#### **AD-17-12**

LOCATION:

895 Champion Way

**REAL ESTATE NUMBER:** 

008883-0000

**DEVIATION SOUGHT:** 

1. Increase the maximum height of structure from 35 feet to 42 feet.

**Proposed Single Family Dwelling** 

PRESENT ZONING: Rural Residential-Acre (RR-Acre) CURRENT LAND USE: Low Density Residential (LDR)

**PLANNING DISTRICT: 5** 

**COUNCIL DISTRICT: 12** 

SIGNS POSTED: 1

**OWNER/AGENT: Thornton Byron Tedder** 

9703 Oxford Station Drive Jacksonville, FL 32221

#### STANDARDS, CRITERIA AND FINDINGS

# 1. Is this situation unique or similar to other properties in the neighborhood?

#### **Recommendation:**

Unique. This request will only be for the western property owned by Thornton Byron Tedder, as depicted in the site plan provided. To the west of the subject property is a RLD-80 subdivision that is developed with single family dwellings generally one and two story in height, but under the 35 feet maximum. To the south is a PUD with lots ranging in width from 50 to 75 feet, with mostly one story home and some two story homes. The properties to the north and east of the subject property are zoned Rural Residential-Acre. The subject property would be developed with the tallest and largest residence in the neighborhood. This property is very large compared to other lots in the area, at ±5.84 acres. The site plan indicates that the location of the newly constructed house will be approximately 125 feet from the property lines of the PUD subdivision to the south and 100 feet from the property lines of the RR-Acre homes to the north. None of the existing surrounding homes have similar lot/setback characteristics.

Similar requests are unlikely in this area as all other lots are already developed or are open space for the subdivision. However, the property owner does have another piece of property to the east that he is seeking a Waiver of Minimum Road Frontage for, which would allow him to build another single family dwelling on if the request is

granted. The cumulative effect of similar requests would have an adverse impact to the character of the surrounding properties. The proposed single family dwelling has no similarity to homes in the surrounding area. Findings: 2. There are practical and economic Recommendation: No. The site can reasonably be developed for its difficulties in carrying out the strict letter intended purpose within the standards of the of the regulation in that... Zoning Code. Findings: Recommendation: 3. The request is not based exclusively No. There is no reduction in the cost of developing upon a desire to reduce the cost of developing the site, but would accomplish the site resulting from the request. a result that is in the public interest. Findings: **Recommendation:** 4. The proposed deviation will not No. The additional cost and expansion of a substantially diminish property values in, nor alter the essential character of the development of this size would not substantially area surrounding the site and will not diminish property values of surrounding properties. substantially interfere with or injure the However, the visual character of the structure is rights of others whose property would be not consistent with the surrounding neighborhood affected by the deviation, in that... in terms of floor area, massing, scale, height or visual quality. Findings: **Recommendation:** 5. The proposed deviation will not be The Planning and Development Department has detrimental to the public health, safety, or welfare, result in additional public concerns that by allowing this deviation it will expense, the creation of nuisances, or create a public health, safety, and welfare concern conflict with any other applicable law, in in that the complete lack of approved road that... frontage may make finding the lot difficult for fire, rescue, and public services. Additionally, the easement is a narrow pathway maintained by area property owners. Access may be very difficult for larger vehicles such as fire trucks and solid waste trucks. Furthermore, the continued development of residences using easements has resulted in the creation of a disorganized de facto subdivision lacking continuity of development and lacking cityapproved roads, drainage, and sidewalks. Allowing this deviation is to allow the continuation of single family dwellings to be built along roads not constructed for essential services and in this case does not conform to the Zoning Code.

	Findings:
6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.	Recommendation:  No. The spirit and intent of the Zoning Code is to permit deviations from the requirements when presented with unique situations that are not self-imposed and that meet the above criteria. The request will facilitate the construction of a single family dwelling on a 5.84 acre site with no road frontage. The applicant has submitted a Waiver of Minimum Road Frontage application (WRF-17-06) for a request of reduction from 160 feet to 0 feet. The Planning & Development Department recommends denial for that request also.  Findings:
7. The City landscape architect (has/has not) recommended the proposed deviation.	N/A
8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.	N/A

PLANNER RECOMMENDATION: DENY

DATE OF REPORT: May 16, 2017

**DECISION:** 

DATE:



Upon visual inspection of the subject property on February 28, 2017 by the Planning and Development Department, the Notice of Public Hearing sign **was** posted.



**Aerial** 



Subject Property (RE#: 008883-0000)

Date: February 28, 2017 Source: COJ Planning & Development Department



View of Subject Property from the subdivision to the south.

Date: February 28, 2017

Source: COJ Planning & Development Department



Property to the north of subject properties: Single Family Dwelling on 1.91 Acres (862 Planters Grove Drive)

Date: February 28, 2017

Source: COJ Planning & Development Department



Property to the north of subject properties: Single Family Dwelling on 1.92 Acres (865 Planters Grove Dr)

Date: February 28, 2017

Source: COJ Planning & Development Department



Property to the south of subject properties: Single Family Dwelling in Meadow Pointe Subdivision (10358 Wood Dove Way)

