

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE
ORDINANCE 2015-0417 (WRF-15-06)

AUGUST 4, 2015

Location: 2848 Claire Lane
Jacksonville, Florida 32223

Real Estate Number: 156108-0000

Waiver Sought: Reduce minimum required road frontage from 160 feet to 35 feet for development of two single-family homes on the same parcel.

Present Zoning District: Rural Residential-Acre (RR-Acre)
Residential Low Density (RLD-90)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

Planning Commissioner: Daniel Blanchard

City Council Representative: The Honorable Matt Schellenberg, District 6

Owner: Carol Yelinek
2848 Claire Lane
Jacksonville, Florida 32223

Staff Recommendation: APPROVE

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance 2015-0417 (WRF-15-06)** seeks to reduce the minimum required road frontage from 160 feet to 35 feet to permit the development of a second single-family residence behind the existing residence for a family member. The site consists of 1.92 acres of land and has had the current configuration since 1986. **Companion Application AD-15-29** seeks to reduce the minimum required lot area from 87,120 square feet required to 83,635 square feet available; staff recommends approval of that request. It is accessible to Claire Lane right-of-way via 35 feet frontage through RLD-90 zoning district; the

site where the structures are to be located is zoned RR-Acre. Both structures are intended to be maintained in common ownership. The existing residential structure was developed in 1959. A small portion of isolated wetland lies along the west property boundary, with natural outfall of the relatively flat surrounding terrain being toward Old River Road to the south. The site is located in the "Suburban" development area and Scott Mill Hill septic tank failure area but is served by JEA water and sewer.

DEFINITION

According to Section 656.1601 of the Zoning Code, the term waiver means a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the Zoning Code. Waivers of Road Frontage are authorized to be granted by the City Council pursuant to the criteria set forth in Section 656.133(b) of the Zoning Code.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.133(d) of the Zoning Code, a waiver for minimum required street frontage may be granted if the City Council makes a positive finding based on substantial, competent evidence that the application meets all of the following criteria:

- (i) *Are there practical or economic difficulties in carrying out the strict letter of the regulation?*

Yes. The property is developable in other respects. A second dwelling unit is otherwise permitted on the property in regard to the minimum required site area subject to approval of the companion application; however the site is deficient in frontage length required by code. The second dwelling unit would require access through the northern portion of the site.

- (ii) *Is the request 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)?*

No. Grant of the request would allow for two residences on 1.92 acres in the RR-Acre zoning district. The parcel is designated for Low Density Residential land use by the 2030 Comprehensive Plan: Future Land Use Element. It is presumed that the construction of a second structure will result in net costs to the owner rather than a net savings. Other surrounding properties are typically one half to one acre in size, so the request would bring the site into greater consistency the average density of the neighborhood.

The Code of Subdivision Regulations requires a formal review for partitioning of a parcel into three or more lots. No subdivision is contemplated with this request.

- (iii) *Will the proposed waiver substantially diminish property values in, or alter the essential character of the area surrounding the site and will the waiver substantially interfere with or injure the rights of others?*

No. Section 656.137 of the City of Jacksonville Code of Ordinances requires notice to all property owners holding property within 350 feet of the subject property. Access will be via a developed driveway access Claire Lane. This waiver allows the applicant to create two single-family residences in the RR-Acre zoning district. The RR-Acre zoning district has a minimum lot area of one acre.

The essential character of the area is affected by the size, use and development pattern of the property relative to the size of surrounding properties. The resultant lot is of a size that is consistent with the middle range of the size of surrounding properties and will be used for the same purpose.

If approved, the request will result in property that is consistent with the size, uses and essential character of the surrounding area. The building permit process will ensure that whatever structures are erected comply with the minimum requirements of the Zoning Code (Part 4) for aesthetic quality and with all applicable provisions of the Florida Building Code for public health, safety and welfare. Site drainage pattern will be substantially unchanged and will be governed by the land development standards.

- (iv) *Is there a valid and effective easement for adequate vehicular access connected to a public street maintained by the City or an approved private street?*

Yes. There is direct frontage of 35 feet for ingress, egress and utilities via an existing driveway connection to Claire Lane. Emergency services, code enforcement officers, solid waste collection, utility providers and other members of the public who have legitimate interest in the property will have direct access.

- (v) *Will the proposed waiver be detrimental to the public health, safety or welfare, and result in additional expense, the creation of nuisances or conflict with any other applicable law?*

No. The proposed waiver will not be detrimental to the public health, safety, or welfare. The site can be accessed via Claire Lane. The development of the site will be required to comply with the Land Development Procedures Manual. The unrestricted access ensures that future owners of the property will have unimpeded access; therefore the long term utility and marketability of the property is ensured regardless of ownership of the adjoining properties.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the property on July 16, 2015 and the required notice signs were posted.

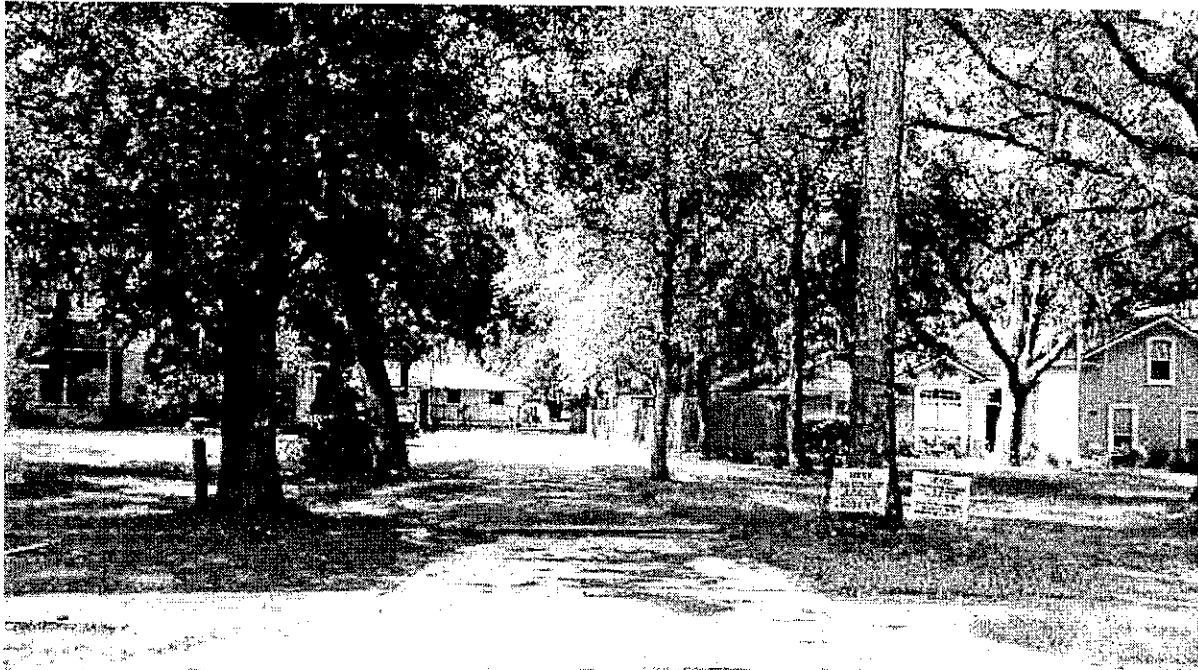
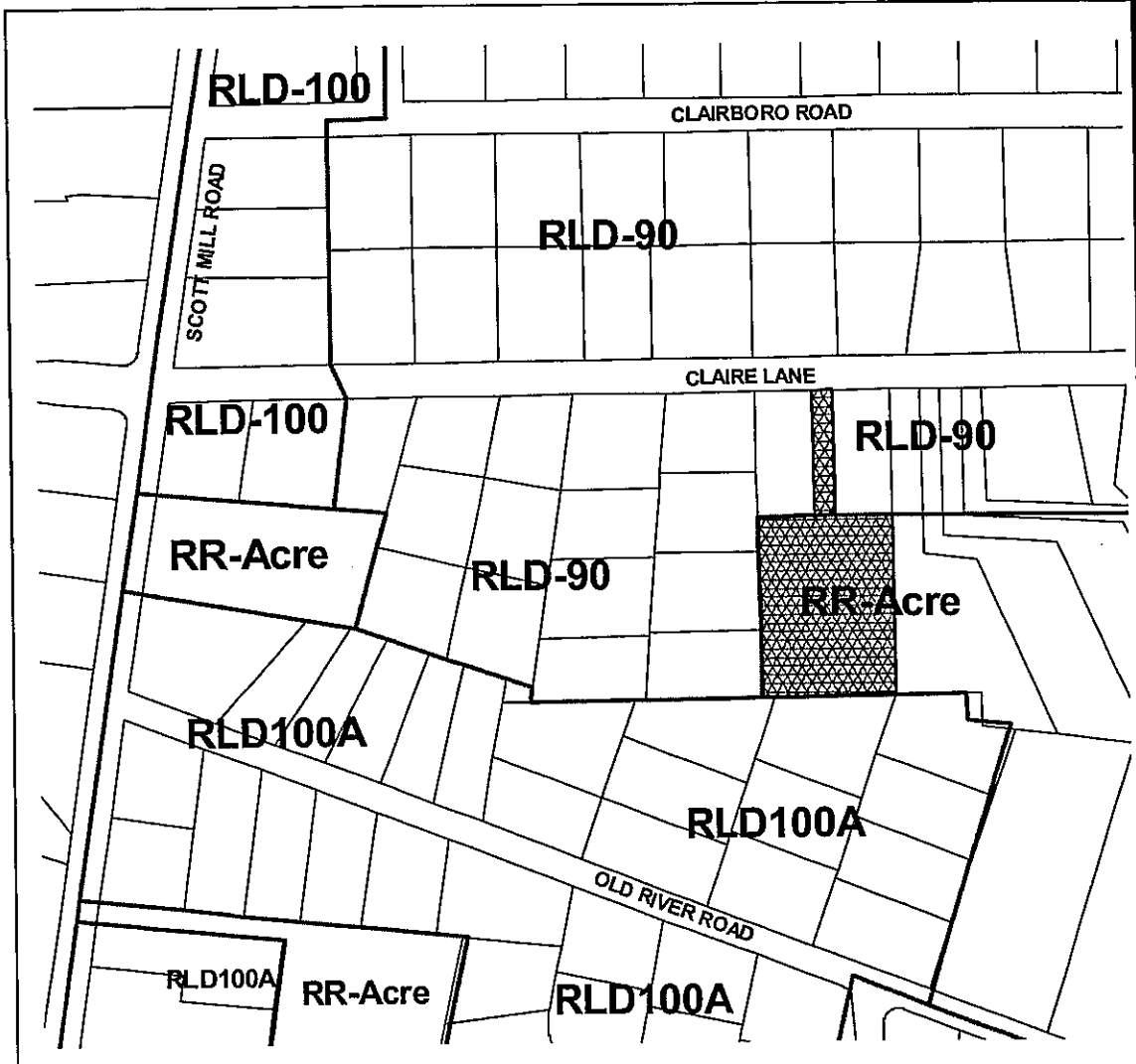


Figure 1 Subject property viewed looking south from Claire Lane showing signs posted.

