Date Submitted: 8-7-20	Application Number: AD-20-41
Date Filed:	Public Hearing:

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 Offici	al Use Only	
Current Zoning District: RLD-LLO	Current Land Use Category: 1 DD	
Deviation Sought: Reduction of Lot width	Applicable Section of Ordinance Code:	
Council District:	Planning District:	
Previous Zoning Applications Filed (provide applicat	ion numbers):	
Notice of Violation(s):	·	
Number of Signs to Post: Amount of Fed	Zoning Asst. Initials: 2 M	
Neighborhood Associations: Murray	III Preservation	
Overlay: NONE		
PROPERTY INFORMATION 1. Complete Property Address:		
4590 Prunty Ave Tacksonville, F1 32205	2. Real Estate Number: 065 399 — 000 0	
3. Land Area (Acres):	4. Date Lot was Recorded:	
. 49 Acres or 21,559 sq ft	12/20/1985	
5. Property Located Between Streets:	6. Utility Services Provider:	
Printy is between Lamboli Ave and Hamilton St	City Water / City Sewer	
tamiller 3/	Well / Septic	
7. In whose name will the Deviation be granted:	rank Erwin	
8. Is transferability requested? If approved, the admin		
Yes		
No		

9. Deviation Sought: 54.45				
Reduce Required Minimum Lot thee from 60 to 54.55 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 fromto				
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 S te 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				
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)	m width of the driveway access from			
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 prope	(Circle) property along the north / east / south / west property boundary from 24 feet required to feet. (Circle)			
	vidth along the <u>north / east / south / west</u> 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 v	visual screen along the <u>north / east / south / west</u>			
property boundary from 6 feet tall and 85 % opaque	required to feet tall and%.			
OWNER'S INFORMATION (please attach separa	ite sheet if more than one owner)			
10. Name: Frank Erwin	11. E-mail: Therwin3 Qgmail.com			
12. Address (including city, state, zip):	13. Preferred Telephone:			
4228 Rosewood Ave	843-372-2977			
Jacksonville Fl 32207				
APPLICANT'S INFORMATION (if different from owner)				
14. Name:	15. E-mail:			
16. Address (including city, state, zip):	17. Preferred Telephone:			

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;
- 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 Zaning 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.

* See Attached *

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 l	ot and block or metes and bounds (Exhibit 1)		
Proof of property ownership – may be print-o	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 Corporation	ns if a corporate owner,		
http://search.sunbiz.org/Inquiry/CorporationSearch/ByName.			
Letter from the Department of Children and F	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 – reside	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	Public Notices		
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.

	Ñ.
Owner(s)	Applicant or Agent (if different than owner)
Print name: Frank Erwin	Print name:
Signature	Signature:
	*An agent authorization letter is required if the application is made by any person other than the
Owner(s)	property owner.
Print name:	
Signature:	
ž.	

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 1d Floor

Jacksonville, Florida 32202

(904) 255-8300

I am seeking an administrative deviation for this property to be able to build a house beside the current house that is on the property. I am going to live in the current house on the property and I am wanting to be able to build a house for my mother to be able to live beside me. I have talked to several people in the zoning and city planning departments and I was told that lineal consanguinity would be an option, but to be fully protected years down the road that I needed to apply for this administrative deviation.

I am needing this waiver for the width of the lot for the house that I will build. Although the lot meets the minimum square footage requirements for a second house the lot is 114.55 feet wide and it is my understanding for two houses with RLD-60 zoning you need 120 feet. I am wanting to be able to reduce the required lot width for the house that I will build from 60 to 54.55 feet.

