| Date Submit | ted: ç | 1/8 | 3 | 23 |
|-------------|--------|-----|---|----|
| Date Filed: | 9/1 | 1 | 2 | 23 |

Current Zoning District: RR-Acre

| Application Num | ber: AD-23 - 76 |
|-----------------|--------------------|
| Public Hearing: | |

RR

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 Land Use Category:

| Deviation Sought: Reduce Lot Area lacre | Applicable Section of Ordinance Code: |
|--|---|
| 10 0.26(11,463sq.ft.); Lot width 100 teet | 656.304. A. I. (d)(2) |
| Council District: 2 | Planning District: CPAC - PD 6 - North |
| Previous Zoning Applications Filed (provide application | |
| | <u> </u> |
| Notice of Violation(s): N/A | |
| Number of Signs to Post: Amount of Fee | ZOning Asst. Initials: |
| Neighborhood Associations: North Heckscher Dr. The Eden Group Inc , NPS Timucu | Community Club; MEM Dairy Inc; an Ecological & Historic Preserve |
| Overlay: | |
| | |
| | |
| PROPERTY INFORMATION | |
| 1. Complete Property Address: | 2. Real Estate Number: |
| 10110 Ft. George Road Jacksonville, FL 32226 | 169193-0020 |
| 3. Land Area (Acres): | 4. Date Lot was Recorded: 06/02/1887 |
| 11,463 Sq.ft/0.26 acres | 05/05/2023 |
| 5. Property Located Between Streets: | 6. Utility Services Provider: |
| Heckscher Drive | City Water / City Sewer |
| Palmetto Avenue | Well / Septic |
| 7 In whose name will the Deviation be granted | |
| ("MASTOPHER K. Martin, Jr. angor- | tephanie Schafer |
| 8. Is transferability requested? If approved, the admini | istrative deviation is transferred with the property. |
| Yes | |
| No | |
| COMPANT | JN /WRF-23-22 |
| APPLICAT | |
| last update: 1/09/17 | 101/AD-23-76 on Original |
| E ₀ in decision requirements (10) to be the property of the decision of the d | Page 1 of 16 |
| | |

| 9. Deviation Sought: |
|--|
| Reduce Required Minimum Lot Area from 43,560 to 11,463 feet. |
| Increase Maximum Lot Coverage from% to%. |
| |
| Reduce Required (and s) Lat width 100' to 60' |
| Reduce Minimum Number of Off-street Parking Spaces from |
| heard |
| 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 <u>north / east / south / west</u> property boundary from 5 feet minimum width required to feet. |
| Reduce the number of trees along the <u>north / east / south / west</u> property boundary from |
| required to trees and relocate as indicated on the Landscape Site Plan dated |
| |

Page 2 of 7

| (Circle) | | | | | | | |
|--|--|--|--|--|--|--|--|
| Increase the maximum / Decrease the minimu | ım width of the driveway access from | | | | | | |
| from 24 / 36 / 48 feet requi | red to feet. | | | | | | |
| Increase the maximum / Decrease the minimu | m width of the driveway access to adjoining | | | | | | |
| (Circle) property along the north / east / south / west prope | erty boundary from 24 feet required to feet. | | | | | | |
| Reduce the uncomplimentary land use buffer | (Circle) width along the <u>north / east / south / west</u> property | | | | | | |
| boundary from 10 feet wide required to fe | | | | | | | |
| Reduce the uncomplimentary land use buffer | (Circle) trees along the north / east / south / west property | | | | | | |
| boundary from required to | | | | | | | |
| | (Circle) visual screen along the north / east / south / west | | | | | | |
| - | | | | | | | |
| property boundary from 6 feet tall and 85 % opaque | required to | | | | | | |
| | | | | | | | |
| OWNER'S INFORMATION (please attach separa | ate sheet if more than one owner) | | | | | | |
| 10. Name: Christopher Ray Martin, Jr. | 11. E-mail: Cmartman@yahoo.com | | | | | | |
| 12. Address (including city, state, zip): | 13. Preferred Telephone: | | | | | | |
| 5404 Heckscher Dr. | (407) 222-8045 | | | | | | |
| Jax, FL 32226 | | | | | | | |
| A REAL PROPERTY OF THE PROPERT | | | | | | | |
| APPLICANT'S INFORMATION (if different from | owner | | | | | | |
| | · | | | | | | |
| 14. Name: | 15. E-mail: | | | | | | |
| | NIA | | | | | | |
| 16. Address (including city, state, zip): | 17. Preferred Telephone: | | | | | | |
| NIA | 2 10 | | | | | | |

last update: 1/09/17

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.

