(print name) Kyrylo Fesenko

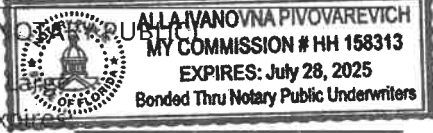
Please provide documentation illustrating that signatory is an authorized representative of the LLC. This may be shown through a printout from sunbiz.org showing that the person is either a "sole member" or a "managing member." Other persons may be authorized through a resolution, power of attorney, etc.

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me by means of physical presence or online notarization, this 5th day of December 2022, by Kyrylo Fesenko, as Manager of A & K Florida Enterprises, LLC, a Florida corporation, who is personally known to me or who has produced known personally as identification and who took an oath.


(Signature of NOTARY PUBLIC)

Alla Ivanovna Pivovarevich

(Printed name of NOTARY PUBLIC)
State of Florida at Large
My commission expires 

Agent Authorization – Limited Liability Company (LLC)

Date: 12-5-2022

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: 351 Otis Road RE#(s): 001712-0020

To Whom It May Concern:

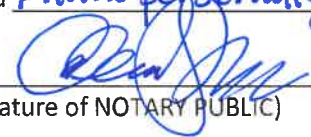
You are hereby advised that Kyrylo Fesenko, as Manager of A & K Florida Enterprises, LLC, hereby certify that the LLC is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Hipps Group Inc. to act as agent to file application(s) for Waiver of Road Frontage for 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.

(signature) 

(print name) Kyrylo Fesenko

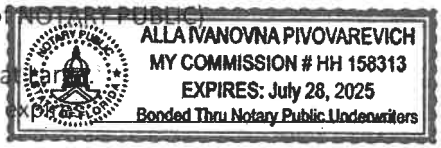
**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me by means of physical presence or online notarization, this 5th day of December 2022, by Kyrylo Fesenko, as Manager of A & K Florida Enterprises, LLC, a Florida corporation, who is personally known to me or who has produced Known personally as identification and who took an oath.


(Signature of NOTARY PUBLIC)

Alla Ivanovna Pivovarevich
(Printed name of NOTARY PUBLIC)

State of Florida a
My commission expires





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
A & K FLORIDA ENTERPRISES, LLC

Filing Information

Document Number	L21000130565
FEI/EIN Number	86-3680462
Date Filed	03/19/2021
Effective Date	03/19/2021
State	FL
Status	ACTIVE

Principal Address

5022 Cinancy Ct
JACKSONVILLE, FL 32277

Changed: 04/27/2022

Mailing Address

5022 CINANCY COURT
JACKSONVILLE, FL 32277

Registered Agent Name & Address

AVRAMENKO, NATALYA
5022 CINANCY CT
JACKSONVILLE, FL 32277

Authorized Person(s) Detail

Name & Address

Title MGR

FESENKO, KYRYLO
10100 Atlantic Blvd
JACKSONVILLE, FL 32225

Title MGR

AVRAMENKO, NATALYA
5022 CINANCY CT
JACKSONVILLE, FL 32277

Annual Reports

Prepared By and Return To:

J. Riley Williams, PLC
2141 Park Street
Jacksonville, FL 32204

Order No.: 21-1541-17

Property Appraiser's Parcel I.D. (folio) Number:
A Portion of Parcel I.D. 001712-0250

WARRANTY DEED

THIS WARRANTY DEED dated September 24, 2021, by Jean R. Crews, a single person, whose post office address is 309 Otis Rd., Jacksonville, Florida 32220 (the "Grantor"), to A & K Florida Enterprises LLC, a Limited Liability Company, whose post office address is 5022 Cinancy Ct, Jacksonville, Florida, 32277 (the "Grantee").