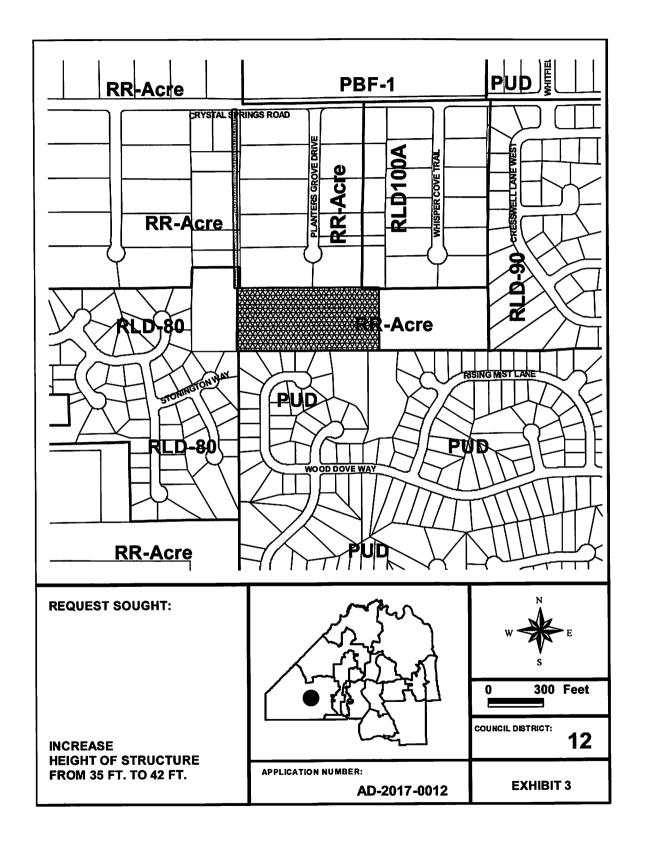
Date: February 28, 2017

Source: COJ Planning & Development Department



Property to the west of subject properties: Single Family Dwelling (896 Champion Way)

Date: February 28, 2017 Source: COJ Planning & Development Department





# 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 (4) 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-	17-12
Set for Public Hea	ring on:	
Notice of Violation	n:	

	IN ORMATION	REGARDING TI	<u> 113 FC</u>	<u> DRM, CALL: (904) 255</u>	<u>-8300.</u>		
For Official Use Only							
1. Date Submitted:	2. Date Filed:	3. Current Zon District(s):	ing	4. Future Land Use Ma (FLUM) Category:	5. Applicable Section of Ordinance Code:		
1-24-17		RR	LOR		(A)(I)(q)		
Amount of Fee 966. Council District /2 Planning District 5 Zoning Panel No. 914							
	•			6-30 Zoning Asst. Initi	_		
Previous Zoning Appli	cations filed?	o If yes, state	Applic	cation No(s)			
Neighborhood Associa							
	TO BE CO	DMPLETED	BY	APPLICANT			
6. Complete Property Address Chambio 7. Between Streets: (cystal Spring)							
Real Estate Number			and Champion way				
Date lot was recorded:  Reason for Request: Height Variance							
8. Deviation Sought:							
Reduce Required Minimum Lot Area from to feet.							
Increase Maximum Lot Coverage from% to%.							
Increase Maximum Height of Structure from 35 to							
Reduce Required Yard(s)							
Reduce Minir	num Number of R	equired Off-stree	t Parki	ng Spaces from	to		
Reduce Minimum Landscape Requirements							
Annelle distribution section section sections.	Transitive and the second and the se	~ ~~~					

RECEIVED

MAR 0 2 2017

	Parchael	
9 In whose name will the deviation be granted?	stron redder	
10. Is transferability requested?Yes orNo with the property.)	ी approved, the administrative deviation is transfer	rred
	Utility Services Provider	j
11. Land Area (Acres) \	well city water	
	septic tank city sewer	
* * * NOTICE TO	OWNER/AGENT * * *	
Section 656.101(a), Ordinance Code, defines an a of the Zoning Code requirements for minimum lot landscaping, maximum lot coverage and maximum Zoning Administrator is authorized to grant pursuithrough (j)."	area, yards, number of off-street parking space n height of structures, including fences, which t	, e
Section 656.109(e) through (j), Ordinance Code. If for Administrative Deviations, the Zoning Admin competent evidence exists to support a positive fit	istrator shall grant a deviation only if substantial	ations
12. Provide answers to the following questions pe a separate sheet if necessary. Please note that fail need for the deviation and to meet the criteria set	ure by the applicant to adequately substantiate.	attach
1. Does the subject property exhibit any circum physical surroundings, shape, topographical co conditions limited to the subject property alone	nditions or other physical or environmental	
1. Are there practical or economic difficulties in o	carrying out the strict letter of the regulation?	
No		
2. Is the request based exclusively upon a desire t	o reduce the cost of developing the site?	
<i>no</i>		
3. Does the request accomplish some result which	is in the public interest? (As an example, furthe	ering
the preservation of natural resources by saving a tr	ee or trees.) By anima werther his	احلتان
handesign we were abole Property while obsaining t	to conserve trees one	محر
Property while obsaining 4. Could the proposed deviation substantially aim	inish property values in, or alter the essential	
character of the area surrounding the site; and could the rights of others whose property would be affect	led by the deviation? 100	$\mu$
at the end of champion,	way. I don't believe an	100k
would be impacted in a	Muses.	1

result in additional law?	sed deviation detrimental to the public health, safety or wellare, or could such deviation and public expense, creation of nuisances, or cause conflict with any other applicable
6. If the propositions of the	sed deviation relates to minimum required landscaping, please submit the comments or City's Landscape Architect.
II. Would the p	proposed deviation be in harmony with the spirit and intent of the Zoning Code, following as applicable:
i. Did the appl	icant create the violation with intent to violate the provisions of the Zoning Code?
2. Has the viola	ation existed for a considerable length of time without receiving a citation?
3. Is the violation the property?	on that exists a result of construction, which occurred prior to the applicants acquiring
plans, should be o	- One (1) of each of the following should be included in each copy of the application, r (4) complete copies. All copies, with the exception of the two (2) required large site on 8 1/2" x 11" paper.
plans, should be o	on 8 1/2" x 11" paper.
plans, should be oSurveySite Plan as rLetter of Aut	
Dians, should be of Survey Site Plan as ruletter of Authorization. Letter from the desthetic required	equired per instructions. (All copies on 8 ½ x 11 and 2 copies on 11 x 17 or larger)
Survey Site Plan as r Letter of Authe application. Letter from the daesthetic requirements Associated to the commer's Associated to the commercial	equired per instructions. (All copies on 8 ½ x 11 and 2 copies on 11 x 17 or larger) horization for Agent is required if any person other than the property owner makes the applicable Home Owner's Association stating that request meets their architectural irements or letter stating that the subject parcel is not within the jurisdiction of a ssociation (Residential Only).
plans, should be of Survey  Site Plan as replication.  Letter from the application required aesthetic required to the Day care uses	equired per instructions. (All copies on 8 ½ x 11 and 2 copies on 11 x 17 or larger) horization for Agent is required if any person other than the property owner makes the applicable Home Owner's Association stating that request meets their architectural irements or letter stating that the subject paged is not within the property.

