

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

JANUARY 4, 2017

Location: 5135 Dunn Avenue
between Robert Masters Boulevard and I-295

Real Estate Number(s): 020028 0315

Waiver Sought: Reduce Minimum Required Road Frontage from 70
Feet to 39.65 Feet

Present Zoning: PUD 2002-572-E

Current Land Use Category: Low Density Residential (LDR)

Planning District: North (6)

City Council Representative: The Honorable Al Ferraro, District 2

Owner: Lee S. Neviasser
4005 Clearwater Lane
Jacksonville, FL 32223

Agent: Laurie Ann Denman
3563 Oldfield Lake Court
Jacksonville, FL 32223

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Waiver of Minimum Required Road Frontage **Ordinance-2016-723 / WRF-16-20** seeks to reduce the minimum required road frontage from 70 feet to 39.65 feet. The parcel is approximately 1.5 acres. The property is currently zoned PUD 2002-572-E and is part of 'Parcel A' as depicted in the PUD Site Map. Lots in this parcel are required to have a minimum of 70 feet in width and lot size of 7,700 square feet. The applicant is seeking to reduce the required minimum road frontage to allow the construction of a single family dwelling on the property.

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... and for minimum street frontage, pursuant to Section 656.407. Waivers are authorized to be granted by the Commission 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 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 any practical or economic difficulties in carrying out the strict letter of the regulation?*

Yes. The applicant has expressed practical and economic challenges in meeting the regulation of required road frontage. The property located to the east of the subject site abuts wetland conservation area and is located within a Flood Zone because of Half Creek. The property to the west is an existing single family dwelling. Due to these factors purchasing land from either property to meet the 70 foot requirement of road frontage would not be feasible.

- (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. Because of the unique physical characteristics of this property and abutting properties, it would not be economically feasible or logical to require the owner to acquire additional property to be in compliance. The undeveloped property to the south is over 75% wetlands and within a flood zone. Purchasing this property could cause a financial burden on the applicant if required to acquire land to meet road frontage requirements.

- (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. The applicant seeks to construct a single family dwelling on the property. This property is located within the subdivision Dunn’s Crossing, which is made up of single family dwellings on lots smaller than the subject property. Therefore, the additional residential structure will not diminish property values, nor alter the essential character of the area.

- (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 a valid and effective easement for the current existing lot that connects to Robert Masters Court, which is a City maintained road. This road has access to Dunn Ave, a Florida State Road, through Robert Masters Boulevard.

- (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 road frontage of the subject property is 39.65 feet. This road frontage is on Robert Masters Court and will be known to the United States Post Office as 11267 Roberts Masters Court. This proposed waiver will not create a public health, safety, or welfare.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on November 1, 2016 by the Planning and Development Department the required Notice of Public Hearing sign was 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 2016-723 / WRF-16-20 be APPROVED.



Aerial View



39.65 feet of Road Frontage along Robert Masters Court which gives access to property.

Source: City of Jacksonville Planning & Development Department

Date: 11/1/2016



**Vacant Property to the southeast of subject property (RE#: 020028 0370)
Wetlands and flood zone.**

*Source: City of Jacksonville Planning & Development Department
Date: 11/1/2016*



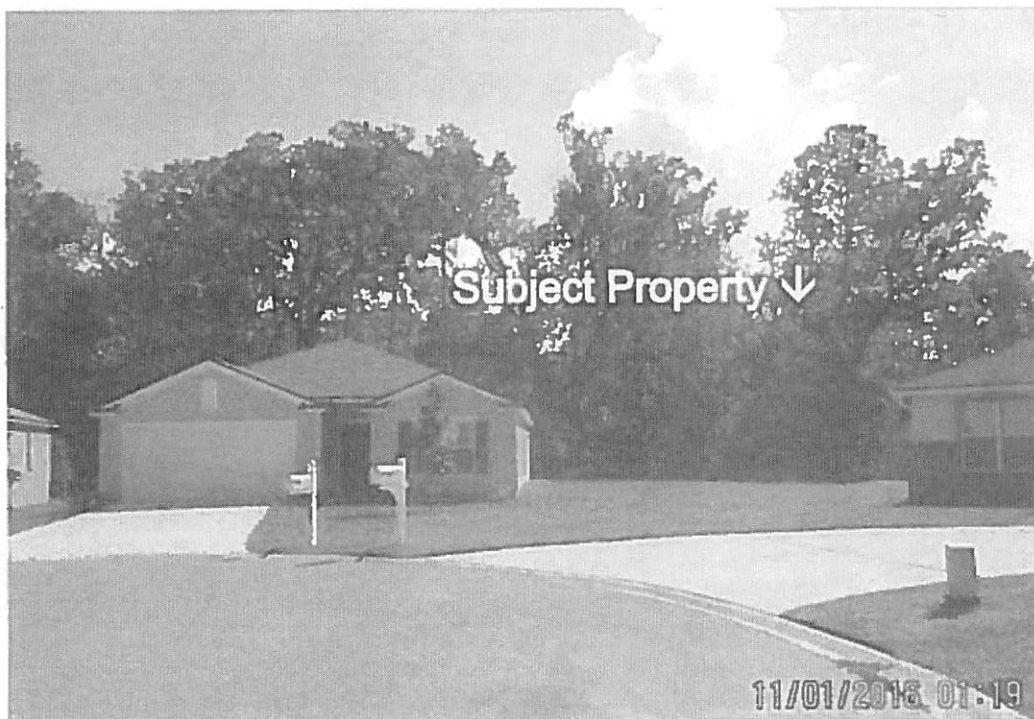
Vacant Property to the southwest of subject property (11240 Robert Masters Court)