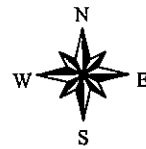
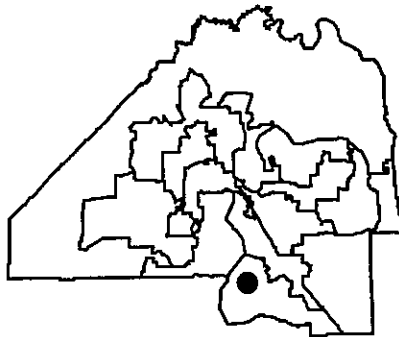
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Required Road Frontage Ordinance 2015-0417 (WRF-15-06) be APPROVED.



REQUEST SOUGHT:

REDUCE ROAD FRONTAGE
FROM 160 FT. TO 35 FT.



100 0 100 Feet



COUNCIL DISTRICT:

6

APPLICATION NUMBER:

WRF-2015-0006

APPLICATION / WRF-15-06
AD-15-29

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

Application No. WRF- 15-06
Set for Public Hearing on:
Notice of Violation: no

This application must be typed or printed in black ink and submitted in person with three (3) other copies, for a total of four (4) copies.

\$ 2149. comp. total

Planning and Development Department
Zoning Section
Ed Ball Building
214 North Hogan Street, 2nd Floor
Jacksonville, Florida 32202

FOR INFORMATION REGARDING THIS FORM, CALL: (904) 255-8300.

For Official Use Only				
1. Date Submitted: 4/21/15	2. Date Filed: 5/7/15	3. Current Zoning District(s): RR / RLD 90	4. Future Land Use Map Category (FLUMs): LDR	5. Applicable Section of Ordinance Code: Case 407
6. LUZ Public Hearing Date: ___/___/___		7. City Council Public Hearing Date: ___/___/___		
8. Neighborhood Association _____				
9. Number of Signs to be Posted <u>1</u>				

TO BE COMPLETED BY APPLICANT

10. Complete Property Address: <u>2848 Claire Ln, Jacksonville, FL 32223</u>	13. Between Streets: <u>Claire Court</u> and <u>Clairboro Rd E</u>
11. Real Estate Number: <u>156108-0000</u>	
12. Date lot was recorded: ^{11/20/1986 when we purchased, 05/19/1977 earliest recording} <u>11-26-1986</u>	
14. Waiver Sought: Reduce Required Minimum Road Frontage from <u>160</u> feet to <u>35</u> feet.	
15. In whose name will the exception be granted? <u>Carol Yelinek / Yelinek Living Trust</u>	
16. Land Area (1/100 Acres): <u>1.92 acres</u>	
17. Utility Services Provider	
Well: _____	Septic: _____
City Water: <u>JEA</u>	City Sewer: <u>JEA</u>

* * * NOTICE TO OWNER/AGENT * * *

Section 656.101(i), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum street frontage requirements, pursuant to Section 656.407, Ordinance Code, Section 656.133 (b) 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:

18. Provide answers to the following questions pertaining to the standards and criteria. You may attach a separate sheet if necessary. (Please note that failure by the applicant to adequately substantiate the need for the exception and to meet the criteria set forth below may result in a denial).

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

My property is shaped like a popsicle with the driveway being the stick. There is no room to meet the road frontage requirement short. I want to place a 2nd home on my property for my son and his family so they can help me take care of my house/property.

(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);

No it is not, just want to place a 2nd home on my property for my son and his family.

(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 it will not

(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;

Yes, the current driveway is of adequate size.

(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.

No it will not

19. Attachments - One of each of the following should be included in each copy of the application, providing for four (4) complete copies. All copies, with the exception of the 2 required large site plans, should be on 8 1/2" x 11" paper.

Survey (as required by the Current Planning Section)

Site Plan as required per instructions. (2 copies on 8 1/2" x 11 and 2 copies on 11 x 17 or larger)

Letter of Authorization for Agent/Applicant is required if application is made by any person other than the property owner.

Legal description, may be either lot and block or metes and bounds, including real estate assessment number(s) of the subject property

Proof of valid and effective easement for access to the property.

Pictures?

*** NOTICE TO OWNER / AGENT ***

Please review your application. All spaces noted as "TO BE COMPLETED BY APPLICANT" must be filled in for the application to be accepted.

No application will be accepted as "Complete and filed" until all 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 Planning Commission. You (or your agent) must be present at the public hearing.

The required signs must be posted on the property within five (5) working days after the filing of this application. The sign(s) must remain posted and maintained until a final determination has been made on the application. Proof of notice publication must be submitted to the Current Planning Division, Planning and Development Department, Ed Ball Building, 214 North Hogan Street Suite 300, Jacksonville, Florida 32202, (904) 255-7800 PRIOR TO THE HEARING.

Also, an agent's letter of authorization must be attached if the application is not signed by the owner of record and also if someone attends the meeting on the applicant's behalf without prior authorization.

FILING FEES	NOTIFICATION COSTS:
RESIDENTIAL DISTRICTS..... \$500.00	\$7.00 PER ADDRESSEE
NON-RESIDENTIAL DISTRICTS..... \$700.00	ADVERTISING COSTS:
	BILLED TO OWNER / AGENT

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

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.

PLEASE PRINT:

Name and address of Owner(s)
Name: Carol Yelinek
Address: 2848 Claire Ln

City: Jacksonville
State: FL Zip: 32223
Email: dcyell@comcast.net
Daytime Telephone: 904.476.5302
Carol Yelinek
SIGNATURE OF OWNER(S)

Name and address of Authorized Agent(s)
Name: _____
Address: _____

City: _____
State: _____ Zip: _____
Email: _____
Daytime Telephone: _____

SIGNATURE OF AUTHORIZED AGENT(S)

SIGNATURE OF OWNER(S)

Letter of Authorization for Agent is required if application is made by any person other than the property owner. Also, a larger scale drawing may be required for commercially zoned property with an existing structure or otherwise as required by the Planning and Development Department's Zoning Section.

For questions call:
Brian Yelinek
904-250-6505

Parcel/R.E. # 156108-0000
2848 Claire Lane
Jacksonville FL 32256

Proposed Site Plan Attachment:

Total Lot Size – 87,377 Sq Ft / 1.92 acres

Main Home Size – 3,260 Sq Ft

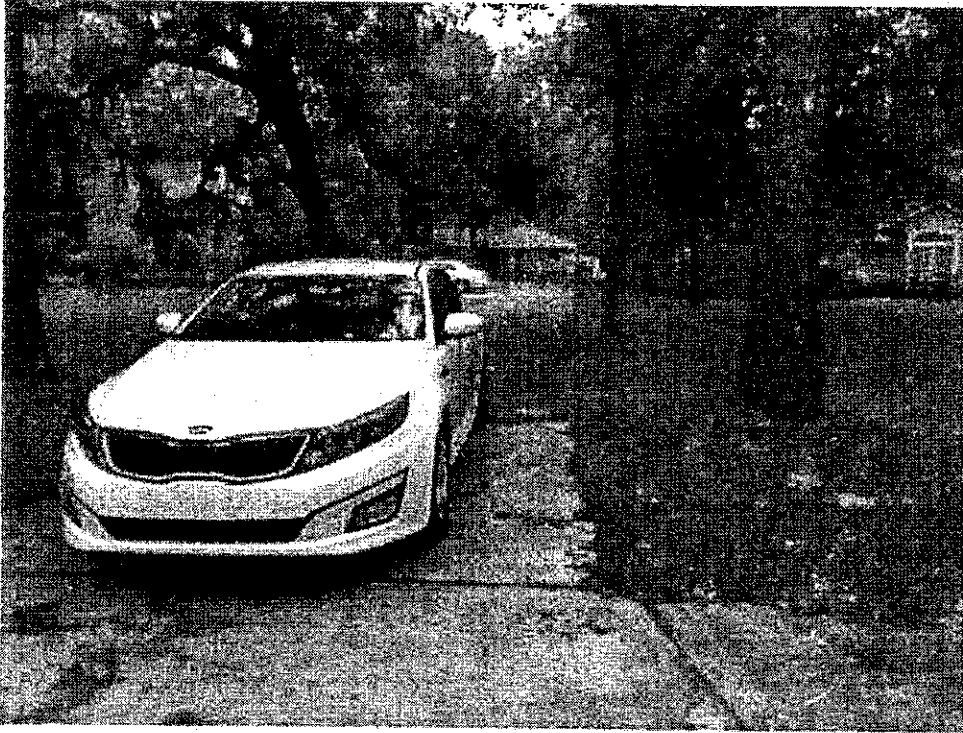
Proposed 2nd Home – 1,680 Sq Ft

Lot Size including 2 homes – 82,437 Sq Ft

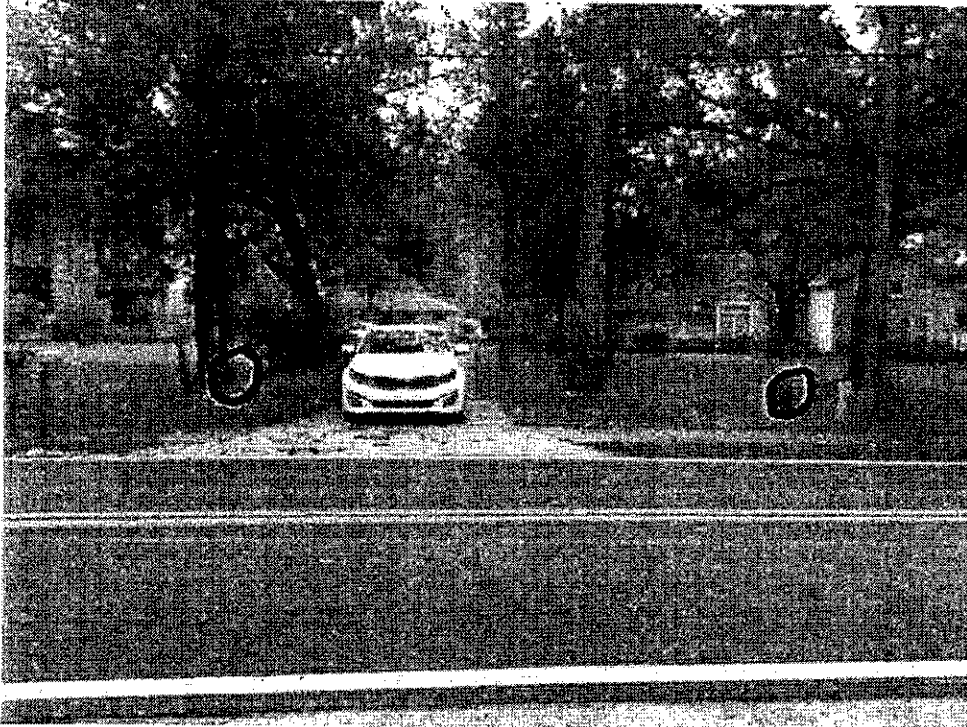
The Metal Shed and Frame Shed will be moved to the East Side of the property.

The concrete Drive Way will be extended to the 2nd home.