EXHIBIT A

Property Ownership Affidavit - Individual

Date: Trapero
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: 4090 Prunty Pve RE#(s): 009399-0000
To Whom it May Concern:
Exhibit 1 in connection with filing application(s) for submitted to the Jacksonville Planning and Development Department.
Print Name: Frank Erwin
STATE OF FLORIDA COUNTY OF DUVAL
Sworn to and subscribed and acknowledged before me this 2020 by Fronk FYVVVV , who is personally known to me or who has produced took an oath. (Signature of NOTARY PUBLIC)
CHELSEA STALLONE State of Florida-Notary Public Commission # GG 156798 My Commission Expires October 31, 2021 (Printed name of NOTARY PUBLIC) State of Florida at Large My commission expires

Exhibit 1

Legal Description

29-2S-26E.50 PT NE ¼ of SW ¼ RECD O/R 15170-1441

A parcel of land lying in and being a part of the West half of the Northeast quarter of the Southwest quarter of Section 29, Township 2 South, Range 26 East, Duval County, Florida being more particularly described as follows:

Commence at the intersection of the southerly right of way line of Prunty Avenue, A 50 foot right of wat as now established, with the the easterly right of way line of Lamboll Avenue (formerly known as O'quinn Rd), A 50 foot right of way as now established; Thence on said Southerly right of way line, North 89 degrees 40 minutes, 25 Seconds East, 137.00 feet to the point of beginning; Thence continue North 89 degrees 40 Minutes 25 Seconds East, A distance of 63.18 feet; Thence South 00 Degrees 16 Minutes 39 Seconds West, 229.00 feet; Thence South 89 Degrees 39 Minutes 06 Seconds West, A distance of 114.55 feet; Thence North 00 Degrees 27 Minutes 58 Seconds East, A distance of 138.97 feet; Thence North 89 Degrees 40 Minutes 32 Seconds East. A distance of 51.00 feet; Thence North 00 Degrees 13 Minutes 17 Seconds East, A distance of 90.08 feet to said southerly right of way line and to the point of beginning

Parcel ID Number: 065399-0000

American Land Title Association

ALTA Settlement Statement - Combined Adopted 05-01 2015

FileNo./Escrow No.: RC20-0443 Print Date & Time: 7/16/2020 @ 2:16 PM

River City Title, LLC

Officer/Escrow Officer: Settlement Location:

11512 Lake Mead Ave, Suite 606 Jacksonville, Florida 32256

11512 Lake Mead Ave, Suite 606 Jacksonville, Florida 32256

Property Address: 4596 Prunty Ave, Jacksonville, Florida 32205 Buyer: Frank Erwin, 4228 Rosewood Ave, Jacksonville, Florida 32207

Seller: Christopher A Jenkins Lender: Canopy Oaks Properties, LLC Loan Type: Other Settlement

Loan Number:

Settlement Date: 7/17/2020 Disbursement Date: 7/17/2020 Additional dates per state requirements:

Selle		Description	Borrower	/Buyer
Debit	Credit	THE STATE OF THE S	Debit	Credit
		Financial		
	\$160,000.00	Sales Price of Property	\$160,000.00	
		Loan Amount		\$165,000.0
		Prorations/Adjustments		
\$704.81		County Taxes from 1/1/2020 to 7/16/2020		\$704.83
		Loan Charges to Canopy Oaks Properties, LLC		
		Prepaid Interest (\$54.25 per day from 7/17/2020 to 8/1/2020) to Canopy Oaks Properties, LLC	\$813.70	
		Other Loan Charges		
\$4.50		E-Recording Fee to Old Republic National Title Insurance Company	\$9.00	
\$10.00		Non-Judgement Affidavit to Old Republic National Title Insurance Company		
		Title Charges & Escrow / Settlement Charges		
		Title - Closing Fee to River City Title, LLC	\$250.00	
	Title - Title Search to Old Republic National Title Insurance Company	\$85.00		
	Title - Lender's Coverage Premium to River City Title, LLC	\$900.00		
	Title - Owner's Coverage Premium to River City Title, LLC	\$250.00		
		Government Recording & Transfer Charges		
		Recording Fees to Clerk of the Circuit Court	\$88.00	
		Transfer Taxes - Deed State to Clerk of the Circuit Court	\$1,120.00	

Copyright 2015 American Land Title Association. All rights reserved.