*Source: City of Jacksonville Planning & Development Department
Date: 11/1/2016*



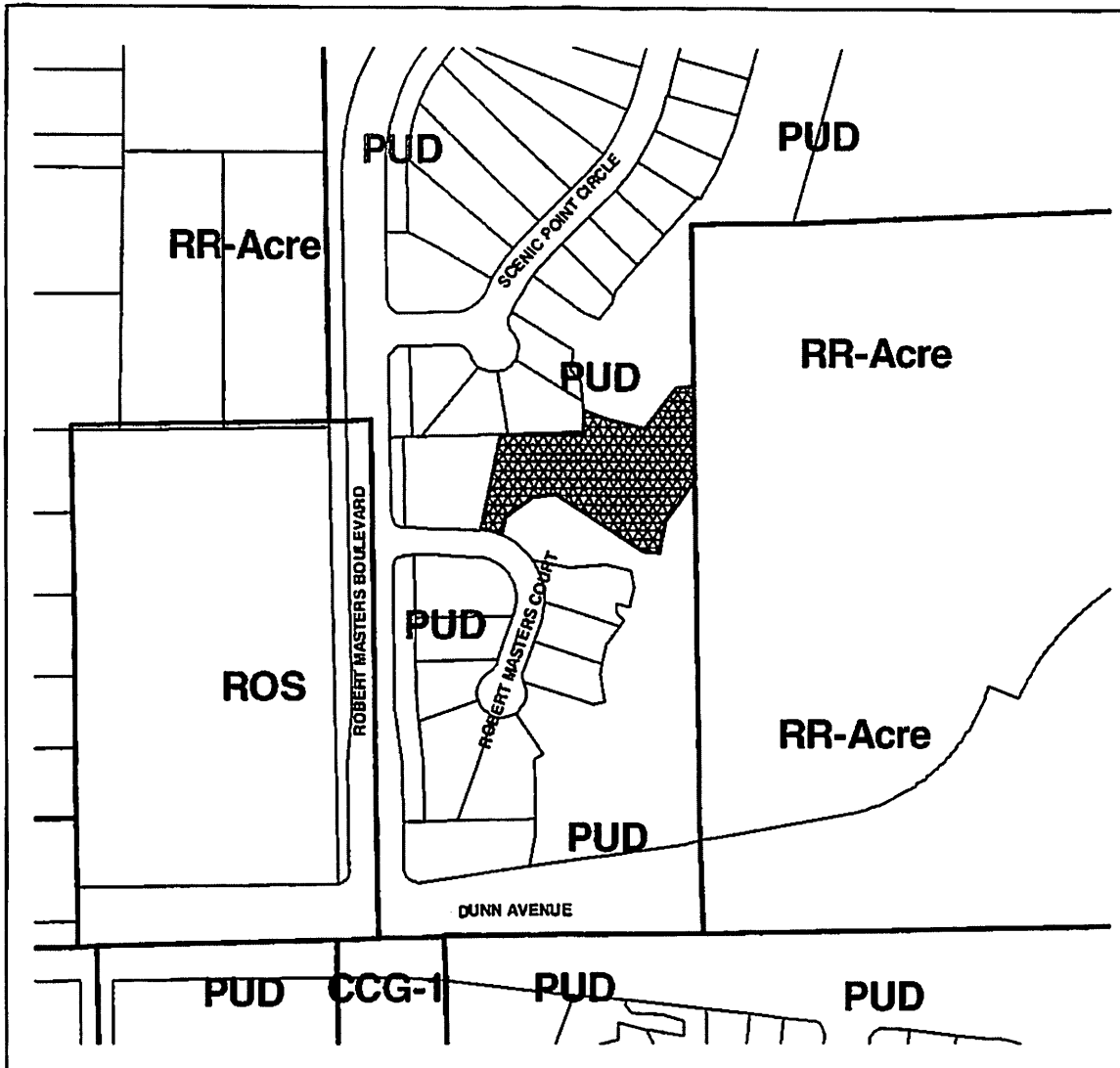
Single Family Dwelling located west of the subject property (11275 Robert Masters Court)

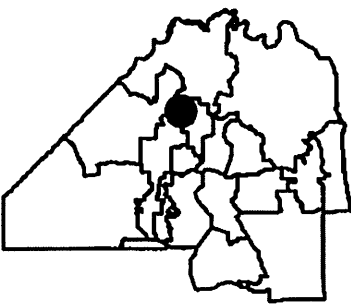

Source: City of Jacksonville Planning & Development Department
Date: 11/1/2016



Single Family Dwelling located north of subject property (11277 Scenic Point Court)

Source: City of Jacksonville Planning & Development Department
Date: 11/1/2016



<p>REQUEST SOUGHT:</p> <p>REDUCE ROAD FRONTAGE FROM 70 FT. TO 39.65 FT.</p>		
	<p>APPLICATION NUMBER: WRF-2016-0020</p>	<p>0 100 Feet</p> <hr/> <p>COUNCIL DISTRICT: 08</p> <p>Exhibit 2</p>

1 Introduced by the Land Use and Zoning Committee:
2
3

4 **ORDINANCE 2016-**

5 AN ORDINANCE APPROVING THE WAIVER OF MINIMUM
6 ROAD FRONTAGE APPLICATION WRF-16-20 LOCATED IN
7 COUNCIL DISTRICT 8 AT 5135 DUNN AVENUE BETWEEN
8 DUNN AVENUE AND SCENIC POINT CIRCLE (R.E. NO.
9 020028-0315) AS DESCRIBED HEREIN, OWNED BY LEE
10 S. NEVIASER, REQUESTING TO REDUCE THE MINIMUM
11 ROAD FRONTAGE REQUIREMENTS FROM 70 FEET TO
12 39.65 FEET IN ZONING DISTRICT PLANNED UNIT
13 DEVELOPMENT (PUD) (ORDINANCE 2002-575-E), AS
14 DEFINED AND CLASSIFIED UNDER THE ZONING CODE;
15 PROVIDING A DISCLAIMER THAT THE WAIVER GRANTED
16 HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION
17 FROM ANY OTHER APPLICABLE LAWS; PROVIDING AN
18 EFFECTIVE DATE.
19