1

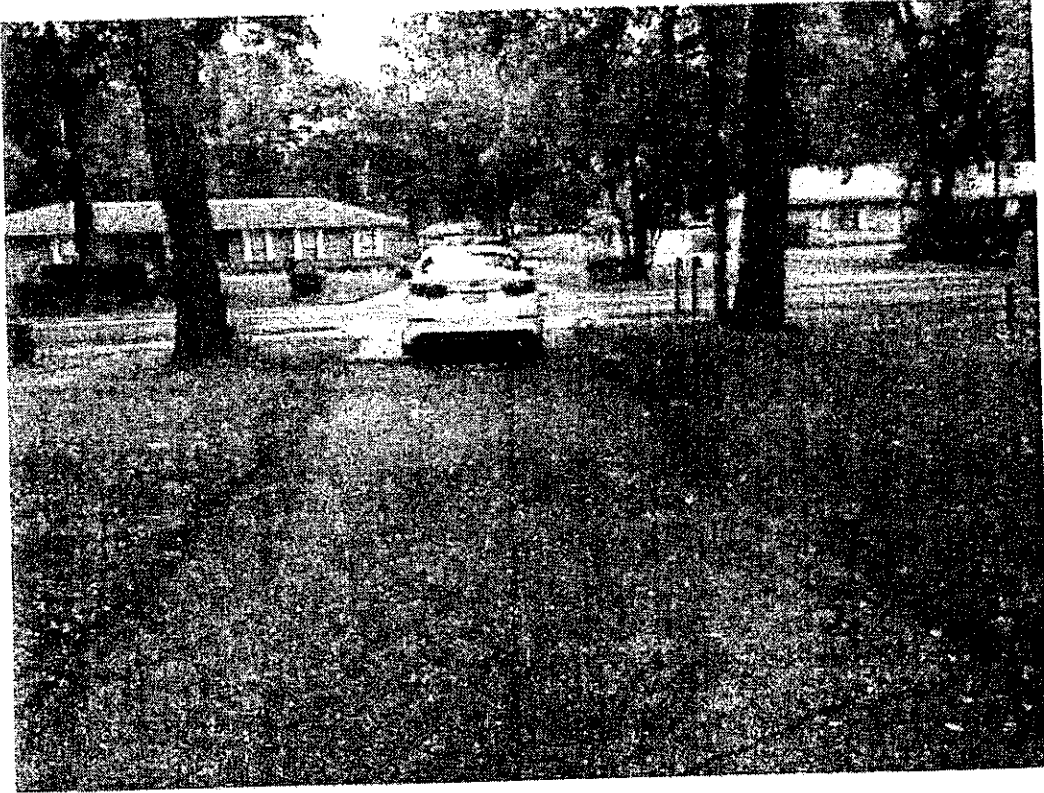


2



O = shows
property
marker

3



1st picture shows turning into my driveway from Claire Lane

2nd picture shows my driveway standing in the drive across the street on Claire Lane; shows orange flags marking my property line

3rd picture shows leaving my driveway

RIE # 156108-0000

Legal Description

VOL 6239 PG 1410

OFFICIAL RECORDS

EXHIBIT "A"

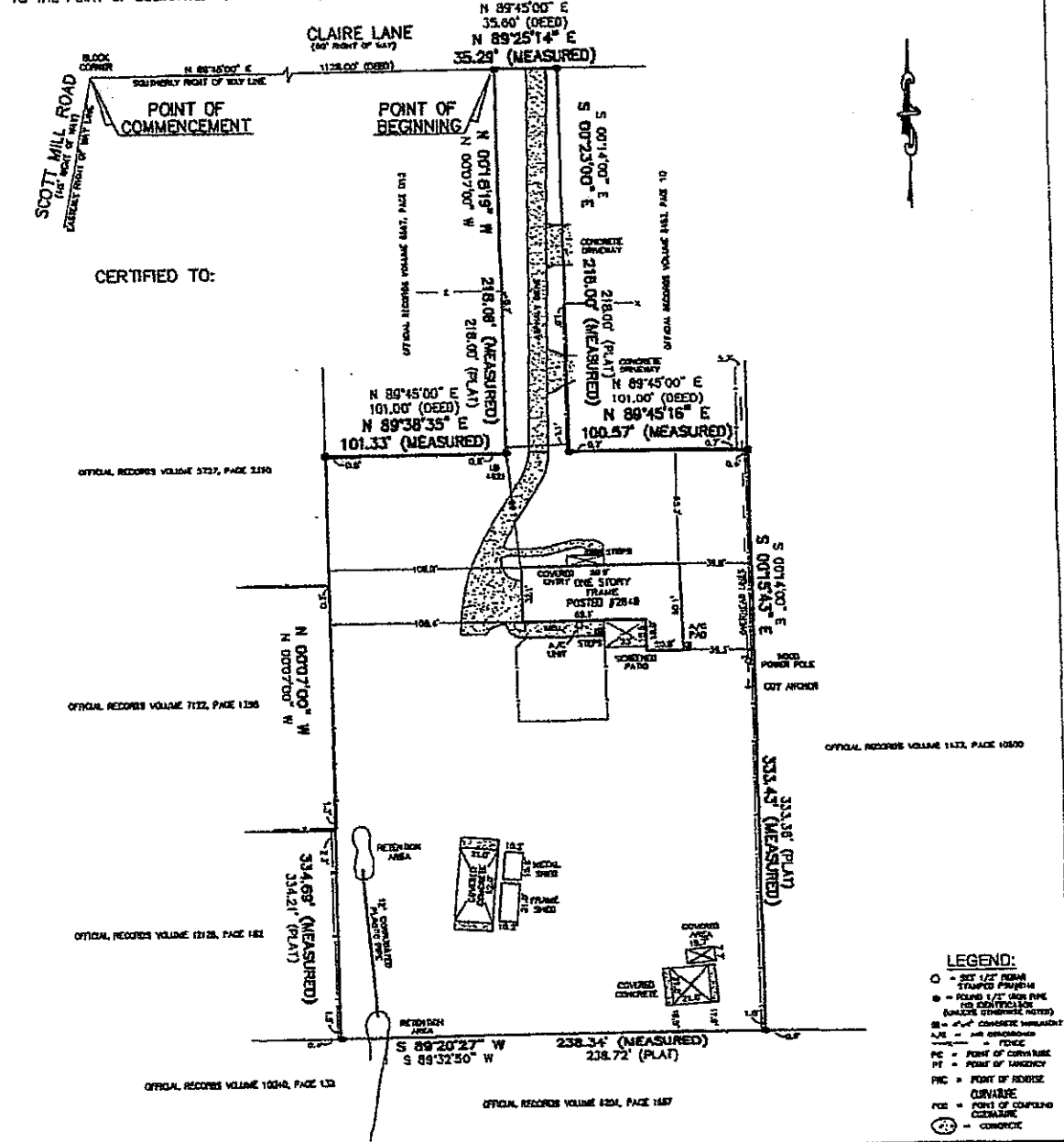
A part of the Henry Hartley Donation, Section 7, Township 4 South, Range 27 East, Duval County, Florida, being more particularly described as commencing at the intersection of the Easterly right-of-way line of Scott Mill Road with the Southerly right-of-way line of Claire Lane; thence North 89°45' East along the Southerly right-of-way line of said Claire Lane, 1128 feet to a point for the point of beginning; thence continue North 89°45' East along said right-of-way line, 35.60 feet; thence South 0°14' East, 218.0 feet; thence North 89°45' East, 101.0 feet to an intersection with the Westerly boundary of the lands described in Deed Book 1464, Page 20; thence South 0°14' East, along the Westerly boundary of said lands so described, 333.36 feet to the Southwest corner of said lands; thence South 89°32'50" West, 238.72 feet to the Southeast corner of the lands described in Official Records Volume 170, Page 502; thence North 0°07' West, along the Easterly boundary of said lands so described, 334.21 feet; thence North 89°45' East, 101.0 feet; thence North 0°07' West, 218.0 feet to the point of beginning.

5/7/15

MAP SHOWING BOUNDARY SURVEY OF

LEGAL PROVIDED BY CLIENT:

A PART OF THE HENRY HARTLEY DONATION, SECTION 7, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SCOTT MILL ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE; THENCE NORTH 89 DEGREES 45 MINUTES EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE, 1128.00 FEET TO A POINT FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 45 MINUTES EAST ALONG SAID RIGHT OF WAY LINE, 35.60 FEET; THENCE SOUTH 01 DEGREES 14 MINUTES EAST, 218.0 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF THE LANDS DESCRIBED IN DEED BOOK 1464, PAGE 20; THENCE SOUTH 0 DEGREES 14 MINUTES EAST, ALONG THE WESTERLY BOUNDARY OF SAID LANDS 50 DESCRIBED, 333.36 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE SOUTH 89 DEGREES 32 MINUTES 50 SECONDS WEST, 238.72 FEET TO THE SOUTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 170, PAGE 502; THENCE NORTH 0 DEGREES 07 MINUTES WEST, ALONG THE EASTERLY BOUNDARY OF SAID LANDS 50 DESCRIBED, 134.21 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET; THENCE NORTH 0 DEGREES 07 MINUTES WEST, 218.0 FEET TO THE POINT OF BEGINNING. CONTAINING 87,377 SQUARE FEET MORE OR LESS.



- NOTES:
1. BEARINGS ARE BASED ON THE DEED BEARING OF N 00°07'00" W ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
 2. BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120077, PANEL 05&2 H.
 3. THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
 4. THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS	
DATE	DESCRIPTION
4-9-2015	UPDATE

JOB #15463-A | DATE OF FIELD SURVEY: 10-28-08 | SCALE: 1" = 60'



Ray Thompson
SURVEYING, Inc.
Going the DISTANCE for You
 4813 Phillips Highway, Suite 210
 Jacksonville, Florida 32207
 (Phone) 904-448-5125
 (Fax) 904-448-5178

CERTIFICATE
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND ENGINEERS IN CHAPTER 55-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 120007, FLORIDA STATUTES.
 10-28-08

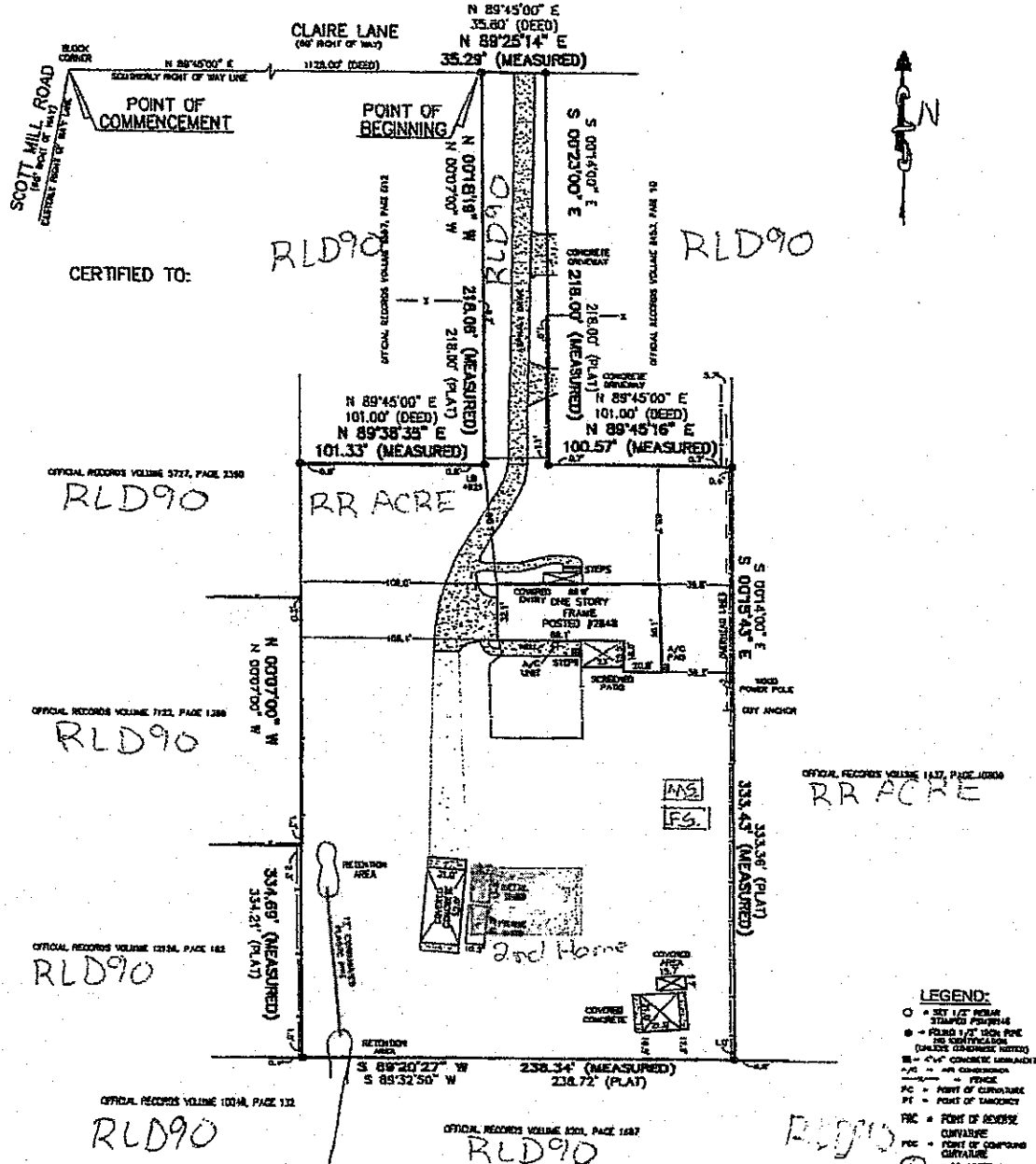
 REGISTERED SURVEYOR AND ENGINEER # 35145 STATE OF FLORIDA
 LICENSE BUSINESS NO. 7468