#### \*\*\* 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 Zoning Administrator. 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.

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
RESIDENTIAL DISTRICTS.......S966.00

NOTIFICATION COSTS: \$7.00 PER ADDRESSEE

the application is not signed by the owner of record.

NON-RESIDENTIAL DISTRICTS...... \$952.00

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)
Nam Thoraton Byron Ted	Hame:
Address: 9703 Oxford Station	Address:
<u>Dr.</u>	
City: Jacksonville	City:
State: FL Zip: 3221	State: Zip:
Email: +byrontedder@yaloo.wn	Email:
	Daytime Telephone:
SIGNATURE OF OWNER(S)	SIGNATURE OF AUTHORIZED AGENT(S) The Agent's letter of authorization must be attached if

# Property Ownership Affidavit - Individual

Date: 12/22/2016	
City of Jacksonville	
Planning and Development Department	
214 North Hogan Street, Suite 300,	
Jacksonville, Florida 32202	
Re: Property Owner Affidavit for the followard Address: 895 Champion Way 32221	wing site location in Jacksonville, Florida:RE#(s): 008883-0000
To Whom it May Concern:	
I Thornton Tedder	and the state of t
	ereby certify that I am the Owner of the property described in
Submitted to the Jacksonville Planeting	application(s) for Administrative
submitted to the Jacksonville Planning and	Development Department.
By Ding Offi	
Original Program To 11	
Print Name: Thornton Byron Tedder	
STATE OF FLORIDA	
COUNTY OF DUVAL	
·	
Sworn to and subscribed and December 2016 by Byrco	d acknowledged before me this day of
known to me or who has produced	who is personally
ook an oath.	as identification and who
- Tem &	
(Si <sub>l</sub>	gnature of NOTARY PUBLIC)
	Terri Levis
(Pr	inted name of NOTARY PUBLIC)
	te of Florida at Large.
My	commission expires: 400/19, 2000



### INSTRUCTIONS FOR FILING ADMINISTRATIVE DEVIATION

An Application for Administrative Deviation is filed with the Planning and Development Department, Zoning Section, Ed Ball Building. 214 North Hogan Street. 2nd Floor, Jacksonville. Florida 32202, (904) 255-8300. All applications must be complete when filed. The following is a step by step guide to help persons interested in applying for a deviation.

#### Items 1 through 5

These blocks are for official use only and will be completed by the Zoning Section Staff.

#### Item 6 - Complete Property Address

Enter the street address, the real estate number(s), and the date that the lot was officially recorded as shown on the original deed for the parcel. Real estate numbers can best be obtained through the Property Appraiser's Office in the Yates Building on 231 E. Forsyth Street. Room 270.

#### Item 7 - Intersecting Streets

This question seeks the names of the two streets closest to the applicant's property, not including the street on which ingress and egress will occur. Normally, these streets intersect the street on which the proposed development is located.

#### Item 8 - Deviation Sought

Check the box corresponding to the sought request. If more than one deviation is requested, check all that applies and provide appropriate numbers.

Items 9 and 10 - Name that the deviation will be granted to and Transferability
The applicant must provide the name of the person for whom the deviation is granted. All
Administrative Deviations are transferable unless otherwise provided for in the Final Order
granting the deviation. Transferability refers to the rights granted through the Administrative
Deviation process and the transfer of those rights with the sale of the property. If the deviation is
granted without transferability, the deviation is personal, and any deviation granted is valid for as
long as that person owns the property, as long as other provisions related to commencement are
met. Upon sale of the property an Amendment to Final Order must be filed to transfer the
deviation to another individual.

#### Item 11 - Land Area (Acres) and Utility Services Provider

Please indicate the total acreage of the parcel of the proposed deviation and indicate whether the utilities will be provided by JEA, private well and septic tank, or another provider.

#### Item 12 - Responses to Standards and Criteria

These items represent the criteria used by the Zoning Administrator to grant a deviation. The applicant should review these, provide answers, and be prepared to explain how the specific request meets all applicable criteria, thereby providing substantial competent evidence to grant the proposed deviation.

Item 13 - Attachments: An Application for Administrative Deviation must consist of four (4) complete sets of the application and all required attachments. All required attachments should be provided on 8 ½ " x 11" paper, with the addition of two (2) of the four (4) application sets, which will include two (2) site plans at 11" x 17" or larger.

Survey - To be signed and sealed by a licensed surveyor within the last five (5) years. The same shall

show all improvements existing on the property as of the date this application is filed.

Legal description (either lot and block or metes and bounds)

- ... Site plan--drawn to scale
- Letter from the applicable Home Owner's Association stating that the request meets their architectural and aesthetic requirements or a letter stating that the subject parcel is not within the jurisdiction of a Home Owner's Association (Residential Only).
- Letter of Authorization for Agent is required if application is made by any person other than the property owner.