20 **WHEREAS**, an application for a waiver of minimum road frontage,
21 on file with the City Council Legislative Services Division was
22 filed Lee S. Neviaser, the owner of property located in Council
23 District 8 at 5125 Dunn Avenue between Dunn Avenue and Scenic Point
24 Circle (R. E. No. 020028-0315) ("Subject Property"), requesting to
25 reduce the minimum road frontage from 70 feet to 39.65 feet in
26 Zoning District Planned Unit Development (PUD) (Ordinance 2002-572-
27 E); and

28 **WHEREAS**, the Planning and Development Department has
29 considered the application and all attachments thereto and has
30 rendered an advisory recommendation; and

31 **WHEREAS**, the Land Use and Zoning Committee, after due notice

1 held a public hearing and having duly considered both the
2 testimonial and documentary evidence presented at the public
3 hearing, has made its recommendation to the Council; and

4 **WHEREAS**, taking into consideration the above recommendations
5 and all other evidence entered into the record and testimony taken
6 at the public hearings, the Council finds that: (1) there are
7 practical or economical difficulties in carrying out the strict
8 letter of the regulation; (2) the request is not based exclusively
9 upon the desire to reduce the cost of developing the site or to
10 circumvent the requirements of Chapter 654 (Code of Subdivision
11 Regulations); (3) the proposed waiver will not substantially
12 diminish property values in, nor alter the essential character of,
13 the area surrounding the site and will not substantially interfere
14 with or injure the rights of others whose property would be
15 affected by the waiver; (4) there is a valid and effective easement
16 for adequate vehicular access connected to a public street which is
17 maintained by the City or an approved private street; and (5) the
18 proposed waiver will not be detrimental to the public health,
19 safety or welfare, result in additional expense, the creation of
20 nuisances or conflict with any other applicable law; now therefore,

21 **BE IT ORDAINED** by the Council of the City of Jacksonville:

22 **Section 1. Adoption of findings and conclusions.** The
23 Council has reviewed the record of proceedings and the Staff Report
24 of the Planning and Development Department and held a public
25 hearing concerning application for waiver of road frontage WRF-16-
26 20. Based upon the competent, substantial evidence contained in
27 the record, the Council hereby determines that the requested waiver
28 of road frontage meets the criteria for granting a waiver contained
29 in Chapter 656, *Ordinance Code*. Therefore, Application WRF-16-20 is
30 hereby approved.

1 **Section 2.** The Subject Property is owned by Lee S.
2 Neviaser, and is legally described in **Exhibit 1**, dated October 28,
3 2016. The agent is Laurie Ann Denman, 3563 Oldfield Lake Court,
4 Jacksonville, Florida 32223; (904) 612-9581.

5 **Section 3.** Legislative Services is hereby directed to
6 mail a copy of this legislation, as enacted, to the applicant and
7 any other parties to this matter who testified before the Land Use
8 and Zoning Committee or otherwise filed a qualifying written
9 statement as defined in Section 656.140(c), *Ordinance Code*.

10 **Section 4. Disclaimer.** The waiver of road frontage
11 granted herein shall not be construed as an exemption from any
12 other applicable local, state, or federal laws, regulations,
13 requirements, permits or approvals. All other applicable local,
14 state or federal permits or approvals shall be obtained before
15 commencement of the development or use and issuance of this waiver
16 of road frontage is based upon acknowledgement, representation and
17 confirmation made by the applicant(s), owner(s), developer(s)
18 and/or any authorized agent(s) or designee(s) that the subject
19 business, development and/or use will be operated in strict
20 compliance with all laws. Issuance of this waiver of road frontage
21 does not approve, promote or condone any practice or act that is
22 prohibited or restricted by any federal, state or local laws.

23 **Section 5. Effective Date.** The adoption of this
24 ordinance shall be deemed to constitute a quasi-judicial action of
25 the City Council and shall become effective upon signature by the
26 Council President and Council Secretary. Failure to exercise the
27 waiver, if herein granted, by the commencement of the use or action
28 herein approved within one year of the effective date of this
29 legislation shall render this waiver invalid and all rights arising
30 therefrom shall terminate.

1 Form Approved:

2

3



4

Office of General Counsel

5

Legislation Prepared By: Connie Patterson

6

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EXHIBIT 1

The Property

Tract B, Dunn's Crossing Unit One, according to the map or plat thereof, as recorded in Plat Book 58, Page(s) 166 through 178, of the Public Records of Duval County, Florida.

Less and Except the lands described in Official Records Book 14118, Page 2274, and in Official Records Book 14308, Page 855.

Parcel ID: 020028-0315

10/28/16

CD 8
PD 6

1322.00

APPLICATION FOR WAIVER OF MINIMUM REQUIRED ROAD FRONTAGE

Application No. WRF-16-20
Set for Public Hearing on:
Notice of Violation:

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.
Jacksonville,

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

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

For Official Use Only				
1. Date Submitted: <u>10-14-16</u>	2. Date Filed: <u>10/25/16</u>	3. Current Zoning District(s): <u>PUD 2002-572</u>	4. Future Land Use Map Category (FLUMs) <u>LDR</u>	5. Applicable Section of Ordinance Code:
6. LUZ Public Hearing Date: ___/___/___		7. City Council Public Hearing Date: ___/___/___		
8. Neighborhood Association <u>EDEN GROUP, ANGEL LAKES HOA</u>				
9. Number of Signs to be Posted <u>1</u>				

TO BE COMPLETED BY APPLICANT

10. Complete Property Address: <u>5135 Dunn Avenue Jacksonville, FL 32218</u>	13. Between Streets: <u>Dunn Avenue</u> and <u>Scenic Point Circle</u>
11. Real Estate Number: <u>020020-0315</u>	
12. Date lot was recorded: <u>10/21/2014</u>	
14. Waiver Sought: Reduce Required Minimum Road Frontage from <u>70</u> feet to <u>39.65</u> feet.	
15. In whose name will the exception be granted? <u>LEE S. NEUJASER</u>	
16. Land Area (1/100 Acres): <u>1.51</u>	
17. Utility Services Provider Well: <u>N/A</u> Septic: <u>N/A</u> City Water: <u>JEA</u> City Sewer: <u>JEA</u>	

RECEIVED
OCT 28 2016

Application for Waiver of Road Frontage 150522.doc

* * * 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;

SEE ATTACHED

(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);

TRUE

(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;

TRUE

(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;

TRUE

(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.