Site Plan

MAP SHOWING BOUNDARY SURVEY OF

LEGAL PROVIDED BY CLIENT:

A PART OF THE HENRY HARTLEY DONATION, SECTION 7, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SCOTT MILL ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE; THENCE NORTH 89 DEGREES 45 MINUTES EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE, 1128.02 FEET TO A POINT FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 45 MINUTES EAST ALONG SAID RIGHT OF WAY LINE, 35.60 FEET; THENCE SOUTH 01 DEGREES 14 MINUTES EAST, 218.0 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF SAID LANDS DESCRIBED IN DEED BOOK 1484, PAGE 20; THENCE SOUTH 0 DEGREES 14 MINUTES EAST, ALONG THE WESTERLY BOUNDARY OF SAID LANDS DESCRIBED, 333.36 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE SOUTH 89 DEGREES 32 MINUTES 50 SECONDS WEST, 238.72 FEET TO THE SOUTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 170, PAGE 502; THENCE NORTH 0 DEGREES 07 MINUTES WEST, ALONG THE EASTERLY BOUNDARY OF SAID LANDS 50 DESCRIBED, 334.21 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET; THENCE NORTH 0 DEGREES 07 MINUTES WEST, 218.0 FEET TO THE POINT OF BEGINNING. CONTAINING 87,377 SQUARE FEET MORE OR LESS.



CERTIFIED TO:

OFFICIAL RECORDS VOLUME 3727, PAGE 2390
 RLD90

OFFICIAL RECORDS VOLUME 7123, PAGE 1286
 RLD90

OFFICIAL RECORDS VOLUME 12134, PAGE 183
 RLD90

OFFICIAL RECORDS VOLUME 10034, PAGE 132
 RLD90

OFFICIAL RECORDS VOLUME 8201, PAGE 1887
 RLD90

- LEGEND:**
- = SET 1/2" REBAR STAMPED PERMANENT
 - = FOUND 1/2" DIA. PIPE (UNLESS OTHERWISE NOTED)
 - = 4" x 4" CONCRETE UMBRELLA
 - △ = PER CONSTRUCTION
 - = FENCE
 - PC = POINT OF CURVATURE
 - PT = POINT OF TANGENCY
 - PK = POINT OF BEGINNING CURVATURE
 - PKC = POINT OF CURVATURE CIRCULAR
 - ⊙ = CONCRETE

- NOTES:**
- BEARINGS ARE BASED ON THE DEED BEARING OF N 00°07'00" W ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
 - BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120077, PANEL 0542 H.
 - THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
 - THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS	
DATE	DESCRIPTION
4-8-2015	UPDATE

JOB #15463-A DATE OF FIELD SURVEY: 10-28-08

CERTIFICATE SCALE: 1" = 60'



Ray Thompson SURVEYING, Inc.
 (Going the DISTANCE for You)
 4613 Phillips Highway, Suite 210
 Jacksonville, Florida 32207
 (Phone) 904-448-5125
 (Fax) 904-448-5178

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND ENGINEERS IN CHAPTER 55-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 122027, FLORIDA STATUTES.

Raymond Thompson
 RAYMOND THOMPSON
 REGISTERED SURVEYOR AND MAPPER # 8146 STATE OF FLORIDA
 LICENSE BUSINESS NO. 7469

AD-15-29

LOCATION: 2848 Claire Lane

REAL ESTATE NUMBER: 126217-0020

DEVIATION SOUGHT:

1. Reduce lot area from 87,120 square feet minimum required to 83,635 available

Second Residence

PRESENT ZONING: RLD-90/RR-Acre

CURRENT LAND USE: LDR

PLANNING DISTRICT: 3

COUNCIL DISTRICT: 6

SIGNS POSTED: 1

OWNER:

**Carol Yelinek
2848 Claire Lane
Jacksonville, Florida 32223**

STANDARDS, CRITERIA AND FINDINGS

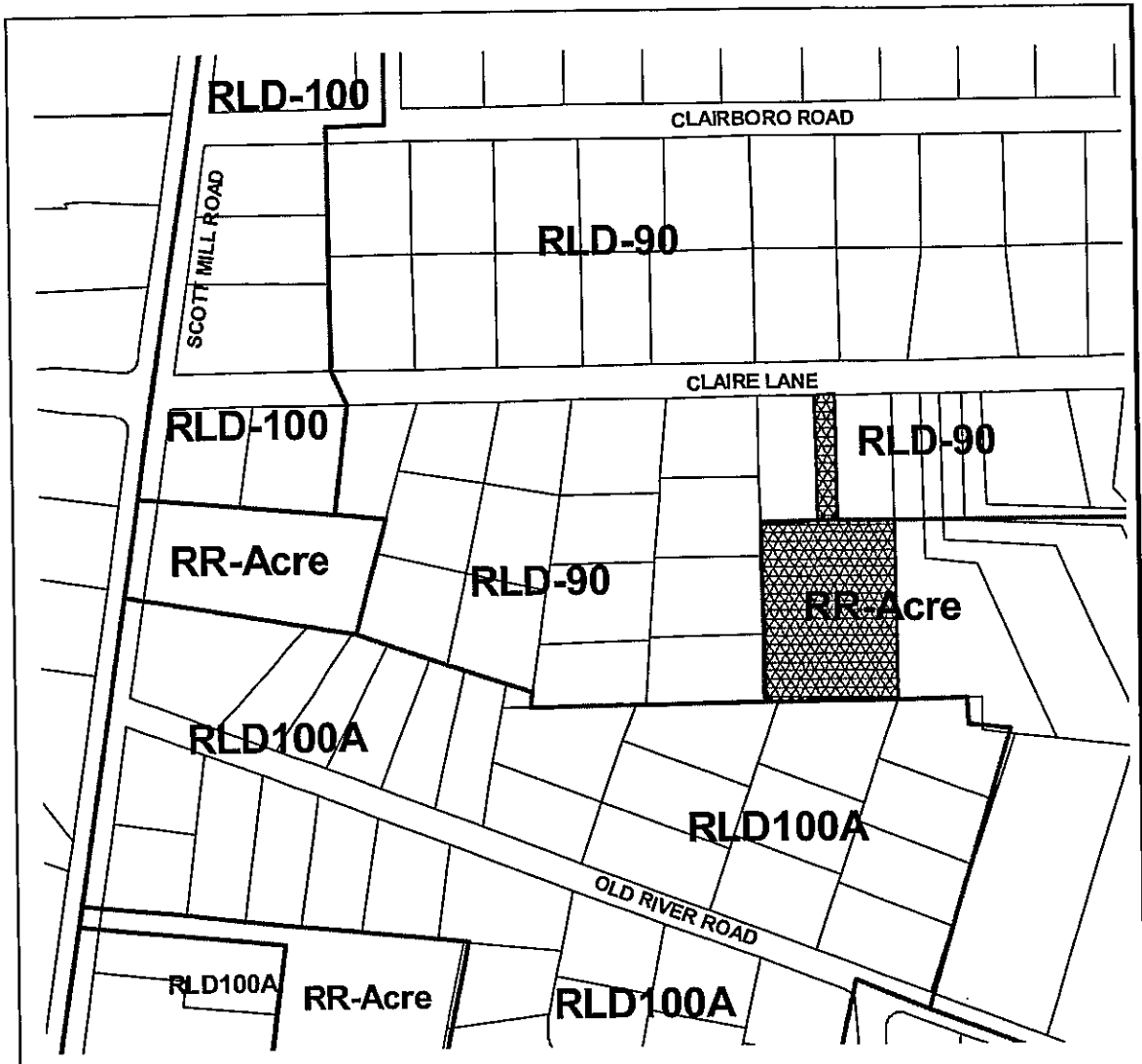
<p>1. Is this situation unique or similar to other properties in the neighborhood?</p>	<p><u>Recommendation:</u> Similar. The surrounding area consists of lots approximately one half to one acre that have been carved from larger lots on a parcel by parcel basis without benefit of subdivision review or comprehensive scheme of development.</p> <p>The owner proposes to construct a second single family dwelling on the rear of an existing lot that was established in 1986. Companion application 2015-0417 (WRF-15-06) is to reduce the required minimum road frontage on Claire Lane from 160 feet to 35 feet. Staff recommends for that request to be approved.</p> <p><u>Findings:</u></p>
<p>2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...</p>	<p><u>Recommendation:</u> The site is a remainder of previous subdivision at 1.92 acres, just below the requirement of two acres for two dwelling units. Approval of this request will result in a net density consistent with surrounding properties.</p> <p><u>Findings:</u></p>

<p>3. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish a result that is in the public interest.</p>	<p><u>Recommendation:</u> The public interest will be a accommodate a family member is older years on the same property as a descendant thereby reducing the burden on other public services that could be required, and providing a dwelling pattern that reaches back in civilized history.</p> <p><u>Findings:</u></p>
<p>4. 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, in that...</p>	<p><u>Recommendation:</u> No. There is no substantial change to access, development pattern, activities, or use that is not entirely consistent with other surrounding properties.</p> <p>Site development will be required to meet all current requirements, including handling of stormwater.</p> <p><u>Findings:</u></p>
<p>5. 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, in that...</p>	<p><u>Recommendation:</u> No. There is no conflict. Drainage pattern will be substantially unchanged from the current pattern.</p> <p><u>Findings:</u></p>
<p>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</p>	<p><u>Recommendation:</u> Yes. The spirit and intent of the Zoning Code is to maximize the utility of property for its intended use while protecting the interests of other surrounding property owners.</p> <p><u>Findings:</u></p>
<p>7. The City landscape architect (has/has not) recommended the proposed deviation.</p>	<p>N/A</p>
<p>8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.</p>	<p><u>Recommendation:</u> N/A</p> <p><u>Findings:</u></p>

PLANNER RECOMMENDATION:
DATE OF REPORT:

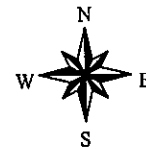
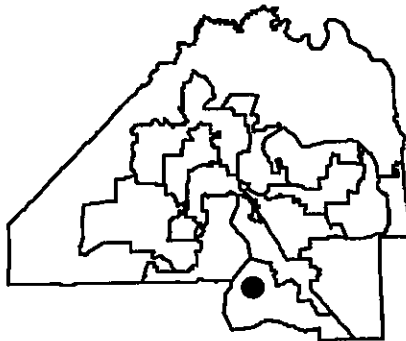
APPROVE
August 4, 2015

LUZ DECISION:
DATE:



REQUEST SOUGHT:

**REDUCE LOT SIZE
FROM 87,120 SQ. FT. TO
83,635 SQ. FT.**



100 0 100 Feet



COUNCIL DISTRICT:

6

APPLICATION NUMBER:

AD-2015-0029

AD-15-29
WRF-15-06

APPLICATION FOR ADMINISTRATIVE DEVIATION

This application must be typed or printed in black ink and submitted with three (3) copies, providing for a total of four complete applications with all required attachments, to:

**Planning and Development Department
Zoning Section
Ed Ball Building
214 North Hogan Street, 2nd
Floor Jacksonville, Florida 32202**

Application No. <u>AD-15-29</u>
Set for Public Hearing on:
Notice of Violation: <u>no</u>

FOR INFORMATION REGARDING THIS FORM, CALL: (904) 255-8300.