The following information must be shown on the site plan:

- A. Property dimensions and total land area
- B. Buildings (including dimensions, square footage, and total lot coverage area)
- C. Parking spaces and dimensions (including handicap) Commercial Only
- D. Loading and unloading area, if applicable, with turn-around area and dimensions Commercial Only
- E. Landscape areas and dimensions Commercial Only
- F. Ingress and egress (driveways, alleys and easements)
- G. Adjacent streets and right-of-way
- H. North arrow, map scale, and date of drawing
- I. Signage (if any)
- J. Building setbacks per Zoning Code
- K. Adjacent zoning districts and property uses

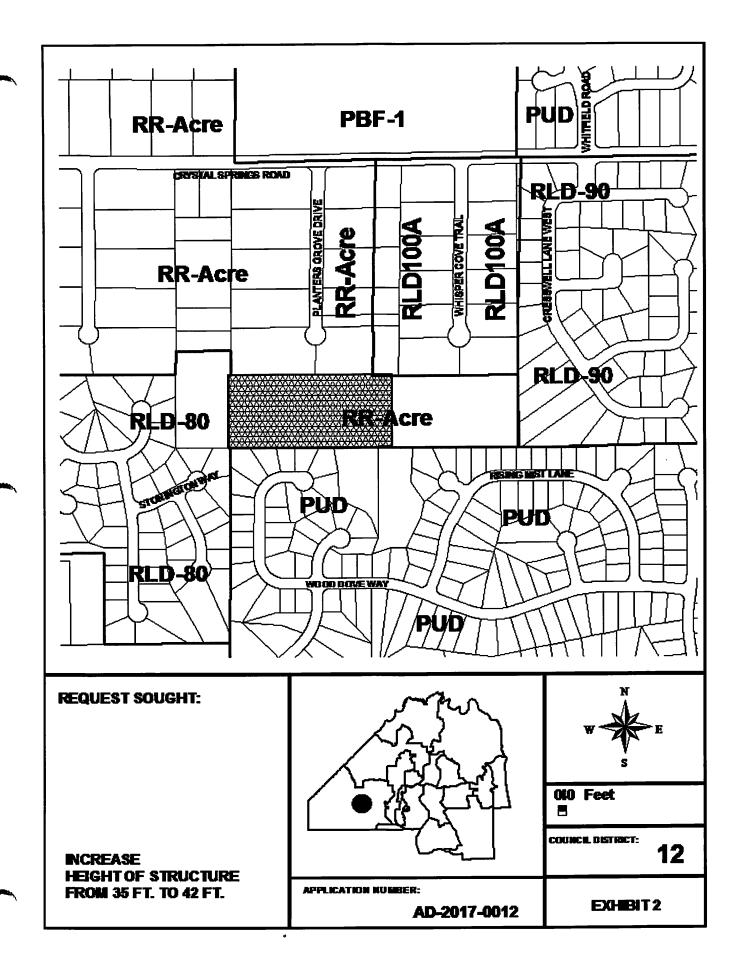
All drawings must be drawn to scale. Failure to have a "to-scale" drawing with each of the items above shown could result in your application being denied by the Planning and Development Department's Zoning Section.

When your completed application is submitted to the Planning and Development Department, Zoning Section, Ed Ball Building, 214 North Hogan Street, 2<sup>nd</sup> Floor, Jacksonville, Florida 32202, (904) 255-8300. A list of property owners (addressee) within a 350-feet radius of the property will be prepared by the Department. These property owners will be mailed a notice of public hearing.

NOTE: There is a 14-day appeal period after a deviation is granted before the final order can be issued.