TRUE

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.

Application for Waiver of Minimum Required Road Frontage

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

The subject 1.51 acres lot, RE # 020028-0315, known to the City of Jacksonville as 5135 Dunn Avenue but also known to the United States Post Office as 11267 Robert Masters Court, Jacksonville, FL 32218, only abuts to Robert Masters Court. The rest of the lot is land locked by other residential lots or protected wetland conservation areas, without any other street access. The access into this lot is via the 39.65 feet wide access driveway leading from Robert Masters Court. This access driveway cannot be widened to the required PUD 70 feet because the west side of the drive abuts another residential lot, RE # 020028-0317, which already has a residence built on it and the east side abuts a wetland conservation area, RE # 020028-0370. This demonstrates the practical difficulties in carrying out the strict letter of the regulation.

Without this waiver of minimum required road frontage, the subject lot can never be built on. This demonstrates the economic difficulty in carrying out the strict letter of the regulation.

*** 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.....	\$1,161.00	\$7.00 PER ADDRESSEE
NON-RESIDENTIAL DISTRICTS.....	\$1,173.00	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: Lee S. Neuiase

Address: 4005 Clearwater Ln.

City: Jacksonville

State: FL Zip: 32223

Email: leebeen1954@yahoo.com

Daytime Telephone: 904.229.5975

[Signature]
SIGNATURE OF OWNER(S) SIGN

Name and address of Authorized Agent(s)

Name: Laurie Ann Denman

Address: 3563 Oldfield Lake Ct.

City: Jacksonville

State: FL Zip: 32223

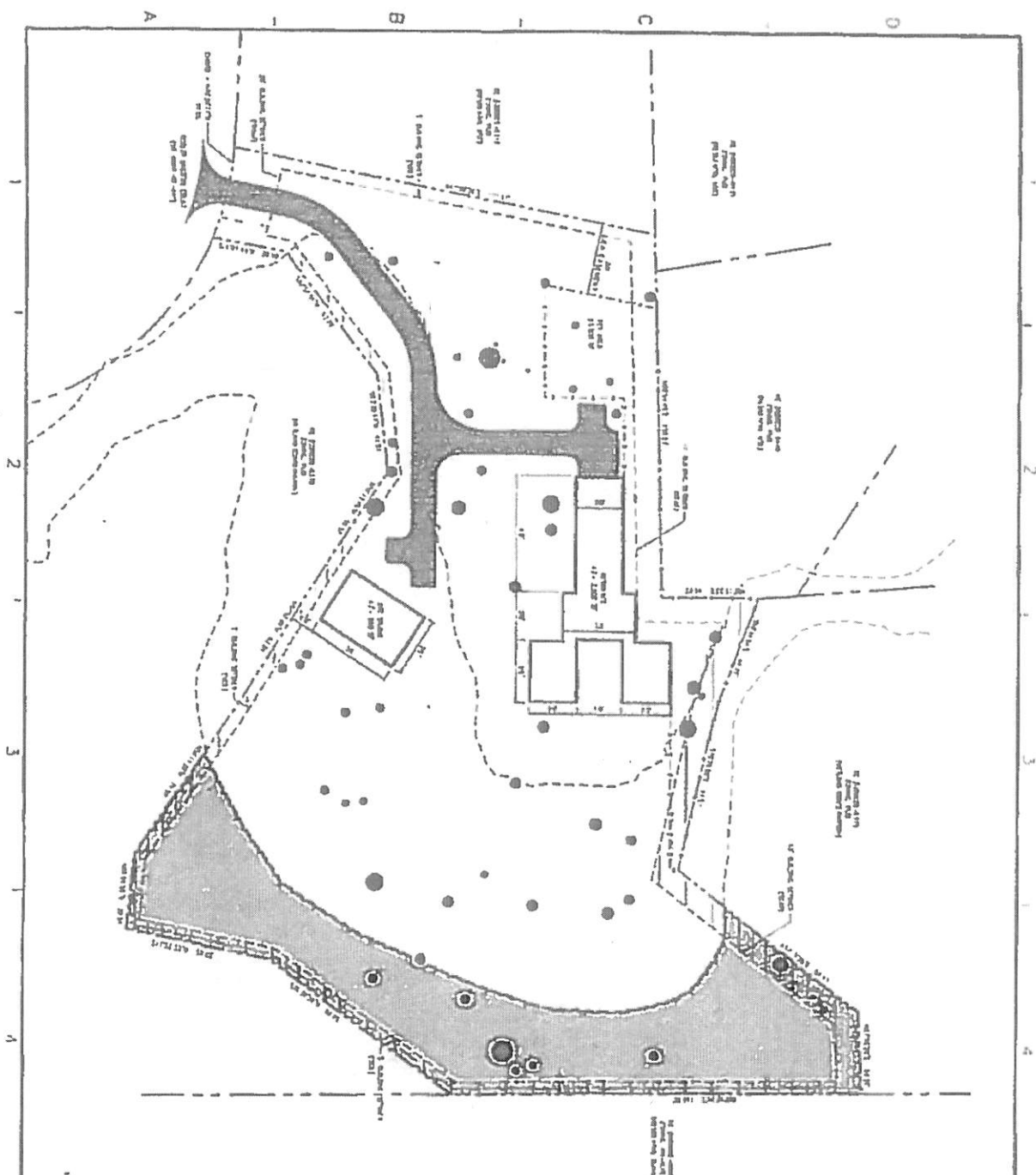
Email: Rev Laurie Denman CVR@aol.com

Daytime Telephone: 904.612.9591

[Signature]
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.