(Wherever used herein the terms "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 (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of Duval, State of Florida, viz:

A portion of Farms 5 and 6, in the Northeast 1/4 of the Northwest 1/4 of Section 22, Township 2 South, Range 24 East, of JACKSONVILLE FARMS, according to the plat thereof as recorded in Plat Book 3, page 41 of the current public records of Duval County, Florida and being more particularly described as follows: Commence at the intersection of the Easterly right of way line of Otis Road (an 80 foot right of way) with the North line of Sellers Lane (a 30 foot right of way) as now established; thence N 00°21'48" E, along said Easterly right of way of Otis Road, a distance of 229.80 feet to the Point of Beginning; thence continue N 00°21'48" E on said Easterly right of way of Otis Road, a distance of 80.07 feet to the South line of lands described in Official Records Book 1480, page 811 of said public records; thence S 89°42'10" E on said South line, a distance of 226.80 feet; thence N 00°27'28" E, a distance of 329.06 feet to the North line of aforesaid Farm 5; thence S 89°37'34" E on said North line of Farm 5 and on the North line of said Farm 6, a distance of 397.39 feet to the West line of lands described in Official Records Book 9664, page 435 of said public records; thence S 00°24'28" W on said West line a distance of 328.46 feet; thence N 89°41'42" W, a distance of 313.07 feet; thence S 00°21'35" W, a distance of 80.00 feet; thence N 89°44'11" W, a distance of 311.39 feet to the Point of Beginning.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto 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, except taxes accruing subsequent to: December 31, 2020.

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

Signed, sealed and delivered in presence of:

Candice L. Gann
Witness Signature

Candice L. Gann
Printed Name of First Witness

Jean R. Crews
Jean R. Crews

Leah P. Miller
Witness Signature

Leah P. Miller
Printed Name of Second Witness

STATE OF FL
COUNTY OF Duval

The foregoing instrument was executed and acknowledged before me by means of Physical Presence or Online Notarization this 24 day of September 2021 by Jean R. Crews, who is personally known to me or who has produced Driver's License (type of identification) as identification.