We request an administrative deviation to reduce the required minimum lot area from 43,560 (one acre) to 11,463 (0.26 acre) based on a common issue to numerous sites on Batter Island along Pt. George Road in Tacksonville Morida. The Plat Map of this area was filed and recorded in the public records of Duval County, Florida on June 2, 1887. (See a Hacked Plat Map) This area on Batten Island, at that time, platted lots at 60 feet which now presents practical difficulties in carrying out the Strict letter of the regulation. This request is not based upon the desire to reduce the cost of developing the site. The proposed administrative deviation will not substantially diminish property values in, nor after the essential character of the Surrounding property sites. 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 deviation is in harmony with the spirit and intent of the zoning code.

Regards

Page 5 of 7

| 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, , or print-out of entry from the |
| Florida Department of State Division of Corporations if a corporate owner, |
| |
| 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 appling violations are subject to a double fee |

| FILING FEES *Applications filed to correct existing zonin | g violations are subject to a double fee. |
|--|---|
| Base Fee | Public Notices |
| Residential Districts: \$966.00 | \$7.00 per Addressee |
| Non-residential Districts: \$952.00 | ¥. |

last update: 1/09/17

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.

| 0 | W | ne | rí | (s) |
|---|---|----|----|-----|
| | | | | |

Owner(s)

Print name:

Applicant or Agent (if different than owner)

Print name: ____ N/A

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, 2nd Floor Jacksonville, Florida 32202 (904) 255-8300

Page 7 of 7

OWNER'S INFORMATION

- 9. Name Christopher Ray Martin, Jr.
- 10. E-mail cmartman@yahoo.com

11. Address 5404 Heckscher Drive Jacksonville, FL 32226 12. Preferred Telephone (407)222-8045

OWNER'S INFORMATION

- 9. Name Stephanie Schafer
- 10. E-mail schaferandsteele@outlook.com
- 11. Address 5404 Heckscher Drive Jacksonville, FL 32226

12. Preferred Telephone (407)227-2817

EXHIBIT A

Property Ownership Affidavit - Individual

| Date: 9/6/2023 |
|--|
| 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: 1010 Fort George Road RE#(s): 169193 - 0020 Tocksonville, Ft. 32226 To Whom it May Concern: I Christopher Ray Martin Re hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for I am the Owner of the property described in |
| Exhibit 1 in connection with filing application(s) for Zening application for Abunis submitted to the Jacksonville Planning and Development Department. |
| Print Name: Christopher Ray Martin, Jr. |
| STATE OF FLORIDA COUNTY OF DUVAL |
| Sworn to and subscribed and acknowledged before me this day of the state of the subscribed and acknowledged before me this day of the subscribed and acknowledged before me this day of the subscribed and subscribed and acknowledged before me this day of the subscribed and acknowledged before me the subscribed and acknowledged before me the subscribed and acknowledged bef |
| - duly |
| (Signature of NOTARY PUBLIC) |
| Raley T. Moore |
| (Printed name of NOTARY PUBLIC) |

State of Florida at Large.

My commission expires: 9/29/35

EXHIBIT A

Property Ownership Affidavit - Individual

| Date: 9/6/2023 |
|---|
| 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: 1010 Ft. George Read RE#(s): 169193-0020 Tacksonville, Ft. 32226 To Whom it May Concern: 1 Sephanie Schafer hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Zoning application for an Ad |
| submitted to the Jacksonville Planning and Development Department. |
| Print Name: STEPHANIE SCHAFER |
| STATE OF FLORIDA COUNTY OF DUVAL |
| Sworn to and subscribed and acknowledged before me this day of who is personally known to me or who has produced (Signature of NOTARY PUBLIC) |
| RALEY T. MOORE Commission # HH 177866 Expires September 22, 2025 Gonded Thru Troy Fain Insurance 800-385-7019 RALEY T. MOORE Raley T. Moore (Printed name of NOTARY PUBLIC) |
| State of Florida at Large. My commission expires: 9/00/25 |

Prepared by and return to:
Nolan Winarchick
Ponte Vedra Title, LLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082