# **Legal Description**

29-25-25E 5.84
PT S1/4 OF NW Y4RECD
OR 17182-836
Being Parcels 1, 2

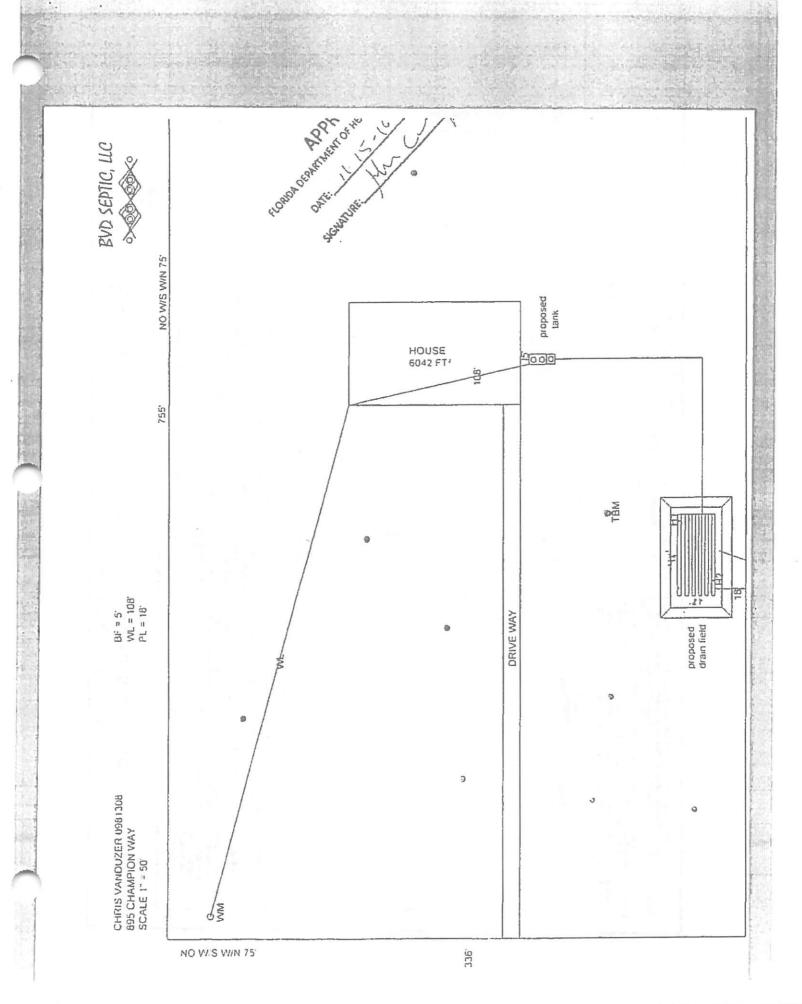


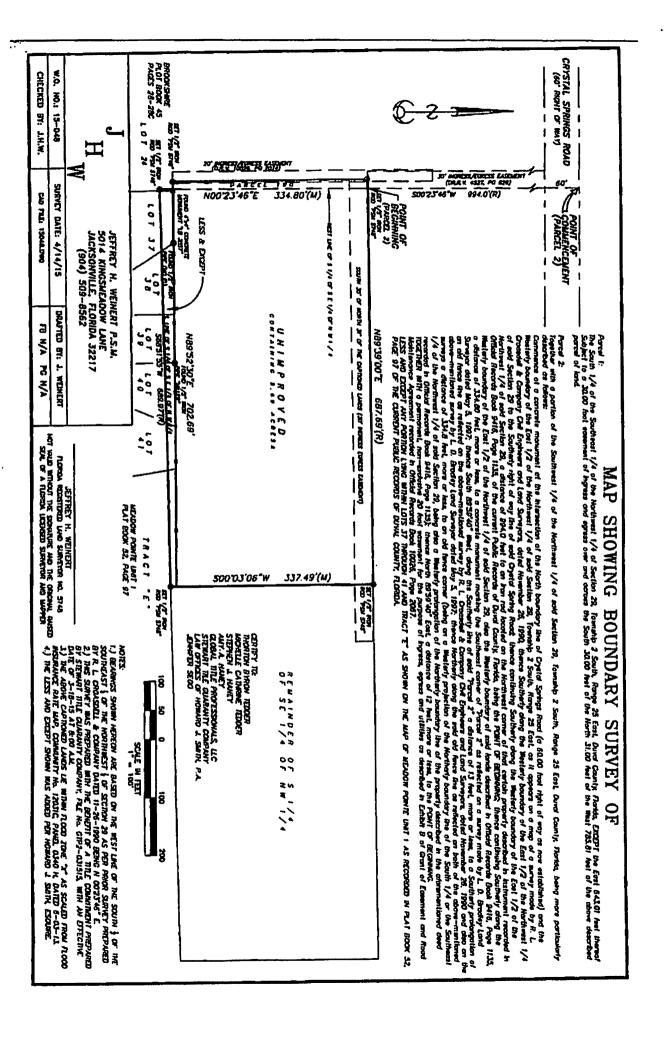
# Signatory List (Prepared by the Office of General Counsel - Last Revised 4/1/2015)

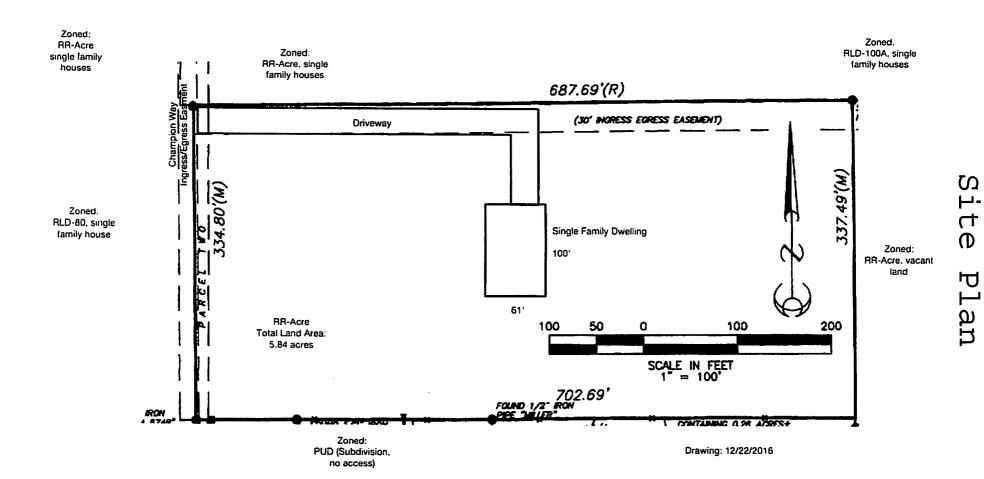
Generally, the persons listed under each of the ownership types below are deemed to have authority to execute documents, including affidavits, on behalf of that ownership type:\*

- Corporation
  - o President
  - o Vice President
  - o Chief Executive Officer
- Limited Liability Company
  - o Sole Member
  - o Managing Member
- General Partnership
  - All Partners
- Limited Partnership
  - o General Partner
- Land Trust
  - o Trustee\*\*
- Tenancy by the Entirety (Husband & Wife)
  - o Both Husband & Wife
- Tenancy in Common
  - o All tenants (owners)
- Joint Tenancy with Right of Survivorship
  - o All tenants (owners)
- \* Other officers or individuals may provide a corporate resolution, the corporate Bylaws or other legally sufficient documentation to establish that they are authorized as a signatory for the entity. If you are unsure whether sufficient documentation has been provided, please direct the question to OGC.
- \*\* The Trustee must provide trust documents demonstrating that he, she, or it is in fact the person named as Trustee.

Note: A "fictitious name" and a "joint venture" are not legal entities. If an applicant is using a fictitious name or purports to be a joint venture, the underlying entities must be ascertained. Corporations, limited liability companies, and limited partnerships must be registered with the Florida Division of Corporations (the "Division") to transact business in Florida. General partnerships may but are not required to register with the Division. Entities registered with the Division can be verified at the following website address: <a href="https://www.sunbiz.org">www.sunbiz.org</a>. The "sunbiz" website also includes a listing of the officers/directors of each registered entity.