For Official Use Only				
1. Date Submitted: <u>4/15/15</u>	2. Date Filed: <u>5/7/15</u>	3. Current Zoning District(s): <u>RR / RLD 90</u>	4. Future Land Use Map Category (FLUMs): <u>LDR</u>	5. Applicable Section of Ordinance Code: <u>656-304, 305</u>

Amount of Fee \$2149, Council District 6 Planning District 3 Zoning Panel No. 467
 Number of Signs to be Posted 1 Zoning Code _____ Zoning Asst. Initials CIR
 Previous Zoning Applications filed? no If yes, state Application No(s) _____
 Neighborhood Association? _____

TO BE COMPLETED BY APPLICANT

6. Complete Property Address: <u>2848 Claire Lane Jacksonville FL 32223</u>	7. Between Streets: <u>Claire Court</u> and <u>Clairboro Rd E</u>
Real Estate Number: <u>156108-0000</u>	Reason for Request: <u>Add 2nd dwelling</u>
Date lot was recorded: <u>11/26/1986</u> when we purchased; <u>05/19/1977</u> earliest recording I could find	

8. Deviation Sought:

Reduce Required Minimum Lot Area from 87,120 ~~43,560~~ 83,635 to 40,075.2 feet.

Increase Maximum Lot Coverage from _____ % to _____ %.

Increase Maximum Height of Structure from _____ to _____ feet.

Reduce Required Yard(s) _____

Reduce Minimum Number of Required Off-street Parking Spaces from _____ to _____

Reduce Minimum Landscape Requirements _____

9. In whose name will the deviation be granted? Carol Yelinek / Yelinek Living Trust

10. Is transferability requested? Yes or No (If approved, the administrative deviation is transferred with the property.)

10. Land Area (Acres) <u>1.92</u>	Utility Services Provider	
	well _____	city water <u>X JEA</u>
	septic tank _____	city sewer <u>X JEA</u>

*** NOTICE TO OWNER/AGENT ***

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 s.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:

12. Provide answers to the following questions pertaining to the standards and criteria. You may attach a separate sheet if necessary. (Please note that failure by the applicant to adequately substantiate the need for the waiver and to meet the criteria set forth below may result in a denial).

I. Does the subject property exhibit any circumstances which could be construed as having physical surroundings, shape, topographical conditions or other physical or environmental conditions limited to the subject property alone, or is this issue common to numerous sites?

THIS PROPERTY ONLY

1. Are there practical or economic difficulties in carrying out the strict letter of the regulation?

THE PROPERTY CONTAINS 2 DIFFERENT ZONES. THE DRIVEWAY IS RLD90 AND THE REST OF THE PROPERTY IS RR ACRE. APPARENTLY IT WAS THIS WAY WHEN WE PURCHASED THE PROPERTY/HOME IN 1986. THE PROPERTY IS .08 ACRE SHORT OF BEING 2 ACRES WHICH IS PREVENTING ME FROM PLACING A 2ND HOME ON THE PROPERTY.

2. Is the request based exclusively upon a desire to reduce the cost of developing the site?

NO

3. Does the request accomplish some result which is in the public interest? (As an example, furthering the

preservation of natural resources by saving a tree or trees.)

NO

4. Could the proposed deviation substantially diminish property values in, or alter the essential character of the area surrounding the site; and could such deviation substantially interfere with or injure the rights of others whose property would be affected by the deviation?

NO

5. Is the proposed deviation detrimental to the public health, safety or welfare, or could such deviation result in additional public expense, creation of nuisances, or cause conflict with any other applicable law? NO

6. If the proposed deviation relates to minimum required landscaping, please submit the comments or opinions of the City's Landscape Architect. NOT APPLICABLE

II. Would the proposed deviation be in harmony with the spirit and intent of the Zoning Code, considering the following as applicable:

1. Did the applicant create the violation with intent to violate the provisions of the Zoning Code? NO
VIOLATION EXISTS AT THIS TIME, ONE WOULD BE CREATED WHEN A 2ND HOME IS PLACED ON THE PROPERTY

2. Has the violation existed for a considerable length of time without receiving a citation? NO
VIOLATION EXISTS AT THIS TIME

3. Is the violation that exists a result of construction, which occurred prior to the applicants acquiring the property? NOT APPLICABLE

Application for Administrative Deviation 140701.doc

13. Attachments - One of each of the following should be included in each copy of the application, providing for four (4) complete copies. All copies, with the exception of the 2 required large site plans, should be on 8 1/2" x 11" paper.

Survey

Site Plan as required per instructions. (All copies on 8 1/2 x 11 and 2 copies on 11 x 17 or larger)

Letter of Authorization for Agent is required if any person other than the property owner makes the application.

Letter from the applicable Home Owner's Association stating that 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).

Day care uses must include a Department of Children and Families Services (DCFS) letter

Carol Yelton

SIGNATURE OF OWNER(S)

SIGNATURE OF AUTHORIZED AGENT(S)

The Agent's letter of authorization must be attached if application is not signed by the owner of record

Application for Administrative Deviation 140701.doc

To Whom It May Concern:

Parcel ID No.: 156108-0000

My husband and I bought the home/property at 2848 Claire Lane, Jacksonville, FL in November, 1986. My husband, Dana Yelinek, passed away unexpectedly on May 14, 2012. He was 59 years old. I have learned many skills over the last 3 years in attempting to maintain the home and property on my own. However, I have relied heavily on my son and daughter in law to help me with many things. I've turned 60 this year and find I'm not able to do the things that I used to do to keep the property up. My plan is to add a 2nd home in the back of the property for my son and his family to live in. They will be closer to me and will be able to assist me when I need help.

As we were attempting to ensure the property was zoned correctly for this purpose, we discovered that the driveway is zoned differently from the rest of the property. While I always thought I had 2 acres, apparently I have 1.92 acres. Due to the dual zoning, my property is .08 short of an acre to allow me to add a 2nd home. It was recommended by the zoning office that I apply for an administrative deviation that would allow me to place that 2nd home without going through a rezoning process. Time is of a necessity as I would like the home in place and my family living there in time to register my 5 year old granddaughter for kindergarten.

Thank you for your consideration in approving this administrative deviation for my property.

Sincerely,



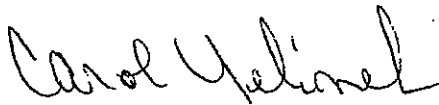
Carol Yelinek / Yelinek Living Trust

To Whom It May Concern:

Parcel ID No.: 156108-0000

The property located at 2848 Claire Lane, Jacksonville, FL 32223 is NOT within the jurisdiction of a Home Owner's Association.

Sincerely,

A handwritten signature in cursive script that reads "Carol Yelinek".

Carol Yelinek / Yelinek Living Trust

Parcel/R.E. # 156108-0000
2848 Claire Lane
Jacksonville FL 32223

Proposed Site Plan Attachment:

Total Lot Size – 87,377 Sq Ft

Main Home Size – 3,260 Sq Ft

Proposed 2nd Home – 1,680 Sq Ft

Lot Size including 2 homes – 82,437 Sq Ft

The Metal Shed and Frame Shed will be moved to the East Side of the property.

The concrete Drive Way will be extended to the 2nd home.

Elevation plans are required with height increase requests and must be drawn to scale.

X Legal description may be either lot and block, including book and page numbers, or metes and bounds descriptions; and either shall include real estate assessment number(s) of the subject property:

Application for Administrative Deviation 140701.doc

*** NOTICE TO OWNER / AGENT ***

Please review your application. All spaces noted as "TO BE COMPLETED BY APPLICANT" must be filled in for the application to be accepted.

No application will be accepted as "Complete and filed" until all 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 Planning Commission. You (or your agent) must be present at the public hearing.

The required signs must be posted on the property within five (5) working days after the filing of this application. The sign(s) must remain posted and maintained until a final determination has been made on the application. Proof of notice publication must be submitted to the Current Planning Section, Ed Ball Building, 214 North Hogan Street, Jacksonville, Florida 32202, (904) 255-7800, PRIOR TO THE HEARING.

Also, an agent's letter of authorization must be attached if the application is not signed by the owner of record and also if someone attends the meeting on the applicant's behalf without prior authorization.

FILING FEES		NOTIFICATION COSTS:
RESIDENTIAL DISTRICTS.....	\$898.00	\$7.00 PER ADDRESSEE
NON-RESIDENTIAL DISTRICTS.....	\$890.00	

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.

PLEASE PRINT:

Name and address of Owner(s)

Name and address of Authorized Agent(s)

Name: CAROL YELINEK / YELINEK LIVING TRUST

Name: N/A

Address: 2848 CLAIRE LN

Address: _____

City: JACKSONVILLE

City: _____

State: FL Zip: 32223

State: _____ Zip: _____

Email: DCYELL@COMCAST.NET

Email: _____

Daytime Telephone: 904.476.5302

Daytime Telephone: _____

For questions call:

Carla Yelinek
904-250-6505

R/E # 156108-0000

Legal Description

A, part of the Henry Hartley Donation, Section 7, Township 4 South, Range 27 East, Duval County, Florida, being more particularly described as commencing at the intersection of the Easterly right-of-way line of Scott Mill Road with the Southerly right-of-way line of Claire Lane; thence North 89°45' East along the Southerly right-of-way line of said Claire Lane, 1128 feet to a point for the point of beginning; thence continue North 89°45' East along said right-of-way line, 35.60 feet; thence South 0°14' East, 218.0 feet; thence North 89°45' East, 101.0 feet to an intersection with the Westerly boundary of the lands described in Deed Book 1464, Page 20; thence South 0°14' East, along the Westerly boundary of said lands so described, 333.36 feet to the Southwest corner of said lands; thence South 89°32'50" West, 238.72 feet to the Southeast corner of the lands described in Official Records Volume 170, Page 502; thence North 0°07' West, along the Easterly boundary of said lands so described, 334.21 feet; thence North 89°45' East, 101.0 feet; thence North 0°07' West, 218.0 feet to the point of beginning.