GENERAL NOTES

1. SEE SITE SPECIFICATIONS AND SEE ARCHITECT FOR CONSTRUCTION SPECIFICATIONS AND SEQUENCE OF WORK.

2. ALL UTILITIES TO BE LOCATED AND DEPTH MEASURED BY THE CONTRACTOR BEFORE ANY CONSTRUCTION BEGINS.

3. ALL UTILITIES TO BE DEEPENED AND COVERED WITH 6" MINIMUM THICKNESS CONCRETE SLAB.

4. ALL UTILITIES TO BE DEEPENED AND COVERED WITH 6" MINIMUM THICKNESS CONCRETE SLAB.

5. ALL UTILITIES TO BE DEEPENED AND COVERED WITH 6" MINIMUM THICKNESS CONCRETE SLAB.

6. ALL UTILITIES TO BE DEEPENED AND COVERED WITH 6" MINIMUM THICKNESS CONCRETE SLAB.

PROPERTY DATA

ACRES	1.18 ACRES
PERMIT NO.	2018-0000001
OWNER	JOSLEY GROUP, LLC
DESIGNER	JOHN J. HAYES & ASSOCIATES, INC.
DATE	11/27/2018

HATCH LEGEND

[Pattern]	ASPHALT PAVEMENT
[Pattern]	C&G PAVEMENT
[Pattern]	GRAVEL
[Pattern]	EXISTING DRIVEWAY



Agent Authorization

Date: Sept. 8, 2016

City of Jacksonville
City Council / Planning and Development Department
117 West Duval Street, 4th Floor / Ed Ball Building,
214 North Hogan Street, Suite 300, Jacksonville, Florida 32202

Re: Agent Authorization for the following site location:

Parcel ID 020028-0315 (Tract B, Duval's Crossing Ut. 1)

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers

Laurie Ann Denman

to act as agent to file application(s) for

Waiver of minimum required road frontage

for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

[Signature]
Owner's Signature

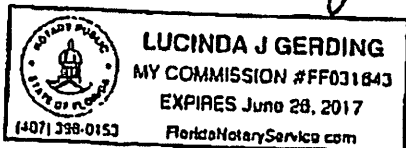
STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 8th day of

September (month), 2016 (year) by

Lee Neviaser, who is personally known to me or has

produced [Signature] as identification.
(Notary Signature)



Application for Waiver of Road Frontage 160801.doc

Legal Description

Tract B, Dunn's Crossing Unit One, according to the map or plat thereof, as recorded in Plat Book 58, Page(s) 166 through 178, of the Public Records of Duval County, Florida.

Less and Except the lands described in Official Records Book 14118, Page 2274, and in Official Records Book 14308, Page 855.

Parcel ID: 020028-0315

EXHIBIT 1

The Property

Tract B, Dunn's Crossing Unit One, according to the map or plat thereof, as recorded in Plat Book 58, Page(s) 166 through 178, of the Public Records of Duval County, Florida.

Less and Except the lands described in Official Records Book 14118, Page 2274, and in Official Records Book 14308, Page 855.

Parcel ID: 020028-0315

EXHIBIT A

Property Ownership Affidavit

Date: Sept. 30, 2016

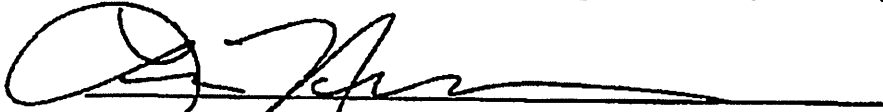
City of Jacksonville

City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 214 North Hogan Street, Edward Ball Building, Suite 300
Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

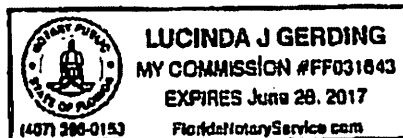
I, Lee S. Neviasser hereby certify that I am the
Owner of the property described in the attached legal description, Exhibit 1 in connection with
filing application(s) for Waiver of minimum required road frontage.
submitted to the Jacksonville Planning and Development Department.



(Owner's Signature)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 4th day of
October (month), 2016 (year) by Lee S. Neviasser
who is personally known to me or has produced
as identification.


(Notary Signature)

Page _____ of _____

Prepared by:
HomeGuard Title & Trust, LLC
12646 San Jose Boulevard, Suite 105
Jacksonville, Florida 32223
File Number: JV140377
SP:520,000.00

General Warranty Deed

Made this October 10, 2014 A.D. By Scenic Marsh, L.L.C., a Florida Limited Liability Company, whose address is: 4971 Scenic Marsh Court, Jacksonville, FL 32226, hereinafter called the grantor, to Michael C. Neviaser and Lee S. Neviaser, husband and wife, whose address is: 4004 Clearwater Lane, Jacksonville, FL 32223, 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:

Tract B, Dunn's Crossing Unit One, according to the map or plat thereof, as recorded in Plat Book 58, Page(s) 166 through 178, of the Public Records of Duval County, Florida.

Less and Except the lands described in Official Records Book 14118, Page 2274 and in Official Records Book 14308, Page 855.

Parcel ID Number: 020028-0315

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 covenants, restrictions, easements and reservations of record, if any, but such reference shall not act to re-impose same, and taxes accruing subsequent to December 31, 2013.

Prepared by:
HomeGuard Title & Trust, LLC
12646 San Jose Boulevard, Suite 105
Jacksonville, Florida 32223
File Number: JV140377
SP:\$20,000.00

1 of 3

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

Signed, sealed and delivered in our presence:

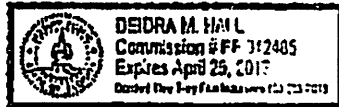
Judith Donnell
Witness Printed Name Judith Donnell

Dianna E. Putnal (Seal)
Dianna E. Putnal, Managing Member of Scenic Marsh,
L.L.C., a Florida Limited Liability Company
Address: 4971 Scenic Marsh Court, Jacksonville, FL 32226

Dianna M. Hall
Witness Printed Name Dianna M. Hall

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 10th day of October, 2014, by Dianna E. Putnal, Managing Member of Scenic Marsh, L.L.C., a Florida Limited Liability Company, who is/are personally known to me or who has produced a valid drivers license as identification.