Leah P. Miller

Notary Public

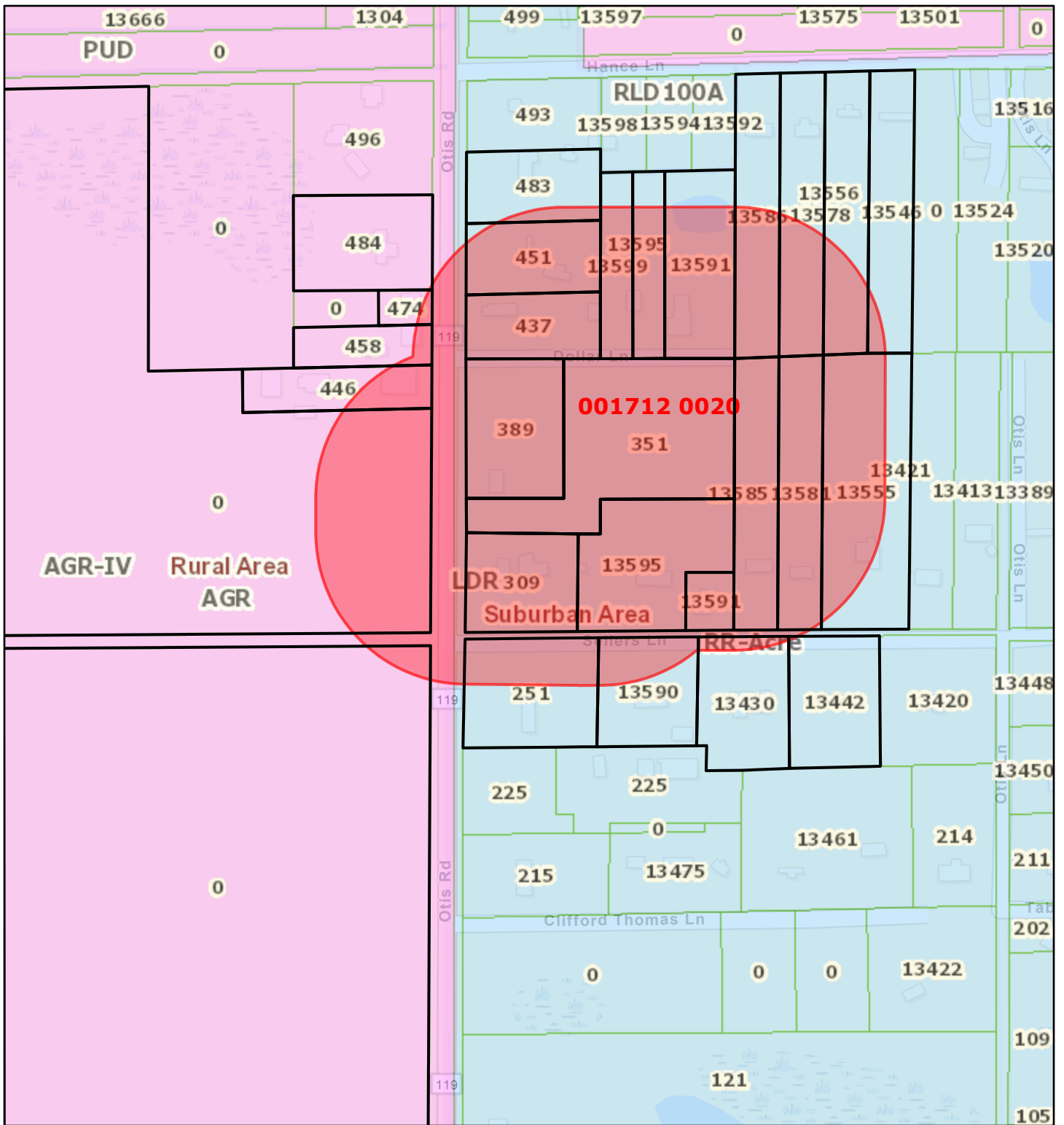
Printed Name: _____

Commission # _____

My Commission Expires: _____



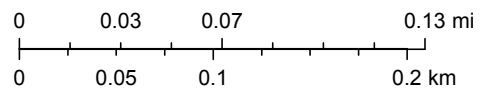
Land Development Review



September 22, 2022

1:4,514

- | | |
|--------------------------------|-------------------------------|
| Parcels | Development Areas 2022 |
| CRAs - September 1 2017 | Downtown |
| Arlington CRA | Rural Area |
| Downtown CRA | Suburban Area |
| JIA-CRA | Urban Area |
| Kings-Soutel CRA | Urban Priority Area |



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

RE	LNAME	LNAME2	MAIL_ADDR1	MAIL_CITY	MAIL_STAMAIL_ZIP
001552 0010	BRYANT KATELYN L		710 OTIS RD	JACKSONVILLE	FL 32220-2942
001639 0100	JACKSONVILLE ELECTRIC AUTHORITY		21 CHURCH ST W #3RD FLOOR	JACKSONVILLE	FL 32202-3158
001573 0140	JERNIGAN HARRY R		13588 JOANDALE RD	JACKSONVILLE	FL 32220-2908
001642 0120	LEWELLEN JERROD		823 PANTHER RD S	JACKSONVILLE	FL 32220
001606 0060	MCCARGO JANET L ET AL LIFE ESTATE		714 OTIS RD	JACKSONVILLE	FL 32220
001604 0010	RIKARD LINDA B LIFE ESTATE		718 OTIS RD	JACKSONVILLE	FL 32220
001606 0030	SAGE MARY E ET AL		726 OTIS RD	JACKSONVILLE	FL 32220
001630 0010	SAGE MARY PAULINE ET AL		1056 OTIS RD	JACKSONVILLE	FL 32220
001642 0280	TEBOW ROBERT R ET AL		920 OTIS RD	JACKSONVILLE	FL 32220-2946
001628 0100	THOMAS E BRADDOCK AND TERRY JO BRADDOCK REVOCABLE		6167 DEERCREEK LN	MACCLENNY	FL 32063
001573 0150	TUTEN BETTY		13590 JOANDALE RD	JACKSONVILLE	FL 32220-2908
001628 0005	WARD KENNETH R		914 OTIS RD	JACKSONVILLE	FL 32234
001628 0015	WARD SCOTT EDWARD		260 BRICKYARD RD	MIDDLEBURG	FL 32068
001604 0050	WILLIAMS ARTHUR LEE JR LIFE ESTATE		900 OTIS RD	JACKSONVILLE	FL 32220
	SOUTHWEST	DR. WILLIE CROSBY	6746 SHINDLER DR	JACKSONVILLE	FL 32222