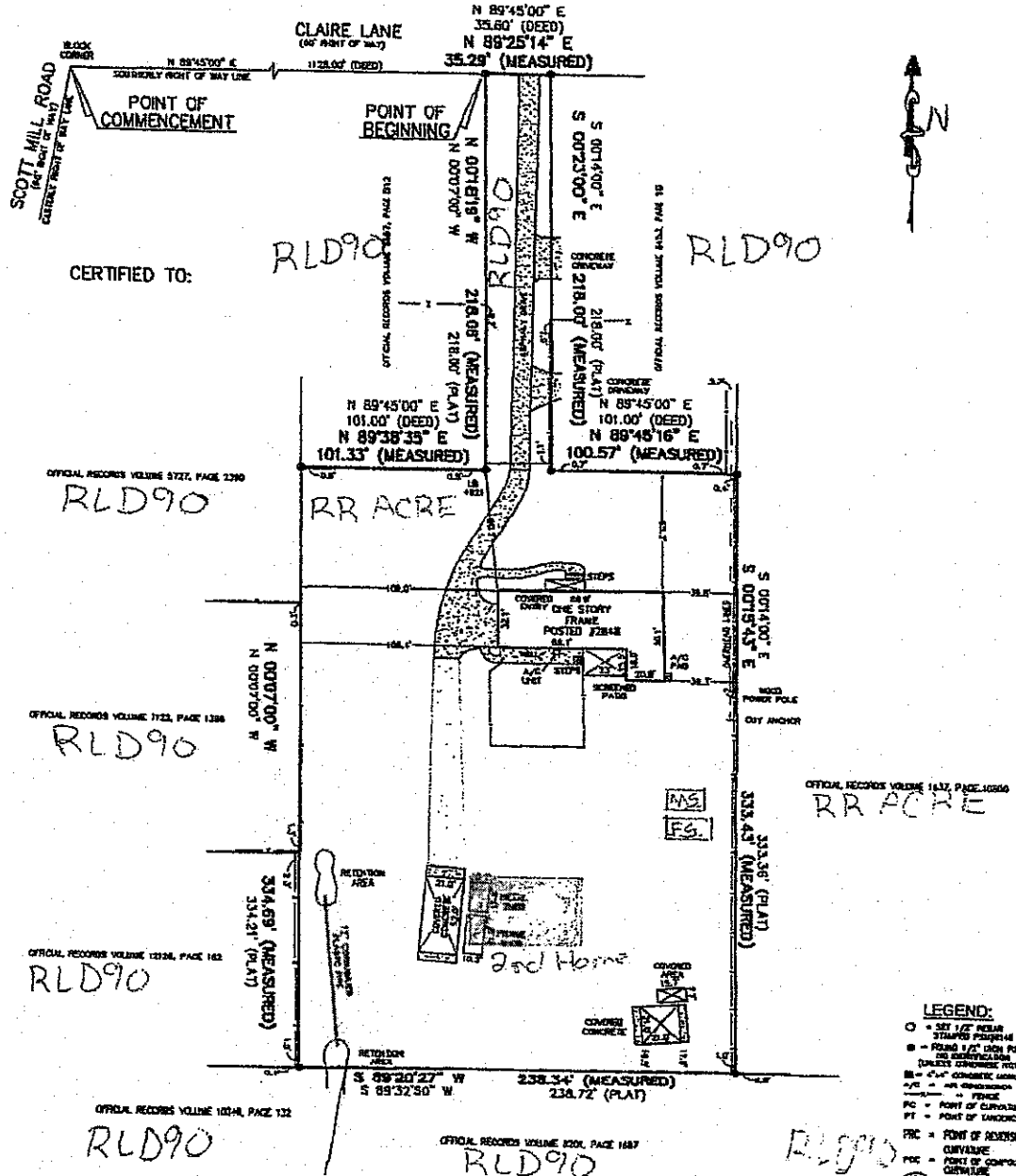
2848 CLAIRE LANE
AD/WRF

5/7/15

Site Plan

LEGAL PROVIDED BY CLIENT: MAP SHOWING BOUNDARY SURVEY OF

A PART OF THE HENRY HARTLEY DONATION, SECTION 7, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SCOTT MILL ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE, THENCE NORTH 89 DEGREES 45 MINUTES EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE, 1128.00 FEET TO A POINT FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 45 MINUTES EAST ALONG SAID RIGHT OF WAY LINE, 35.80 FEET; THENCE SOUTH 01 DEGREES 14 MINUTES EAST, 218.0 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF SAID LANDS DESCRIBED IN DEED BOOK 1484, PAGE 20; THENCE SOUTH 0 DEGREES 14 MINUTES EAST, ALONG THE WESTERLY BOUNDARY OF SAID LANDS 50 DESCRIBED, 333.38 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE SOUTH 89 DEGREES 32 MINUTES 50 SECONDS WEST, 238.72 FEET TO THE SOUTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 170, PAGE 502; THENCE NORTH 0 DEGREES 07 MINUTES WEST, ALONG THE EASTERLY BOUNDARY OF SAID LANDS 50 DESCRIBED, 334.21 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET; THENCE NORTH 0 DEGREES 07 MINUTES WEST, 218.0 FEET TO THE POINT OF BEGINNING. CONTAINING 87,377 SQUARE FEET MORE OR LESS.



- NOTES:
1. BEARINGS ARE BASED ON THE DEED BEARING OF N 00°07'00" W ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
 2. BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120077, PANEL 0542 H.
 3. THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
 4. THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS	
DATE	DESCRIPTION
4-9-2015	UPDATE

JOB #15483-A DATE OF FIELD SURVEY: 10-28-08

SCALE: 1" = 60'

Ray Thompson SURVEYING, Inc.
 Going the DISTANCE for You
 4613 Phillips Highway, Suite 210
 Jacksonville, Florida 32207
 (Phone) 904-448-5125
 (Fax) 904-448-5178

CERTIFICATE
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND LAND SURVEYORS IN CHAPTER 45-12, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 122.022, FLORIDA STATUTES.

Raymond Thompson
 REGISTERED SURVEYOR AND MAPPER # 51146 STATE OF FLORIDA
 LICENSE BUSINESS # 74859

LAND SURVEYS CONSTRUCTION SURVEYS SUBDIVISIONS

AD-15-29

LOCATION: 2848 Claire Lane

REAL ESTATE NUMBER: 126217-0020

DEVIATION SOUGHT:

1. Reduce lot area from 87,120 square feet minimum required to 83,635 available

Second Residence

PRESENT ZONING: RLD-90/RR-Acre

CURRENT LAND USE: LDR

PLANNING DISTRICT: 3

COUNCIL DISTRICT: 6

SIGNS POSTED: 1

OWNER:

Carol Yelinek
2848 Claire Lane
Jacksonville, Florida 32223

STANDARDS, CRITERIA AND FINDINGS

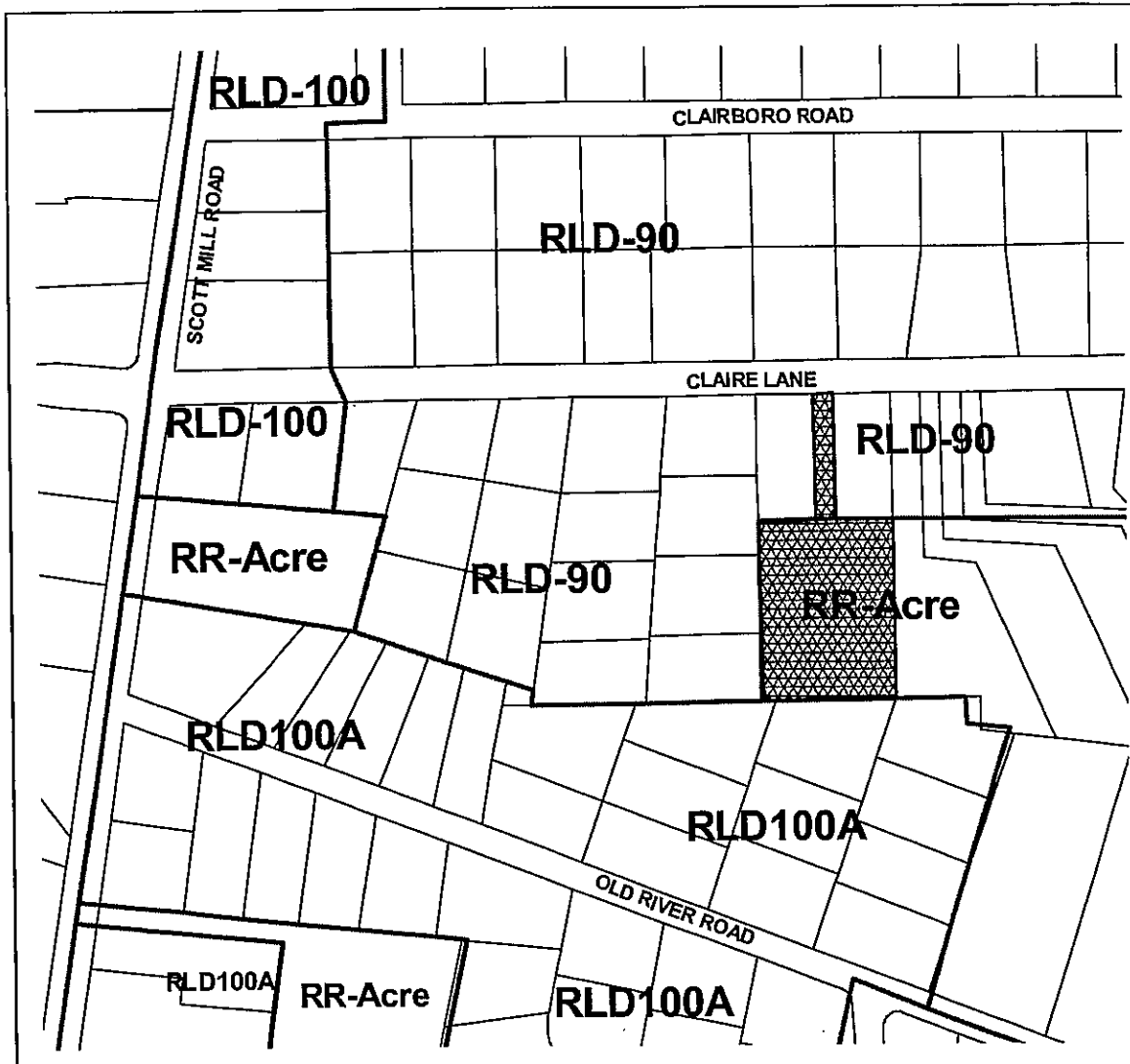
<p>1. Is this situation unique or similar to other properties in the neighborhood?</p>	<p><u>Recommendation:</u> Similar. The surrounding area consists of lots approximately one half to one acre that have been carved from larger lots on a parcel by parcel basis without benefit of subdivision review or comprehensive scheme of development.</p> <p>The owner proposes to construct a second single family dwelling on the rear of an existing lot that was established in 1986. Companion application 2015-0417 (WRF-15-06) is to reduce the required minimum road frontage on Claire Lane from 160 feet to 35 feet. Staff recommends for that request to be approved.</p> <p><u>Findings:</u></p>
<p>2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...</p>	<p><u>Recommendation:</u> The site is a remainder of previous subdivision at 1.92 acres, just below the requirement of two acres for two dwelling units. Approval of this request will result in a net density consistent with surrounding properties.</p> <p><u>Findings:</u></p>