Dianna M. Hall
Notary Public
Print Name: Dianna M. Hall
My Commission Expires: 4/25/17

BUREAU of VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2016094484

DATE ISSUED: June 23, 2016

DECEDENT INFORMATION

STATE FILE DATE: June 22, 2016

NAME MICHAEL CHARLES NEVIASER

DATE OF DEATH FOUND ON June 20, 2016 SEX MALE SSN 230-78-8884 AGE 882 YEARS
DATE OF BIRTH April 11, 1924 BIRTHPLACE ARLINGTON, VIRGINIA, UNITED STATES
PLACE OF DEATH DECEDENT'S HOME
FACILITY NAME OR STREET ADDRESS 4005 CLEARWATER LAKE
LOCATION OF DEATH JACKSONVILLE, DUVAL COUNTY, 32223

SURVIVING SPOUSE, DECEDENT'S RESIDENCE AND HISTORY INFORMATION

MARITAL STATUS: MARRIED
SPOUSE (IF FEMALE MAIDEN NAME): LEE SHIFFERT
RESIDENCE: 4005 CLEARWATER LAKE, JACKSONVILLE, FLORIDA 32223, UNITED STATES COUNTY DUVAL
OCCUPATION, INDUSTRY SELF EMPLOYED, ENTREPRENEUR
RACE White
HISPANIC OR HAITIAN ORIGIN? NO, NOT OF HISPANIC/HAITIAN ORIGIN
EDUCATION: BACHELORS DEGREE EVER IN U.S. ARMED FORCES? NO

PARENTS AND INFORMANT INFORMATION

FATHER: CHARLES M NEVIASER
MOTHER: DORIS BLANKENSHIP
INFORMANT: LEE NEVIASER
RELATIONSHIP TO DECEDENT SPOUSE
INFORMANT'S ADDRESS 4005 CLEARWATER LAKE, JACKSONVILLE, FLORIDA 32223, UNITED STATES

PLACE OF DISPOSITION AND FUNERAL FACILITY INFORMATION

PLACE OF DISPOSITION JACKSONVILLE CREMATORY
JACKSONVILLE, FLORIDA
METHOD OF DISPOSITION: CREMATION
FUNERAL DIRECTOR/LICENSE NUMBER: JEANA LIND, F044825
FUNERAL FACILITY: HARDAGE-GIDDENS - SAN JOSE BLVD F040849
11801 SAN JOSE BLVD, JACKSONVILLE, FLORIDA 32223

CERTIFIER INFORMATION

TYPE OF CERTIFIER: CERTIFYING PHYSICIAN MEDICAL EXAMINER CASE NUMBER: NOT APPLICABLE
TIME OF DEATH (24 hr): UNKNOWN
CERTIFIER'S NAME: SAMR YAMIL ARRAY
CERTIFIER'S LICENSE NUMBER: ME82248
NAME OF ATTENDING PHYSICIAN (if other than Certifier): NOT APPLICABLE

CAUSE OF DEATH AND INJURY INFORMATION

MANNER OF DEATH: NATURAL
CAUSE OF DEATH - PART I - and Approximate Interval: Onset to Death
a CARDIORESPIRATORY FAILURE NOT STATED
b HYPERTENSIVE CARDIOMYOPATHY NOT STATED
c HYPERTENSION NOT STATED
d
PART II - Other significant conditions contributing to death but not resulting in the underlying cause given in PART I
RENAL FAILURE

AUTOPSY PERFORMED? NO AUTOPSY FINDINGS AVAILABLE TO COMPLETE CAUSE OF DEATH?
DATE OF SURGERY DID TOBACCO USE CONTRIBUTE TO DEATH? NOT STATED
REASON FOR SURGERY
IF FEMALE, NOT APPLICABLE
DATE OF INJURY: NOT APPLICABLE TIME OF INJURY (24 hr) INJURY AT WORK?
LOCATION OF INJURY
DESCRIBE HOW INJURY OCCURRED

PLACE OF INJURY
IF TRANSPORTATION INJURY: Status of Decedent: Type of Vehicle

[Signature]

State Registrar

REQ 2017143380

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE
WARNING: THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH WATERMARKS OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATER MARKS. THE DOCUMENT BACK CONTAINS A MULTICOLORED BACKGROUND, GOLD EMBOSSED SEAL, AND THERMOCHROMIC FL. THE BACK CONTAINS SPECIAL INK WITH TEXT: THIS DOCUMENT WAS NOT PRODUCED A COLOR COPY.



OH FORM 1947 (03-13)

CERTIFICATION OF VITAL RECORD

2 5 5 3 1 5 6 0 5 2

Prepared by and return to:
Brian Dawes
Edwards Cohen
200 W. Forsyth St., Suite 1300
Jacksonville, Florida 32202

RE Parcel #: 020028-0315

**USE AND HOLD HARMLESS
AGREEMENT
(JEA Easement)**

THIS USE AND HOLD HARMLESS AGREEMENT ("Agreement") is made this ____ day of _____, 2016, between LEE S. NEVIASER, an unmarried widow, whose address is 5135 Dunn Avenue, Jacksonville, FL 32218 (the "Owner") and JEA, a body politic and corporate with offices at 21 West Church Street, Jacksonville, Florida 32202 ("JEA"), with the consent and joinder of LAURIE ANN DENMAN ("Purchaser").

RECITALS:

A. Owner is the owner of certain property commonly known as 11267 Robert Masters Court, Jacksonville, Florida 32218, and more particularly described in Exhibit A attached hereto (the "Property"). Owner intends to convey fee simple title to the Property to the Purchaser, and upon such transfer of title the Purchaser shall be the "Owner" for all purposes under this Agreement.