File Number: 23-1307

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 1st day of May, 2023, between Eric Petersen, a married man, whose post office address is 1606 6th Street South, Jacksonville Beach, FL 32250, grantor, and Christopher Ray Martin, Jr., an unmarried man, and Stephanie Schafer, a married woman, as joint tenants with right of survivorship, whose post office address is 5404 Heckscher Drive, Jacksonville, FL 32226, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Duval County**, Florida, to-wit:

All that part of Lot Fourteen (14) of Johnson's Subdivision of Lower Batten Island Pilot Town that lies 224' on the Eastern most boundary from the Northerly right of way line of Heckscher Drive (State Road 105) extending 200.66 on the Eastern most boundary, 60.3' on the Northern most boundary, starting 200' from the Northerly right of way line of Heckscher Drive (State Road 105) extending 197.12' on the Western most boundary according to Former Public Records of Duval County, Florida: Recorded in Plat Book 1, Page 50.

Parcel Identification Number: 169193-0020

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.

SUBJECT TO covenants, conditions, restrictions, easements of record and taxes for the current year.

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 as specified herein.

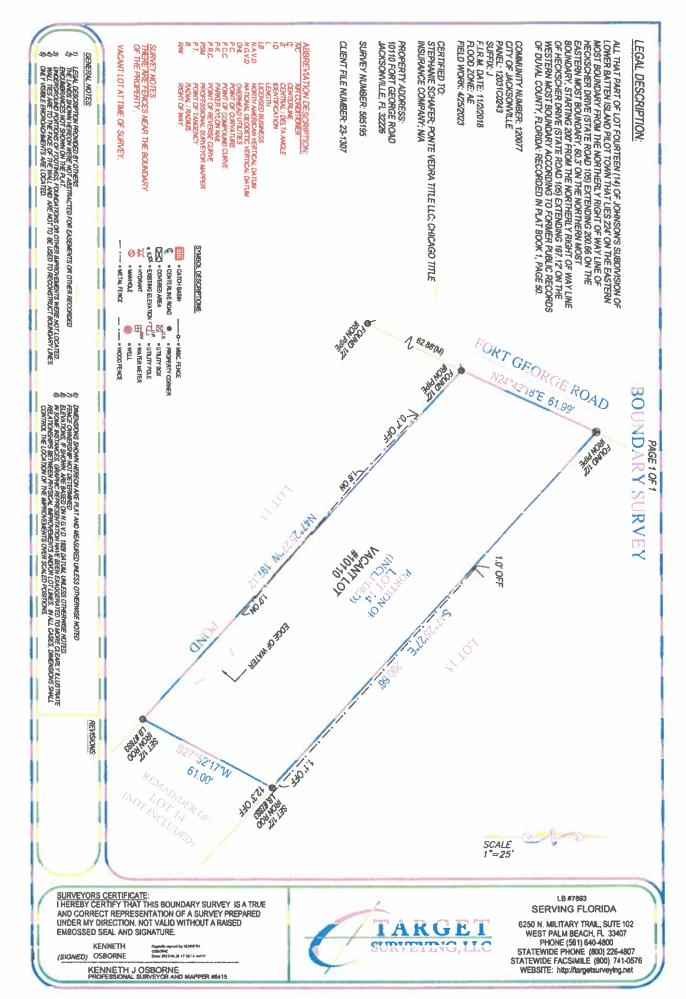
The property described in this instrument is not, nor has it ever been, the constitutional homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household(s) of Grantor(s) reside thereon or have ever resided thereon.