<p>3. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish a result that is in the public interest.</p>	<p><u>Recommendation:</u> The public interest will be a accommodate a family member is older years on the same property as a descendant thereby reducing the burden on other public services that could be required, and providing a dwelling pattern that reaches back in civilized history.</p> <p><u>Findings:</u></p>
<p>4. The proposed deviation will not substantially diminish property values in, nor alter the essential character of the area surrounding the site will not substantially interfere with or injure the rights of others whose property would be affected by the deviation, in that...</p>	<p><u>Recommendation:</u> No. There is no substantial change to access, development pattern, activities, or use that is not entirely consistent with other surrounding properties.</p> <p>Site development will be required to meet all current requirements, including handling of stormwater.</p> <p><u>Findings:</u></p>
<p>5. The proposed deviation will not result in a substantial public expense, the creation of nuisances, or conflict with any other applicable law, in</p>	<p><u>Recommendation:</u> No. There is no conflict. Drainage pattern will be substantially unchanged from the current pattern.</p> <p><u>Findings:</u></p>
<p>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</p>	<p><u>Recommendation:</u> Yes. The spirit and intent of the Zoning Code is to maximize the utility of property for its intended use while protecting the interests of other surrounding property owners.</p> <p><u>Findings:</u></p>
<p>7. The City landscape architect (has/has not) recommended the proposed deviation.</p>	<p>N/A</p>
<p>8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.</p>	<p><u>Recommendation:</u> N/A</p> <p><u>Findings:</u></p>

PLANNER RECOMMENDATION:
DATE OF REPORT:

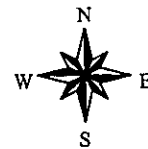
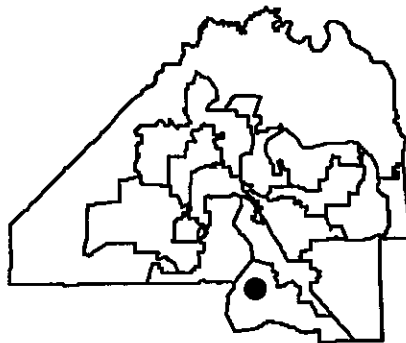
APPROVE
August 4, 2015

LUZ DECISION:
DATE:



REQUEST SOUGHT:

**REDUCE LOT SIZE
FROM 87,120 SQ. FT. TO
83,635 SQ. FT.**



100 0 100 Feet



COUNCIL DISTRICT:

6

APPLICATION NUMBER:

AD-2015-0029

AD-15-29
WRF-15-06

APPLICATION FOR ADMINISTRATIVE DEVIATION

This application must be typed or printed in black ink and submitted with three (3) copies, providing for a total of four complete applications with all required attachments, to:

**Planning and Development Department
Zoning Section
Ed Ball Building
214 North Hogan Street, 2nd
Floor Jacksonville, Florida 32202**

Application No. AD-15-29
Set for Public Hearing on:
Notice of Violation: no

FOR INFORMATION REGARDING THIS FORM, CALL: (904) 255-8300.

For Official Use Only				
1. Date Submitted: 4/15/15	2. Date Filed: 5/7/15	3. Current Zoning District(s): RR / RLD 90	4. Future Land Use Map Category (FLUMs) LDR	5. Applicable Section of Ordinance Code: 656.304, 305

Amount of Fee ~~\$2149~~ **2149**, Council District **6** Planning District **3** Zoning Panel No. **467**
 Number of Signs to be Posted **1** Zoning Code _____ Zoning Asst. Initials **CIR**
 Previous Zoning Applications filed? **no** If yes, state Application No(s) _____
 Neighborhood Association? _____

TO BE COMPLETED BY APPLICANT

6. Complete Property Address: <u>2848 Claire Lane Jacksonville FL 32223</u>	7. Between Streets: <u>Claire Court</u> and <u>Clairboro Rd E</u>
Real Estate Number: <u>156108-0000</u>	Reason for Request: <u>Add 2nd dwelling</u>
Date lot was recorded: <u>11/26/1986</u> when we purchased; <u>05/19/1977</u> earliest recording I could find	

8. Deviation Sought:

Reduce Required Minimum Lot Area from ~~43560~~ **87,120** to **83,635** feet.

Increase Maximum Lot Coverage from _____ % to _____ %.

Increase Maximum Height of Structure from _____ to _____ feet.

Reduce Required Yard(s) _____

Reduce Minimum Number of Required Off-street Parking Spaces from _____ to _____

Reduce Minimum Landscape Requirements _____

9. In whose name will the deviation be granted? Carol Yelinek / Yelinek Living Trust

10. Is transferability requested? Yes or No (If approved, the administrative deviation is transferred with the property.)

10. Land Area (Acres) <u>1.92</u>	Utility Services Provider	
	well _____	city water <u>X JEA</u>
	septic tank _____	city sewer <u>X JEA</u>

***** NOTICE TO OWNER/AGENT *****

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 s.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:

12. Provide answers to the following questions pertaining to the standards and criteria. You may attach a separate sheet if necessary. (Please note that failure by the applicant to adequately substantiate the need for the waiver and to meet the criteria set forth below may result in a denial).

I. Does the subject property exhibit any circumstances which could be construed as having physical surroundings, shape, topographical conditions or other physical or environmental conditions limited to the subject property alone, or is this issue common to numerous sites?

THIS PROPERTY ONLY

1. Are there practical or economic difficulties in carrying out the strict letter of the regulation?

THE PROPERTY CONTAINS 2 DIFFERENT ZONES. THE DRIVEWAY IS RLD90 AND THE REST OF THE PROPERTY IS RR ACRE. APPARENTLY IT WAS THIS WAY WHEN WE PURCHASED THE PROPERTY/HOME IN 1986. THE PROPERTY IS .08 ACRE SHORT OF BEING 2 ACRES WHICH IS PREVENTING ME FROM PLACING A 2ND HOME ON THE PROPERTY.

2. Is the request based exclusively upon a desire to reduce the cost of developing the site?
NO

3. Does the request accomplish some result which is in the public interest? (As an example, furthering the

preservation of natural resources by saving a tree or trees.)

NO

4. Could the proposed deviation substantially diminish property values in, or alter the essential character of the area surrounding the site; and could such deviation substantially interfere with or injure the rights of others whose property would be affected by the deviation?

NO

5. Is the proposed deviation detrimental to the public health, safety or welfare, or could such deviation result in additional public expense, creation of nuisances, or cause conflict with any other applicable law? NO

6. If the proposed deviation relates to minimum required landscaping, please submit the comments or opinions of the City's Landscape Architect. NOT APPLICABLE

II. Would the proposed deviation be in harmony with the spirit and intent of the Zoning Code, considering the following as applicable:

1. Did the applicant create the violation with intent to violate the provisions of the Zoning Code? **NO VIOLATION EXISTS AT THIS TIME, ONE WOULD BE CREATED WHEN A 2ND HOME IS PLACED ON THE PROPERTY** NO

2. Has the violation existed for a considerable length of time without receiving a citation? **NO VIOLATION EXISTS AT THIS TIME** NO

3. Is the violation that exists a result of construction, which occurred prior to the applicants acquiring the property? NOT APPLICABLE

Application for Administrative Deviation 140701.doc

13. Attachments - One of each of the following should be included in each copy of the application, providing for four (4) complete copies. All copies, with the exception of the 2 required large site plans, should be on 8 1/2" x 11" paper.

Survey

Site Plan as required per instructions. (All copies on 8 1/2 x 11 and 2 copies on 11 x 17 or larger)

Letter of Authorization for Agent is **required** if any person other than the property owner makes the application.

Letter from the applicable Home Owner's Association stating that 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**).

Day care uses must include a Department of Children and Families Services (DCFS) letter

Carol Yelinski

SIGNATURE OF OWNER(S)

SIGNATURE OF AUTHORIZED AGENT(S)

The Agent's letter of authorization must be attached if application is not signed by the owner of record

Application for Administrative Deviation 140701.doc

To Whom It May Concern:

Parcel ID No.: 156108-0000

My husband and I bought the home/property at 2848 Claire Lane, Jacksonville, FL in November, 1986. My husband, Dana Yelinek, passed away unexpectedly on May 14, 2012. He was 59 years old. I have learned many skills over the last 3 years in attempting to maintain the home and property on my own. However, I have relied heavily on my son and daughter in law to help me with many things. I've turned 60 this year and find I'm not able to do the things that I used to do to keep the property up. My plan is to add a 2nd home in the back of the property for my son and his family to live in. They will be closer to me and will be able to assist me when I need help.

As we were attempting to ensure the property was zoned correctly for this purpose, we discovered that the driveway is zoned differently from the rest of the property. While I always thought I had 2 acres, apparently I have 1.92 acres. Due to the dual zoning, my property is .08 short of an acre to allow me to add a 2nd home. It was recommended by the zoning office that I apply for an administrative deviation that would allow me to place that 2nd home without going through a rezoning process. Time is of a necessity as I would like the home in place and my family living there in time to register my 5 year old granddaughter for kindergarten.

Thank you for your consideration in approving this administrative deviation for my property.

Sincerely,



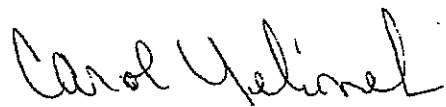
Carol Yelinek / Yelinek Living Trust

To Whom It May Concern:

Parcel ID No.: 156108-0000

The property located at 2848 Claire Lane, Jacksonville, FL 32223 is NOT within the jurisdiction of a Home Owner's Association.

Sincerely,

A handwritten signature in cursive script that reads "Carol Yelinek".

Carol Yelinek / Yelinek Living Trust

Parcel/R.E. # 156108-0000
2848 Claire Lane
Jacksonville FL 32223

Proposed Site Plan Attachment:

Total Lot Size – 87,377 Sq Ft

Main Home Size – 3,260 Sq Ft

Proposed 2nd Home – 1,680 Sq Ft

Lot Size including 2 homes – 82,437 Sq Ft

The Metal Shed and Frame Shed will be moved to the East Side of the property.

The concrete Drive Way will be extended to the 2nd home.

RIE # 156108-0000

Legal Description

A, part of the Henry Hartley Donation, Section 7, Township 4 South, Range 27 East, Duval County, Florida, being more particularly described as commencing at the intersection of the Easterly right-of-way line of Scott Mill Road with the Southerly right-of-way line of Claire Lane; thence North 89°45' East along the Southerly right-of-way line of said Claire Lane, 1128 feet to a point for the point of beginning; thence continue North 89°45' East along said right-of-way line, 35.60 feet; thence South 0°14' East, 218.0 feet; thence North 89°45' East, 101.0 feet to an intersection with the Westerly boundary of the lands described in Deed Book 1464, Page 20; thence South 0°14' East, along the Westerly boundary of said lands so described, 333.36 feet to the Southwest corner of said lands; thence South 89°32'50" West, 238.72 feet to the Southeast corner of the lands described in Official Records Volume 170, Page 502; thence North 0°07' West, along the Easterly boundary of said lands so described, 334.21 feet; thence North 89°45' East, 101.0 feet; thence North 0°07' West, 218.0 feet to the point of beginning.