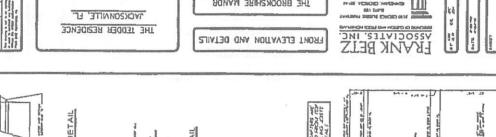


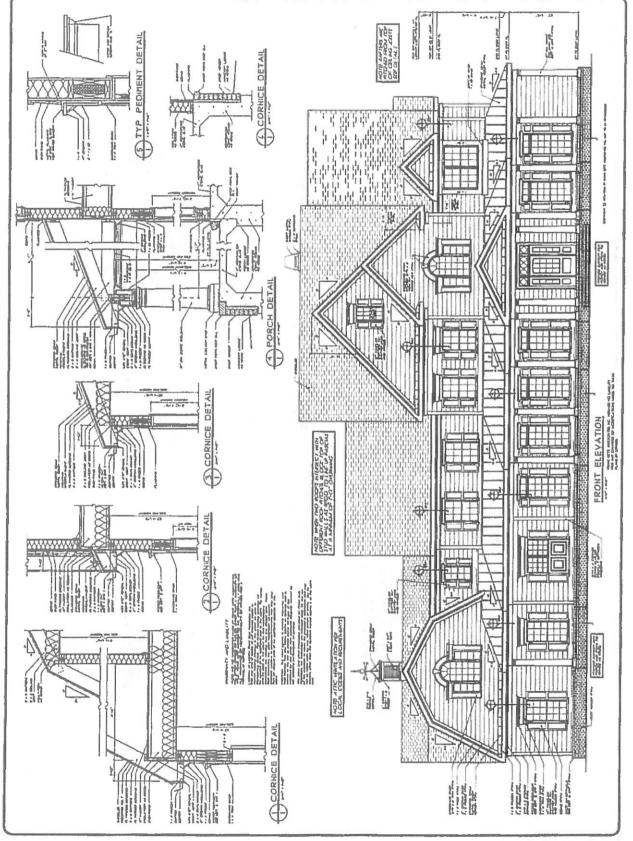




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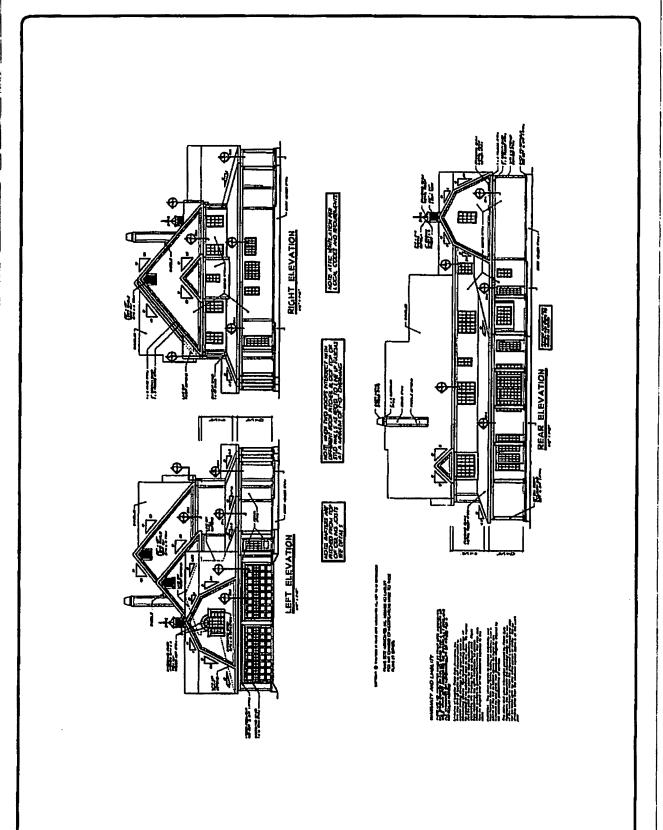