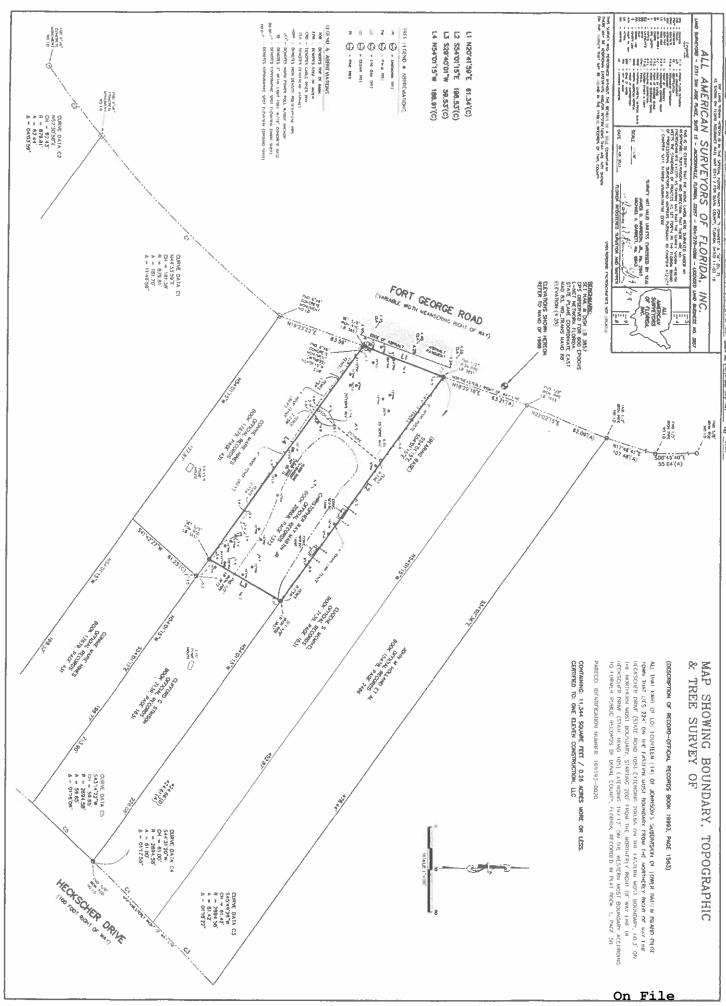
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR OR HAS A BENEFICIAL INTEREST IN THE SALE OF THE PROPERTY DESCRIBED IN THIS WARRANTY DEED.

Signed, sealed and delivered in our presence:

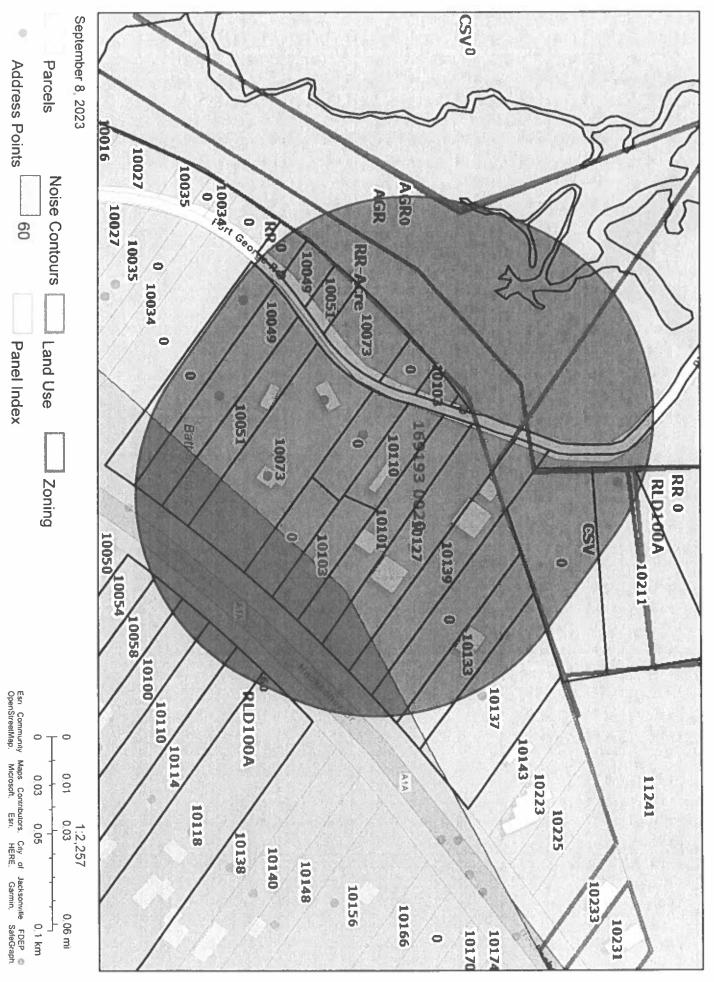
| Witness 1 Signature Herbert W. Reynolds Witness 1 Printed Name | Eric Petersen |
|--|--|
| Witness 2 Signature Nolan Winarchic Witness 2 Printed Name | <u>-</u> ** |
| State of Florida County of St. Johns | a: |
| The foregoing instrument was acknowledged before a list day of May, 2023, by Eric Petersen, a married as identification. | me by means of (X) Physical Presence or () Online Notarization, this man, who () is personally known to me or () has produced |
| | NOTARY PUBLIC Herbert W. Reynolds Printed Name: My Commission Expires: |