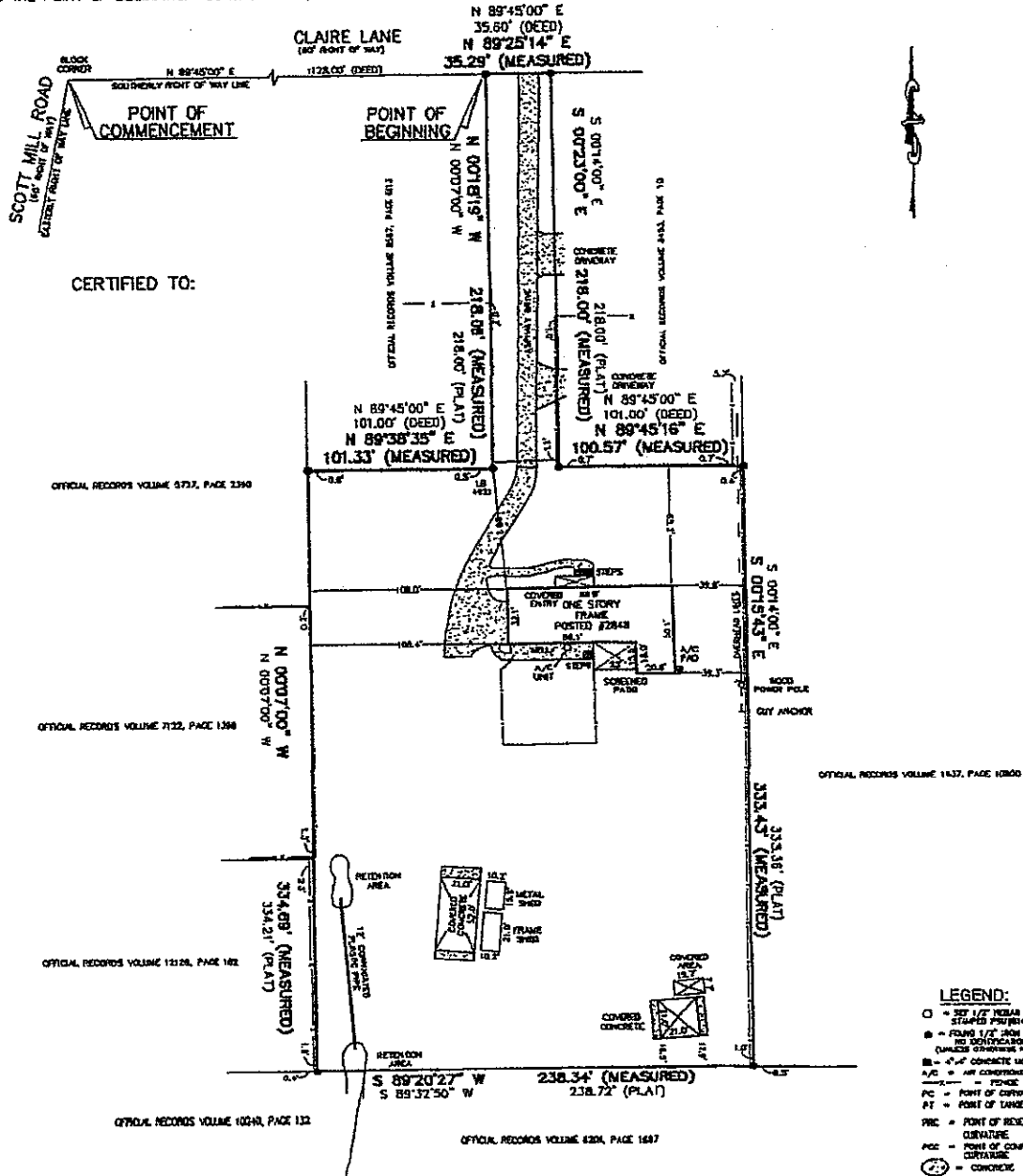
2848 CLAIRE LANE
AD/WRF

5/7/15

MAP SHOWING BOUNDARY SURVEY OF

LEGAL PROVIDED BY CLIENT:

A PART OF THE HENRY HARTLEY DONATION, SECTION 7, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SCOTT MILL ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE; THENCE NORTH 89 DEGREES 45 MINUTES EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE, 1128 FEET TO A POINT FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 45 MINUTES EAST ALONG SAID RIGHT OF WAY LINE, 35.60 FEET; THENCE SOUTH 01 DEGREES 14 MINUTES EAST, 218.0 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF SAID LANDS SO DESCRIBED, 333.36 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE SOUTH 89 DEGREES 32 MINUTES 50 SECONDS WEST, 238.72 FEET TO THE SOUTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 170, PAGE 502; THENCE NORTH 0 DEGREES 07 MINUTES WEST, ALONG THE EASTERLY BOUNDARY OF SAID LANDS SO DESCRIBED, 334.21 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET; THENCE NORTH 0 DEGREES 07 MINUTES WEST, 218.0 FEET TO THE POINT OF BEGINNING. CONTAINING 87,377 SQUARE FEET MORE OR LESS.



- NOTES:**
1. BEARINGS ARE BASED ON THE DEED BEARING OF N 00°07'00" W ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
 2. BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE " X " AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120077, PANEL 0362 H.
 3. THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
 4. THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS	
DATE	DESCRIPTION
4-9-2015	UPDATE

JOB #15463-A | DATE OF FIELD SURVEY: 10-28-08 | SCALE: 1" = 60'



Ray Thompson SURVEYING, Inc.
 Going the DISTANCE for You
 4813 Phillips Highway, Suite 210
 Jacksonville, Florida 32207
 (Phone) 904-448-3125
 (Fax) 904-448-5178

CERTIFICATE
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND ENGINEERS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 112.027, FLORIDA STATUTES.

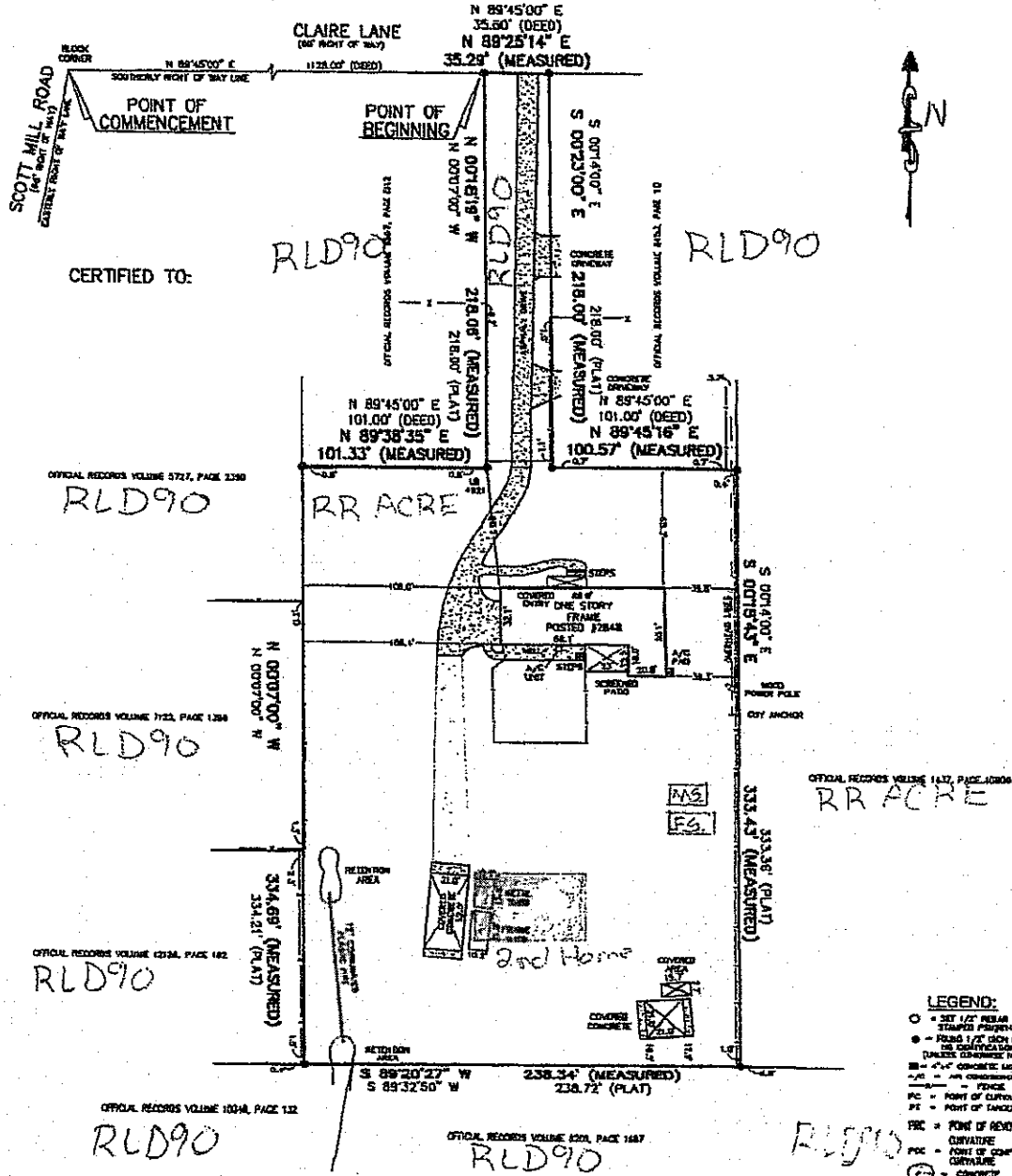
 RAYMOND THOMPSON
 REGISTERED SURVEYOR AND ENGINEER # 5146 STATE OF FLORIDA
 LICENSE BUSINESS NO. 7469


Site Plan

MAP SHOWING BOUNDARY SURVEY OF

LEGAL PROVIDED BY CLIENT:

A PART OF THE HENRY HARTLEY DONATION, SECTION 7, TOWNSHIP 4 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SCOTT MILL ROAD WITH THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE, THENCE NORTH 89 DEGREES 45 MINUTES EAST ALONG THE SOUTHERLY RIGHT OF WAY LINE OF CLAIRE LANE, 1128.00 FEET TO A POINT FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 45 MINUTES EAST ALONG SAID RIGHT OF WAY LINE, 35.60 FEET; THENCE SOUTH 01 DEGREES 14 MINUTES EAST, 218.0 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET TO AN INTERSECTION WITH THE WESTERLY BOUNDARY OF THE LANDS DESCRIBED IN DEED BOOK 1464, PAGE 20; THENCE SOUTH 0 DEGREES 14 MINUTES EAST, ALONG THE WESTERLY BOUNDARY OF SAID LANDS 50 DESCRIBED, 333.38 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE SOUTH 89 DEGREES 32 MINUTES 50 SECONDS WEST, 238.72 FEET TO THE SOUTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 170, PAGE 502; THENCE NORTH 0 DEGREES 07 MINUTES WEST, ALONG THE EASTERLY BOUNDARY OF SAID LANDS 50 DESCRIBED, 334.21 FEET; THENCE NORTH 89 DEGREES 45 MINUTES EAST, 101.0 FEET; THENCE NORTH 0 DEGREES 07 MINUTES WEST, 218.0 FEET TO THE POINT OF BEGINNING, CONTAINING 87,377 SQUARE FEET MORE OR LESS.





Ray Thompson
SURVEYING, Inc.
Going the DISTANCE for You

4813 Phipps Highway, Suite 210
 Jacksonville, Florida 32207
 (Phone) 904-448-5125
 (Fax) 904-448-5178

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND ENGINEERS BY CHAPTER 32-12, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 132.022, FLORIDA STATUTES.

Ray Thompson
 REGISTERED SURVEYOR AND ENGINEER # 8146 STATE OF FLORIDA
 LICENSE # 132022, EXPIRES 12/31/15

LAND SURVEYS **CONSTRUCTION SURVEYS** **SUBDIVISIONS**