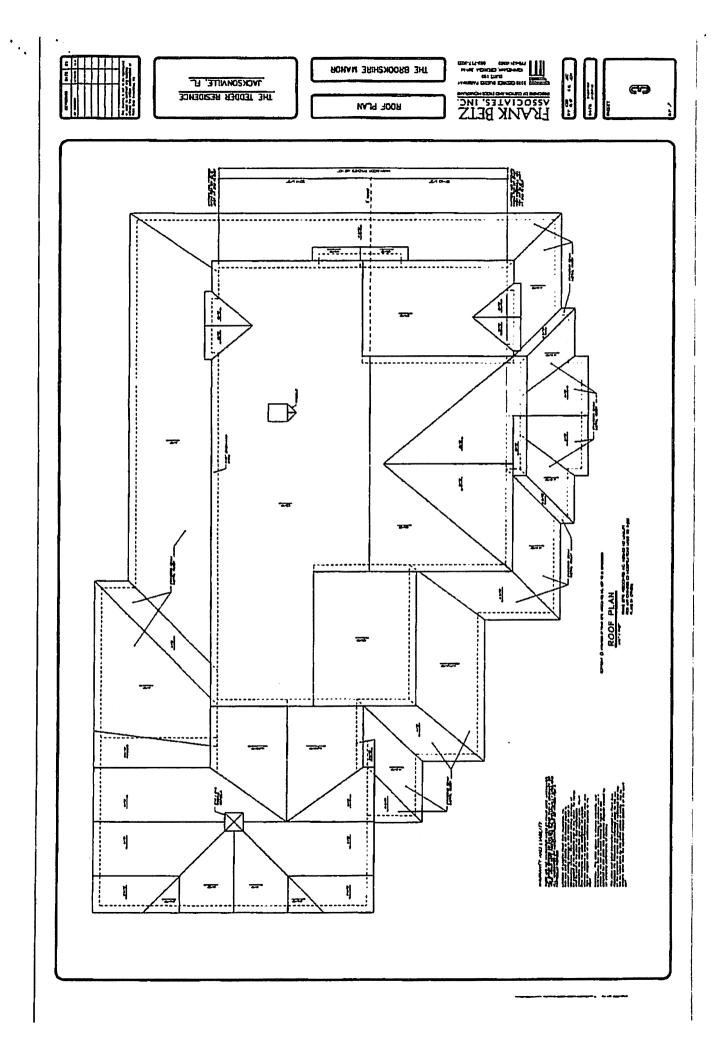


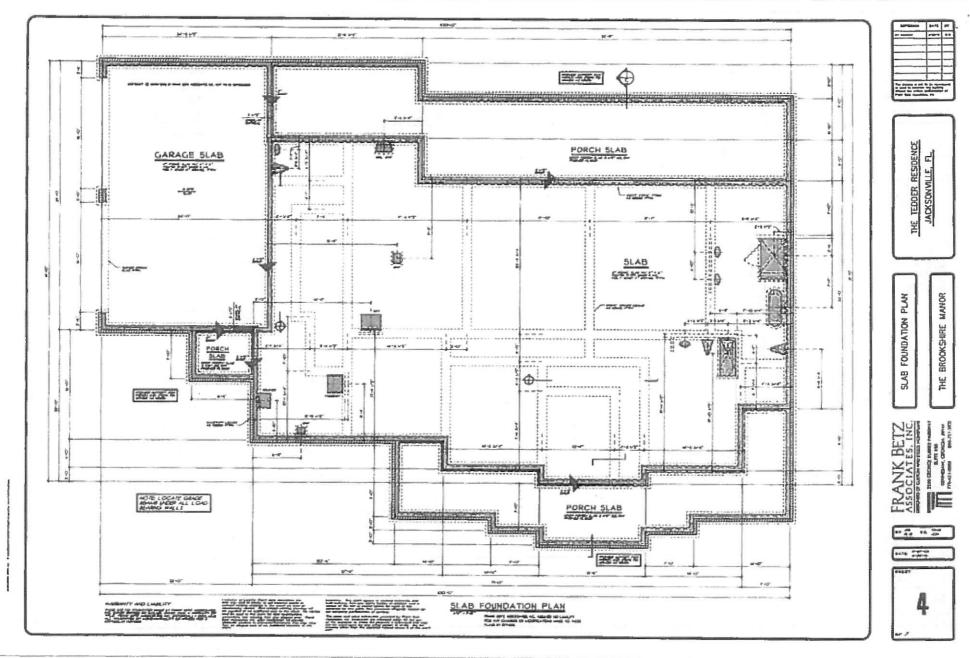
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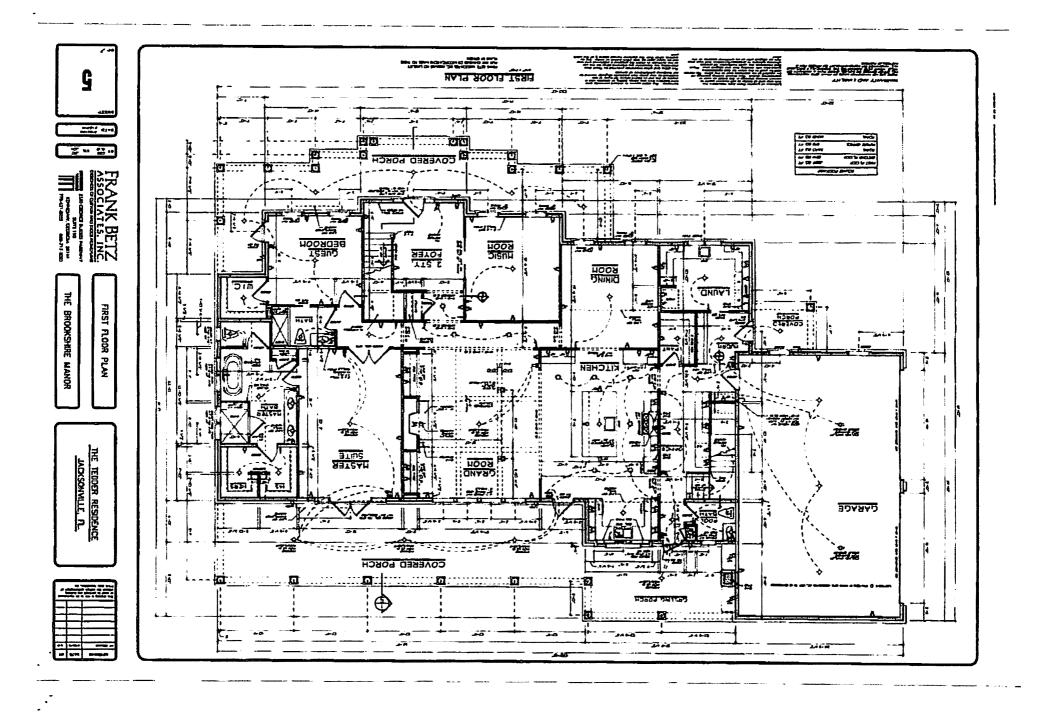
SIDE & REVE ELEVATIONS