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Land Development Review



On File Page 15 of 16

| NPS TIP | DE ED | M & M | HECKSO | NORTH | 169193 0000 WUNDI | 168206 0030 UNITED | 169201 0000 TILLKER | 169193 0030 STINSO | 169202 0000 SPRING | 169203 0050 SHAFN | 169187 0000 SCHULT | 169196 0000 MOLLE | 169198 0000 MILLER | 169195 0000 MCMIK | 169191 0000 MCGUR | 169193 0010 MCCRA | 168206 0010 MATTH | 168206 0020 HOLME | 169197 0000 HOLLAN | 169190 0000 GRANA | 169190 0100 GARNE | 169194 0010 DAVID I | 169188 0000 BYOUS OSCAR | 169192 0000 ALBERT | 169194 0020 10085 F | RE LNAME |
|--|---------------------|-------------------|-----------------------------|-------------------------|-------------------|--------------------------|---------------------|--------------------|--------------------|----------------------|-----------------------|----------------------|--------------------|--------------------|--------------------|--------------------|---------------------|-------------------|----------------------|--------------------------|--------------------|---|-------------------------|---------------------------------|-----------------------|--------------|
| NPS TIMUCUAN ECOLOGICAL AND HISTORIC PRE | THE EDEN GROUP INC. | M & M DAIRY INC | HECKSCHER DR COMMUNITY CLUB | | WUNDER BARRY W | UNITED STATES OF AMERICA | TILLKERS MICHAEL R | STINSON CLIFFORD G | SPRINGER ROBERT C | SHAFNACKER WILLIAM M | SCHULTZ SCOTT | MOLLER EDWARDS TRUST | MILLER COURTENAY H | MCMIKEL EUGENE S | MCGURRIN JANIS | MCCRARY WARREN C | MATTHEWS LAMAR T | HOLMES DONALD C | HOLLAND JOHN M ET AL | GRANADA CARLOS ALEXANDER | GARNER TRUST | DAVID RICHARD LEVESQUE REVOCABLE LIVING TRUST | OSCAR | ALBERT D STEWART LIVING TRUST | 10085 FORT GEORGE LLC | |
| CHRIS HUGHES | DICK BERRY | TERESA L. MOORE | HECKSHHER DR CC PRESIDENT | DR. DONALD GREEN | | | | | | | | | | | | | | | | | | | | | | LNAME2 |
| 13165 MT PLEASANT RD | | 12275 HOLSTEIN DR | 9364 HECKSCHER DR | 2940 CAPTIVA BLUFF RD S | 1476 MARCIA DR | 1849 C ST NW 2540 | 11427 AVERY DR | 10103 HECKSCHER DR | 10133 HECKSCHER DR | 10137 HECKSCHER DR | 4505 ORTEGA FARMS CIR | 10118 HECKSCHER DR | 10139 HECKSCHER DR | 10101 FT GEORGE RD | 127 17TH AVE N | 10114 HECKSCHER DR | 15973 CROAKER RD | 5458 SKYLARK CT | 10127 FT GEORGE RD | 10054 HECKSCHER DR | 10058 HECKSCHER DR | 10110 HECKSCHER DR | 10049 HECKSCHER DR | C/O SARA AND ANDREW PELTON | 9401 WAYPOINT PL | MAIL_ADDR1 |
| | | | | | | | | | | | | | | | | | | | | | | | | 10100 HECKSCHER DR JACKSONVILLE | | MAIL_ADDR2 |
| JACKSONVILLE | | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | ORANGE PARK | WASHINGTON | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE BEACH | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | JACKSONVILLE | MAIL_CITY |
| FL | | F | F | 72 | F | R | 77 | 77 | 7 | F | ٣ | ٣ | 2 | 7 | 7 | 7 | | F | 7 | 7 | £ | 7 | 7 | F | 7 | MAIL |
| 32225 | | 32226 | 32226 | 32226 | 32073-5229 | 20240 | 32218-4047 | 32226-2507 | 32226-2507 | 32226 | 32210 | 32226-2508 | 32226 | 32226-2464 | 32250 | 32226 | 32226 | 32257 | 32226-2464 | 32226 | 32226-2506 | 32226 | 32226 | 32226-2508 | 32257 | MAIUMAIL_ZIP |