B. Pursuant to the Plat of Dunn's Crossing Unit One, according to the map or plat thereof, as recorded in Plat Book 58, Page(s) 166 through 178, of the Public Records of Duval County, Florida, JEA is the owner and holder of a 30' Unobstructed JEA Utility Easement for Vehicular Access (the "Easement") upon portions of the Property (the portions of the Property encumbered by the Easement are hereinafter referred to as the "Easement Area").

C. Owner plans to construct, use, and maintain a gravel entrance drive (the "Driveway") on a portion of the Easement Area.

D. The purpose of this Agreement is to set forth the terms and conditions under which JEA has granted permission to Owner to construct, use, and maintain the Driveway on the Easement Area.

NOW THEREFORE, for Ten and No/100 Dollars (\$10.00) and in consideration of the premises and of the mutual covenants contained herein, the receipt and legal sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. JEA hereby permits Owner, its agents, invitees, licensees, successors and assigns the right to improve and use the Easement Area for the construction, use and maintenance of the Driveway, subject to the terms, conditions and restrictions more particularly detailed herein.

2. The Easement shall remain unobstructed and Owner shall not impede the use and access of the Easement by JEA. Owner shall not interfere with JEA's use of the Easement or otherwise conduct any activities in violation of the Easement. In the event of any such interference or violation, Owner, upon receipt of notice and description of such interference or violation from JEA shall cause any such

interference to cease and modify its use of the Easement Area as may be reasonably required to prevent such interference in the future.

3. Owner hereby indemnifies and holds JEA harmless from and against any and all damages, claims, actions, costs, losses and expenses incurred in connection with the injury or death of any person, or damage to the property of any person arising out of or in connection with the use by Owner or its agents, contractors, servants, successors or assigns of the Easement Area or rights granted by this Agreement, except for claims, actions, costs, losses and expenses arising from the gross negligence or willful act or omission of JEA or its agents, contractors, servants or employees.

4. Owner shall, at its own expense, maintain the Driveway on the Easement Area in a good, safe and attractive condition. Owner is solely responsible and agrees to repair any damages to the Easement or Driveway that result from Owner's use of the property including but not limited to alteration of topography or drainage and replacement of grass and landscaping. In addition to the foregoing, Owner shall be solely responsible for any damages to the Driveway resulting from JEA's reasonable and proper use and activities within the Easement in accordance with the terms of the Easement.

5. Owner shall not install any additional improvements, other than the Driveway, on the Easement Area without written permission from JEA.

6. Any notice, demand, or request required or authorized by this Agreement shall be deemed properly given if mailed postage prepaid to the following addresses, or to such other locations that either party may designate in writing:

To JEA: JEA
 21 W. Church Street, CC-6
 Jacksonville, Florida 32202
 Attention: Manager, Real Estate Services

To Owner: 11267 Robert Masters Court
 Jacksonville, Florida 32218

7. The rights and obligations contained within this Agreement shall run with the land and inure to, and be for the benefit of, Owner and JEA, their respective successors and assigns, and the tenants, subtenants, licensees, concessionaires, mortgagees in possession, customers and business invitees of such parties.

8. Any waiver at any time by JEA of its rights with respect to Owner or with respect to any matter arising in connection with this Agreement shall not be considered a waiver with respect to any other prior or subsequent default or matter.

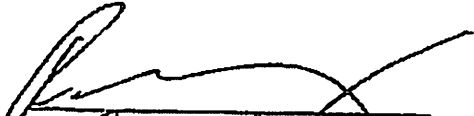
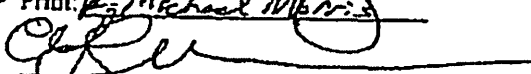
9. This Agreement may be revoked immediately by JEA, at any time, if Owner violates any of the material provisions, terms, or conditions contained in this Agreement.

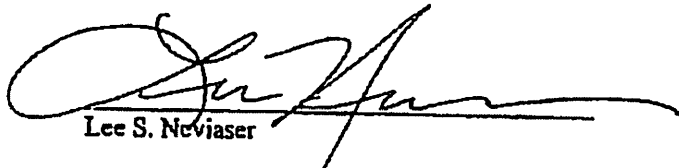
(signatures on following pages)

IN WITNESS WHEREOF, Owner, Purchaser and JEA have caused these presents to be executed on the day and year first above written.

WITNESSES:

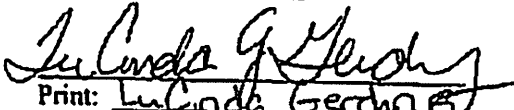
OWNER:

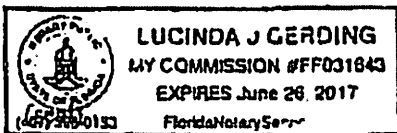

Print: Michael Morris

Print: Evelyn Steuer-Machon


Lee S. Neviaser

STATE FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 8 day of Sept, 2016, by Lee S. Neviaser, an unmarried widow, who is personally known to me or produced _____ as identification.


Print: Lucinda Gerding
Notary Public, State of Florida
Commission No.: FF031643
My commission expires: 6/26/17



WITNESSES:

Londyn Hearn
Print: Londyn Hearn

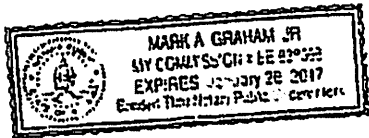
James C. ...
Print: James C. ...

PURCHASER:

Laurie Ann Denman
Laurie Ann Denman

STATE FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 13 day of September, 2016, by Laurie Ann Denman, who is personally known to me or produced FIPL as identification.



(seal)

Mark A. Graham Jr.
Print: Mark A. Graham Jr.
Notary Public, State of Florida
Commission No.: 839368
My commission expires: 01/28/2017

WITNESSES:

Dina Ghee
Print: DINA GHEE

Brandon L. Traub
Print: Brandon L. Traub

JEA, a body politic and corporate

By: Donald L. Burch, Jr.
Donald L. Burch, Jr.
Manager, Real Estate Services

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 10th day of October, 2016, by Donald L. Burch, Jr., the Manager of Real Estate Services of JEA, a body politic and corporate, on behalf of the JEA, and who is personally known to me or has produced _____ as identification.