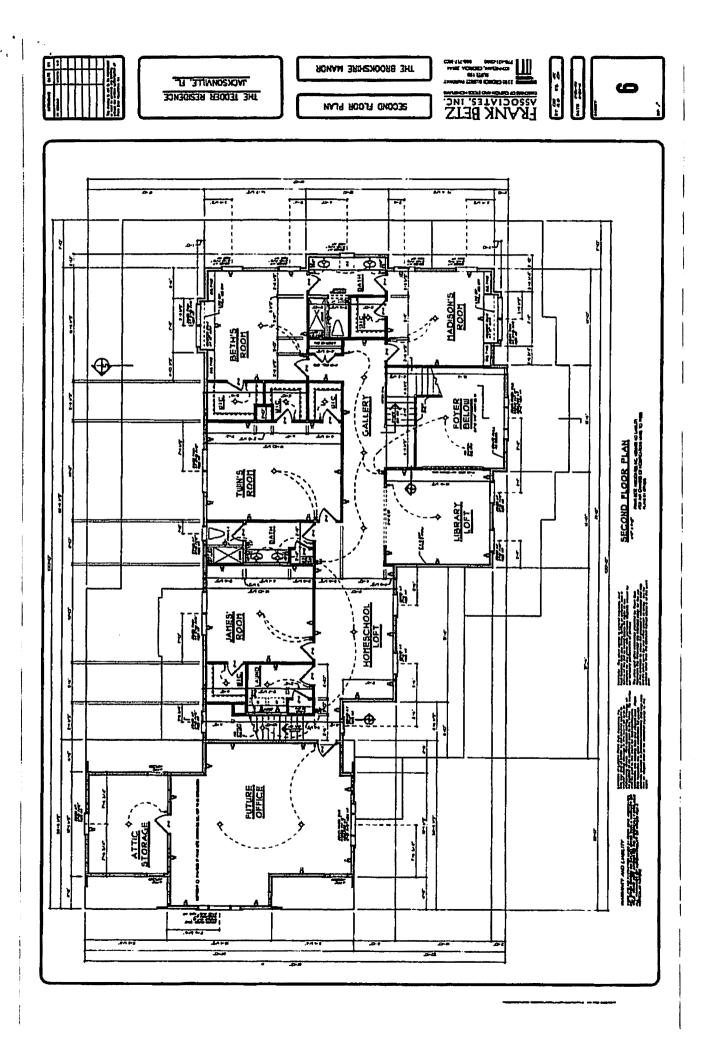
FRANK BETZ

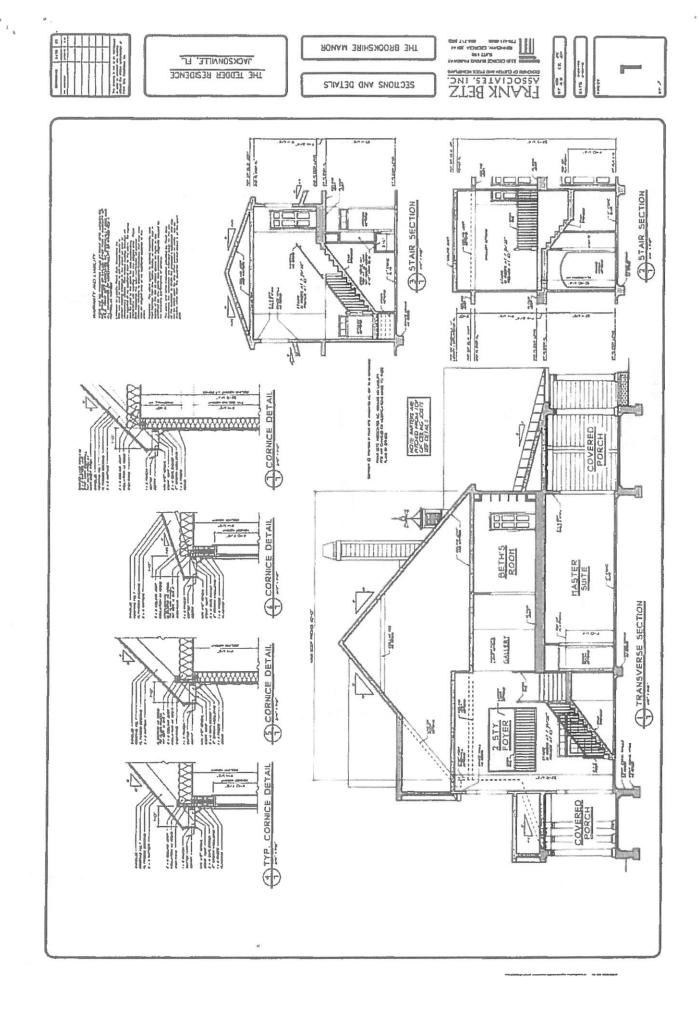












### **Duval County, City Of Jacksonville** Michael Corrigan, Tax Collector

231 E. Forsyth Street Jacksonville, FL 32202

## General Collection Receipt

Account No: CR399287

Date: 2 1 2017 Email: MHarlow@coj.net

User: Harlow, Max

REZONING/VARIANCE/EXCEPTION

Name: Thornton B Tedder

Address: 9703 Oxford Station Dr., Jacksonville, FL 32221

Description: Applications for Waiver of Minimum Required Road Frontage & Administrative

Deviation at 895 Champion Way.

TranCode		SubObject	GLAcct	SubsidNo	L'serCode	Project	ProjectDtl	Grant I	GrantDtl	Doc'so i	Amount
701	PDCU011	342504			1						2708 00

Paid By: THORTON B TEDDER Thank You	Total Tendered	CHECK 1808 CHECK 021268 CHECK 021290	Total Paid	Miscellaneous Item: CR - CR399287 Receipt 0101443.0001-0001	Michael Corrigan, Tax Collector Duval County/City of Jacksonville Comments - taxcollector@coj.net Inquiries - (904)630-1916  www.coj.net/tc Date: 02/16/2017 Time: 15:13:57 Location: POB Clerk: Transaction 0101443
	2,708.00	1,161.00 1,161.00 386.00	2,708.00	2,708.00	lector conville coj.net 916 i: 13:57 Clerk: ZSP

Total Due: \$2,708.00

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

Account No: CR399287REZONING/VARIANCE/ENCEPTION

Name Thornton B Tedder

Address 9703 Oxford Station Dr., Jacksonville, FL 32221

Description Applications for Waiver of Minimum Required Road Frontage & Administrative Deviation at 895 Champion Way

Date: 2 | 2017

Total Duc: \$2,708.00