Page 1 of 2

File #: RC20-0443 Printed on 7/16/2020 @ 2:16 PM

		Transfer Taxes - Intangible Tax to Clerk of the Circuit Court	\$330.00	
		Transfer Taxes - Mortgage State to Clerk of the Circuit Court	\$577.50	
		Payoff(s)		
\$94,856.48	Lender: BB&T			
		Principal Balance (\$94,856.48)		****
		Interest on Payoff Loan ()		
Se	ller	Description	Borrowe	r/Buyer
Debit	Credit		Debit	Credit
\$95,575.79	\$160,000.00	Subtotals	\$164,423.20	\$165,704.81
		Due To Borrower	\$1,28	1.61
\$64,4	24.21	Due To Seller		

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize River City Title, LLC to cause the funds to be disbursed in accordance with this statement.

Borrower:		Seller:	flle
	Frank Erwin		Christopher A

I have reviewed the Closing Disclosure, the settlement statement, the lender's closing instructions and any and all other forms relative to the escrow funds, including any disclosure of the Florida title insurance premiums being paid, and I agree to disburse the escrow funds in accordance with the terms of this transaction and Florida law.

Escrow Officer

Copyright 2015 American Land Title Association. All rights reserved.

Page 2 of 2

File #: RC20-0443 Printed on 7/16/2020 @ 2:16 PM Prepared by:

River City Title, LLC 11512 Lake Mead Ave, Suite 606 Jacksonville, Florida 32256

File Number: RC20-0443

General Warranty Deed

Made this July 17, 2020 A.D. by Christopher A Jenkins and Tonyia Pugh Jenkins, husband and wife, whose address is: 994 Power Dam Road, Blue Ridge, Georgia 30513, hereinafter called the grantor, to Frank Erwin, a married man, whose post office address is: 4596 Prunty Ave, Jacksonville, Florida 32205, hereinafter called the grantee:

(Whenever 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 Dollars, (\$10.00) 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 in Duval County, Florida, viz:

A PARCEL OF LAND LYING IN AND BEING A PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 2 SOUTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF PRUNTY AVENUE, A 50 FOOT RIGHT OF WAY AS NOW ESTABLISHED, WITH THE EASTERLY RIGHT OF WAY LINE OF LAMBOLL AVENUE (FORMERLY O'QUINN ROAD), A 50 FOOT RIGHT OF WAY AS NOW ESTABLISHED; THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 89 DEGREES 40 MINUTES 25 SECONDS EAST, 137.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 40 MINUTES 25 SECONDS EAST, A DISTANCE OF 63.18 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 39 SECONDS WEST, 229.00 FEET; THENCE SOUTH 89 DEGREES 39 MINUTES 06 SECONDS WEST, A DISTANCE OF 114.55 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 58 SECONDS EAST, A DISTANCE OF 138.97 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.00 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 17 SECONDS EAST, A DISTANCE OF 90.08 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE AND TO THE POINT OF BEGINNING.

Parcel ID Number: 065399-0000

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, 2019.

Prepared by:

River City Title, LLC 11512 Lake Mead Ave, Suite 606 Jacksonville, Florida 32256

File Number: RC20-0443

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

and State of the same State of the same and same same same same same same same same	a scaled these presents the day and year that above written.
Signed, sealed and delivered in our presence: Witness Printed Name Laura L. Gardon Mana H. Son (TK)	Christopher A. Jenkins (Seal)
Witness Printed Name JESSU G SMIHA State of Florida County of Duval	Tonyia Pugh Jenkins (Scal)
The foregoing instrument was acknowledged before me, by means the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged before me, by means a subject of the foregoing instrument was acknowledged by the foregoing instr	of [*physical presence or [] online notarization, this 17 ¹⁴ day of the synta Pugh Jenkins, who is/are [] personally known to me or [4] who on.
(notary seal below)	Notary Public
LAUREN L GORDON Notary Public-State of Floridal Commission # GG 104960 My Commission Expires May 15, 2021	Print Name: Lawer L Gadon My Commission Expires: 515121