(seal)

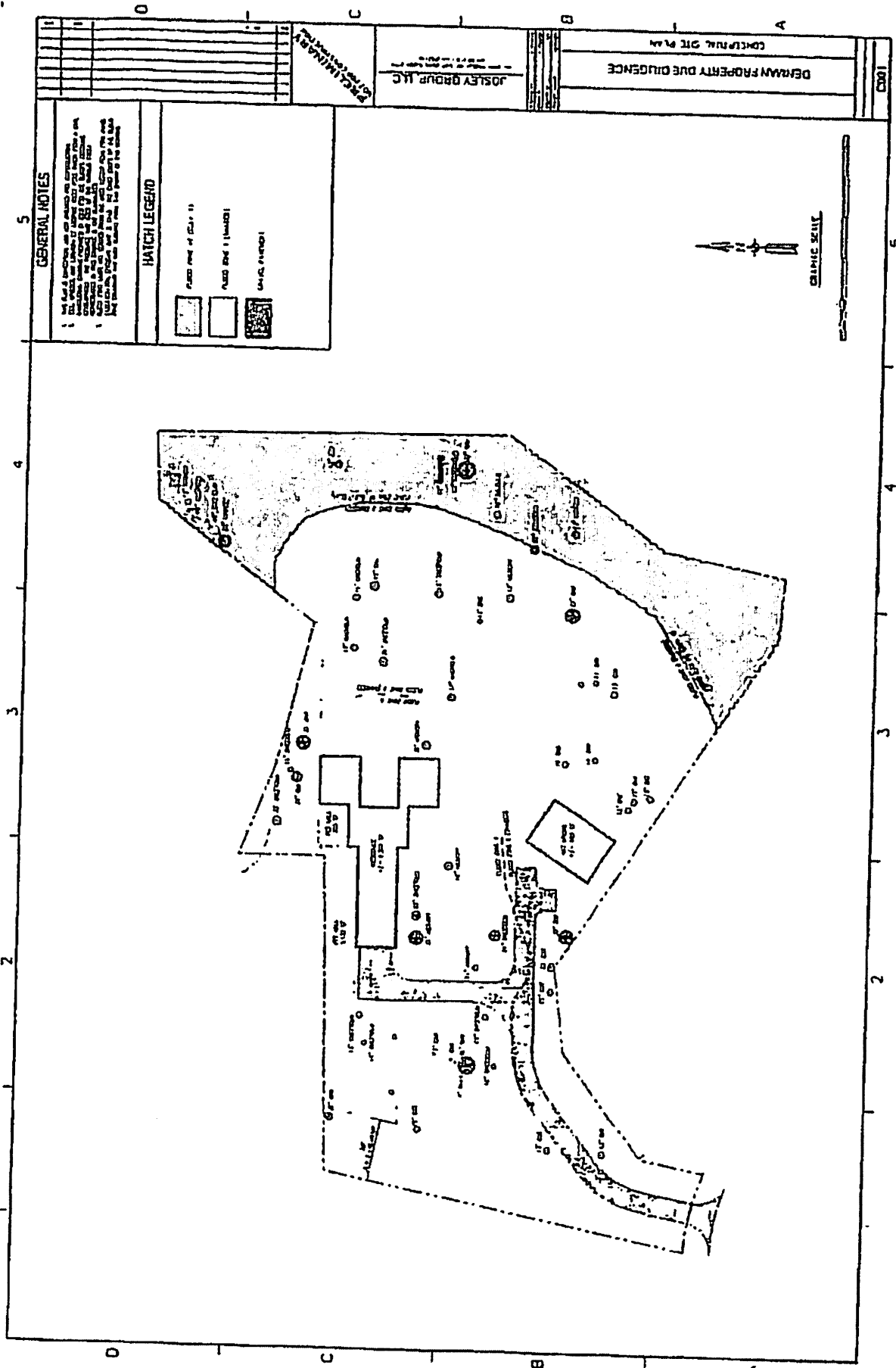
Brandon L. Traub
Print: _____
Notary Public, State of Florida
Commission No.: _____
My commission expires: _____

EXHIBIT A

The Property

Tract B, Dunn's Crossing Unit One, according to the map or plat thereof, as recorded in Plat Book 58, Page(s) 166 through 178, of the Public Records of Duval County, Florida.

Less and Except the lands described in Official Records Book 14118, Page 2274 and in Official Records Book 14308, Page 855.



Michael Corrigan, Tax Collector
 Duval County/City of Jacksonville
 Comments - taxcollector@coj.net
 Inquiries - (904)630-1916
 www.coj.net/tc

Duval County, City Of Jacksonville
 Michael Corrigan, Tax Collector
 231 E Forsyth Street
 Jacksonville, FL 32202

General Collection Receipt

Date: 10/25/2016 Time: 12:01:39
 Location: P08 Clerk: ZSP
 Transaction 0858136

Date 10/20/2016
 Email MCorrigan@coj.net

Name: Lee S Neviser
 Address: 4005 Clearwater Lane, Jacksonville, FL 32223
 Description: Application for Waiver of Required Road Frontage at 5135 Dunn Av

Miscellaneous
 Item: CR - CR387993
 Receipt 0858136.0001-0001 1,322.00
 Total Paid 1,322.00
 CHECK 1333 1,322.00
 Total Tendered 1,322.00

Acct	SubdNo	UserCode	Project	ProjectDtl	Grant	GrantDtl	DocNo	Amount
								1322.00

Paid By: LAURIE A DENMAN
 Thank You

Total Due: \$1,322.00

Michael Corrigan, Tax Collector
 General Collections Receipt
 City of Jacksonville, Duval County

Account No: CR387993 ZONING/VARIANCE/EXCEPTION
 Name: Lee S Neviser
 Address: 4005 Clearwater Lane, Jacksonville, FL 32223
 Description: Application for Waiver of Required Road Frontage at 5135 Dunn Av

Date 10/20/2016

Total Due: \$1,322.00